

**ORDINANCE NO. 1715**

**AN ORDINANCE VACATING A PORTION OF  
RIGHT-OF-WAY BETWEEN WILLAMETTE DRIVE AND BROADWAY STREET IN  
THE CITY OF WEST LINN, OREGON.**

**WHEREAS**, Ed Brockman submitted a petition to vacate a portion of right-of-way between Willamette Drive and Broadway Street. Adjacent to tax lots 0200 and 0300 on February 6, 2020; and,

**WHEREAS**, the City fixed a time pursuant to Oregon Revised Statute (ORS) 271.130 on June 15, 2020, for a public hearing on the proposed vacation; and,

**WHEREAS**, the City published notice of the proposed right-of-way vacation in the West Linn Tidings on May 28, 2020 and June 4, 2020, and

**WHEREAS**, City staff posted a copy of the notice with all required information at two conspicuous places near each end of the proposed vacation area; and,

**WHEREAS**, the City Council held a public hearing on the proposed vacation on June 15, 2020; and,

**WHEREAS**, the City Council found that the petition was complete because 100 percent of abutting property owners support the vacation and over two-thirds of property within the ORS defined affected area support the vacation; and,

**WHEREAS**, the City Council found that the applicant obtained the requisite signatures of consent, the notice was complete, and the public interest will not be prejudiced by the vacation because the right-of-ways do not serve any purposes with the exception of a public utility easement to be established on these right-of-ways.

**NOW, THEREFORE, THE CITY OF WEST LINN ORDAINS AS FOLLOWS:**

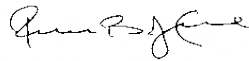
**SECTION 1. Vacation** The portion of right-of-way located between Willamette Drive and Broadway Street is vacated and is located in the City of West Linn, Clackamas County, Oregon, adjacent to tax lots 0200 and 0300 of Assessor's Map 22E 30CB , as more particularly described and attached in Exhibit A1 (legal description) and Exhibit B (map), which are incorporated by these references.

**SECTION 2. Establish Public Utility** All of the vacated right-of-ways described in Exhibits A and B, are subject to dedication of a public utility easement for their entirety.

**SECTION 3. Severability.** The sections, subsections, paragraphs and clauses of this ordinance are severable. The invalidity of one section, subsection, paragraph, or clause shall not affect the validity of the remaining sections, subsections, paragraphs and clauses.

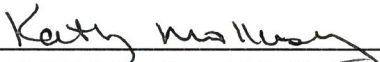
**SECTION 4. Vacation Effective Date.** This ordinance shall take effect on the 30<sup>th</sup> day after its passage.

The foregoing ordinance was first read by title only in accordance with Chapter VIII, Section 33(c) of the City Charter on the 13th day of July, 2020, and duly PASSED and ADOPTED this 13th day of July, 2020.



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RUSSELL B. AXELROD, MAYOR



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KATHY MOLLUSKY, CITY RECORDER

APPROVED AS TO FORM:



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CITY ATTORNEY

## Exhibit A1



**CENTERLINE CONCEPTS**  
LAND SURVEYING, INC.

19376 Molalla Avenue, Ste. 120, Oregon City, OR 97045  
P. 503-650-0188 F. 503-650-0189

**Exhibit "A"**  
**Right of Way Vacation**  
**Legal Description**

A Tract of land being a portion of a 16.00 foot wide public alley running through Block 25 of "Moody Investment Company's Subdivision of Unit "F" of West Oregon City", Plat No. 495 Plat Records of Clackamas County, located in the Southwest one-quarter of Section 30, Township 2 South, Range 2 East of the Willamette Meridian, City of West Linn, County of Clackamas, State of Oregon, being more particularly described as follows:

**BEGINNING** at a 5/8" iron rod with a yellow plastic cap marked "LS 500" found at the most northerly corner of that tract of land as described by Deed Document No. 2015-069775, Clackamas County Deed Records, also shown as Lot 6 on the unrecorded subdivision of said Block 25, recorded as Survey No. 1924-002, Clackamas County Survey Records; thence along the northeast line of those tracts of land described by Deed Document Numbers 90-31798 and 88-33891, Clackamas County Deed Records, also shown as Lots 7, 8, and 9, Block 25, of said unrecorded subdivision, North 36°31'27" West, 150.03 feet to a 5/8" iron rod with a red plastic cap marked "Centerline Concepts" found at the most easterly corner of that tract of land as described by Deed Document No. 96-030048, also shown as Lot 10, of said unrecorded subdivision; thence along the northeast extension of the southeast line of said Lot 10, North 53°26'00" East, 16.00 feet, to the most southerly corner of that tract of land as described by Deed Document No. 2004-102042, Clackamas County Deed Records, also shown as Lot 13, of said unrecorded subdivision; thence, along the southwest line those tracts of land as described by Deed Document Numbers 2016-008253, and 2018-005448, Clackamas County Deed Records, also shown as Lots 14, 15, and 16, of said unrecorded subdivision, South 36°31'27" East, 150.03 feet, to the most southerly corner of said Lot 16; thence along the northeast extension of the northwest line of said Lot 6, South 53°26'00" West, 16.00 feet to the **POINT OF BEGINNING**.

Contains 2,400 square feet.

08 Jun 19  
REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

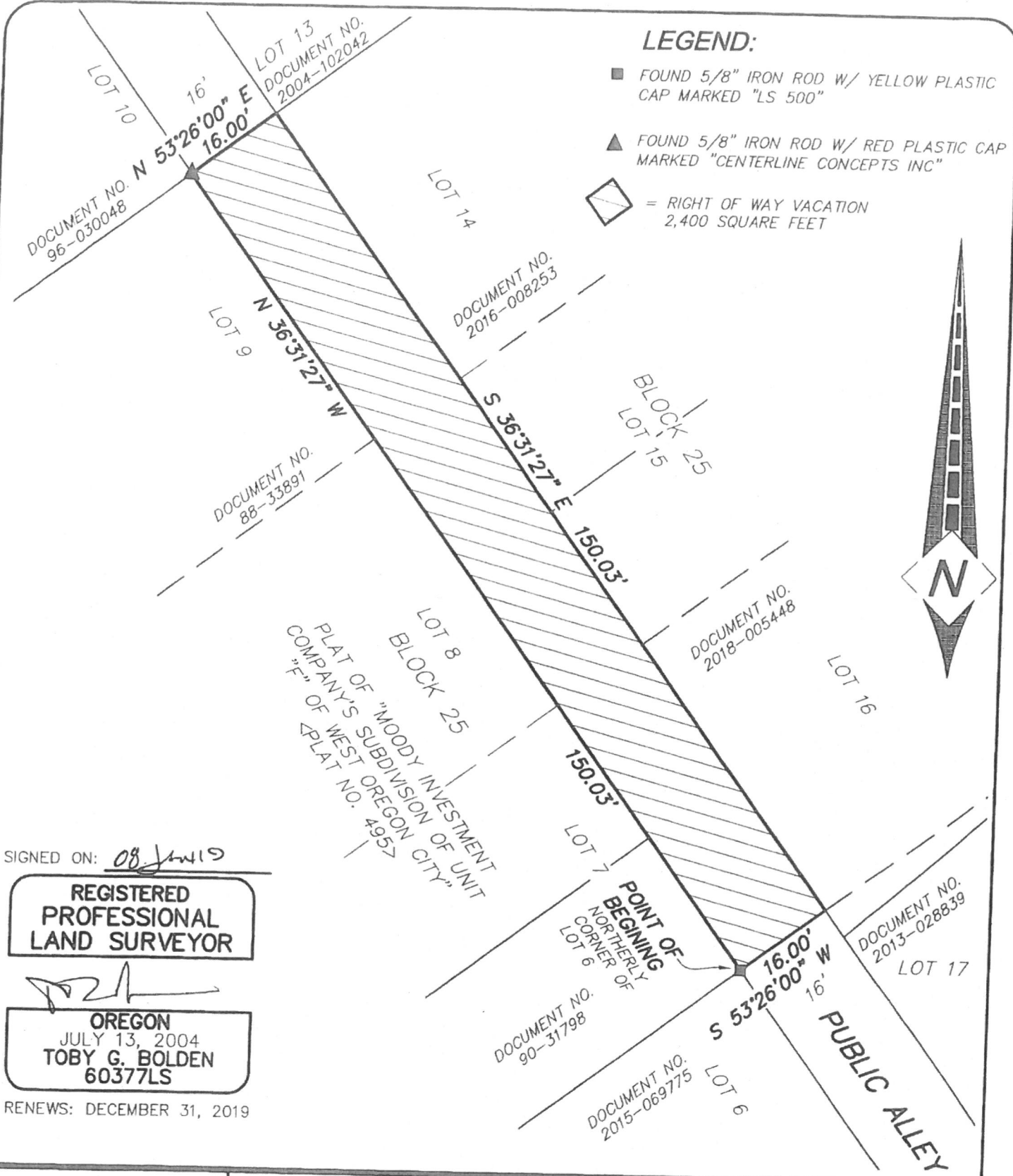
OREGON  
JULY 13, 2004  
TOBY G. BOLDEN  
60377LS

RENEWS: 31 DEC 19

## Exhibit B

**LEGEND:**

- FOUND 5/8" IRON ROD W/ YELLOW PLASTIC CAP MARKED "LS 500"
- ▲ FOUND 5/8" IRON ROD W/ RED PLASTIC CAP MARKED "CENTERLINE CONCEPTS INC"
- ◊ = RIGHT OF WAY VACATION 2,400 SQUARE FEET



SIGNED ON: 08 June 19

**REGISTERED PROFESSIONAL LAND SURVEYOR**

*Toby G. Bolden*  
**OREGON**  
 JULY 13, 2004  
**TOBY G. BOLDEN**  
 60377LS

RENEWS: DECEMBER 31, 2019

CLIENT: **DREAMBUILDER**  
 ORIG. DATE: **1-8-19**  
 DRAWN BY: **AAD**  
 SHEET No. **1 OF 1**

**EXHIBIT "B"**  
**RIGHT OF WAY VACATION**  
 CITY OF WEST LINN, CLACKAMAS COUNTY, OREGON  
 SCALE: 1"=20'

  
**CENTERLINE CONCEPTS**  
**LAND SURVEYING, INC.**  
 19376 MOLALLA AVE., SUITE 120  
 OREGON CITY, OREGON 97045  
 PHONE 503.650.0188 FAX 503.650.0189