

RESOLUTION NO. 12-22

A RESOLUTION TO ALLOW PORTIONS OF A BASALT WALL AS A REVOCABLE RIGHT-OF-WAY OBSTRUCTION AT 15941 AGNES AVENUE, OREGON CITY, CLACKAMAS COUNTY, OREGON.

WHEREAS, Water Environmental Service's (WES) received approval of a Concept Master Plan, Planning File CP 08-01, for the Tri-City Treatment Plant site at 15941 Agnes Avenue; and

WHEREAS, WES has completed recent upgrades to include a decorative basalt wall along the Agnes Avenue frontage; and

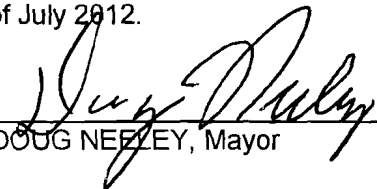
WHEREAS, the original construction plans called for this wall to be in the right-of-way (ROW). Plan review comments required the wall be moved back out of the ROW. The wall was moved back in the plans but a construction survey has shown the actual construction has three very small portions of the wall's footings and a short section of wall in the ROW. The short section was necessary to avoid a large utility vault; and

WHEREAS, the Oregon City Municipal Code 12.04.120 requires that permanent obstructions in a public street right-of-way be approved by the City Commission by passage of a resolution. Owners will be required to sign and record a Hold Harmless and Maintenance Covenant to maintain the small portions of basalt wall in the ROW.

WHEREAS, following the resolution passage, Oregon City Public Works will issue a "Revocable Right-of-Way Obstruction Permit", RW 12-47, for the existing wall encroachments and require maintenance of the wall by the owner.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of Oregon City, Oregon, to approve Resolution No. 12-24 and approve the City Engineer to issue a Revocable Right-of-Way Obstruction permit, RW 12-47, at 15941 Agnes Avenue for wall encroachments and maintenance of the wall by the owner.

Adopted, signed and approved this 18th day of July 2012.



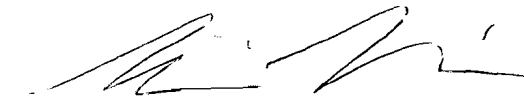
DOUG NEELEY, Mayor

Attested to this 18th day of July 2012:

Approved as to legal sufficiency:



for Nancy Ide, City Recorder



City Attorney