

ORDINANCE NO. NS-2378

AN ORDINANCE VACATING THE ALLEY IN BLOCK 31 OF RIVERSIDE SUBDIVISION

Findings:

- A. On March 25, 2019, Oliver W. Raab (Petitioner) filed a petition to vacate the alley in Block 31 of Riverside Subdivision.
- B. On August 7, 2019, the City Council directed staff to proceed to process the Petition.
- C. On July 22, 2020 and July 29, 2020, 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 alley vacation at the east end of the alley abutting NE 4th Street.
- D. The City Council held a public hearing on the proposed vacation on September 4, 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 upon fulfillment of the conditions within this ordinance.

THE CITY OF BEND ORDAINS AS FOLLOWS:

Section 1. The alley in Block 31 of the Riverside Subdivision is vacated as described in Exhibit A and depicted in Exhibit B on the following conditions.

- 1. The applicant pays \$50,000 to the City to be used for right-of-way acquisition of the alley.
- 2. The applicant will pay \$2,540.25 to reimburse the City for broker opinion of value costs.
- 3. The applicant will pay recording costs for the recording of the vacation ordinance.

Section 2. When the City Manager has certified in writing that the conditions have been fulfilled, the City Recorder shall file and record this Ordinance in the Deschutes County Clerk's office.

First Reading Date: August 5, 2020

Second reading and adoption by roll call vote: August 19, 2020

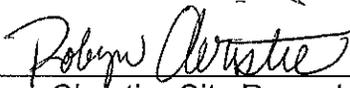
YES: Sally Russell, Mayor
Bruce Abernethy
Barb Campbell
Bill Moseley
Justin Livingston
Gena Goodman-Campbell
Chris Piper

NO: none



Sally Russell, Mayor

Attest:



Robyn Christie, City Recorder

Approved as to form:



Mary Winters, City Attorney

EXHIBIT A

The alley in Block 31 of Riverside lying between the westerly right-of-way of East 4th Street and a line from the southwest corner of Lot 7 to the northwest corner of Lot 16, of said Block 31 of Riverside.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

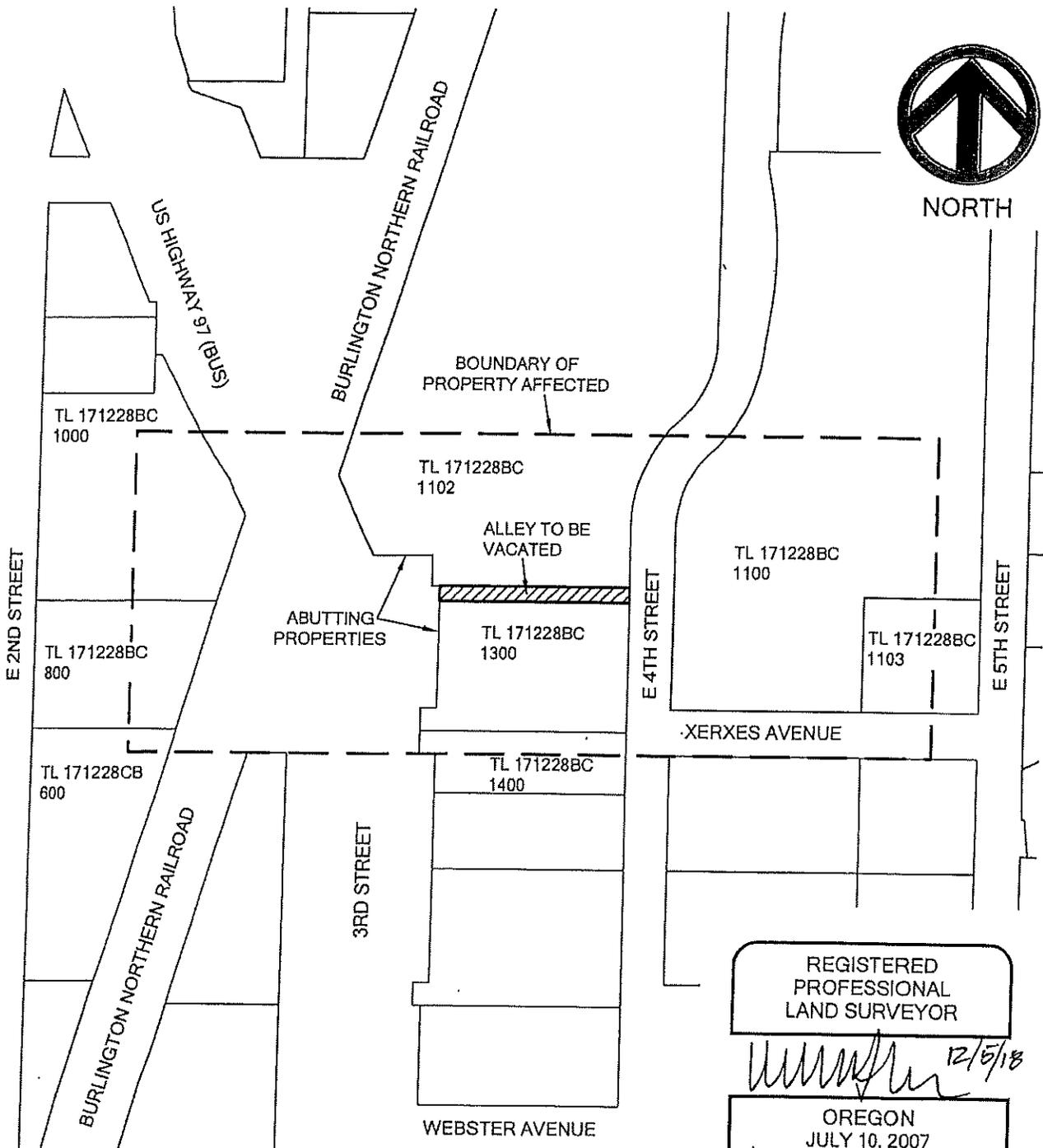
Patrick Gage Cole 12/15/18

OREGON
JULY 10, 2007
PATRICK GAGE COLE
79157

EXPIRES: 12/31/19

EXHIBIT "B"

LOCATED IN THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER (SW1/4 NW1/4)
 OF SECTION 28, TOWNSHIP 17 SOUTH, RANGE 12 EAST, W.M.,
 CITY OF BEND, DESCHUTES COUNTY, OREGON



REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

Patrick Gage Cole 12/5/18

OREGON
 JULY 10, 2007
 PATRICK GAGE COLE
 79157

EXPIRES: 12/31/19



HIGH DESERT INDUSTRIAL ALLEY VACATION

180506-VACATION.DWG

SCALE: 1" = 200'

DRAWN BY: AQR

DATE: 10/18/2018

SHEET

1/1