

## **ORDINANCE NO. 1155**

**AN ORDINANCE VACATING TEN FEET OF THE PUBLIC RIGHT-OF-WAY ON THE WEST SIDE OF NORTH OAK STREET BETWEEN TAX LOTS 00211 AND 00208 OF MAP 3-1E-33AA.**

WHEREAS, the City presently owns a portion of right-of-way as shown in Exhibit "A" on the west side of North Oak between tax lots 00211 and 00208 of tax map 3-1E-33AA that was originally platted for use as a public right-of-way; and

WHEREAS, a petition for vacation of ten feet of this right-of-way was filed by Michael R. & Gretchen McCallum on October 22, 2004; and,

WHEREAS, the petition was reviewed by the City Staff and the petition was found to be complete and signed by three abutting property owners; and,

WHEREAS, the vacation is requested to comply with the original intention of the subdivision plat and return the 10 feet of unneeded right-of-way to this property; and,

WHEREAS, notice of a public hearing was published for two (2) consecutive weeks in the Canby Herald newspaper and posted on the property; and,

WHEREAS, a public hearing was held on this matter before the Canby City Council on November 17, 2004 at which the Council found that the public interest will not be prejudiced by the vacation of this area and all other statutory requirements for the vacation were found to be met; now therefore

### **THE CITY OF CANBY ORDAINS AS FOLLOWS:**

The City Council of the City of Canby declares that 10 (ten) feet of right-of-way along the full frontage of Tax Lot 3-1E-33AA 00211 shall be vacated and title to the vacated property shall attach to the property located at 1315 North Oak Street. The Council authorizes and directs the City Administrator to sign all documents necessary to accomplish this vacation.

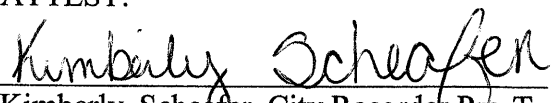
SUBMITTED to the City Council and read the first time at a regular meeting thereof on Wednesday, November 17, 2004; ordered posted in three (3) public and conspicuous places in the City of Canby as specified in the City of Canby Charter and to come before the City Council for final reading and action at the regular meeting thereof on December 1, 2004; commencing after the hour of 7:30 P.M., at the City Council's Chambers at Canby City Hall, Canby, Oregon.

ENACTED by the Canby City Council at a regular meeting thereof on December 1, 2004 by the following votes:

YEAS: 5  
NAYS: 0

  
Melody Thompson, Mayor

ATTEST:

  
Kimberly Scheafer, City Recorder Pro-Tem

**N.E. 14TH AVE**

Tax Map  
31 E 33 AA

# 208

Tax Lot

Tax Lot # 211

**N.E. 13<sup>TH</sup>**

**N. OAK ST**

