

*Orig recorded + filed in Vacation file. #*

RETURN TO: City Recorder, PO Box 351, Oregon City OR 97045

ORDINANCE NO. 97-1006

**COPY**

AN ORDINANCE VACATING A DEVELOPED PORTION OF HEDGES STREET BETWEEN MCLOUGHLIN BOULEVARD (HIGHWAY 99E) AND THE SOUTHERN PACIFIC RIGHT OF WAY IN THE PLAT OF CANEMAH, CLACKAMAS COUNTY

WHEREAS, IT APPEARS TO THE City Commission of Oregon City, that on August 21, 1996, Resolution No. 96-28 was duly adopted initiating action on its own motion pursuant to ORS 271.230, for vacation of a developed portion of Hedges Street between McLoughlin Boulevard (Highway 99E) and the Southern Pacific right of way, and thereafter the City Recorder caused notice to be given by posting by law, and that the matter of said vacation, together with a hearing of any objections or claims to be heard and considered concerning said vacation, would be heard and considered at 7:00 P.M., September 18, 1996, in the meeting room of the City Commission in City Hall, 320 Warner-Milne Road, Oregon City, Oregon: and

WHEREAS, THE said hearing having been held, that additional information was requested by the Commission, and the hearing continued to November 6, 1996; and

WHEREAS, THE hearing was resumed on November 6, 1996, at which the City Commission amended the proposed request; and

WHEREAS, THE hearing continuation has been held and the Commission finds that the proposed vacation, as amended, meets the criteria for a street vacation, I.E. that there is no present or future public need, that the vacation is in the best interest, that there would be no impacts to the adjacent property owners, and the adjacent property owners have consented; and

WHEREAS, IT appears that the public interest will not be prejudiced by the said vacation.

NOW, THEREFORE, OREGON CITY ORDAINS AS FOLLOWS:

The proposed vacation is for a portion of Hedges Street between McLoughlin Boulevard (Highway 99E) and the Southern Pacific Right of Way, described as follows:

That portion of Hedges Street lying southerly of the Southern Pacific southern right of way line, as extended between Lot 1 Block 1 and Lot 4 Block 20 of the townplat of Canemah, and lying northerly of a line 1 foot north of the McLoughlin Boulevard right of way line connecting the Southeast corner of Lot 8 Block 1 and lot 5 Block 20 of the said plat.

Be and the same is hereby vacated, reserving a 30 foot utility and City access easement centered on the centerline of Hedges Street.

Read for the first time at a regular meeting of the City Commission held on the 5th day of March, 1997, and the foregoing ordinance was finally enacted by the City Commission this 5th day of March 1997.

  
JEAN K. ELLIOTT, City Recorder

ATTESTED this 5th day of March, 1997

  
DANIEL W. FOWLER, Mayor

ORDINANCE NO. 97-1006  
Effective Date: April 4, 1997

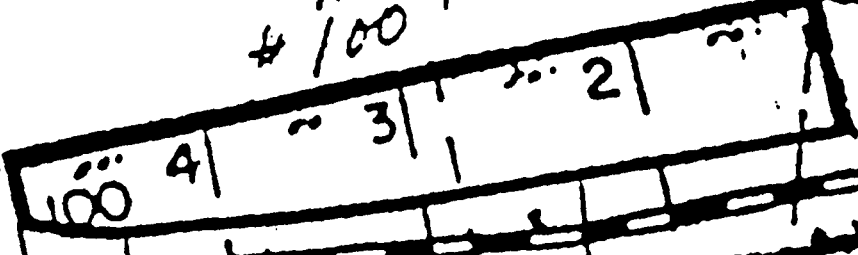
REET

RAIL ROAD RIGHT-OF-WAY

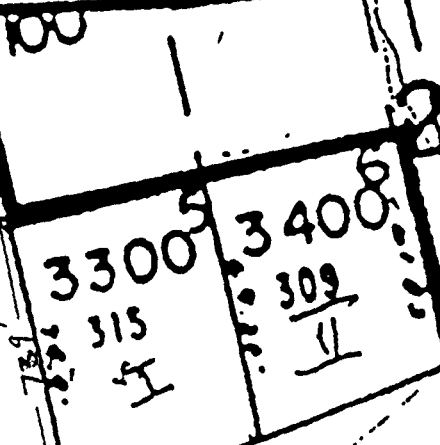
NE Cor. DLC No. 40

NW Cor. DLC No. 47

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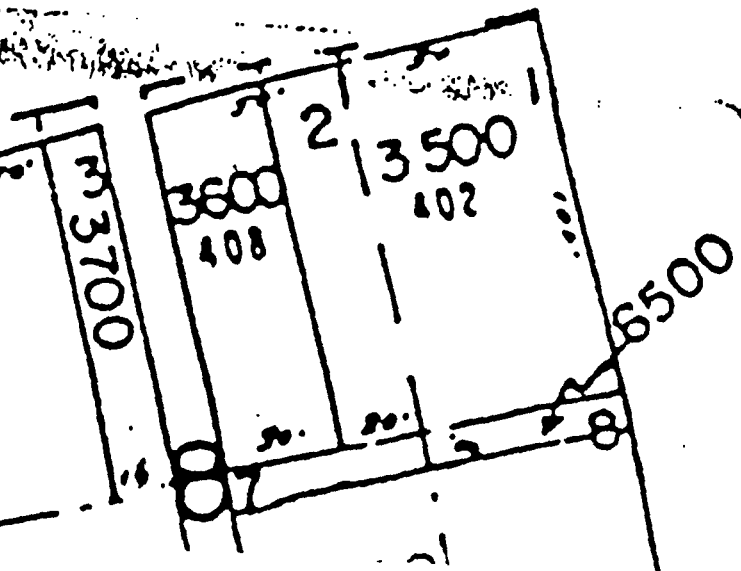
HEDGES



W LINE DLC NO. 41

60'

SCALE 1" = 50'



E 31CC

17900



# CITY OF OREGON CITY

INCORPORATED 1844

## COMMISSION REPORT

FOR AGENDA

DATED

March 5, 1997

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TO THE HONORABLE MAYOR AND COMMISSIONERS

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**SUBJECT:** Request for Street Vacation Report No. 97-024  
Portion of Hedges Street - McLoughlin (Hwy 99E) to Southern Pacific Right of Way  
Ordinance Number 97-1006  
Continued from November 6, 1996 agenda for ordinance adoption only.

### BACKGROUND:

A petition was submitted by Kent Cochran and Konrad Scheiger of Advanced American Diving for the vacation of a portion of Hedges Street. The street requested for vacation is adjacent to the properties owned by the petitioners. At the September 18, 1996, meeting, the City Commission conducted a public hearing. After receiving public testimony the public hearing was tabled to allow further staff investigation. The results of the investigation was presented to the Commission at its November 6, 1996, meeting.

At the November 6 meeting the City Commission heard additional testimony and directed staff to prepare an ordinance vacating Hedges Street, while retaining a 1 foot street connection between Highway 99E and the portion of Hedges Street to be vacated, and retaining a 30 foot wide utility and access easement.

Notice of the proposed Ordinance Number 97-1006 has been posted at City Hall, 320 Warner-Milne Road, the Pioneer Community Center, 615 Fifth Street, and the Municipal Elevator, 300 Seventh Street, by direction of the City Recorder.

### RECOMMENDATION:

It is recommended that proposed Ordinance Number 97-1006 be adopted. A legal description of the portion of Hedges Street being vacated is contained within the body of the ordinance, as is the retention of a 30 foot wide utility and access easement.

CHARLES LEESON  
City Manager

- cc
- Rich Carson, Community Development Director
  - Rick McClung, Public Works Director
  - Tamara DeRitter, Planning Manager
  - Advanced American Diving Service, Inc. 415 S. McLoughlin Blvd., Oregon City, Oregon, 97045