

ORDINANCE NO. 1730

**AN ORDINANCE VACATING AND REDEDICATING A PORTION OF THE
SKYLINE DRIVE RIGHT-OF-WAY TO CENTER THE EXISTING STREET IN THE RIGHT-OF-WAY
WITHIN THE CITY OF WEST LINN, OREGON**

WHEREAS, the City of West Linn submitted an application, pursuant to Oregon Revised Statute (ORS) 271.130, to vacate and rededicate a portion of the Skyline Drive right-of-way, adjacent to the West Linn High School property, on July 23, 2021; and,

WHEREAS, the City fixed a time pursuant to Oregon Revised Statute (ORS) 271.130 on October 11, 2021, for a public hearing on the proposed vacation and rededication; and,

WHEREAS, the City published notice of the proposed right-of-way vacation and rededication in the West Linn Tidings on September 22, 2021 and September 29, 2021; and,

WHEREAS, City staff posted a copy of the notice on September 27, 2021, with all required information, at two conspicuous places near each end of the proposed vacation and rededication area; and,

WHEREAS, the City Council held a public hearing on the proposed vacation on October 11, 2021; and,

WHEREAS, the City Council found that the proposal complied with all requirements of ORS 271, the notice was complete, no objections were submitted, and the public interest will not be prejudiced by the vacation and rededication.

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

SECTION 1. Vacation. The portion of Skyline Drive right-of-way is vacated that is located in the City of West Linn, Clackamas County, Oregon, adjacent to tax lot 800 of Assessor Map 22E30, as more particularly described and attached in Exhibit A (legal description and map), which is incorporated by this reference.

SECTION 2. Rededication. The portion of Skyline Drive right-of-way is rededicated that is located in the City of West Linn, Clackamas County, Oregon, adjacent to tax lot 800 of Assessor Map 22E30, as more particularly described and attached in Exhibit B (legal description and map), which is incorporated by this reference.

SECTION 3. Establish Public Utility Easement. The rededicated right-of-way is subject to dedication of an adjacent eight-foot public utility easement, as depicted in Exhibit B for the entirety.

SECTION 4. 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.

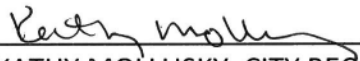
SECTION 5. Effective Date. This ordinance shall take effect on the 30th day after its passage.

The foregoing ordinance was first read by title only in accordance with Chapter VIII, Section 33(c) of the City Charter on the 11th day of October, 2021, and duly PASSED and ADOPTED this 11th day of October, 2021.




JULES WALTERS, MAYOR

ATTEST:



KATHY MOLLUSKY, CITY RECORDER

APPROVED AS TO FORM:



CITY ATTORNEY



LEGAL DESCRIPTION
 PROPOSED VACATION OF A PORTION OF SKYLINE DRIVE,
 WEST LINN, OR

EXHIBIT "A", PAGE 1 OF 2

A PORTION OF SKYLINE DRIVE, (WIDTH VARIES), BEING LOCATED IN THE SOUTHWEST ONE-QUARTER OF SECTION 30, TOWNSHIP 2 SOUTH, RANGE 2 EAST, W.M., CITY OF WEST LINN, CLACKAMAS COUNTY, OREGON, BEING ALL THAT PORTION OF SKYLINE DRIVE AS DESCRIBED IN DEED BOOK 520, PAGE 670, CLACKAMAS COUNTY DEED RECORDS AND A PORTION OF SKYLINE DRIVE AS DEDICATED BY "WEST OREGON CITY", PLAT NO. 368, CLACKAMAS COUNTY PLAT RECORDS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

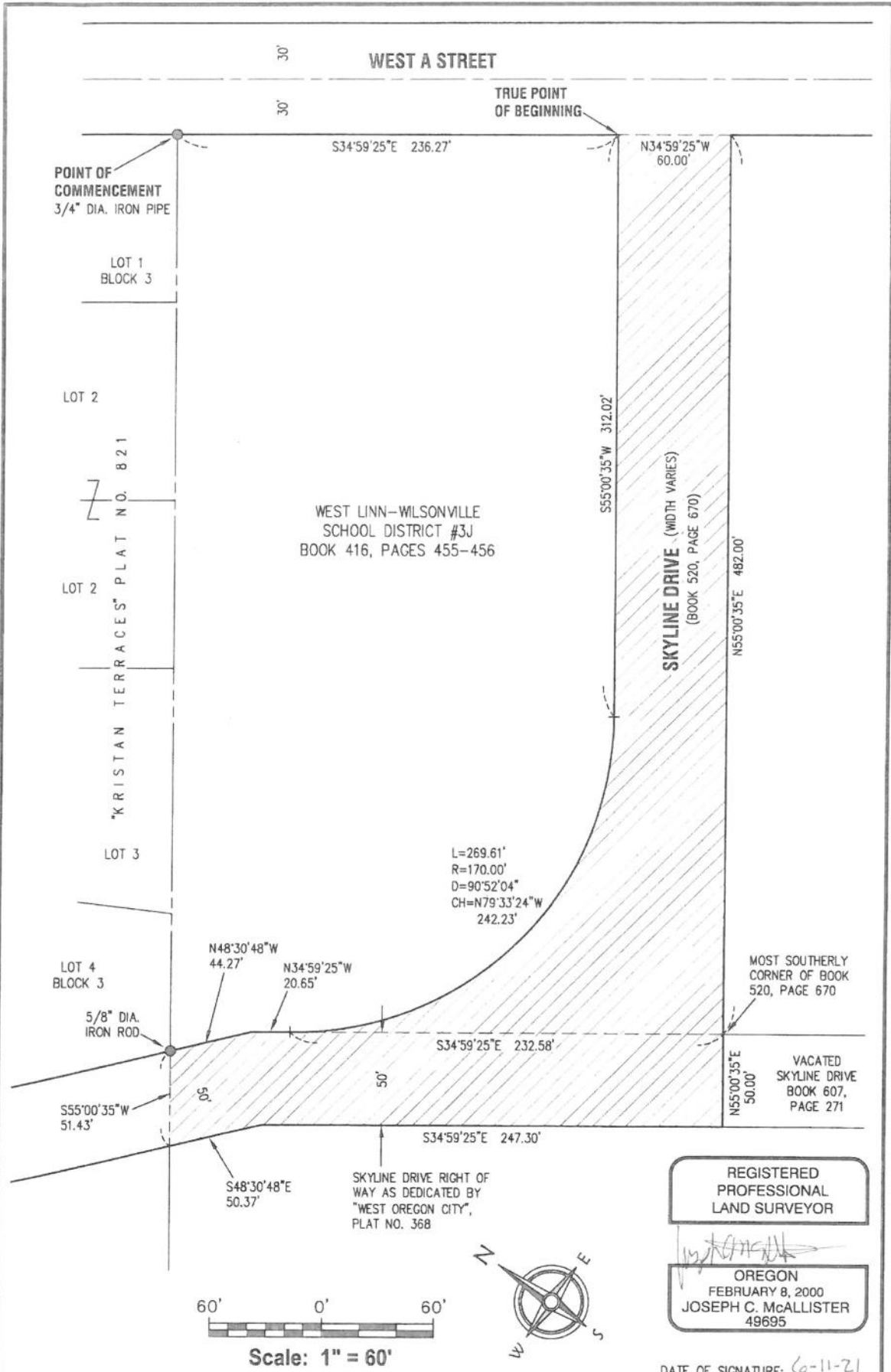
COMMENCING A 3/4" DIAMETER IRON PIPE, FOUND AT THE MOST NORTHERLY CORNER OF THAT TRACT OF LAND DESCRIBED IN DEED TO THE WEST LINN-WILSONVILLE SCHOOL DISTRICT #3J, RECORDED IN BOOK 416, PAGES 455-456, CLACKAMAS COUNTY DEED RECORDS, SAID POINT ALSO BEING THE MOST EASTERLY CORNER OF LOT 1, BLOCK 3, "KRISTAN TERRACES", PLAT NO. 821, BEING ON THE SOUTHWESTERLY RIGHT OF WAY LINE OF WEST "A" STREET (30.00 FEET FROM CENTERLINE); THENCE ALONG SAID SOUTHWESTERLY RIGHT OF WAY LINE, S 34°59'25"E., 236.27 FEET TO THE NORTHWESTERLY RIGHT OF WAY LINE OF SKYLINE DRIVE (60.00 FEET WIDE) AS RECORDED IN AFORESAID DEED BOOK 520, PAGE 670, AND THE TRUE POINT OF BEGINNING, THENCE ALONG THE NORTHWESTERLY RIGHT OF WAY LINE OF SAID SKYLINE DRIVE (60.00 FEET WIDE), S 55°00'35"W., 312.02 FEET; THENCE CONTINUING ALONG SAID NORTHWESTERLY RIGHT OF WAY LINE, 269.61 FEET ALONG THE ARC OF A 170.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 90°52'04", (THE CHORD OF WHICH BEARS N 79°33'24"W., 242.23 FEET) TO THE EASTERLY RIGHT OF WAY LINE OF SKYLINE DRIVE (50.00 FEET WIDE) AS DEDICATED BY AFORESAID "WEST OREGON CITY", PLAT NO. 368; THENCE ALONG SAID EASTERLY RIGHT OF WAY LINE, N 34°59'25"W., 20.65 FEET; THENCE CONTINUING ALONG SAID EASTERLY RIGHT OF WAY LINE, N 48°30'48"W., 44.27 FEET TO A 5/8" DIAMETER IRON ROD FOUND AT THE MOST SOUTHERLY CORNER OF LOT 4, BLOCK 3 OF AFORESAID "KRISTAN TERRACES"; THENCE ALONG THE SOUTHWESTERLY EXTENSION OF THE SOUTHEASTERLY LINE OF SAID "KRISTAN TERRACES", SAID EXTENSION BEING THE NORTHWESTERLY LINE OF AFORESAID SCHOOL TRACT, S 55°00'35"W., 51.43 FEET TO THE WESTERLY RIGHT OF WAY LINE OF SAID SKYLINE DRIVE (50.00 FEET WIDE); THENCE ALONG SAID WESTERLY RIGHT OF WAY LINE, S 48°30'48"E., 50.37 FEET; THENCE CONTINUING ALONG SAID WESTERLY RIGHT OF WAY LINE, S 34°59'25"E., 247.30 FEET TO THE SOUTHWESTERLY EXTENSION OF THE SOUTHEASTERLY RIGHT OF WAY LINE OF SKYLINE DRIVE AS DESCRIBED IN AFORESAID BOOK 520, PAGE 670; THENCE ALONG SAID EXTENSION, N 00°00'E., 50.00 FEET TO THE MOST SOUTHERLY CORNER OF SAID BOOK 520, PAGE 670; THENCE ALONG SAID SOUTHEASTERLY RIGHT OF WAY LINE, N 55°00'35"E., 482.00 FEET TO THE AFORESAID SOUTHWESTERLY RIGHT OF WAY LINE OF WEST "A" STREET (30.00 FEET FROM CENTERLINE); THENCE ALONG SAID SOUTHWESTERLY RIGHT OF WAY LINE, N 34°59'25"W., 60.00 FEET TO THE POINT-OF-BEGINNING, CONTAINING 49,997 SQUARE FEET, MORE OR LESS.



DATE OF SIGNATURE c/nlu
 EXPIRES: 12/31/2022



4107 SE International Way, Suite 705, Milwaukie, Oregon 97222
 Phone: 503.653.9093 Fax: 503.653.9095 Email: joem@compass-landsurveyors.com



REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
FEBRUARY 8, 2000
JOSEPH C. McALLISTER
49695

DATE OF SIGNATURE: 6-11-21

EXPIRES: 12/31/2022

5358 Skyline Vacation.dwg

EXHIBIT "A"

COMPASS Land Surveyors
4107 SE International Way, Suite 705
Milwaukie, Oregon 97222 503-653-9093

VACATION OF A PORTION OF SKYLINE DRIVE
IN THE SW 1/4 SECTION 30, T.2S., R.2E., W.M.
CITY OF WEST LINN, CLACKAMAS COUNTY, OR

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LEGAL DESCRIPTION
 PROPOSED SKYLINE DRIVE,
 WEST LINN, OR

EXHIBIT "A", PAGE 1 OF 2,

A 58.00 FOOT WIDE STRIP OF LAND, BEING LOCATED IN THE SOUTHWEST ONE-QUARTER OF SECTION 30, TOWNSHIP 2 SOUTH, RANGE 2 EAST, W.M., CITY OF WEST LINN, CLACKAMAS COUNTY, OREGON, THE CENTERLINE OF WHICH BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING A 3/4" DIAMETER IRON PIPE, FOUND AT THE NORTHERLY CORNER THAT TRACT OF LAND DESCRIBED IN DEED TO THE WEST LINN-WILSONVILLE SCHOOL DISTRICT #3J, RECORDED IN BOOK 416, PAGES 455-456, CLACKAMAS COUNTY DEED RECORDS, SAID POINT ALSO BEING THE EASTERLY CORNER OF LOT 1, BLOCK 3, "KRISTAN TERRACES", PLAT NO. 821, BEING ON THE SOUTHWESTERLY RIGHT OF WAY LINE OF WEST "A" STREET (30.00 FEET FROM CENTERLINE); THENCE ALONG SAID SOUTHWESTERLY RIGHT OF WAY LINE, S.34059'25"E., 266.27 FEET TO THE TRUE POINT OF BEGINNING; THENCE ALONG THE CENTERLINE OF A 58.00 FOOT WIDE STRIP, S.55°00'35"W., 401.49 FEET; THENCE 137.70 FEET ALONG THE ARC OF A 95.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 83°03'04", (THE CHORD OF WHICH BEARS N.83°27'53"W., 125.96 FEET); THENCE N.41°56'21"W., 184.12 FEET TO THE TERMINUS OF SAID CENTERLINE, BEING A POINT ON THE SOUTHWESTERLY EXTENSION OF THE SOUTHEASTERLY LINE OF AFORE SAID "KRISTAN TERRACES", S.55°00'35"W., 25.71 FEET FROM THE 5/8" IRON ROD FOUND AT THE SOUTHERLY CORNER OF LOT 4, BLOCK 3, OF AFORE SAID PLAT "KRISTAN TERRACES", SAID EXTENSION ALSO BEING THE NORTHWESTERLY LINE OF AFORE SAID SCHOOL TRACT; THE RIGHT AND LEFT SIDES OF SAID 58.00 FOOT WIDE STRIP, ARE 29.00 FEET RIGHT AND LEFT OF AND PARALLEL WITH SAID CENTERLINE; SAID STRIP CONTAINING 41,952 SQUARE FEET, MORE OR LESS.

INCLUDING A 8.00 FOOT WIDE PUBLIC UTILITY EASEMENT PARALLELING THE RIGHT AND LEFT SIDES OF SAID 58.00 FOOT WIDE STRIP, THE OUTER RIGHT AND LEFT SIDES THEREOF BEING 37.00 FEET RIGHT AND LEFT OF AND PARALLEL WITH THE AFORE SAID DESCRIBED CENTERLINE.



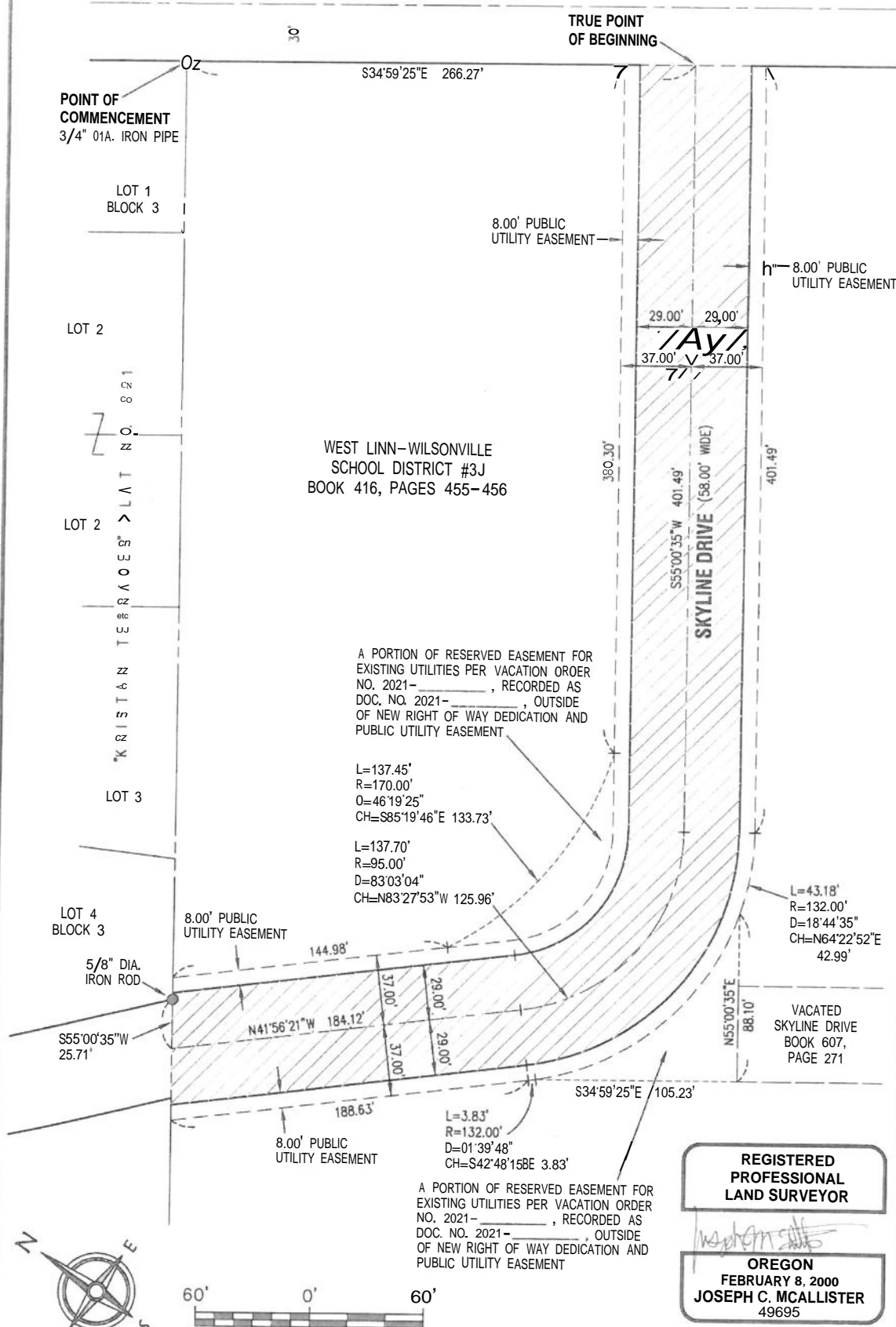
DATE OF SIGNATURE: 6/1/2022

EXPIRES: 12/31/2022



4107 SE International Way, Suite 705, Milwaukie, Oregon 97222
 Phone 503.653.9093 Fax 503.653.9095 Email: joem@compass-landsurveyors.com

WEST A STREET



POINT OF COMMENCEMENT
3/4" 01A. IRON PIPE

TRUE POINT OF BEGINNING

LOT 1
BLOCK 3

8.00' PUBLIC UTILITY EASEMENT

8.00' PUBLIC UTILITY EASEMENT

LOT 2

29.00' 29.00'
37.00' 37.00'

LOT 2

WEST LINN-WILSONVILLE
SCHOOL DISTRICT #3J
BOOK 416, PAGES 455-456

K R I S T I A N T E R R A C O S S ' S > L A T N O. 8 2 1

LOT 3

A PORTION OF RESERVED EASEMENT FOR EXISTING UTILITIES PER VACATION ORDER NO. 2021-_____, RECORDED AS DOC. NO. 2021-_____, OUTSIDE OF NEW RIGHT OF WAY DEDICATION AND PUBLIC UTILITY EASEMENT

L=137.45'
R=170.00'
O=46°19'25"
CH=S85°19'46"E 133.73'

L=137.70'
R=95.00'
D=83°03'04"
CH=N83°27'53"W 125.96'

LOT 4
BLOCK 3

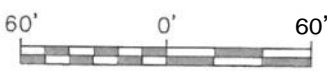
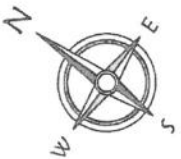
8.00' PUBLIC UTILITY EASEMENT

L=43.18'
R=132.00'
D=18°44'35"
CH=N64°22'52"E 42.99'

5/8" DIA. IRON ROD

S55°00'35"W 25.71'

VACATED SKYLINE DRIVE
BOOK 607,
PAGE 271



Scale: 1" = 60'

L=3.83'
R=132.00'
D=01°39'48"
CH=S42°48'15"E 3.83'

A PORTION OF RESERVED EASEMENT FOR EXISTING UTILITIES PER VACATION ORDER NO. 2021-_____, RECORDED AS DOC. NO. 2021-_____, OUTSIDE OF NEW RIGHT OF WAY DEDICATION AND PUBLIC UTILITY EASEMENT

REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON
FEBRUARY 8, 2000
JOSEPH C. MCALLISTER
49695

DATE OF SIGNATURE: 6-11-21
EXPIRES: 12/31/2022

5358 Skyline Dedication.dwg

EXHIBIT "A"

O&MPASS Land Surveyors
4107 SE International Way, Suite 705
MilwauScSe, Oregon 97222 503-653-9093

SKYLINE DRIVE DEDICATION
IN SW 1/4 SECTION 30, T.2S., R.2E., W.3E.,
CITY OF WEST LINN, CLACKAMAS COUNTY, OR

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