

A BILL FOR AN ORDINANCE)
VACATING A PUBLIC STORM)
DRAINAGE EASEMENT, MAP)
12-2W-11BB, TL3200)

ORDINANCE BILL NO. 13
For 2001
ORDINANCE NO. 2286

WHEREAS, as a result of petition from abutting property owners, the City of Lebanon has initiated vacation proceedings for vacating a public storm drainage easement located on Map 12-2W-11BB, TL3200, more particularly described as follows:

A portion of that 12.00 foot wide storm sewer easement as described by document recorded in Book 197, Page 808 of the Linn County Deed Records on December 10, 1947, said easement also being located in a portion of that Linn Benton Community College Tract described by deed recorded in Volume MF 712, Page 689 of the Linn County Deed Records on August 26, 1994, the centerline of said 12.00 foot wide easement being more particularly described as follows:

Commencing at the intersection of the south boundary line of a tract of land formerly owned by Crown Zellerbach Corporation, with the centerline of said 12-foot wide easement, and said point being the southerly terminus of said 12-foot wide storm sewer easement; thence North 00°05'52" West, along the centerline of said storm sewer easement, 260.44 feet to the TRUE POINT of BEGINNING of the herein described 15.00 foot wide easement, said point being North 40°00'40" West 340.38 feet from the northwest corner of Lot 8 of "BURTENSHAW'S SECOND ADDITION To The City of Lebanon", a subdivision of record in Linn County, Oregon; thence North 00°05'52" West, along the centerline of said 12.00 foot wide storm sewer easement, a distance of 189.86 feet to the northerly terminus of the herein described 12-foot wide easement.

WHEREAS, the Council for the City of Lebanon has conducted a public hearing on November 14, 2001, having duly considered the testimony of interested persons and the general public; and

WHEREAS, the City Council finds that notice has been duly given, that the consent of the owners of the requisite area has been obtained, and

WHEREAS, the City Council has determined that the public interests will not be prejudiced by the vacation of such public right-of-way;

NOW, THEREFORE, the people of the City of Lebanon do ordain as follows:

Section 1. The public storm drainage easement located on Map 12-2W-11BB, TL3200, more particularly described as follows:

A portion of that 12.00 foot wide storm sewer easement as described by document recorded in Book 197, Page 808 of the Linn County Deed Records on December 10, 1947, said easement also being located in a portion of that Linn Benton Community College Tract described by deed recorded in Volume MF 712, Page 689 of the Linn County Deed Records on August 26, 1994, the centerline of said 12.00 foot wide easement being more particularly described as follows:

Commencing at the intersection of the south boundary line of a tract of land formerly owned by Crown Zellerbach Corporation, with the centerline of said 12-foot wide easement, and said point being the southerly terminus of said 12-foot wide storm sewer easement; thence North 00°05'52" West, along the centerline of said storm sewer easement, 260.44 feet to the TRUE POINT of BEGINNING of the herein described 15.00 foot wide easement, said point being North 40°00'40" West 340.38 feet from the northwest corner of Lot 8 of "BURTENSHAW'S SECOND ADDITION To The City of Lebanon", a subdivision of record in Linn County, Oregon; thence North 00°05'52" West, along the centerline of said 12.00 foot wide storm sewer easement, a distance of 189.86 feet to the northerly terminus of the herein described 12-foot wide easement.

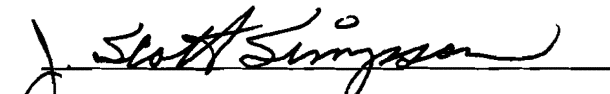
is hereby declared vacated.

Section 2. A certified copy of this Ordinance vacating the above-described right-of-way on any map in regard thereto shall be filed for record with the County Clerk for Linn County.

Section 3. A certified copy of this Ordinance shall be also filed with the County Assessor and the County Surveyor for the County of Linn.

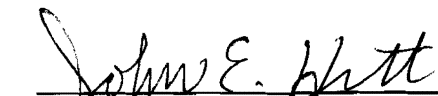
Section 4. This Ordinance shall be in full force and effect thirty (30) days after the date this ordinance is signed and approved by the City Council and the Mayor.

Passed by the Council by a vote of 5 for and 0 against and approved by the Mayor this 14th day of November, 2001.



J. Scott Simpson, Mayor
Ken Toombs, Council President

ATTEST:



John E. Hitt, City Recorder

VACATION OF PUBLIC UTILITY EASEMENT

EXHIBIT "B"

FOR THE
CITY OF LEBANON
WITHIN

TAX LOT 3200, MAP 12-2W-11BB

LOCATED IN THE

SE 1/4 SEC. 3 AND NE 1/4 SEC. 10

T. 12 S., R. 2 W., W.M.

CITY OF LEBANON, LINN COUNTY, OREGON

MAY 1, 2001



SCALE: 1" = 60'

NW CORNER LBCC TRACT
5/8" ROD W/YPC
MARKED: "RLS 1366"
PER C.S. 22489

EXISTING STORM
DRAIN MANHOLE

INDUSTRIAL WAY

N 78°07'45" E

157.10'

S 87°25'57" E 375.94'

5/8" ROD W/YELLOW PLASTIC
CAP MARKED: "RLS 1366" PER
C.S. 22489

LINN BENTON COMMUNITY COLLEGE TRAC

(MF 712-689)

N 05°59'47" W 219.20'
(N 05°59'47" W 219.24')
BASIS OF BEARINGS
C.S. 22489

15' WIDE PUBLIC
UTILITY EASEMENT

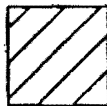
REGISTERED
PROFESSIONAL
LAND SURVEYOR

Jack R. Burrell

OREGON
JULY 14, 1978
JACK R. BURRELL
1850

RENEWAL DATE: 12/31/01

N 00°05'52" W 511.47' MH TO MH
N 00°05'52" W 515.60' TERMINUS TO MH
(S 0°12' E 515.50'± DEED)



PORTION OF EXISTING 12' WIDE
PUBLIC UTILITY EASEMENT
TO BE VACATED.

US HWY 20

P.O.B.

1" PIPE

189.86' (TERMINUS TO END VACATION)

450.31' (TERMINUS TO POB)

N 40°00'40" W 340.38'

R = 1462.15'
L = 253.41'
LC = N 11°24'35" W
253.09'

EXISTING 12' WIDE
PUBLIC UTILITY EASEMENT
PER BOOK 197, PAGE 809

5/8" ROD
NW CORNER LOT 8
"BURTENSNAWS
SECOND ADDITION
TO THE CITY OF
LEBANON".

EXISTING STORM
DRAIN MANHOLE

TERMINUS OF 12' WIDE
STORM DRAIN EASEMENT
PER DEED BOOK 197, PAGE 809

N 89°55'49" W 734.79'

EATON ST.

Date: 5/7/2001
New PLOT Scale: 1"=60'

Inc: 9-34



K & D ENGINEERING, Inc.
278 N.W. Hickory Street P.O. Box 725
LEBANON, OREGON 97031