



# City of Prineville

## PLANNING COMMISSION RECOMMENDATION TO CITY COUCIL

**Topic:** Street Vacation

**Vacation Overview:** The Planning Commission reviewed and approved application Cu-2019-103 for a 135 unit multi-family complex. Condition 19 of that approval recommended that the unimproved right-of-way of Buckboard Ln. dedicated with the Buckhorn Acres Subdivision be vacated to allow the multi-family development in its approved configuration.

**Code references:** ORS 271.080 - .230

**Criteria:** *271.130 Vacation on city governing body's own motion; appeal.*

*(1) The city governing body may initiate vacation proceedings authorized by ORS 271.080 and make such vacation without a petition or consent of property owners. Notice shall be given as provided by ORS 271.110, but such vacation shall not be made before the date set for hearing, nor if the owners of a majority of the area affected, computed on the basis provided in ORS 271.080, object in writing thereto, nor shall any street area be vacated without the consent of the owners of the abutting property if the vacation will substantially affect the market value of such property, unless the city governing body provides for paying damages. Provision for paying such damages may be made by a local assessment, or in such other manner as the city charter may provide.*

**Finding 1:** The City Planning Commission reviewed a proposal to vacate the unimproved right-of-way of Buckboard Ln. on April 30<sup>th</sup>, 2019 as part of application Cu-2019-103 for a 135 unit multi-family complex. Notice of the hearing on the multi-family complex was increased to the notice requirements of 271.080 for a vacation.

There were no objections to the vacation at the hearing and one comment in favor. The vacation allows the development to control access and provide larger setbacks from neighboring properties. As a condition of approval for the development and a recommended condition of the vacation, public water and sewer lines shall be constructed to City standards within recorded easements. These water and sewer lines will be necessary in the event that the Barnes Butte Estates subdivision ever requires or desires City services.

**Recommendation:** Based on the proceedings of the April 30<sup>th</sup>, 2019 meeting and the findings above, the Planning Commission recommends the City Council hold a hearing as described above to vacate the right-of-way on City's Council's own motion, following the expiration of the appeal period for application Cu-2019-103.

  
Marty Bailey, Chair

5-7-19  
Date

**Attachments:** Legal description & Map

# Kelso Land Surveying, LLC

765 NW Third Street, Prineville, OR 97754 - (541) 420-8057 phone - greg@crestviewcable.com

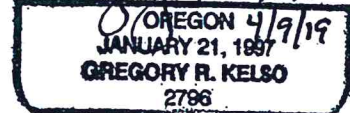
## STREET VACATION FOR A PORTION OF NE BUCKBOARD LANE LOCATED IN THE SW1/4 SW1/4 OF SECTION 29, T.14S., R.16E., W.M., CITY OF PRINEVILLE, CROOK COUNTY, OREGON.

### LEGAL DESCRIPTION

A portion of NE Buckboard Lane located in the Southwest one-quarter Southwest one-quarter (SW1/4 SW1/4) of Section 29, Township 14 South, Range 16 East, W.M., City of Prineville, Crook County, Oregon, more particularly described as follows: Beginning at the Southerly most corner of Lot 4 of the plat of Buckhorn Acres Subdivision as recorded at Instrument No. 2013-257316 on April 3, 2013, Records of Crook County, Oregon; thence North 34°12'01" West along the Easterly line of NE Buckboard Lane as dedicated on said plat of Buckboard Acres Subdivision a distance of 15.00 feet; thence along said Easterly line around a 45.00 feet radius curve right a distance of 63.78 feet, long chord bears North 06°24'18" East, 58.58 feet; thence along said Easterly line around a 230.00 feet radius curve left a distance of 189.03 feet, long chord bears North 23°27'57" East, 183.75 feet; thence North 00°04'43" West along said Easterly line a distance of 210.18 feet; thence along said Easterly line around a 185.00 feet radius curve left a distance of 137.11 feet, long chord bears North 21°18'37" West, 133.99 feet; thence along said Easterly line around a 120.00 feet radius curve right a distance of 88.94 feet, long cord bears North 21°18'37" West, 86.91 feet; thence North 00°04'43" West along said Easterly line a distance of 17.97 feet to the North line of said plat of Buckhorn Acres Subdivision; thence South 89°56'50" West along said North line a distance of 60.00 feet to the Westerly line of said NE Buckboard Lane; thence South 00°04'43" East along said Westerly line a distance of 18.00 feet; thence along said Westerly line around a 180.00 feet radius curve left a distance of 133.40 feet, long chord bears South 21°18'37" East, 130.37 feet; thence along said Westerly line around a 125.00 feet radius curve right a distance of 92.64 feet, long chord bears South 21°18'37" East, 90.54 feet; thence South 00°04'43" East along said Westerly line a distance of 210.18 feet; thence along said Westerly line around a 170.00 feet radius curve right a distance of 139.72 feet, long chord bears South 23°27'57" West, 135.82 feet; thence along said Westerly line around a 105.00 feet radius curve left a distance of 148.83 feet, long chord bears South 06°24'18" West, 136.68 feet; thence South 34°12'01" East along said Westerly line a distance of 15.00 feet to the North line of NE Black Bear Street as dedicated on said plat of Buckhorn Acres Subdivision; thence North 55°47'59" East along said North line a distance of 60.00 feet to the Point of Beginning, containing 44,393 square feet, more or less.



*Gregory R. Kelso*



*RENEWS 6/30/19*



**EXHIBIT MAP FOR THE VACATION OF A PORTION OF OF NE BUCKBOARD LANE LOCATED IN THE SW1/4 SW1/4 OF SECTION 29, T.14S., R.16E., W.M., CITY OF PRINEVILLE, CROOK COUNTY, OREGON W.O. 1310**

**PREPARED FOR**  
 HARRISON APARTMENTS  
 2317 NE COLLEEN ALLEY  
 PRINEVILLE, OR 97754

**PREPARED BY**  
 KELSO LAND SURVEYING, LLC  
 765 NW THIRD STREET  
 PRINEVILLE, OR 97754  
 (541) 420-8057

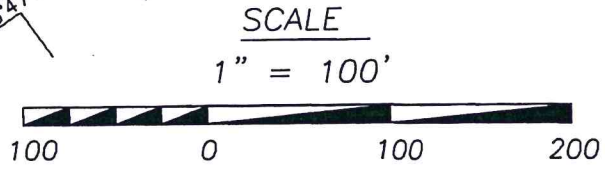
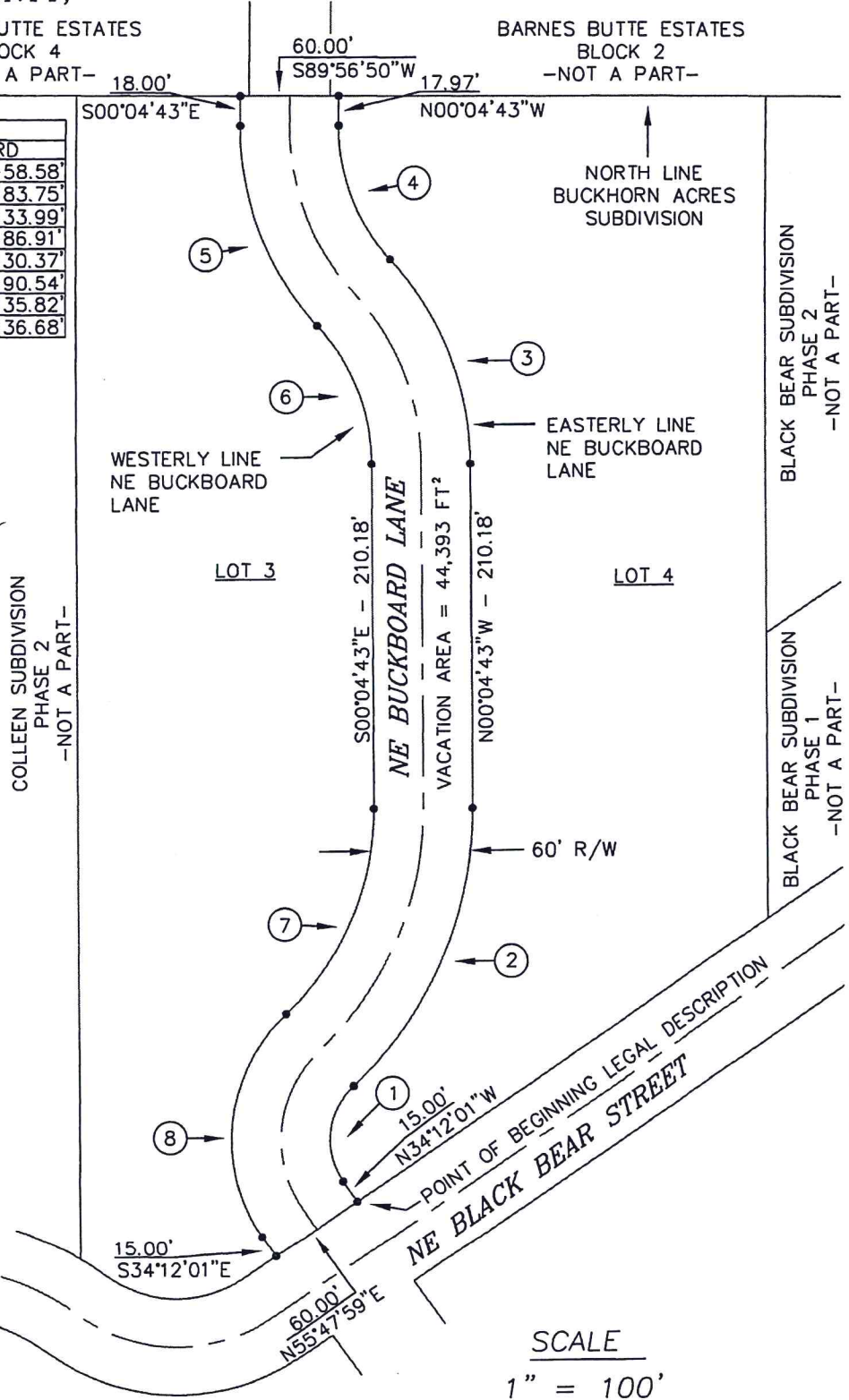
| CURVE TABLE |         |           |         |                     |
|-------------|---------|-----------|---------|---------------------|
| NO.         | RADIUS  | DELTA     | LENGTH  | LONG CHORD          |
| 1           | 45.00'  | 81°12'38" | 63.78'  | N06°24'18"E-58.58'  |
| 2           | 230.00' | 47°05'20" | 189.03' | N23°27'57"E-183.75' |
| 3           | 185.00' | 42°27'49" | 137.11' | N21°18'37"W-133.99' |
| 4           | 120.00' | 42°27'49" | 88.94'  | N21°18'37"W-86.91'  |
| 5           | 180.00' | 42°27'49" | 133.40' | S21°18'37"E-130.37' |
| 6           | 125.00' | 42°27'49" | 92.64'  | S21°18'37"E-90.54'  |
| 7           | 170.00' | 47°05'20" | 139.72' | S23°27'57"W-135.82' |
| 8           | 105.00' | 81°12'38" | 148.83' | S06°24'18"W-136.68' |



**REGISTERED PROFESSIONAL LAND SURVEYOR**

*Gregory R. Kelso*  
 OREGON 4/9/19  
 JANUARY 21, 1997  
 GREGORY R. KELSO  
 2796

RENEWES 6/30/19



APRIL 9, 2019

(11)

WO 1310



