

RESOLUTION NO. 1662

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CENTRAL POINT AUTHORIZING THE CITY-INITIATED VACATION OF A PUBLIC UTILITY EASEMENT OVER THE PORTION OF THE PUBLIC ALLEY AND AMY STREET VACATED BY ORDINANCE NO. 1837 ON AUGUST 14, 2003

RECITALS:

- A. WHEREAS, in 2003 the City Council vacated certain unimproved portions of Ash and Amy Streets, Chicory Lane and a Public Alley, and reserved to the City of Central Point, all applicable public contracting agencies, and contracting cable television companies, an easement over the vacated street and alleys for purposes of installation, maintenance, repair and replacement of utilities and cable vision facilities by Ordinance No. 1837 (the "Easement").
- B. WHEREAS, the City has received approval to construct a new Public Works facility to be located on Parcel 1 of Partition Plat No. P-72-2007, recorded in Volume 18 at Page 75 of the Records of Partition Plats of Jackson County, Oregon, and filed as Survey Number 19847 in the Office of the Jackson County Surveyor, and a portion of Parcel 2 of Partition Plat No. P-33-2016, recorded in Volume 27 at Page 33, of the Records of Partition Plats of Jackson County, Oregon, and filed as Survey Number 22068, in the Office of the Jackson County Surveyor.
- C. WHEREAS, the construction of the new Public Works facility conflicts with the location of the Easement.
- D. WHEREAS, the City intends to vacate the Easement, and relocate the easement as necessary to accommodate the new Public Works facility.
- E. WHEREAS, the Oregon Revised Statutes (ORS) Chapter 271 provides for the vacation of public street rights-of-way.

WHEREAS, the City Council wishes to follow the provisions of ORS 271 and initiate the vacation of the twenty-foot-wide public utility easement over the portion of the public alley and Amy Street vacated by Ordinance No. 1837 on its own motion pursuant to ORS 271.130

The City of Central Point resolves as follows:

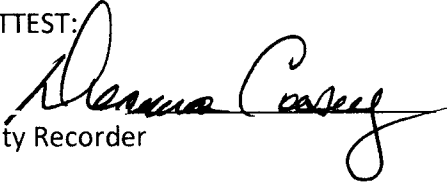
Section 1. Initiating Utility Vacation. The street vacation of the 20-foot wide public utility easement over the portion of the public alley and Amy Street, pursuant to ORS 271.130, is initiated effective immediately. The easement to be considered for vacation is described and depicted in Exhibits A and B attached hereto, and incorporated herein by reference.

Res. No. 1661; April 22, 2021

Section 2. Public Hearing. A duly noticed public hearing shall be set for May 27, 2021, or such other date as noticed by the City Recorder.

Passed by the Council and signed by me in authentication of its passage this 22<sup>nd</sup> day of April 2021.

  
Mayor Hank Williams

ATTEST:  
  
City Recorder

Res. No. 11661; April 22, 2021

## **EXHIBIT " A "**

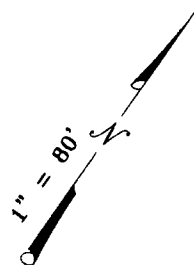
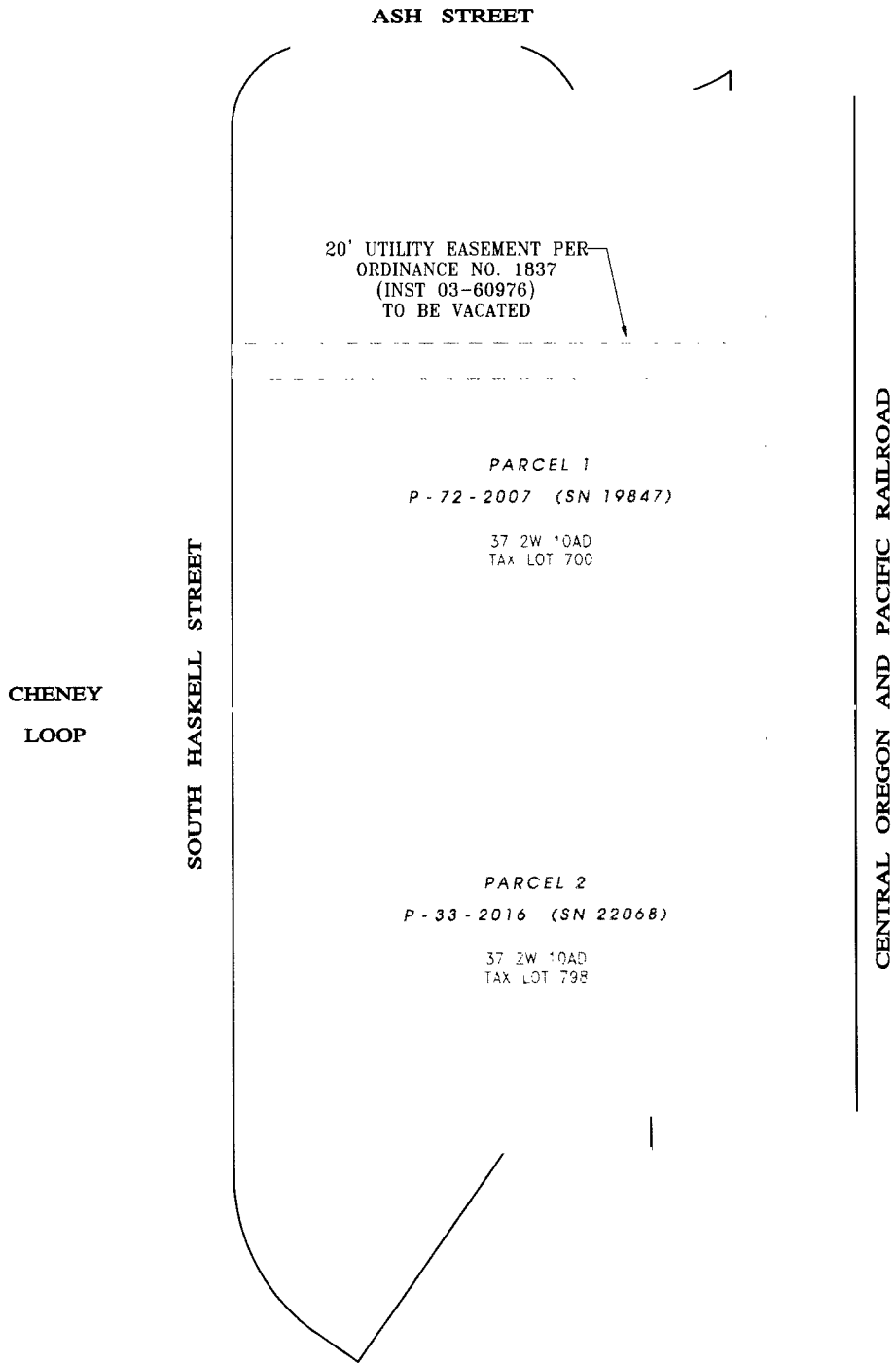
### **EASEMENT VACATION DESCRIPTION SHEET 37 2W 10AD, TAX LOTS 700 & 798**

That certain 20-foot-wide utility easement over the portion of the public alley and Amy Street vacated by Ordinance No. 1837, passed by City Council on August 14, 2003, and recorded as Instrument Number 03-60976, of the Official Records of Jackson County, Oregon, being located over a portion of Parcel 1 of Partition Plat No. P-72-2007, recorded in Volume 18 at Page 75 of the Records of Partition Plats of Jackson County, Oregon, and filed as Survey Number 19847 in the Office of the Jackson County Surveyor, and a portion of Parcel 2 of Partition Plat No. P-33-2016, recorded in Volume 27 at Page 33, of the Records of Partition Plats of Jackson County, Oregon, and filed as Survey Number 22068, in the Office of the Jackson County Surveyor. Said easement being located within Donation Land Claim No. 53 in the Southeast One-quarter of the Northeast One-quarter of Section 10, Township 37 South, Range 2 West of the Willamette Meridian, in the City of Central Point, Jackson County, Oregon.

Prepared By: Neathamer Surveying, Inc.  
3126 State Street, Suite 203  
PO Box 1584  
Medford, Oregon 97501  
Phone: (541) 732-2869  
Project Number: 09002-T-40

Date: April 14, 2021

EXHIBIT "B"



REGISTERED  
PROFESSIONAL  
LAND SURVEYOR  
**PRELIMINARY**  
OREGON  
JULY 9, 2001  
CAEL E. NEATHAMER  
56545  
Renewal Date 12/31/22