

ORDINANCE NO. 4053

A2

AN ORDINANCE VACATING A PORTION OF 23RD AVENUE RIGHT OF WAY WHICH IS LOCATED WEST OF ERMINE STREET AND MEASURES 50 FEET BY 101 FEET.

WHEREAS, the City Council of the City of Albany, did, by adoption of Resolution No. 1897, City of Albany Resolutions, at the Council meeting held on the 10th day of August, 1977, set the hour of 7:15 p.m. o'clock on the 24th day of August, 1977, as the time for hearing of objections to the proposed vacation of a portion of 23rd Avenue right of way which is located west of Ermine Street and measures 50 feet by 101 feet.

WHEREAS, the said notice has been posted and published as required by law, and

WHEREAS, the said hearing on the 24th day of August, 1977, has been duly held and parties were given an opportunity to be heard and the Council being fully informed,

THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

Section 1: That a portion of 23rd Avenue right of way measuring 50'x101' located west of Ermine Street reverting in equal 25-foot sections to the adjoining property owners is hereby vacated subject to the following conditions:

1. A minimum of ten feet of right of way shall be retained through the center of the right of way in question for pedestrian use and future improvement for access to the bicycle path and Periwinkle Park.
2. The remaining twenty feet on both sides of the pedestrian accessway shall be retained as utility easements by the City of Albany.
3. The property owners shall grade and complete landscaping of the right of way in accordance with the submitted plan prior to June 30, 1978.

Passed by the Council: August 30, 1977

Approved by the Mayor: August 30, 1977

Effective Date: September 29, 1977


MAYOR

ATTEST:


CITY RECORDER

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4053

LEGAL DESCRIPTION

Ice Vacation

That portion of 23rd Avenue located west of Ermine Street between Lot 1, Block 3 and Lot 1, Block 4, Kribs First Addition to Albany, Linn County, Oregon.