

CITY OF TIGARD, OREGON

ORDINANCE NO. 01-11

AN ORDINANCE CONCERNING THE VACATION OF APPROXIMATELY 11,702 SQUARE FEET OF PUBLIC RIGHT-OF-WAY ON SW BEVELAND STREET, IN THE CITY OF TIGARD, WASHINGTON COUNTY, OREGON (VAC2001-00002).

WHEREAS, the Tigard City Council initiated this vacation request pursuant to Section 15.08.040 of the Tigard Municipal Code on July 10, 2001, and

WHEREAS, the approximate 11,702 square foot portion of the right-of-way had previously been dedicated to the public; and

WHEREAS, SW Beveland Street has been realigned to ensure better traffic flow at the SW Beveland/SW 72nd Avenue intersection; and

WHEREAS, the applicant has requested that the City of Tigard vacate the approximate 11,702 square foot portion of public right-of-way; and

WHEREAS, the said portion of public right-of-way may no longer be necessary; and

WHEREAS, the Tigard City Council finds it appropriate to vacate the requested public right-of-way;

WHEREAS, the City will no longer have maintenance responsibility of this area; and

WHEREAS, all affected service providers, including utility companies and emergency service providers, have reviewed the vacation proposal and have provided no objections; and

WHEREAS, notice has been mailed to all property owners abutting said vacation area and all owners in the affected area, as described by ORS 271.080; and

WHEREAS, in accordance with Tigard Municipal Code 15.08.120, notice of the public hearing was posted in the area to be vacated and published in the newspaper; and

WHEREAS, the property owners of the majority of the area affected have not objected in writing; and

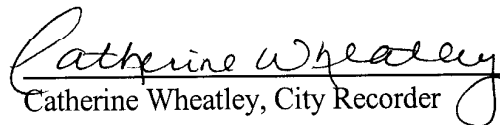
WHEREAS, the City Council having considered the request at a public hearing on August 28, 2001, finds that it is in the public interest to approve the request to vacate said public right-of-way as the public interest will not be prejudiced by this vacation, as provided by ORS 271.120 and TMC Section 15.08.130.

NOW, THEREFORE, THE CITY OF TIGARD ORDAINS AS FOLLOWS:

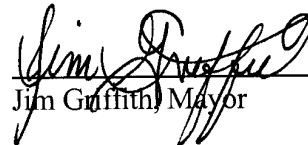
SECTION 1: The Tigard City Council hereby orders the vacation of an approximate 11,702 square foot portion of public right-of-way as more particularly described in Exhibit "A" and Exhibit "B" and by reference, made a part hereof.

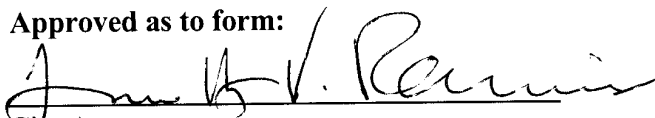
SECTION 2: This ordinance shall be effective 30 days after its passage by the Council, approval by the Mayor, and posting by the City Recorder.

PASSED: By UNANIMOUS vote of all Council members present after being read by number and title only, this 28th day of August, 2001.


Catherine Wheatley, City Recorder

APPROVED: By Tigard City Council this 28th day of August, 2001.


Jim Griffith, Mayor

Approved as to form:

City Attorney

August 28, 2001
Date

Griffin Land Surveying

12700 SW North Dakota St. - Suite 180, PMB 216 - Tigard, Or. 97223

Office: (503)579-8503

Fax: (503)579-6823

April 30, 2001

S.W. Beveland Road - Right of Way Vacation Legal Description

A portion of SW Beveland Road as platted in "Hermoso Park", a subdivision filed in Washington County Plat Records, situated in the NE 1/4 of Section 1, T.2S., R.1W., W.M., City of Tigard, Washington County, Oregon, being more particularly described as follows:

Beginning at the Southwest corner of Lot 16 of said "Hermoso Park";

Thence Easterly along the North right of way line of said SW Beveland Road to a point 46 feet westerly, when measured at right angles, from the centerline of SW 72nd Avenue;

Thence parallel with said centerline. S 2°33'30" W, 30.17 feet to the centerline of said SW Beveland Road;

Thence continuing parallel with the centerline of said SW 72nd Avenue, S 2°33'30" W, 22.37 feet;

Thence along the arc of a curve concave Westerly, having a radius of 20.00 feet, through a central angle of 22°24'32" (chord bears S 13°45'46" W, 7.77 feet) a distance of 7.82 feet to the South right of way line of said SW Beveland Road;

Thence along said South right of way line, N 81°54'22" W, 150.17 feet;

Thence along the arc of a non-tangent curve concave Northeasterly, radius point bears N 29°27'42" E, 245.00 feet, through a central angle of 8°16'58" (chord bears N 55°53'48" W, 39.65 feet) a distance of 39.69 feet;

Thence along the arc of a reverse curve concave Southwesterly, having a radius of 305.00 feet, through a central angle of 5°35'26" (chord bears N 54°03'02" W, 29.75 feet) a distance of 29.75 feet to a point S 8°05'38" W from the Southwest corner of said Lot 16;

Thence N 8°05'38" E, 28.71 feet to the point of beginning.

Courses in the above description are derived from a Record of Survey prepared in March 2001 by Minister-Glaeser Surveying Inc.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Kenneth D. Griffin

OREGON
JULY 28, 1983
KENNETH D. GRIFFIN
2147

Renews 6/30/01

MAP OF S.W. BEVELAND ROAD
RIGHT OF WAY VACATION



| NO. | RADIUS | DELTA | LENGTH | CHORD BEARING | CHORD |
|-----|---------|-------------|--------|----------------|--------|
| C1 | 20.00' | 22° 24' 32" | 7.82' | S13° 45' 46" W | 7.77' |
| C2 | 245.00' | 9° 16' 59" | 39.69' | N53° 53' 48" W | 35.65' |
| C3 | 305.00' | 5° 35' 26" | 29.75' | N54° 03' 02" W | 25.75' |

Exhibit C



CITY of TIGARD

GEOGRAPHIC INFORMATION SYSTEM

VICINITY MAP

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VAC2001-00002

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BEVELAND STREET
 @ 72ND AVENUE
 PUBLIC RIGHT-OF-WAY
 STREET VACATION

Approximate area to be vacated



1" = 423 feet



City of Tigard

Information on this map is for general location only and should be verified with the Development Services Division.
 13125 SW Hall Blvd
 Tigard, OR 97223
 (503) 639-4171
<http://www.ci.tigard.or.us>

Plot date: Jun 11, 2001; C:\vmagic\MAGIC03.APR