

RESOLUTION NO. 22-25

A RESOLUTION VACATING A PORTION OF PUBLIC UTILITY EASEMENT ON 11798 SKELLENGER WAY

WHEREAS, the owner of 11798 Skellenger Way, described as 3417 Hazel Grove 4 LT 124, has applied for a vacation of a portion of a public utility easement (hereinafter called "Easement") on the property; and

WHEREAS, the Easement is legally described and depicted in Exhibit C - Quitclaim Deed with Legals; and

WHEREAS, the Easement was purposed for franchise utility provider use, and all franchise utility providers serving the area have provided written statements of non-use and approval of a vacation; and

WHEREAS, the Easement no longer conforms with current alignment requirements for public utility easements; and

WHEREAS, Oregon City Public Works staff have determined that the proposed vacation is in the best public interest based on the Easement lacking usability by franchise utility providers; and

NOW, THEREFORE, OREGON CITY RESOLVES AS FOLLOWS:

Section 1. The City Commission of the City of Oregon City hereby vacates that portion of public utility easement as legally described in Exhibit C - Quitclaim Deed with Legals and marked thereon as "Easement Vacation".

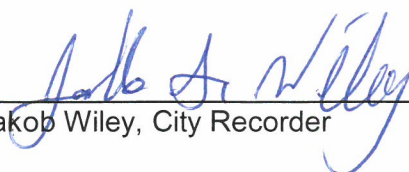
Section 2. This resolution shall take effect immediately upon its adoption by the City Commission and recording of the quitclaim deed of Exhibit C.

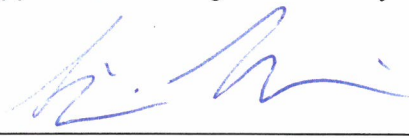
Approved and adopted at a regular meeting of the City Commission held on the 6th day of July, 2022.


DENYSE C. MCGRIFF
Commission President

Attested to this 6th day of July, 2022:

Approved as to legal sufficiency:


Jakob Wiley, City Recorder


City Attorney

Attachment:
Exhibit C – Quitclaim Deed with Legals

Exhibit C - Quitclaim Deed with Legals

AFTER RECORDING RETURN TO:

City of Oregon City, City Recorder
P.O. Box 3040
Oregon City, Oregon 97045-0304

Planning No.: Vac-22-00001

QUITCLAIM DEED

THE PURPOSE OF THIS CONVEYANCE IS TO RELEASE AND RELINQUISH ALL OF THE RIGHT, TITLE, AND INTEREST OF THE CITY OF OREGON CITY, A MUNICIPAL CORPORATION OF THE STATE OF OREGON (CITY), ALL, OR A PORTION OF, THE EASEMENT RECORDED IN THE PUBLIC RECORDS OF CLACKAMAS COUNTY, OREGON AS DOCUMENT NO. _____.

THE CITY OF OREGON CITY, DOES REMISE, RELEASE AND FOREVER QUITCLAIM UNTO _____

GRANTEE (AS WELL AS ITS SUCCESSORS AND ASSIGNS), ALL THE RIGHTS, TITLE, INTEREST, CLAIM OR DEMAND THAT THE GRANTOR MAY HAVE TO THAT CERTAIN REAL PROPERTY SITUATED IN THE COUNTY OF CLACKAMAS IN THE STATE OF OREGON, DESCRIBED ON THE ATTACHED **EXHIBIT A**, AND SHOWN ON THE ATTACHED **EXHIBIT B**.

THE TRUE CONSIDERATION FOR THIS CONVEYANCE IS \$0

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

CITY OF OREGON CITY

John M. Lewis, Public Works Director

Jakob Wiley, City Recorder

Anthony J. Konkol III, City Manager

STATE OF OREGON)
)
County of Clackamas)

This record was acknowledged before me on (date) _____, 20____
by **Anthony J. Konkol** as the **City Manager** of the City of Oregon City.

Stamp notary seal:

WITNESS my hand and official seal.

Signature of Notary Public

My commission expires: _____



CENTERLINE CONCEPTS
LAND SURVEYING, INC.

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

Exhibit "A"
Easement Vacation
Legal Description

A Tract of land being portion of Lot 124 per the Plat of "Hazel Grove 4", Plat records of Clackamas County, located in the Southeast one-quarter of Section 12, Township 3 South, Range 1 East of the Willamette Meridian, City of Oregon City, County of Clackamas, State of Oregon, being more particularly described as follows:

BEGINNING at a point that bears N43°34'45"E, 5.00 feet from the most Southerly corner of Lot 124 per the Plat of "Hazel Grove 4", Plat records of Clackamas County; thence N46°25'15"W, 10.00 feet; thence parallel with, Westerly of, and 10.00 feet distant from the Southeasterly line of said lot 124, N43°34'45"E, 74.34 feet to a point being 10.00 feet Southerly of the Northeasterly line of said Lot 124 when measured at right angles; thence Southerly of, parallel with, and 10.00 feet distant from said line, S46°45'49", 10.00 feet to a point on the Southeasterly line of said Lot 124, thence along said line, S43°34'45"W, 74.40 feet to the **POINT OF BEGINNING**.

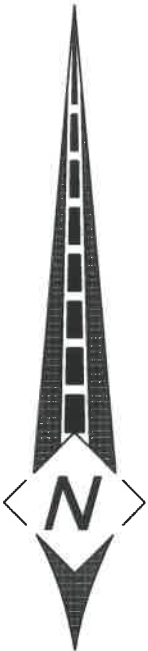
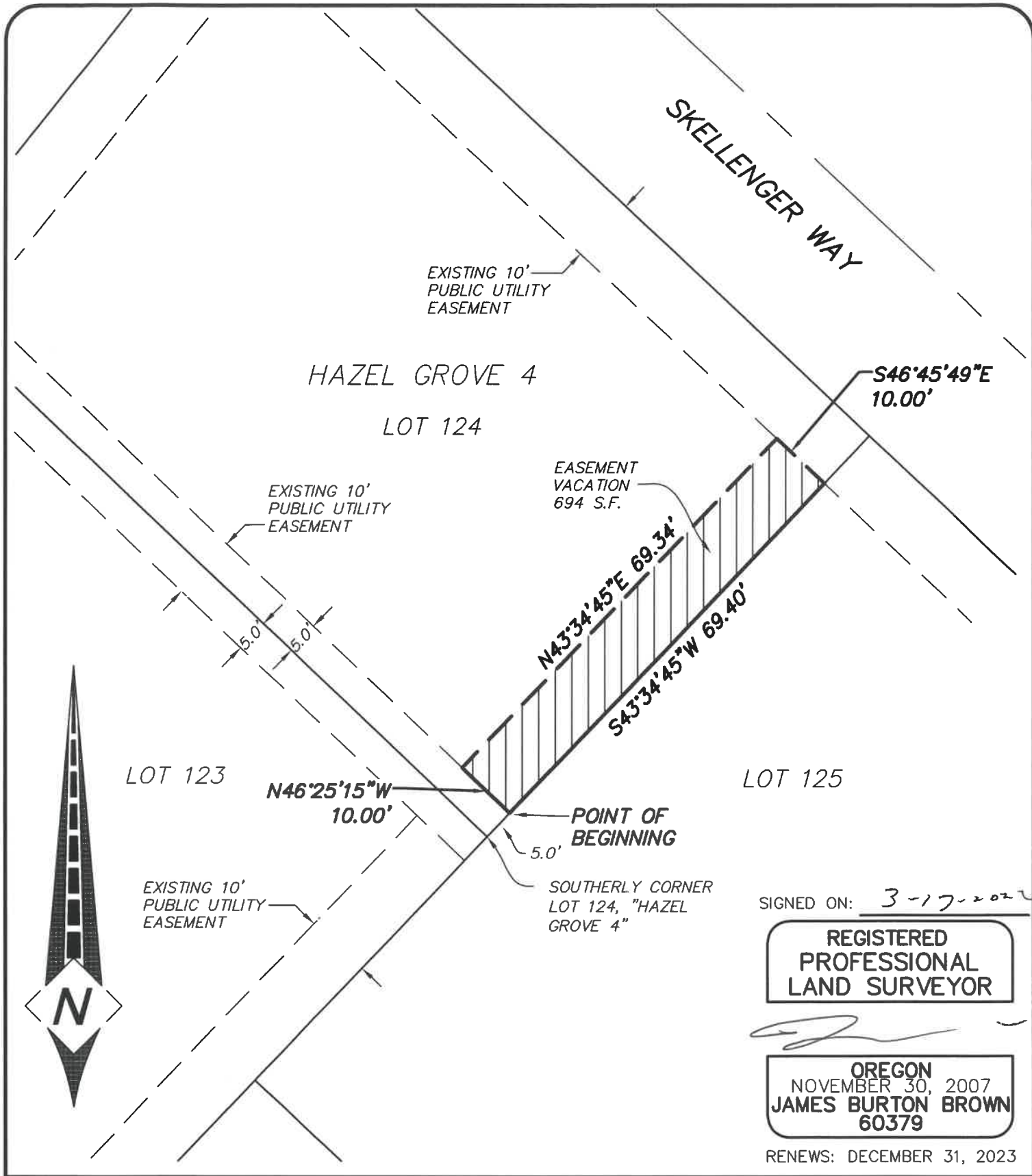
Contains 694 square feet, more or less.

SIGNED ON: 3-17-2022

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
NOVEMBER 30, 2007
JAMES BURTON BROWN
60379

THROUGH DECEMBER 31ST, 2023



SIGNED ON: 3-17-2022

**REGISTERED
PROFESSIONAL
LAND SURVEYOR**

**OREGON
NOVEMBER 30, 2007
JAMES BURTON BROWN
60379**

RENEWS: DECEMBER 31, 2023

CLIENT: GIBBS
 ORIG. DATE: 3/9/2022
 DRAWN BY: MPW
 SHEET No. 1 OF 1

EXHIBIT "B"
EASEMENT VACATION
 CITY OF OREGON CITY, CLACKAMAS COUNTY, OR
 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