

ORDINANCE NO. _____

**AN ORDINANCE VACATING A PORTION OF EAST 13TH AVENUE
RIGHT-OF-WAY EAST OF ITS INTERSECTION WITH FRANKLIN
BOULEVARD.**

The City Council of the City of Eugene finds that:

A. On June 18, 2008 the City Council of the City of Eugene by motion duly passed called a public hearing to be held at 7:30 p.m., Pacific time on July 21, 2008 at the Council Chambers at City Hall, Eugene, Oregon, at which time and place protests and remonstrances could be heard as to the proposed vacation of the following described portion of East 13th Avenue right-of-way:

A portion of East 13th Avenue right-of-way located east of the intersection of East 13th Avenue and Franklin Boulevard, in the City of Eugene, Oregon as more particularly described on Exhibit A attached hereto, and depicted on the map attached as Exhibit B hereto.

RESERVING herein a public utility and pedestrian access easement over, under, above and across the above described property, and the right to enter thereon for pedestrian access and for purposes of construction, reconstruction, maintenance and repair. (Oregon State Board of Higher Education, VRI 08-2)

B. Notice was duly and regularly given of the hearing and at said time and place the Council heard all objections to the proposed vacation.

C. All persons owning property abutting the portions of right-of-way to be vacated have consented to the vacation and applied for the same.

Now, therefore,

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. The City Council of the City of Eugene finds that due and regular notice of the hearing was published and posted as by law required, and no valid objections were made at the hearing or filed. The consent of the owners of the abutting property has been duly and regularly filed in this proceeding and as described in Exhibit C hereto, it is in the public interest that the portion of right-of-way be vacated.

Section 2. The hearing was held on July 21, 2008 at 7:30 p.m., Pacific Time, at the Council Chambers, City Hall, Eugene, Oregon, and all matters necessary to be done in the premises have been duly and regularly completed.

Section 3. The hereinabove described portion of East 13th Avenue right-of-way is hereby vacated, and the portion of right-of-way so vacated shall revert pursuant to the statutes of the State of Oregon.

Section 4. The City Recorder is requested to file a certified copy of this Ordinance with the Recorder of Lane County, Oregon, together with a map or plat of said property, and certified copies of this Ordinance shall be filed with the Lane County Assessor and with the Lane County Surveyor.

Passed by the City Council this

____ day of _____, 2008

City Recorder

Approved by the Mayor this

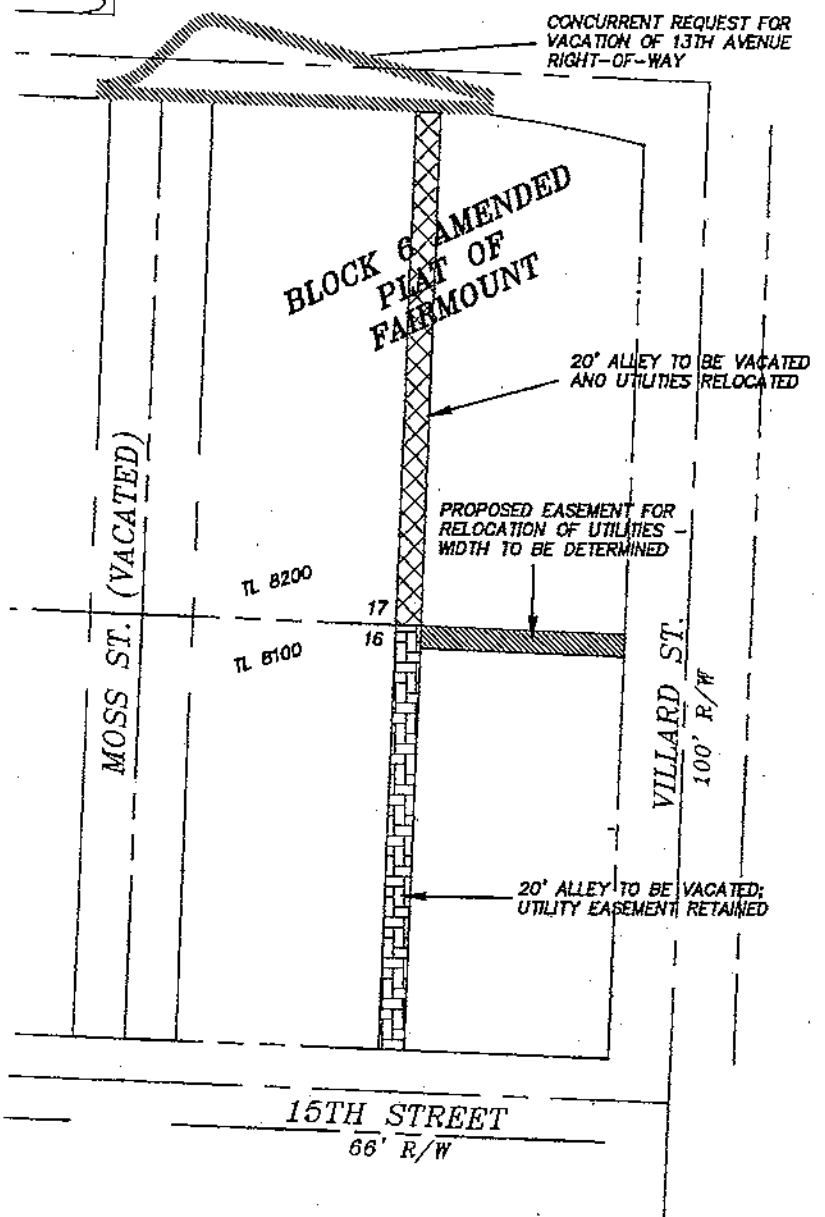
____ day of _____, 2008

Mayor

EXHIBIT B

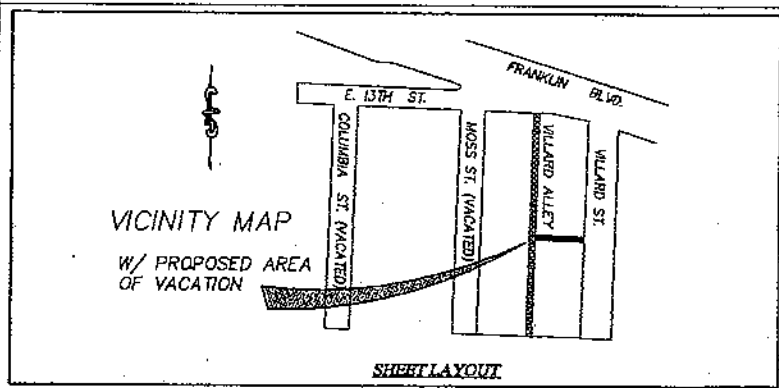


SCALE 1"=150'



PROPOSED AREA (COMPLETE VACATION)
= 7,997 SQ. FT. (0.184 ACRES)

PROPOSED AREA (VACATION W/
RETAINED UTILITY EASEMENT) =
6,664 SQ. FT (0.153 ACRES)



REGISTERED
PROFESSIONAL
LAND SURVEYOR

Clell Goodwin

OREGON
JULY 30, 1976
CLELL GOODWIN
1078

EXPIRES JUNE 30, 2009



**BALZHISER
& HUBBARD
ENGINEERS**

MECHANICAL
ELECTRICAL
CIVIL
TRANSPORTATION
SURVEYORS

100 WEST 13TH AVENUE
EUGENE, OR 97401
P. 541-686-8478
F. 541-345-5303

UNIVERSITY OF OREGON
ARENA SITE
RIGHT-OF-WAY VACATION

PROJECT 8900-017-04

DATE: MARCH 17, 2008

FILENAME: 8900-017-04 TOPO.dwg

TAX MAP 17-03-33-32

SHEET No.