

ORDINANCE BILL NO. 1 FOR 2007

ORDINANCE NO. 1189

AN ORDINANCE VACATING THE PUBLIC RIGHT-OF-WAY IDENTIFIED AS A PORTION OF 40TH AVENUE, NORTH OF OSAGE AND SOUTH OF THE NORTH TERMINUS AND ABUTTED BY THOSE PROPERTIES BOUNDED ON THE NORTH BY THE PROPERTIES ON MAP 13-1E-28C, TAX LOTS 200, 300, AND 1900; BOUNDED ON THE SOUTH BY THE PROPERTIES ON MAP 13-1E-28C TAX LOTS 1100, 1200, 1600, AND 1601; BOUNDED ON THE WEST BY THE PROPERTIES ON MAP 13-1E-28C TAX LOT 400; BOUNDED ON THE EAST BY THE PROPERTIES ON MAP 13-1E-28CD, ALL WITHIN THE CITY OF SWEET HOME.

WHEREAS, the City Council has initiated the vacation proceedings on its own motion, and has had notice provided, as required by ORS Chapter 271; and,

WHEREAS, the Planning Commission was given an opportunity to review the proposed vacation and have made a recommendation to the City Council to approve the Vacation; and,

WHEREAS, the majority of the owners of the affected area have not submitted written objections to said proposed vacation;

WHEREAS, no substantial effect to the market value of the property has been identified; and,

WHEREAS, the City Council has determined that no public interests will be prejudiced by the vacation;

NOW, THEREFORE, THE CITY OF SWEET HOME DOES ORDAIN AS FOLLOWS:

Section 1. That the public right-of-ways in the City of Sweet Home, Linn County, Oregon, are vacated as depicted on the map titled *Attachment "A"* and described as follows:

Vacated Area:

Beginning at a point on the east line of the Homes Handcrafted Incorporated Tract described by deed recorded in Document number 2006-15423 in Linn County, Oregon Deed Records, which point being North 89°47'30" West 26.16 feet and North 00°15'32" West 40.00 feet of the northeast corner of Parcel 2 of Partition Plat 1998-08, a partition plat recorded in Linn County, Oregon which point also being on the westerly right-of-way of said 40th Avenue as currently located; thence North 00°15'32" West, along said westerly right-of-way line, 209.00 feet to the northeast corner of said Homes Handcrafted Incorporated Tract; thence North 89°44'28" East 20 feet; thence South 00°15'32" East 209.00 feet; thence South 89°44'28" West 20.00 feet to the Point of Beginning.

Section 2. The City Recorder shall file with the County Recorder a certified copy of this ordinance, with copies also filed with the County Assessor and County Surveyor, as required by ORS Chapter 271.

PASSED by the City Council and approved by the Mayor this 13th day of February, 2007.


Mayor

ATTEST:


City Manager - Ex Officio City Recorder

ATTACHMENT "A"

Northern Vacation Boundary

Southern Vacation Boundary

