

Council Business Meeting

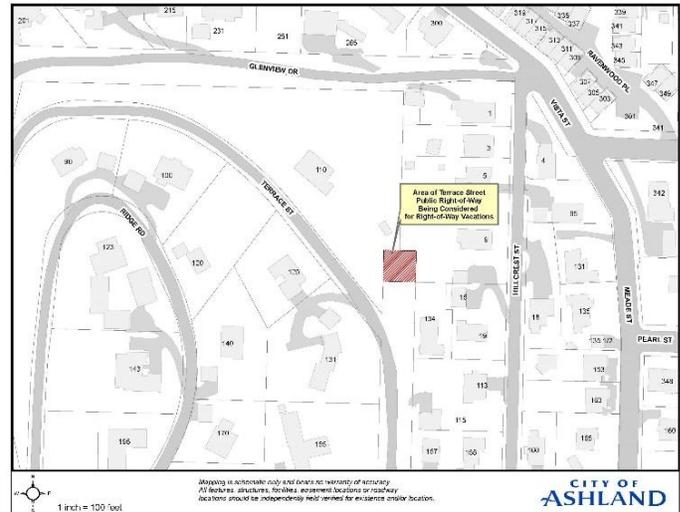
November 20, 2018

Agenda Item	Vacation of a Public Right-of-Way; A Portion of Terrace Street	
From	Scott Fleury P.E.	Deputy Public Works Director
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SUMMARY

Before the Council is the second reading of an ordinance to vacate a portion of public right-of-way. The right-of-way in question is a 2,589 square foot section located at the current end of "Terrace Street." This section is not used by the public currently and is only used for access to the two property owners at 9 Hillcrest and 110 Terrace Street.

A previous right-of-way vacation adjacent to this request was granted in 1947 by Ordinance 1065, and eliminated the ability of a future roadway connection between Terrace Street and Glenview Drive. An easement was granted for future placement of public infrastructure and utilities at the discretion of the City.



POLICIES, PLANS & GOALS SUPPORTED

City Council:

- Evaluate real property and facility assets to strategically support city mission and goals.*

PREVIOUS COUNCIL ACTION

At the November 5, 2018, business meeting, Council held a public hearing on the subject as required by ORS 271, and approved first reading of the proposed ordinance that vacates a portion of Terrace Street public right-of-way.

BACKGROUND AND ADDITIONAL INFORMATION

This a continuation of an ordinance reading to vacate a portion of the Terrace Street right-of-way. The previous staff report can be found in the attachments and details the process for right-of-way vacations and subsequent ordinance approval. As a reminder, this action is only to remove the public's interest in a section of previously dedicated roadway. This is not a part of the planning action on the future use or development of the properties that acquire the vacated land sections.

FISCAL IMPACTS

The only resource requirements were staff time to bring the vacation forward through the Planning Commission and City Council. The applicant is required to submit a vacation petition fee of \$250.00 to the City Recorder as reimbursement for associated staff time. The applicant is responsible for the recording of all applicable documents with Jackson County. If the property is vacated, it will become private and assessable for property taxes as part of each individual tax lot.

STAFF RECOMMENDATION

Staff recommends Council approve the second reading of an ordinance vacating a portion of Terrace Street.

ACTIONS, OPTIONS & POTENTIAL MOTIONS

- I move to approve second reading of an ordinance titled: An Ordinance Vacating a Certain Portion of Terrace Street in the City of Ashland, Jackson County, Oregon.

ATTACHMENTS

Attachment 1: Terrace Street Vacation Ordinance 19xx

REFERENCES

[November 5, 2018 Staff Report-Terrace Street Right-of-Way Vacation](#)

ORDINANCE NO. _____

AN ORDINANCE VACATING A CERTAIN PORTION OF TERRACE STREET IN THE CITY OF ASHLAND, JACKSON COUNTY OREGON

WHEREAS, Article 2. Section 1 of the Ashland City Charter provides:

Powers of the City. The City shall have all powers which the constitutions, statutes, and common law of the United States and of this State expressly or impliedly grant or allow municipalities, as fully as though this Charter specifically enumerated each of those powers, as well as all powers not inconsistent with the foregoing; and, in addition thereto, shall possess all powers hereinafter specifically granted. All the authority thereof shall have perpetual succession.

WHEREAS, by petition signed by the majority of the adjoining property owners, it has been requested the City of Ashland vacate a portion of the Terrace Street roadway hereinafter described, and

WHEREAS, the Planning Commission of the City of Ashland has recommended that said roadway be vacated, and

WHEREAS, due notice of said vacation has been given in the manner and form required by law; and a hearing has been held thereon; and it appearing to the City Council of the City of Ashland that the public convenience and welfare will be served thereby and that this vacation is in the public interest,

NOW THEREFORE,

THE PEOPLE OF THE CITY OF ASHLAND DO ORDAIN AS FOLLOWS:

SECTION 1.

That the certain roadway section of Terrace Street, described as follows:

All of that 50.00 foot wide portion of Terrace Street in the City of Ashland, Oregon, lying adjacent to and westerly of Lot 19 and the South 0.60 feet of Lot 20 of the Summit Addition to the City of Ashland, recorded on December 21, 1888 in Volume 18, Pages 8, 9, 10, 11 of the Deed Records in Jackson County, Oregon, and adopted by the Ashland City Council on February 4, 1889.

Containing 0.06 acres or 2,500 square feet more or less.

Be, and the same hereby is, vacated.

SECTION 2.

That the City Recorder is hereby directed to deliver a certified copy of said ordinance to the County Clerk and County Assessor of Jackson County, Oregon.

The foregoing ordinance was duly passed as a regular Council Business Meeting held on the Fifth day of November, 2018.

The foregoing ordinance was first read by title only in accordance with Article X, Section 2(C) of the City Charter on the ____ day of _____, 2018, and duly PASSED and ADOPTED this ____ day of _____, 2018.

Melissa Huhtala, City Recorder

SIGNED and APPROVED this ____ day of _____, 2018.

John Stromberg, Mayor

Reviewed as to form:

David H. Lohman, City Attorney

