

After recording return to:
City of Corvallis
Central Administrative Services
501 SW Madison Avenue

BENTON COUNTY, OREGON **2023-635508**
DE-ODN
Cnt=1 Stn=47 COUNTER1 **03/23/2023 01:30:01 PM**
\$15.00 \$11.00 \$62.00 \$20.00 \$10.00 **\$118.00**



00459340202306355080030039

I, James V. Morales, County Clerk for Benton County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.

James V. Morales - County Clerk



ORDINANCE 2023-12

A SPECIAL ORDINANCE RELATING TO THE VACATION OF A PORTION OF SW 17TH STREET RIGHT-OF-WAY AND ACCEPTING A UTILITY EASEMENT FOR A PUBLIC WATER LINE, AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the City Council held a public hearing on May 16, 2022 at 6:00 p.m. in the Downtown Fire Station Meeting Room, 400 NW Harrison Boulevard, Corvallis, Oregon. The purpose of the hearing was to hear objections regarding the proposed vacation of a portion of SW 17th Street initiated by Oregon State University. Proof of public hearing notice publication in the Corvallis Gazette-Times, a newspaper of general circulation published in Corvallis, on May 2, 2022 and May 9, 2022 has been made and filed with the City Recorder.

WHEREAS, the City Council has held that public hearing and has heard and considered any and all objections; and

WHEREAS, based on the information presented, the City Council finds that except for a utility easement to maintain access for existing public sanitary sewer and public water lines, the subject portion of street is no longer needed for public purposes; and

WHEREAS, based upon the information presented, the City Council finds that vacating the subject portion of street:

1. Is consistent with the policies of the Comprehensive Plan, and any other applicable policies and standards adopted by the City Council;
2. Will not negatively affect access between public rights-of-way or existing properties, potential lots, or public facilities/utilities;
3. Will not negatively affect existing or future transportation circulation or emergency service protection; and
4. Will serve the present and future public interest.

NOW THEREFORE, THE CITY OF CORVALLIS ORDAINS AS FOLLOWS:

Section 1. As provided herein, that portion of SW 17th Street described more fully below, as further illustrated in Exhibit A, to this Ordinance (incorporated by this reference as part of this Ordinance as if fully set out), is vacated and from the effective date of this Ordinance is no longer a public way.

Section 2. The description of the portion of SW 17th Street this Ordinance is:

A tract of land being described as follows:

Commencing at the most easterly southeast corner of Parcel 1 of Partition Plat 2010-09, a Partition Plat of record located in the J.C. Avery D.L.C. No. 41 in the northeast quarter of Section 3 of Township 12 South, Range 5 West of the Willamette Meridian, City of Corvallis, Benton County, Oregon, said point also being the intersection of the north right of way line of SW "A" Avenue and the west right of way line of SW 15th Street; thence along the north right of way line of SW "A" Avenue South 82°24'24" West 459.83 feet to the intersection of the east right of way line of SW 17th Street and north right of way line of SW "A" Avenue and the **true point of beginning**; thence along the westerly extension of the north right of way line of SW "A" Avenue South 82°24'24" West 60.00 feet to the west right of way line of SW 17th Street; thence along said west right of way line of SW 17th Street North 07°32'28" West 300.00 feet to the end of the SW 17th Street right of way; thence along the end of said right of way North 82°24'24" East 60.00 feet to the east right of way line of SW 17th Street; thence along said east right of way line South 07°32'28" East 300.00 feet to the true point of beginning.

The above described vacated right of way contain 18,000 square feet of land, more or less. The basis of bearings for the above described vacation is from said Partition Plat 2010-09.

Therefore, this portion of vacated right-of-way shall revert to the adjacent property, Oregon State University.

Section 3. Concurrent with this vacation, the public stormwater and sanitary sewer lines, within the portion of SW 17th Street being vacated, shall revert to the adjacent property, Oregon State University. The public water line will remain under the ownership of the City of Corvallis

Section 4. Concurrent with this vacation, an Easement, recorded as document 2023-635505, Benton County Deed Record, benefiting the City of Corvallis, provides a Utility Easement for the public water line located within the portion of SW 17th Street being vacated.

Section 5. A certified copy of this vacation ordinance will be filed for record with the County Recorder, by the City, consistent with requirements outlined in Land Development Code Section 2.8.50.

Section 6. This vacation shall take effect upon filing a certified copy of the vacation ordinance for recording with the County Recorder.

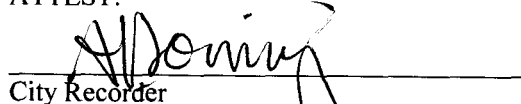
PASSED by the City Council this 20TH day of MARCH, 2023.

APPROVED by the Mayor this 20TH day of MARCH, 2023.

EFFECTIVE this 23RD day of MARCH, 2023.

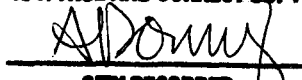

Mayor

ATTEST:


City Recorder

Ordinance 2023-12 OSU Street Vacation 17th

I HEREBY CERTIFY THAT THIS
IS A TRUE AND CORRECT COPY

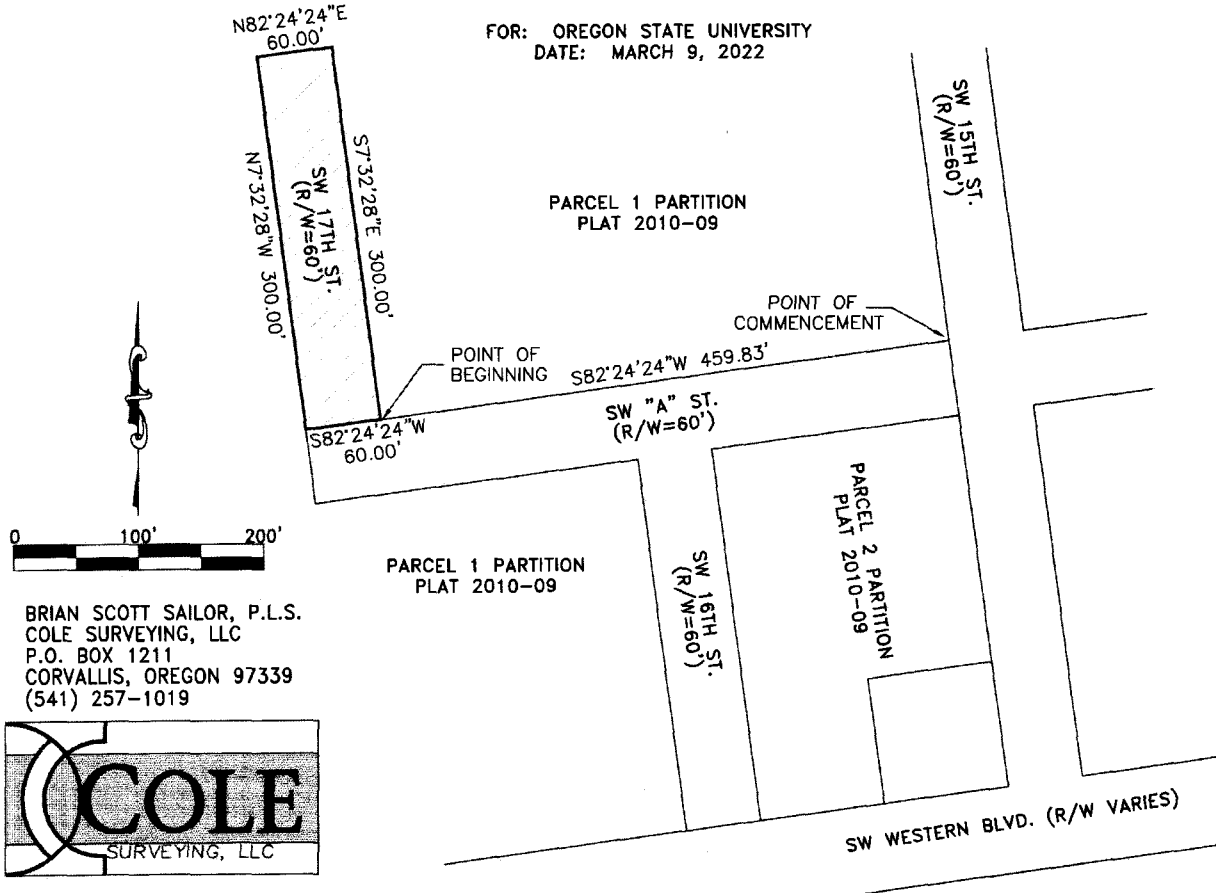

CITY RECORDER
CITY OF CORVALLIS, OR

DATE 3/20/2023

EXHIBIT "A" - SW 17TH STREET RIGHT OF WAY VACATION

LOCATED IN THE J.C. AVERY D.L.C. No 41 IN THE NE 1/4 OF SECTION 3 OF
TOWNSHIP 12 SOUTH, RANGE 5 WEST OF THE WILLAMETTE MERIDIAN,
CITY OF CORVALLIS, BENTON COUNTY, OREGON

FOR: OREGON STATE UNIVERSITY
DATE: MARCH 9, 2022



EASEMENT

After recording return to:

City of Corvallis
Central Administrative Services
501 SW Madison Avenue
Corvallis OR 97333

KNOW ALL PERSONS BY THESE PRESENTS, that

The State of Oregon, acting by and through the Board of Trustees of Oregon State University, hereinafter referred to as GRANTOR, is the owner of real property described herein and does hereby and forever grant unto the City of Corvallis, an Oregon municipal corporation, hereinafter referred to as CITY, a permanent easement over and along the full length and width of the premises described as follows ("Easement Area"); to wit:

REFER TO ATTACHED EXHIBIT(s) Legal description as shown on Exhibit A, and depiction as shown on Exhibit B,

Area of Easement: approximately 44,798 square feet (total SF)

With the right, privilege, and authority, to CITY to construct, maintain, replace, reconstruct, and/or remove public water lines, or sewer lines, or both water and sewer lines with all appurtenances incident thereto or necessary therewith, on, under, and across the Easement Area, and to cut and remove from Easement Area any trees and other obstructions which may endanger the safety or interfere with the construction, use, or maintenance of said public water lines, or sewer lines, or both water and sewer lines, and the right of ingress and egress to, over, and from the Easement Area at any and all times for the purpose of doing anything necessary, useful, or convenient for the enjoyment of the Easement hereby granted.

GRANTOR RESERVES THE RIGHT to use the surface of the Easement Area for walkways, driveways, planting, and related purposes to the extent such use is consistent with CITY's construction, use, and maintenance of said facility on the Easement Area. No building or other permanent structure that would enjoin CITY from the intended purpose of this Easement will be placed upon the Easement Area without the written permission of CITY.

This space reserved for County

BENTON COUNTY, OREGON **2023-635505**
DE-EAS
Cnt=1 Stn=47 COUNTER1 **03/23/2023 01:30:01 PM**
\$20.00 \$11.00 \$62.00 \$10.00 \$20.00 **\$123.00**



00459337202306355050040047

I, James V. Morales, County Clerk for Benton County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.

James V. Morales - County Clerk



EASEMENT

In Witness Whereof, the undersigned have caused this Easement to be executed. If GRANTOR is an entity or principal, their representative, by signing below, certifies that such representative is authorized by GRANTOR to execute this Easement.

The State of Oregon, acting
by and through the Board
of Trustees of Oregon State
University

GRANTOR (entity name)

Date

1/11/23

Nicole Neuschwander

Director, Leasing and
Strategic Real Property
Management

850 SW 35th Street

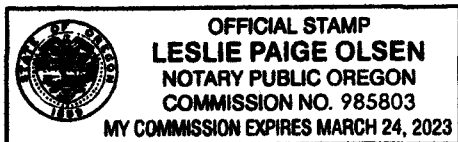
(entity) Address

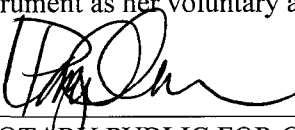
Corvallis OR 97333

(entity) City, State, Zip

State of Oregon
County of Benton

On this 11 day of January 2023, Nicole Neuschwander personally appeared before me and acknowledged that she executed this instrument in her capacity as Director of Leasing and Strategic Real Property Management for The State of Oregon, acting by and through the Board of Trustees of Oregon State University, and further acknowledged that she signed this instrument as her voluntary act and deed.

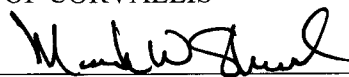



NOTARY PUBLIC FOR Oregon

My Commission Expires _____

CITY OF CORVALLIS

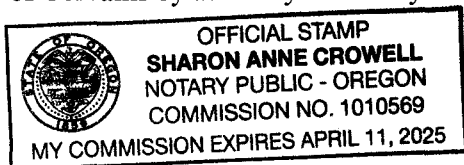
by

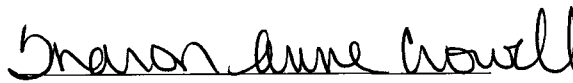


Mark W. Shepard, City Manager

State of OREGON
County of Benton

The foregoing instrument was acknowledged before me this 18th day of January, 2023, by Mark W. Shepard, as City Manager for the City of Corvallis, and accepted on behalf of the City of Corvallis by authority of its City Council.




NOTARY PUBLIC FOR OREGON

My Commission Expires 4-11-2025

Approved as to Form

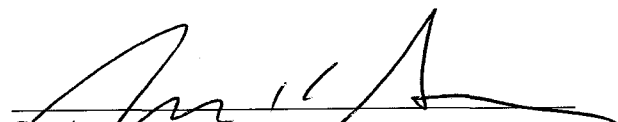

City Attorney

Exhibit A

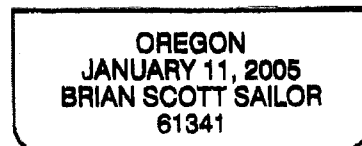
City of Corvallis Easement Legal Description

Beginning at a point which bears South 82°21'37" West 11.00 feet from the southwest corner of Parcel 2 of Partition Plat 2010-09, a partition plat of record located in the J.C. Avery DLC No. 41 in the northeast quarter of Section 3 of Township 12 South, Range 5 West of the Willamette Meridian, City of Corvallis, Benton County, Oregon; thence the following courses: North 07°36'05" West 280.08 feet, along the arc of a 20.00 foot radius curve to the right 31.42 feet (the long chord of which bears North 37°24'10" East 28.29 feet), North 82°22'48" East 186.96 feet, North 07°35'35" West 38.00 feet, South 82°22'48" West 448.73 feet, along the arc of a 20.00 foot radius curve to the right 7.27 feet (the long chord of which bears North 87°10'37" West 7.23 feet), North 07°32'28" West 309.69 feet, South 82°24'24" West 47.39 feet, South 07°33'59" East 294.92 feet, along the arc of a 54.00 foot radius curve to the left 84.90 feet (the long chord of which bears South 52°33'02" East 76.42 feet), North 82°22'48" East 184.12 feet, along the arc of a 20.00 foot radius curve to the right 31.41 feet (the long chord of which bears South 52°35'50" East 28.28 feet), South 07°36'05" East 280.12 feet, and North 82°21'37" East 38.00 feet to the point of beginning.

The above described easement contains 1.03 acres (44,798 square feet) of land, more or less. The basis of bearings for the above described easement is from said Partition Plat 2010-09.



A handwritten signature in black ink, appearing to read "B. Scott Sailor".



EXPIRES: JUNE 30, 2024

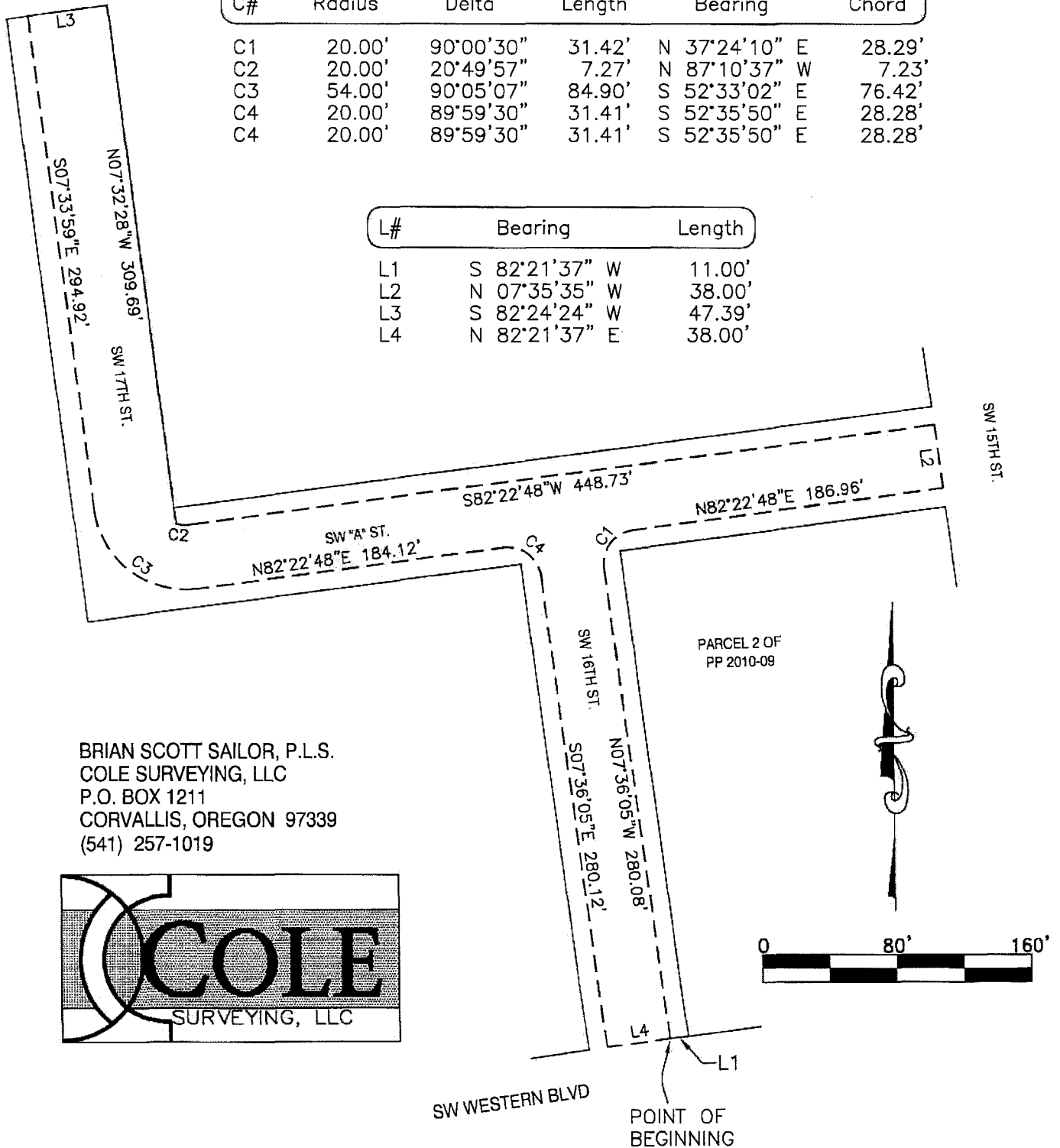
EASEMENT EXHIBIT B

LOCATED IN THE NE 1/4 OF SECTION 3 OF TOWNSHIP 12 SOUTH, RANGE 5 WEST OF THE
WILLAMETTE MERIDIAN, CITY OF CORVALLIS, BENTON COUNTY, OREGON

OCTOBER 26, 2022

C#	Radius	Delta	Length	Bearing	Chord
C1	20.00'	90°00'30"	31.42'	N 37°24'10" E	28.29'
C2	20.00'	20°49'57"	7.27'	N 87°10'37" W	7.23'
C3	54.00'	90°05'07"	84.90'	S 52°33'02" E	76.42'
C4	20.00'	89°59'30"	31.41'	S 52°35'50" E	28.28'
C4	20.00'	89°59'30"	31.41'	S 52°35'50" E	28.28'

L#	Bearing	Length
L1	S 82°21'37" W	11.00'
L2	N 07°35'35" W	38.00'
L3	S 82°24'24" W	47.39'
L4	N 82°21'37" E	38.00'



BRIAN SCOTT SAILOR, P.L.S.
COLE SURVEYING, LLC
P.O. BOX 1211
CORVALLIS, OREGON 97339
(541) 257-1019

