



## Legislation Text

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File #: 17-474, Version: 1

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Resolution No. 17-23, Authorizing Issuance of Revocable Right-of-Way Permit for Portion of Public Alley Between John Adams Street and Jefferson Street and 6<sup>th</sup> and 5<sup>th</sup> Streets

### **RECOMMENDED ACTION (Motion):**

Approve and adopt of Resolution No. 17-23, authorizing issuance of Revocable Right-of-Way Permit for portion of public alley between John Adams Street and Jefferson Street and 6<sup>th</sup> Street and 5<sup>th</sup> Street.

### **BACKGROUND:**

Oregon City Preschool, located at 517 Jefferson Street, has received a revocable Right-of-Way (ROW) obstruction permit, Permit No. RW 12-0034, per City Commission approved Resolution No. 12-14, that renewed a previous revocable ROW obstruction permit, RW 10-0048, per City Commission approved Resolution No. 10-23 and temporarily allowed the Oregon City Preschool's playground fencing to be located in a portion of the public alley ROW between John Adams Street and Jefferson Street, and 6<sup>th</sup> Street and 5<sup>th</sup> Street. The revocable ROW obstruction permit No. RW 12-0034 expired in 2017 having a duration of five (5) years.

Oregon City Preschool, located at 517 Jefferson Street, has requested a new Revocable ROW obstruction permit to allow for continued use of a portion of the public alley for their existing playground fencing. Oregon City Preschool has been maintaining the fence within the alley since first approved in 2010, approximately 7 years. At this time there are no existing or proposed projects within the public alley that require the use of this portion of the alley. Staff recommends the Oregon City Preschool be allowed to continue the operation of the playground with the fencing in its current location within the public alley, and condition the duration of the permit to be terminated either when the City decides to revoke the permit or when Oregon City Preschool discontinues to use this portion of the public alley for the playground fencing.

The new Revocable ROW obstruction permit shall be valid providing the use of the portion of the adjacent property located at 517 Jefferson Street remain as the Oregon Preschool's playground for the duration of the permit. The new Revocable ROW obstruction permit may be revoked at any time by the City, and at that time the City will provide written notice to the property owner stating the date the permit is terminated and fencing obstruction shall be removed from the public ROW at no cost to the City. The new ROW permit will not expire and/or terminate until either the City revokes the permit or Oregon City Preschool no longer uses this portion of the public alley for the private playground fencing.