

**A BILL FOR AN ORDINANCE VACATING
PUBLIC ACCESS & UTILITY EASEMENT
AT NORTH END OF MILL STREET**

) **ORDINANCE BILL NO. 2020-14**
)
)
) **ORDINANCE NO. 2954**
)
)

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

An area of land in Section 14 of Township 12 South, Range 2 West of the Willamette Meridian, Linn County, Oregon Described as Follows: Commencing at a 5/8 inch iron rod, said iron rod marks the northwest corner of the land described in Linn County Deed document No. 2018-06511; thence south 00°06'05" west 5.83 feet to the point of beginning; thence continuing county 00°06'05" west 14.12 feet; thence north 00°00'00" west 27.98 feet; thence north 89°31'55" east 14.03 feet; thence south 45°00'00" east 8.18 feet to the point of beginning. The above described area contains +181 square feet. See attached Exhibit "A".

WHEREAS, on October 14, 2020, the Council for the City of Lebanon conducted a public hearing, 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 owner of the requisite area has been obtained,

WHEREAS, the City Council has determined the public interests will not be prejudiced by the vacation of such easement;

After Recording Return to:
City Recorder's Office
City of Lebanon
925 S. Main Street
Lebanon, OR 97355

LINN COUNTY, OREGON	2020-24926
ORD-ORD	12/01/2020 11:46:22 AM
Cnt=1 Stn=10131 R. BELDON	\$125.00
\$25.00 \$11.00 \$60.00 \$19.00 \$10.00	
	
00392553202000249260050053	
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 City of Lebanon ordains as follows:

Section 1. Public utility easement, more particularly described as follows: An area of land in Section 14 of Township 12 South, Range 2 West of the Willamette Meridian, Linn County, Oregon Described as Follows: Commencing at a 5/8 inch iron rod, said iron rod marks the northwest corner of the land described in Linn County Deed document No. 2018-06511; thence south 00°06'05" west 5.83 feet to the point of beginning; thence continuing county 00°06'05" west 14.12 feet; thence north 00°00'00" west 27.98 feet; thence north 89°31'55" east 14.03 feet; thence south 45°00'00" east 8.18 feet to the point of beginning. The above described area contains +181 square feet. 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 filed with County Assessor and the County Surveyor for the County of Linn.

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

Passed by the Lebanon City Council by a vote of 6 for and 0 against and approved by the Mayor this 14th day of October 2020.




Paul R. Aziz, Mayor

Jason Bolen, Council President



Attested:



Kim Scheafer, MMC, City Recorder

EASEMENT VACATION

KNOW ALL PERSONS BY THESE PRESENTS that on the 13th day of May 2020, City of Lebanon, granted to the CITY OF LEBANON, a municipal corporation of the State of Oregon, an easement over and along the full width and length of the premises described as follows; to wit:

An easement for public utilities recorded in Linn County records 2020-09681, said easement an area of land in Section 14 of Township 12 South, Range 2 West of the Willamette Meridian, Linn County, Oregon Described as Follows: Commencing at a 5/8 inch iron rod, said iron rod marks the northwest corner of the land described in Linn County Deed document No. 2018-06511; thence south 00°06'05" west 5.83 feet to the point of beginning; thence continuing county 00°06'05" west 14.12 feet; thence north 00°00'00" west 27.98 feet; thence north 89°31'55" east 14.03 feet; thence south 45°00'00" east 8.18 feet to the point of beginning. The above described area contains ±181 square feet. See attached Exhibit "A".

The City of Lebanon hereby reconveys and released to City of Lebanon, the easement 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 easement.

IN WITNESS THEREOF, THE city of Lebanon has executed this release this 15th day of October 2020.

CITY OF LEBANON, OREGON

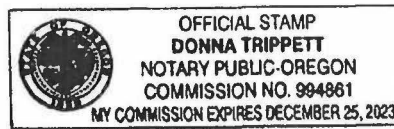
By: [Signature]
Paul R. Aziz, Mayor [X]
Jason Bolen, Council President []

By: [Signature]
Kim Scheafer, MMC, City Recorder

STATE OF OREGON)
) ss.
COUNTY OF LINN)

Before me, on the 15th day of October 2020, personally appeared the above-named Paul R. Aziz and Kim Scheafer, who each being duly sworn did say that the former is the Mayor/~~Council President~~ and the latter is the City Recorder 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.

[Signature]
NOTARY PUBLIC FOR OREGON
My Commission Expires:



AFTER RECORDING RETURN TO:
City Recorder
City of Lebanon
925 Main Street
Lebanon, OR 97355

EXHIBIT "A"

10.00' UTILITY EASEMENT

AN AREA IN THE SOUTHWEST QUARTER OF SECTION 14 IN TOWNSHIP 12 SOUTH, RANGE 2 WEST OF THE WILLAMETTE MERIDIAN, LINN COUNTY, OREGON DESCRIBED AS FOLLOWS:

COMMENCING AT A 5/8 INCH IRON ROD, SAID IRON ROD MARKS THE NORTHEAST CORNER OF THE LAND DESCRIBED IN LINN COUNTY DEED DOCUMENT NO. 2018-06511; THENCE SOUTH 00°06'05" WEST 5.83 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 00°06'05" WEST 14.12 FEET; THENCE NORTH 00°00'00" WEST 27.98 FEET; THENCE NORTH 89°31'55" EAST 14.03 FEET; THENCE SOUTH 45°00'00" EAST 8.18 FEET TO THE POINT OF BEGINNING.

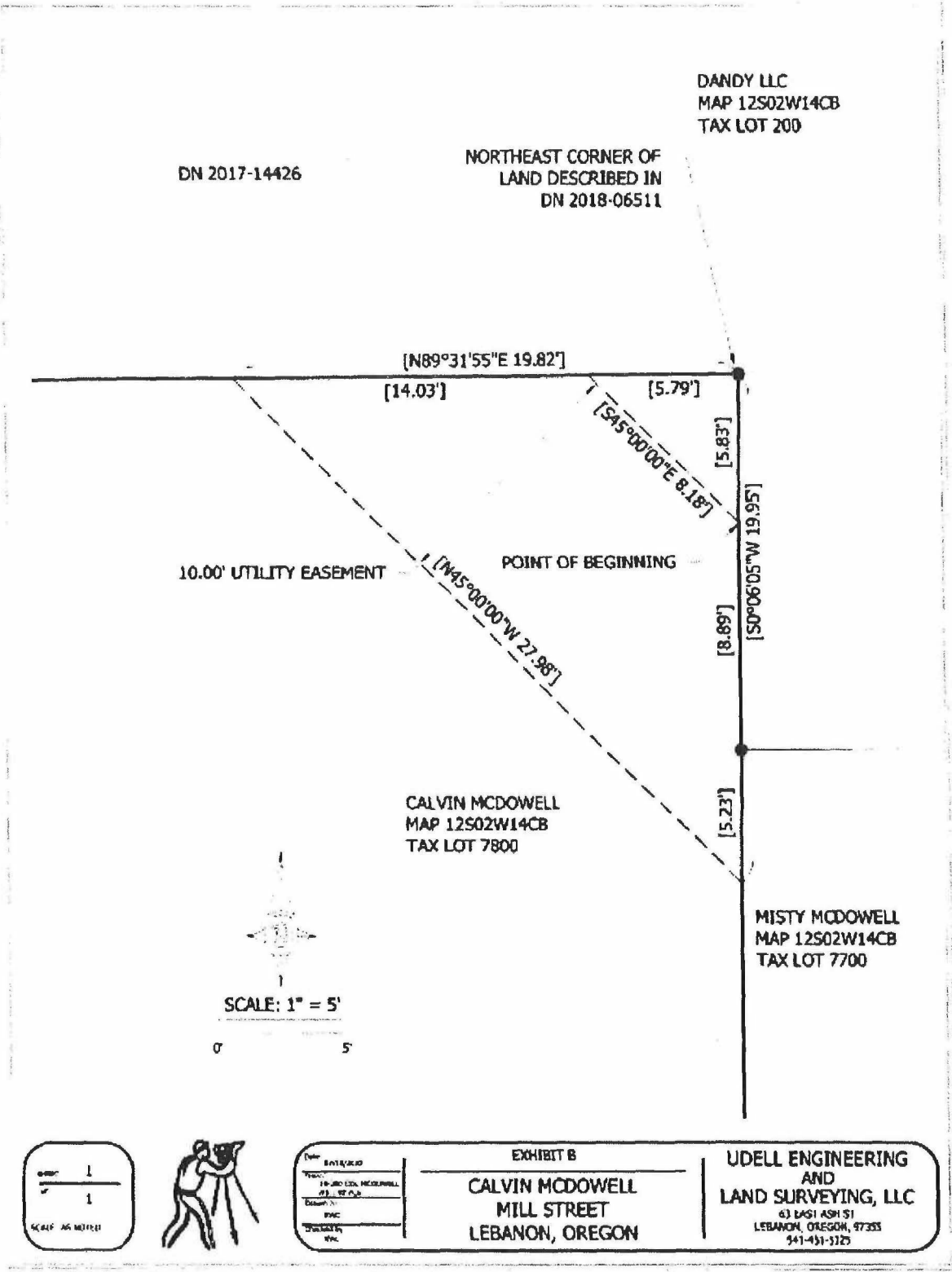
THE ABOVE DESCRIBED AREA CONTAINS ± 181 SQUARE FEET

REGISTERED
PROFESSIONAL
LAND SURVEYOR



OREGON
JUNE 12, 2013
KYLE W. LATIMER
80442

EXPIRES 12-31-2020



GRAPHIC SCALE: 1" = 5'



Type: SURVEY Project: CALVIN MCDOWELL Date: 07/20/20 Drawn By: JMC Checked By: JMC	EXHIBIT B CALVIN MCDOWELL MILL STREET LEBANON, OREGON	UDELL ENGINEERING AND LAND SURVEYING, LLC 63 EAST ASH ST LEBANON, OREGON, 97333 541-451-3325
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