

AFTER RECORDING RETURN TO:

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

Tax Map: 3-2E-07DB

Street: Prospector Terrace (Haven Road)

ORDINANCE NO. 15-1007

AN ORDINANCE VACATING A SECTION OF HAVEN ROAD, BEGINNING AT THE INTERSECTION OF LELAND ROAD AND EXTENDING SOUTHEASTWARD ALL WITHIN THE "LELAND HAVEN" SUBDIVISION PLAT (PLAT NO. 815), CLACKAMAS COUNTY, CITY OF OREGON CITY, OREGON

WHEREAS, on June 17, 2015, the City Commission adopted Resolution 15-21 initiating action on its own motion pursuant to ORS 271.080 to ORS 271.230, for vacation of a section of right-of-way in Oregon City; and

WHEREAS, the City Recorder caused notice to be given by posting as per State law, and that the matter of said vacation together with a hearing of any objections or claims to be heard and considered concerning said vacation would be heard and considered at 7:00 p.m. on Wednesday, July 15, 2015, in the meeting room of the City Commission in City Hall, 625 Center Street, Oregon City, Oregon; and

WHEREAS, said hearing having been held, the Commission finds that the proposed vacation meets the criteria for vacation (that there is no present or future public need, that the vacation is in the best interest, that there would be no impacts to the adjacent property owners), and it appears that the public interest will not be prejudiced by said vacation;

WHEREAS, the proposed vacation is comprised of a section of Prospector Terrace of the above described "Leland Haven" subdivision, beginning at the most Northerly curve point of Lot 2, Block 1, "Leland Haven", Clackamas County Plat Records, being S43°36'00"W, 69.00 feet from the most Northerly corner of said Lot 2; thence along the Southwesterly boundary of said Lot 2, along a curve to the left, having a radius of 15.00 feet, through a central angle of 90°25'42", an arc length of 23.67 feet (chord of which bears S01°36'51"E, 21.29 feet), to a point of tangency, being 25.00 feet Northeasterly of the centerline of Prospector Terrace when measured at right angles; thence continuing along the Southwesterly boundary of said Lot 2, Northeasterly of, parallel with, and 25.00 feet distance from said centerline, S46°49'42"E, 131.76 feet; thence leaving said Southwesterly boundary, S42°54'30"W, 17.50 feet to a point being 7.50 feet Northeasterly of the centerline of said Prospector Terrace when measured at right angles; thence Northeasterly of, parallel with, and 7.50 feet distance from said centerline,

N46°49'42"W, 147.09 feet to a point being 30.00 feet Southeasterly of the centerline of Leland Road when measured at right angles; thence Southeasterly of, parallel with, and 30.00 feet distance from said centerline, N43°36'00"E, 32.61 feet to the Point of Beginning; and

WHEREAS, this vacation is being requested by the owners of 19296 Leland Road adjacent to the site to enhance the development potential of the property; and

WHEREAS, the entire vacate area shall be retained as a Public Utility Easement (PUE); and

WHEREAS, the Public Works Director has determined that this proposed vacation does not have an apparent negative effect on neighboring properties.

NOW, THEREFORE, THE CITY OF OREGON CITY ORDAINS AS FOLLOWS: for the reasons described above, the section of Haven Road is hereby vacated (with the above described PUE retained).

Read for the first time at a regular meeting of the City Commission held on the 15th day of July, and the Commission finally enacted the foregoing ordinance the 5th day of August, 2015.

DAN HOLLADAY, Mayor

Attested to this 5th day of August 2015:

Approved as to legal sufficiency:

Kattie Riggs, City Recorder

City Attorney