

ORDINANCE NO. 1235

AN ORDINANCE VACATING TWO AND ONE-HALF FEET OF THE PUBLIC RIGHT-OF-WAY ON THE EAST SIDE OF NORTH MAPLE STREET FRONTING TAX LOT 2503 OF MAP 3-1E-28DD.

WHEREAS, the City presently owns a two and one-half foot wide portion of right-of-way as shown in Exhibit "A" on the east side of North Maple Street fronting Tax Lot 2503 of Map 3-1E-28DD; and

WHEREAS, a petition for vacation of two and one-half feet of this right-of-way was filed by Larry and Sandy Corder on November 8, 2006; 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 two and one-half 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 April 9, 2007 and all statutory requirements for the vacation were found to be met; and,

WHEREAS, the Canby City Council adopts a condition of approval, which states, "The owner(s) of Tax Lot 2503 shall grant additional right-of-way sufficient to achieve a redesigned curb-return at the northeast corner of North Maple Street and Northeast Territorial Road",
now therefore

THE CITY OF CANBY ORDAINS AS FOLLOWS:

The public right-of-way as described by the legal description attached as Exhibit "B" shall be vacated and title to the vacated property shall attach to the neighboring property described as Tax Lot 2503 of Map 3-1E-28DD.

The granting of City Right-of-Way as described in Exhibit "B" is approved with the following condition: The owner(s) of Tax Lot 2503 shall grant additional right-of-way sufficient to achieve a redesigned curb-return at the northeast corner of North Maple Street and Northeast Territorial Road.

SUBMITTED to the City Council and read the first time at a regular meeting thereof on Wednesday, April 18, 2007; 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, May 16, 2007; 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 May 16, 2007 by the following votes:

YEAS: 4 NAYS: 1



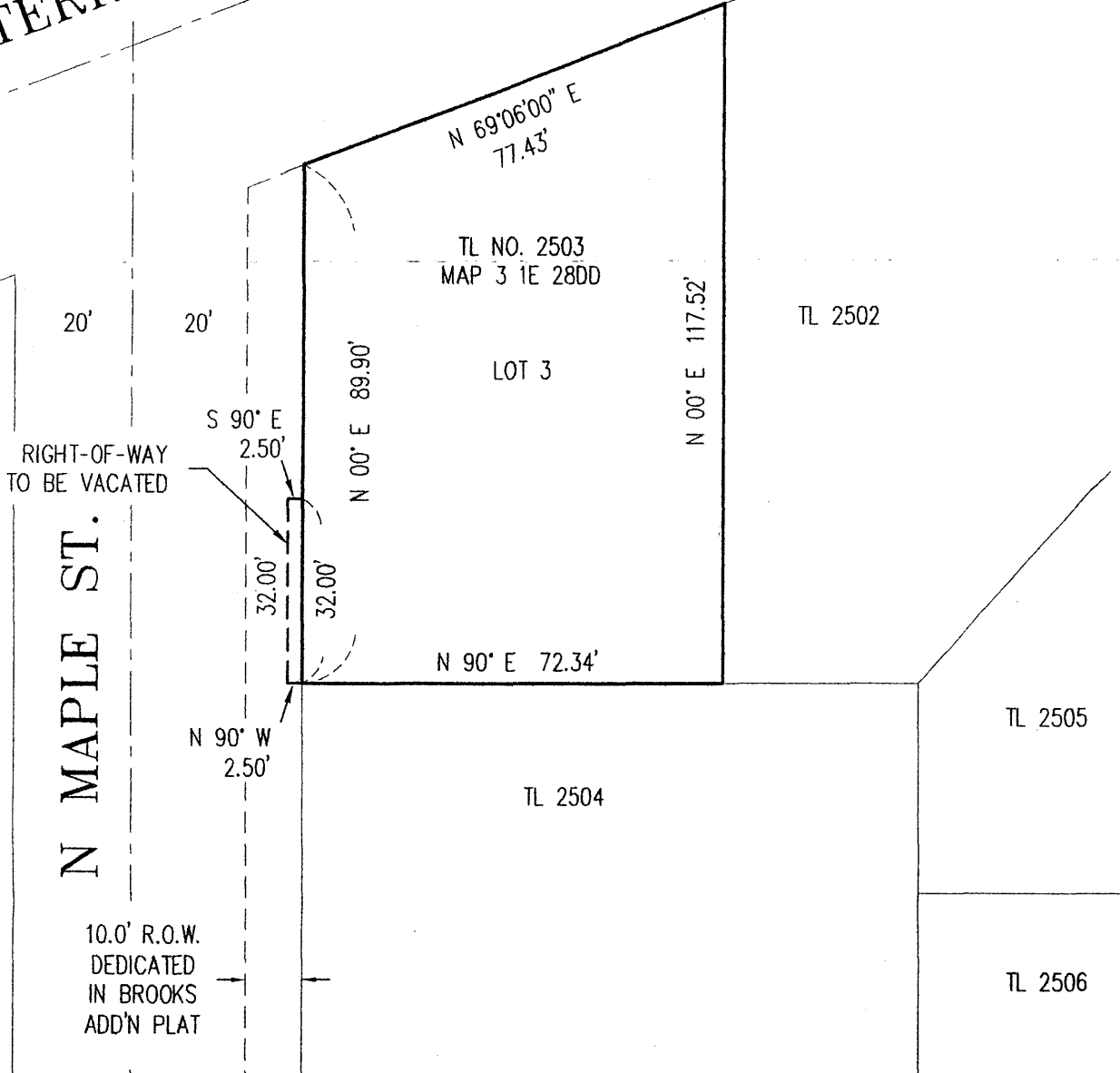
Melody Thompson, Mayor

ATTEST:

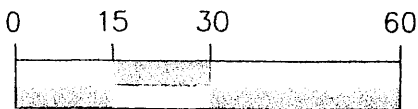


Kimberly Scheafer, City Recorder, Pro Tem

TERRITORIAL RD.



GRAPHIC SCALE



(IN FEET)
1 INCH = 30 FEET



LOT 3 OF "BROOKS ADDITION"
SE 1/4 SEC. 20 T.3S, R.1E, W.M.
CANBY, OREGON

TITLE: EXHIBIT		ZTec ENGINEERS, INC. 3737 S.E. 8TH AVE. PORTLAND, OREGON 97202 (503) 235-8795
DATE: 3/15/07	PLOT DATE: 3/15/07	
DWG BY: JWS	CHK BY:	
SHEET:	FILE: P29861EXH.dwg	

ZTec Engineers, Inc.

Civil ♦ Structural ♦ Surveying

John McL. Middleton, P.E.

Chris C. Fischborn, P.L.S.

Ronald b. Sellards, P.E.

3737 SE 8th Ave.

Portland, OR 97202

503-235-8795

FAX: 503-233-7889

Email: chris@ztecengineers.com

Ron Yarbrough
Proposed Vacation on
North Maple Street

A proposed Vacation of North Maple Street Right-of-Way, just South of Territorial Road and being a part of the Right-of-Way dedicated by the recorded Plat of "Brooks Addition" in the Southeast one-quarter of Section 28, Township 3 South, Range 1 East of the Willamette Meridian in the City of Canby, Clackamas County, Oregon and being more particularly described as follows:

Beginning at the Southwest corner of Lot 3 of said "Brooks Addition", said point being on the Easterly right-of-way line of said North Maple Street; thence North 90°00'00" West a distance of 2.50 feet; thence North 00°00'00" East, parallel with said Easterly right-of-way line, a distance of 32.00 feet; thence South 90°00'00" East a distance of 2.50 feet to a point on said Easterly right-of-way line; thence South 00°00'00" West along said Easterly right-of-way line, a distance of 32.00 feet to the true point of beginning.

Said parcel of land contains an area of 80.00 square feet more or less.

