

ORDINANCE NO. NS-2270

AN ORDINANCE VACATING THE RIGHT OF WAY OF A PORTION OF THE PUBLIC RIGHT-OF-WAY OF DESERT OAK STREET NORTH OF HOPE DRIVE.

Findings:

- A. On April 8, 2016, Bryant, SGS Development LLC and Dale Glasscock filed a petition to vacate a portion of the public right-of-way of Desert Oak Street north of Hope Drive.
- B. On May 4, 2016, the City Council directed staff to proceed to process the Petition as part of the consent agenda.
- C. On May 13, 2016 and May 20, 2016, 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, in at least two conspicuous places, at or near each end of the proposed vacation areas. The first publication and posting of the notice occurred not less than 14 days prior to the hearing on the proposed vacation.
- D. The City Council held a public hearing on the proposed vacation on June 1, 2016.
- E. The Petitioner complied with applicable standards and the Applicants have 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. A portion of Desert Oak Street north of Hope Drive is vacated as described in Exhibit A and depicted in Exhibit B with the following condition:
- a. Applicant shall dedicate right of way for the new street alignments as shown in Exhibits A and B.
- 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 Applicant'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, Applicant 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: June 1, 2016

Second reading and adoption by roll call vote: June 15, 2016

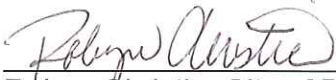
YES: Jim Clinton, Mayor
Doug Knight
Victor Chudowsky
Sally Russell
Nathan Boddie
Casey Roats
Barb Campbell

NO:



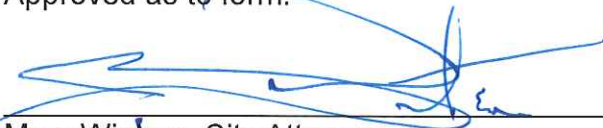
Jim Clinton, Mayor

Attest:



Robyn Christie, City of Bend Recorder

Approved as to form:



Mary Winters, City Attorney

Exhibit "A"

Right-of-Way Vacation

A portion of the Right-of-Way of Desert Oak Drive, located in the Northwest One-Quarter of the Northwest One-Quarter of Section 26, Township 17 South, Range 12 East, Willamette Meridian, City of Bend, Deschutes County, Oregon, being more particularly described as follows:

Beginning at the Northeast corner of Tract C of Eaglenest, Phase II, being a 5/8 iron rod with a yellow plastic cap marked "HWA"; thence $50^{\circ}04'26''$ E 33.23 feet along the East line of Tract C to the Southeast corner of Tract C, being $N80^{\circ}45'23''$ W 1.25 feet from a 5/8" iron rod with no cap, bent; thence leaving said East line, $N89^{\circ}45'36''$ E 29.49 feet; thence along a curve to the left with a radius of 150.00 feet, a length of 30.85 feet, a central angle of $11^{\circ}47'04''$ and a chord that bears $N82^{\circ}05'53''$ E 30.80 feet to the Southwest corner of Tract F of Oakview Phase VII, being a 5/8" iron rod with a yellow plastic cap marked "HWA"; thence along the west line of said Tract F, $N0^{\circ}04'26''$ W 28.99 feet to the Northwest corner of Tract F, Oakview Phase VII, being a 5/8" iron rod marked "HWA"; thence leaving said west line $S89^{\circ}53'26''$ W 60.00 feet to the POINT OF BEGINNING.

The above described land contains 1,943 square feet, more or less. The Basis of Bearings is per the west line of Tract F, Oakview, Phase VII, per Deschutes County Survey Number 16357.

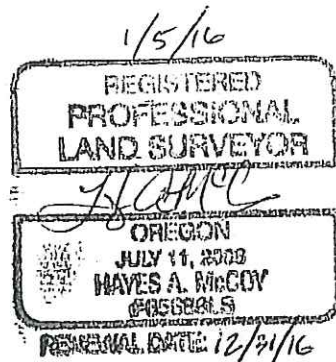
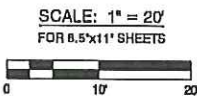
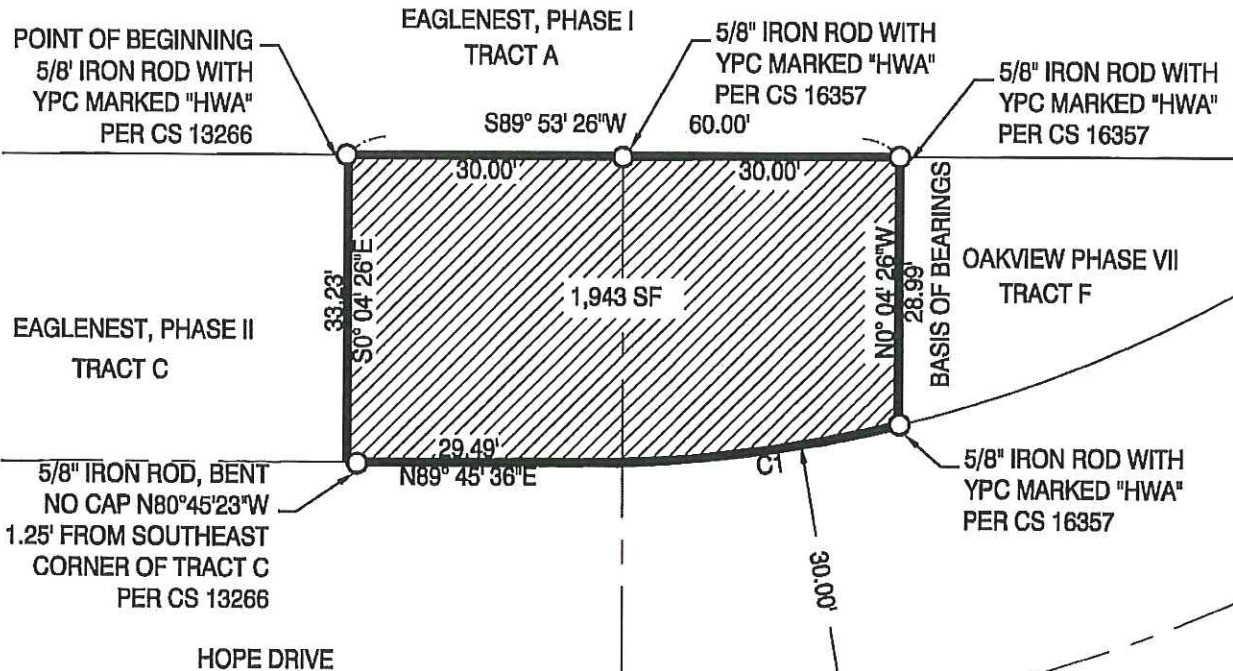


EXHIBIT B

RIGHT-OF-WAY VACATION
 A PORTION OF THE RIGHT-OF-WAY OF DESERT OAK DRIVE
 LOCATED IN THE NORTHWEST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER OF
 SECTION 26, TOWNSHIP 17 SOUTH, RANGE 12 EAST, WILLAMETTE MERIDIAN, CITY OF BEND,
 DESCHUTES COUNTY, OREGON.



1/5/16
 REGISTERED PROFESSIONAL LAND SURVEYOR
 HAYES A. MCCOY
 OREGON
 JULY 11, 2008
 #25420LS
 RENEWAL DATE: 12/31/16

Curve Table					
CURVE	RADIUS	LENGTH	DELTA	CHORD	CHORD BEARING
C1	150.00'	30.85'	11°47'04"	30.80'	N82° 05' 53"E

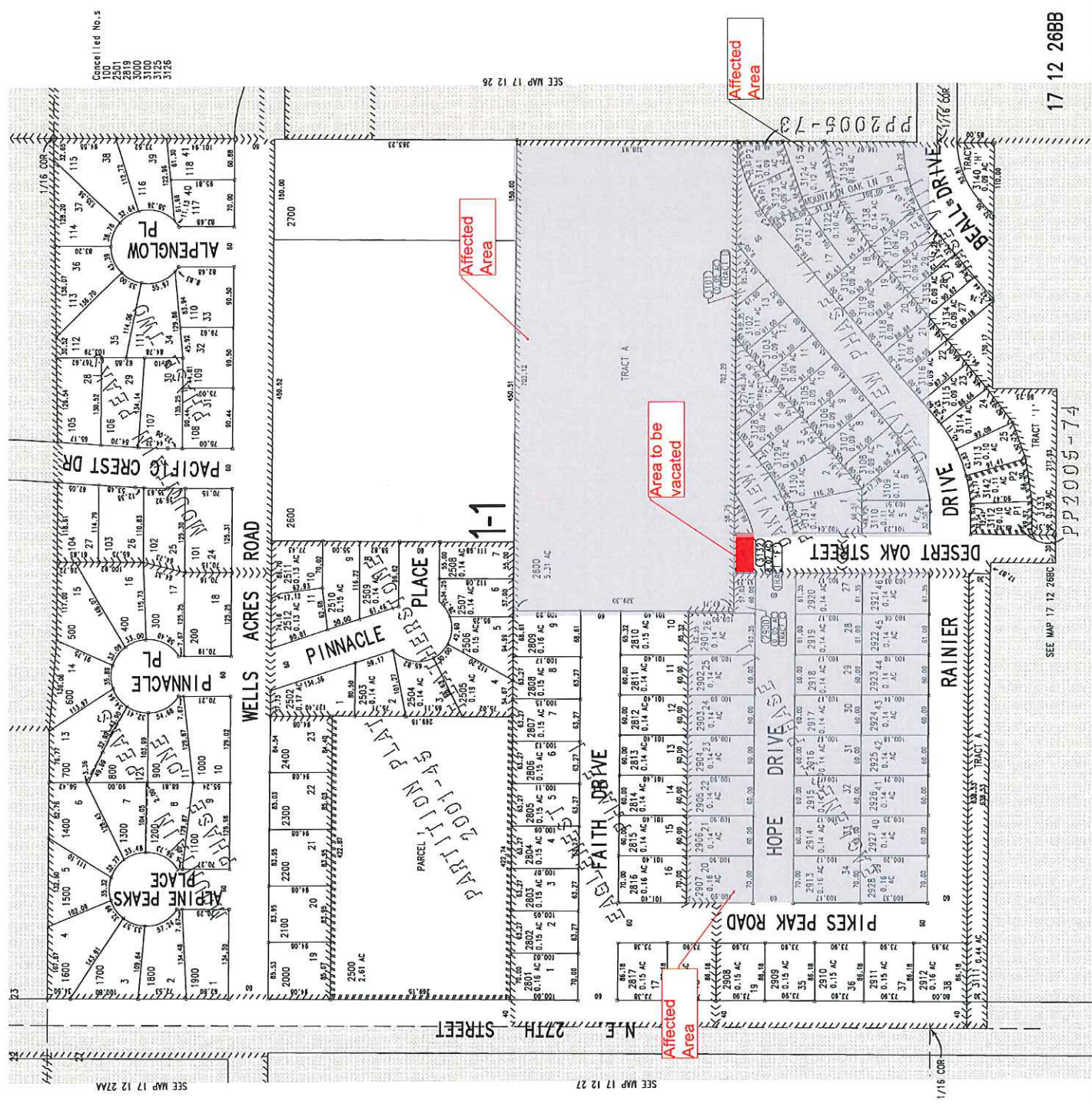
PROJECT: EASTMONT VACATION PROPOSAL		PROJECT NO: 15-087	
DESIGN: CA	DATE: 1/5/2016	REV: DETAIL 1	PAGE: EXH. B

THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY.
REVISED: 11/14/2005

NW1/4 NW1/4 SEC. 26 T.17S. R.12E. W.M.
DESCHUTES COUNTY

17 12 2000

1" = 100'



- Cancelled No. 5
- 100
 - 2501
 - 2819
 - 3000
 - 3003
 - 3125
 - 3126

17 12 2688

SEE MAP 17 12 268C

PP2005-74

17 12 2688

PZ-16-0028

Eastridge Tentative Plan

