

ORDINANCE NO. _____

**AN ORDINANCE VACATING A PORTION OF VILLARD ALLEY
RIGHT-OF-WAY BETWEEN EAST 13TH AVENUE AND EAST 15TH
AVENUE.**

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 the Villard alley right-of-way:

A portion of the Villard Alley right-of-way extending between East 13th Avenue and East 15th Avenue 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 easement over, under, above and across the portion of the said alley lying south of the south line of Lot 17 in Block 6 of the Amended Plat of Fairmount, and the right to enter thereon for purposes of construction, reconstruction, maintenance and repair. (Oregon State Board of Higher Education, VRI 08-1)

B. The portion of the existing public utility easement not being reserved by the City is being relocated to another portion of the applicant's property, and the applicant has agreed to execute a conveyance of that relocated public utility easement to the City.

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

D. 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 the Villard Alley 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. Upon receipt of the conveyance of the relocated public utility easement described in Finding B above, 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

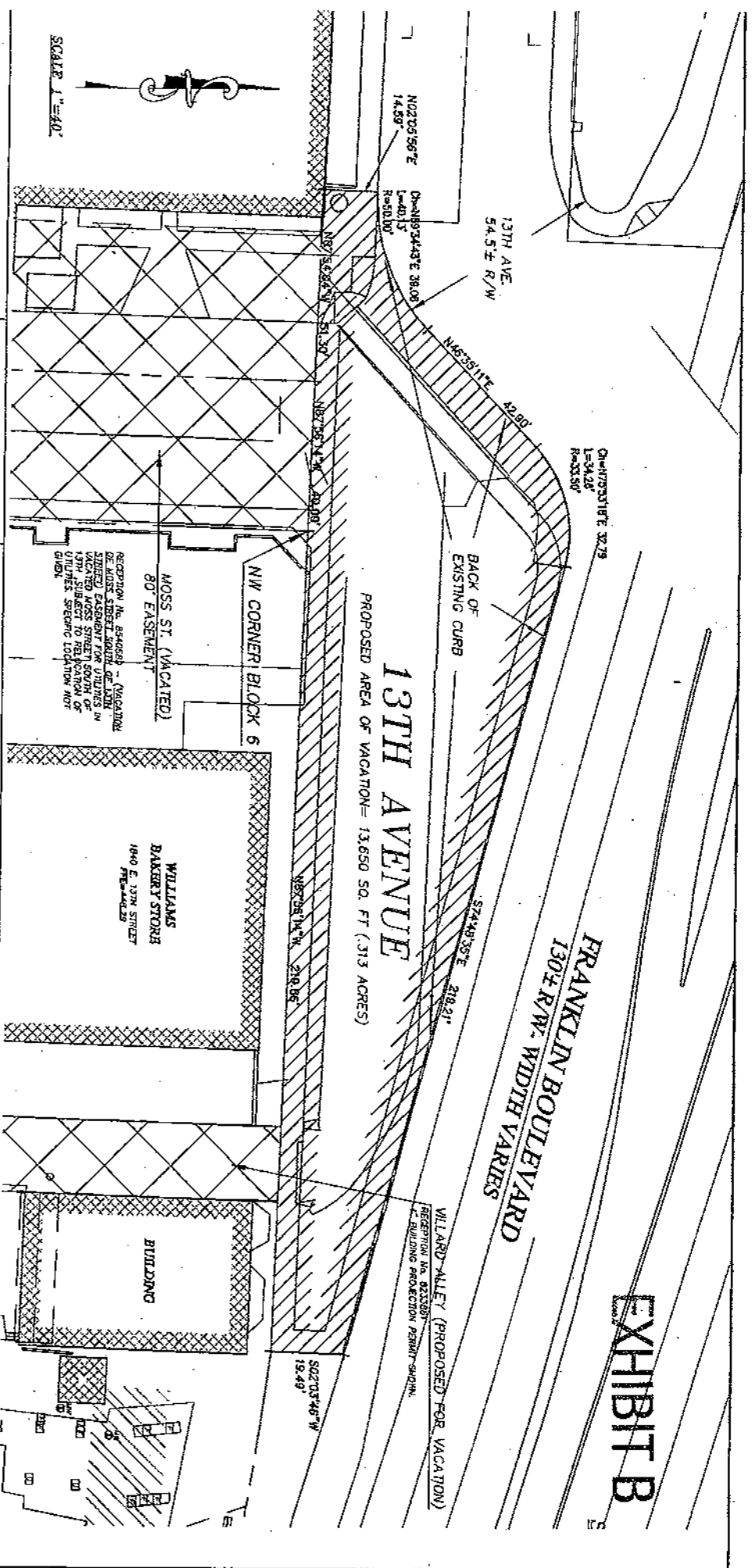
City Recorder

Approved by the Mayor this

___ day of _____, 2008

Mayor

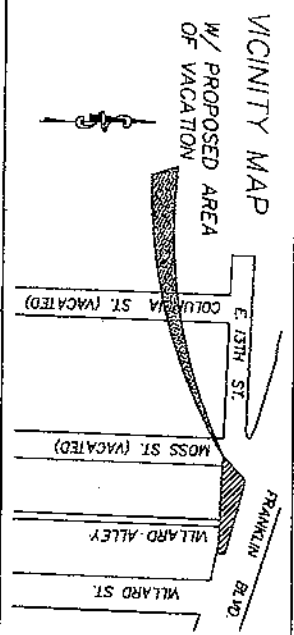
EXHIBIT B



REGISTERED
PROFESSIONAL
LAND SURVEYOR
C. David Goodwin
OREGON
JULY 30, 1976
CLELL GOODWIN
1078
EXPIRES JUNE 30, 2009

BALZHISER & HUBBARD
ENGINEERS
MECHANICAL
ELECTRICAL
CIVIL
TRANSPORTATION
SURVEYORS
100 WEST 15TH AVENUE
BOZEMAN, OR 97301
P: 541-596-8478
F: 541-545-5303

PROPOSED AREA TL 1000 AND OTHERS = 261,640 SQ. FT. (6.006 ACRES)
EXISTING AREA TL 1000 AND OTHERS = 247,990 SQ. FT. (5.693 ACRES)



UNIVERSITY OF OREGON
ARENA SITE
RIGHT-OF-WAY VACATION
TAX MAP 17-03-32-41, TAX LOT 1000 & OTHERS

PROJECT 8900-017-04
DATE: MARCH 17, 2008
FILENAME:
8900-017-04 TOPQ.dwg
SHEET NO.
EXHIBIT