

MEMORANDUM

TO: Mayor and City Council

FROM: Mary Steckel, Interim Public Works Director 

DATE: December 29, 2010

SUBJECT: MIS11-00047, Vacation of Public Right-of-Way in Sector C of OSU's Campus

ISSUE

Oregon State University (OSU) is requesting to vacate right-of-way located within Sector C of their Campus.

BACKGROUND

The right-of-way requested to be vacated is an alley and walk that were originally platted with the Park Terrace subdivision in 1909. The application is attached, including referenced Attachments A through K.

The alley right-of-way runs north-south and is located south of NW Monroe Avenue between SW 25th Street (vacated) and SW 26th Street (vacated). The alley is approximately 470 feet long and 12 feet wide. This area was originally developed as a residential neighborhood with single family homes. More recently, this area has been zoned Oregon State University. Currently there is a parking lot located on the alley. There is not a physical connection to the alley right-of-way from NW Monroe Avenue.

The walk right-of-way runs east-west and is located along the southern edge of the Park Terrace plat in two segments, between SW 23rd Street (vacated) and SW 25th Street (vacated), and between SW 25th Street (vacated) and SW 26th Street (vacated). The eastern walk is approximately 232 feet long and the western walk is approximately 213 feet long. Both are 5 feet wide.

DISCUSSION

Chapter 2.8 of the Land Development Code requires that persons applying for vacation of public rights-of-way submit letters of consent from all abutting property owners and owners of not less than two-thirds of the area of real property associated with the vacation (see Exhibits G and Attachment I-2). OSU owns all abutting property, and in excess of two-thirds of the affected property associated with the vacation.

The Land Development Code also states that a vacation may be approved if the City Council finds that the request:

1. Is consistent with the purposes of this Chapter, policies of the Comprehensive Plan, and any other applicable policies and standards adopted by the City Council;
2. Will not negatively affect access between public rights-of-way or existing properties, potential lots, or public facilities/utilities;
3. Will not negatively affect existing or future transportation circulation or emergency service protection; and
4. Will serve the present and future public interest.

The petitioner has discussed the rationale for their request and argues that the right-of-way is no longer needed for municipal purposes. Staff agrees that the right-of-way requested to be vacated is not needed for municipal interests.

The vacation of the alley and walk would continue the past vacation pattern and clean up remnants of right-of-way that are no longer used by the City. City Ordinances 62-81, 67-30, 67-31, 67-37, and 78-95 vacated SW 23rd Street, SW 25th Street, SW 26th Street, and other alley right-of-way that was dedicated in the Park Terrace plat. If approved, this request would complete the vacation of rights-of-way dedicated in the Park Terrace plat.

As discussed above, the alley right-of-way currently does not function as an alley. OSU has constructed a parking lot over the alley and it does not make a physical connection to NW Monroe Avenue. The walk only makes a connection to the above alley and is otherwise disconnected from other public rights-of-way. This area of OSU has dedicated pedestrian paths providing connectivity throughout campus as required by the Campus Master Plan.

Along with the application for right-of-way vacation, OSU has also applied for a Major Replat, SUB-00002. The requested right-of-way vacations, along with the replat, will create 5 large lots within Sectors B and C over which OSU will be able to continue on-campus development.

There are no public utilities located within the rights-of-way proposed to be vacated. The City's utility master plans do not anticipate the need for any future public facilities within these areas.

Right-of-way that is vacated returns to the adjoining lots or parcels that were originally burdened with the right-of-way dedications. In this case, the possession of all vacated property will revert to OSU.

CONCLUSION

Alleys have the primary function of providing access to abutting parcels. Right-of-way for a walk would typically be used to increase pedestrian connectivity through parcels to other points of public access. OSU is in possession of all parcels adjacent to the

proposed vacations. In addition, the Campus Master Plan has not identified a need to maintain the public alley and walk rights-of-way in order to serve pedestrian or vehicular traffic. As a result, staff conclude that vacation of the above mentioned right-of-way is consistent with review criteria 1 through 4 listed above.

RECOMMENDATION

Staff recommends that City Council adopt an ordinance (Attachment K), which vacates the alley south of NW Monroe Avenue between SW 25th Street (vacated) and SW 26th Street (vacated) and the walk located at the southern end of the above alley.

Review and Concur:



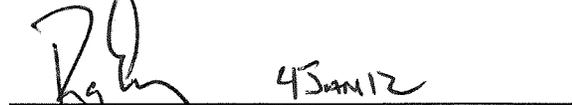
Jim Brewer
City Attorney

1/3/12
Date



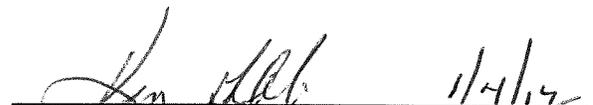
Gary Boldizar
Police Chief

1/4/12
Date



Roy Emery
Fire Chief

4/3/12
Date



Ken Gibb
Community Development Director

1/4/12
Date



James A. Patterson
City Manager

1-4-2012
Date

Attachments:

Application for Vacation of Public Right-of-way
Attachment A, Project Location Map with Development Sectors
Attachment B, Existing Zoning Designations
Attachment C, Existing Comprehensive Plan Designations
Attachment D, Existing Land Uses
Exhibit E, Vacation Notification Map
Exhibit F, Proposed Right-of-Way Vacation
Exhibit G, Table of Affected Properties
Exhibit H, Existing Utilities
Attachment I-1, Letter of Consent
Attachment I-2, Vacation Notification Map
Attachment J, City of Corvallis Right-of-Way Vacation Legal Description
Attachment K, Vacation Ordinance - Alley and Walk

OSU Alley Vacation
Sector 'C'
An Application for Vacation of
Public Right-of-way

Submitted to:



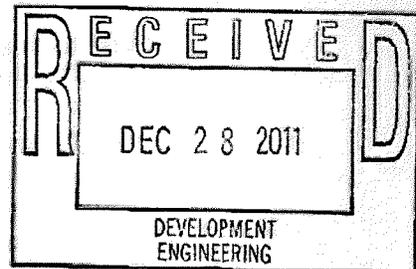
The City of Corvallis
501 SW Madison Avenue
Corvallis, OR 97333

Submitted by:



Facilities Services
100 Oak Creek Building
Corvallis, OR 97331

Revised December 28, 2011



Narrative for the Sector 'C' Alley Right-of-way Vacation

SUMMARY OF THE REQUEST

The applicant requests the City vacate approximately 0.13 acres of public right-of-way currently improved as an alley extending south from SW Monroe Avenue into a parking lot owned by OSU that is north of the Kelley Engineering Center, (Attachment F). The original right-of-way was part of the Park Terrace plat.

To approve a vacation of public land, it must be found that the proposal complies with applicable sections of the Land Development Code (LDC) and does not harm the City or adjacent properties.

ATTACHMENTS

- A - Project Location Map with Development Sectors*
- B - Existing Zoning Designations*
- C - Existing Comprehensive Plan Designations*
- D - Existing Land Uses*
- E - Vacation Notification Map*
- F - Proposed Right-of-Way Vacation*
- G - Table of Affected Properties*
- H - Existing Utilities*
- I - Consent Letter*

PURPOSE

Applicable Land Development Code Section:

Section 2.8.30 - PURPOSES

The procedures and review criteria established in this Chapter are used for vacating public lands and plats for the following purposes:

- a. Permit vacating of public lands not needed for municipal purposes where consistent with the community land use policies and goals;**
- b. Permit private ownership of public land where the proposed use of the lands promotes the public welfare; or**
- c. Permit vacating of all or part of undeveloped plats.**

The purpose of the proposed right-of-way vacation is to transfer land that is no longer needed for municipal purposes, as all of the abutting lots are owned by OSU and access to these lots is provided by other public rights-of-way. Therefore, the request is consistent with LDC Section 2.8.30.a above.

PROCEDURES

Applicable Land Development Code Section:

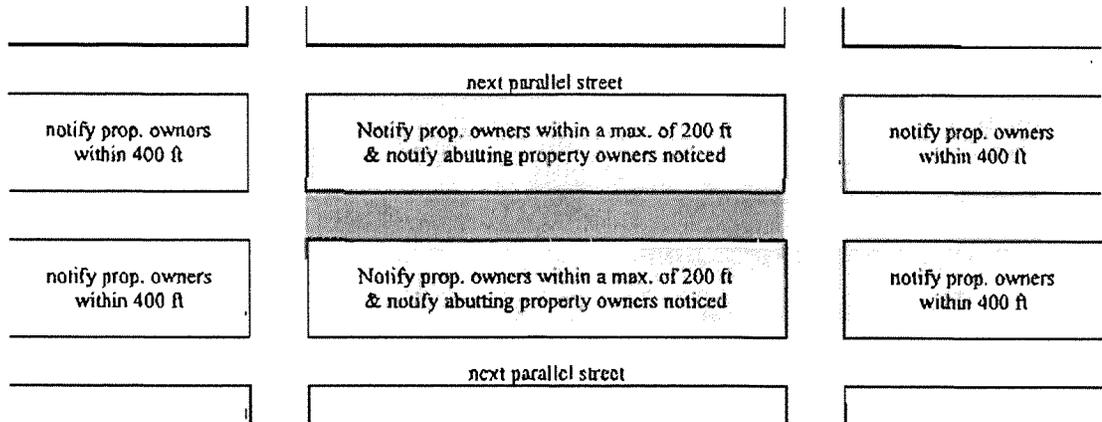
Section 2.8.40 - PROCEDURES

2.8.40.02 - Application Requirements

- a. **Applications submitted by property owners shall be made on forms provided by the Director and shall be accompanied by a map of the area proposed to be vacated and other information necessary for an adequate review.**

The applicant has submitted a map and legal description of the area proposed to be vacated, (Attachment F). A map and table showing the vacation notification area has also been provided, (Attachments E and G).

- b. **At the time the application to vacate public land is submitted, the person(s) filing the application shall submit letter(s) of consent from affected property owners. For purposes of this Code and in compliance with ORS 271.080, as amended, affected property owners shall be defined as follows:**
 1. **All abutting property owners, and**
 2. **Owners of at least two-thirds of the real property associated with the Vacation. Real property, illustrated in Figure 2.8-1 - Real Property, is the land surrounding the street or street portion to be vacated, including:**
 - a) **Land extending laterally to the next street serving as a parallel street up to a maximum of 200 ft.; and**
 - b) **Land extending a distance of 400 ft. from the end of the area to be vacated up.**
 3. **When vacating part or all of a plat, consent of the owners of at least two-thirds of the land included in the proposed Vacation is required. An exception to this provision shall occur where the Vacation includes a street, in which case the requirements in "2," above, apply.**



- c. **Consent of the affected property owners shall be submitted in writing, notarized, and duly acknowledged by the Director prior to scheduling of a public hearing for the requested Vacation.**
- d. **At the discretion of the City Engineer, the applicant may be required to remove or abandon utility connections prior to final approval.**

Affected property owners are considered to be those lots that are 200-feet parallel to the vacation and 400-feet on either end of the vacation, (Attachments E). The applicant owns all of the properties abutting the right-of-way to be vacated. Of the 195.1 acres of affected property, OSU owns of 191.3 acres, or 98 percent, which exceeds the threshold noted in LDC Section 2.8.20.02.b.3. A letter documenting the applicant's consent to vacate the subject right-of-way is provided as Attachment 'I'.

REVIEW CRITERIA

Applicable Land Development Code Section:

2.8.40.06 - Review Criteria

A Vacation may be approved if the City Council finds that the request meets the following criteria:

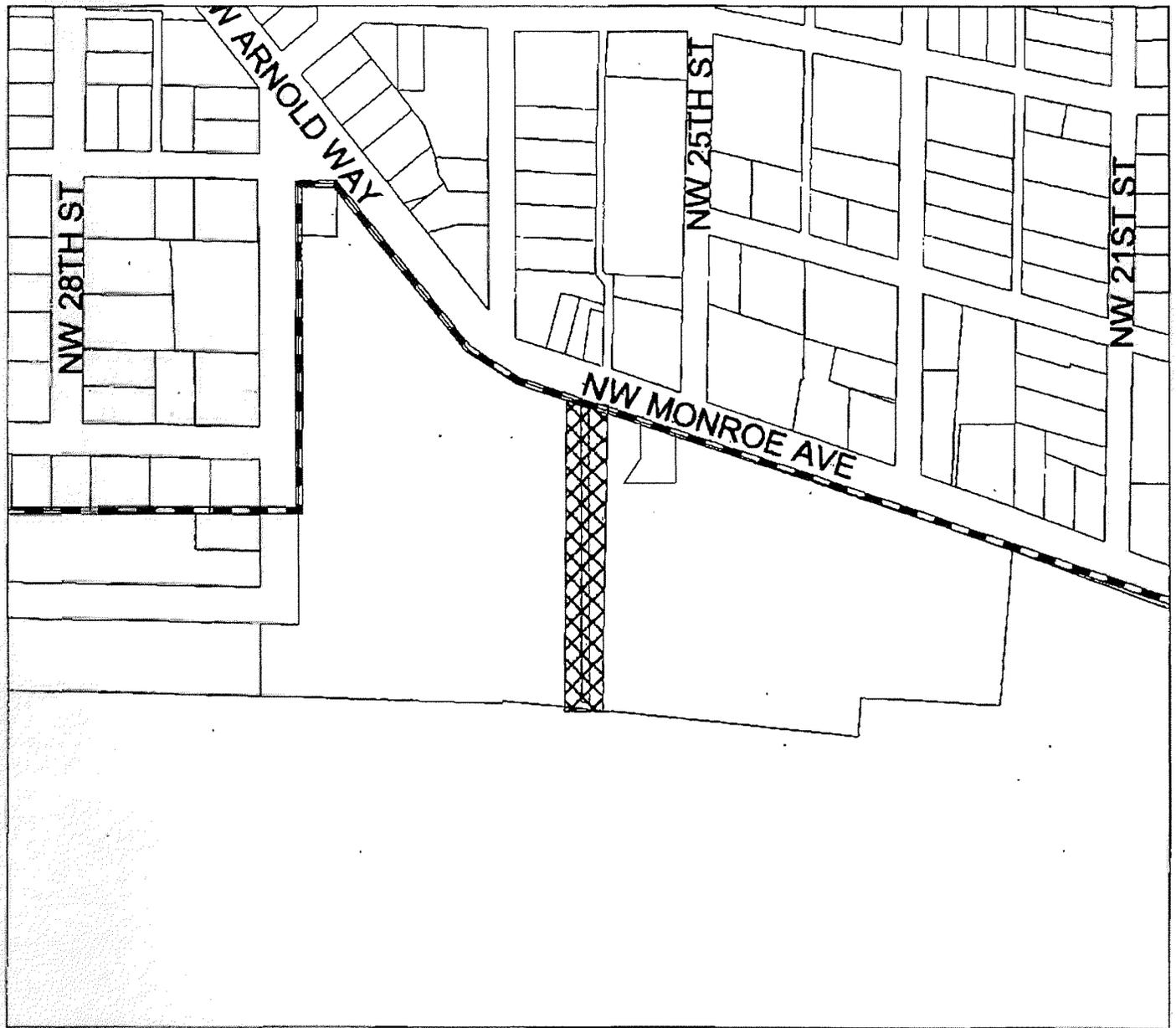
- a. **Is consistent with the purposes of this Chapter, policies of the Comprehensive Plan, and any other applicable policies and standards adopted by the City Council;**
- b. **Will not negatively affect access between public rights-of-way or existing properties, potential lots, or public facilities/utilities;**

- c. **Will not negatively affect existing or future transportation circulation or emergency service protection; and**
- d. **Will serve the present and future public interest.**

The subject right-of-way is a remnant from the original Park Terrace subdivision. It is no longer improved to function as a public alley; a physical connection to SW Monroe Avenue was removed some time ago. Only properties owned by the Oregon State Board of Higher Education and used by OSU abut the subject alley right-of-way. The vacated land will be transferred to the Oregon State Board of Higher Education. Vacating the alley will not affect access for the adjacent private properties, as the private portions of Park Terrace and SW 26th Street will remain in place to meet that need. Traffic circulation and emergency vehicle access will also be maintained via Park Terrace and SW 26th Street. Vacating the public right-of-way for the subject alley will not impact any existing public utilities. As shown on Attachment 'H', no public lines are located within the alley right-of-way.

Given the above, the subject right-of-way serves no public purpose, and its removal will benefit the present and future public interest by removing a barrier to development on the OSU campus.

Project Location Map with Development Sectors



LEGEND



Approximate Project Area



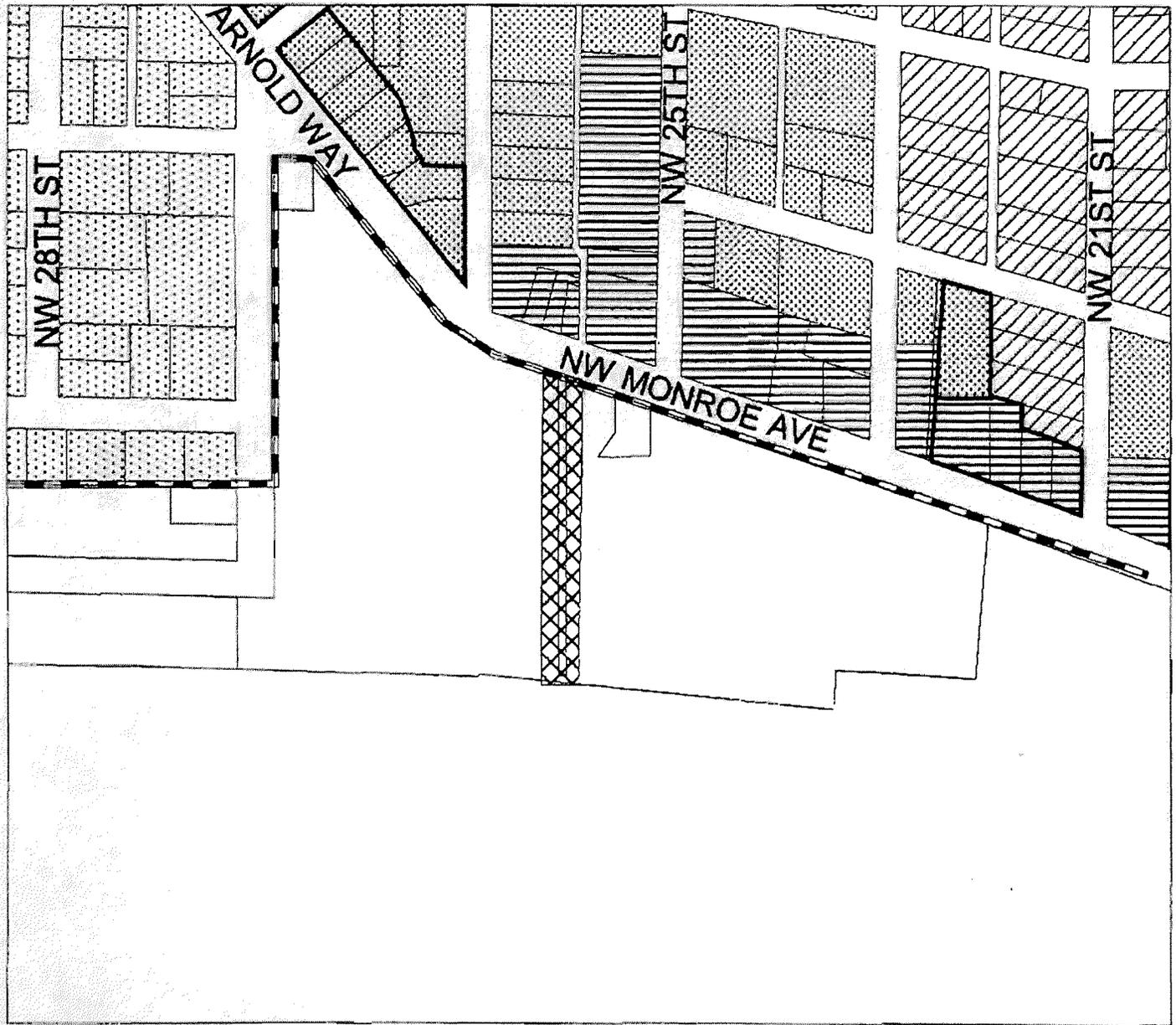
Sector 'C' Boundary

200 0 200 Feet



ATTACHMENT A

Existing Zoning Designations



LEGEND



Approximate Project Area



Sector 'C' Boundary



RS-5



NC-Minor



RS-9U



PD(NC-Minor)



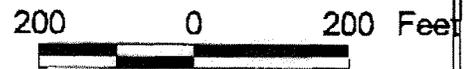
RS-20



OSU

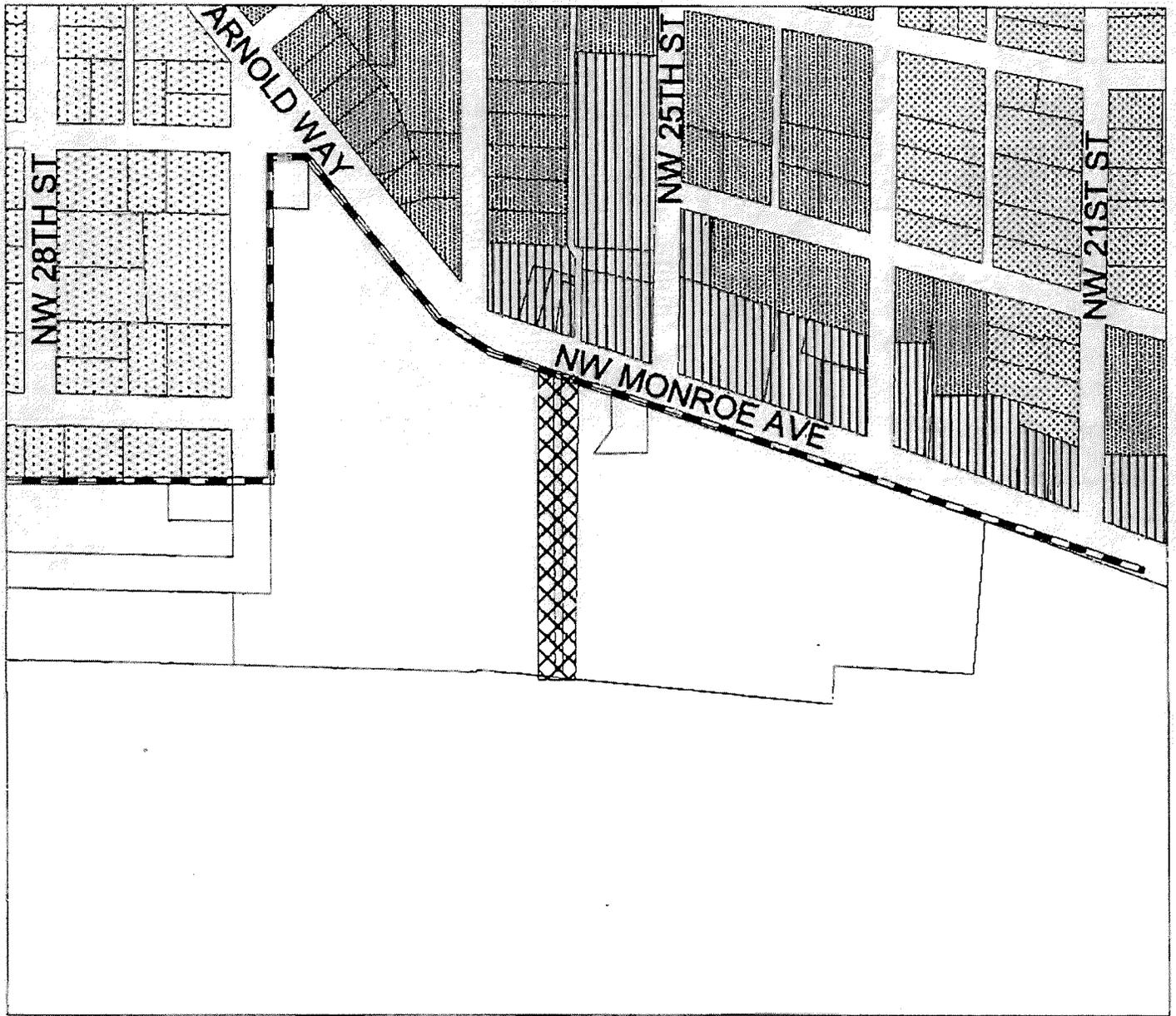


PD(RS-20)



ATTACHMENT B

Existing Comprehensive Plan Designations



LEGEND

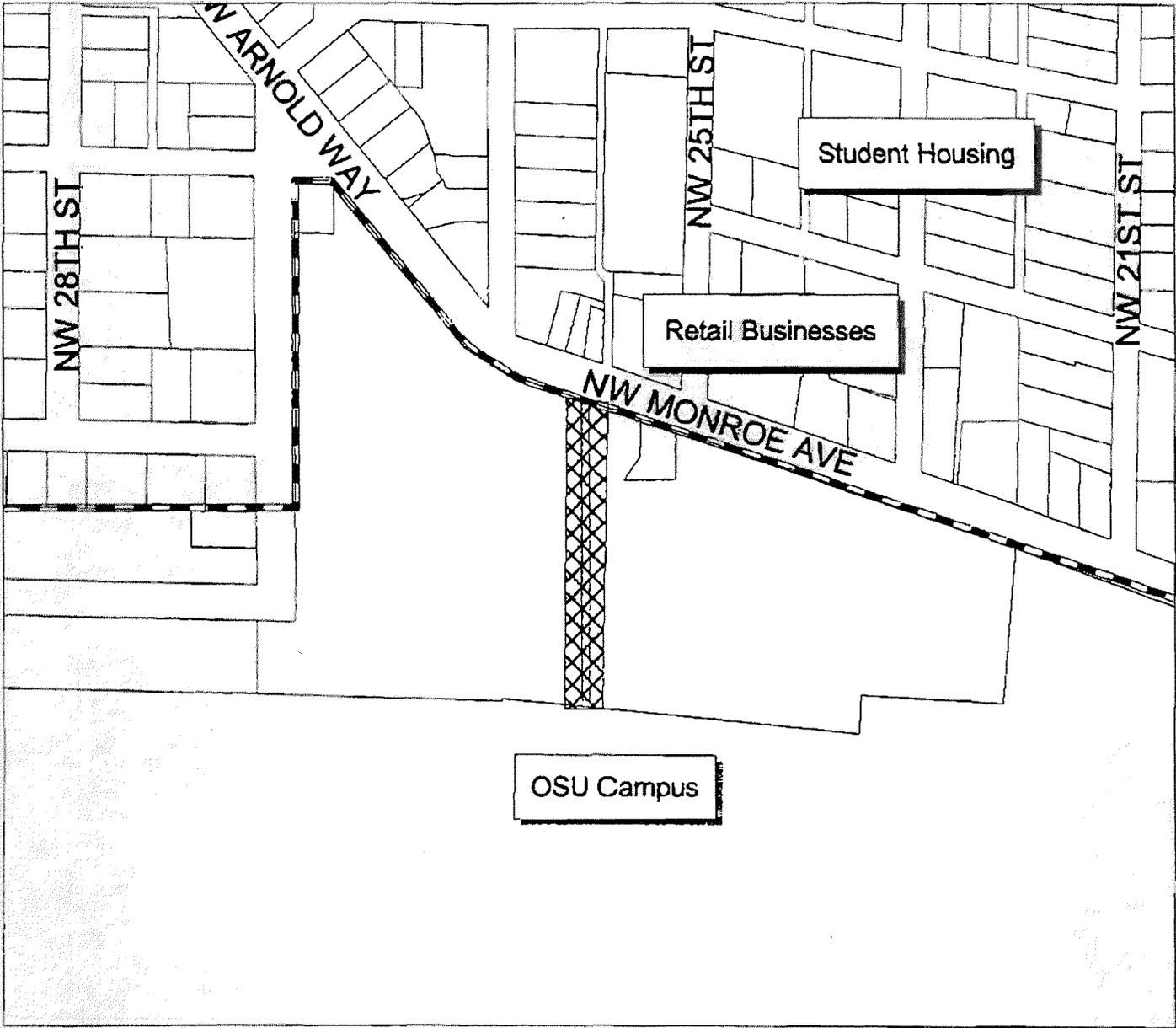
-  Approximate Project Area
-  Sector 'C' Boundary
-  Residential - Low Density
-  Residential - Medium Density
-  Residential - High Density
-  Mixed Use Commercial
-  Public Institutional

200 0 200 Feet



ATTACHMENT C

Existing Land Uses



LEGEND

-  Approximate Project Area
-  Sector 'C' Boundary

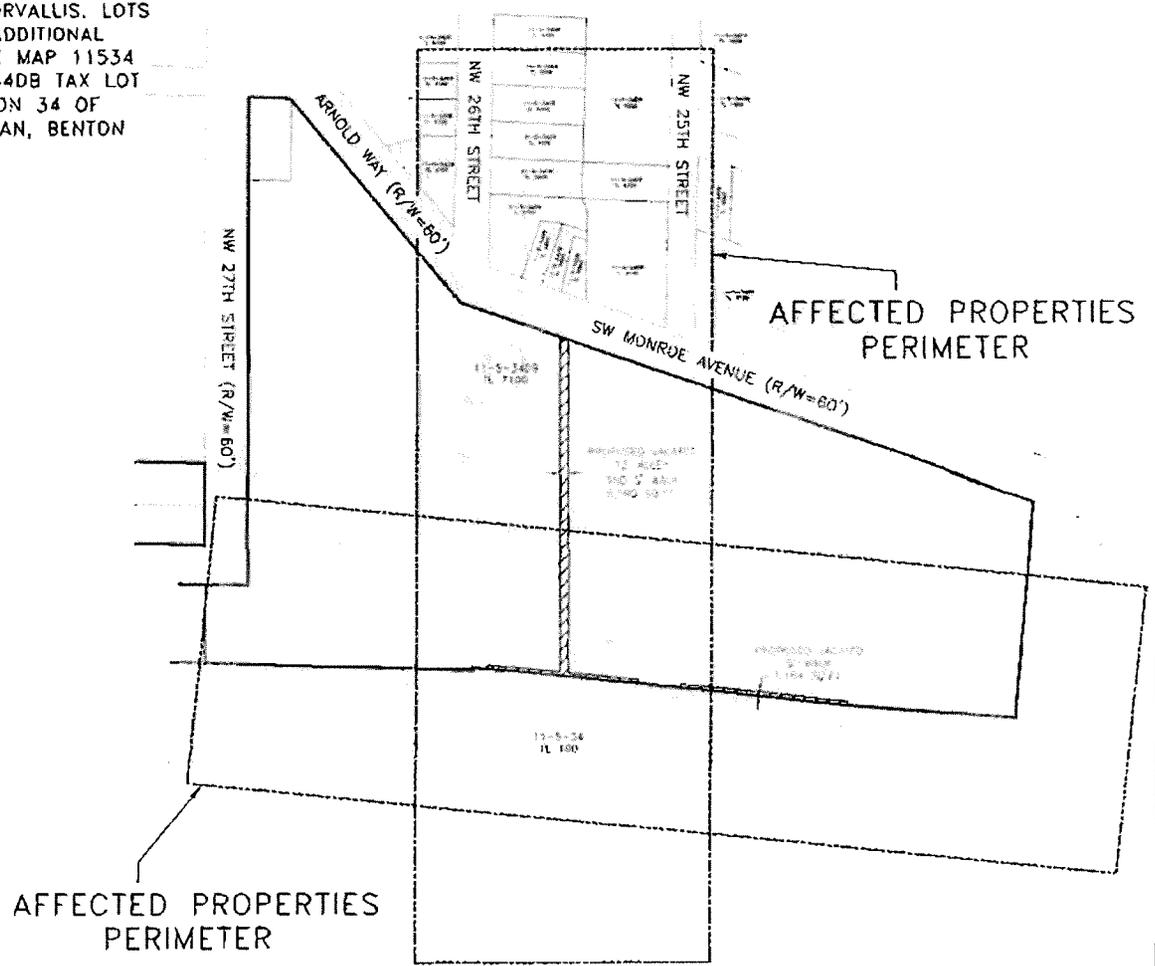


EXHIBIT E - VACATION NOTIFICATION MAP

A REPLAT OF LOT A AND B OF SUPPLEMENTAL PLAT OF BLOCK 1 OF COLLEGE HILL ADDITION TO CORVALLIS, LOTS 1 THROUGH 24 OF PARK TERRACE, LOTS 1 THROUGH 27 OF COLLEGE CREST ADDITION TO CORVALLIS, LOTS 1 THROUGH 11 AND LOTS 14 THROUGH 32 OF EMERY AND KENT'S ADDITION TO CORVALLIS, LOTS 1, 2, 6, 7 AND B OF FAIRVIEW ADDITION TO CORVALLIS, AND ADDITIONAL PROPERTY OWNED BY OREGON STATE UNIVERSITY DEPICTED AS TAX MAP 11534 TAX LOTS 2700, 1100, 1500 AND THE PORTION OF TAX MAP 11534DB TAX LOT 7100 NOT PREVIOUSLY PLATTED, AND BEING LOCATED IN SECTION 34 OF TOWNSHIP 11 SOUTH, RANGE 5 WEST OF THE WILLAMETTE MERIDIAN, BENTON COUNTY, OREGON

FOR: OREGON STATE UNIVERSITY

DATE: AUGUST 30, 2011



REGISTERED PROFESSIONAL LAND SURVEYOR
 OREGON LICENSE NO. 11534
 EXPIRES 8/30/17

BOBBI JUDITH SAUER, P.L.L.
 BOBBI SURVEYING, LLC
 310 NE CORVALLIS AVE
 CORVALLIS, OREGON 97331
 (541) 326-1526



EXHIBIT F - PROPOSED RIGHT OF VACATION

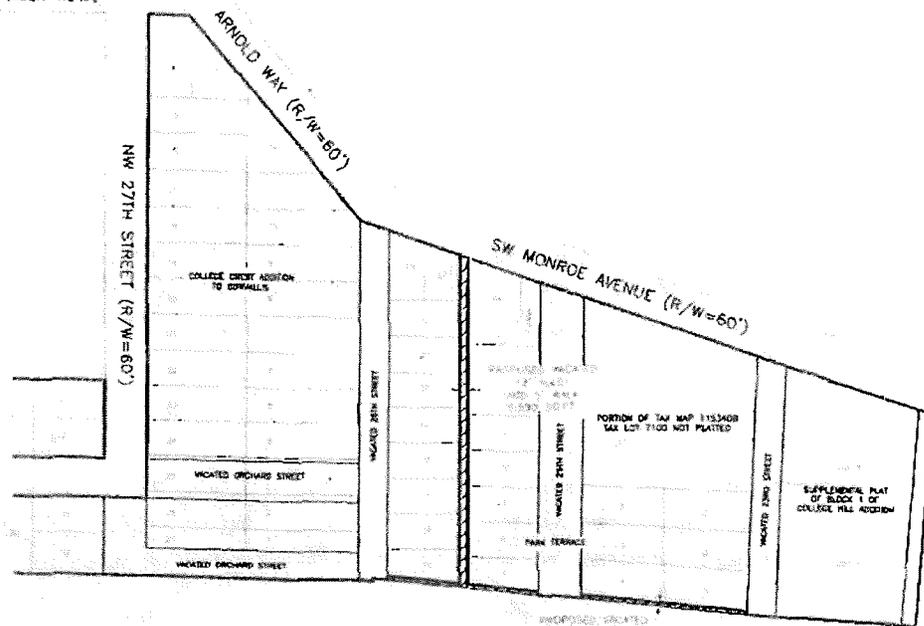
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FOR: OREGON STATE UNIVERSITY

DATE: AUGUST 30, 2011



NW JACKSON AVENUE



PROPOSED PLATTED
5/20/11
1:66 50.71

REGISTERED
PAUL G. BROWN
11400 SE 10TH AVE
CORVALLIS, OR 97331

BRUNN SCOTT SMITH, P.L.L.C.
CIVIL ENGINEERING, LLC
100 NE COMMERCE BLVD.
CORVALLIS, OREGON 97331
(541) 929-5000

OSU
JANUARY 11, 2006
WHILE SUBJECT STAYS
IN FORCE
EXPIRES 8/30/12



EXHIBIT G - TABLE OF AFFECTED PROPERTIES

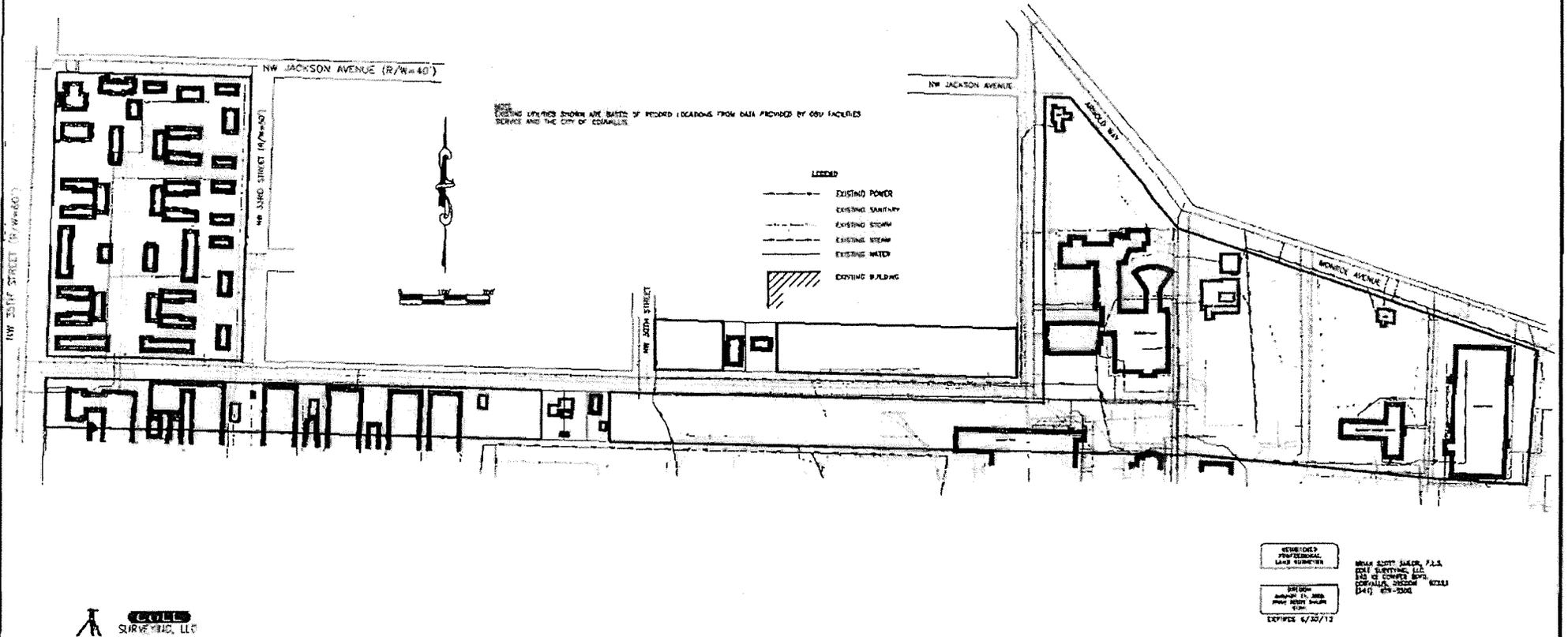
Tax Map	Tax Lot	Acreage	Owner Name	Property Address	Mailing Address
11-5-34DB	4100	0.29	Monroe LLC	2501 NW Monroe Ave. Corvallis, OR 97330	P.O. Box 1071 Corvallis, OR 97339
11-5-34DB	4200	0.11	Monroe LLC	Unassigned	P.O. Box 1071 Corvallis, OR 97340
11-5-34DB	5900	0.06	Chorak Family LTD Partnership	2527 NW Monroe Ave. Corvallis, OR 97330	P.O. Box 1568 Corvallis, OR 97339-1568
11-5-34DB	6000	0.05	Angela McFarland	2525 NW Monroe Ave. Corvallis, OR 97330	3235 NW Crest Dr. Corvallis OR 97330-1806
11-5-34DB	5800	0.06	Brooke Yim	2531 NW Monroe Ave. Corvallis, OR 97330	6003 SW Grand Oaks Dr. Corvallis OR 97333
11-5-34DB	5700	0.21	S G Babcock LLF	111 NW 26th St. Corvallis, OR 97330	3710 NW Jackson Ave. Corvallis, OR 97330
11-5-34DB	5600	0.14	Paul Pinion	119 NW 26th St. Corvallis, OR 97330	P.O. Box 1954 Corvallis, OR 97339-1954
11-5-34DB	5500	0.14	Szmczak LLC	127 NW 26th St. Corvallis, OR 97330	P.O. Box 233 Corvallis, OR 97339
11-5-34DB	5400	0.14	Ronald Walsh	135 NW 26th St. Corvallis, OR 97330	29585 NE Pheasant Ave. Corvallis, OR 97333-2430
11-5-34DB	5300	0.14	Brian Dapp	207 NW 26th St. Corvallis, OR 97330-5340	2960 NW Marshall Dr. Corvallis, OR 97330-9719
11-5-34DB	5200	0.14	Darrell Hueth	215 NW 26th St. Corvallis, OR 97330	2200 Symons Hall Arc College Park, MD 20742-5121
11-5-34DB	4300	0.21	OSU Federal Credit Union	130 to 214 NW 25th St. Corvallis, OR 97330	P.O. Box 306 Corvallis, OR 97339-0306
11-5-34DB	3700	0.49	Shirley and Donald Wirth	2479 NW Monroe Ave. Corvallis, OR 97330	2994 NW Boxwood Dr. Corvallis, OR 97330
11-5-34DB	4000	0.12	The Church In Corvallis	135 NW 25th St. Corvallis, OR 97330	P.O. Box 2 Corvallis, OR 97339
11-5-34DB	1800	0.13	John and Stephanie Corden	2415 NW Jackson Ave. Corvallis, OR 97330	1400 NW Vista Pl. Corvallis, OR 97330-1772
11-5-34DB	1900	0.58	Delta Upsilon	235 NW 25th St. Corvallis, OR 97330	P.O. Box 2745 Eugene, OR 97402
11-5-34DB	7100	11.61	Oregon State Board of Higher Ed	Unassigned	P.O. Box 1086 Corvallis, OR 97339-1086
11-5-34DB	6100	0.16	Diocese of Oregon INC.	2615 NW Arnold Way Corvallis, OR 97330	909 Jackson Tower Portland, OR 97200
11-5-34DB	6202	0.13	Malcolm Corden	2627 NW Arnold Way Corvallis, OR 97330	915 NW Merrie Dr. Corvallis, OR 97330-2335
11-5-34DB	6300	0.08	Sigma Phi Epsilon	Unassigned	2339 NW Aspen Ave. Portland, OR 97210
11-5-34DB	6400	0.47	Sigma Phi Epsilon	224 NW 26th St. Corvallis, OR 97330	2340 NW Aspen Ave. Portland, OR 97210
11-5-34	100	179.67	Oregon State Board of Higher Ed	3365 to 3450 SW Campus Way Corvallis, OR 97333	P.O. Box 1086 Corvallis, OR 97339-1086

EXHIBIT H - EXISTING UTILITIES

A REPLAT OF LOT A AND B OF SUPPLEMENTAL PLAT OF BLOCK 1 OF COLLEGE HILL ADDITION TO CORVALLIS, LOTS 1 THROUGH 24 OF PARK TERRACE, LOTS 1 THROUGH 27 OF COLLEGE CREST ADDITION TO CORVALLIS, LOTS 1 THROUGH 11 AND LOTS 14 THROUGH 32 OF EMERY AND KENT'S ADDITION TO CORVALLIS, LOTS 1, 2, 6, 7 AND 8 OF FAIRVIEW ADDITION TO CORVALLIS, AND ADDITIONAL PROPERTY OWNED BY OREGON STATE UNIVERSITY DEPICTED AS TAX MAP 11534 TAX LOTS 2700, 1100, 1500 AND THE PORTION OF TAX MAP 11534DB TAX LOT 7100 NOT PREVIOUSLY PLATTED, AND BEING LOCATED IN SECTION 34 OF TOWNSHIP 11 SOUTH, RANGE 5 WEST OF THE WILLAMETTE MERIDIAN, BENTON COUNTY, OREGON

FOR: OREGON STATE UNIVERSITY

DATE: AUGUST 30, 2011



September 9, 2011

Mayor and City Council
City of Corvallis
501 SW Madison Avenue
Corvallis, OR 97333

SUBJECT: Vacation of public right-of-way south of Monroe between 25th and 26th Streets

Dear Mayor Manning and Members of the City Council:

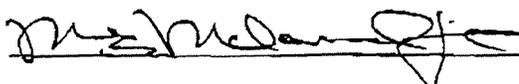
Oregon State University is interested in vacating approximately 0.13 acres of public right-of-way currently improved as an alley extending south from SW Monroe Avenue into a parking lot owned by OSU that is north of the Kelley Engineering Center in Corvallis, Oregon. The purpose of the vacation is to transfer land that is no longer needed for municipal purposes. The land was originally part of the Park Terrace plat. The alley is now surrounded by the University and the land is better suited to serving the needs of the University. If approved, the vacated right-of-way would be transferred to the abutting property owner, in this case the University.

Under the City of Corvallis Land Development Code provisions, applicants are required to notify the owners of specific neighboring properties and obtain their concurrence to vacate any public right-of-way. This letter serves as consent from Oregon State University and the Oregon State Board of Higher Education supporting the vacation of public right-of-way.

Consent is hereby given for the following affected map and tax lots, owned by either OSU or the Oregon State Board of Higher Education:

Map 11-5-34DB, Tax Lot 7100
Map 11-5-34, Tax Lot 100

Property owner: OSU and/or Oregon State Board of Higher Education

Consent by (please sign): 

Name and Title (please print): Mark E. McCambridge, Vice President for Finance & Administration

Date: 9/28/11

State of OREGON
County of Benton

Signed or attested before me on September 28, 2011 by MARK McCAMBRIDGE.

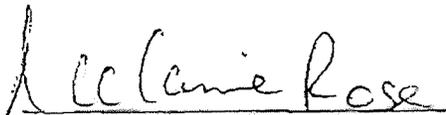

Notary Public - State of Oregon

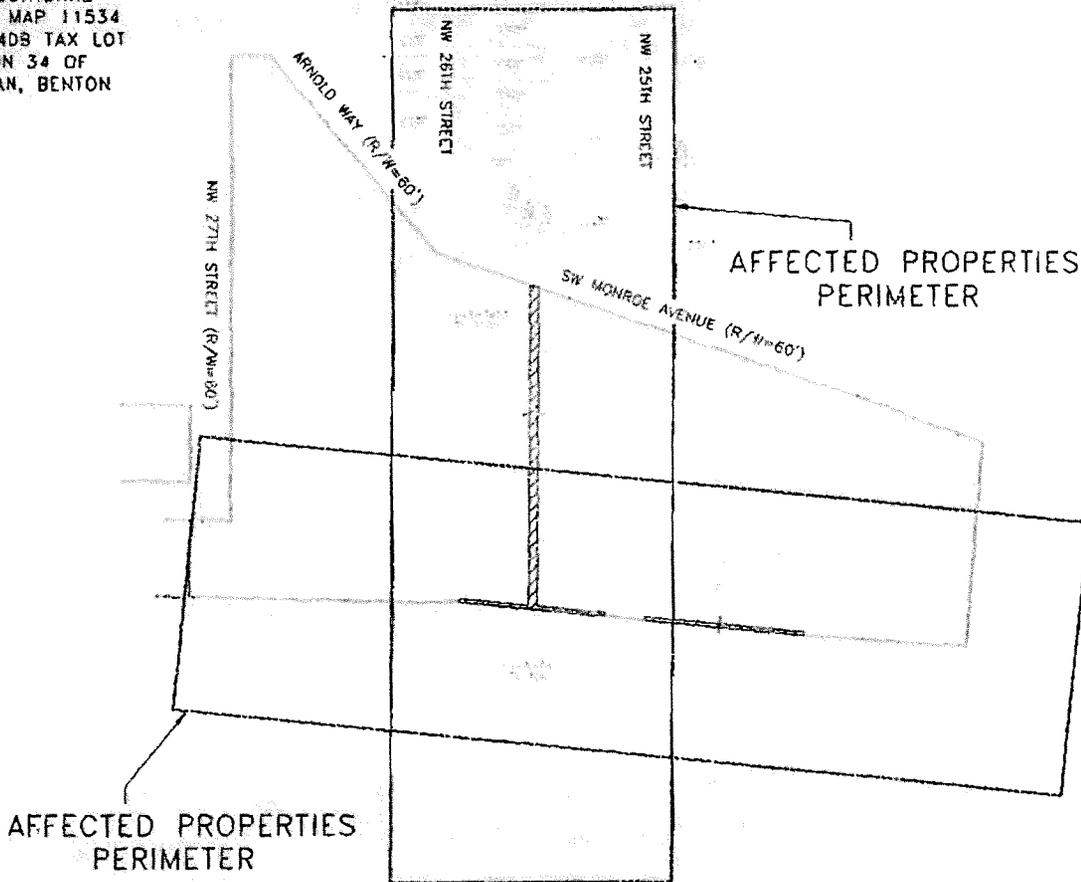


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FOR: OREGON STATE UNIVERSITY

DATE: AUGUST 30, 2011



ATTACHMENT 1-2

REGISTERED PROFESSIONAL LAND SURVEYOR

DELOREAN S. DAVIS, P.L.L.
1207 BURNING BUSH
141 W. GARDNER ST.
CORVALLIS, OREGON 97331
PHONE: 325-3000

ISSUED 8/30/11

COLE
SURVEYING, E.L.C.

Legal Description for Vacation of
12 foot wide alley and 5 foot wide walks

Beginning at the northeast corner of Lot 23 of Park Terrace, a subdivision plat of record located in Section 34 of Township 11 South, Range 5 West of the Willamette Meridian, Benton County, City of Corvallis, Oregon; also being on the south right of way line of SW Monroe Avenue; thence South 1°45' East 469.12 feet to the southeast corner of Lot 15 of said Park Terrace; thence North 86°37' West 100.44 feet to the southwest corner of said Lot 15, also being on the east line of the portion of SW 26th Street vacated by Ordinance 78-95 and recorded as M-102160 in Benton County Deed Records; thence along said east line of vacated SW 26th Street South 1°45' East 5.02 feet to the south line of said Park Terrace; thence along the south line of said Park Terrace South 86°37' East 212.88 feet to the west line of that portion of SW 25th Street vacated by Ordinance 67-30 and recorded as M-2193 in Benton County Deed Records; thence along said west line of vacated SW 25th Street North 1°45' West 5.02 feet to the southeast corner of Lot 7 of said Park Terrace; thence along the south line of said Lot 7 North 86°37' West 100.44 feet to the southwest corner of said Lot 7; thence North 1°45' West 465.00 feet to the northwest corner of Lot 14 of said Park Terrace, also being on the south right of way line SW Monroe Avenue; thence along said south right of way line North 73°30' West 12.68 feet to the point of beginning.

Together and with:

Beginning at the southwest corner of Lot 4 of said Park Terrace, also being on the east line of said vacated SW 25th Street; thence along said east line of vacated SW 25th Street South 1°45' East 5.02 feet to the south line of said Park Terrace; thence along the south line of said Park Terrace South 86°37' East 232.92 feet to the west line of that portion of SW 23rd Street vacated by Ordinance 67-37 and recorded as M-2417 in Benton County Records; thence along said west line of vacated SW 23rd Street North 1°45' West 5.02 feet to the southeast corner of Lot 1 of said Park Terrace; thence North 86°37' West 232.92 feet to the point of beginning.

Alley and Walk Vacation Ordinance

ATTACHMENT K

ORDINANCE 2012-___

AN ORDINANCE vacating an alley right-of-way between 25th Street and 26th Street, south of Monroe Avenue and walk right-of-way between 23rd Street and 26th Street, south of Monroe Avenue.

WHEREAS, the City Council, at its regular meeting of January 3, 2012 scheduled a public hearing for January 17, 2012 at 7:30 p.m. in the Downtown Fire Station Meeting Room, 400 NW Harrison Boulevard, Corvallis, Oregon. The purpose of the hearing was to hear objections regarding the proposed vacation of an alley initiated by Oregon State University. Proof of public hearing notice publication in the Corvallis Gazette-Times, a newspaper of general circulation published in Corvallis, on January 3, 2012 and January 10, 2012 has been made and filed with the City Recorder.

WHEREAS, the City Council has held that public hearing and has heard and considered any and all objections; and

WHEREAS, based on the information presented, the City Council finds that the subject portion of alley is no longer needed for public purposes; and

WHEREAS, based upon the information presented, the City Council finds that vacating the subject portion of alley:

1. Is consistent with the purposes of this Chapter, policies of the Comprehensive Plan, and any other applicable policies and standards adopted by the City Council;
2. Will not negatively affect access between public rights-of-way or existing properties, potential lots, or public facilities/utilities;
3. Will not negatively affect existing or future transportation circulation or emergency service protection; and
4. Will serve the present and future public interest.

THE CITY OF CORVALLIS ORDAINS AS FOLLOWS:

1. As provided herein, that portion of alley described below and illustrated in Exhibit F, is vacated and from the effective date of this Ordinance is no longer a public way. Therefore, these portions of vacated right-of-way shall revert to the adjacent property in the following manner:

Legal Description of Property Being Vacated by the City of Corvallis and Combined with Lots 1, 4, and 7 through 23 of Park Terrace of Benton County, Oregon (reverts to Oregon State University).

A tract of land in Section 34 of Township 11 South, Range 5 West of the Willamette Meridian, Benton County, City of Corvallis, Oregon, and being described as follows:

Beginning at the northeast corner of Lot 23 of Park Terrace, a subdivision plat of record located in Benton County, Oregon, also being on the south right of way line of SW Monroe Avenue; thence South 1°45' East 469.12 feet to the southeast corner of Lot 15 of said Park Terrace; thence North 86°37' West 100.44 feet to the southwest corner of said Lot 15, also being on the east line of the portion of SW 26th Street vacated by Ordinance 78-95 and recorded as M-102160 in Benton County Deed Records; thence along said east line of vacated SW 26th Street South 1°45' East 5.02 feet to the south line of said Park Terrace; thence along the south line of said Park Terrace South 86°37' East 212.88 feet to the west line of that portion of SW 25th Street vacated by Ordinance 67-30 and recorded as M-2193 in Benton County Deed Records; thence along said west line of vacated SW 25th Street North 1°45' West 5.02 feet to the southeast corner of Lot 7 of said Park Terrace; thence along the south line of said Lot 7 North 86°37' West 100.44 feet to the southwest corner of said Lot 7; thence North 1°45' West 465.00 feet to the northwest corner of Lot 14 of said Park Terrace, also being on the south right of way line SW Monroe Avenue; thence along said south right of way line North 73°30' West 12.68 feet to the point of beginning.

Together and with:

Beginning at the southwest corner of Lot 4 of said Park Terrace, also being on the east line of said vacated SW 25th Street; thence along said east line of vacated SW 25th Street South 1°45' East 5.02 feet to the south line of said Park Terrace; thence along the south line of said Park Terrace South 86°37' East 232.92 feet to the west line of that portion of SW 23rd Street vacated by Ordinance 67-37 and recorded as M-2417 in Benton County Records; thence along said west line of vacated SW 23rd Street North 1°45' West 5.02 feet to the southeast corner of Lot 1 of said Park Terrace; thence North 86°37' West 232.92 feet to the point of beginning.

2. A certified copy of this vacation ordinance will be filed for record with the County Recorder, by the City, consistent with requirements outlined in Land Development Code Section 2.8.50.

3. This vacation shall take effect upon filing a certified copy of the vacation ordinance for recording with the County Recorder.

PASSED by the Council this _____ day of _____, 2012.

APPROVED by the Mayor this _____ day of _____, 2012.

EFFECTIVE this _____ day of _____, 2012.

Mayor

ATTEST:

City Recorder