

ORDINANCE BILL NO. 4 FOR 2003

ORDINANCE NO. 1150

AN ORDINANCE VACATING PUBLIC RIGHT-OF-WAY PORTIONS OF 59TH AVENUE FROM NANDINA STREET TO MAIN STREET (SOUTH SANTIAM HIGHWAY, US HIGHWAY 20) ABUTTED BY THOSE PROPERTIES ON ASSESSOR'S MAP 13-1E-27DA TAX LOTS 500 AND 1408, ALL WITHIN THE CITY OF SWEET HOME.

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

WHEREAS, the Planning Commission of the City of Sweet Home has considered these matters in a public hearing held on June 2, 2003, as provided by law, and has recommended to the City Council that the Vacation be approved as hereinafter provided; and,

WHEREAS, no objections have been received to said proposed vacations; and,

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

WHEREAS, the City Council held a public hearing on this matter on June 10, 2003.

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

Section 1. Street Vacation.

That the following legal descriptions of the public right-of-way abutting the subject properties as identified below with Assessor Map Page / Tax Lot and as depicted on map titled 59th Avenue Vacation Attachment "A", are vacated:

Area 1: 131E27DA/500; Beginning at a one inch iron pipe, said pipe being the southeast corner of Lot 10 Block 9 of Scholl's Addition to Foster, Linn County, Oregon, said pipe also being on the southwesterly right of way line of 59th Avenue; thence along said southwesterly line North 18°16' West 93.96 feet to an 3/4 inch iron pipe, said pipe being the northwest corner of said Lot 10, Block 9 of Scholl's Addition to Foster, thence North 71°44' East 30.00 feet to a point on the centerline of 59th Avenue; thence South 18°16' East 96.66 feet more or less along the center line of 59th Avenue to a point, said point being on a projected line of the south line of said Lot 10, Block 9 of Scholl's Addition to Foster, and also the northerly right of way line of Main Street (South Santiam Highway, US Highway 20); thence South 76°53' West 30.12 feet along the northerly right of way line of Main Street (South Santiam Highway, US Highway 20) to the point of beginning, containing 0.066 acres.

Area 2: 131E27DA/1408; Beginning at a one inch iron pipe, said pipe being the northwest corner of Lot 1 Block 13 of Scholl's Addition to Foster, Linn County, Oregon, said pipe also being on the northeasterly right of way line of 59th Avenue; thence along said northeasterly line South 18°16' East 72.99 feet more or less to a point; thence continuing along said northeasterly right of way line of 59th Avenue and the west line of said Lot 1, Block 13 of Scholl's Addition to Foster, on the arc of a 30.00 foot radius curve to the left (long chord bears South 55°32' East 40.48 feet) 44.43 feet more or less to a point tangent on the south line of said Lot 1, Block 13 of Scholl's Addition to Foster, and the northerly right of way line of Main Street (South Santiam Highway, US Highway 20); thence South 76°53' West 57.54 feet more or less along said northerly right of way line to a point on the centerline of 59th Avenue; thence North 18°16' West 97.71 feet more or less to a point on the centerline of 59th Avenue; thence North 71°44' East 30.00 feet to the point of beginning, containing 0.072 acres.

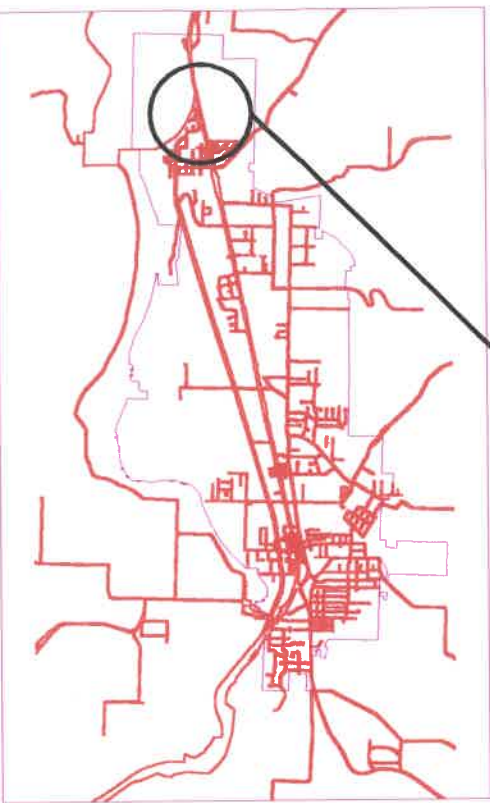
Section 2. The City recorder shall file with the County Recorder a certified copy of this ordinance, with copies also filed with the County Assessor and County Surveyor, as required by ORS Chapter 271.

PASSED by the Council and approved by the Mayor this 8th day of July, 2003

ATTEST:

Deeann
City Manager - Ex Officio City Recorder

Craig
President Pro Tem



Vicinity Map

NTS

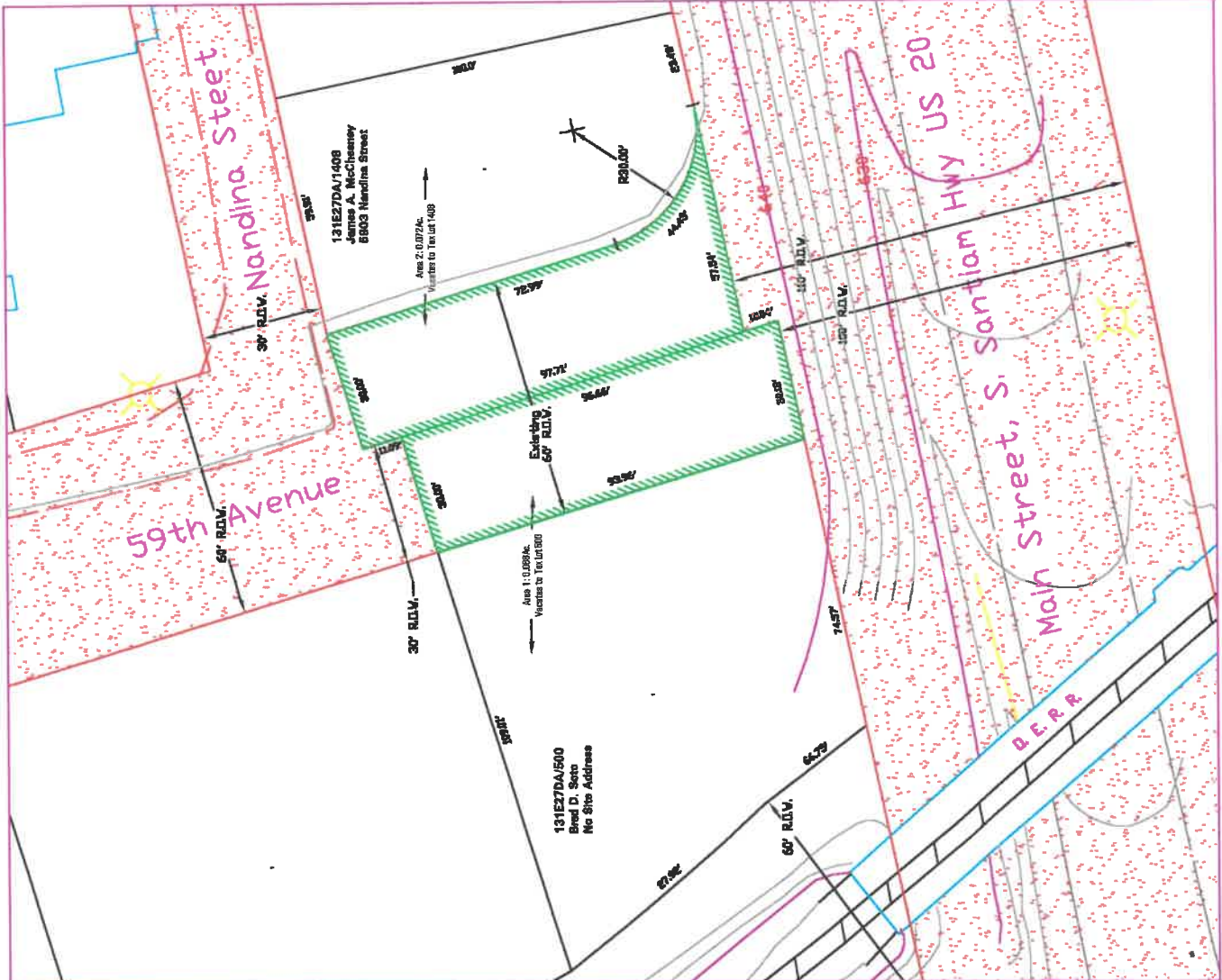
Property Listing

Area	Owner	Address	Map / Tax Lot	Area Vacated
1	Soto	Not Available	131E27DA/500	0.066 ac.
2	McChesney	5903 Nandina St	131E27DA/1408	0.072 ac.

Legend

- Right-of-Way Vacation Boundary
- Public / Private Easements
- Public Right-of-Way
- Edge of Pavement
- Elevation Contours

T.13S
R.1E
Section 27, SE4 NE4



CITY OF SWEET HOME
PUBLIC WORKS ENGINEERING
SWEET HOME, OREGON, 97386
TEL: 541-367-6877
FAX: 541-367-6440

PROJECT City of Sweet Home
TITLE 59th Avenue Vacation Attachment "A"

SIZE SCALE
C NTS
FILE DRAWER
SHPW2311 1 3

DWG. FILE NO. G:\Eng\Projects\Streets\Street_Vacation\59thAve Vacation.dwg
RELEASE DATE 6-10-2003 **SHEET** 1 of 1

LETTER OF CERTIFICATION

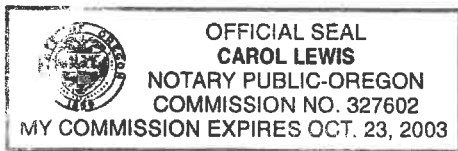
STATE OF OREGON)
)
County of Linn)

I, Charlene Adams, of the City of Sweet Home Planning Office, do personally certify that the enclosed document is a true copy of Ordinance number 1149 vacating public right-of-way portions of 9th Avenue from Poplar Street to the north end terminus abutted by those properties on Assessor's Map 13-1E-31BA, Tax Lots 2900, 2950, 3100, 3300, 3500, and 3600, all within the City of Sweet Home, File Number V 03-3.

Charlene Adams
Charlene Adams

Subscribed and sworn to before me this 10th day of July, 2003

Carol Lewis
Carol Lewis
Notary Public for Oregon



My Commission Expires: 10-23-03

STATE OF OREGON
County of Linn

I hereby certify that the attached was received and duly recorded by me in Linn County records.

STEVE DRUCKENMILLER
Linn County Clerk

By JD, Deputy

M 15
R 10
S 11
A 11
O

MF 1456

PAGE 658

8:30 O'clock a.m. 36

JUL 21 2003