

ORDINANCE BILL NO. 13 FOR 2005

ORDINANCE NO. 1177

AN ORDINANCE VACATING THE PUBLIC RIGHT-OF-WAY IDENTIFIED AS A PORTION OF NANDINA STREET, BETWEEN 53RD AND 54TH, ABUTTED BY THE PROPERTIES TO NORTH ON ASSESSOR'S MAP 13S-1E-27AC TAX LOTS 6000 AND 6100 AND ABUTTED TO THE SOUTH ON ASSESSOR'S MAP 13S-1E-27DB TAX LOTS 100 AND 200, ALL WITHIN THE CITY OF SWEET HOME.

WHEREAS, the City Council has initiated the vacation proceedings on its own motion on September 13, 2005, and has had notice provided, as required by ORS Chapter 271; and,

WHEREAS, the Planning Commission was given an opportunity to enter testimony and at their November 7, 2005 meeting, the Commission recommended Vacation of said right-of-way; and,

WHEREAS, testimony has been received to said proposed vacation, considered and addressed; and,

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

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

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

Beginning at the Southwest Corner of Lot 7, Block 4, Town of Foster in the SW ¼ of the NE ¼ of Section 27, Township 13 South, Range 1 East, Willamette Meridian, City of Sweet Home, Linn County, Oregon: running thence South 0° 40' 00" East along the Easterly right-of-way line of 53rd Avenue 84.00 feet to the Northwest corner of Lot 1 Block 5 Scholl's Addition to the Town of Foster: thence North 89°34'00" East along the Northerly line of said Block 5, 198.00 feet to the Northeast corner of Lot 2 Block 5 of said Scholl's Addition; thence North 0°40'00" West along the Westerly right-of-way line of 54th Avenue 84 feet to the Southeast corner of Lot 8, Block 4, Town of Foster; thence South 89°34'00" West along the Southerly line of said Block 4, 198.00 feet to the point of beginning. This area contains .38 acres.

Section 2. The City Recorder shall file with the County Clerk 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 10th day of January, 2006.

Mayor

ATTEST:

City Manager - Ex Officio City Recorder



Attachment "A"

Osage Street

Area of Nandina to be Vacated

Area of Nandina to be Vacated

Nandina Street

53rd Avenue

54th Avenue

Highway 20