

DATE: 4/12/2010 By: NW
This survey consists of:
Map: CS 67/32-1A then
Narrative:
Corner Rpt:

ORDINANCE NO. 617

DOUGLAS COUNTY SURVEYOR
AN ORDINANCE FOR THE VACATION OF A PORTION OF RYAN ROAD, WIL WAY AND DANIELLE DRIVE RIGHT-OF-WAY ADJACENT TO LOTS 29, 30, 56, 58 PHASE II SAFARI ESTATES SUBDIVISION AND PARCEL 1 OF PARTITION 1997-0099

THE CITY OF WINSTON ORDAINS AS FOLLOWS:


SECTION ONE: FINDINGS OF FACT

- A. Pursuant to the provisions of ORS 271.080 to 271.230, the City Council of the City of Winston initiated vacation proceedings for a portion of Ryan Road, Wil Way and Danielle Drive Right-Of-Way along the property frontage identified as Lots 29, 30, 56, 58 Phase II Safari Estates Subdivision and a part of Parcel 1 of Partition 1997-0099.
- B. The Winston Planning Commission on April 26, 2006, held a public hearing on this proposed road vacation and voted to forward a favorable recommendation to the Winston City Council to proclaim the vacation by ordinance, and adopted the following findings in support of their recommendation:
 - 1. The proposed vacation was necessary to address a road variance that permitted a forty five foot right of way.
 - 2. A petition to vacate the right of way has been filed with the City of Winston in the form of a Land Use Change Application, signed by the owner/elector and dated September 21, 2005.
 - 3. The Winston City Council, under the authority of ORS 271.130 or 271.210, by resolution or ordinance, may set forth the property to be vacated.
- C. Written notice of this application and its attendant hearing was mailed to surrounding property owners on March 31, 2006. Notice was posted on the site and also published in the News-Review newspaper.
- D. Notice was sent to Douglas County Planning on March 31, 2006 as per the Winston/Douglas County Urban Growth Management Agreement. Douglas County Planning did not comment on the proposed vacation.

SECTION 2: PROPERTY DESCRIPTION

A legal description is attached as Exhibit "A."

DOUGLAS COUNTY OFFICIAL RECORDS
BARBARA E. NIELSEN, COUNTY CLERK 2009-019788

 \$56.00

00258620200900197880040045 11/17/2009 11:21:55 AM

VAC-VAC Cnt=1 Stn=3 MARRIAGECOUNTER
\$20.00 \$11.00 \$15.00 \$10.00

SECTION 3: VACATION ORDERED

Based upon the above Findings of Fact and the recommendation of the City Planning Commission, the Superintendent of Public Works has filed a written report with the City Council. After a hearing on the proposed vacation, the City Council has determined that it is in the public interest to vacate the portion of the public property.

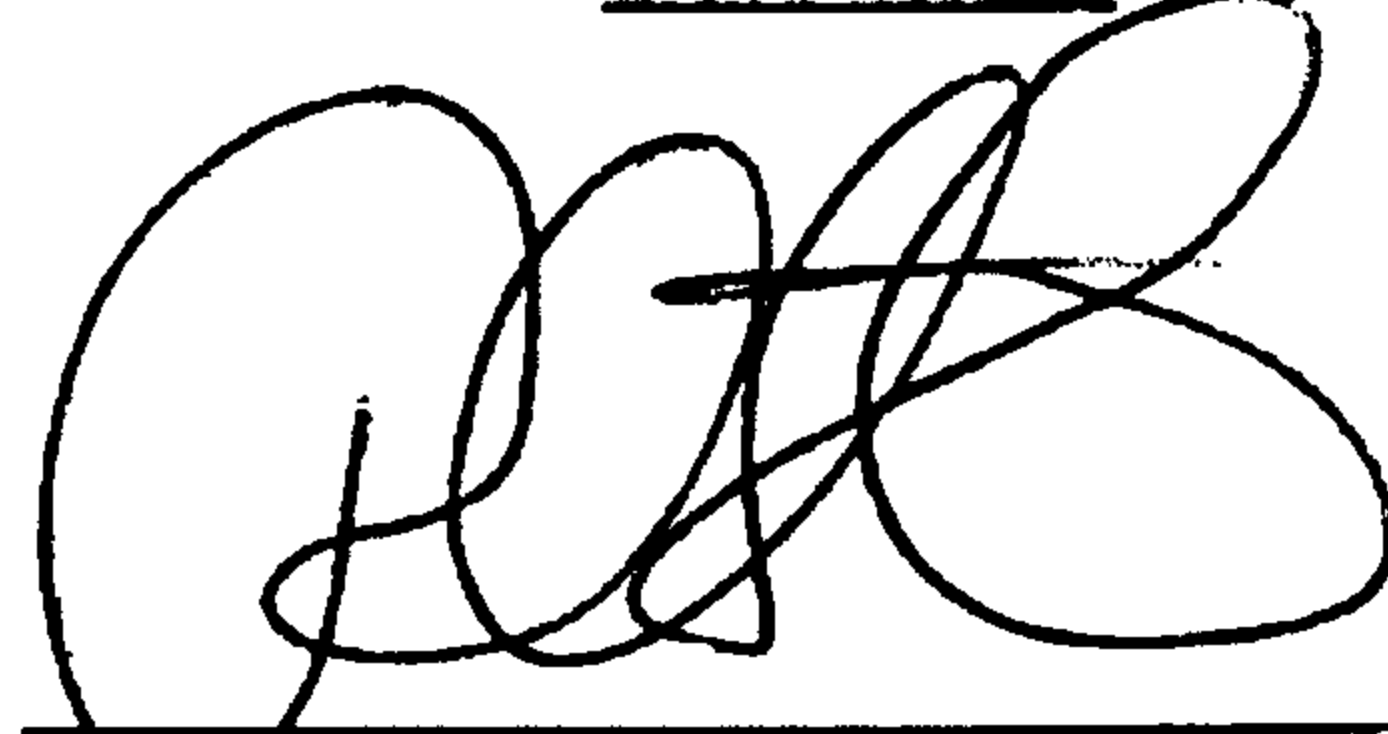
NOW, THEREFORE, IT IS HEREBY ORDERED that the property described in this order is vacated, except that any existing utilities or owners of drainage facilities located within said property will have unrestricted access to service, maintain, upgrade or replace their facilities. Title to the vacated property will vest in the petitioners by extension of their respective property boundaries to the edge of the vacation, pursuant to ORS 271.140. That portion of vacated property vesting in each petitioner will attach to their abutting property and will not become a separate parcel.

SECTION FOUR: EFFECTIVE DATE

The effective date of this Ordinance shall take effect thirty (30) days from the date of City Council approval and adoption.

First reading before the City Council on the 19th day of June, 2006

Second reading and adoption by the City Council on the 5th day of July, 2006



Rex A. Stevens, Mayor

ATTEST:



David Van Dermark, City Administrator

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Landmark Surveying Inc

1 541 577 9401

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DESCRIPTION

Vacation of a portion of Ryan Road
In the Northwest 1/4 of the Northwest 1/4, Section 20,
Township 28 South, Range 6 West, W.M.
City of Winston, Douglas County Oregon
Affecting Tax Lot 100 and 200

Beginning at a 5/8 inch iron rod at the Southeast Corner of Lot 58, Safari Estates, Phase 2; thence North 89° 17' 02" East 25.71 feet to a point; thence South 13° 00' 22" East 4.61 feet to a point; thence South 89° 17' 02" West 94.61 feet to a point; thence 26.56 along the arc of a 20.00 foot radius curve to the right, the chord of which bears North 52° 39' 56" West 24.65 feet to a point; thence North 14° 36' 55" West 4.64 feet to a point; thence 26.56 along the arc of a 20.00 foot radius curve to the left, the chord of which bears South 52° 39' 56" East 24.65 feet to a point; thence North 89° 17' 02" East 69.03 feet to the **POINT OF BEGINNING**, containing 496 square feet more or less.

ALSO beginning at a 5/8 inch iron rod at the Northeast Corner of Lot 56, Safari Estates, Phase 2; thence North 13° 00' 22" West 4.61 feet to a point; thence South 89° 17' 02" West 83.38 feet to a point; thence 36.27 along the arc of a 20.00 foot radius curve to the left, the chord of which bears South 37° 20' 04" West 31.50 feet to a point; thence South 14° 36' 55" East 4.64 feet to a point; thence 36.27 along the arc of a 20.00 foot radius curve to the right, the chord of which bears North 37° 20' 04" East 31.50 feet to a point; thence North 89° 17' 02" East 83.25 feet to the **POINT OF BEGINNING**, containing 490 square feet more or less.

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Landmark Surveying Inc

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p. 4

DESCRIPTION

Vacation of a portion of Wil Way
In the Northwest 1/4 of the Northwest 1/4, Section 20,
Township 28 South, Range 6 West, W.M.
City of Winston, Douglas County Oregon
Affecting Tax Lot 1600 and 1700

Beginning at a 5/8 inch iron rod at the Northeast corner of Lot 30, Safari Estates, Phase 2; thence North 77° 41' 18" East 4.50 feet to a point; thence South 13° 39' 10" East 37.74 feet to a point; thence 66.69 along the arc of a 77.50 foot radius curve to the right, the chord of which bears South 10° 59' 54" West 64.65 feet to a point; thence 17.71 along the arc of a 11.50 foot radius curve to the right, the chord of which bears South 79° 46' 46" West 16.01 feet to a point; thence North 55° 53' 49" West 13.04 feet to a point; thence 33.88 along the arc of a 20.00 foot radius curve to the left, the chord of which bears North 75° 22' 60" East 29.97 feet to a point; thence 52.09 along the arc of a 73.00 foot radius curve to the left, the chord of which bears North 06° 24' 52" East 51.00 feet to a point; thence North 14° 01' 44" West 37.59 feet to the **POINT OF BEGINNING**, containing 549 square feet more or less.

ALSO beginning at a 5/8 inch iron rod at the Northwest corner of Lot 29, Safari Estates, Phase 2; thence South 14° 01' 44" East 6.86 feet to a point; thence 73.87 along the arc of a 127.00 foot radius curve to the right, the chord of which bears South 02° 37' 59" West 72.83 feet to a point; thence North 89° 57' 18" West 5.13 feet to a point; thence 73.00 along the arc of a 122.53 foot radius curve to the left, the chord of which bears North 03° 02' 28" East 71.92 feet to a point; thence North 13° 38' 58" West 37.26 feet to a point; thence North 75° 55' 34" East 4.50 feet to a point; thence South 13° 53' 21" East 30.63 feet to a point; thence North 78° 07' 18" East 0.07 feet to the **POINT OF BEGINNING**, containing 524 square feet more or less