

A BILL FOR AN ORDINANCE VACATING )  
RIGHT OF WAY ACROSS LEBANON ) ORDINANCE BILL NO. 2011-13  
COMMUNITY FOUNDATION PROPERTY ) ORDINANCE NO. 2826

WHEREAS, the City of Lebanon has initiated vacation proceedings for an area of land being 15.00 feet in even width within Parcel of Linn County Partition Plat No. 2009-54 and Parcel 1 of Linn County Partition Plat No. 2008-16 in Section 24, Township 12 South, Range West, Willamette Meridian, Linn County, Oregon, the centerline of which is more particularly described as follows:

Beginning at a point on the north right-of-way of Weirich Drive being South 78°40'59" East 194.29 feet from the Southeast corner of said Parcel of Linn County Partition Plat No. 2008-16; thence North 31 °24'36" East 83.15 feet; thence North 190.59 feet; thence South 89°39'28" East 398.48 feet; thence along the arc of a 31.00 foot radius curve to the left, 48.69 feet, (Chord Bears North 45°20'32" East 43.84 feet; thence North 00°20'32" East 550.65 feet; thence North 32°09'59" East 102.64 feet to the terminus point on the north line of Said Parcel 1 and being North 27°45'04" East 101.29 feet from the northeast corner of Parcel 1 of Linn County Partition Plat No. 2009-54.

WHEREAS, the Council for the City of Lebanon has conducted a public hearing on September 14, 2011, having duly considered the testimony of interested persons and the general public; and

WHEREAS, the City Council finds that notice has been duly given, and

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

WHEREAS, the City Clerk has filed in the office of the City Clerk a certificate showing that all city liens and all taxes have been paid on the lands covered by the portion to be vacated;

**After Recording, Please Return To:**

City of Lebanon  
Attn: City Clerk  
925 Main Street  
Lebanon, OR 97355

LINN COUNTY, OREGON 2011-13512  
ORD-ORD  
Cnt=1 Stn=7 R. GANTA DEAC 09/27/2011 01:20:30 PM  
\$20.00 \$11 00 \$15.00 \$9.00 \$10 00 \$65.00



I, Steve Druckenmiller, County Clerk for Linn County, Oregon, certify that the instrument identified herein was recorded in the Clerk records

Steve Druckenmiller - County Clerk



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

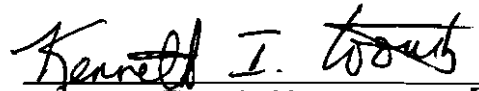
**Section 1.** The right-of-way described above is hereby declared vacated.

**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.

Passed by the Council of the City of Lebanon by a vote 6 for and 0 against, and approved by the Mayor this 14<sup>th</sup> day of September, 2011.

CITY OF LEBANON, OREGON



Kenneth I. Toomb, Mayor  
Bob Elliott, Council President



Attested:

  
Linda Kaser, City Clerk

**RIGHT OF WAY VACATION**

**KNOW ALL PERSONS BY THESE PRESENTS** that a Public right of way was granted to the CITY OF LEBANON, a municipal corporation of the State of Oregon, in Linn County Resolution and Order No. 2011-05999, the right of way over and along the full width and length of the premises described as follows; to wit:

An area of land being 50.00 feet in equal width being known as Weirich Drive (C.R. 717-A) in the Southwest ¼ of Section 24, Township 12 South, Range 2 West, of the Willamette Meridian, City of Lebanon, Linn County, Oregon being more particularly described as follows:

Beginning at the intersection of the South line of the Richmond Cheadle DLC No. 69 and the northerly right-of-way of the Oregon Electric Railroad in the Southwest ¼ of Section 24, Township 12 South, Range 2 West, of the Willamette Meridian, Linn County, Oregon; thence South 70°32'08" East 78.63 feet along said railroad right-of-way; thence leaving said right-of-way, South 89°04'31" East 793.27 feet; thence along the arc of a 287.00 foot radius curve to the right, 108.18 feet, (chord bears North 61°22'11" West 107.54 feet); thence North 89°04'31" West 847.14 feet to the said northerly right-of-way of the Oregon Electric Railroad; thence South 70°32'08" East 78.63 feet to the point of beginning.

The City of Lebanon hereby reconveys and releases the right of way described above, it being the intention of the parties to terminate, release, and relinquish all the right, title, and interest of the City in the above-described right of way.

**IN WITNESS THEREOF**, The City of Lebanon has executed this release this 14<sup>th</sup> day of September, 2011

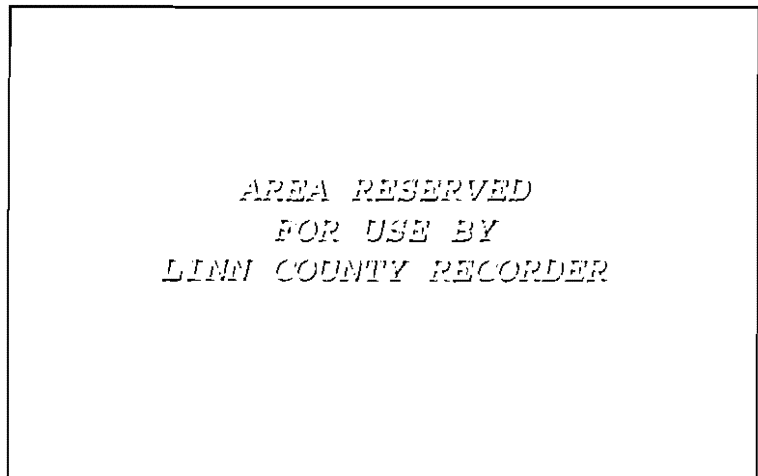
CITY OF LEBANON, OREGON

By: Kenneth I. Toomb  
Kenneth I. Toomb, Mayor   
Bob Elliott, Council President   
By: Linda Kaser  
Linda Kaser, City Clerk

STATE OF OREGON )  
 ) ss.  
COUNTY OF LINN )

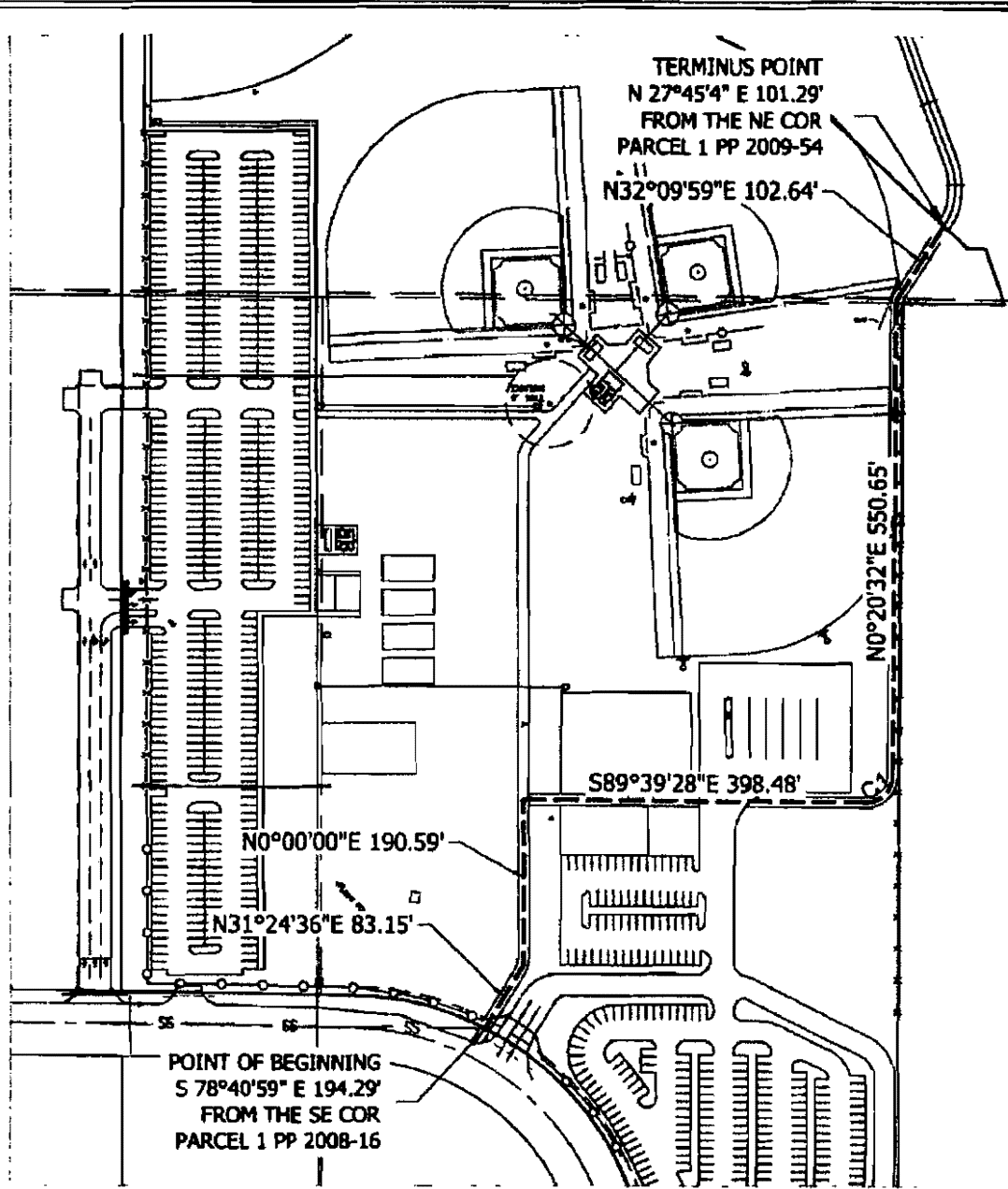
Before me, on the 14<sup>th</sup> day of September 2011, personally appeared the above-named Kenneth I. Toomb and Linda Kaser, who each being duly sworn did say that the former is the Mayor/Council President and the latter is the City Clerk for the City of Lebanon, a Municipal Corporation, and that the seal affixed to the foregoing instrument was signed and sealed on behalf of said corporation, and each of them acknowledged said instrument to be its voluntary act and deed.

Deborah R. Shimmie  
NOTARY PUBLIC FOR OREGON  
My Commission Expires: 10/20/2013



AREA RESERVED  
FOR USE BY  
LINN COUNTY RECORDER

AFTER RECORDING RETURN TO:  
City of Lebanon  
Public Works Dept.  
925 Main Street  
Lebanon, OR 97355



Curve Table				
Curve #	Radius	Delta	Length	Chord Direction
C1	31.00'	90°00'00"	48.69'	N45° 20' 32"E 43.84'

DATE	1
SCALE	1



EXHIBIT A

CITY OF LEBANON  
LEBANON, OREGON

UDELL ENGINEERING  
AND  
LAND SURVEYING, LLC  
63 EAST ASH ST.  
LEBANON, OREGON, 97355  
541-451-5175