DOUGLAS COUNTY OFFICIAL RECORDS
BARBARA E. NIELSEN, COUNTY CLERK 2011-014729

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$15.00 $11.00 $17.00 $10.00

ORDINANCE NO. 3382

AN ORDINANCE VACATING A PORTION OF RIGHT-OF-WAY IN FRONT OF McMENAMINS LOCATED AT 700 SE SHERIDAN IN THE CITY OF ROSEBURG

WHEREAS, pursuant to Roseburg Municipal Code Chapter 4.06, upon receipt of a report from the Community Development Department, the City Recorder initiated proceedings to vacate a portion of right-of-way (sidewalk) in front of McMenamins located at 700 SE Sheridan in the City of Roseburg, more particularly described in Section 1 of this ordinance and shown on the map attached hereto as Exhibit "A" of this ordinance; and

WHEREAS, the City Recorder published a notice of a public hearing on the proposed vacation to be held before the Roseburg City Council on August 22, 2011, in The News-Review, a newspaper of general circulation in the City of Roseburg, Oregon, on August 7 and 14, 2011, posted said notice at or near each end of the vacation area and mailed the same to all affected property owners, not less than 14 days prior to the date of the hearing, all of which more fully appear in the proof of publication, posting and mailing on file in the City Recorder's Office; and

WHEREAS, such public hearing was duly held before the Roseburg City Council on the above-mentioned date, and all persons desiring to be heard on said matter were heard;

NOW, THEREFORE, THE CITY OF ROSEBURG ORDAINS AS FOLLOWS:

Section 1. That portion of right-of-way (sidewalk) in front of McMenamins, located at 700 SE Sheridan, in Roseburg, as shown on County Assessor's Map as Township 27S, Range 06W, Section 24, and more particularly described as follows, is hereby vacated:

> A parcel of land, being a portion of dedicated right-of-way, more commonly known as Sheridan Street, lying in the Northeast Quarter of Section 24, Township 27 South, Range 6 West, Willamette Meridian, Douglas County, Oregon and being more particularly described as follows:
>
> Beginning at the intersection of the Westerly right-of-way boundary of said Sheridan Street and the Northerly right-of-way boundary of Cass Street, from which the Northwest corner of that land described in Instrument Number 2010-012425, deed records of Douglas County bears North 31°34'16" East, 321.03 feet; said Northwest corner of Instrument Number

C.S. File No 67/35-1 a

2010-012425 also being the intersection of the Northerly right-of-way boundary of Oak Street and the Easterly right-of-way boundary of the Southern Pacific Railroad; Thence along said Northerly right-of-way of Cass Street, South 63°23'09" East, 2.87 feet to a point; Thence leaving said Northerly right-of-way of Cass Street, South 40°07'24" West, 111.97 feet to a point; Thence North 63°23'09" West, 2.76 feet to a point on said Westerly right-of-way of Sheridan Street; Thence along said Westerly right-of-way of Sheridan Street, North 40°04'00" East, 111.94 feet to the point of beginning and containing 306 square feet, more or less.

Section 2. A public and private utility easement shall be granted and reserved over the entire property described in the above Section 1, and being vacated by this ordinance, for the purpose of allowing continued existence and future maintenance of, and the right of ingress and egress to, any public or private utility which currently has facilities located within the area being vacated, until such time said facilities are relocated. There shall be no modifications to or construction on the property being vacated which would in any way interfere or conflict with any public and/or private utility currently located within the vacated area, unless plans for said modification or construction are developed in a manner which is considered compatible with said utilities.

Section 3. The title to the property being vacated by this ordinance shall attach to the lands bordering on such equal portions in accordance with ORS 271.140.

Section 4. Pursuant to ORS 271.150, the City Recorder is hereby directed to file a certified copy of this ordinance and the map attached hereto as Exhibit "A" with the Douglas County Clerk, Douglas County Assessor and Douglas County Surveyor.

ADOPTED BY THE CITY COUNCIL THIS 12 TH DAY OF SEPTEMBER, 2011.

APPROVED BY THE MAYOR THIS 12 TH DAY OF SEPTEMBER, 2011.

Larry Rich

Larry Rich, Mayor

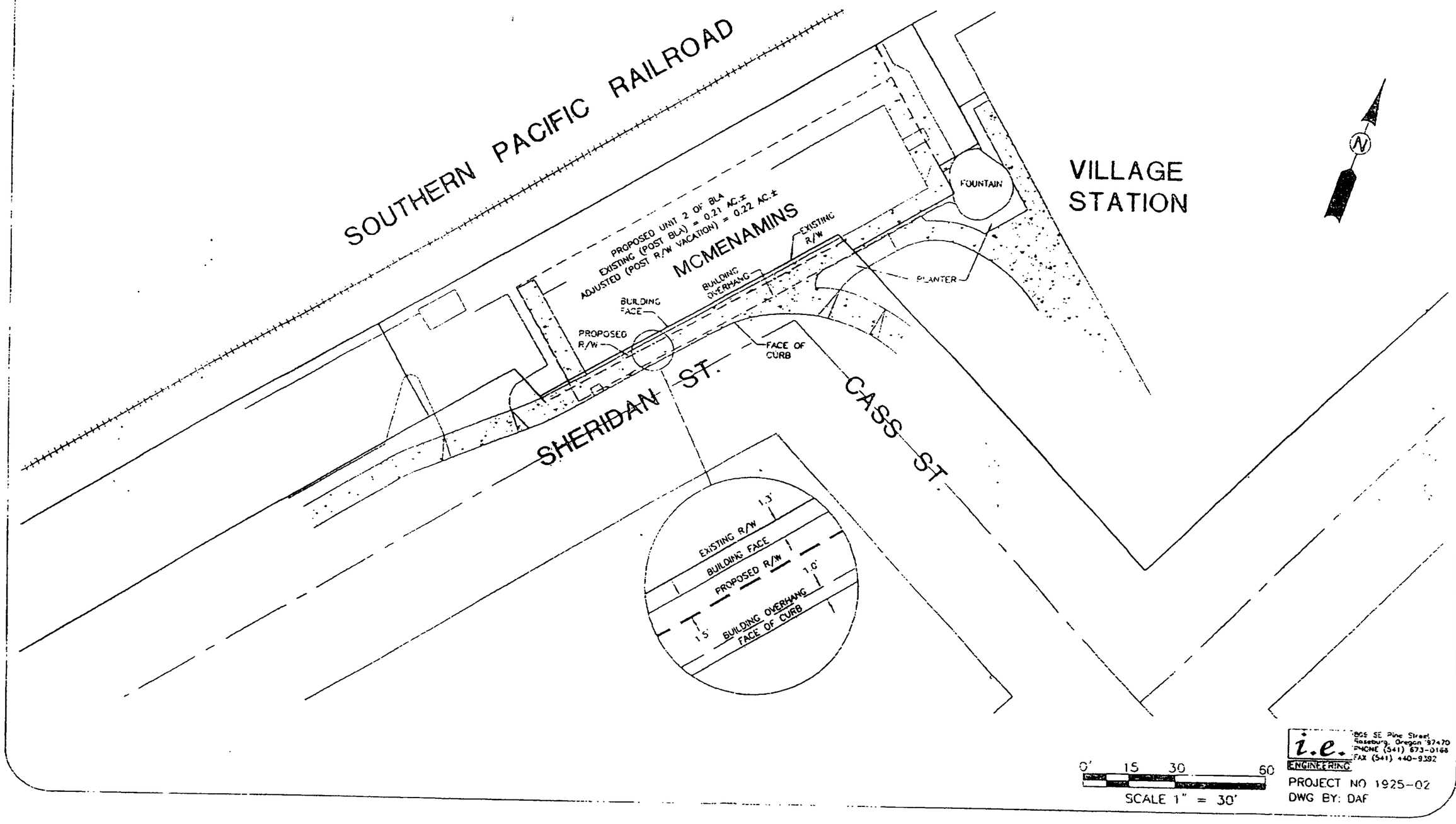
ATTEST:

Sheila R. Cox

Sheila R. Cox, City Recorder

C.S. File No 67/35-1b

PROPOSED SHERIDAN STREET RIGHT-OF-WAY VACATION
VACATED R/W AREA = 306 SQ. FT.±



i.e. ENGINEERING
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Roseburg, Oregon 97470
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PROJECT NO 1925-02
DWG BY: DAF

C.S. File No 67/35-1C

ORDINANCE NO. 3382 - Page 3— EXHIBIT "A"