

**MILWAUKIE, OREGON**  
**ORDINANCE NUMBER 1867**

**AN ORDINANCE OF THE CITY OF MILWAUKIE VACATING SE 25<sup>TH</sup> AVENUE BETWEEN SE BETA STREET AND SE STUBB STREET AND RESERVING EASEMENTS FOR VARIOUS UTILITIES AND PUBLIC TRANSPORTATION PURPOSES AND ALL ASSOCIATED EQUIPMENT AND FACILITIES NECESSARY FOR THE OPERATION THEREOF**

**WHEREAS, the City has received a sufficient petition requesting the vacation of SE 25<sup>th</sup> Avenue between SE Beta Street and SE Stubb Street, and**

**WHEREAS, the Planning Commission recommended the vacation on 23 November 1999, and**

**WHEREAS, the City Council finds that a reservation of utility easements is in the public interest, and**

**WHEREAS, the City Council finds that the reservation of an easement for public transportation and associated equipment and facilities necessary for the operation thereof, is in the public interest, and**

**WHEREAS, a public hearing was held before the City Council on 7 December 1999 and 4 January 2000 pursuant to ORS 271.120 and upon proper public notice as required by ORS 271.110; now, therefore,**

**THE CITY OF MILWAUKIE ORDAINS AS FOLLOWS:**

**Section 1. The City Council finds that notice of this vacation has been duly given, that the consent of the owners of the requisite area has been obtained, and that the vacation is in the public interest.**

**Section 2. The City Council finds that the reservation of utility easements is in the public interest.**

**Section 3. The City Council finds that the reservation of an easement for public transportation purposes and all associated equipment and facilities necessary for the operation thereof, is in the public interest.**

**Section 4. The following described street is vacated:**

**SE 25<sup>th</sup> Avenue from the north right-of-way line of SE Beta Street north 360-feet, more or less, to the southern end of the curve radius at the southwest corner of SE Stubb Street and SE 25<sup>th</sup> Avenue.**

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Section 5. That a utility easement is reserved over the entire area to be vacated for sanitary sewer, storm drainage, and water lines and for electric utility lines and facilities, telecommunication lines and facilities, natural gas lines and facilities, and cable communications lines and facilities.

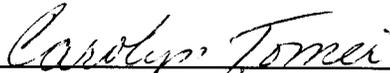
Section 6. That an easement is reserved over the entire area to be vacated for public transportation purposes and all associated equipment and facilities necessary for the operation thereof for the City of Milwaukie and/or Tri-County Metropolitan Transportation District of Oregon (commonly known as Tri-Met) and its successors.

Section 7. That the City Recorder is directed to file a certified copy of this Ordinance with the County Clerk, Assessor, and Surveyor for Clackamas County, Oregon pursuant to ORS 271.150.

Read the first time on January 4, 2000 and moved to second reading by 3 - 0 vote of the City Council.

Read the second time and adopted by the City Council on January 4, 2000 .

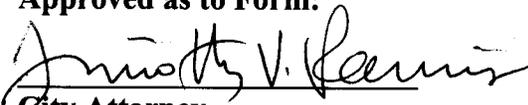
Signed by the Mayor on January 5, 2000 .

  
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Carolyn Tomei, Mayor

ATTEST:

  
\_\_\_\_\_  
City Recorder

Approved as to Form:

  
\_\_\_\_\_  
City Attorney

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