

ORDINANCE NO. 1470-22

AN ORDINANCE APPROVING THE VACATION OF PUBLIC RIGHT-OF-WAY AND ASSOCIATED UTILITY EASEMENT PREVIOUSLY USED FOR AN EASTERN CUL-DE-SAC FOR SW MYSLONY STREET

WHEREAS, the City acquired public right-of-way and associated utility easement over private property Tax Lot 2S122D000600 to terminate the east end of SW Myslony Street as a cul-de-sac; and

WHEREAS, the vicinity of dedication has been subsequently adjusted to include Tax Lots 2S122D000600 and 2S122D000900; and

WHEREAS, subsequent to the City's acquisition of public right-of-way and associated utility easement for said cul-de-sac and to enable extension of SW Myslony Street further east the City acquired public right-of-way; a public sidewalk, access, and utility easement; and an access easement to facilitate circulation in lieu of a cul-de-sac over Tax Lots 2S122D000600 and 2S122D000900; and

WHEREAS, pursuant to ORS Chapter 271, 100% of the abutting property owners, which constitutes two-thirds in area of the real property affected thereby, filed a petition consenting to the proposed vacation of the dedication and public utility easement; and

WHEREAS, the City Council set the matter for a public hearing on November 14, 2022 and provided notice of the hearing as required by ORS Chapter 271; and

WHEREAS, the City Council finds that the City's public right-of-way and associated utility easement previously used for an eastern cul-de-sac for SW Myslony Street is no longer needed for a public purpose; and

WHEREAS, the Council finds that the public interest would not be prejudiced by granting the vacation.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TUALATIN, OREGON, that:

Section 1. The property in the City of Tualatin, Oregon, more particularly described as the Public Right-of-Way and associated Utility easement, situated in Washington County, Oregon, conveyed to Grantor by Recorded Documents No. 2011-073576 and 2011-073575, respectively, is hereby vacated and this vacation is hereby made a matter of public record.

Section 2. It is further proved that the City Manager, or the Manager's designee shall take any and all actions necessary to effectuate the intent of this ordinance, including but not limited to filing a certified copy of this ordinance with the County Clerk,

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the County Assessor, and the County Surveyor of Washington County, Oregon.

Section 3. As provided in the Tualatin Charter, this ordinance is effective 30 days from the date of adoption.

Adopted by the City Council this 14th Day of November, 2022.

CITY OF TUALATIN, OREGON

BY _____
Mayor

APPROVED AS TO FORM

ATTEST:

BY _____
City Attorney

BY _____
City Recorder