

ORDINANCE NO. 4369

AN ORDINANCE VACATING CERTAIN STREETS IN RONLER ACRES PLAT NO. 1, RONLER ACRES PLAT NO. 2, AND RONLER ACRES PLAT NO. 3, IN THE CITY OF HILLSBORO, IN WASHINGTON COUNTY, OREGON.

WHEREAS, on the 5th day of July, 1995 there was filed with the City Council of the City of Hillsboro, Oregon a petition for the vacation of certain streets, and

WHEREAS, the City Council has found that, pursuant to Section 165, Chapter XV of the Amended Charter of the City of Hillsboro, Oregon, the petition had the consent of the requisite number of owners in fee simple of the real property fronting on both sides of the streets sought to be vacated, and that all things necessary to be kept, performed and done have been so kept, performed and done, and

WHEREAS, the City Council has found pursuant to a public hearing on September 5, 1995 that it will not be prejudicial to the public to vacate the streets hereinafter described, if the conditions listed in Section 2, below, are attached to said vacation.

NOW, THEREFORE, THE CITY OF HILLSBORO DOES ORDAIN AS FOLLOWS:

Section 1. The following streets, located in the City of Hillsboro, Oregon are hereby vacated, subject to the conditions listed in Section 2, below. Upon the effective date of said vacation, possession of the land shall revert to the owner of record of the abutting lots as required by Oregon Revised Statutes and the Amended Charter of the City of Hillsboro:

All those streets in Ronler Acres Plat No. 1, Ronler Acres Plat No. 2, and Ronler Acres Plat No. 3, in the City of Hillsboro, in Washington County, Oregon, not previously vacated, except the following:

- (a.) any portion of said streets lying within that parcel of land described in deeds to the City of Hillsboro, recorded 05/02/1995 as Documents 95030368 and 95030373, deed records of Washington County, Oregon (relocated NW 229th Avenue);
- (b.) any portion of said streets within a parcel of land to be used for the realignment of NW Butler Street, located in the City of Hillsboro, in Washington County, Oregon, further described as follows:

Beginning at a point on the centerline of NW Cornell Road (County Road No. 2662), designated as Station 84+80.19 of County Road No. 2662 per the plat of County Road No. 2662 and as Station 5+00.00 for the purposes of this description;

thence North 56°07'49" West, 488.60 feet to a point of curvature at Station 9+88.60;

thence along the arc of a 400.00-foot radius curve to the left, through a central angle of  $21^{\circ}19'59''$  an arc distance of 148.93 feet (the chord of which bears North  $66^{\circ}47'48''$  West, 148.07 feet) to a point of tangency at Station 11+37.53;

thence North  $77^{\circ}27'47''$  West, 331.69 feet to a point on tangent at Station 14+69.22;

thence continuing North  $77^{\circ}27'47''$  West, 151.80 feet to a point of curvature at Station 16+21.02;

thence along the arc of a 530.00-foot radius curve to the left, through a central angle of  $30^{\circ}32'00''$  an arc distance of 282.44 feet (the chord of which bears South  $87^{\circ}16'13''$  West, 279.11 feet) to a point of tangency at Station 19+03.46;

thence South  $72^{\circ}00'13''$  West, 816.45 feet to a point of curvature (defined as Station 27+19.91) which bears North  $72^{\circ}00'13''$  East, 81.94 feet from the centerline of NW Butler Street as dedicated in the plats of RONLER ACRES PLAT NO. 1 and RONLER ACRES PLAT NO. 3;

thence along the arc of a 530.00-foot radius curve to the right, through a central angle of  $17^{\circ}34'36''$  an arc distance of 162.59 feet (the chord of which bears South  $80^{\circ}47'31''$  West, 161.95 feet) to a point of tangency at Station 28+82.50 which lies on the centerline of NW Butler Street as dedicated in the plats of RONLER ACRES PLAT NO. 1 and RONLER ACRES PLAT NO. 3;

thence along the centerline of said NW Butler Street as dedicated in said plats, South  $89^{\circ}34'49''$  West, 972.13 feet to a point on the northerly extension of the west line of Lot 12, Block 10 of RONLER ACRES PLAT NO. 1 at Station 38+54.63, and the terminus of said centerline.

The width of said strip of land, with reference to the above-described centerline, is 55.00 feet on each side of centerline from Station 5+00 to 14+69.22, and 35.00 feet on each side of centerline from Station 14+69.22 to the terminus.

- (c.) that portion of NW Butler Street lying west of a line which is parallel with and 22.17 feet east of the projection of the line common to Lots 15 and 16, Block 11, Ronler Acres Plat No. 1;
- (d.) that portion of NW Butler Street lying east and north of that property described in deed to Pacific Realty Associates, L.P., recorded 01/24/1995 as Document 95005430 in deed records of Washington County, Oregon;
- (e.) that portion of NW Young Street which lies west of the projection of the east right-of-way line of NW 233rd Avenue in Ronler Acres Plat No. 1;
- (f.) that portion of NW 233rd Avenue in Ronler Acres Plat No. 1 which lies north of the projection of the south right-of-way line of NW White Street;

(g.) NW 234th Avenue in Ronler Acres Plat No. 1;

(h.) Cornell Road.

Section 2. The following condition is attached to this vacation.

1. The petitioner shall enter into an agreement with the City of Hillsboro to dedicate right-of-way for streets according to applicable land-use plans, including the Orenco Station Community Plan, which may be in effect at the time. Such agreement shall refer to all land within Ronler Acres 1 and 2 presently owned by petitioner; shall be binding upon petitioner and upon petitioner's successors in title; and shall be in a form suitable for recording in Washington County deed records.


Section 3. The City Engineer of the City of Hillsboro is directed to record a true copy of this ordinance in the Recorder's Office of Washington County, Oregon, and to deliver a true copy of this ordinance to the petitioner in this matter.

Section 4. The City Engineer of the City of Hillsboro is directed to prepare a certificate, indicating the date upon which the condition adopted by the Council is satisfied, and to record such certificate in the Recorder's Office of Washington County, Oregon, and to deliver a true copy of such certificate to the petitioner in this matter.

Passed by the Council this 5<sup>th</sup> day of SEPTEMBER, 1995.

Approved by the Mayor this 5<sup>th</sup> day of SEPTEMBER, 1995.

ATTEST:

  
City Recorder

  
Mayor