

RESOLUTION NO. 18-29

A RESOLUTION VACATING A SECTION OF PUBLIC RIGHT-OF-WAY ADJACENT TO 16433 FRONT AVENUE

WHEREAS, it is the intention of the City Commission of the City of Oregon City that proceedings be, and hereby are, initiated upon its own motion for the herein proposed vacation. The City Recorder is directed to cause lawful notice to be given for ordinance proceedings for the proposed vacation. Wednesday, December 19th, 2018 at the hour of 7:00 PM in the Commission Chambers at City Hall, 625 Center Street, Oregon City, Oregon, is hereby fixed as the time and place for the hearing of any and all objections or claims concerning this vacation; and

WHEREAS, the proposed vacation is of the section of "6th St." in "J.T. Apperson's Subdivision" plat, a duly recorded plat in the City of Oregon City, Clackamas County (see 'Exhibit A – Maps' page 1); and

WHEREAS, the 2013 Oregon City Transportation System Plan specifies a minimum local street spacing of 150 feet for Mixed-Use or Residential zoning, and "6th St." at Front Avenue is less than 150 feet from 'C' Street to its south and Rock Street to its north (see 'Exhibit A – Maps' pages 2 and 3, and 'Exhibit B – Block Spacing Standards'); and

WHEREAS, all other right-of-way sections bounded by Gain St and Holcomb Blvd to the north and south, and Front Ave and Apperson Blvd to the east and west, have been vacated, including the extension of "6th St." (see 'Exhibit A – Maps' page 4); and

WHEREAS, future alignment of streets in this bounded area – as follows the City's current Transportation System Plan – will be private development-driven; and

WHEREAS, Oregon City Public Works staff has determined that the proposed vacation does not conflict with the tract's intended use as a local street, or other uses; and

WHEREAS, the consulting Professional Land Surveyor has determined that the entire section of right-of-way originated from the subdivision in which 16433 Front Ave ("PROPERTY") was platted; therefore, vacation of the section of right-of-way shall return the section wholly to the PROPERTY; and

WHEREAS, the proposed vacation would result in a tract of land described in the attached 'Exhibit C – Legal Description'; and

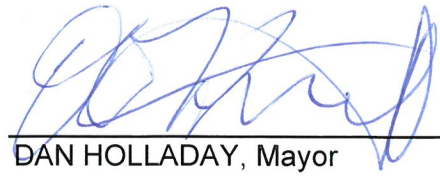
WHEREAS, the owner of the PROPERTY has applied for vacation of the subject section of right-of-way (see 'Exhibit D – Application Package').

NOW, THEREFORE, OREGON CITY RESOLVES AS FOLLOWS:

Section 1. The City Commission of Oregon City, Oregon, to approve Resolution No. 18-29 initiating the above-described public right-of-way vacation proceedings.

Section 2. This resolution shall take effect immediately upon its adoption by the City Commission.

Approved and adopted at a regular meeting of the City Commission held on the 5th day of December, 2018.



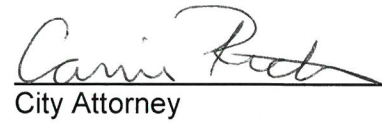
DAN HOLLADAY, Mayor

Attested to this 5th day of December, 2018:

Approved as to legal sufficiency:



Kattie Riggs, City Recorder



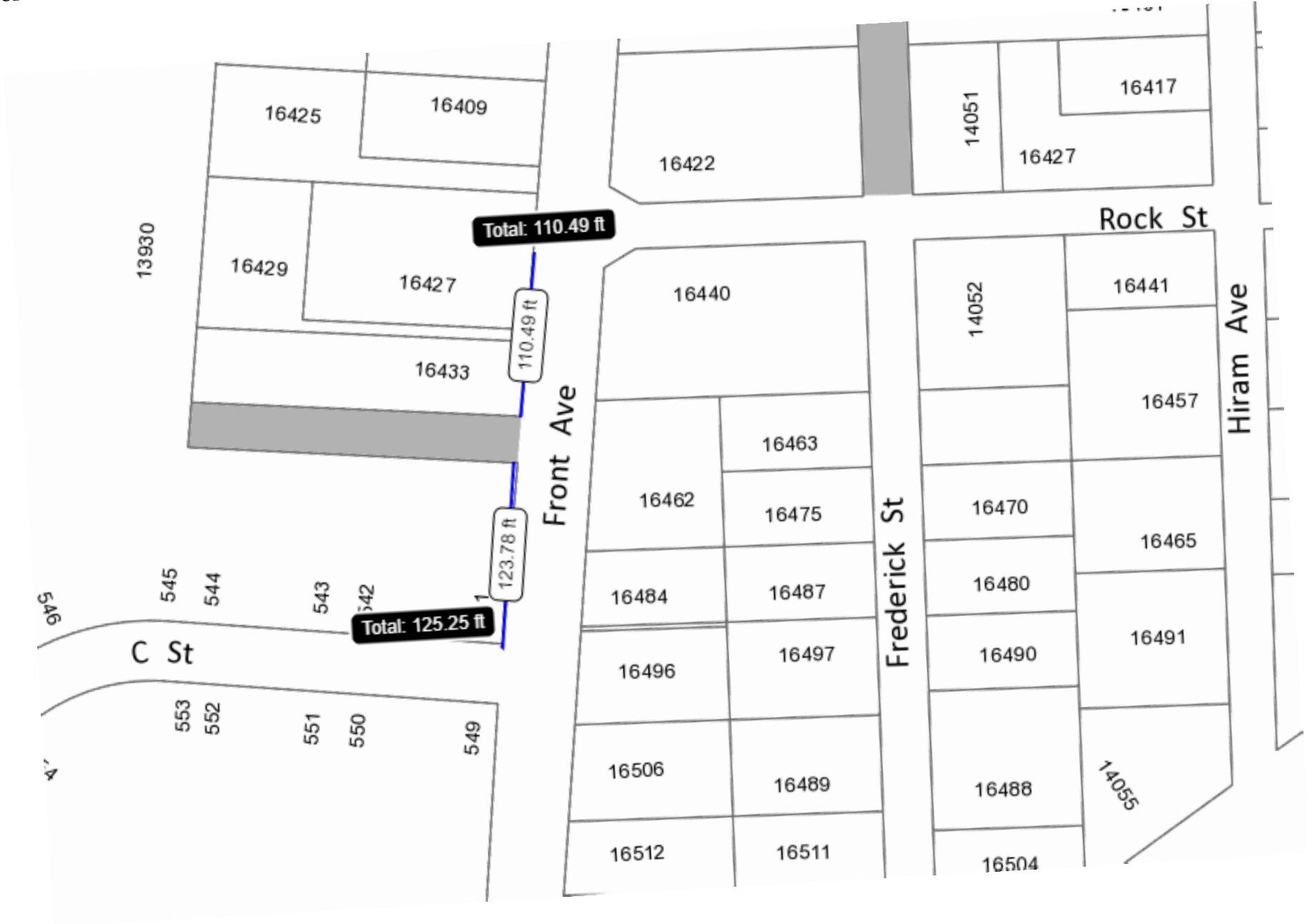
Carrie Red
City Attorney

ATTACHMENTS:

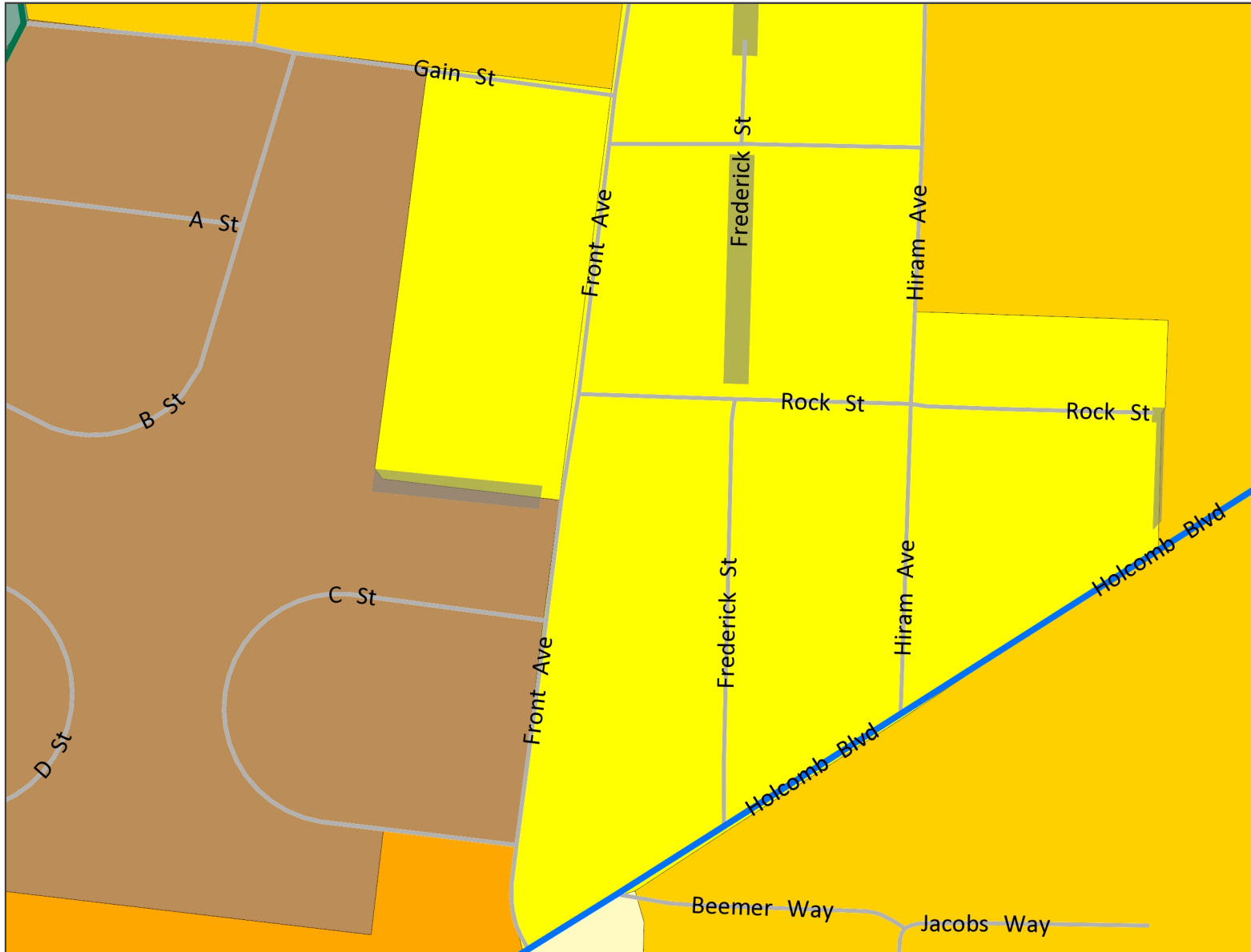
- Exhibit A – Maps
- Exhibit B – Block Spacing Standards
- Exhibit C – Legal Description
- Exhibit D – Application Package

EXHIBIT A - MAPS





Oregon City GIS Map



Legend

Functional Class (2013 TSP)

- Freeway
- Expressway
- Major Arterial
- Minor Arterial
- Collector
- Local
- Unimproved ROW

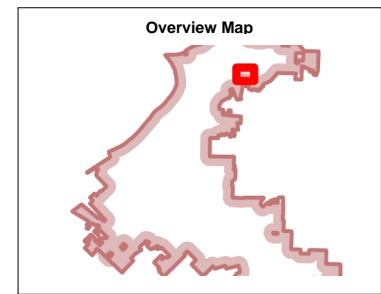
Zoning

- R-10 - Single Family Dwelling
- R-8 - Single Family Dwelling
- R-6 - Single Family Dwelling
- RC-4 - McLoughlin Conditional
- RD4-MDP - Manufactured Dwelling Pa
- R-3.5 - Medium Density Residential
- R-2 - Multi-Family Dwelling
- C - General Commercial
- MUC-2 - Mixed Use Corridor 2
- MUC-4 - Mixed Use Corridor 4

Notes

Holcomb Blvd = Minor Arterial; Front Ave = Local Street.

Front Ave at the subject right-of-way section consists of Residential Zoning (R-6 and R-3.5).



The City of Oregon City makes no representations, express or implied, as to the accuracy, completeness and timeliness of the information displayed. This map is not suitable for legal, engineering, surveying or navigation purposes. Notification of any errors is appreciated.



0 200 400 Feet



1: 2,400

Map created 9/17/2018

City of Oregon City
 PO Box 3040
 625 Center St
 Oregon City
 OR 97045
 (503) 657-0891
 www.orcity.org



This map was prepared for assessment purpose only.

SE 1/4 NE 1/4 SEC. 29 T.2S. R.2E. W.M. CLACKAMAS COUNTY

D.L.C. HIRAM STRAIGHT NO. 42

2 2E 29AD

1"=100'

CANCELLED TL 800 14000

13750

13900

16350

62-57 UR

PARTITION PLAT 1992-44

P. PLAT 2007-44

P. PLAT 2005-95

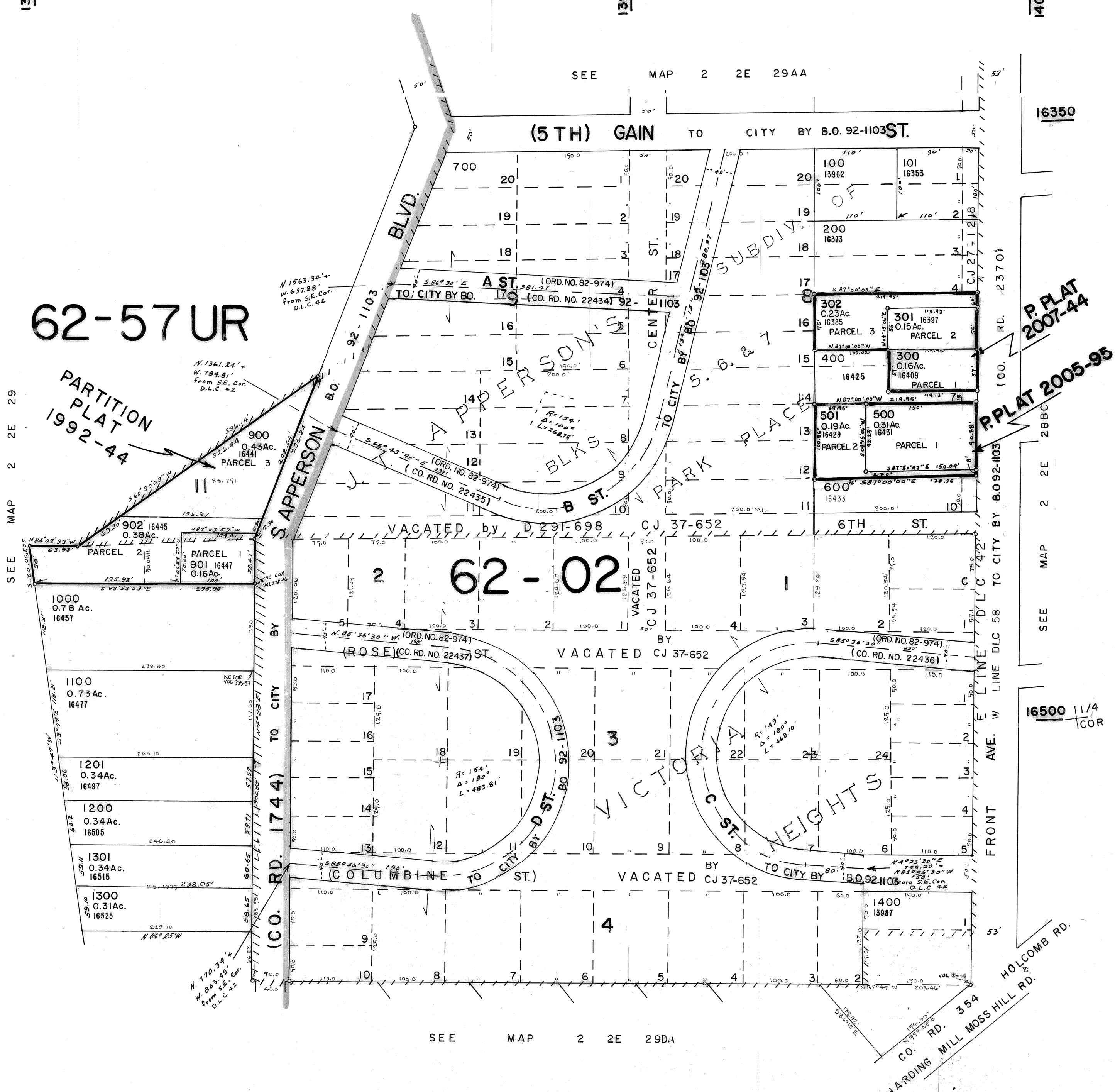
SEE MAP 2 2E 29

SEE MAP 2 2E 28BC

16500 1/4 COR

SEE MAP 2 2E 29D.A

16600 2 2E 29AD BOOK 19



2-20-09 BAS & JEF

EXHIBIT B - BLOCK SPACING STANDARDS

Table 1: Spacing Standards

	Mixed-Use or Residential				Commercial or Industrial			
	Major Arterial	Minor Arterial	Collector	Local	Major Arterial	Minor Arterial	Collector	Local
Maximum Block Size (Street to Street)*	530 ft.	530 ft.	530 ft.	530 ft.	530 ft.	530 ft.	530 ft.	530 ft.
Minimum Block Size (Street to Street)	150 ft.	150 ft.	150 ft.	150 ft.	150 ft.	150 ft.	150 ft.	150 ft.
Minimum Driveway Spacing (Street to Driveway and Driveway to Driveway)**	175 ft.	175 ft.	100 ft.	25 ft.	225 ft.	225 ft.	150 ft.	25 ft.

* If the maximum block size is exceeded, mid-block pedestrian and bicycle accessways must be provided at spacing no more than 330 feet, unless the connection is impractical due to existing development, topography, or environmental constraints.

** Single and two-family dwellings are exempt from the driveway to driveway spacing standard.

EXHIBIT C - LEGAL DESCRIPTION



CENTERLINE CONCEPTS
LAND SURVEYING, INC.

19376 Molalla Avenue, Ste. 120, Oregon City, OR 97045
P. 503-650-0188 F. 503-650-0189

Exhibit "A" **Legal Description**

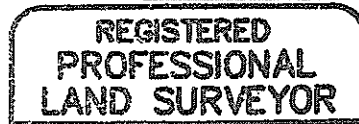
A tract of land described in Deed Document No. 2016-070828, Clackamas County Deed Records, being Lot 10, Block 8, "J.T. Apperson's Subdivision of Blocks 5, 6, & 7 - Park Place", Plat No. 55, Clackamas County Plat Records, together with the easterly 219.95 feet of 6th Street (a 30.00 foot wide right of way), and that portion of Front Street as vacated by order filed July, 17, 1917, in Commissioner's Journal Book 27, Page 128.

Located in the Northeast one-quarter of Section 29, Township 2 South, Range 2 East, of the Willamette Meridian, City of Oregon City, County of Clackamas, State of Oregon, being more particularly described as follows:

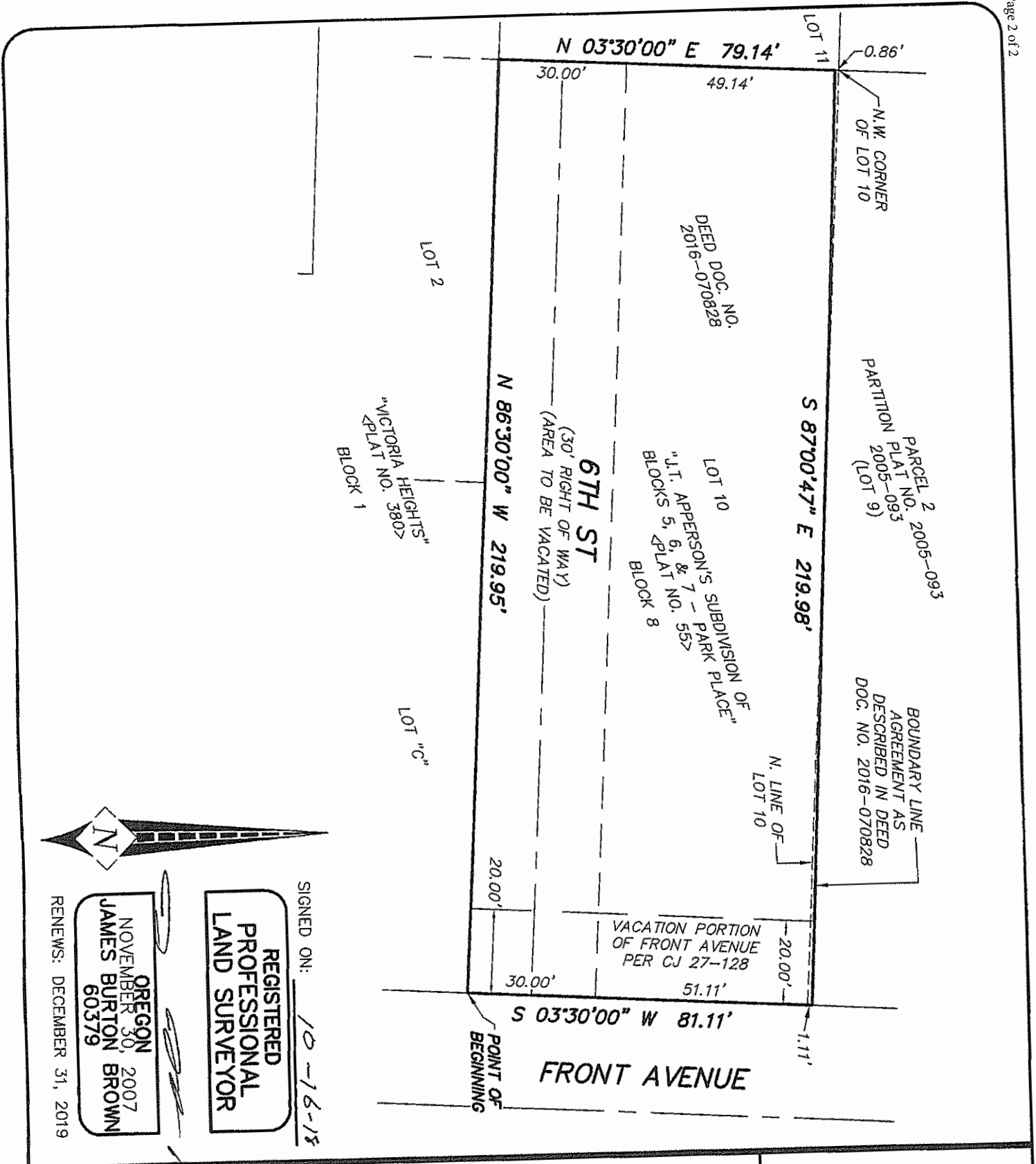
BEGINNING at the northeast corner of Lot "C", "Victoria Heights", Plat No. 380, Clackamas County Plat Records, being at the intersection of the south right of way line of said 6th Street, and the west right of way line of Front Avenue (a 53.00 foot wide right of way); thence, along the north line of Lot "C", and Lot 2, of said "Victoria Heights", North 86°30'00" West, 219.95 feet, to the southerly extension of the east line of Lot 11, of said Block 8; thence, along said southerly extension, North 03°30'00" East, 30.00 feet, to the north right of way line of said 6th Street, being the Southwest corner of said Lot 10; thence, along the east line of said Lot 11, North 03°30'00" East, 49.14 feet (Plat calls 50.00 feet), to the most westerly point of a boundary line agreement as described in said Deed Document No. 2016-070828, being 0.86 feet southerly of the northwest corner of said Lot 10; thence, along said boundary line agreement, South 87°00'47" East, 219.98 feet to the west right of way line of said Front Street, being 1.11 feet northerly of the northeast corner of said Lot 10; thence, along said West right of way line, South 03°30'00" West, 51.11 feet (Plat calls 50.00 feet), to the North right of way line of said 6th street; thence, continuing along the West right of way line of said Front Avenue, South 03°30'00" West 30.00 feet, to the **POINT OF BEGINNING**.

Contains 17,623 square feet.

SIGNED ON: 10-18-18



VALID THROUGH DECEMBER 31, 2019



SIGNED ON: 10-16-18

REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON 2007
NOVEMBER 30, BROWN
JAMES BURTON
60379

RENEWS: DECEMBER 31, 2019

CLIENT: CARNAHAN
 ORIG. DATE: 10-16-18
 DRAWN BY: AAD
 SHEET No. 1 OF 1

EXHIBIT "B"
 16433 FRONT AVENUE
 CITY OF OREGON CITY, CLACKAMAS COUNTY, OREGON
 SCALE: 1"=20'

CENTERLINE CONCEPTS
 LAND SURVEYING, INC.
 19376 MOLALLA AVE., SUITE 120
 OREGON CITY, OREGON 97045
 PHONE 503.650.0188 FAX 503.650.0189

EXHIBIT D - APPLICATION PACKAGE



Public Works - Development Services

625 Center Street | PO Box 3040 | Oregon City OR 97045
Ph (503) 657-0891 | Fax (503) 657-7892

APPLICATION STREET/ALLEY VACATION

Property Owner/Authorized Agent Judy Perman / LARRY CARNAHAN (Agent)
Address 1404 Molalla Ave, Oregon City OR 97045
Telephone 503-804-6418 Location of Property to be Vacated 16433 Front Ave
Oregon City, OR 97045

Note: Legal description of property must be attached for street vacations. The application shall be accompanied by a fully dimensioned accurate and legible site plan, drawn to scale.

Reason for Street/Alley/Easement Vacation and Proposed Use To Assign ownership to
Allow future use for planning of property modifications.

A vacation shall be granted only in the event that all of the following conditions exist:

- a. There is no present or future public need for the street, alley, or easement.
- b. The vacation is in the best public interest.
- c. There would be no impacts to adjacent properties.
- d. Consent of adjacent property owners when appropriate.

Explain how proposed vacation complies with these four conditions:

Majority of Original street has been vacated for development. This section was intended for future platting of streets of which under current design would not meet new criteria, setbacks & street platting. The vacation of this remaining section would allow free ^{access} for the Clackamas Housing Authority to use land in any future redevelopment & the other to be of adequate size to possibly develop into a more dense building site. The vacating of property and split between the two owners will not negatively affect the property owners or neighboring properties but open opportunities to property owners in possible future use. This vacation of 6th Street would only impact these two property owners.

(Attach addendum, if additional space is needed).

INSTRUCTIONS FOR COMPLETING VACATION APPLICATIONS

1. All applications must be either typed or printed (black ink). Please make the words easily readable. Neatness is important.
2. The application must be submitted with the correct fee.
3. If you mail in the application, please verify with the Development Services Division to ensure that it was received and that all necessary fees and information are with the application form.
4. If you wish to modify or withdraw the application, you must notify the Development Services Division in writing. Additional fees may be charged if the changes require new public notice and/or if additional staff work is necessary.
5. Attach all the information with the application form that you have available that pertains to the activity you propose.
6. Prior to submitting the application, you must make an appointment to discuss your proposal with a member of the Development Services Division. If you wish, Development Services personnel will advise you in completing some portions of the application; however, the entire burden is upon the applicant to provide necessary information to justify approval of the application.
7. Detailed legal descriptions, maps, and other relevant information should be attached to the application form and will be available for public review. All applicable standards and criteria must be addressed prior to acceptance of the application. The content of the attached information should be discussed with the City Engineer prior to submission of the application.
8. Incomplete applications will be returned.

APPLICANT'S NAME & SIGNATURE: Judy Perman Judy Perman
 MAILING ADDRESS: 13505 SE River Rd # 13007 Portland, OR 97226
City State Zip Phone No. 503-201-7145

ABUTTING PROPERTY OWNER'S NAME & SIGNATURE: Chuck Robbins, OK
 MAILING ADDRESS: 13930 S. 64th St. Oregon City, OR 97145
City State Zip Phone No. 503-650-5666

ABUTTING PROPERTY OWNER'S NAME & SIGNATURE: _____
 MAILING ADDRESS: _____
City State Zip Phone No.

ABUTTING PROPERTY OWNER'S NAME & SIGNATURE: _____
 MAILING ADDRESS: _____
City State Zip Phone No.

If the property owner does not sign this application, then a letter authorizing signature by an agent must be attached.

FOR OFFICE USE ONLY

DATE SUBMITTED: _____ RECEIVED BY: _____
 FEE PAID: _____ RECEIPT NO.: _____
 PUBLIC HEARING DATE: _____ ENGINEER ASSIGNED: _____
 DATE ACCEPTED AS COMPLETE: _____