

RESOLUTION NO. 13-11

A RESOLUTION AUTHORIZING ISSUANCE OF OREGON CITY RIGHT-OF-WAY PERMITS FOR PERMANENT OBSTRUCTIONS FOR PROPERTIES OF "BARCLAY HILLS NO. 2" (PLAT NO. 1874) AND "BARCLAY HILLS NO. 3" (PLAT NO. 2451) SUBDIVISIONS, BOTH DULY RECORDED PLATS, OREGON CITY, CLACKAMAS COUNTY, OREGON.

WHEREAS, a right-of-way (ROW) permit ("ROW Obstruction Permit") shall be approved by the City Commission for obstructions in ROW with a duration greater than 60 days (permanent obstruction) and

WHEREAS, Scott Brown, representative for the property owner(s) of 17985 Markham Court (said property being Lot 32 of the above described "Barclay Hills No. 2" subdivision, also known as Tax Lot 600 of Tax Map 3-2E-05AB, Oregon City, Clackamas County, Oregon), hereafter called "PROPERTY", has requested a "Right-of-Way Permit for the construction of a replacement retaining wall that is proposed to be installed along the rear of the "PROPERTY", within the ROW of Peter Skene Way, namely in the near same location of the existing retaining wall that is now deemed failing and needs replacement; and

WHEREAS, the above described existing wall is actually a segment of a continuous retaining wall system that was built primarily along the eastern edge of the pavement section of Peter Skene Way and was built with or soon after the construction of the "Barclay Hills No. 2" and "Barclay Hills No. 3" subdivisions (prior to residential housing construction); and

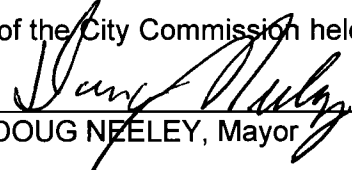
WHEREAS, Oregon City Public Works Staff has determined that the existing wall segment and the replacement wall segment do not and will not conflict with maintenance of the existing roadway and the placement of current or future public utilities within the ROW; and

WHEREAS, other retaining wall segments (within ROW) at various other locations are currently in need of repairs and will need future replacement; and

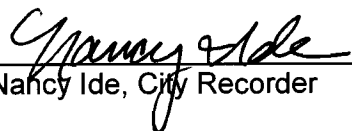
WHEREAS, "ROW Obstruction Permits" issued per this resolution shall be deemed revocable in case future improvements negate the obstruction in ROW issue.

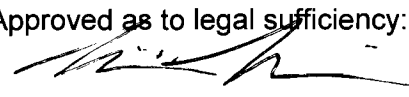
NOW, THEREFORE, OREGON CITY RESOLVES AS FOLLOWS: by the City Commission of Oregon City that Resolution No. 13-11 is approved to allow issuance of "ROW Obstruction Permits" for "Barclay Hills No. 2" and "Barclay Hills No. 3" properties.

Approved and adopted at a regular meeting of the City Commission held on the 3rd day of April 2013.


DOUG NEELEY, Mayor

Attested to this 3rd day of April 2013:


Nancy Ide, City Recorder

Approved as to legal sufficiency:

City Attorney