

ORDINANCE NO. NS-2325

AN ORDINANCE VACATING THE RIGHT OF WAY OF THE BULB OF NE VICTOR PLACE

Findings:

- A. On December 12, 2018, Pahlisch Homes at Purcell Landing LLC (Petitioner) filed a petition to vacate the bulb of the cul-de-sac at the terminus of NE Victor Place.
- B. On January 16, 2019, the City Council directed staff to proceed to process the Petition.
- C. On January 25, 2019 and February 2, 2019, the City published notice of a public hearing on the requested vacation in The Bulletin, a newspaper of general circulation in the City once each week for two consecutive weeks, consistent with ORS 271.110. Within five days after the first day of publication of the notice, the City posted notice of the proposed street vacation at or near each end of the proposed vacation area.
- D. The City Council held a public hearing on the proposed vacation on February 6, 2019.
- E. Petitioner complied with applicable standards and has submitted the required number of signatures for the Petition to be approved.
- F. The City Council has determined that the public interest will not be prejudiced by the proposed vacation and that the property should be vacated in exchange for dedication of right of way for the new street alignments as proposed.

THE CITY OF BEND ORDAINS AS FOLLOWS:

- Section 1. The cul-de-sac bulb portion of NE Victor Place is vacated as described in Exhibit A and depicted in Exhibit B with the following condition:
- a. Petitioner shall dedicate right of way for the new street alignments as shown in the approved Tentative Plan PZ-17-0839.
- Section 2. When the City Manager has certified in writing that the condition that the dedication of the new street alignments has been fulfilled, by Petitioner's submittal of a Final Plat application, the City Recorder shall file and record this Ordinance in the Deschutes County Clerk's Office.
- Section 3. Once this Ordinance is recorded, Petitioner may record the Final Plat.
- Section 4. If the condition is not fulfilled within one year from this Ordinance's effective date, this Ordinance shall be null and void.

First Reading Date: February 6, 2019

Second reading and adoption by roll call vote: February 20, 2019

YES: Bruce Abernethy
Barb Campbell
Bill Moseley
Justin Livingston
Gena Goodman-Campbell
Chris Piper

NO: none



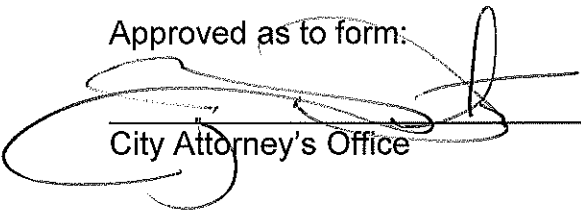
Bruce Abernethy, Mayor Pro Tem

ATTEST:



Robyn Christie, City Recorder

Approved as to form:



City Attorney's Office

EXHIBIT B

Map of Proposed ROW Vacation and Affected Area, Legal
Description and Approve Purcell Landing Tentative Plan

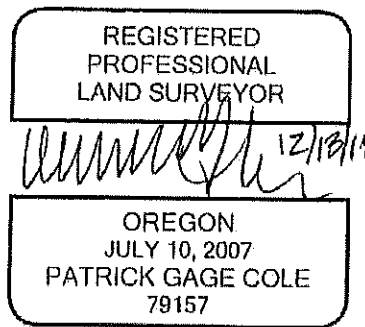
EXHIBIT A

A parcel of land containing 5,037 square feet, more or less, being a portion of Victor Place, as dedicated on the plat of Holliday Park-Second Addition, located in the Southwest Quarter of the Northeast Quarter (SW1/4 NE1/4) of Section 27, Township 17 South, Range 12 East, Willamette Meridian, City of Bend, Deschutes County, Oregon, more particularly described as follows:

Beginning at a point on the westerly right-of-way line of said Victor Place, also being the easterly most southeast corner of Lot 8, Holliday Park-Second Addition; thence along said westerly right-of-way line, North 87°42'50" West a distance of 10.00 feet; thence 157.11 feet along the arc of a non-tangent curve to the left with a radius of 50.00 feet, the chord of which bears South 02°17'10" West a distance of 100.00 feet; thence South 87°43'32" East a distance of 13.54 feet; thence leaving said right-of-way line, North 01°08'14" West a distance of 40.50 feet; thence 37.64 feet along the arc of a tangent curve to the right with a radius of 630.00 feet, the chord of which bears North 00°34'28" East a distance of 37.64 feet; thence North 02°17'10" East a distance of 21.95 feet to the Point of Beginning, the terminus of this description.

Bearings are based on the Central Oregon Coordinate System.

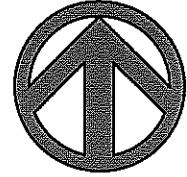
See attached map titled "EXHIBIT B", hereby incorporated by reference.



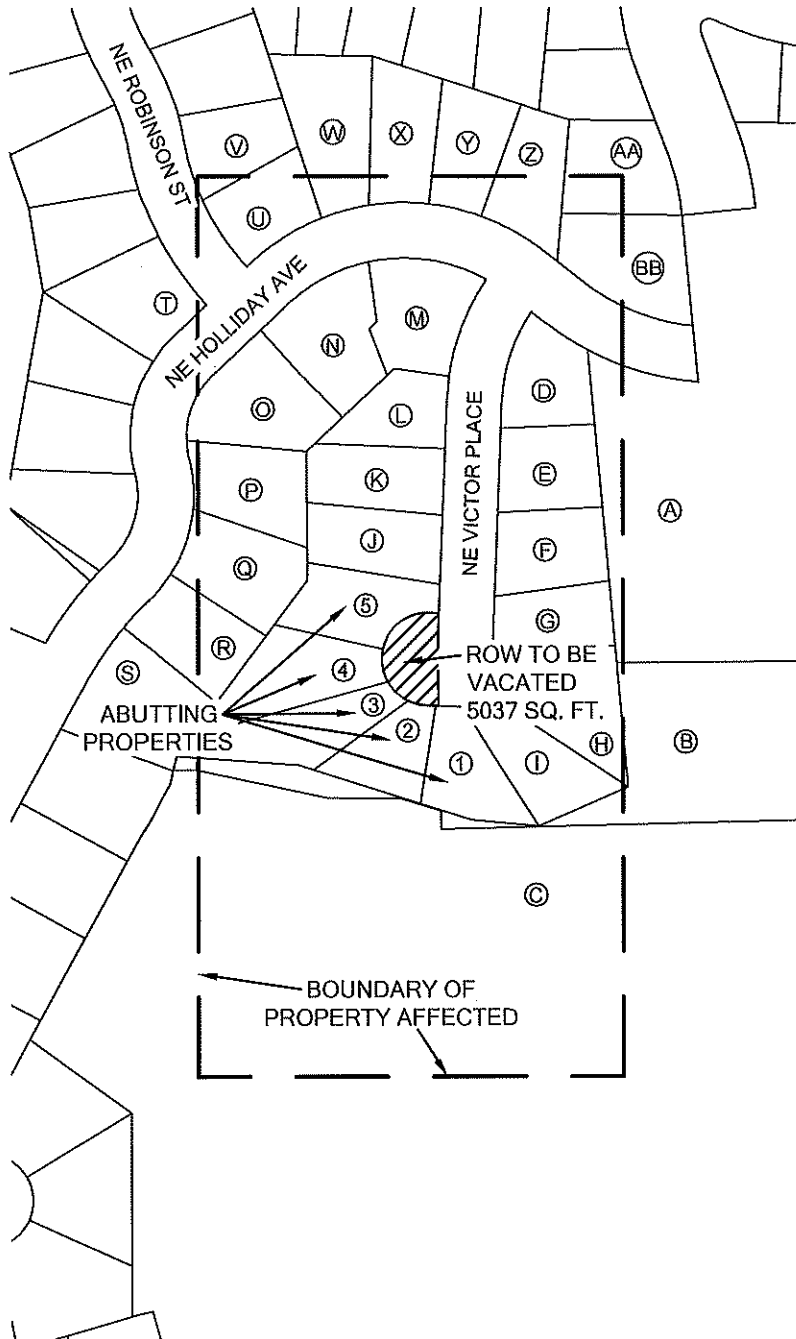
EXPIRES: 12/31/19

EXHIBIT "B"

LOCATED IN THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER (NW1/4 SE1/4)
AND THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER (SW1/4 NE1/4) OF
SECTION 27, TOWNSHIP 17 SOUTH, RANGE 12 EAST, W.M.,
CITY OF BEND, DESCHUTES COUNTY, OREGON



NORTH



ABUTTING PROPERTIES

- 1) 171227DB04600
- 2) 171227DB04500
- 3) 171227DB04400
- 4) 171227DB04300
- 5) 171227AC06200

AFFECTED PROPERTIES

- A) 171227AC06700
- B) 171227DB00101
- C) 171227DB00100
- D) 171227AC06600
- E) 171227AC06500
- F) 171227AC06400
- G) 171227AC06300
- H) 171227DB04800
- I) 171227DB04700
- J) 171227AC06100
- K) 171227AC06000
- L) 171227AC05900
- M) 171227AC05800
- N) 171227AC05700
- O) 171227AC05500
- P) 171227AC03300
- Q) 171227AC03200
- R) 171227AC03100
- S) 171227AC03000
- T) 171227AC05300
- U) 171227AC07300
- V) 171227AC07400
- W) 171227AC07200
- X) 171227AC07100
- Y) 171227AC07000
- Z) 171227AC06900
- AA) 171227AC00164
- BB) 171227AC06800

