

ORDINANCE NO. NS-2377

AN ORDINANCE VACATING THE RIGHT OF WAY OF NE 2nd STREET BETWEEN NE REVERE AVENUE AND NE QUIMBY AVENUE

Findings:

- A. On March 2, 2020, Kurt Schneider (Petitioner) filed a petition to vacate NE 2nd Street between NE Revere Avenue and NE Quimby Avenue.
- B. On June 3, 2020, the City Council directed staff to proceed to process the Petition.
- C. On June 17, 2020 and June 24, 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. On June 19, 2020, the City posted notice of the proposed street vacation at each end of the proposed vacation area.
- D. The City Council held a public hearing on the proposed vacation on July 15, 2020.
- 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 right-of-way of NE 2nd Street between NE Revere Avenue and NE Quimby Avenue is vacated as described in Exhibit A and depicted in Exhibit B with the following conditions:

- a. The applicant pays \$95,000 to be used for acquisition of the right-of-way segment.
- b. The applicant records a 10-foot wide bicycle/pedestrian easement within the vacated right-of-way alignment.
- c. The vacation will not be effective until the applicant submits a Site Plan Review application that is generally consistent with the conceptual plan proposed under PZ-20-0174, and a land use decision approving the application is issued by the City.

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

Section 3. If conditions are not fulfilled within one year from this Ordinance's effective date, this Ordinance shall be null and void.

First Reading Date: July 15, 2020

Second reading and adoption by roll call vote: August 5, 2020

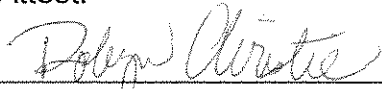
YES: Sally Russell, Mayor
Bruce Abernethy
Barb Campbell
Bill Moseley
Justin Livingston
Gena Goodman-Campbell
Chris Piper

NO: none



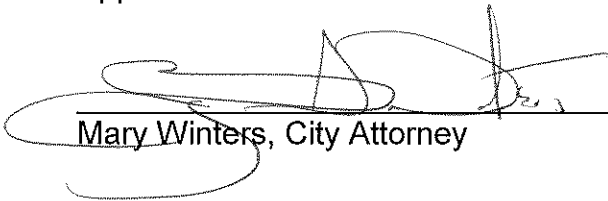
Sally Russell, Mayor

Attest:

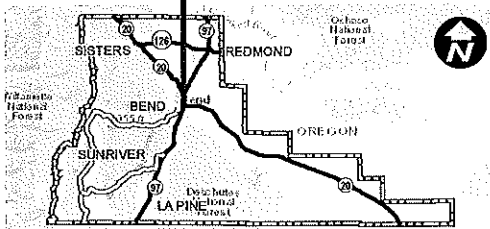
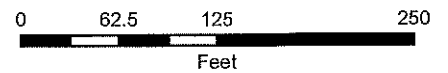


Robyn Christie, City Recorder

Approved as to form:



Mary Winters, City Attorney



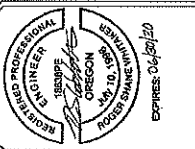
DESCHUTES COUNTY TITLE
"Service is the Difference"

2nd St Vacation parcels

Property #	Owner Name	Tax Map #	Deed #
1	Jt Holdings LLC	171229DD03601	2007-43791
2	Jt Holdings LLC	171229DD03600	2007-43791
3	Walker, Jim	171229DD03700	413-2889
4	Williams Bakery	171228CC02101	110-1667
5	Williams Bakery	171228CC02102	110-1667
6	Williams Bakery	171228CC02000	110-1667
7	Bookcooks LLC	171228CC01900	2016-15850
8	William L Miller Trust	171229DD04000	2016-3178
9	Dyer, Laurence A	171229DD03900	2018-11344
10	Dyer, Laurence A	171229DD03901	2018-11344
11	Dyer Family Investments LLC	171229DD03800	2015-836
12	Maverick Decatur Georgia, LLC	171228CC05500	2017-43593
13	Daisy Property Investments LLC	171229DD06900	2018-21158
14	Sloter, James F & Kenyon, Janet L	171229DD06800	2002-47911
15	Keith L Dodge CPA LLC	171229DD06700	2018-3088
16	Creative Real Estate Solutions LLC	171228CC05901	2015-8419
17	Stallcup Properties LLC	171228CC06100	2012-51532

Legal Description

That portion of the 2nd Street right-of-way of Block 17 of the Riverside Subdivision between Revere and Quimby Avenue.



NE 2ND STREET
AND
NE QUIMBY AVE
BETWEEN NE REVERE AVE
AND
NE QUIMBY AVE

PROPOSED
RIGHT OF WAY
VACATION

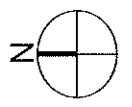
DRAWN BY: ROGER WHITTAKER, P.E.
ISSUE DATE: AUGUST 28, 2017
MARK REVISIONS:

A1



CITY OF BEND STAMP

NOT TO SCALE



LEGEND

(E) RIGHT OF WAY AREA TO BE VACATED

PROPOSED (P) LOT LINE

APPROXIMATE PROPERTY LINE

(NOTE: SEE EXHIBIT A FOR TAX LOT DETAILS)