

ORDINANCE NO. 1746

AN ORDINANCE VACATING A PORTION OF THE DOLLAR STREET AND BRANDON PLACE 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 a portion of the Dollar Street right-of-way, adjacent to tax lots 21E34CA03900, 21E34CA04000, and 21E34C00600, and a portion of the Brandon Place right-of-way, adjacent to tax lot 21E34CA03900 on June 12, 2023; and,

WHEREAS, the City fixed a time pursuant to Oregon Revised Statute (ORS) 271.130 on July 10, 2023, 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 June 21, 2023 and June 28, 2023; 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 on June 23, 2023; and,

WHEREAS, the City Council held a public hearing on the proposed vacation on July 10, 2023; 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.

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

SECTION 1. Vacation. The portion of Dollar Street right-of-way is vacated that is located in the City of West Linn, Clackamas County, Oregon, adjacent to tax lots 21E34CA03900, 21E34CA04000, and 21E34C00600, as more particularly described and attached in Exhibit A (legal description and map), which is incorporated by this reference.

SECTION 2. Vacation. The portion of Brandon Place right-of-way is vacated that is located in the City of West Linn, Clackamas County, Oregon, adjacent to tax lot 21E34CA03900, as more particularly described and attached in Exhibit B (legal description and map), which is incorporated by this reference.

SECTION 3. Establish Public Utility and Private Access Easement. The middle 20-feet of the vacated Dollar Street right-of-way shall be subject to dedication of a public utility easement and a private access easement for the benefit of tax lot 21E34CA04000.

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.

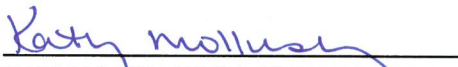
SECTION 4. Effective Date. This ordinance shall take effect on the 30th day after its passage.

The foregoing ordinance was first read by title only in accordance with Chapter VIII, Section 33(c) of the City Charter on the 10th day of July, 2023, and duly PASSED and ADOPTED this 10th day of July, 2023.



RORY BIALOSTOSKY, MAYOR

ATTEST:



KATHY MOLLUSKY, CITY RECORDER

APPROVED AS TO FORM:



CITY ATTORNEY



**LEGAL DESCRIPTION
PROPOSED VACATION OF A PORTION OF DOLLAR STREET,
WEST LINN, OR 97068**

EXHIBIT "A"

A PORTION OF DOLLAR STREET (60.00 FEET WIDE, COUNTY ROAD NO. 171, JURISDICTIONAL TRANSFER TO CITY OF WEST LINN, RECORDED IN BOOK 288, PAGES 656-659, CLACKAMAS COUNTY RECORDS), BEING LOCATED IN THE SOUTHWEST ONE-QUARTER OF SECTION 34, TOWNSHIP 2 SOUTH, RANGE 1 EAST, W.M., CITY OF WEST LINN, CLACKAMAS COUNTY, OREGON, BEING, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 5/8" DIAMETER IRON ROD WITH AN ORANGE PLASTIC CAP STAMPED "CONSULTING ENGINEERING SERVICES", FOUND AT THE SOUTHEASTERLY CORNER OF LOT 16, "RIVER HEIGHTS 4", PLAT NO. 3018, BEING ON THE NORTHERLY RIGHT OF WAY LINE OF AFORESAID DOLLAR STREET (30.00 FEET FROM CENTERLINE); THENCE ALONG SAID NORTHERLY RIGHT OF WAY LINE AND THE NORTHWESTERLY EXTENSION THEREOF, N.70°32'02"W., 175.02 FEET TO A FOUND 5/8" DIAMETER IRON ROD WITH AN ORANGE PLASTIC CAP STAMPED "CONSULTING ENGINEERING SERVICES" AND THE TRUE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID NORTH RIGHT OF WAY LINE, BEING THE SOUTHERLY LINE OF THAT TRACT OF LAND DESCRIBED IN DEED DOCUMENT NO. 2020-030925, CLACKAMAS COUNTY RECORDS, N.70°32'02"W., 309.51 FEET TO THE WESTERLY CORNER OF SAID DOCUMENT NO. 2020-030925; THENCE, ALONG A PORTION OF THE EASTERLY LINE THAT TRACT OF LAND DESCRIBED IN DEED BOOK 209, PAGE 029, CLACKAMAS COUNTY RECORDS, S.05°53'00"W., 61.73 FEET TO A 5/8" DIAMETER IRON ROD WITH A 1-1/2" DIAMETER ALUMINUM CAP STAMPED "OTAK", FOUND AT THE MOST NORTHERLY WEST CORNER OF THAT TRACT OF LAND DESCRIBED IN DOCUMENT NO. 94-12633, CLACKAMAS COUNTY RECORDS, BEING ON THE SOUTHERLY RIGHT OF WAY LINE OF AFORESAID DOLLAR STREET; THENCE ALONG SAID SOUTHERLY RIGHT OF WAY LINE, S.70°32'02"E., 310.95 FEET; THENCE N.23°04'15"E., 60.12 FEET; THENCE N.70°32'02"W., 19.72 FEET TO THE POINT-OF-BEGINNING, CONTAINING 19,205 SQUARE FEET, MORE OR LESS.

THE BASIS OF BEARINGS FOR THIS DESCRIPTION IS "RIVER HEIGHTS 4" PLAT NO. 3018, CLACKAMAS COUNTY PLAT RECORDS.



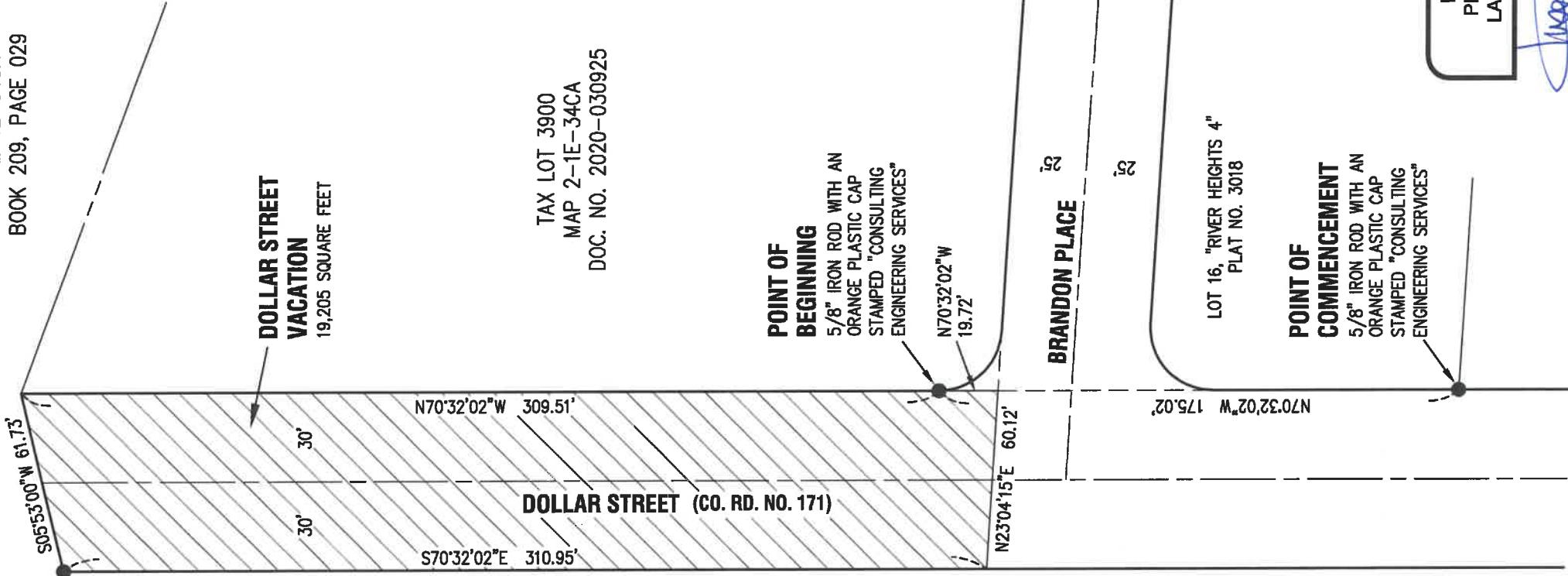
DATE OF SIGNATURE: 1/30/23
EXPIRES: 12/31/2024



TAX LOT 4000
MAP 2-1E-34CA
BOOK 209, PAGE 029

TAX LOT 600
MAP 2-1E-34C
DOC. NO. 94-12633

TAX LOT 3900
MAP 2-1E-34CA
DOC. NO. 2020-030925



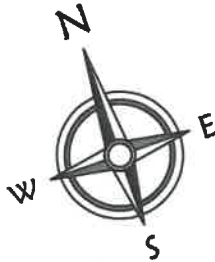
5/8" IRON ROD WITH AN ALUMINUM CAP STAMPED "OTAK"

DOLLAR STREET VACATION
19,205 SQUARE FEET

POINT OF BEGINNING
5/8" IRON ROD WITH AN ORANGE PLASTIC CAP STAMPED "CONSULTING ENGINEERING SERVICES"

POINT OF COMMENCEMENT
5/8" IRON ROD WITH AN ORANGE PLASTIC CAP STAMPED "CONSULTING ENGINEERING SERVICES"

LOT 16, "RIVER HEIGHTS 4"
PLAT NO. 3018



Scale: 1" = 50'

REGISTERED PROFESSIONAL LAND SURVEYOR

Joseph C. McAllister

OREGON
FEBRUARY 8, 2000
JOSEPH C. McALLISTER
49695

DATE OF SIGNATURE: 1/30/23
EXPIRES: 12/31/2024

EXHIBIT "B"

8313 Exh.dwg

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

VACATION OF A PORTION OF DOLLAR STREET
IN THE SW 1/4 OF SECTION 34, T.2S., R.1E., W.M.
CITY OF WEST LINN, CLACKAMAS COUNTY, OREGON

LEGAL DESCRIPTION
PROPOSED VACATION OF A PORTION OF BRANDON PLACE,
WEST LINN, OR 97068

EXHIBIT "A"

A PORTION OF BRANDON PLACE, (50.00 FEET WIDE), BEING LOCATED IN THE SOUTHWEST ONE-QUARTER OF SECTION 34, TOWNSHIP 2 SOUTH, RANGE 1 EAST, W.M., CITY OF WEST LINN, CLACKAMAS COUNTY, OREGON, BEING, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING A 5/8" DIAMETER IRON ROD WITH AN ORANGE PLASTIC CAP STAMPED "CONSULTING ENGINEERING SERVICES", FOUND AT THE SOUTHEASTERLY CORNER OF LOT 16, "RIVER HEIGHTS 4", PLAT NO. 3018, BEING ON THE NORTHERLY RIGHT OF WAY LINE OF DOLLAR STREET (60.00 FEET WIDE, COUNTY ROAD NO. 171, JURISDICTIONAL TRANSFER TO CITY OF WEST LINN, RECORDED IN BOOK 288, PAGES 656-659, CLACKAMAS COUNTY RECORDS); THENCE ALONG SAID NORTHERLY RIGHT OF WAY LINE, AND ITS NORTHWESTERLY EXTENSION THEREOF, N.70°32'02"W., 175.02 FEET TO A FOUND 5/8" DIAMETER IRON ROD WITH AN ORANGE PLASTIC CAP STAMPED "CONSULTING ENGINEERING SERVICES" AND THE TRUE POINT OF BEGINNING; THENCE ALONG THE NORTHWESTERLY RIGHT OF WAY LINE OF AFORESAID BRANDON PLACE, 31.67 FEET ALONG THE ARC OF A NON-TANGENT 21.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 86°23'43", THE CHORD OF WHICH BEARS N.66°16'07"E., 28.75 FEET; THENCE S.23°04'15"W., 19.72 FEET; THENCE N.70°32'02"W., 19.72 FEET TO THE POINT-OF-BEGINNING, CONTAINING 82 SQUARE FEET, MORE OR LESS.

THE BASIS OF BEARINGS FOR THIS DESCRIPTION IS "RIVER HEIGHTS 4" PLAT NO. 3018, CLACKAMAS COUNTY PLAT RECORDS.



DATE OF SIGNATURE: 1/30/23

EXPIRES: 12/31/2024



POINT OF BEGINNING

5/8" IRON ROD WITH AN ORANGE PLASTIC CAP STAMPED "CONSULTING ENGINEERING SERVICES"

TAX LOT 3900
MAP 2-1E-34CA
DOC. NO. 2020-030925

BRANDON PLACE VACATION

82 SQUARE FEET

N70°32'02"W
19.72'

L=31.67'
R=21.00'
D=86°23'43"
CH=N66°16'07"E
28.75'

S23°04'15"W
19.72'

BRANDON PLACE

TAX LOT 600
MAP 2-1E-34C
DOC. NO.
94-12633

DOLLAR STREET (CO. RD. NO. 171)

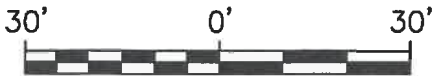
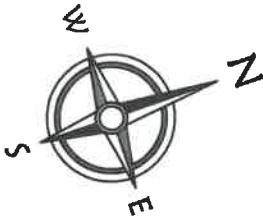
LOT 16, "RIVER HEIGHTS 4"
PLAT NO. 3018

POINT OF COMMENCEMENT

5/8" IRON ROD WITH AN ORANGE PLASTIC CAP STAMPED "CONSULTING ENGINEERING SERVICES"

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
FEBRUARY 8, 2000
JOSEPH C. McALLISTER
49695



Scale: 1" = 30'

DATE OF SIGNATURE: 1/30/23
EXPIRES: 12/31/2024

EXHIBIT "B"

8313 Exh2.dwg

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

**VACATION OF A PORTION OF BRANDON PLACE
IN THE SW 1/4 OF SECTION 34, T.2S., R.1E., W.M.
CITY OF WEST LINN, CLACKAMAS COUNTY, OREGON**