

City of Sherwood, Oregon
Ordinance No. 93-960

AN ORDINANCE MAKING FINDINGS AND VACATING A UTILITY EASEMENT GRANTED TO THE CITY OF SHERWOOD IN THE RECORDED PLAT OF WHISPERING FIRS SUBDIVISION.

WHEREAS, the City Council did by motion pass on March 10, 1993, Resolution No. 93-539 to initiate proceedings to vacate a utility easement located incorrectly in the Whispering Firs Subdivision, pursuant to ORS 271.130; and

WHEREAS, legal notice was posted and published in the "Tigard Times" on March 11, 18 and 25, and April 1, 1993, and a public hearing was held by the City Council on April 14, 1993, where the Council considered any and all written objections and remonstrances to the proposed vacation;

NOW, THEREFORE, THE CITY OF SHERWOOD DOES ORDAINS AS FOLLOWS;

Section 1. The Council finds:

- a. That a notice of hearing was given regarding the proposed vacation of a utility easement in Whispering Firs Subdivision, hereinafter more particularly described, was legal and proper.
- b. That the City Recorder has prepared a certificate showing that there are no City liens or taxes on land covered by the plat portion thereof to be vacated.
- c. That the owners of a majority of the area affected, computed on the basis provided in ORS 271.080, (the land lying on either side of the portion of the street to be vacated and extending laterally to the next street that serves as a parallel street, but in any case not to exceed two hundred (200) feet, and the land for a like lateral distance on either side of the street for four hundred (400) feet along its course beyond each terminus of the part to be vacated) have not objected thereto in writing.
- d. That the vacation will not substantially affect the market value of the abutting properties, and no abutting owner has objected thereto in writing.
- e. That there will be no prejudice to the public good, health, or safety by reason of the proposed vacation, said vacation being incorrectly located and subsequently relocated properly in the plat.

Section 2. The following described easement will be vacated:

BEING all of the south 10.00 feet of Lot 17 of Whispering Firs located in the Southeast one-quarter of Section 32, Township 2 South, Range 1 West, Willamette Meridian, City of Sherwood, Washington County, Oregon, EXCEPTING therefrom any portion lying within the east 15.00 feet of said Lot 17.

Section 3. This Ordinance shall be effective on and after the 31st day after its passage by the City Council and approved by the Mayor. The City Recorder shall, upon its approval, cause certified copies of same to be sent to the County Recorder of Washington County Surveyor, as required by ORS 271.150.

Duly passed by the City Council on this 14th day of April 1993.

Approved by the Mayor this 14th of April 1993.

Attest:

Polly Blankenbaker
Polly Blankenbaker, City Recorder

Walter Hitchcock
Walter Hitchcock, Mayor

	<u>AYE</u>	<u>NAY</u>
Boyle	<u>✓</u>	___
Cottle	<u>✓</u>	___
Hitchcock	<u>✓</u>	___
Kennedy	<u>✓</u>	___
Shannon	<u>✓</u>	___

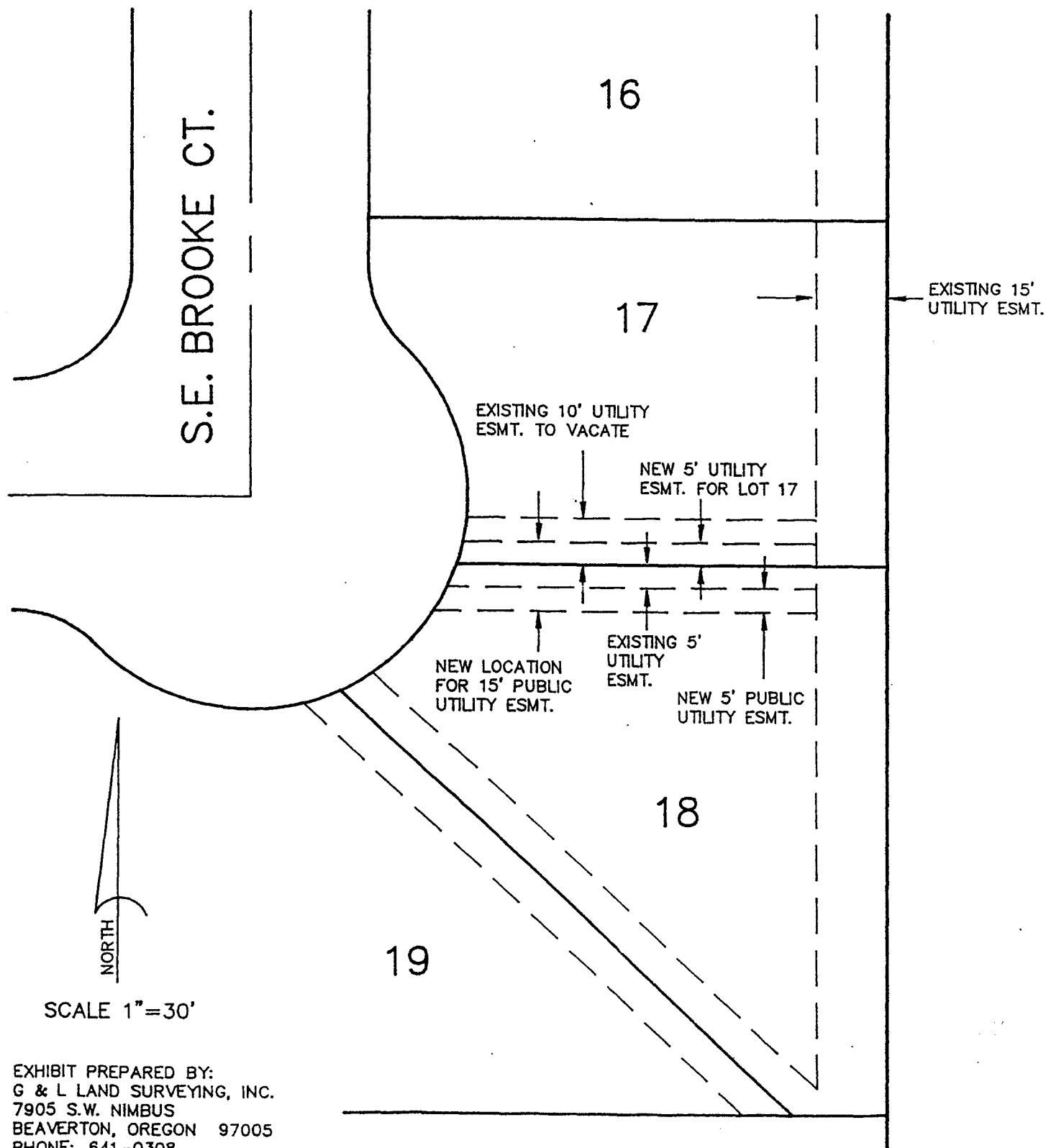
Legal Description

Public Utility Easement to Vacate in Lot 17

BEING all of the south 10.00 feet of Lot 17 of Whispering Firs located in the Southeast one-quarter of Section 32, Township 2 South, Range 1 West, Willamette Meridian, City of Sherwood, Washington County, Oregon, EXCEPTING therefrom any portion lying within the east 15.00 feet of said Lot 17.

EXHIBIT MAP

EASEMENT LOCATION CHANGE
BETWEEN LOTS 17 & 18, WHISPERING FIRS
CITY OF SHERWOOD
WASHINGTON COUNTY, OREGON





90 NW Park Steet
Sherwood, Oregon 97140
503/625-5522 □ FAX 625-5524

Notice of Easement Vacation

The City Council of the City of Sherwood will hear and consider objections to the matter of a proposed sewer easement vacation in Whispering Firs I subdivision at 7:30 p.m. on April 14, 1993, at its meeting in the Sherwood Senior/Community Center, 855 North Sherwood Boulevard, Sherwood, Oregon. The area to be vacated is described as follows:

BEING all of the south 10.00 feet of Lot 17 of Whispering Firs located in the Southeast one-quarter of Section 32, Township 2 South, Range 1 West, Willamette Meridian, City of Sherwood, Washington County, Oregon, EXCEPTING therefrom any portion lying within the east 15.00 feet of said Lot 17.

A 10-foot wide strip of land owned by Cypress Ventures, Inc.

Said vacation is being proposed by the Sherwood City Council. Persons affected thereby who object to the proposed easement vacation should file their objections in writing with the City Recorder at City Hall, 90 NW Park, Sherwood, Oregon, prior to the time set for the hearing.

Polly Blankenbaker
City Recorder

Publish Tigard Times March 11, 18, 25 and April 1, 1993.

*POSTED AT FRONT & REAR OF PROPERTY
3/10/93 Kyle Lee Pittman*