

ORDINANCE BILL NO. 11 FOR 2023

ORDINANCE NO. 1317

SWEET HOME ORDINANCE VACATING THE PUBLIC RIGHT-OF-WAY IDENTIFIED AS THE PORTION OF REDWOOD STREET DIRECTLY WEST OF 53RD AVENUE IN THE CITY OF SWEET HOME, LINN COUNTY OREGON.

WHEREAS, Neighboring property owners petitioned for the vacation of the portion of Redwood Street directly west of 53rd Avenue, as provided for in ORS Chapter 271; and,

WHEREAS, Upon receiving the petition on December 13, 2022, the Sweet Home City Council referred the matter to the Sweet Home Planning Commission; and,

WHEREAS, the Planning Commission held a public hearing on the matter on January 19, 2023, during which proponents and opponents were given an opportunity to enter testimony, after which the Planning Commission voted to recommend vacation of said right-of-way; and,

WHEREAS, the City Council has found that no substantial affect to the market value of the abutting property has been identified and there appears to be no reason why the petition should not be allowed in whole or in part, therefore a formal hearing shall be held upon the petition; and,

WHEREAS, the City Council held a public hearing on May 23, 2023, reviewed the testimony presented at the public hearing and the findings in the staff report and deliberated the vacation and found that the public interest will not be prejudiced by the vacation.

NOW THEREFORE,

The City of Sweet Home does ordain as follows:

Section 1. That the public right-of-way in the City of Sweet Home, Linn County Oregon, is vacated as depicted on the map shown on Exhibit A and described as follows:

A TRACT OF LAND IN THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER AND THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 27, TOWNSHIP 13 SOUTH, RANGE 1 EAST, OF THE WILLAMETTE MERIDIAN IN LINN COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TRACT A OF PARTITION PLAT 1994-58, SAID TRACT BEING ENTIRELY COMPRISED OF THE FOLLOWING PARTS:

PART 1:

THE NORTH 20 FEET OF TRACT A OF PARTITION PLAT 1994-58 LYING BETWEEN THE WEST LINE OF 53RD AVENUE AND THE SOUTH PROJECTION OF THE COMMON LINE BETWEEN PARCEL 1 AND PARCEL 2 OF PARTITION PLAT 2022-50.

PART 2:

THE NORTH 20 FEET OF TRACT A OF PARTITION PLAT 1994-58 LYING BETWEEN THE SOUTH PROJECTION OF THE COMMON LINE BETWEEN

PARCEL 1 AND PARCEL 2 OF PARTITION PLAT 2022-50 AND THE SOUTH PROJECTION OF THE COMMON LINE BETWEEN SAID PARCEL 1 OF PARTITION PLAT 2022-50 AND PARCEL 1 OF PARTITION PLAT 2022-49.

PART 3:

THE NORTH 20 FEET OF TRACT A OF PARTITION PLAT 1994-58 LYING BETWEEN THE SOUTH PROJECTION OF THE COMMON LINE BETWEEN PARCEL 1 OF PARTITION PLAT 2022-50 AND PARCEL 1 OF PARTITION PLAT 2022-49 AND THE WEST LINE OF SAID TRACT A OF PARTITION PLAT 1994-58.

PART 4:

THE SOUTH 20 FEET OF TRACT A OF PARTITION PLAT 1994-58 LYING BETWEEN THE WEST LINE OF SAID TRACT A OF PARTITION PLAT 1994-58 AND THE NORTH PROJECTION OF THE COMMON LINE BETWEEN PARCEL 2 OF PARTITION PLAT 2022-49 AND PARCEL 2 OF PARTITION PLAT 2022-01.

PART 5:

THE SOUTH 20 FEET OF TRACT A OF PARTITION PLAT 1994-58 LYING BETWEEN THE NORTH PROJECTION OF THE COMMON LINE BETWEEN PARCEL 2 OF PARTITION PLAT 2022-49 AND PARCEL 2 OF PARTITION PLAT 2022-01 AND THE WEST LINE OF 53RD AVENUE.

Section 2. The City Recorder shall, within 30 days of the effective date of this ordinance, file a certified copy of this ordinance with the Linn County Clerk, Linn County Assessor, and Linn County Surveyor, as required by ORS 271.150.

PASSED by the Council and approved by the Mayor this 13th day of June, 2023.

Mayor

ATTEST:

City Manager - Ex Officio City Recorder