

A BILL FOR AN ORDINANCE VACATING)
A PORTION OF AN EXISTING EASEMENT)
FOR PRICELESS RESTAURANTS, INC.)
dba POPEYE'S RESTAURANT)

ORDINANCE BILL NO. 8
For 2008
ORDINANCE NO. 2757

WHEREAS, as a result of an Application for Vacation of Public Land (see Attached Exhibit "A"), the City of Lebanon has initiated vacation proceedings for a portion of a Public Utility Easement particularly describes as follows:

An area of land in the south one-half of the R.T. Hill Donation Claim No. 77 and also in the southeast one quarter of Section 15 in Township 12 South of Range 2 West of the Willamette Meridian in the City of Lebanon, Linn County, Oregon described as follows:

Beginning at a point which bears North 0°09' East 30.00 feet and South 89°41'04" West 112.47 feet and South 0°18'56" East 13.95 feet from Initial Point of Ingrid Subdivision in the City of Lebanon, Linn County, Oregon; thence South 89°56'41" West 38.85 feet; thence North 0°03'19" West 2.04' feet; thence North 89°50'48" West 10.51 feet; thence South 0°03'19" East 2.08 feet; thence South 89°56'41" West 22.86 feet; thence South 0°03'19" East 6.38 feet to a point on the south line of the 20 foot easement as described in Linn County deed reference microfilm volume 70 page 37; Thence North 89°41'04" East, along said south line, 72.23 feet; thence North 0°03'19" West 6.05 feet to the Point of Beginning. See attached Exhibit "B".

WHEREAS, the Council for the City of Lebanon has conducted a public hearing on Wednesday June 11, 2008, having duly considers the testimony of interested person and the general public; and

WHEREAS, the 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 a portion of an existing easement:

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


Section 1. A portion of an existing Public Utility Easement as described in attached Exhibit "B", IS HEREBY DECLARED VACATED:

Section 2. A certified copy of this Ordinance vacating the above-described portion of an existing easement on any map in regard thereto shall be filed for record with the Count 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 11th day of June, 2008.



Kenneth I Toombs, Mayor
Bob Elliott, Council President

ATTEST:



Linda Kaser, City Clerk / Recorder



It's easier from here.

CITY OF LEBANON PUBLIC WORKS DEPARTMENT

853 Main Street
Lebanon, OR 97355-3200
Telephone: (541) 258-4923

APPLICATION FOR VACATION OF PUBLIC LAND

Name: Priceless Restaurants, Inc Phone: 503-906-1290

Address: 16500 NW Bethany Court, Suite 150
(mailing)

City: Beaverton State: Oregon Zip: 97006

Public Land Proposed for Vacation: Sewer Easement 2210 S. Santiam Hwy.
(name of street or location)

Submittals Required for Application:

- 1. Petition for adjoining property owners.
- x 2. Legal description of area to be vacated.
- x 3. Vacation Fee of \$750 (Easement)
 \$1200 (Street/Alley)

This application STARTS the vacation process required by ORS 271. The final decision as to whether or not to vacate will be made by the Lebanon City Council, after providing Public Notice and conducting a Public Hearing.

Because of the notice and advertising requirements in ORS 271, allow for a minimum of two months from application to recording of the vacation.

[Signature]
Signature of Applicant

12-04-07
Date

[Signature]
Signature of Engineering/Planning Department

12-5-07
Date

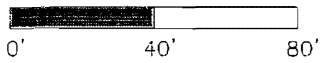
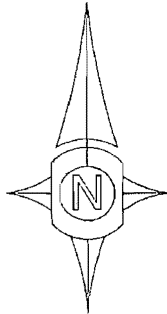
For Office Use Only

Date Received: 12/03/07 Received By: S.M

Fee Amount: 750⁰⁰ Receipt No: 085822 Check No.: #1632

EXHIBIT B
EASEMENT VACATION
 FOR
PRICELESS RESTAURANTS, INC.
 IN R.T. HILL DLC NO. 77
 IN SE 1/4 OF SECTION 15
 T. 12 S., R. 2 W., W.M.
 CITY OF LEBANON, LINN COUNTY, OREGON

FD. 1/2" I.R.
 UNDER SIDEWALK
 C.S. 16566
 HELD FOR R/W



SCALE

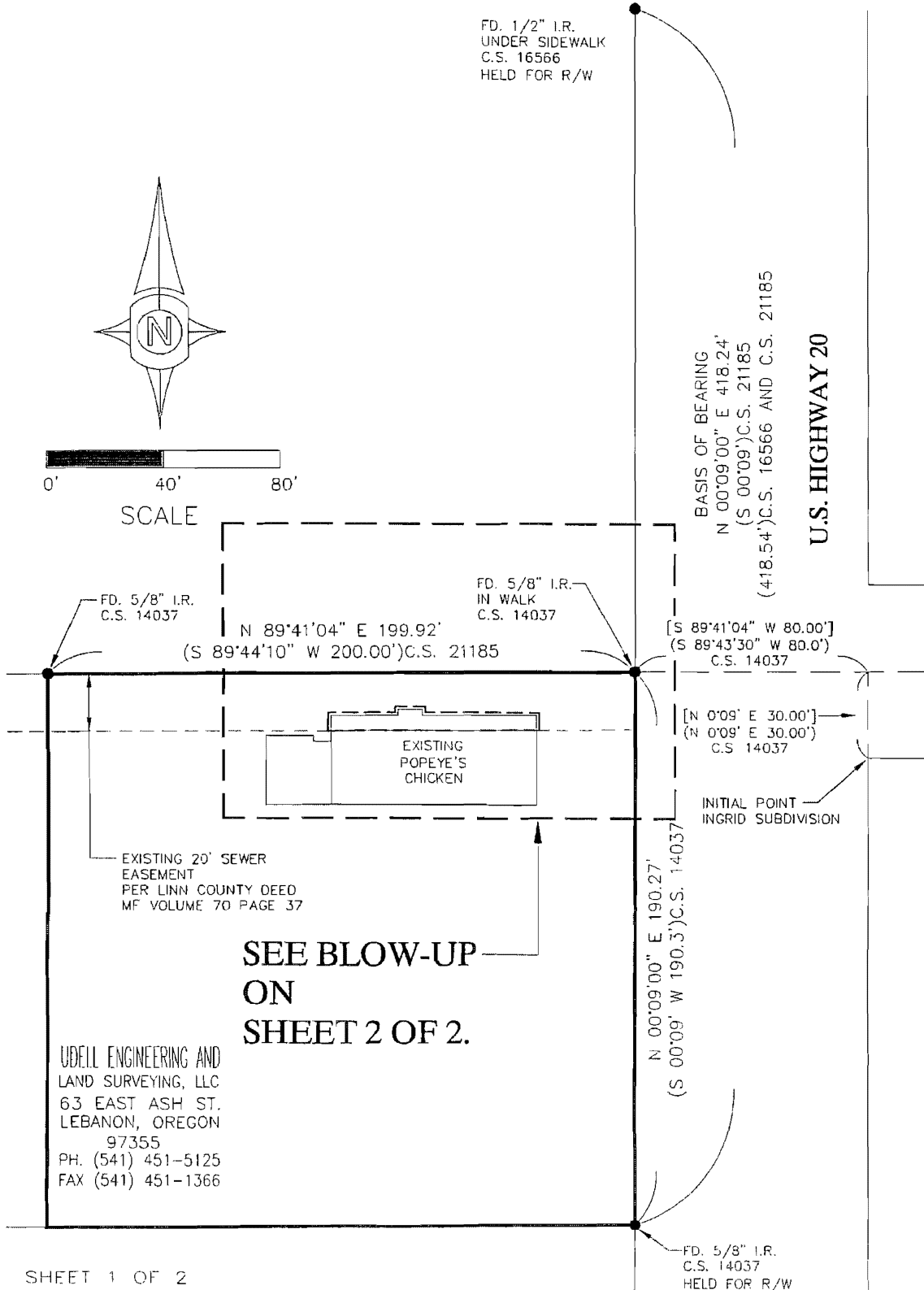
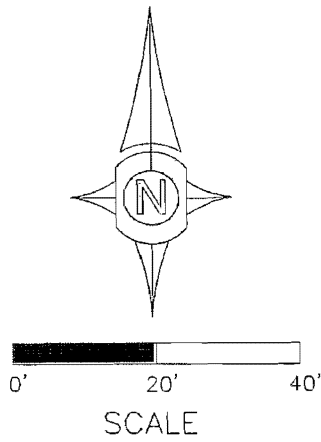
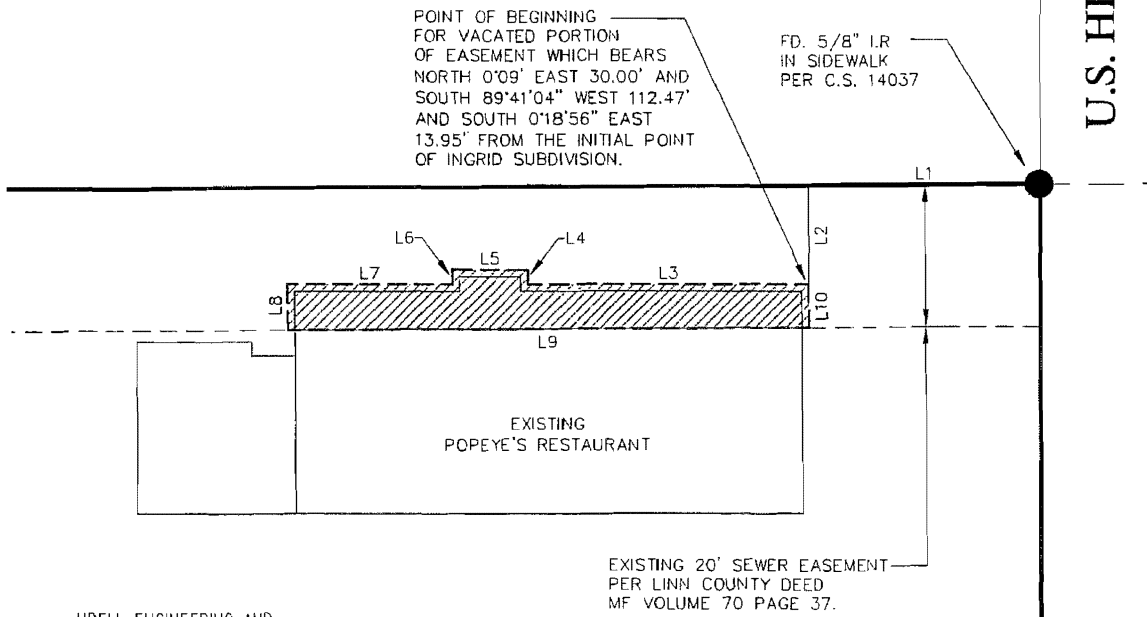


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 IN SE 1/4 OF SECTION 15
 T. 12 S., R. 2 W., W.M.
 CITY OF LEBANON, LINN COUNTY, OREGON



LINE TABLE	
LINE	BEARING AND DISTANCE
L1	S89°41'04"W 32.47'
L2	S00°18'56"E 13.95'
L3	S89°56'41"W 38.85'
L4	N00°03'19"W 2.04'
L5	N89°50'48"W 10.51'
L6	S00°03'19"E 2.08'
L7	S89°56'41"W 22.86'
L8	S00°03'19"E 6.38'
L9	N89°41'04"E 72.23'
L10	N00°03'19"W 6.05'



UDELL ENGINEERING AND
 LAND SURVEYING, LLC
 63 EAST ASH ST.
 LEBANON, OREGON
 97355
 PH. (541) 451-5125
 FAX (541) 451-1366

**BLOW-UP OF
 VACATED
 PORTION
 OF EASEMENT**

U.S. HIGHWAY 20