

RESOLUTION NO. 10-18

A RESOLUTION CALLING FOR AN ELECTION TO APPROVE THE VACATION AND CHANGE IN STATUS FOR A PORTION OF THE OAKTREE PARK SUBDIVISION UNDER SECTION 41 OF THE CITY CHARTER, AND ADOPTING A BALLOT TITLE

WHEREAS, the City Commission has determined that it would be in the public interest to refer to City Voters the question of whether to vacate a portion of a parcel of real property owned by the City and designated or used for park purposes and allow that portion to be used for road and utility purposes; and

WHEREAS, the Commission deems such action necessary to allow for the construction of a public road and the addition of utilities that would allow access to, and use of, an adjacent undeveloped parcel of land and increase tax revenues to the City; and

WHEREAS, the subject parcel is shown as Tract "A" of the Oaktree Subdivision, and measures approximately 230 feet in depth and 98 feet in width at its widest point and comprises approximately 21,780 square feet in area. The parcel is located at 18980 Lafayette Avenue and identified as Clackamas County Tax Lot 3-1E-12AB-03200. The property was originally dedicated for park purposes. The portion of the property that would be used for a public road is no longer needed for park use. The City proposes to allow a portion of the property to be used as a public road approximately 53' wide and 86' long; and

WHEREAS, the proposed public road would replace the existing access road to the South End Fire station at 19001 South End Road, allow for a public street connection behind the fire station, through Clackamas County Tax Lot 3-1E-01DC-00403 to Josephine Street, thus improving vehicular, pedestrian and bicycle connectivity to existing and future adjacent residential areas.

WHEREAS, the City Commission considered this matter on August 4, 2010, and after reviewing the proposed plans for the public road and associated utilities, approved the disposition of the portion of the parcel, subject to this referral and further City processes; and

WHEREAS, Section 41 of the City Charter of Oregon City requires voter approval of the sale, lease, transfer, or change in status of land designated or used for parkland.

NOW, THEREFORE, OREGON CITY RESOLVES AS FOLLOWS:

Section 1. A regular city election is called in and for the City of Oregon City, to be held Tuesday, November 2, 2010. The Clackamas County Clerk shall conduct the election.

Section 2. At that election the following measure shall be submitted to the electors: a measure for the approval of the vacation of a portion of a parcel in the Oaktree Subdivision dedicated for park purposes, to be used as a public road approximately 53' wide and 86' long, and comprising approximately 4,558 square feet, and located at 18980 Lafayette Avenue, identified as Clackamas County Tax Lot 3-1E-12AB-03200. The legal description for this right-of-way tract across the park parcel is:

"A strip of land in the Southeast 1/4 of Section 1, Township 3 South, Range 1 East, of the Willamette Meridian, within the City of Oregon City, Clackamas County, Oregon and further described as follows:

The northwesterly 53 feet of "Tract A" as platted in the duly recorded subdivision plat "Oaktree."

Section 3. The City Commission adopts the following ballot title to describe the measure to be placed before the voters at the November 2, 2010 regular city election. The City Manager is directed to file the following ballot title with the City Recorder:

Measure No. _____:

CAPTION: Conversion of a Portion of Public Park Within Oaktree Subdivision

QUESTION: May City convert portion of public park within the Oaktree Subdivision to allow construction of a public road and utilities?

SUMMARY: The Oregon City Charter requires voter approval to change the status of land designated for parkland. The Oaktree Subdivision includes a 21,780 square foot area, located at 18980 Lafayette Avenue that was dedicated to the City for park purposes. If approved, a portion of that area, approximately 4,558 square feet, will be used as a public road. The legal description for this right-of-way tract is:

A strip of land in the Southeast 1/4 of Section 1, Township 3 South, Range 1 East, of the Willamette Meridian, within the City of Oregon City, Clackamas County, Oregon and further described as follows:

The northwesterly 53 feet of "Tract A" as platted in the duly recorded subdivision plat "Oaktree."

The reasons identified by the City Commission for supporting this request include: allowing access to an adjacent undeveloped parcel of land, increasing road connectivity and increasing tax revenues to the City. The effect of this Measure would reduce the size of the public park within the Oaktree Subdivision and provide a road connecting Lafayette Avenue with Josephine Street.

Approved and adopted at a regular meeting of the City Commission held on the 4th day of August 2010.



ALICE NORRIS, Mayor

Attested to this 4th day of August 2010



Nancy Ide, City Recorder

Approved as to legal sufficiency:



City Attorney