



*City of Tualatin*

## CITY OF TUALATIN Staff Report

**TO:** Honorable Mayor and Members of the City Council  
**THROUGH:** Sherilyn Lombos, City Manager  
**FROM:** Kim McMillan, Community Development Director  
**DATE:** October 24, 2022

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### **SUBJECT:**

Scheduling of a Public Hearing on a Petition for the Vacation of Right-of-Way Located at the East Terminus of Myslony Street

### **RECOMMENDATION:**

Staff recommends scheduling a public hearing for November 14, 2022 to consider the petition.

### **EXECUTIVE SUMMARY:**

The vacation of public property is governed by ORS Chapter 271. Under these statutes, when a petition for vacating public property is received, the petition must be presented to the City Council. The Council may either: (1) deny the petition after notice to the petitioners of such proposed action; or (2) schedule a public hearing on the petition if there appears to be no reason why the petition should not be allowed in whole or in part.

The Petition requests that the City vacate its interest in an unused portion of the cul-de-sac bulb in the public right-of-way at the east terminus of Myslony Street, including the associated public utility easement. This portion of the cul-de-sac does not provide a public benefit because Myslony Street has been extended further to the east. As a result, there does not appear to be any reason why the petition should not be allowed, and the Council should therefore schedule a public hearing on the petition. A final decision on the petition would be made after the public hearing.

### **OUTCOMES OF DECISION:**

Scheduling the hearing will permit the City to continue the process for the requested vacation.

### **ALTERNATIVES TO RECOMMENDATION:**

Council can decide that there is a reason to reject the petition and direct staff to provide the required notice to the requestor.