

City of St. Helens
ORDINANCE NO. 3221

AN ORDINANCE VACATING A PORTION OF
N. 10TH STREET RIGHT OF WAY

WHEREAS, a petition to vacate a portion of the N. 10th Street right of way was filed with the City Recorder on or about August 30, 2017; and

WHEREAS, a Notice of Street Vacation was published October 4, 2017 and October 11, 2017 in *The Chronicle* describing the property to be vacated, the date the petition was filed, the date and location for objections, and the date of the hearing; and

WHEREAS, copies of the Notice of Street Vacation were posted near the property proposed to be vacated on September 26, 2017; and

WHEREAS, a public hearing was held on October 18, 2017 and testimony was received for the record.

NOW, THEREFORE, THE CITY OF ST. HELENS DOES ORDAIN AS FOLLOWS:

Section 1. The City Council hereby adopts the following findings based on the record:

- a. The Council received notice of the petition and set the public hearing date.
- b. The Notice of Street Vacation was duly published and posted in the manner required by law.
- c. The City Recorder has searched the City records and certified that there are no outstanding liens against the property to be vacated. They also certified that the real estate taxes on this property are also current.
- d. The majority of affected property owners support the street vacation request.

Section 2. The portion of the N. 10th Street right of way requested to be vacated, hereby vacated from and after the effective date of this ordinance, is unimproved right of way that is described as follows:

The west 25 feet of the North 10th Street right-of-way between the Willamette Street and Columbia Boulevard rights-of-way of the St. Helens Subdivision, St. Helens, Columbia County, Oregon.

Section 3. The City reserves to itself a public utility easement for sanitary sewer over the northerly 100 feet of the vacated street right-of-way for access, maintenance and repair of any existing or future public facility or public utility.

Section 4. The City reserves to itself a public access easement over the entire vacated street right-of-way for access to any existing or future public facility or public utility.

Section 5. Any future development that utilizes N. 10th Street (between the Willamette Street and Columbia Boulevard rights-of-way) for access will require removal and replacement of the existing driveway serving the single-family dwelling located at 1020 Columbia Boulevard. The replacement is to be built within the remaining N. 10th Street right-of-way. The access improvement standards of the replacement will be based on the development proposal and City regulations at that time.

Section 6. The City Recorder shall file a certified copy of this Ordinance with the County Clerk, the County Assessor, and the County Surveyor of Columbia County, Oregon.

Read the first time: November 1, 2017
Read the second time: November 15, 2017

APPROVED AND ADOPTED this 15th day of November, 2017 by the following vote:

Ayes: Locke, Connors, Morten, Scholl

Nays: None


Rick Scholl, Mayor

ATTEST:


Kathy Payne, City Recorder