



City of Oregon City

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Staff Report

File Number: 17-669

Agenda Date: 2/7/2018

Status: Consent Agenda

To: City Commission

Agenda #: 8a.

From: Public Works Director John Lewis

File Type: Resolution

SUBJECT:

Resolution No. 18-03, Public Waterline Easement Vacation at 358 Warner Milne Road

RECOMMENDED ACTION (Motion):

Authorize the Mayor and the City Recorder to execute Resolution No. 18-03, calling for the vacation of a portion of the public waterline easement on Tax Lot 2S-2E-05C 00200 (358 Warner Milne Road).

BACKGROUND:

On August 9th, 2016, the City of Oregon City issued a Type II Notice of Decision with approval conditions for the proposed commercial building located inside the Oregon City Hilltop Mall Business Center. During the building design and site plan approval, staff established that the footprint of the new building was too near an existing public water line and the easement would need to be relocated.

Relocation of the easement needs to be accomplished in two steps: 1) dedication of a new 15 foot-wide easement, and 2) vacation of a portion of the existing 10 foot-wide easement originally dedicated to the City by resolution in 2011 (Clackamas County Recorded Document No. 2011-066460).

Resolution No. 18-03 vacates a portion of the existing public waterline easement in conjunction with the dedication of the new easement.

In general, a vacation shall be granted only in the event that all of the following conditions exist:

1. There is no present or future public need for the street, alley, or easement.
2. The vacation is in the best public interest.
3. There would be no impacts to adjacent properties.
4. Consent of adjacent property owners when appropriate.

In this case the City no longer needs the easement area, the vacation is in the public's best interest and the vacation has no impact on adjacent properties. All of these conditions have been met.