

AGENDA BILL 08-09-04

Subject: Right of Way Vacation – Lorinda Court & Lorinda Lane

For Council: September 8, 2008

Land Use Case Number: MIS-07-21

City Manager's Initials: _____

Attachments:

- Planning staff memorandum to City Manager
- Public Works staff memorandum to City Manager
- Proposed ordinance
- Applicant’s submittal
- Map of affected area

Budget Impact:		
<i>Expenditures Required:</i>	<i>Amount Budgeted:</i>	<i>Appropriation Needed:</i>
\$0	\$0	\$0

Summary:

- On June 23, 2008, the City Council passed a motion to direct the City Manager to commence a City-initiated public right of way vacation of Lorinda Court and the upper adjacent portion of Lorinda Lane.
- The entirety of Lorinda Lane and Lorinda Court were intended to be private streets. The plat for the sections to be vacated accidentally included a section dedicating them to the City; therefore, these public sections constitute a right of way “island” that does not connect to other City right of way except via the private section of Lorinda Lane.
- The streets have not been built to City standards, and are not legally accessible by the City.
- A majority of residents in the subdivision support this proposed vacation.
- The City will preserve a utility easement over the entire right of way to be vacated.
- The City will be released from maintenance and repair responsibility for the area of right of way to which it has no legal access. It also removes sections of the street inventory that do not meet City standards.
- Oregon Revised Statutes (ORS) 271 allows a city to vacate or give up right of way for a city street if it follows the procedures and makes the findings required by ORS 271. Those necessary findings are attached.

Recommended Action:

- Adopt the attached ordinance which directs the City Manager to commence the City-initiated right of way vacation.

Council Action Taken:

- Approved
- Denied
- Continued