

A BILL FOR AN ORDINANCE
VACATING PUBLIC UTILITY
EASEMENTS AT OAK TERRACE

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ORDINANCE BILL NO. 2
For 2004
ORDINANCE NO. 2355

WHEREAS, as a result of petition from abutting property owners, the City of Lebanon has initiated vacation proceedings for a public utility easement, more particularly described as follows:

A portion of a 17 feet wide public utility easement, said portion being a strip of land 5.0 feet in even width in Lot 4 of Brown's Oak Terrace Subdivision in Section 23 of Township 12 South in Range 2 West of the Willamette Meridian, City of Lebanon, Linn County, Oregon. Said 5.0 foot strip being described as follows:

The eastern most 5.0 feet of the western most 17.0 feet both being of even width as measured at right angles and being parallel to the west line of Lot 4 in Brown's Oak Terrace Subdivision, City of Lebanon, Linn County, Oregon. See attached Exhibit "A".

Also, an easement for public utilities recorded in Linn County records Volume 960 Page 527, said easement being a strip of land 2.0 feet in even width in Lot 4 of Brown's Oak Terrace Subdivision in Section 23 of Township 12 South in Range 2 West of the Willamette Meridian, City of Lebanon, Linn County, Oregon. Said 2.0 foot strip being described as follows:

The Easterly 2.0' of even width of the Western most 19.0 foot as measured at right angles and being parallel to the West line of Lot 4 in Brown's Oak Terrace Subdivision, City of Lebanon, Linn County, Oregon. See attached Exhibit "A".

WHEREAS, the Council for the City of Lebanon has conducted a public hearing on January 28, 2004, 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 easement;

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

Section 1. Public utility easements, more particularly described as follows:

A portion of a 17 feet wide public utility easement, said portion being a strip of land 5.0 feet in even width in Lot 4 of Brown's Oak Terrace Subdivision in Section 23 of Township 12 South in Range 2 West of the Willamette Meridian, City of Lebanon, Linn County, Oregon. Said 5.0 foot strip being described as follows:

The eastern most 5.0 feet of the western most 17.0 feet both being of even width as measured at right angles and being parallel to the west line of Lot 4 in Brown's Oak Terrace Subdivision, City of Lebanon, Linn County, Oregon. See attached Exhibit "A".

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The Easterly 2.0' of even width of the Western most 19.0 foot as measured at right angles and being parallel to the West line of Lot 4 in Brown's Oak Terrace Subdivision, City of Lebanon, Linn County, Oregon. See attached Exhibit "A".


is hereby declared vacated.

Section 2. A certified copy of this Ordinance vacating the above-described easement 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.

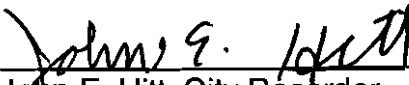
Section 4. This Ordinance shall be in full force and effect thirty (30) days after the date this ordinance is signed and approved by the City Council and the Mayor.

Passed by the Council by a vote of 6 for and 0 against and approved by the Mayor this 28th day of January, 2004.



Ken Toombs, Mayor
Ron Miller, Council President

ATTEST:

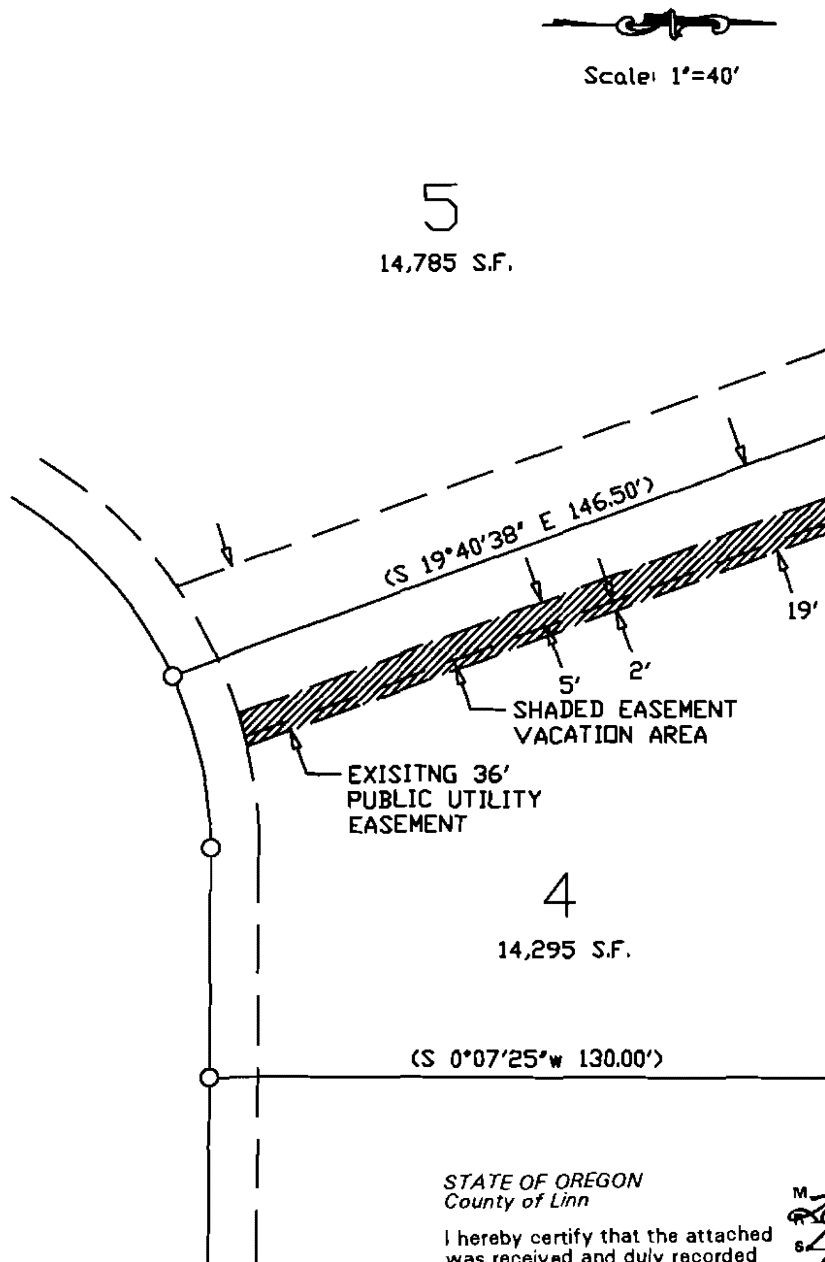


John E. Hitt, City Recorder

EXHIBIT A

VACATION OF 7.0' OF PUBLIC UTILITY EASEMENT IN LOT 4 OF BROWN'S OAK TERRACE SUBDIVISION

IN THE NW 1/4 OF SEC. 23, T.12S., W.M.
CITY OF LEBANON, LINN COUNTY, OREGON



STATE OF OREGON
County of Linn

I hereby certify that the attached
was received and duly recorded
by me in Linn County records.

STEVE DRUCKENMILLER
Linn County Clerk

By Steve Druckenmiller Deputy PAGE 335

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A 41
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