

ORDINANCE BILL NO. 8 FOR 2008

ORDINANCE NO. 1205

AN ORDINANCE VACATING THE PUBLIC RIGHT-OF-WAY IDENTIFIED AS A PORTION OF 23RD AVENUE, SOUTH OF THE TERMINUS OF 23RD AVENUE AND NORTH OF MOUNTAIN VIEW ROAD, ABUTTED BY THOSE PROPERTIES ON ASSESSOR'S MAP 13-1E-32CA TAX LOTS 4702 AND 4703 ON THE WEST AND TAX LOTS 4735 AND 4736 ON THE EAST, 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, no objections have been received to said proposed vacation; and,

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:

A portion of land located in the William Ames D.L.C. No. 45, in the Southwest $\frac{1}{4}$ of Section 32, Township 13 South, Range 1 East, Willamette Meridian, City of Sweet Home, Linn County, Oregon, more particularly described as follows:

Beginning at a $\frac{5}{8}$ " iron rod at the Northwest corner of Parcel 2 of Partition Plat No. 2003-24 in the Southwest $\frac{1}{4}$ of Section 32, Township 13 South, Range 1 East, Willamette Meridian, City of Sweet Home, Linn County, Oregon; thence along a 409.26 foot radius curve to the right a distance of 96.33 feet (chord of which bears South $26^{\circ}18'36"$ East a distance of 96.11 feet) to a $\frac{5}{8}$ " iron rod; thence South $33^{\circ}00'00"$ East a distance of 78.90 feet to a $\frac{5}{8}$ " iron rod on the North right-of-way of Mountain View Road; thence along said right-of-way South $47^{\circ}46'00"$ West a distance of 50.66 feet to a $\frac{5}{8}$ " iron rod; thence leaving said right-of-way North $32^{\circ}02'40"$ West a distance of 212.52 feet to a $\frac{3}{4}$ " iron pipe; thence North $83^{\circ}04'52"$ East a distance of 68.32 feet to the point of beginning. The area contains 10,209 square feet, more or less.

Subject to Utility Easement Area:

A 20 foot strip of land lying 10 feet on each side of the following described line:

Beginning at a point which bears South $83^{\circ}04'52"$ West a distance of 35.99 feet from a $\frac{5}{8}$ " iron rod at the Northwest corner of Parcel 2 of Partition Plat No. 2003-24 in the Southwest $\frac{1}{4}$ of Section 32, Township 13 South, Range 1 East, Willamette Meridian, City of Sweet Home, Linn County, Oregon; thence South $11^{\circ}15'48"$ East a distance of 39.51 feet to a point; thence South $38^{\circ}58'03"$ East to a point on the North right-of-way of Mountain View Road point of which bears South $47^{\circ}46'00"$ West a distance of 19.65 feet from the Southwest corner of Parcel 3, Partition Plan 2003-24.

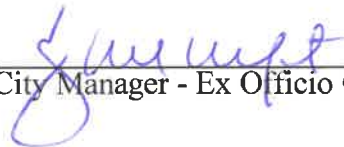
Section 2. The City Recorder shall file with the County Recorder a certified copy of this ordinance, with copies also filed with the County Assessor and County Surveyor, as required by ORS Chapter 271.

PASSED by the City Council and approved by the Mayor this 25th day of November, 2008.



Mayor

ATTEST:



City Manager - Ex Officio City Recorder