

ORDINANCE NO. 1191

AN ORDINANCE VACATING TEN FEET OF THE PUBLIC RIGHT-OF-WAY ON THE WEST SIDE OF OAK STREET FRONTING TAX LOT 1200 OF MAP 3-1E-33AA.

WHEREAS, the City presently owns a 10 foot wide portion of right-of-way as shown in Exhibit "A" on the west side of Oak Street fronting Tax Lot 1200 of Map 3-1E-33AA; and

WHEREAS, a petition for vacation of ten feet of this right-of-way was filed by Thomas A. Welch on September 8, 2005; and,

WHEREAS, the petition was reviewed by the City Staff and the petition was found to be complete and more than two-thirds of the affected property owners were in agreement with the petition; 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 October 19, 2005 and all statutory requirements for the vacation were found to be met; now therefore

THE CITY OF CANBY ORDAINS AS FOLLOWS:

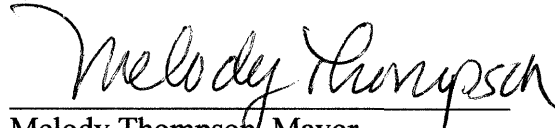
The public right-of-way as shown in attached as Exhibit "A", shall be vacated and title to the vacated property shall attach to the neighboring property described as Tax Lot 1200 of Map 3-1E-33AA.

SUBMITTED to the City Council and read the first time at a regular meeting thereof on Wednesday, October 19, 2005; 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, November 2, 2005; commencing after the hour of 7:30 P.M., at the City Council's Chambers at Canby City Hall, Canby, Oregon.


Kimberly Scheafel, City Recorder, Pro Tem

PASSED on second and final reading by the Canby City Council at a regular meeting thereof on November 2, 2005 by the following vote:

YEAS: 4 NAYS: 0

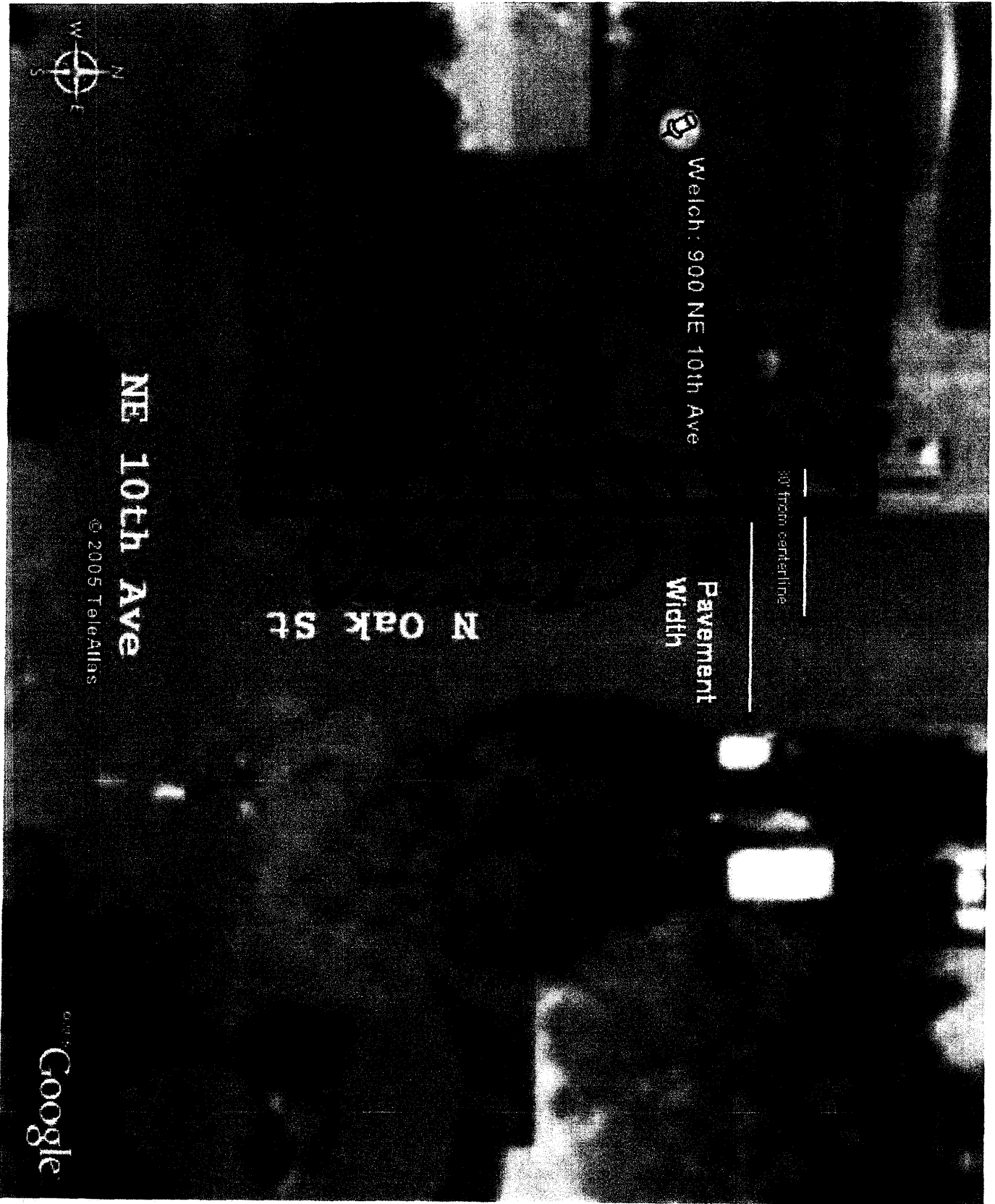


Melody Thompson, Mayor

ATTEST:



Kimberly Scheafer, City Recorder, Pro Tem



Welch: 900 NE 10th Ave

30' from centerline

Pavement
Width

NE 10th Ave

N Oak St

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EXHIBIT "A"