

City of Sherwood, Oregon

Resolution No. 96-650

A RESOLUTION DIRECTING A PUBLIC HEARING BE HELD ON THE PROPOSED VACATION OF A PORTION OF WEST VILLA ROAD IN THE CITY OF SHERWOOD, AND DIRECTING THE CITY RECORDER TO GIVE NOTICE THEREBY BY PUBLICATION AND POSTING OF NOTICE.

WHEREAS, a portion of West Villa Road is a dedicated public right-of-way, giving the public rights over the land for street and utility improvements; and

WHEREAS, the purpose for this vacation is to vacate a portion of West Villa Road that is no longer needed for public use and because alternate access has been created; and

WHEREAS, the City Council having considered the request on September 10, 1996, finds that it is in the public interest to vacate that portion of West Villa Road because the public interest will not be prejudiced by this vacation as provided by ORS 271.120.

NOW, THEREFORE, THE CITY RESOLVES AS FOLLOWS:

That a public hearing be held on the proposed vacation on Tuesday, September 24, 1996, at 7:30 p.m. at the Council meeting in Stewart Community/Senior Center, and that the Recorder be and is hereby authorized and directed to give notice thereof, substantially in the following form, by publication once each week for two successive weeks prior to the hearing date and by posting within five days after the day of first publication, at or near each end of the proposed vacation, a copy of the following notice in at least two conspicuous places in the vacation area:

Notice of Street Vacation

The City Council of the City of Sherwood will hear and consider objections to the matter of a proposed right-of-way vacation at 7:30 p.m. on September 24, 1996, at its meeting in the Stewart Community/Senior Center, 855 North Sherwood Boulevard, Sherwood, Oregon. The areas to be vacated are described as follows:

A parcel of land being a portion of Partition Plat 1994-053, located in the N.W. 1/4 Section 32, Township 2 South, Range 1 West, Willamette Meridian, in the City of Sherwood,

Washington County, Oregon and more particularly described as follows:

Commencing at the Initial Point of said Partition Plat being a 3-1/4" aluminum disk at the 1/4 corner between Sections 31 and 32 of said Township and Range, thence along said section line N 00°46'22" W 401.86 feet to the northwest corner of said Partition Plat, said point also being the POINT OF BEGINNING of this description, said point being N 87° 52'59" E 1.28 feet from a 3/4 iron pipe;

thence leaving said section line along the north line of said Partition Plat N 87° 52'59" E 726.76 feet to a 5/8" iron rod with yellow plastic cap marked "G&L Land Surveying, Inc.";

thence continuing along said north line S 02° 07'01" E 6.00 feet to a 5/8" iron rod with yellow plastic cap marked "G&L Land Surveying, Inc.";

thence continuing along said north line N 87° 52'59" E 92.45 feet to a 5/8" iron rod with yellow plastic cap marked "G&L Land Surveying, Inc.";

thence continuing along said north line N 47° 01'59" E 17.65 feet to a 5/8" iron rod with yellow plastic cap marked "G&L Land Surveying, Inc.";

thence continuing along said north line N 88° 44'46" E 81.31 feet to a 3/4" iron pipe in the west right-of-way line of the Southern Pacific Railroad, being 30 feet from centerline;

thence along said right-of-way line S 47° 14'54" W 37.34 feet to a 5/8" iron rod with yellow plastic cap marked "G&L Land Surveying, Inc." at the northeast corner of Parcel 1 of said Partition Plat;

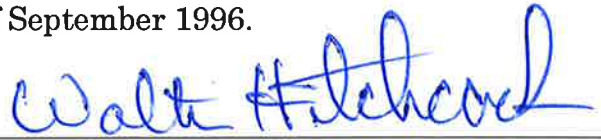
thence leaving said Southern Pacific Railroad right-of-way line along the north line of Parcels 1, 2 and 3 of said Partition Plat S 87° 52'59" W 885.99 feet to a 5/8" iron rod with yellow plastic cap marked "G&L Land Surveying, Inc." at the northwest corner of Parcel 2 of said Partition Plat;

thence along said section line common to Sections 31 and 32 N 00° 46'22" W 20.01 feet to the Point of Beginning.

Parcel containing 0.41 acres, more or less.

Said vacation is being proposed by the Sherwood City Council. Persons affected thereby who object to the proposed street vacation should file their objections in writing with the City Recorder at City Hall, 20 NW Washington, Sherwood, Oregon, prior to the time set for the hearing.

Approved by the City Council this 10th day of September 1996.



Walter Hitchcock, Mayor

Attest:



Jon Bormet, City Manager-Recorder

IN THE CITY COUNCIL
FOR THE CITY OF SHERWOOD, OREGON

In the Matter of the Vacation of a Portion)
of West Villa Road, in Section 32,) PETITION NO. _____
T2S, Range 1 West, W.M., City of)
Sherwood, Washington County, Oregon)

COMES NOW, Robert J. and Susan Claus, husband and wife, to petition the City Council, City of Sherwood, Washington County, Oregon to vacate that portion of West Villa Road, see Exhibit "A" for legal description and sketch.

I.

That that portion of West Villa Road is a dedicated street/easement 20 feet, more or less, in width.

II.

That your petitioners are the owners, as shown in the records of the Washington County Department of Assessment and Taxation, of 50% of the land abutting the portion of said street/easement sought to be vacated and that the petitioners are the only persons and/or corporation particularly affected by the proposed vacation of said portion of said street/easement.

ROBERT J. CLAUS

SUSAN CLAUS






ACKNOWLEDGMENT
STATE OF OREGON
WASHINGTON COUNTY

This certifies that on this 5th day of September, 1996, before me the undersigned, a notary public in and for said state and county, personally appeared Robert J. and Susan Claus, who being first duly sworn, did say that they are the identical persons named in and who executed the foregoing instrument and do hereby acknowledge said instrument to be of their own free act and deed.





NOTARY PUBLIC FOR OREGON
MY COMMISSION EXPIRES
7/22/1999

3/4" IRON ROD
SURVEY NO. 4,737
FOR NORTHING
IS 1.28' WEST OF LINE

FND. 1/2" IRON PIPE
PER SURVEY NO. 4,737
(HELD NORTHING)

(HELD)

N 47' WEST

N 88'44" E
81.31'

N 00°46'22" W
401.86'
N 00°46'22" W
381.85'
N 00°46'22" W
49.84'
N 00°19'20" W
85.30'
N 00°19'20" W
546.37'

20' PUBLIC RIGHT-OF-WAY DEDICATION

SEWER EASEMENT
DOC. NO. 83018771

WEST VILLA ROAD

PARCEL 2
2.32 ACRES

PARCEL 3
0.44 ACRES

PARCEL 1
3.88 ACRES

SOUTHERN PACIFIC RAILROAD

D. 3/4" I.P. WITH
LOW CAP MARKED
SH. CO. SURVEYOR
16" EAST OF LINE

POINT
1/4" ALUMINUM DISK
1/4" CORNER BETWEEN
S 31 & 32 251 1988
S.D. SURVEYOR
B.T. BK. 5 PG. 48

2 3/4 TAPER

B.C. 920+05.3
(B.C. 920+05.3)


C.C. 921+30.8
(C.C. 921+25.3)

C.C. 923+50.25
(C.C. 923+55.3)

E.C. 924+75.75
(E.C. 924+75.3)

10° 22' DEGREE
OF CURVE

2 3/4 TAPER

 - portion
of street to be
vacated

NOTES:

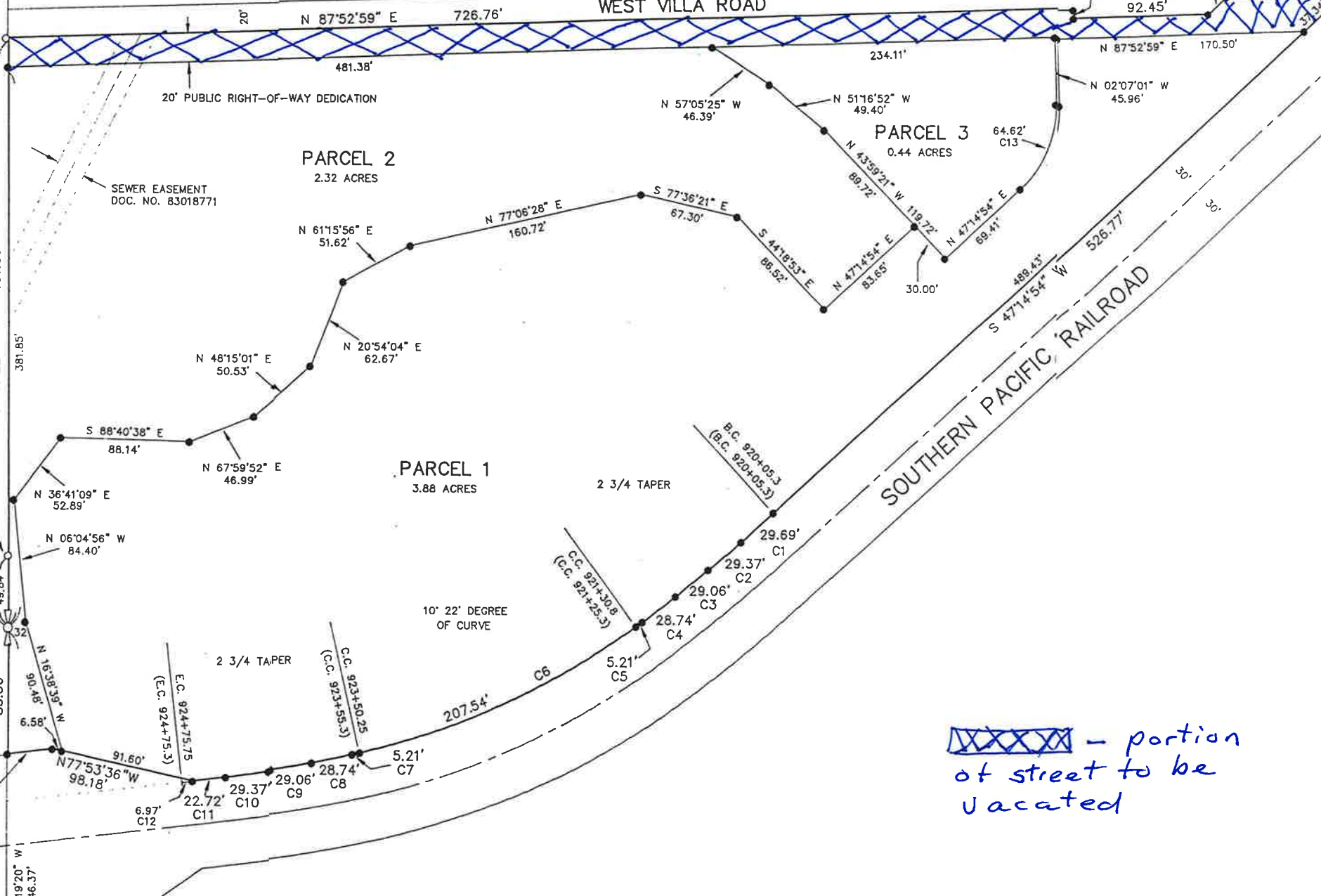


Exhibit 'A'

Being a portion of Partition Plat 1994-053, located in the N.W. 1/4 Section 32, Township 2 South, Range 1 West, Willamette Meridian, in the City of Sherwood, Washington County, Oregon and more particularly described as follows:

Commencing at the Initial Point of said Partition Plat being a 3-1/4" aluminum disk at the 1/4 corner between Sections 31 and 32 of said Township and Range, thence along said section line N 00°46'22" W 401.86 feet to the northwest corner of said Partition Plat, said point also being the POINT OF BEGINNING of this description, said point being N 87°52'59" E 1.28 feet from a 3/4 iron pipe;

thence leaving said section line along the north line of said Partition Plat N 87°52'59" E 726.76 feet to a 5/8" iron rod with yellow plastic cap marked "G & L Land Surveying, Inc.";

thence continuing along said north line S 02°07'01" E 6.00 feet to a 5/8" iron rod with yellow plastic cap marked "G & L Land Surveying, Inc.";

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thence along said right-of-way line S 47°14'54" W 37.34 feet to a 5/8" iron rod with yellow plastic cap marked "G & L Land Surveying, Inc." at the northeast corner of Parcel 1 of said Partition Plat;

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thence along said section line common to Sections 31 and 32 N 00°46'22" W 20.01 feet to the Point of Beginning.

Containing 0.41 acres more or less.