

## **ORDINANCE NO. 2016**

An Ordinance vacating a 30' wide public unimproved street that extends approximately 344' along the west edge of properties described as the West 30 feet of the East one-half of the West one-half of Lot 10 Adams Paradise Acreage (3N 10E 35BD TL 600 & 601)

**WHEREAS**, Michael Kitts Homes Inc. filed a petition with the City as joint applicants to vacate a 30' wide unimproved public street (the "vacation area"), to facilitate construction of a 28' wide improved private street in conjunction with a planned unit development for 9 lots; and

**WHEREAS**, the Planning Commission conducted a public hearing on the street vacation request on March 16, 2015 and recommended that the City Council approve the proposal as requested; and

**WHEREAS**, the City Council convened a duly noticed public hearing on the street vacation request at its regular meeting on April 13, 2015, at which time the Council accepted all form of written and verbal comment on the request; and

**WHEREAS**, consents from the owners of all real property abutting the vacation area have been filed, and consents from the owners of not less than two-thirds of the property affected by the vacation request as required by ORS 271.080(2) also have been filed; and

**WHEREAS**, the Council finds that the public interest will not be prejudiced by granting the vacation request; and

**WHEREAS**, it is in the public interest to vacate the right-of-way described as the West 30 feet of the East one-half of the West one-half of Lot 10 Adams Paradise Acreage because the vacation area is a 30' wide public street that does not meet the minimum specifications for a public street, but it can meet the minimum specifications of a private street and will be improved as a street with 13 parking spaces to serve the 9-lot planned unit development.

**NOW, THEREFORE**, based on the foregoing Recitals, the Hood River City Council ordains that the public right-of-way described as the West 30 feet of the East one-half of the West one-half of Lot 10 Adams Paradise Acreage (the "vacation area") shall be deemed vacated, subject to the following express conditions:

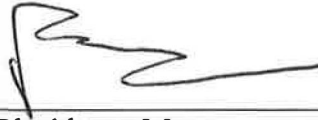
1. The City of Hood River expressly reserves a non-exclusive easement for the placement, replacement, repair, maintenance and operation of public utilities (water, sewer, stormwater) on, over and under the vacation area, which also allows public employee access for these purposes.
2. The vacation area shall be subject to all of the assessments of the various taxing districts in which it is situated from this point forward.

3. In accordance with ORS 271.140 and except as expressly conditioned herein, title to the vacation area shall attach in equal portions to the lands directly bordering the Vacation area and from which the dedication was originally made.

4. Petitioner Michael Kitts shall prepare and record a certified copy of this Ordinance and its attached Exhibit with the Hood River County Clerk and shall bear the costs of such recording.

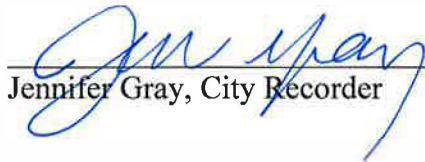
Read for the first time on April 13, 2015;

Read for the second time and passed April 27, 2015, to become effective thirty days hence.



Paul Blackburn, Mayor

ATTEST:

  
Jennifer Gray, City Recorder

## CITY OF HOOD RIVER STREET VACATION APPLICATION

Submit the completed application WITH TWELVE (12) ADDITIONAL COMPLETE COPIES and appropriate fees to the City of Hood River Planning Department, 211 2<sup>nd</sup> St. (P.O. Box 27), Hood River, OR 97031. Please note the review criteria attached to this application. If you have any questions, please contact the Planning Department at (541) 387-5210.

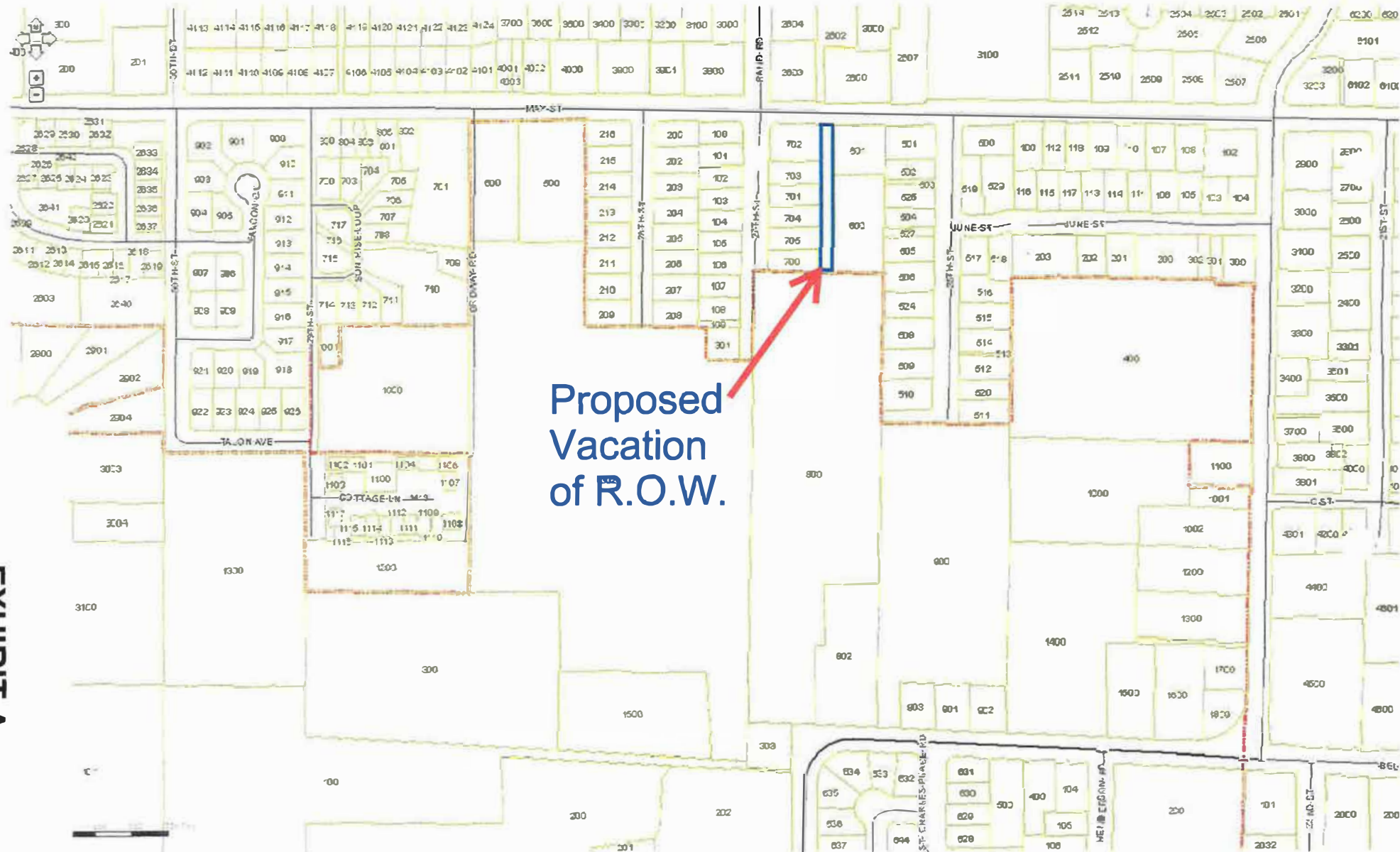
### APPLICANT:

Name: Michael Kitts Home Inc.  
Address: 3880 May St  
(physical) Hood River, OR 97031  
(mailing) Same  
(email) kitmich@aol.com  
Telephone: 541-490-0383 Cell Phone: 541-490-0383  
Signature: 

### STREET INFORMATION:

Township 03N Range 10E Section 35BD Tax Lot(s) 600 & 601  
Current Zoning: R-2  
Street Location (name and cross streets) 2615 May St.

# EXHIBIT A



# EXHIBIT A

## Consent of Abutting and Affected Property Owners

By executing this document, we, the owners of all the property abutting on that portion of \_\_\_\_\_ Street / Avenue to be vacated as described in the petition, consent to the vacation of such ground.

Name of abutting owner:

Signature: \_\_\_\_\_ Address: 3473 Avalon Hood River

Printed Name: Fred Dethman

Description of abutting lot: \_\_\_\_\_

Township 3N Range 10E Section 35BD Tax Lot(s) 703

Name of abutting owner:

Signature: \_\_\_\_\_ Address: 1009 27<sup>th</sup> St.

Printed Name: Mark & Judy Scheeringa Hood River, OR 97031

Description of abutting lot: \_\_\_\_\_

Township 3N Range 10E Section 35BD Tax Lot(s) 700

Name of abutting owner:

Signature: \_\_\_\_\_ Address: 701 SW 257<sup>th</sup> St.

Printed Name: Estaban Cadena Troutdale, OR 97060

Description of abutting lot: \_\_\_\_\_

Township 3N Range 10E Section 35BD Tax Lot(s) 701

Name of abutting owner:

Signature: \_\_\_\_\_ Address: 602 13<sup>th</sup> St.

Printed Name: Carmen Zuniga Hood River, OR 97031

Description of abutting lot: \_\_\_\_\_

Township 3N Range 10E Section 35BD Tax Lot(s) 704

Name of abutting owner:

Signature: \_\_\_\_\_ Address: 2690 Belmont Dr

Printed Name: Deanna & Julie Harvey Hood River, OR 97031

Description of abutting lot: \_\_\_\_\_

Township 3N Range 10E Section 35BD Tax Lot(s) 800

Per ORS 271.130(3)

I certify that all City liens and all taxes have been paid on the lands to be vacated.

\_\_\_\_\_  
Date

\_\_\_\_\_  
City R

**EXHIBIT A**



## Consent of Abutting and Affected Property Owners

By executing this document, we, the owners of all the property abutting on that portion of unimproved Street / Avenue to be vacated as described in the petition, consent to the vacation of such ground.

Name of abutting owner:

Signature: Fred Dethman Address: 3473 Avalon Hood River

Printed Name: Fred Dethman

Description of abutting lot:

Township 3N Range 10E Section 35BD Tax Lot(s) 703

Name of abutting owner:

Signature: Judy Scheeringa Address: 1009 27th St

Printed Name: Mark & Judy Scheeringa Hood River, OR 97031

Description of abutting lot:

Township 3N Range 10E Section 35BD Tax Lot(s) 700

Name of abutting owner:

Signature: \_\_\_\_\_ Address: 701 SW 257th St

Printed Name: Esteban Cadena

Troutdale, OR 97060

Description of abutting lot:

Township 3N Range 10E Section 35BD Tax Lot(s) 701

Name of abutting owner:

Signature: Carmen Zuniga Address: 602 13th St

Printed Name: Carmen Zuniga

Hood River, OR 97031

Description of abutting lot:

Township 3N Range 10E Section 35BD Tax Lot(s) 704

Name of abutting owner:

Signature: Marilyn Stanley Address: PMB 200 2149 W Cascade

Printed Name: John & Marilyn Stanley Hood River, OR 97031

Description of abutting lot:

Township 3N Range 10E Section 35BD Tax Lot(s) 702

Name of abutting owner:

Signature: Michael Kitts Address: 3880 MAY ST

Printed Name: Michael Kitts Hood River, OR 97031

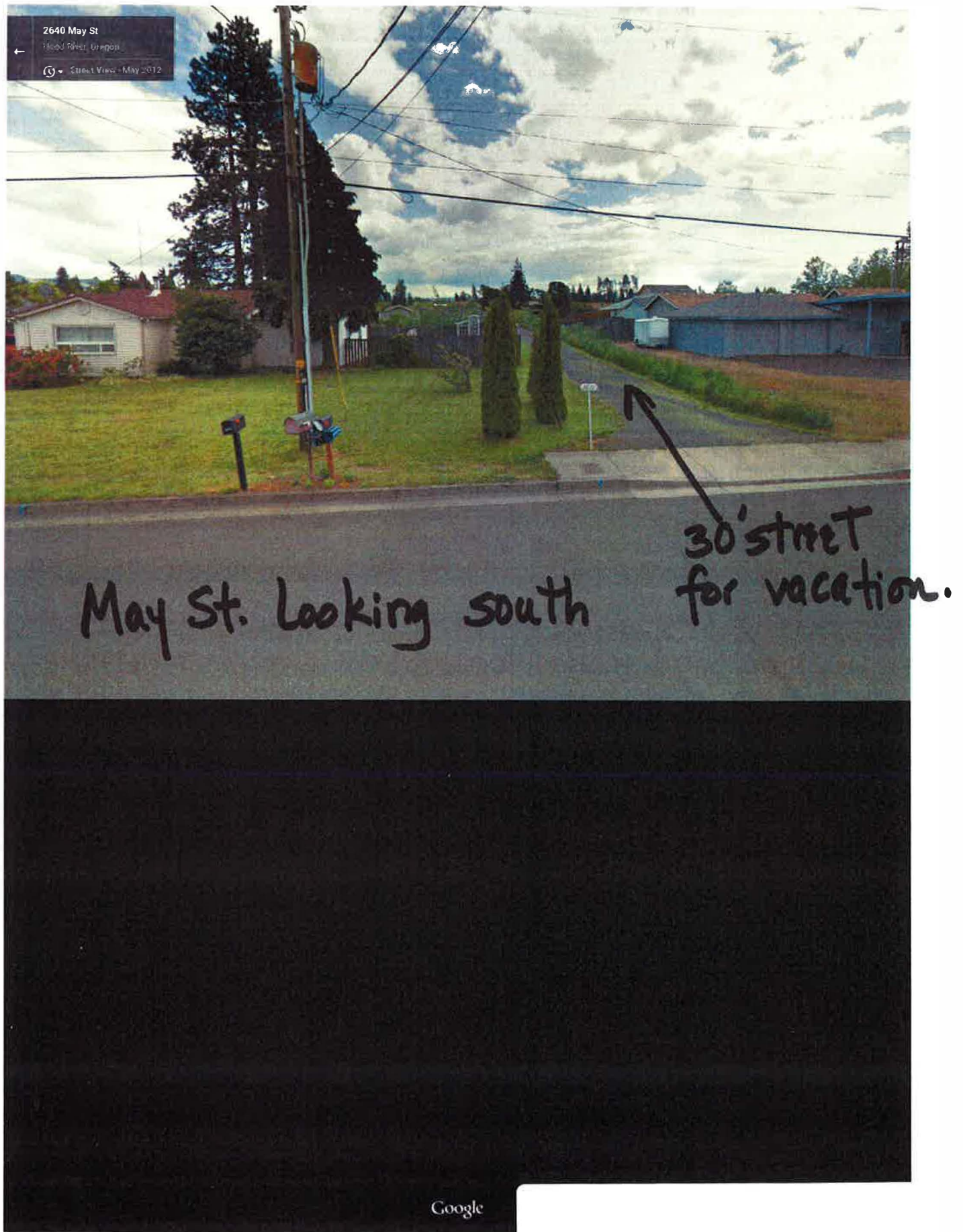
Description of abutting lot: 2595 & 2816 MAY ST.

Township 3N Range 10E Section 35

Per ORS 271.130(3)

I certify that all City liens and all taxes have been p

**EXHIBIT A**



## EXHIBIT B





# City of Hood River Transportation System Plan Road Classification Map

