



COUNCIL RESOLUTION No. 12-2020

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON,
AUTHORIZING THE CITY-INITIATED VACATION OF A PORTION OF THE PUBLIC STREET
RIGHT-OF-WAY ON THE WEST SIDE OF 51ST AVENUE SOUTH OF KING ROAD.**

WHEREAS, 51st Avenue south of King Road was dedicated to the City of Milwaukie for roadway purposes in conjunction with the platting of the Mission Park subdivision; and

WHEREAS, the street frontage improvements required along the western side of 51st Avenue, which include asphalt street, curb and gutter, landscape strip, and setback sidewalk, have been constructed and are located approximately six feet east of the boundary of 5084 SE King Rd.; and

WHEREAS, the City of Milwaukie has determined that the landscaped area remaining in the 51st Avenue right-of-way up to approximately six inches west of the western edge of the west-side sidewalk is not needed for roadway purposes; and

WHEREAS, the Oregon Revised Statutes (ORS) Chapter 271 provides for the vacation of public street rights-of-way; and

WHEREAS, the City of Milwaukie has secured agreements with the parties necessary to arrange an exchange of public right-of-way to be vacated on 51st Avenue adjacent to the property at 5084 SE King Rd. for a dedication of property to the King Road right-of-way by 5084 SE King Rd. along that property's King Road frontage; and

WHEREAS, the City Council of the City of Milwaukie wishes to follow the provisions of ORS Chapter 271 and initiate the vacation of the six-foot-wide strip of 51st Avenue adjacent to the landscaped right-of-way adjacent to 5084 SE King Rd. on their own motion per Chapter 271.130;

Now, Therefore, be it Resolved that this resolution initiating the street vacation of the six-foot-wide strip of 51st Avenue, as described and depicted in Exhibit A, per ORS 271.130 is effective immediately.

Introduced and adopted by the City Council on **February 18, 2020**.

This resolution is effective immediately.

Mark F. Gamba, Mayor

APPROVED AS TO FORM:

Justin D. Gericke, City Attorney

ATTEST:

Scott S. Stauffer, City Recorder