

RESOLUTION NO. 1032

A RESOLUTION TO VACATE A PUBLIC UTILITY EASEMENT OVER LOT 7 IN SANTIAM STATION AND TO DEDICATE ADDITIONAL RIGHT OF WAY FOR N THIRD AVENUE

WHEREAS, on July 26, 1999, by Subdivision Plat Volume 43, Page 50, recorded in the Marion County Deed Records in Reel 1619, Page 199, the developer dedicated a certain public utility easement over the north portion of Lot 7, Santiam Station, in the City of Stayton, Marion County, Oregon;

WHEREAS, the City of Stayton has no utility facilities located within the public utility easement;

WHEREAS, the City has consulted with the utilities for natural gas, electrical power, and telecommunications operating under franchise from the City, and been informed none of the franchise utilities have facilities located with the public utility easement;

WHEREAS, to facilitate the development of Lot 7, Santiam Station, the City has been requested to vacate the public utility easement;

WHEREAS, neither the City nor the franchise utilities have utilized the public utility easement and have expressed no intention to do so;

WHEREAS, on July 26, 1999, by Subdivision Plat Volume 43, Page 50, recorded in the Marion County Deed Records in Reel 1619, Page 199, the developer dedicated right of way to the public for N Third Avenue;

WHEREAS, on July 31, 2000, by a quitclaim deed, recorded in the Marion County Deed Records in Reel 1708, Page 207, Fern Ridge Properties, LLC conveyed to the City of Stayton, certain land that was a portion of Lot 6 and a portion of Lot 7, Santiam Station, in the City of Stayton, Marion County, Oregon, currently identified as Lot 2500 on Marion County Assessor's Map 091W03DC;

WHEREAS, the property obtained by quitclaim deed is currently used as a portion of the N Third Ave right of way, including sidewalks; and

WHEREAS, Lot 7, Santiam Station, does not have adequate frontage on N Third Ave to provide vehicular access;

NOW THEREFORE, BE IT RESOLVED

1. The Mayor is hereby authorized to execute a replat of Lot 7 in Santiam Station, vacating the public utility easement over the north portion of Lot 7, Santiam Station, upon final approval of the development of Lot 7 by the Planning Commission and by the Public Works Department.
2. The City of Stayton shall dedicate as public right of way that property obtained by quitclaim deed, recorded in the Marion County Deed Records in Reel 1708, Page

207 and the Mayor is hereby authorized to execute a deed of dedication.

This Resolution shall become effective upon the adoption by the Stayton City Council.

ADOPTED BY THE STAYTON CITY COUNCIL THIS 7th DAY OF FEBRUARY, 2022.

CITY OF STAYTON

Date: 2/11, 2022

By: Henry A. Porter
Henry A Porter, Mayor

Date: 2/11, 2022

Attest: Alissa Angelo
Alissa Angelo, Interim City Manager