

ORDINANCE NO. 1138

AN ORDINANCE VACATING A PORTION OF S. SEQUOIA PARKWAY
CONVEYED FOR PUBLIC RIGHT-OF-WAY PURPOSES IN THE RECORDING OF
CANBY MARKET CENTER PLAT.

WHEREAS, subsequent to a dedication of right-of-way on the Canby Market Center Plat, the City changed the design location of Sequoia Parkway and a 0.08 acre area of the new right-of-way was not needed; and

WHEREAS, the City initiated a vacation of the area as provided for by ORS 271.130; and

WHEREAS, the City Council has determined that the right-of-way was originally dedicated for use as a street, but the street direction has changed and rendered the right-of-way unnecessary; and

WHEREAS, a public hearing correctly noticed was held on this matter before the Canby City Council on April 7, 2004 and all statutory requirements for the vacation were found to be met; now therefore

THE CITY OF CANBY ORDAINS AS FOLLOWS:

The public right-of-way as described by the legal description attached as Exhibit "A" shall be vacated and title to the vacated property shall be attached to the neighboring property described as Tax lot 2101 of Map 3-1E-34C.

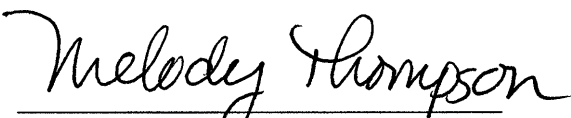
Submitted to the City Council and read the first time at a regular meeting thereof on Wednesday April 7, 2004; ordered posted in three (3) public and conspicuous places in the City of Canby as specified in the City of Canby Charter and to come before the City Council for final reading and action at the regular meeting thereof on Wednesday April 21, 2004 commencing after the hour of 7:30 p.m., at the City Council's Chambers at Canby City Hall, Canby, Oregon.



Chauncey Seifried, City Recorder pro tem

ENACTED by the Canby City Council at a regular meeting thereof on April 21, 2004 by the following vote:

YEAS: 5
NAYS: 0



Melody Thompson, Mayor

ATTEST:

Chaunee Seifried
Chaunee Seifried, City Recorder pro tem

City of Canby

SEQUOIA PARKWAY VACATION
CITY OF CANBY TO CANBY MARKET CENTER, LLC

T3S, R1E, Section 34

August 5, 2003

This vacation is a portion of Sequoia Parkway conveyed to the public for right-of-way purposes in the recording of the Canby Market Center Plat, Clackamas County, Oregon, said vacation area being described as follows:

Beginning at the most southerly point of the Sequoia Parkway public right-of-way as identified on the duly recorded plat of Canby Market Center, Clackamas County, Oregon; thence 179.80 feet along a 438 foot radius non-tangent curve right with chord length of 178.54 feet bearing North 12° 29' 15" West; thence North 88° 19' 39" East a distance of 11.74 feet; thence 74.04 feet along a 337 foot radius non-tangent curve left with chord length of 73.89 feet bearing South 21° 00' 40" East; thence South 0° 12' 17" East, 105.68 feet more or less to the point of beginning; said described area totaling approximately .08 acres.

The existing 12 foot Public Utility Easement shall be vacated and an 18 foot Public Utility Easement shall be created parallel and adjacent to the approved Sequoia Parkway Right of Way.

TL 300

ZIMMER

T.3S., R.1E., SEC. 34 W.M.

$\Delta = 12^\circ 35' 18''$
R = 337.00
L = 74.04
LC = S $21^\circ 00' 40''$ E
73.89

SEQUOIA PARKWAY

BURDEN TRACT "A"

12" PUE

N $0^\circ 12' 17''$ W 386.51
280.83

11.74
14.04
105.68
179.80

18' PUE

$\Delta = 23^\circ 31' 11''$
R = 438.00
L = 179.80
LC = N $12^\circ 29' 15''$ W
178.54

S $88^\circ 19' 39''$ W
196.02

CANBY MARKET CENTER, LLC
T.3 S., R.1 E., SEC. 34 C TL#2101

N $89^\circ 44' 40''$ E 227.69



MOLALLA BRANCH - SOUTHERN
PACIFIC RAILROAD

SEQUOIA PARKWAY VACATION

CITY OF CANBY

SCALE: 1" = 100'

SEQUOIA PARKWAY VACATION MAP - Exhibit B CLACKAMAS COUNTY, OREGON

CURRAN-McLEOD, INC.
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