

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO. 23-11-07-08

IN THE MATTER OF SETTING A PUBLIC
HEARING FOR THE VACATION OF A PORTION
OF 7TH AVENUE, A PUBLIC ROAD, LOCATED IN
SECTION 4, TOWNSHIP 18 SOUTH, RANGE 12
WEST OF THE WILLAMETTE MERIDIAN, IN LANE
COUNTY, OREGON. (18-12-04-11).

WHEREAS, the Surveyor's Office of the Department of Public Works has received a valid petition signed by Trevor Means, signing as a landowner and Rebecca Brooke, Forest Supervisor for the Siuslaw National Forest, representing 66% ownership of the properties abutting the public road herein proposed to be vacated, by the authority of ORS 368.346, a vacation with a public hearing of the following described road:

The west half of 7th Avenue located adjacent to Lot 1, Block 6 of the First Addition Holt Park, as platted and recorded in Book 31, Page 8, Lane County Oregon Plat Records, Lane County, Oregon.

WHEREAS, ORS 368.326 to 368.366 provides for procedures by which a County governing body may vacate portions of a subdivision or public rights of way. Lane Manual 15.030 supplements ORS 368 in allowing for consideration of vacation of rights of way where little need exists for the rights of way, where no property owner is denied legal access as a result of the vacation and where the vacation will not adversely affect orderly development of adjacent property; and

WHEREAS, 7th Avenue is located outside the city limits of Florence, Oregon and therefore is under Lane County's jurisdiction; and

WHEREAS, ORS 373.270 requires the governing body to give notice either by posting or publishing the time and place of the Public Hearing, the County governing body shall hear the matter, consider any objections or testimony offered by any person interested and determine whether it is necessary, expedient or for the best interests of the County to vacate the public road; and

WHEREAS, the Public Works Director of Lane County has recommended a Public Hearing date be established to consider the vacation of the portion of 7th Avenue as hereon described, and has provided a written report attached hereto and made a part hereof by this Order marked as Exhibit "B," and

WHEREAS, the Board is of the opinion that setting a date to hold a Public Hearing to consider the request to vacate the west half of 7th Avenue is in the best interest of the public; and

NOW, THEREFORE, the Board of Commissioners of Lane County **ORDERS** as follows:

1. A Public Hearing shall be held on **January 9, 2024, at 1:30 p.m.**, time certain, to formally consider Petitioners request to vacate a portion of 7th Avenue, as described herein.
2. Legal notice of the Public Hearing be posted or published, in accordance with ORS 368.346.
3. The Director of the Lane County Department of Public Works to prepare and provide a Final Report on the proposed vacation.

ADOPTED this 7th day of November 2023.

A handwritten signature in cursive script, appearing to read "Pat Farr", is written above a horizontal line.

Pat Farr, Chair

LANE COUNTY BOARD OF COMMISSIONERS