

ORDINANCE NO. 3826

AN ORDINANCE VACATING A PORTION OF ERMINE FROM 36TH TO WESTWOOD PLACE EXCEPTING THAT CERTAIN PORTION WHICH SHALL BE MAINTAINED BY THE CITY OF ALBANY AS A PEDESTRIAN WALKWAY-BICYCLE PATH.

WHEREAS, the City Council of the City of Albany, did, by adoption of Resolution No. 1648, City of Albany Resolutions, at the Council meeting held on the 13th day of Nov. , 1974 , set the hour of 7:15 p.m. o'clock on the 8th day of January , 1975 , as the time for hearing of objections to the proposed vacation of a portion of Ermine from 36th to Westwood Place excepting that certain portion which shall be maintained by the City of Albany as a pedestrian walkway - bicycle path.

WHEREAS, the said notice has been posted and published as required by law, and

WHEREAS, the said hearing on the 8th day of January , 1975, has been duly held and parties were given an opportunity to be heard and the Council being fully informed,

THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

Section 1:

That 50' of Ermine from 36th to Westwood Place be and is hereby vacated, such 50' to be maintained as a permanent utility easement by the City of Albany, and that the center 10' of deemed right-of-way be permanently maintained as a pedestrian walkway-bicycle path.

Passed by the Council: January 22, 1975  
Approved by the Mayor: January 22, 1975  
Effective Date: February 21, 1975

  
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Mayor

ATTEST:

  
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City Recorder 1-29-75

*Resolution 1648*

VACATIONING A PART OF ERMINE STREET

Beginning at a point S.  $1^{\circ}37'00''$  E. 178.84 ft. from the initial point of the Case Addition in Sec. 17, T. 11 S., R. 3 W., W.M. in Linn County, Oregon.

Thence S.  $1^{\circ}37'00''$  E. 102 ft. more or less to the north right-of-way line of 36th Avenue;

Thence S.  $88^{\circ}23'00''$  W. 60 ft. to the west right-of-way line of Ermine Street;

Thence N.  $1^{\circ}37'00''$  W. 102 ft, more or less, to a point on the west right-of-way line of Ermine Street and at right angles to and 60 ft. from the point of beginning;

Thence N.  $88^{\circ}23'00''$  E. 60 ft. to the place of beginning.

EXCEPTING a reserve strip 10 ft. in width and 102 ft., more or less, in length in the center of this vacated portion of Ermine for use as a pedestrian right of way.

ALSO, the City of Albany reserves this entire vacated portion of Ermine Street for installation and/or maintenance of any or all underground or above ground utilities now existing or to be placed within this easement area.

1648

Rec'd 1-7-1