

20
21
25
C

90-58569
Washington County

City of Sherwood, Oregon

ORDINANCE NO. 90-917

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

WHEREAS, the City Council did by motion pass on June 13, 1990 Resolution No. 90-466 to initiate proceedings to vacate a utility easement located incorrectly in the Sherwood Commons I subdivision, pursuant to ORS 271.130: and

WHEREAS, legal notice was posted and published in the "Tigard Times" on June 28, July 5, 13, and 19, 1990 and a public hearing was held by the City Council on July 25, 1990, where the Council considered any and all written objections and remonstrances to the proposed vacation; and

NOW, THEREFORE, the City of Sherwood does ordain as follows:

SECTION 1. The Council finds:

- a. That a notice of hearing was given regarding the proposed vacation of a utility easement in Sherwood Commons I 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 200 feet, and the land for a like lateral distance on either side of the street for 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:

A 2.50 foot wide sanitary sewer easement being the northeasterly 2.50 feet of the southwesterly 7.50 feet of Lot 14, SHERWOOD COMMONS as said subdivision is platted and recorded in Book of Town Plats for Washington County, and; Oregon.

a 2.50 foot wide sanitary sewer easement being the southwesterly 2.50 feet of the northeasterly 10.00 feet of Lot 12, SHERWOOD COMMONS as said subdivision is platted and recorded in Book of Town Plats for Washington County, Oregon, and;

a 2.50 foot wide sanitary sewer easement being the southwesterly 2.50 feet of the northeasterly 10.00 feet of Lot 11, SHERWOOD COMMONS as said subdivision is platted and recorded in Book of Town Plats for Washington County, Oregon.

A 2.5 foot wide sanitary sewer easement being the northeasterly 2.5 feet of the southwesterly 7.50 feet of Lot 13, SHERWOOD COMMONS as said subdivision is platted and recorded in Book of Town Plats for Washington County, Oregon.

A sketch of the area to be vacated is attached hereto as Exhibit A.

SECTION 3. This Ordinance shall be effective on and after the 31st day after its passage by the City Council and approval 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 25 day of July, 1990.

Approved by the Mayor this 26 of July, 1990.

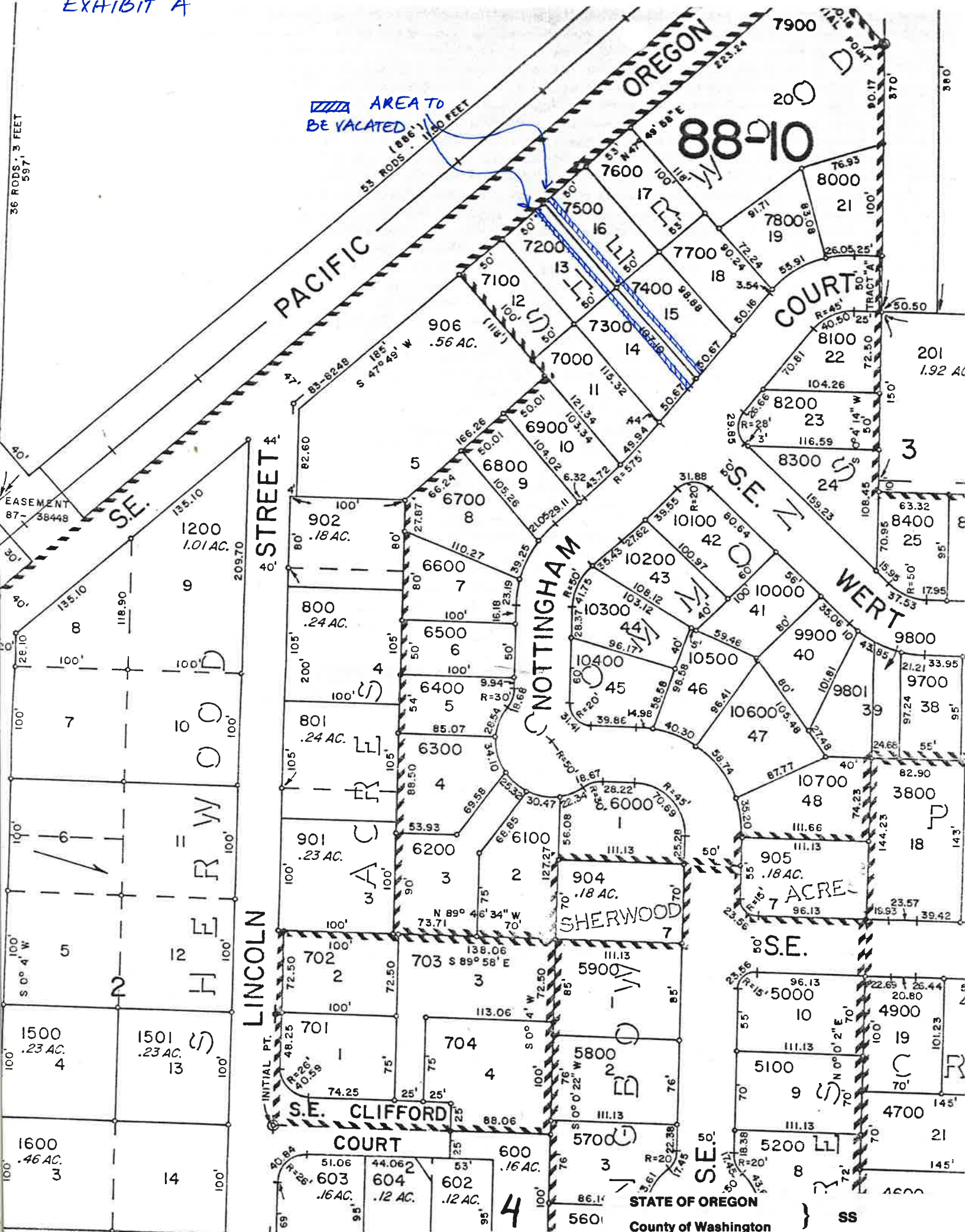

Norma Oyler, Mayor

Attest:

Polly Blankenbaker
Polly Blankenbaker, Recorder

	<u>AYE</u>	<u>NAY</u>
BIRCHILL	absent	_____
CHAVEZ	✓	_____
HITCHCOCK	✓	_____
BOYLE	✓	_____
OYLER	✓	_____

return to:
City of Sherwood
90 nw Park
Sherwood, OR 97140



STATE OF OREGON
 County of Washington } SS

I, Jerry R. Hanson, Director of Assessment and Taxation and Ex-Officio Recorder of Conveyances for said county, do hereby certify that the within instrument of writing was received and recorded in book of records of said county.

