

ORDINANCE NO. 1123.

AN ORDINANCE TO VACATE CERTAIN PORTIONS OF NW LOCUST STREET, AND NE HOLLY STREET; ALL OF WHICH ARE SPECIFICALLY DEFINED IN ATTACHED EXHIBIT A "STREET VACATION DESCRIPTIONS", EXHIBIT A1 "VICINITY MAPS" AND EXHIBIT B "CONDITIONS OF VACATION."

WHEREAS, pursuant to provisions of ORS Chapter 271, the City Council of the City of Prineville, through a request by affected property owner or petition of the City of Prineville, has initiated a vacation proceedings for certain portions of NW Locust Street and NE Holly Street; all of which are specifically defined in attached Exhibit A "Street Vacation Descriptions", Exhibit A1 "Vicinity Maps" and Exhibit B "Conditions of Vacation" attached hereto and hereby adopted by reference as though set forth in full herein; and

WHEREAS, a public hearing was held by the City of Prineville after giving notice as required by ORS Chapter 271, and the City has found that the future use of the described vacated streets is no longer required for public transportation purposes;

WHEREAS, to satisfy other non-transportation and land use issues, application of certain conditions upon the vacated street is appropriate; said conditions are defined, required and included in Exhibit B, "Conditions of Vacation" attached to and made part of this action as conditions on the subject defined Street Vacations.

THEREFORE, the Planning and Public Works Department deems that it is in the best interest of the City of Prineville and the affected property owners that said vacations be granted.

NOW THEREFORE, THE PEOPLE OF THE CITY OF PRINEVILLE ORDAIN AS FOLLOWS:

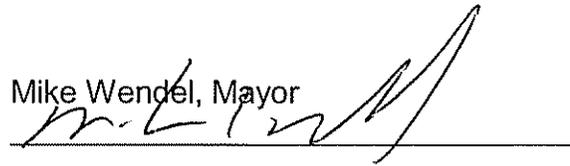
1. That certain portions of NW Locust Street and NE Holly Street; all of which are specifically defined in attached Exhibit A "Street Vacation Descriptions" and Exhibit A1 "Vicinity Maps", attached hereto and hereby adopted by reference as though set forth in full herein, are vacated subject to conformance with the conditions of vacation placed upon them.

PASSED by the City Council this 23rd day of August 2005.

APPROVED by the Mayor this 23rd day of August 2005.

Attest: Date 8-24-05

Mike Wendel, Mayor



Attest: Date 8-26-05

Robb Corbett, City Manager/Recorder



Street Vacation Descriptions

Street Vacation Descriptions:

VAC 05-800: Petition for Vacation of the public street right-of-way of North Locust Street between the south line NW Cains Road and north line of existing Ochoco Creek access easement, east of tax lots 1800 and 1900, of the Steve W. Yancey Addition to the City of Prineville, said area being approximately 60 feet wide and 82 feet long.

VAC 05-801: Petition for Vacation of the public street right-of-way of undeveloped portion of Holly Street between the south line of the City of Prineville Railroad right-of-way and north line of NE 6th Street, east of tax lot 4300, of the Hillside Heights Third Addition to the City of Prineville, said area being approximately 60 feet wide and 170 feet long.

EXHIBIT B

CONDITIONS OF VACATION

STREET VACATIONS:

CONDITIONS OF STREET VACATIONS

CONDITIONS FOR VAC 05-800:

- Reserve a 20 foot mutual access easement,
- Subject properties shall not preclude access to the creek via the 20 foot mutual access easement
- Continue to provide an easement for the existing storm drain
- Preserve all applicable utility easements

CONDITIONS FOR VAC 05-801:

- Preserve all applicable utility easements