

ORDINANCE BILL NO. 7 FOR 2010

ORDINANCE NO. 1220

AN ORDINANCE VACATING PORTIONS OF THE PUBLIC RIGHT-OF-WAYS IDENTIFIED ON EVERGREEN LANE AND WEST PINE STREET, ALL WITHIN THE CITY OF SWEET HOME, LINN COUNTY, OREGON.

WHEREAS, the City Council has initiated the vacation proceedings on its own motion, and has had notice provided, as required by ORS Chapter 271; and,

WHEREAS, the Planning Commission was given an opportunity to review the proposed vacation and has made a recommendation to the City Council to approve the Vacation with amendments; and,

WHEREAS, no objections have been received to said proposed Vacation; and,

WHEREAS, no substantial effect to the market value of the property has been identified; and,

WHEREAS, the City Council has determined that no public interests will be prejudiced by the Vacation;

NOW, THEREFORE, THE CITY OF SWEET HOME DOES ORDAIN AS FOLLOWS:

Section 1. That the public right-of-ways in the City of Sweet Home, Linn County, Oregon, are vacated as depicted on the map titled Exhibit "A" and the descriptions of the vacated areas as set forth in Exhibits "B through L" attached hereto and by this reference incorporated herein.

Section 2. The City Recorder shall file with the County Recorder a certified copy of this ordinance, with copies also filed with the County Assessor and County Surveyor, as required by ORS Chapter 271.

PASSED by the City Council and approved by the Mayor this 9th day of November, 2010.


Mayor

ATTEST:


City Manager - Ex Officio City Recorder

Owner = FORD JUDY L
Address = 1380 EVERGREEN LN
Map = 13S01W36A
Tax Lot = 03608
Subdivision Lot = 17

Vacated Area = 437.56 Sq Ft.

Owner = BAIRD ROBERT C
Address = 1381 EVERGREEN LN
Map = 13S01W36A
Tax Lot = 03604
Subdivision Lot = 13

Vacated Area = 700 Sq Ft.

Owner = DAIUTE MONTE HENRY & BETTY ELLA TR
Address = 1370 EVERGREEN LN
Map = 13S01W36A
Tax Lot = 03614
Subdivision Lot = 16

Vacated Area = 437.5 Sq Ft.

Owner = KEENON RODNEY G & IRIS L
Address = 1371 EVERGREEN LN
Map = 13S01W36A
Tax Lot = 03607
Subdivision Lot = 12

Vacated Area = 700 Sq Ft.

Owner = PIERCE RAYMOND L TR
Address = 1360 EVERGREEN LN
Map = 13S01W36A
Tax Lot = 03613
Subdivision Lot = 15

Vacated Area = 437.5 Sq Ft.

Owner = BEAVER MICHAEL & MICHELLE
Address = 1381 EVERGREEN LN
Map = 13S01W36A
Tax Lot = 03600
Subdivision Lot = 11

Vacated Area = 700 Sq Ft.

Owner = RIGGS DEBRA D
Address = 1350 EVERGREEN LN
Map = 13S01W36A
Tax Lot = 03612
Subdivision Lot = 14

Vacated Area = 1017.82 Sq Ft.

Owner = ELKINTON STANLEY E & NITA P
Address = 1351 EVERGREEN LN
Map = 13S01W36A
Tax Lot = 03611
Subdivision Lot = 10

Vacated Area = 736.94 Sq Ft.

Evergreen Lane

West Pine Street

5 ft.

5 ft.

8 ft.

5 ft.

8 ft.

5 ft.

5 ft.

11.96 ft.

4.23 ft. 5 ft.

Exhibit B

Vacated area of Evergreen Lane, Sweet Home, Oregon.

Subject to a Public Utility Easement.

Related to property; Map 13S01W36A, Lot 03610.

A portion of land located in the Northwest $\frac{1}{4}$ of Section 36, Township 13 South, Range 1 West, Willamette Meridian, City of Sweet Home, Linn County, Oregon, more particularly described as follows:

Beginning at a point on the northwest corner of Lot 9, of the Stone Brook Subdivision, Linn County, Oregon, a subdivision in the City of Sweet Home, Linn County, Oregon, said point also being on the east right-of-way line of Evergreen Lane; thence South $0^{\circ}46'45''$ West 83.27 feet along the east line of Evergreen Lane to a point, said point being the southwest corner of Lot 9 of said subdivision; thence North $89^{\circ}32'30''$ West 8.0 feet to a point; thence North $0^{\circ}46'45''$ East 83.26 feet parallel to the east line of Evergreen Lane to a point, said point being North $89^{\circ}37'$ West 8.0 feet from the northwest corner of Lot 9; thence South $89^{\circ}37'$ East 8.0 feet to the point of beginning.

Containing 666.10 square feet.

Subject to an easement over the full extent of the above described area for the operation and maintenance of utilities for the public; including, but not limited to, the City of Sweet Home Public Utilities of water, stormwater, and sanitary sewer; and investor-owned public electric, natural gas and telecommunication utilities.

Containing 666.10 square feet.

Exhibit C

Vacated area of Evergreen Lane, Sweet Home, Oregon.

Subject to a Public Utility Easement.

Related to property; Map 13S01W36A, Lot 03609.

A portion of land located in the Northwest $\frac{1}{4}$ of Section 36, Township 13 South, Range 1 West, Willamette Meridian, City of Sweet Home, Linn County, Oregon, more particularly described as follows:

Beginning at a point on the northwest corner of Lot 8, of the Stone Brook Subdivision, Linn County, Oregon, a subdivision in the City of Sweet Home, Linn County, Oregon, said point also being on the east right-of-way line of Evergreen Lane; thence South $0^{\circ}46'45''$ West 82.5 feet along the east line of Evergreen Lane to a point, said point being the southwest corner of Lot 8 of said subdivision; thence North $89^{\circ}37'$ West 8.0 feet to a point; thence North $0^{\circ}46'45''$ East 82.5 feet parallel to the east line of Evergreen Lane to a point, said point being North $89^{\circ}37'$ West 8.0 feet from the northwest corner of Lot 8; thence South $89^{\circ}37'$ East 8.0 feet to the point of beginning.

Containing 659.98 square feet.

Subject to an easement over the full extent of the above described area for the operation and maintenance of utilities for the public; including, but not limited to, the City of Sweet Home Public Utilities of water, stormwater, and sanitary sewer; and investor-owned public electric, natural gas and telecommunication utilities.

Containing 659.98 square feet.

Exhibit D

Vacated area of Evergreen Lane, Sweet Home, Oregon.

Subject to a Public Utility Easement.

Related to property; Map 13S01W36A, Lot 03603.

A portion of land located in the Northwest $\frac{1}{4}$ of Section 36, Township 13 South, Range 1 West, Willamette Meridian, City of Sweet Home, Linn County, Oregon, more particularly described as follows:

Beginning at a point on the northwest corner of Lot 7, of the Stone Brook Subdivision, Linn County, Oregon, a subdivision in the City of Sweet Home, Linn County, Oregon, said point also being on the east right-of-way line of Evergreen Lane; thence South $0^{\circ}46'45''$ West 110.0 feet along the east line of Evergreen Lane to a point, said point being the southwest corner of Lot 7 of said subdivision; thence North $89^{\circ}37'$ West 8.0 feet to a point; thence North $0^{\circ}46'45''$ East 107.0 feet parallel to the east line of Evergreen Lane to a point, said point being North $89^{\circ}37'$ West 8.0 feet from east line of Evergreen Lane; thence North $45^{\circ}54'03''$ East 4.23 feet to a point, said point being North $89^{\circ}37'$ West 5.0 feet from the northwest corner of Lot 7; thence South $89^{\circ}37'$ East 5.0 feet to the point of beginning.

Containing 875.35 square feet.

Subject to an easement over the full extent of the above described area for the operation and maintenance of utilities for the public; including, but not limited to, the City of Sweet Home Public Utilities of water, stormwater, and sanitary sewer; and investor-owned public electric, natural gas and telecommunication utilities.

Containing 875.35 square feet.

Exhibit E

Vacated area of Evergreen Lane, Sweet Home, Oregon.

Subject to a Public Utility Easement.

Related to property; Map 13S01W36A, Lot 03611.

A portion of land located in the Northwest $\frac{1}{4}$ of Section 36, Township 13 South, Range 1 West, Willamette Meridian, City of Sweet Home, Linn County, Oregon, more particularly described as follows:

Beginning at a point on the northwest corner of Lot 10, of the Stone Brook Subdivision, Linn County, Oregon, a subdivision in the City of Sweet Home, Linn County, Oregon, said point also being on the east right-of-way line of Evergreen Lane; thence South $0^{\circ}40'52''$ West 92.68 feet along the east line of Evergreen Lane to a point, said point being the southwest corner of Lot 10 of said subdivision; thence North $89^{\circ}37'$ West 5.0 feet to a point; thence North $44^{\circ}28'04''$ West 4.23 feet to a point, said point being North $89^{\circ}37'$ West 8.0 feet from the east line of Evergreen Lane; thence North $0^{\circ}40'52''$ East 89.68 feet parallel to the east line of Evergreen Lane to a point, said point being North $89^{\circ}37'$ West 8.0 feet from the northwest corner of Lot 10; thence South $89^{\circ}37'$ East 8.0 feet to the point of beginning.

Containing 736.94 square feet.

Subject to an easement over the full extent of the above described area for the operation and maintenance of utilities for the public; including, but not limited to, the City of Sweet Home Public Utilities of water, stormwater, and sanitary sewer; and investor-owned public electric, natural gas and telecommunication utilities.

Containing 736.94 square feet.

Exhibit F

Vacated area of Evergreen Lane, Sweet Home, Oregon.

Subject to a Public Utility Easement.

Related to property; Map 13S01W36A, Lot 03600.

A portion of land located in the Northwest $\frac{1}{4}$ of Section 36, Township 13 South, Range 1 West, Willamette Meridian, City of Sweet Home, Linn County, Oregon, more particularly described as follows:

Beginning at a point on the northwest corner of Lot 11, of the Stone Brook Subdivision, Linn County, Oregon, a subdivision in the City of Sweet Home, Linn County, Oregon, said point also being on the east right-of-way line of Evergreen Lane; thence South $0^{\circ}40'52''$ West 87.5 feet along the east line of Evergreen Lane to a point, said point being the southwest corner of Lot 11 of said subdivision; thence North $89^{\circ}37'$ West 8.0 feet to a point; thence North $0^{\circ}40'52''$ East 87.5 feet parallel to the east line of Evergreen Lane to a point, said point being North $89^{\circ}37'$ West 8.0 feet from the northwest corner of Lot 11; thence South $89^{\circ}37'$ East 8.0 feet to the point of beginning.

Containing 700 square feet.

Subject to an easement over the full extent of the above described area for the operation and maintenance of utilities for the public; including, but not limited to, the City of Sweet Home Public Utilities of water, stormwater, and sanitary sewer; and investor-owned public electric, natural gas and telecommunication utilities.

Containing 700 square feet.

Exhibit G

Vacated area of Evergreen Lane, Sweet Home, Oregon.

Subject to a Public Utility Easement.

Related to property; Map 13S01W36A, Lot 03607.

A portion of land located in the Northwest $\frac{1}{4}$ of Section 36, Township 13 South, Range 1 West, Willamette Meridian, City of Sweet Home, Linn County, Oregon, more particularly described as follows:

Beginning at a point on the northwest corner of Lot 12, of the Stone Brook Subdivision, Linn County, Oregon, a subdivision in the City of Sweet Home, Linn County, Oregon, said point also being on the east right-of-way line of Evergreen Lane; thence South $0^{\circ}40'52''$ West 87.5 feet along the east line of Evergreen Lane to a point, said point being the southwest corner of Lot 12 of said subdivision; thence North $89^{\circ}37'$ West 8.0 feet to a point; thence North $0^{\circ}40'52''$ East 87.5 feet parallel to the east line of Evergreen Lane to a point, said point being North $89^{\circ}37'$ West 8.0 feet from the northwest corner of Lot 12; thence South $89^{\circ}37'$ East 8.0 feet to the point of beginning.

Containing 700 square feet.

Subject to an easement over the full extent of the above described area for the operation and maintenance of utilities for the public; including, but not limited to, the City of Sweet Home Public Utilities of water, stormwater, and sanitary sewer; and investor-owned public electric, natural gas and telecommunication utilities.

Containing 700 square feet.

Exhibit H

Vacated area of Evergreen Lane, Sweet Home, Oregon.

Subject to a Public Utilities Easement.

Related to property; Map 13S01W36A, Lot 03604.

A portion of land located in the Northwest $\frac{1}{4}$ of Section 36, Township 13 South, Range 1 West, Willamette Meridian, City of Sweet Home, Linn County, Oregon, more particularly described as follows:

Beginning at a point on the northwest corner of Lot 13, of the Stone Brook Subdivision, Linn County, Oregon, a subdivision in the City of Sweet Home, Linn County, Oregon, said point also being on the east right-of-way line of Evergreen Lane; thence South $0^{\circ}40'52''$ West 87.5 feet along the east line of Evergreen Lane to a point, said point being the southwest corner of Lot 13 of said subdivision; thence North $89^{\circ}37'$ West 8.0 feet to a point; thence North $0^{\circ}40'52''$ East 87.5 feet parallel to the east line of Evergreen Lane to a point, said point being North $89^{\circ}37'$ West 8.0 feet from the northwest corner of Lot 13; thence South $89^{\circ}37'$ East 8.0 feet to the point of beginning.

Containing 700 square feet.

Subject to an easement over the full extent of the above described area for the operation and maintenance of utilities for the public; including, but not limited to, the City of Sweet Home Public Utilities of water, stormwater, and sanitary sewer; and investor-owned public electric, natural gas and telecommunication utilities.

Containing 700 square feet.

Exhibit I

Vacated area of Evergreen Lane, Sweet Home, Oregon.

Subject to a Public Utility Easement.

Related to property; Map 13S01W36A, Lot 03608.

A portion of land located in the Northwest $\frac{1}{4}$ of Section 36, Township 13 South, Range 1 West, Willamette Meridian, City of Sweet Home, Linn County, Oregon, more particularly described as follows:

Beginning at a point on the northeast corner of Lot 17, of the Stone Brook Subdivision, Linn County, Oregon, a subdivision in the City of Sweet Home, Linn County, Oregon, said point also being on the west right-of-way line of Evergreen Lane; thence South $0^{\circ}40'52''$ West 87.5 feet along the west line of Evergreen Lane to a point, said point being the southeast corner of Lot 17 of said subdivision; thence South $89^{\circ}19'08''$ East 5.0 feet to a point; thence North $0^{\circ}40'52''$ East 87.5 feet parallel to the west line of Evergreen Lane to a point, said point being South $89^{\circ}37'$ East 5.0 feet from the northeast corner of Lot 17; thence North $89^{\circ}37'$ West 5.0 feet to the point of beginning.

Containing 437.56 square feet.

Subject to an easement over the full extent of the above described area for the operation and maintenance of utilities for the public; including, but not limited to, the City of Sweet Home Public Utilities of water, stormwater, and sanitary sewer; and investor-owned public electric, natural gas and telecommunication utilities.

Containing 437.56 square feet.

Exhibit J

Vacated area of Evergreen Lane, Sweet Home, Oregon.

Subject to a Public Utility Easement.

Related to property; Map 13S01W36A, Lot 03614.

A portion of land located in the Northwest $\frac{1}{4}$ of Section 36, Township 13 South, Range 1 West, Willamette Meridian, City of Sweet Home, Linn County, Oregon, more particularly described as follows:

Beginning at a point on the northeast corner of Lot 16, of the Stone Brook Subdivision, Linn County, Oregon, a subdivision in the City of Sweet Home, Linn County, Oregon, said point also being on the west right-of-way line of Evergreen Lane; thence South $0^{\circ}40'52''$ West 87.5 feet along the west line of Evergreen Lane to a point, said point being the southeast corner of Lot 16 of said subdivision; thence South $89^{\circ}19'08''$ East 5.0 feet to a point; thence North $0^{\circ}40'52''$ East 87.5 feet parallel to the west line of Evergreen Lane to a point, said point being South $89^{\circ}19'08''$ East 5.0 feet from the northeast corner of Lot 16; thence North $89^{\circ}19'08''$ West 5.0 feet to the point of beginning.

Containing 437.50 square feet.

Subject to an easement over the full extent of the above described area for the operation and maintenance of utilities for the public; including, but not limited to, the City of Sweet Home Public Utilities of water, stormwater, and sanitary sewer; and investor-owned public electric, natural gas and telecommunication utilities.

Containing 437.5.0 square feet.

Exhibit K

Vacated area of Evergreen Lane, Sweet Home, Oregon.

Subject to a Public Utility Easement.

Related to property; Map 13S01W36A, Lot 03613.

A portion of land located in the Northwest $\frac{1}{4}$ of Section 36, Township 13 South, Range 1 West, Willamette Meridian, City of Sweet Home, Linn County, Oregon, more particularly described as follows:

Beginning at a point on the northeast corner of Lot 15, of the Stone Brook Subdivision, Linn County, Oregon, a subdivision in the City of Sweet Home, Linn County, Oregon, said point also being on the west right-of-way line of Evergreen Lane; thence South $0^{\circ}40'52''$ West 87.5 feet along the west line of Evergreen Lane to a point, said point being the southeast corner of Lot 15 of said subdivision; thence South $89^{\circ}19'08''$ East 5.0 feet to a point; thence North $0^{\circ}40'52''$ East 87.5 feet parallel to the west line of Evergreen Lane to a point, said point being South $89^{\circ}19'08''$ East 5.0 feet from the northeast corner of Lot 15; thence North $89^{\circ}19'08''$ West 5.0 feet to the point of beginning.

Containing 437.50 square feet.

Subject to an easement over the full extent of the above described area for the operation and maintenance of utilities for the public; including, but not limited to, the City of Sweet Home Public Utilities of water, stormwater, and sanitary sewer; and investor-owned public electric, natural gas and telecommunication utilities.

Containing 437.50 square feet.

Exhibit L

Vacated area of Evergreen Lane & West Pine Street, Sweet Home, Oregon.

Subject to a Public Utility Easement.

Related to property; Map 13S01W36A, Lot 03612.

A portion of land located in the Northwest $\frac{1}{4}$ of Section 36, Township 13 South, Range 1 West, Willamette Meridian, City of Sweet Home, Linn County, Oregon, more particularly described as follows:

Beginning at a point on the northeast corner of Lot 14, of the Stone Brook Subdivision, Linn County, Oregon, a subdivision in the City of Sweet Home, Linn County, Oregon, said point also being on the west right-of-way line of Evergreen Lane; thence South $0^{\circ}40'52''$ West 92.84 feet along the west line of Evergreen Lane to a point, said point being the southeast corner of Lot 14 of said subdivision; thence North $89^{\circ}19'08''$ West 112.15 feet along the north right-of-way line of West Pine Street to a point, said point being the southwest corner of Lot 14 of said subdivision; thence South $0^{\circ}40'52''$ West 5.0 feet to a point; thence South $89^{\circ}19'08''$ East 109.15 feet parallel to the north line of West Pine Street to a point; thence North $45^{\circ}27'34''$ East 11.36 feet to a point, said point being South $89^{\circ}19'08''$ East 5.0 feet from the west line of Evergreen Lane; thence North $0^{\circ}40'52''$ East 89.80 feet parallel to the west line of Evergreen Lane to a point, said point being South $89^{\circ}19'08''$ East 5.0 feet from the northeast corner of Lot 14; thence North $89^{\circ}19'08''$ West 5.0 feet to the point of beginning.

Containing 1017.82 square feet.

Subject to an easement over the full extent of the above described area for the operation and maintenance of utilities for the public; including, but not limited to, the City of Sweet Home Public Utilities of water, stormwater, and sanitary sewer; and investor-owned public electric, natural gas and telecommunication utilities.

Containing 1017.82 square feet.