

ORDINANCE NO. 5089

AN ORDINANCE VACATING THAT PORTION OF RAVENWOOD DRIVE NW ADJACENT TO 1730 AND 1740 RAVENWOOD DRIVE NW AND ADOPTING ATTACHED EXHIBIT "A" KNOWN AS "FINDINGS" AND DECLARING AN EMERGENCY (FILE NO. VC-01-93).

WHEREAS, the Vacation has been initiated at the request of 100% of the adjoining property owners and property owners of 18 of 24 properties within the required 2/3rds signature area; ; and

WHEREAS, notices of the public hearings have been mailed, posted and published as required by state and local law; and

WHEREAS, the Albany Planning Commission held a Public Hearing on May 17, 1993, and recommended approval of the proposed vacation; and

WHEREAS, the Albany City Council held a Public Hearing on May 26, 1993, and parties were given an opportunity to be heard and the Council being fully informed.

NOW, THEREFORE, THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

Section 1: The Findings attached as Exhibit "A" are hereby adopted in support of this decision.

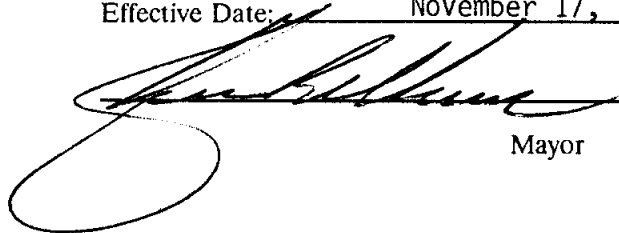
Section 2: That portion of Ravenwood Drive NW and adjacent to Tax Lot 1100 and Tax Lot 1200, 10-4W-35AC as described in Exhibit "B" is hereby vacated, subject to the conditions of approval described in Exhibit "C".

Section 3: Inasmuch as this ordinance is necessary for the immediate preservation of the peace, health, and safety of the citizens of this city of Albany, Oregon, an emergency is hereby declared to exist; and this ordinance shall be in full force and effect immediately upon its passage by the Council.

Passed by the Council: November 17, 1993

Approved by the Mayor: November 17, 1993

Effective Date: November 17, 1993



Mayor

ATTEST:



City Recorder

EXHIBIT A

FINDINGS FOR STREET VACATION FILE NO. VC-01-93

1. The Vacation has been initiated by 100% of the adjoining property owners and the property owners of 18 of 24 properties within the required 2/3rd's signature area.
2. The proposed Vacation will not affect access to any existing lots.
3. There is an existing 7-foot wide Utility Easement adjacent to the existing Street Right-of-Way.
4. Ravenwood is not a designated arterial or collector street.
5. Ravenwood currently is an undeveloped/unused street. Plans and Specifications for the construction of the street with the exception of the half cul-de-sac bulb to City Standards have been reviewed and approved by the City's Engineering Division.
6. The portion of Ravenwood Drive proposed to be vacated would not adversely affect the carrying capacity of Ravenwood in this vicinity as the area of the proposed street vacation serves only Lots 4 and 5, Laura Vista Subdivision.
7. The property adjacent to the proposed Street Vacation is zoned RS-10 (Residential Single Family - 10,000 square foot lot minimum).
8. The proposed area of the Street Vacation was dedicated entirely by the platting of Laura Vista Subdivision.
9. The remaining area of Ravenwood Drive has a 50-foot wide Right-of-Way.
10. Based on information submitted by Northwest Natural Gas, a 1-inch gas main is located in the existing Utility Easement adjacent to the area proposed to be vacated.

EXHIBIT 'B'
STREET VACATION CASE NO. VC-01-93

LEGAL DESCRIPTION: VACATED PORTION OF RAVENWOOD DRIVE

BEGINNING AT THE NORTHEAST CORNER OF LOT 5, BLOCK 3, LAURA VISTA ACRES SUBDIVISION, A SUBDIVISION OF RECORD IN BENTON COUNTY, OREGON; THENCE ON THE ARC OF A 125.00 FOOT RADIUS CURVE LEFT (THE CHORD OF WHICH BEARS SOUTH 43° 54' 35" EAST 88.54 FEET) 90.50 FEET TO THE MOST NORTHERLY NORTHWEST CORNER OF LOT 3, BLOCK 3 OF SAID SUBDIVISION; THENCE WESTERLY AND NORTHERLY, ON THE NORTHERLY LINE OF LOTS 3 AND 4 AND THE EASTERLY LINE OF LOT 5, BLOCK 3 OF SAID SUBDIVISION, ON THE ARC OF A 45.00 FOOT RADIUS CURVE RIGHT (THE LONG CHORD OF WHICH BEARS NORTH 43° 54' 35" WEST 88.54 FEET) 157.64 FEET TO THE POINT OF BEGINNING.

LEGAL DESCRIPTION: 7 FOOT WIDE UTILITY AND SERVICE EASEMENT

BEGINNING AT THE NORTHEAST CORNER OF LOT 5, BLOCK 3, LAURA VISTA ACRES SUBDIVISION, A SUBDIVISION OF RECORD IN BENTON COUNTY, OREGON; THENCE ON THE ARC OF A 125.00 FOOT RADIUS CURVE LEFT (THE CHORD OF WHICH BEARS SOUTH 42° 28' 47" EAST 83.40 FEET) 85.03 FEET; THENCE SOUTH 01° 35' 00" EAST 7.98 FEET; THENCE ON THE ARC OF A 132.00 FOOT RADIUS CURVE RIGHT (THE CHORD OF WHICH BEARS NORTH 42° 41' 44" WEST 94.54 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 5; THENCE NORTH 89° 58' 00" EAST 7.57 FEET TO THE POINT OF BEGINNING.

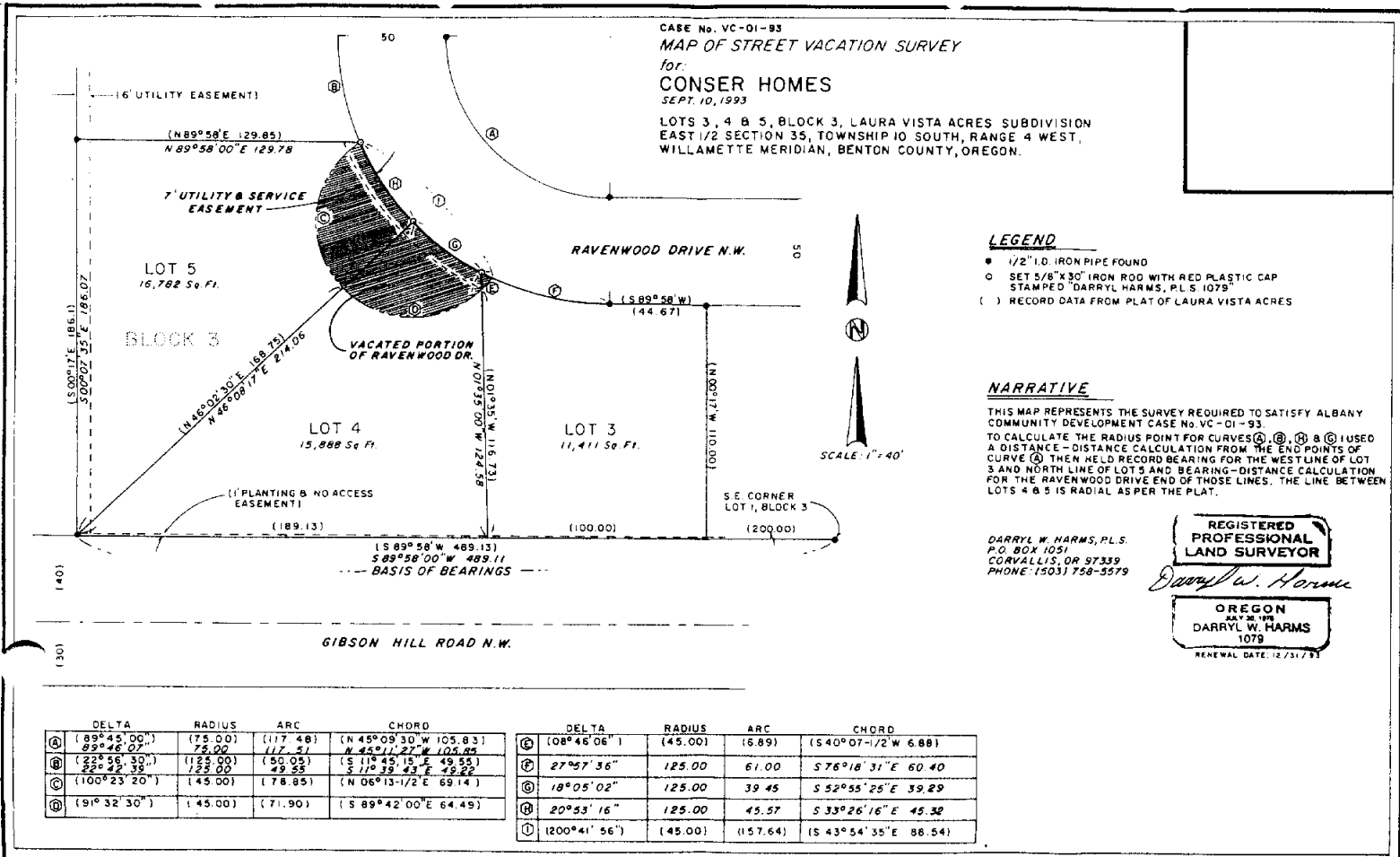


EXHIBIT 'C'
STREET VACATION CASE NO. VC-01-93

1. **Maintain a 50 foot right-of-way through the curve and a 7-foot wide Utility Easement adjacent to the new Right-of-Way line.**
2. **Prior to the adoption of the Vacation Ordinance, the applicant must submit a legal description of the area being vacated.**
3. **Prior to the adoption of the Vacation Ordinance, the applicant must provide the City with the legal description for the new 7-foot wide Utility Easement adjacent to the relocated Right-of-Way line and the City will insert the approved description into the City's easement form for signatures and recordation.**
4. **The existing 7-foot wide Utility Easement shall be maintained for the protection of the existing gas main 6 feet inside the easement.**
5. **Prior to the adoption of the Vacation Ordinance, all new property corners shall be monumented at the applicants' expense. All monumentation shall comply with standards established in ORS 92.060.**
6. **Prior to the adoption of the Vacation Ordinance, a new survey shall be recorded showing the new property lines, new property pins which have been set at all new corners, and the new 7-foot wide Utility Easement adjacent to relocated right-of-way line. Upon recording of the original survey map, the applicant must return a mylar copy to the Planning Division.**