

## ORDINANCE NO. 18-1022

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### AN ORDINANCE OF THE CITY OF OREGON CITY CORRECTING THE PROPERTY DESCRIPTION OF ABERNETHY CREEK PARK

**WHEREAS**, Ordinance 03-1010 became effective on November 14, 2003; and

**WHEREAS**, Ordinance 03-1010 formally adopted Abernethy Creek Park as a Charter Park under Chapter X, Section 43; and

**WHEREAS**, the text of Ordinance 03-1010 identified Tax Lot 2-2E29CC-02500 as comprising Abernethy Creek Park; however, the map attached to the Ordinance identified six parcels, none of which were tax lot 2500; and

**WHEREAS**, Tax Lot 2-2E29CC-02500 is a .03 acre parcel located within Washington Street that is not adjacent to the remainder of the park and has never been used as a park; and

**WHEREAS**, there is a conflict between the text of Ordinance 03-1010 and the map that was attached to Ordinance 03-1010 in that the text of the Ordinance included tax lot 2-2E29CC-02500 as a part of Abernethy Creek Park, but the map did not also include that property as park of Abernethy Creek Park; and

**WHEREAS**, adoption of this Ordinance will correct the scrivener's error made in Ordinance 03-1010 and correctly identify the actual boundaries of Abernethy Creek Park.

### **NOW, THEREFORE, OREGON CITY ORDAINS AS FOLLOWS:**

**Section 1.** That portion of Ordinance 03-1010 that identifies Tax Lot 2-2E29CC-02500 as part of Abernethy Creek Park is hereby repealed.

**Section 2.** Correctly referenced, Abernethy Creek Park is comprised of tax lots 2200, 2301, 2302, 2303, 2304, and 4100 of Tax Map 2-2E-29CC.

**Section 3.** Abernethy Creek Park, with the boundaries as shown on the map attached to Ordinance 03-1010 and as shown on the map attached to this Ordinance as Exhibit A, shall remain designated as a park in accordance with the Charter of Oregon City, Chapter X, Section 43, for the enjoyment of the citizens of Oregon City.

Read for the first time at a regular meeting of the City Commission held on the 5th day of September, 2018, and the City Commission finally enacted the foregoing Ordinance this 19th day of September, 2018.

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DAN HOLLADAY, Mayor

Attested to this 19th day of September, 2018:

Approved as to legal sufficiency:

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Kattie Riggs, City Recorder

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City Attorney

Attachment:  
Exhibit A – Map of Park