

**IN AND FOR THE CITY OF BROOKINGS
STATE OF OREGON**

ORDINANCE 19-O-778

IN THE MATTER OF ORDINANCE 19-O-778, AN UNODIFIED ORDINANCE VACATING A PORTION OF OAK AND RAILROAD RIGHT OF WAY.

Sections:

- Section 1. Findings and Determination.
- Section 2. Vacation.
- Section 3. Certification of Ordinance

The City of Brookings ordains as follows:

Section 1. Findings and Determination. The City Council of the City of Brookings considered vacation of the following described parcel of land:

Portion of Right of Way, as described in Exhibit A.

The City of Brookings gave due notice, pursuant to Oregon Revised Statute (ORS) 271.110, of the public hearing to be held before the City Council at 7:00 PM on May 28, 2019, in City Hall Council Chambers, Brookings, Oregon 97415. Said notice provides that, prior to the hearing, any persons whomsoever having any objection or remonstrance to said vacation of Oak and Railroad Right of Way, or any part thereof, must file written objection or remonstrance with the City Recorder.

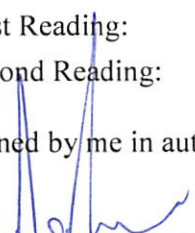
It appears to the satisfaction of the City Council that the proposed vacation is in the best interests of the City. The public interest will not be prejudiced by the vacation and that the vacation will not substantially affect the market value of abutting property.

Section 2. Vacation. The City of Brookings does hereby vacate a portion of Right of Way described in Exhibit A, attached hereto and incorporated by this reference.

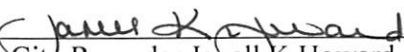
Section 3. Certification of Ordinance. The City Recorder is hereby instructed to forthwith record and file certified copies of this uncodified Ordinance with the County Clerk, County Assessor and County Surveyor of Curry County, Oregon.

First Reading: May 28, 2019 Passage: May 28, 2019
Second Reading: May 28, 2019 Effective Date: June 28, 2019

Signed by me in authentication of its passage this 28th, day of May, 2019.



Mayor Jake Pieper

ATTEST:


City Recorder Janell K Howard,

EXHIBIT A

DESCRIPTION #20c

**RIGHT-OF-WAY VACATION
RAILROAD STREET IMPROVEMENTS**

A portion of public right-of-way of Railroad Street to be vacated to a parcel of land owned by Tim Lycett and Ginger Jewell as described in Instrument No. 2017-02696, Deed Records of Curry County, located in the southwest quarter of Section 5, Township 41 South, Range 13 West of the Willamette Meridian, City of Brookings, Curry County, Oregon, being more particularly described as follows:

Beginning at the southeast corner of said parcel;

Thence southwesterly 11.82 feet along the northerly right-of-way of Railroad Street being on a curve concave to the northwest having a radius of 523.14 feet, whose chord bears South 37° 41' 00" West 11.82 feet to a point marked by a PK nail with washer being the TRUE POINT OF BEGINNING;

Thence continuing southwesterly 94.96 feet along said northerly right-of-way of Railroad Street being on a curve concave to the northwest having a radius of 523.14 feet, whose chord bears South 43° 31' 51" West 94.83 feet to a point marked by a PK nail with washer;

Thence easterly 25.77 feet along a non-tangent curve concave to the south having a radius of 83.33 feet, whose chord bears North 61° 04' 12" East 25.67 feet to a point marked by a PK nail with washer;

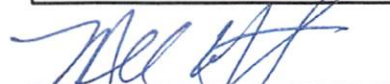
Thence easterly 32.35 feet along a curve concave to the north having a radius of 56.67 feet, whose chord bears North 59° 34' 12" East 31.91 feet to a point marked by a PK nail with washer;

Thence North 68° 52' 33" East 2.64 feet to a point marked by a PK nail with washer;

Thence North 20° 53' 53" West 1.36 feet to a point marked by a PK nail with washer;

Thence northeasterly 41.14 feet along a non-tangent curve concave to the northwest having a radius of 56.67 feet, whose chord bears North 19° 23' 15" East 40.23 feet, more or less to the Point of Beginning, containing 815 square feet, more or less, all as specified on the attached map.

REGISTERED
PROFESSIONAL
LAND SURVEYOR


OREGON
JULY 26, 1988
MICHAEL W. ERICKSON
2340

EXPIRES: 12-31-19

\Dyer\2\hdyer-partn\A\proj\csl\45 Brookings\145.75 Railroad St Improvements\DWG\EASEMENTS 2016.dwg, 9/18/2018 11:10:10 AM

PLOT DATE May 7, 2019

C4	41'35'34"	56.67	41.14'	N19'23'15"E	40.23'
C3	32'42'37"	56.67	32.35'	N59'34'12"E	31.91'
C2	17'43'04"	83.33	25.77'	N61'04'12"E	25.67'
C1	00'26'39"	523.14	4.06'	N48'57'40"E	4.06'
Δ		R	L	CH. BEAR	CH. L

LOCATED IN SECTION 5, TOWNSHIP 41 SOUTH,
 RANGE 13 WEST OF THE WILLAMETTE MERIDIAN,
 CITY OF BROOKINGS, CURRY COUNTY, OREGON

SCALE: 1" = 40'

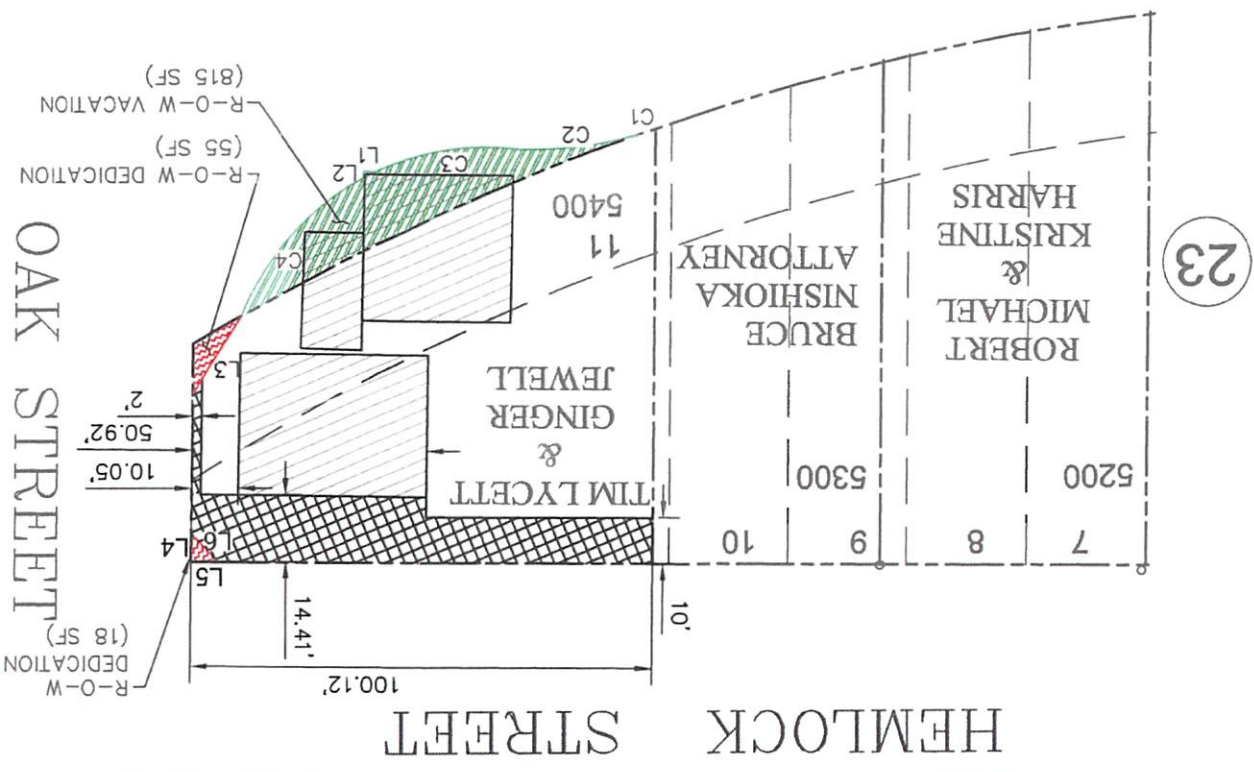


L6	S66'28'25"E	8.48'
L5	S68'27'18"W	6.00'
L4	N21'24'10"W	6.00'
L3	N09'31'19"E	19.74'
L2	N20'53'53"W	1.36'
L1	N68'52'33"E	2.64'
LINE	BEARING	LENGTH

LEGEND

- EXISTING BUILDING
- TEMPORARY CONSTRUCTION EASEMENT
- R-O-W DEDICATION
- R-O-W VACATION

RAILROAD STREET



23