

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 ____ day of September, 2010.

Mike Wendel, Mayor

ATTEST:

Lisa Morgan, City Recorder