



ORDINANCE NO. 5988

AN ORDINANCE VACATING THE SOUTH 150 FEET OF JEFFERSON STREET NORTH OF NINTH AVENUE, IN ALBANY, OREGON.

WHEREAS, the notice of public hearing was mailed on June 28, 2022, published in the Albany Democrat-Herald on July 1, 2022, and July 11, 2022, and posted at the site, as described in Section 1 below, on July 7, 2022, as required by state and local law; and

WHEREAS, the Albany Planning Commission held a public hearing on July 18, 2022, and recommended that the city council approve the proposed right-of-way vacation; and

WHEREAS, the Albany City Council held a public hearing on August 10, 2022, reviewed the testimony presented at the public hearing and the findings in the staff report, and deliberated on the vacation.

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

Section 1: Subject Property. The southerly 150 feet of Jefferson Street north of Ninth Avenue between Blocks 19 and 30 in Hackelman's Second Addition to Albany (File VC-01-22) (see legal description and map on attached Exhibit A), is hereby vacated.

Section 2: Transfer of Vacated Property. The vacated right-of-way will revert to the properties east and west of the right-of-way.

Section 3: Findings. The findings, conclusions, and conditions in the staff report are hereby adopted as the council's own as presented in Exhibit B of this ordinance.

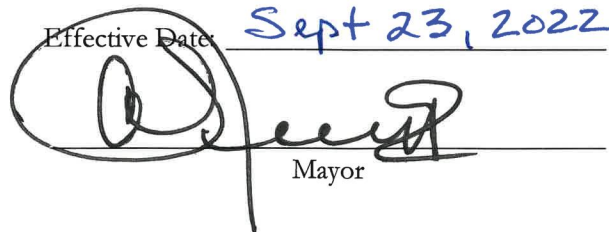
Section 4: Easements Retained. The City retains a utility easement over the entire right-of-way being vacated and retains a public access easement over the center 26 feet of the 66 foot wide right-of-way.

Section 5: The City recorder shall, within 10 days of the effective date of this ordinance, file a certified copy of the ordinance with the Linn County Clerk, Linn County Assessor, and Linn County Surveyor (Oregon Revised Statute (ORS) 271.150). The petitioner for the vacation shall bear the recording costs.

Passed by the Council: Aug 24, 2022

Approved by the Mayor: Aug 24, 2022

Effective Date: Sept 23, 2022



Mayor

ATTEST:



City Clerk

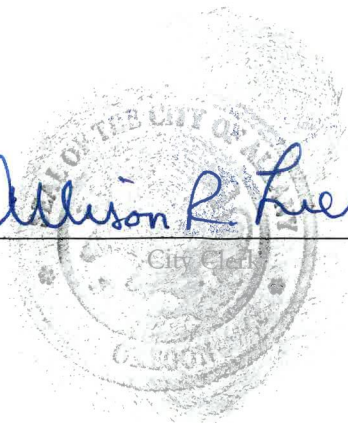


Exhibit A

Legal Description of Jefferson Street right-of-way being vacated

The southerly 150 feet of Jefferson Street right-of-way lying north of 9th Avenue. Said right-of-way also lying between Blocks 30 and 19 in Hackelman's Second Addition to Albany, Oregon. Said right-of-way also lying southerly of the northwest corner of the property described in Linn County, Oregon, deed record MF 1481-0416, and southerly of the northeast corner of that property described in Linn County, Oregon, deed records 2017-22485. As shown on the map below.

