



I, Christine Walker, County Clerk for Jackson County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.
Christine Walker - County Clerk

After recording, return to:
City Recorder
City of Phoenix
PO Box 330
Phoenix, OR 97530

CITY OF PHOENIX, OREGON

ORDINANCE NO. 998

**AN ORDINANCE VACATING PUBLIC RIGHT-OF-WAY
IN THE CITY OF PHOENIX**

RECITALS:

WHEREAS, the City of Phoenix, Jackson County, Oregon, has provided notice, pursuant to Oregon Revised Statutes Chapter 271 that it desires to vacate certain public right of way generally located as follows:

An unimproved right-of-way approximately 60 feet in width extending approximately 300 feet east from the termination of public improvements on Houston Road, between Tax Lots 3400 on Assessor map 38-1West-09DC and Tax Lot 100 on Assessor map 38-1West-16AB.

WHEREAS, the Vacation Area solely abuts real property owned by the Phoenix-Talent School District;

WHEREAS, a public hearing on this matter has been held consistent with and pursuant to ORS Chapter 271;

WHEREAS, no remonstrance or objection to this matter has been filed by any party; and

WHEREAS, the public good is served by the requested vacation because the vacation:

- (a) Will eliminate a public right-of-way that is too narrow to be developed into a City-standard street;
- (b) Will not hinder the growth or orderly development of the properties abutting the vacated area; and
- (c) Will relieve the City of maintenance obligations regarding the Vacation Area.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Phoenix, Jackson County, Oregon acting pursuant to the authority granted to it by ORS Chapter 271 as follows:

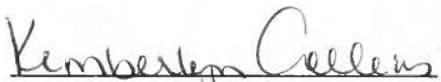
1. The Council hereby determines the following:
 - (a) Vacation of the subject public right-of-way will not hinder the growth or orderly development of the area in which the subject public right-of-way is located or to which the subject public right-of-way is contiguous; and
 - (b) Vacation of the subject public right-of-way does not make access to the lands of any person by means of public way difficult or inconvenient; and vacating the subject public right-of-way does not hinder the public's access.
2. The subject public right of way located within the City of Phoenix municipal boundaries, is hereby vacated.
3. The City Manager is hereby authorized to execute all documents necessary to carry out the intent of this Ordinance.
4. This Ordinance shall be in full force and effect upon adoption.
5. A legal description for the Vacation Area is attached hereto and incorporated herein as Exhibit A.
6. A map of the Vacation Area is attached hereto and incorporated herein as Exhibit B.

PASSED AND ADOPTED by the City Council and signed by me in authentication of thereof on this 19th day of November 2018.



Chris Luz, Mayor

ATTEST:



Kimberlyn Collins, City Recorder

EXHIBIT "A"

**LEGAL DESCRIPTION
STREET AND ALLEY VACATION
ASSESSORS MAP NO. 381W09DC & 381W16AB**

The following described lands are for the purpose of vacating said lands more generally being the strips of land shown on the Plat of Railroad Addition to Town of Phoenix dated January 23, 1884 and recorded in Page 38, Volume 2 of Jackson County, Oregon, Records of Roads and Maps, lying in Block 36 of said Plat and South of said Block, located in Sections 9 and 16, Township 38 South, Range 1 West, of the Willamette Meridian in Jackson County, Oregon, more particularly described and bounded as follows, to wit;

Beginning at the Southeasterly corner of Lot 1, Block 36 of the Plat of Railroad Addition to Town of Phoenix dated January 23, 1884 and recorded in Page 38, Volume 2 of Jackson County, Oregon, Records of Roads and Maps; thence South 37°34'00" East, along the Northeasterly boundary line of said Block, 20.00 feet to the Northeasterly corner of Lot 11 of said Block; thence South 52°26'00" West, along the Northwesterly boundary lines of Lots 7 to 11 of said Block, 219.85 feet to the North line of a County Road (Houston Road); thence North 89°46'24" West, along said North line, 0.20 feet to the Southwesterly boundary line of said Block; thence North 37°34'00" West, along said Southwesterly boundary line, 19.88 feet to the Southwesterly corner of Lot 6 of said Block; thence North 52°26'00" East, along the Southeasterly boundary lines of Lots 1 to 6 of said Block, 220.00 feet to the true POINT OF BEGINNING.

TOGETHER WITH, the following described strip of land;

Beginning at the Southeasterly corner of Lot 11, Block 36 of the Plat of Railroad Addition to Town of Phoenix dated January 23, 1884 and recorded in Page 38, Volume 2 of Jackson County, Oregon, Records of Roads and Maps; thence South 37°34'00" East, along the Southwesterly line of the previously vacated 'F' Street of said Plat, per Ordinance Number 366 V-6, 136.42 feet to South line of a County Road (Houston Road); thence North 89°46'24" West, along said South line, 318.22 feet; thence North 06°09'29" West, 60.37 feet to the North line of said Road also being the South boundary of said Block; thence South 89°46'24" East, along said South line, 179.70 feet; thence, continuing along said South line, North 52°26'00" East, 78.00 feet to the true POINT OF BEGINNING.

Prepared by:

Jason Martin
Professional Land Surveyor

To The Point Land Surveying, LLC
P.O. Box 217
Gold Hill, OR 97520
(541) 840-7587

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Jason M. Martin
OREGON
MAY 8, 2012
JASON M. MARTIN
54729

RENEWS: 1-1-2019

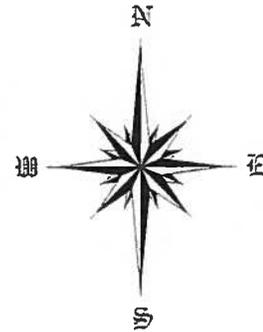
" EXHIBIT B "

LOCATED WITHIN

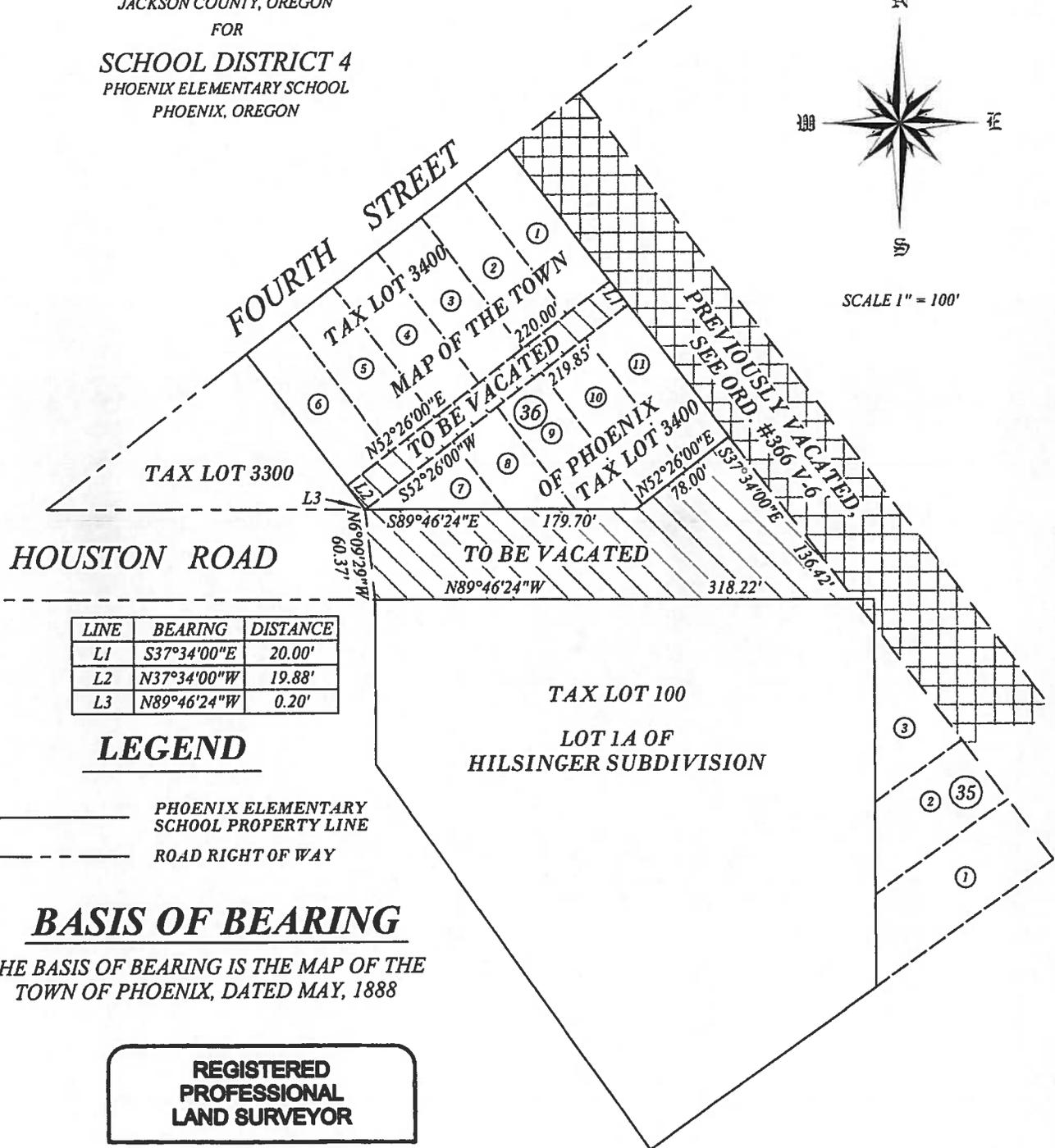
THE SOUTHEAST QUARTER OF SECTION 9,
TOWNSHIP 38 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN
JACKSON COUNTY, OREGON

FOR

SCHOOL DISTRICT 4
PHOENIX ELEMENTARY SCHOOL
PHOENIX, OREGON



SCALE 1" = 100'



LINE	BEARING	DISTANCE
L1	S37°34'00"E	20.00'
L2	N37°34'00"W	19.88'
L3	N89°46'24"W	0.20'

LEGEND

- PHOENIX ELEMENTARY SCHOOL PROPERTY LINE
- ROAD RIGHT OF WAY

BASIS OF BEARING

THE BASIS OF BEARING IS THE MAP OF THE TOWN OF PHOENIX, DATED MAY, 1888

**REGISTERED
PROFESSIONAL
LAND SURVEYOR**

Jason M. Martin

**OREGON
MAY 8, 2012
JASON M. MARTIN
54729**

RENEWS: 1/1/2019

SURVEYED BY:
TO THE POINT LAND SURVEYING, LLC
P.O. BOX 217
GOLD HILL, OR 97525
(541) 840-7587
Date: October 11, 2018
Project No. 0048-18

TO THE POINT LAND SURVEYING