

**CITY OF PHOENIX, OREGON**

**ORDINANCE NO. 980**

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

**RECITALS:**

WHEREAS, the City of Phoenix, Jackson County, Oregon ("Fishers"), 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 15 feet in width extending approximately 172.58 feet southwest from Bear Creek Drive, terminating within Tax Lots 500 and 600 on Jackson County Assessor map 381W09DD.

WHEREAS, the Vacation Area solely abuts real property owned by the City of Phoenix Urban Renewal Agency (PHURA);

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:

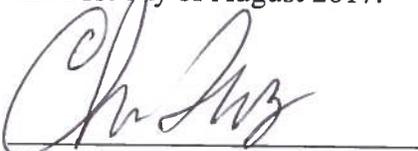
- (a) Will eliminate a public right-of-way that is too narrow to be developed into a City-standard street;
- (b) Will not hinder the growth or orderly development of the properties abutting the vacated area; and
- (c) Will relieve the City of maintenance obligations regarding the Vacation Area.

**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. Prior to recording this Ordinance Vacating Public Right Of Way, the legal description(s) for the Vacation Area shall be 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 21st day of August 2017.



Mayor

ATTEST:



City Recorder



City of Phoenix  
112 W. 2<sup>nd</sup> Street  
Phoenix, OR 97535  
541-535-2050

## CONSENT TO STREET VACATION

Pursuant to ORS 271.080, I/we the property owners abutting that public right-of-way located west of Bear Creek Drive and south of East 4<sup>th</sup> Street, bordered by Tax Lots 500 and 600 on Jackson County Assessor map #381W09DD, as depicted on the "Exhibit A" map provided, hereby consent to said vacation.

This is to further certify that said street vacation would not substantially affect the market value of my/our property.

OWNERS(S): Phoenix Urban Renewal Agency  
38-1W-9CD TLs 500 and 600

By: Genetta Hughes Executive Director

(STATE OF OREGON  
County of Jackson)

This Instrument was acknowledged before me on July 18, 2017,  
by Genetta Hughes, authorized representative of the Phoenix Urban Renewal Agency.

Janette Christine Boothe  
Notary Public for Oregon



