

**WEST LINN CITY COUNCIL
PUBLIC HEARING NOTICE
FILE NO. MISC-17-06**

The West Linn City Council is scheduled to hold a public hearing on **Monday, November 13, 2017, starting at 6:30 p.m.** in the Council Chambers of City Hall, 22500 Salamo Road, West Linn, to consider a request by Emery Smith DBA Encore Homes LLC to vacate 38,191 square feet of right-of-way along Third Avenue and 10th Street adjacent to tax lots 300 and 800 of Assessor's Map 31E2AC. The application was filed on June 13, 2017.

The hearing is a two-step process. The first step is validating the petition: determining whether the requisite consent signatures were obtained. The second step is to determine whether the proper notice was posted and published, whether requisite consent was obtained and whether the public interest is prejudiced by approving the vacation of the right of way.

The City Council hearing shall be conducted per CDC Chapter 99 and the decision shall be based upon the approval criteria found in Oregon Revised Statute 271. At the hearing, all written or oral comments must relate specifically to the applicable approval criteria.

The complete application in the above noted file is available for inspection at no cost at City Hall or via the web site at <http://westlinnoregon.gov/planning/adjacent-1220-9th-street-street-vacation>, or copies can be obtained for a minimal charge per page. At least ten days prior to the hearing, a copy of the staff report will be available for inspection at no cost, or copies can be obtained for a minimal charge per page. For further information, please contact Peter Spir, Associate Planner, at City Hall, 22500 Salamo Road, West Linn, OR 97068, pspir@westlinnoregon.gov, or 503-742-6062.

Anyone wishing to present written testimony on this proposed action may do so in writing prior to, or at the public hearing. All written testimony, objections, or other documents submitted to the City Manager's office by 4:00 p.m. on November 6, 2017, will be presented to the City Council for consideration. All other written materials must be presented in person at the hearing.

The City Council may continue the public hearing to another meeting to obtain additional information, leave the record open for additional evidence, arguments, or testimony, or close the public hearing and take action on the application as provided by state law. Failure to raise an issue in person or by letter at some point prior to the close of the hearing, or failure to provide sufficient specificity to afford the decision maker an opportunity to respond to the issue, precludes an appeal based on that issue.