

ORDINANCE NO. 5228

AN ORDINANCE VACATING THE 16-FOOT WIDE UTILITY EASEMENT LOCATED ADJACENT TO THE SOUTHERLY PROPERTY LINES OF LOTS 1 THROUGH 12 AND THE NORTHERLY PROPERTY LINES OF LOTS 13 THROUGH 24, BLOCK 20, RODGERSDALE ADDITION TO THE CITY OF ALBANY, LINN COUNTY, OREGON, AND ADOPTING "FINDINGS" (ATTACHED AS EXHIBIT "A") AND DECLARING AN EMERGENCY (CASE FILE NO. VC-03-95).

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

WHEREAS, the City of Albany Planning Commission held a Public Hearing on January 15, 1996, and recommended approval of the proposed vacation; and

WHEREAS, the Albany City Council held a Public Hearing on January 24, 1996, 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: That the findings attached as Exhibit "A" are hereby adopted in support of this decision.

Section 2: That the 16-foot wide utility easement located adjacent to the southerly property lines of Lots 1 through 12 and the northerly property lines of Lots 13 through 24, Block 20, Rodgersdale Addition in Linn County, Oregon (Linn County Assessor's Map No. 11-3W-17CC, Tax Lots 2401, 2402, 2601, 2602, 2501 and 2603 and Linn County Assessor's Map No. 11-3W-18DD, Tax Lots 800 and 900) as shown in Exhibit "B" is hereby vacated.

Section 3: EMERGENCY CLAUSE

Inasmuch as this ordinance is necessary for the immediate preservation of the peace, health, and safety of the citizens of this City of Albany, County of Linn, 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: January 24, 1996

Approved by the Mayor: January 24, 1996

Effective Date: January 24, 1996


Mayor

ATTEST:


City Recorder