

## ORDINANCE NO. 1176

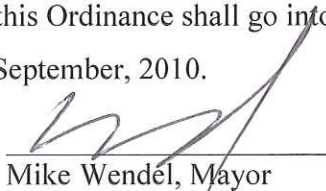
### AN ORDINANCE VACATING A PORTION OF NORTHWEST CONNECT WAY

#### RECITALS:

- A. Pursuant to ORS Chapter 271, the Prineville City Council initiated proceedings to vacate the north approximately 285 feet of NW Connect Way. A hearing was scheduled for 6:30 p.m. on September 14, 2010, for the Prineville City Council to consider the vacation of said portion of the street.
- B. Notice of the proposed vacation of the portion of the street and of the September 14, 2010, 6:30 p.m. public hearing concerning vacating said street was published in the Central Oregonian newspaper once each week for two consecutive weeks prior to the hearing.
- C. A notice of the proposed vacation of the portion of the street was posted at or near each end of the proposed portion of the street to be vacated.
- D. Prineville City Council held a hearing to consider vacating said property at its 6:30 p.m., September 14, 2010, meeting. There were no objections to the vacation of said street. Crook County, the owner of property north of the vacated portion of said street consented to such vacation.

BASED UPON the above Recitals, the people of the City of Prineville ordain as follows:

1. The public interest will not be prejudiced by the vacation of said portion of NW Connect Way.
  2. That portion of Connect Way described on Exhibit A and shown on Exhibit B (both Exhibit A and Exhibit B being attached hereto and by this reference made a part hereof) is hereby vacated.
  3. This vacation is contingent upon delivery by Vitesse LLC, a Delaware limited liability company, of: a) an executed easement by Vitesse LLC granting the City of Prineville a 30-foot wide easement for emergency access and placement of public utilities in or near that portion of vacated NW Connect Way; and b) an executed Quitclaim Deed by Vitesse LLC in favor of the City of Prineville for a ten-foot wide 208.70 foot long strip of property adjacent to the south boundary of old Houston Lake Road.
  4. The City Manager is authorized to execute the Easement and Quitclaim Deed showing the City's acceptance of said documents.
  5. An emergency is deemed to exist and this Ordinance shall go into effect immediately.
- Passed by the City Council this 14<sup>th</sup> day of September, 2010.

  
Mike Wendel, Mayor

ATTEST:

  
Lisa Morgan, City Recorder

EXHIBIT 'A'

VITESSE AVENUE RIGHT-OF-WAY VACATION

THAT PORTION OF VITESSE AVENUE AS DEDICATED IN INSTRUMENT NO. 2010-238533 OF CROOK COUNTY OFFICIAL RECORDS, LOCATED IN THE SOUTHWEST ONE-QUARTER (SW1/4) OF SECTION 1 AND THE SOUTHEAST ONE-QUARTER (SE1/4) OF SECTION 2, ALL IN TOWNSHIP 15 SOUTH, RANGE 15 EAST, WILLAMETTE MERIDIAN, CITY OF PRINEVILLE, CROOK COUNTY, OREGON LYING NORTHERLY AND WESTERLY OF THE FOLLOWING DESCRIBED ARC:

Beginning from a point which lies East 60.17 feet and South 273.16 feet from a found 2" aluminum cap marking the West One-Quarter corner of said Section 1, said point lying on the Easterly right-of-way of said *Vitesse Avenue* and is a point of non-tangent curvature; thence leaving said Easterly right-of-way along the arc of a 55.00 foot radius curve to the left an arc distance of 89.58 feet, through a central angle of 93°18'59" (the chord of which bears South 62°41'01" West, 80.00 feet) to a point on the Westerly right-of-way of said *Vitesse Avenue*.

This description contains 9,158 square feet, more or less.

Herein bearings are based upon Oregon State Plane, Oregon South Zone, NAD83(CORS96)(Epoch 2002).



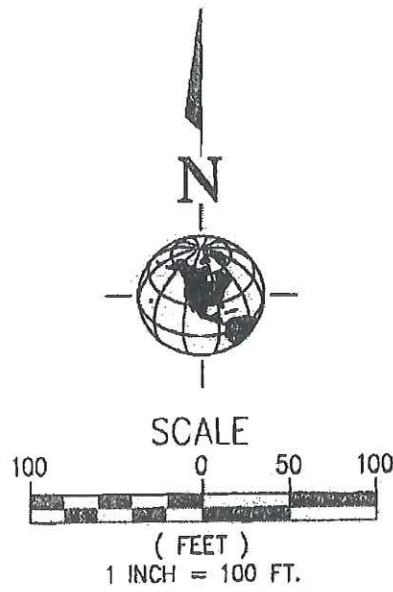
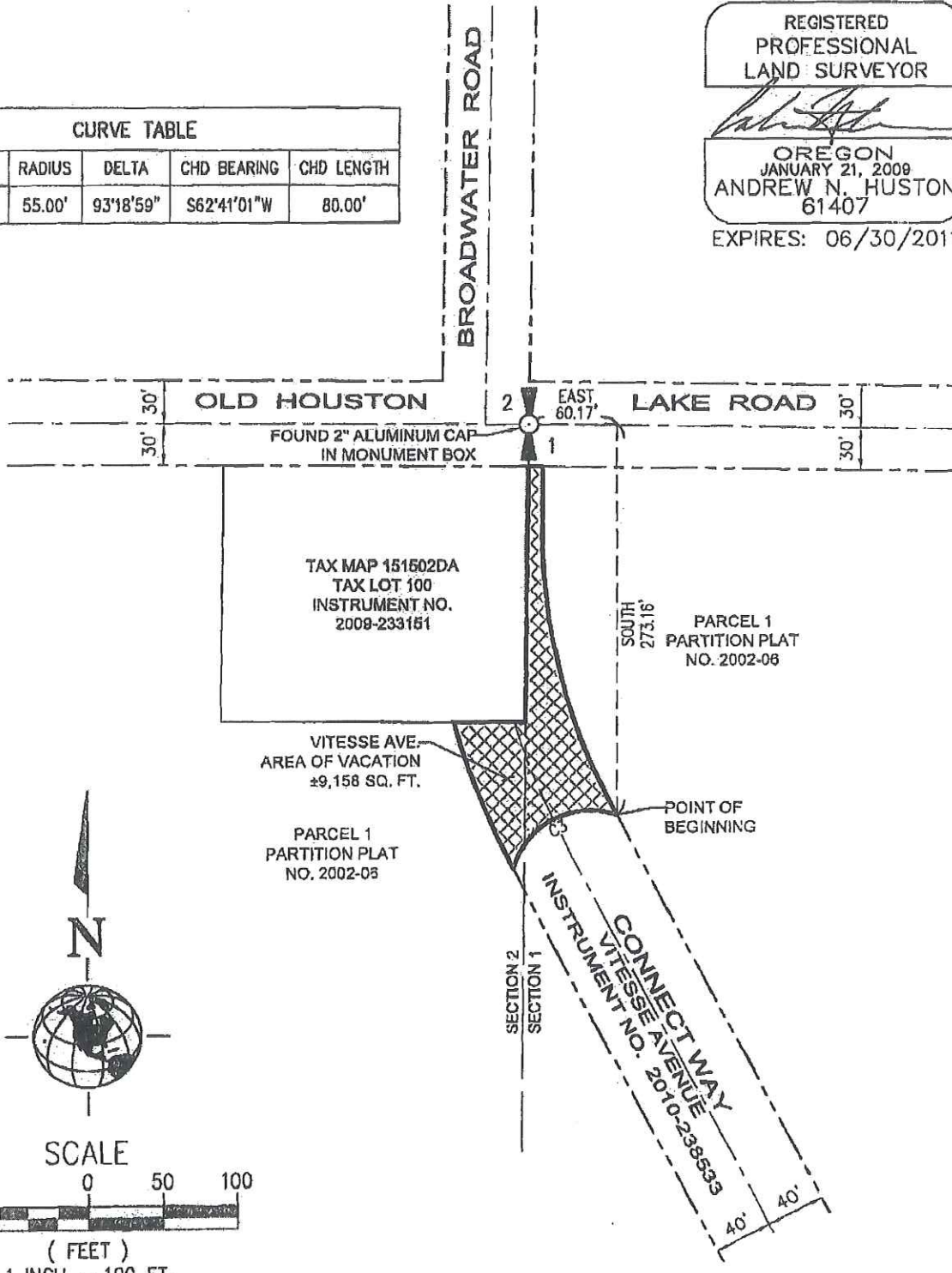
CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHD BEARING	CHD LENGTH
C3	89.58'	55.00'	93°18'59"	S62°41'01"W	80.00'

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*Andrew N. Huston*

OREGON  
JANUARY 21, 2009  
ANDREW N. HUSTON  
61407

EXPIRES: 06/30/2011



SHEET NUMBER <b>1 of 1</b>	<b>VACATION OF A PORTION OF VITESSE AVENUE</b> <b>EXHIBIT 'B'</b> VITESSE, LLC CITY OF PRINEVILLE, CROOK COUNTY OREGON	DRAWING INFO	SHEET INFO	
		38575 036575-V-VAC-EX00 1"=100'	DRAWN ANH CHECKED DEW LAST EDIT 7/28/2010 PLOT DATE 8/3/2010	<p>122 NW Columbia Street Bend, OR 97702 541-326-2259 Fax 541-385-4229 www.whpacific.com</p>

