

## ORDINANCE NO. 800

### AN ORDINANCE VACATING A PORTION OF NE 2<sup>ND</sup> STREET

The City of Scappoose ordains as follows:

**Section 1.** Pursuant to ORS 271.120, that portion of the NE 2nd Street right-of-way consisting of the westerly 3.24 feet of the right-of-way abutting Lots 1, 2, 3, and 4 of Block 9, Watts Addition to the City of Scappoose, together with the easterly 10.63 feet of the right-of-way abutting Lots 5, 6, 7, and 8 of Block 8, Watts Addition to the City of Scappoose, as described on Exhibit A and identified by crosshatching on Exhibit B attached hereto and incorporated herein, is hereby vacated.

**Section 2.** Pursuant to ORS 271.120, the City reserves to itself and any operating public utility provider easements over the entire street right-of-way vacated by Section 1 of this ordinance for access, installation, maintenance, and repair of any existing or future public facility or public utility including but not limited to overhead or underground power or telecommunications lines, water lines, fire hydrants, sanitary sewer, and storm sewer.

**Section 3.** The following findings are hereby adopted in support of the above vacation:

1. On November 19, 2007, Council passed a motion to begin the process to vacate a portion of the NE 2<sup>nd</sup> Street right-of-way to conform to the width on adjoining development.
2. City Council has initiated vacation proceedings authorized by ORS 271.080 without consent of property owners pursuant to ORS 271.130(1).
3. The market value of the abutting property will not be substantially affected by the vacation because the property will not be deprived its current access to other streets and would not have had access to the right-of-way being vacated.
4. Notice of the proposed vacation was published in the *South County Spotlight* on June 4 and 11, 2008, as required by ORS 271.110(1).
5. Notice of the proposed vacation was posted on and adjacent to the site proposed for vacation on June 4, 2008 as required by ORS 271.110(2).
6. Notice of the proposal was mailed to affected property owners and residents on May 30, 2008.
7. A public hearing was held on June 16, 2008 and testimony was received for the record.
8. The public interest will not be prejudiced because the area vacated is not

needed for street right-of-way purposes and the existing improvements fit within the remaining 46-foot right-of-way width.

**Section 4.** The City Recorder shall file a certified copy of this Ordinance with the County Clerk, the County Assessor, and the County Surveyor of Columbia County, Oregon.

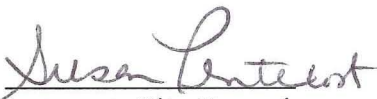
Passed and adopted by the City Council this 7<sup>th</sup> day of July, 2008, and signed by the Mayor and City Recorder in authentication of its passage.

**CITY OF SCAPPOOSE, OREGON**

  
\_\_\_\_\_  
Scott Burge, Mayor

First Reading: June 16, 2008

Second Reading: July 7, 2008

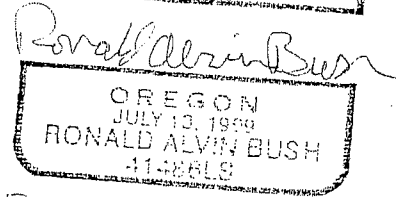
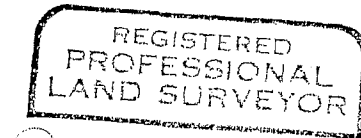
Attest:   
Susan Pentecost, City Recorder

2<sup>nd</sup> STREET RIGHT-OF-WAY VACATION

LOCATION: TAX LOTS 600, 601, 700 AND 800 T3N, R2W, SECTION 12 MAP AC  
LOTS 5-8, BLOCK 8 & LOTS 1-4, BLOCK 9, WATTS ADDITION TO THE  
CITY OF SCAPPOOSE

PROPERTY OWNERS: David H. and Janice M. Weber  
Jacob J. Jr. and Ardith Weber  
Brian & Jacqueline Sofich  
Richard L. and Patricia M. Thayer

PREPARED BY:  
Ronald A. Bush Engineering and Surveying  
16151 S.E. Bluff Road  
Sandy, Oregon 97055



EXPIRES December 31, 2009

LEGAL DESCRIPTION OF RIGHT-OF-WAY TO BE VACATED:

Two tracts of land situated in the Northeast ¼ of Section 12, Township 3 North, Range 2 West, Willamette Meridian, Columbia County, Oregon, more particularly described as follows:

Beginning at the northwest corner of that tract of land defined in deed document number 2004-010719, Columbia County Records, point also being the northwest corner of Lot 5, Block 8, Watts Addition to the City of Scappoose and on the east right-of-way line of 2<sup>nd</sup> Street; Thence southerly along the east right-of-way line of 2<sup>nd</sup> Street S03°34'30"E a distance of 200.00' to the southwest corner of that tract of land defined in deed document number 2004-10718, Columbia County Records, point also being the southwest corner of Lot 8, Block 8 Watts Addition to the City of Scappoose; Thence S86°25'30"W a distance of 10.63' to a point; Thence N03°34'30"W a distance of 200.00' to a point; Thence N86°25'30"E a distance of 10.63' to the Point of Beginning.

Parcel containing 2126 square feet, more or less.

And

Beginning at the northeast corner of that tract of land defined in deed document number 2001-04640, Columbia County Records, point also being the northeast corner of Lot 4, Block 9, Watts Addition to the City of Scappoose and on the west right-of-way line of 2<sup>nd</sup> Street; Thence southerly along the west right-of-way line of 2<sup>nd</sup> Street S03°34'30"E a distance of 200.00' to the southeast corner of that tract of land defined in deed document number 1999-00652, Columbia County Records, point also being the southeast corner of Lot 1, Block 9 Watts Addition to the City of Scappoose; Thence N86°25'30"E a distance of 3.24' to a point; Thence N03°34'30"W a distance of 200.00' to a point; Thence S86°25'30"W a distance of 3.24' to the Point of Beginning.

Parcel containing 648 square feet, more or less.

# CITY OF SCAPPOOSE 2ND STREET RIGHT-OF-WAY VACATION

MAY 10, 2008

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR



GRAPHIC SCALE 1"=50'

*Ronald Alvin Bush*

OREGON  
JULY 13, 1999  
RONALD ALVIN BUSH  
41486LS

EXPIRES DEC 31, 2009

