

## CITY OF TANGENT STAFF REPORT

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Applicant:	City of Tangent
Property Owner:	City of Tangent –Tangent Drive ROW west of Hwy 99E
Application:	Street vacation
Address:	Tangent Drive stub located west of Hwy 99E
Zone:	Highway Commercial/Industrial (HC/I)
Criteria:	Tangent Development Code 2.900 and ORS 271.130
Contact Person:	City Manager Georgia Edwards

### **Background:**

This proposal seeks to vacate that portion (a stub) of public right-of-way of Tangent Drive located west of Hwy 99E to the abutting property owners (Michael Boyd and Skylar McCollaum). The reason for this city-initiated street vacation, and its objective, is to resolve a long-standing dispute between the two affected owners of property abutting the Tangent Drive street stub.

The owner of both parcels abutting on the south – TLs 900 & 1000 – is Skylar McCollaum, and the owner of both parcels abutting on the north is Michael Boyd – TLs 700 & 800. The property owner on the south (Skylar McCollaum) habitually parks vehicles on and places stored and discarded materials over the entire Tangent Drive ROW, which blocks access by Mr. Boyd and his tenants to his properties (TLs 700 & 800).

With the vacation of the Tangent Drive stub, the north half going to Mr. Boyd and the south half going to Mr. McCollaum, these two property owners can more clearly and easily demarcate the common boundary between their respective properties, which will hopefully resolve the encroachment problems. To the extent that encroachment problems and trespass disputes persist following the City's vacation of this street stub, the problem will be entirely a private matter between these two individuals and will no longer involve the City as owner of public ROW.

In addition to the practical reasons for this street vacation, this particular stub does not appear to have any functional purpose as city right-of-way. It passes by the length of the above-mentioned tax lots and stubs to the back east) side of Lone Oak Estates, without providing any vehicular or utility access to this development. The current abutting property owners use the stub as their driveways, and it has neither the appearance nor any of the functions of public ROW. Accordingly, there appears to be no reason for the city to continue to maintain or hold this land as ROW, plus continued public ownership keeps the city in the middle of an active neighbor-on-neighbor dispute.

### **Approval Standards, Criteria and the Vacation Process:**

Street vacations are controlled by state law – ORS 271.130 – and the Tangent Development Code – §2.900 – which respectively provide as follows:

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.

(2) Two or more streets, alleys, avenues and boulevards, or parts thereof, may be joined in one proceeding, provided they intersect or are adjacent and parallel to each other.

(3) No ordinance for the vacation of all or part of a plat shall be passed by the governing body until the city recording officer has filed in the office of the city recording officer or indorsed on the petition for such vacation a certificate showing that all city liens and all taxes have been paid on the lands covered by the plat or portion thereof to be vacated.

(4) Any property owner affected by the order of vacation or the order awarding damages or benefits in such vacation proceedings may appeal to the circuit court of the county where such city is situated in the manner provided by the city charter. If the charter does not provide for such appeal, the appeal shall be taken within the time and in substantially the manner provided for taking an appeal from justice court in civil cases.

## **SECTION 2.900 - VACATIONS**

Where it is determined that a proposed Vacation shall not be injurious to the City or abutting properties, it may be appropriate to vacate all or parts of a public right-of-way, easements or other public places. This section states the procedures and criteria to permit the vacation of public lands not needed for municipal purposes, where it is consistent with the community land use policies and goals. Ownership of vacated territory shall revert proportionally to the adjoining properties and become a part thereof, as set out in state law.

**2.900(3) Decision Criteria.** A Vacation request may be approved if the reviewing body finds that the applicant has shown that all of the following review criteria are met:

- (a) The proposed Vacation is consistent with the relevant Comprehensive Plan policies and with any adopted street plan, transportation plan or public facility plan.
- (b) The proposed Vacation will not adversely impact adjacent areas or the land use plan of the City.

- (c) The proposed Vacation will not have a negative effect on access between public rights-of-way, existing or future properties, public facilities or utilities.
- (d) The proposed Vacation will not have a negative effect on traffic circulation or emergency service protection and is not part of the Tangent Transportation System Plan.
- (e) The portion of the right-of-way that is to be vacated will be brought into compliance with Code requirements, such as landscaping, driveway access, and reconstruction of access for fire safety, as applicable.
- (f) The proposed Vacation will not create a landlocked property or adversely affect access to or development potential of any properties.
- (g) The proposed Vacation will not have an adverse impact on economy of the area.
- (h) The public interest, present and future, will be best served by approval of the proposed Vacation.

Under the process described in ORS 271.130, the City Council, on its own motion, may initiate a street vacation process. This obviates the need for signed consents from affected property owners, which are usually required, and makes a public hearing optional. Tangent Development Code §2.900(4)(b) similarly provides a truncated process for city-initiated street vacations: "City initiated Vacations may include a public hearing, at the discretion of the City Council." ORS 271.130(4) precludes approval of the vacation proposal if it would adversely affect any abutting property owner.

**Analysis of the Approval Criteria for a Street Vacation:**

- a. *The proposed Vacation is consistent with the relevant Comprehensive Plan policies and with any adopted street plan, transportation plan or public facility plan.*

This portion of Tangent Drive west of Hwy 99E is not included in the adopted Transportation System Plan, except in a traffic study on Tangent Drive and it is listed as a driveway. This street stub does not serve or connect to any of the properties in the subdivision west of Tangent Drive (Lone Oak Estates), and it only abuts and serves Mr. Boyd's two parcels on the north (TLs 700 & 800) and Mr. McCollaum's two parcels on the south (TLs 900 & 1000). Both sets of properties are zoned Community Commercial (CC), and eastern parcels are currently developed with a single non-conforming but legal single-family residence. This situation, and the enlargement of all four abutting parcels through this vacation, appears to be consistent with the Comprehensive Plan.

- b. *The proposed Vacation will not adversely impact adjacent areas or the land use plan of the City.*

The existing public stub of Tangent Drive, which is not paved or otherwise improved with any of the standard street improvements, and is currently used as *de facto*

private property by the abutting owners, terminates at Lone Oak Estates, a fully developed residential subdivision which requires no street access, utilities, or other benefits from this would-be public street extension. Surrounding properties would not be impacted in terms of their ability to develop in a manner consistent with the Commercial Comprehensive Plan designation and CC Zoning affecting the remaining neighboring properties.

- c. The proposed Vacation will not have a negative effect on access between public rights-of-way, existing or future properties, public facilities or utilities.*

Tax lots 700 and 1000 of T12S, R4W, Section 12AD are in contiguous ownership with their abutting properties: TLs 900 and 1000 on the south are both owned by Mr. McCollaum and TLs 700 and 800 on the north are both owned by Mr. Boyd. This vacation would effectively land-lock TLs 700 and 1000 unless the City requires or reserves a 20' wide access and utility easement across TL 900 to serve and benefit TL 1000, and a similar 20' wide easement is required or reserved across TL 800 to serve and benefit TL 700. With the necessary 20' wide easements, this criterion is met.

- d. The proposed Vacation will not have a negative effect on traffic circulation or emergency service protection and is not part of the Tangent Transportation System Plan.*

Vehicular access to future potential development on the CC Zoned TLs 700 and 1000 would be provided via easements across lots 800 and 900, respectively. A representative of the Tangent Rural Fire Protection District, the local Battalion Chief, concurred with the easement locations and dimensions, and indicated that his agency had no further comments or concerns. City engineering and planning staff have concurred that this easement width will reasonably accommodate vehicular access and providing utilities to future potential commercial development on the westerly two parcels. This area is not part of any planned improvements associated with the Transportation System Plan that would complicate the potential for vacation as proposed.

- e. The portion of the right-of-way that is to be vacated will be brought into compliance with Code requirements, such as landscaping, driveway access, and reconstruction of access for fire safety, as applicable.*

Easements for driveway and emergency access to TLs 700 and 1000 would be secured prior to vacating the public street stub. This decision does not enforce any landscaping standards of the LDC, except that the vacated front yards will be required to be planted consistent with other residential street facing yards in the vicinity. Access for fire safety is adequately provided by the required 20-foot easements across both easterly affected properties.

- f. The proposed Vacation will not create a landlocked property or adversely affect access to or development potential of any properties.*

This vacation comes concurrent with an application for a variance to LDC 1.130(3), Compliance Standards which requires that "Every lot or parcel shall abut and have access to a public street."

The vacation would effectively land lock TLs 700 and 1000, mitigated in this action by the creation of easements to serve these lots with access (ingress and egress), utility access. This effectively achieves the objectives of LDC 1.130(3) and meets the requirements of the sixth vacation approval criterion. With adoption of these findings and implementation of the easements to serve TLs 700 and 1000, the proposal's apparent conflict with this criterion is entirely mitigated, thus the proposal is consistent with the intent of the criterion.

*g. The proposed Vacation will not have an adverse impact on (the) economy of the area.*

This vacation facilitates, and in no way impinges upon, the potential for future commercial development and use of the subject properties consistent with their zoning and the intent of the city's downtown, commercial core area. No economic impact is anticipated for the area. Vacation relieves the city of the potential financial burden of constructing and/or maintaining a short segment of public street to serve two 10,000 square foot, commercially-zoned parcels which have other means of obtaining access and utilities, without requiring a public right-of-way in this location.

*h. The public interest, present and future, will be best served by approval of the proposed Vacation.*

The street stub in question has historically been occupied and utilized by the abutting property owners for their private use, which has resulted in the city becoming entangled in some neighborhood disputes in which they would otherwise have no stake, interest, or expectation of intervention or identifying a resolution, were the subject area not in public ownership.

The stub only serves two undeveloped parcels which can be provided with access and utilities by other means. There is no public interest in the city retaining ownership of the platted street section in this location, and the public interest would in fact best be served by vacating the area and converting it to private ownership among the abutting property owners.

**Analysis of the Approval Criteria for a Variance:**

As mentioned above under the sixth street vacation criterion (g), vacating the Tangent Drive ROW would land-lock TLs 700 & 1000, which would conflict with the requirement in LDC 1.130(3) that "Every lot or parcel shall abut and have access to a public street." Consequently, a variance to this standard is required, to which the variance approval criteria in TDC 2.600(2) apply.

*a. The property has unique or peculiar physical circumstances or conditions such as, irregular shape, width or depth; or exceptional natural or physical conditions such as*

*topography, trees, native vegetation, wetlands, riparian areas, floodplain, wildlife habitat, or drainage ways; and*

The only two parcels that stand to be land-locked in this case are TLs 700 and 1000, which are the western-most lots with no direct connection to Hwy 99E. Vacating the Tangent Drive ROW would remove the street frontage that is required by LDC 1.130(3).

Both lots on the west (TLs 700 & 1000) are owned by the same owners as the lots to the east of each (TLs 800 & 900), which have direct frontage onto Hwy 99E. Currently, both TLs 800 & 1000 have ROW access via a direct connection to Tangent Drive. To maintain ROW access, an easement over the proposed vacation area is needed to provide access (ingress, egress and utilities) serve TLs 700 & 1000. This is a legal, practical and sufficient means of maintaining access to both lots that will facilitate future development of TLs 700 & 1000. This configuration of lots and their proximity to Tangent Drive is peculiar physical circumstance unique to TLs 700 and 1000. Moreover, this unique circumstance has led to the current conflict between the owner of the parcels on the north (Michael Boyd, owner of TLs 700 & 800) and owner of the parcels on the south (Skylar McCollaum, owner of TLs 900 & 1000). The vacation, along with the variance and staff's recommended easements to serve TLs 700 & 1000 are designed to resolve this conflict, without involving city enforcement.

*b. The requested Variance is the minimum necessary to address the peculiar or unusual conditions of the site; and*

The amount of variance needed is the distance between the nearest point on TL 700 and 1000 to what will remain as Tangent Drive ROW, which is approximately 64 feet. This is the minimum necessary that is needed to accomplish this street vacation, and an easement is a legally sufficient means for providing ROW access for TLs 700 and 1000. Moreover, there is no apparent alternative to providing easements and no apparent alternative to a street vacation for resolving the conflict between the two affected property owners. ODOT comments indicate that the state agency concurs with the street vacation so long as the first 40 feet west of Hwy 99E is retained as ROW and not vacated. This has the effect of reducing the easements needed to serve TLs 700 & 1000.

*c. Any impacts resulting from the Variance are mitigated to the extent practical; and*

The only negative impact identified from the vacation of Tangent Drive is the land-locking of TLs 700 & 1000. The easements proposed herein are sufficient to mitigate for the loss of direct ROW access for these lots because they will ensure continued vehicular (ingress and egress) access to TLs 700 and 1000, and utility access.

*d. The granting of the Variance will not be detrimental to the public welfare or injurious to other property in the area in which the property is situated; and*

The reservation of access and utility easements will preserve ROW access for TLs 700 and 1000, while not adversely impacting the public ROW, nor any other property. No other property owner would be affected by reservation of these easements. Finally,

the retention of public ROW over the first (eastern-most) 40 feet of Tangent Drive adjacent to Hwy. 99E will encompass a stormwater drain and keep it as publicly owned within public ROW.

*e. The granting of the Variance will not conflict with the purpose and intent of the district or zone or other related ordinances of the City*

The underlying zoning is Community Commercial (CC), which allows for a wide range of commercial and industrial uses, all of which require access to public ROW. The proposal includes retention of access and utility easements to serve TLs 700 & 1000, which achieves this policy objective of the CC zone. There is no conflict with any other applicable development standard or the Tangent Transportation System Plan.

**ODOT Comments:** ODOT, which has jurisdiction over Hwy. 99E, recommended against vacating the entire Tangent Drive ROW. ODOT recommended that the eastern-most 40 feet of Tangent Drive, adjacent to Hwy 99E, be retained as public ROW. This would avoid any approach permitting problems of private lots accessing directly onto the highway and would protect sight distance for this intersection. This would also maintain a stormwater catch basin within public ROW. City planning and engineering staff agreed. Consequently, the recommendation is to retain as public ROW the eastern-most 40 feet of Tangent Drive.

**Staff's Recommendation:** Staff recommends vacating the Tangent Drive segment west of Hwy 99E, except for the eastern-most 40 feet that is adjacent to the highway. Approve the variance to LDC 1.130(3) for TLs 700 and 1000, which otherwise require direct street frontage for these lots. Direct staff to draft appropriate access (ingress and egress) and utility easements to serve TLs 700 and 1000, which shall be executed and recorded prior to the vacation becoming effective.

**Motion in Favor:** I move to APPROVE the proposed vacation of the Tangent Drive stub starting at a point 40 feet west of Hwy 99E and APPROVE the variance to LDC 1.130(3) for TLs 700 and 1000. The ROW should be split east-west down the middle, title to the north half going to the owner of TLs 700 and 800 and title to the south half going to the owner of TLs 900 & 1000. City staff will prepare and record easements over TLs 800 and 900 to serve TLs 700 and 1000, which would otherwise be landlocked.

**Alternatives:** DENY the street vacation proposal or continue the matter for further investigation of options and alternatives to a street vacation.

**Attachments:**

- A. Aerial photographs of the affected properties
- B. Legal description for the Tangent Drive stub to be vacated
- C. Legal descriptions of the required easements

**IN THE CITY COUNCIL  
FOR THE CITY OF TANGENT, OREGON**

**An Ordinance vacating an unused portion of Tangent Drive right-of-way west of Highway 99E, conveying one-half to each of the abutting property owners to the north and south, and retaining certain easements for access and public purposes.**

Ordinance No. 2020-\_\_\_\_

**RECITALS**

**WHEREAS**, pursuant to ORS 271.130, the Tangent City Council initiated the vacation of Tangent Drive right-of-way located west of Pacific Highway 99E and specifically illustrated and described in Exhibit A, incorporated herein by this reference (the "Vacation Area"); and

**WHEREAS**, the City sent the following notice to the owners of property affected by this vacation request as prescribed by ORS 271.110:

The City Council has initiated the vacation of Tangent Drive right-of-way located west of Pacific Highway 99 pursuant to ORS 271.130. The proposed vacation area is approximately 60 feet wide by 204 feet long and is illustrated on the plat map drawing, attached as Exhibit A. If approved by the City Council, ownership of vacated territory shall revert proportionally to the adjoining properties, with the north half (30 feet by 204 feet) going to the abutting property to the north, and the south half (30 feet by 204 feet) going to the abutting property to the south. The City will retain a 20 foot wide by 204 feet long easement in the middle of the vacation area for public utilities. At this hearing, the City Council will decide whether the vacation proposal meets the approval criteria in Section 2.900(3) of the Tangent Development Code.

**WHEREAS**, consistent with this notice, the City Council convened a duly noticed public hearing on September 14, 2020, to consider the City's proposal to vacate the Vacation Area, at which time the Council accepted all form of written and verbal comment on the request; and

**WHEREAS**, the City Council determined that it was best to not take any action at the September 14, 2020 meeting but that it would be appropriate to obtain additional information and public input before making a decision on the vacation, and

**WHEREAS**, at its November 16, 2020 meeting, the City Council received further information regarding the need to vacate the Vacation Area and the absence of any identifiable need to retain the Vacation Area as public right-of-way, and scheduled the matter for a hearing on December 14, 2020 at 7:00 p.m., to receive public testimony on the proposal; and



**WHEREAS**, the Council convened a duly noticed public hearing at its regular meeting on December 14, 2020, at which time it received public testimony on the proposal to vacate the Vacation Area

**WHEREAS**, City planning and engineering staff recommended that the City retain a 40-foot wide public utility easement through the center of the Vacation Area and convey two 20-foot wide by approximately 64-foot long easements through the Vacation Area to provide access (ingress and egress) and utilities to serve TLs 700 and 1000; and

**WHEREAS**, the city received comments from the Oregon Department of Transportation (ODOT), which has jurisdiction over Hwy 99E, recommending that the City not vacate the first (eastern-most) 40 feet of Tangent Drive right-of-way west of Hwy 99E; and

**WHEREAS**, considering the entire record of this matter, the Council determines that it is in the public interest to vacate the right-of-way described on Exhibit A, which does not include the first (eastern-most) 40 feet of the Tangent Drive right-of-way abutting Hwy 99E; and

**WHEREAS**, the Vacation Area illustrated and described in Exhibit A is generally no longer needed for public purposes and will not be needed in the future for public access; however, certain easements shall be retained to protect limited public access and access to private parcels that would otherwise be land-locked from the public right-of-way.

**NOW, THEREFORE**, based on the foregoing Recitals, which are incorporated herein in support of this Ordinance, the Tangent City Council ordains as follows:

1. Vacation of a Portion of Tangent Drive Right-of-Way. That portion of the Tangent Drive right-of-way described and illustrated in Exhibit A (the "Vacation Area") incorporated herein by this reference is no longer needed for public right-of-way purposes and shall be vacated. Title to the northern one-half of the Vacation Area (approximately 30x160 feet) shall go to and vest in the owner of the land abutting to the north. Title to the southern one-half of the Vacation Area (approximately 30x160 feet) shall go to and vest in the owner of the land abutting to the south. This vacation is subject to compliance with or fulfillment of all of the conditions set forth herein.
2. Reservation of Easements for the City of Tangent. The City of Tangent expressly reserves two easements 20 feet wide (total of 40 feet) by approximately 64 feet long oriented east-west over the Vacation Area (the "Easement Areas") in favor of the City of Tangent for the installation, replacement, repair, maintenance and operation of public utilities and for emergency access. The owners of the land encumbered by these Easement Areas shall place no permanent structures, and no vegetation, landscaping or fencing taller than 6 feet, on, over or under the Easement Areas. The City shall not be responsible for the restoration or replacement of any structures, vegetation, or any improvements in the Easement

Areas in the event the same must be removed or disturbed for the City to exercise its rights under this Reservation of Easements.

3. Reservation of Easements to Serve TLs 700 and 1000. The City shall cause to be recorded two easements 20 feet wide by approximately 64 feet long oriented east-west over the Vacation Area for the benefit of and to serve TLs 700 and 1000 with access (ingress and egress) and utilities from the public right-of-way in Highway 99E. These easements may be established over, and be coincidental with, the City's Reservation of Easements described in Section 2.
4. Assessment. The Vacation Area shall be subject to all of the assessments and taxation applicable to similarly situated properties in the various taxing districts in which it is situated from this point forward.
5. Zoning. The Vacation Area shall bear the same zoning designation as the abutting lands to the north and south, to which the Vacation Area will accrue.
6. Title. 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 bordering the Vacation Area to the north and to the south, subject to the easements described in Sections 1 and 2 above.
7. Recordation. The City of Tangent shall prepare and record a certified copy of this Ordinance, its attached Exhibit A and all easements referenced herein, with the Linn County Clerk and shall bear the costs of such recording.

**APPROVED and ADOPTED** this 14<sup>th</sup> day of December 2020 by the Tangent City Council, to become effective 30 days hence.

ATTEST:

Approved:

\_\_\_\_\_  
Georgia Edwards, City Manager

\_\_\_\_\_  
Loel Trulove, Mayor

## Findings of Fact for vacation of Tangent Drive Stub

- a) The proposed Vacation is consistent with the relevant Comprehensive Plan policies and with any adopted street plan, transportation plan or public facility plan. **This part of Tangent Drive is not included in the adopted Transportation Plan, except in a traffic study on Tangent Drive and it is listed as a driveway. The property is zoned Community Commercial and is currently used as a residence. This appears to be consistent with the Comprehensive Plan.**
- (b) The proposed Vacation will not adversely impact adjacent areas or the land use plan of the City. **This vacation services 4 tax lots. It will not change the uses allowed on this property.**
- (c) The proposed Vacation will not have a negative effect on access between public rights-of-way, existing or future properties, public facilities or utilities. **This vacation will not change the future impact on public facilities.**
- (d) The proposed Vacation will not have a negative effect on traffic circulation or emergency service protection and is not part of the Tangent Transportation System Plan. **A recent inquiry to the Tangent Fire Department indicated that this would not impact the Fire Department ability to provide fire protection services to this area.**
- (e) The portion of the right-of-way that is to be vacated will be brought into compliance with Code requirements, such as landscaping, driveway access, and reconstruction of access for fire safety, as applicable. **It is expected that this area will continue to serve as a driveway for the tax lots.**
- (f) The proposed Vacation will not create a landlocked property or adversely affect access to or development potential of any properties. **In order to not land lock the two tax lots in the back of this right of way, an easement would be needed if the two tax lots in the back were divided from the front tax lots. The two tax lots on the south side are owned by the same property owner as are the two tax lots on the north side.**
- (g) The proposed Vacation will not have an adverse impact on economy of the area. **This vacation would not impact the economy of the area and has a potential of increasing the economics of the area should property owner decide to change the current use of the**

**property into a commercial property as it would allow more buildable land for each of the four tax lots.**

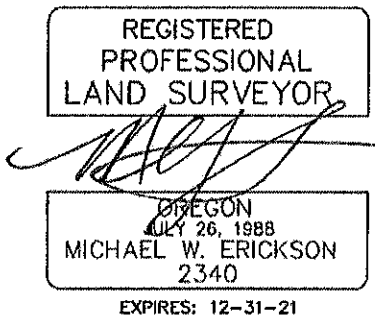
- (h) **The public interest, present and future, will be best served by approval of the proposed Vacation. This property has only been used as a driveway. By approving this vacation it will allow the neighbors to have their own property and they will not be required to share access which have caused some friction.**

**EXHIBIT A**

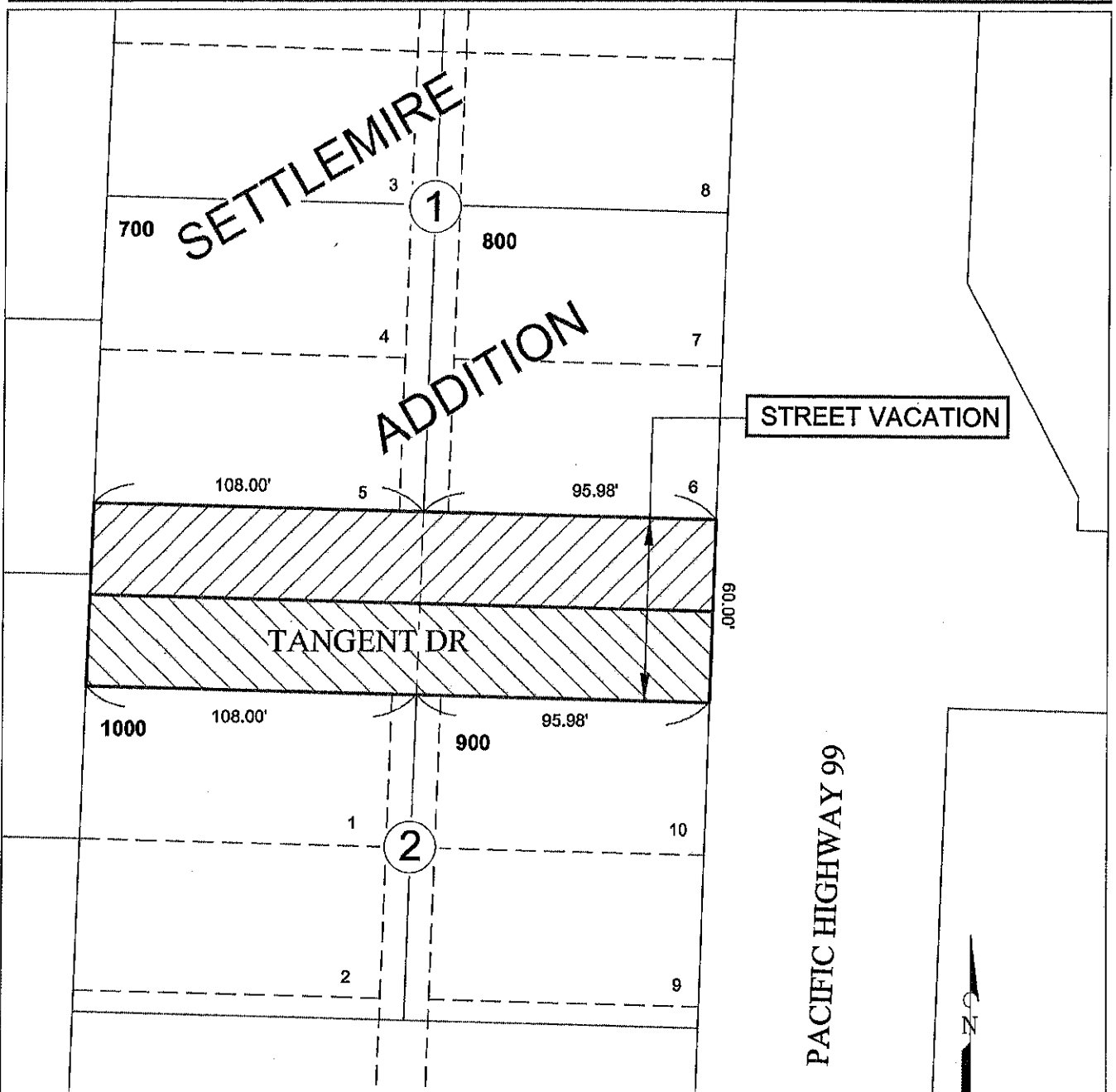
**CITY OF TANGENT  
TANGENT DRIVE – STREET VACATION**

Vacation of a portion of Tangent Drive of Settlemyre's Addition to Tangent being located in the Southeast quarter of the Northeast quarter of Section 12, Township 12 South, Range 4 West of the Willamette Meridian, City of Tangent, Linn County, Oregon being more particularly described as follows:

That portion of said Tangent Drive, lying west of U.S. Highway 99 right-of-way, all as specified on the attached Exhibit B.



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REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

OREGON  
JULY 26, 1988  
MICHAEL W. ERICKSON  
2340  
EXPIRES: 12-31-21

LOCATED IN  
THE SE 1/4 NE 1/4 SECTION 12, TOWNSHIP 12 SOUTH,  
RANGE 4 WEST, WILLAMETTE MERIDIAN, LINN COUNTY

<p>THE DYER PARTNERSHIP ENGINEERS &amp; PLANNERS, INC.</p>	<p>CITY OF TANGENT LINN COUNTY, OREGON</p>	<p>EXHIBIT NO.</p>
<p>DATE: DEC., 2020 PROJECT NO.: 205.00</p>	<p>STREET VACATION MAP</p>	<p><b>B</b></p>

**EXHIBIT A**

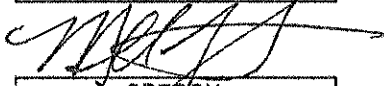
**CITY OF TANGENT  
TANGENT DRIVE – UTILITY & ACCESS EASEMENT No. 1**

A utility and ingress/egress easement, twenty feet in width over a portion of the vacated Tangent Drive of Settlemire's Addition to Tangent being located in the Southeast quarter of the Northeast quarter of Section 12, Township 12 South, Range 4 West of the Willamette Meridian, City of Tangent, Linn County, Oregon with the centerline of said twenty-foot strip of land being more particularly described as follows:

Beginning at the intersection of the centerline of the vacated Tangent Drive with the west right-of-way of U.S. Highway 99;

Thence South 89° 47' 30" West 95.98 feet along said centerline of Tangent Drive to the centerline of the vacated alleyway and extension thereof running through Blocks 1 and 2 of said Settlemire's Addition, all as specified on the attached Exhibit B.

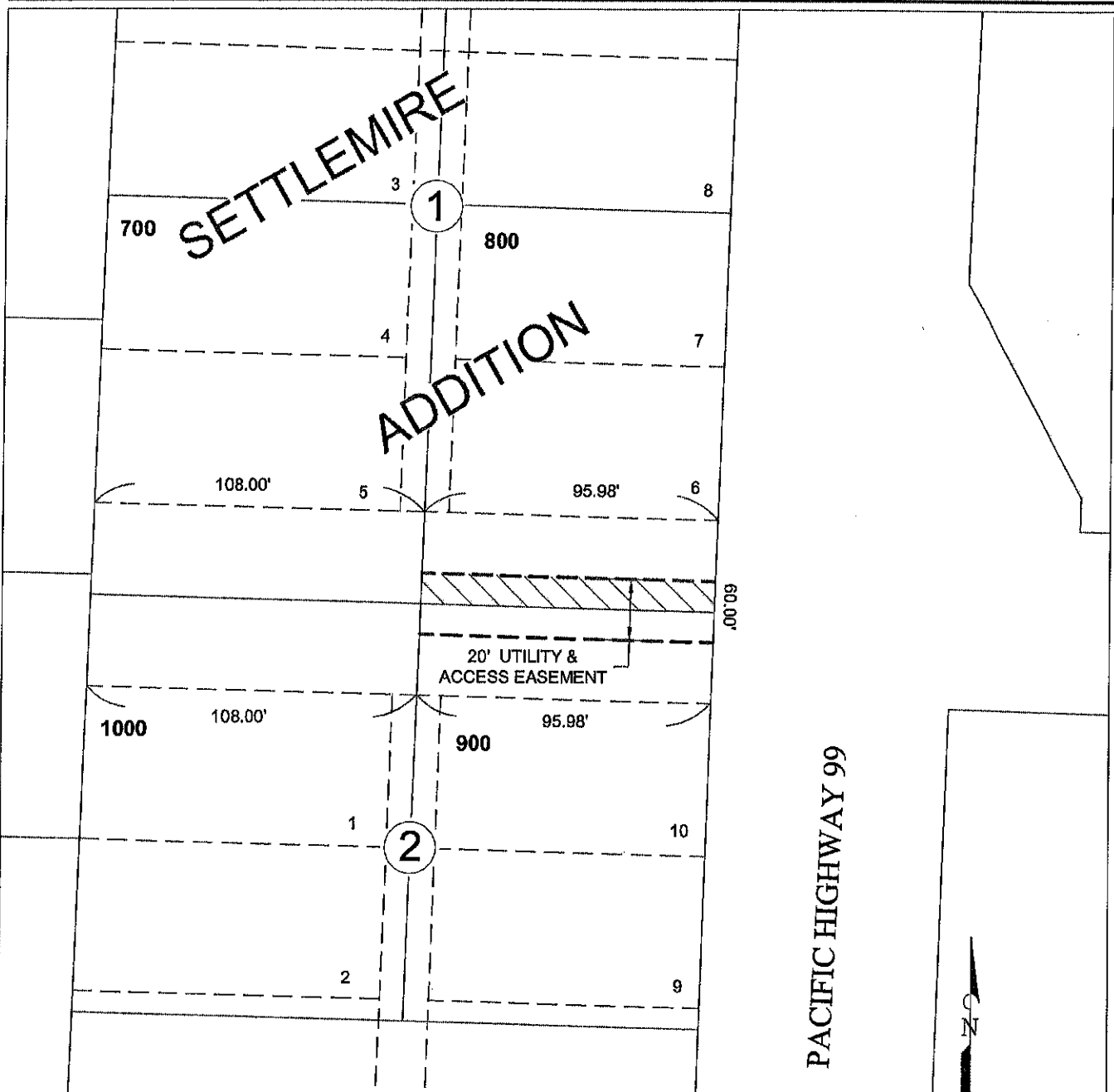
REGISTERED  
PROFESSIONAL  
LAND SURVEYOR



OREGON  
JULY 26, 1988  
MICHAEL W. ERICKSON  
2340

EXPIRES: 12-31-21

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 PLOT DATE December 7, 2020



REGISTERED  
 PROFESSIONAL  
 LAND SURVEYOR

*Michael W. Erickson*  
 OREGON  
 JULY 26, 1988  
 MICHAEL W. ERICKSON  
 2340  
 EXPIRES: 12-31-21

LOCATED IN  
 THE SE 1/4 NE 1/4 SECTION 12, TOWNSHIP 12 SOUTH,  
 RANGE 4 WEST, WILLAMETTE MERIDIAN, LINN COUNTY

THE DYER PARTNERSHIP ENGINEERS & PLANNERS, INC.	CITY OF TANGENT LINN COUNTY, OREGON	EXHIBIT NO. <b>B</b>
DATE: DEC., 2020 PROJECT NO.: 205.00	EASEMENT MAP NO. 1	



**EXHIBIT A**

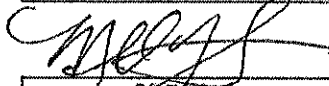
**CITY OF TANGENT  
TANGENT DRIVE – UTILITY & ACCESS EASEMENT No. 2**

A utility and ingress/egress easement, twenty feet in width over a portion of the vacated Tangent Drive of Settemire's Addition to Tangent being located in the Southeast quarter of the Northeast quarter of Section 12, Township 12 South, Range 4 West of the Willamette Meridian, City of Tangent, Linn County, Oregon with the centerline of said twenty-foot strip of land being more particularly described as follows:

Beginning at the intersection of the centerline of the vacated Tangent Drive with the west right-of-way of U.S. Highway 99;

Thence South 89° 47' 30" West 95.98 feet along said centerline of Tangent Drive to the centerline of the vacated alleyway and extension thereof running through Blocks 1 and 2 of said Settemire's Addition, all as specified on the attached Exhibit B.

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

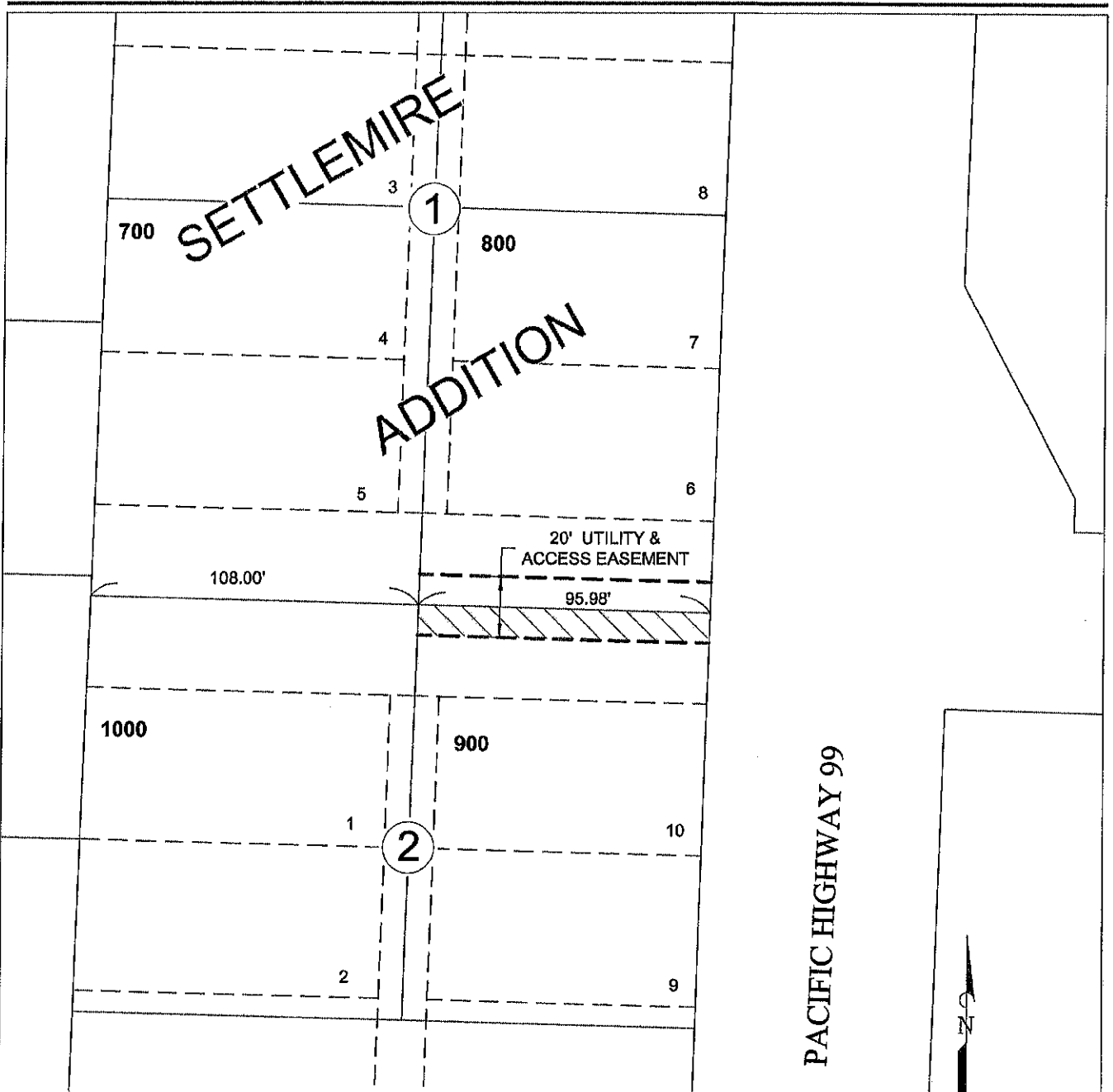


OREGON  
JULY 26, 1988  
MICHAEL W. ERICKSON  
2340

EXPIRES: 12-31-21

PLOT DATE December 7, 2020

\\dyer\2\Hyder-part\A-projects\205 Tangent\Tangent Drive RCW\Tangent Dr\_Easements.dwg 12/7/2020 3:13:49 PM



REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*Michael W. Erickson*  
OREGON  
JULY 26, 1988  
MICHAEL W. ERICKSON  
2340

EXPIRES: 12-31-21

LOCATED IN  
THE SE 1/4 NE 1/4 SECTION 12, TOWNSHIP 12 SOUTH,  
RANGE 4 WEST, WILLAMETTE MERIDIAN, LINN COUNTY

<p>THE DYER PARTNERSHIP ENGINEERS &amp; PLANNERS, INC.</p>	<p>CITY OF TANGENT LINN COUNTY, OREGON</p>	<p>EXHIBIT NO. <b>B</b></p>
<p>DATE: DEC., 2020 PROJECT NO.: 205.00</p>	<p>EASEMENT MAP NO. 2</p>	

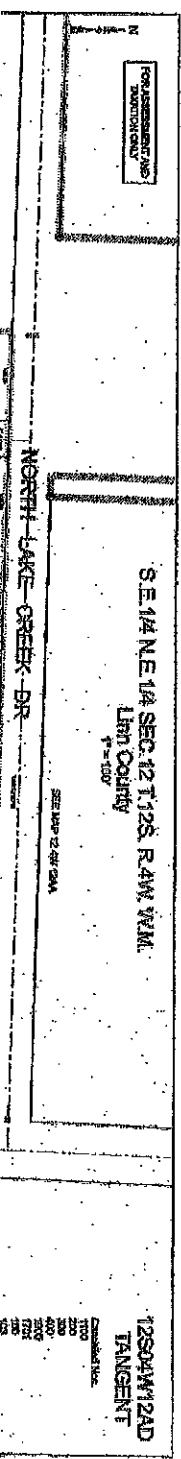
COMMISSIONER AND  
TANGENT ONLY

S.E. 1/4 NE 1/4 SEC. 12 T.12S. R.4W. W.M.  
Linn County  
P = 100'

SEE MAP 22 24W 24M

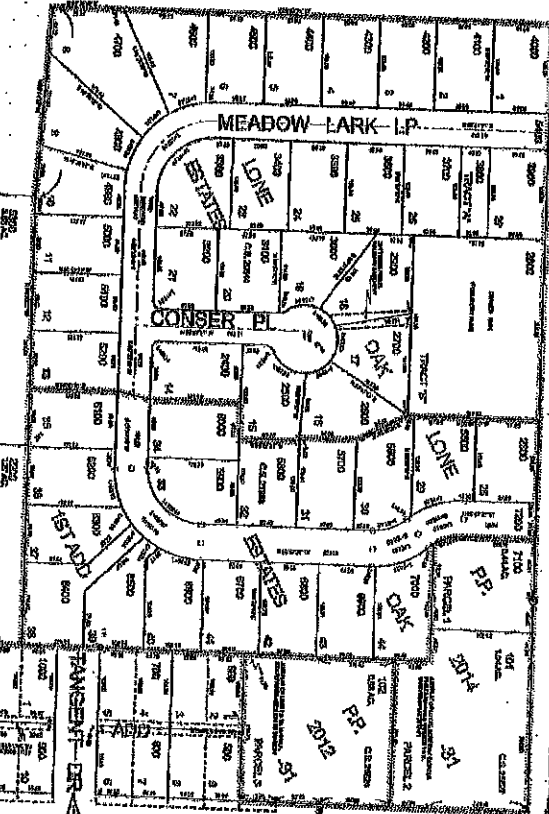
12S04W12AD  
TANGENT

CONVEYANCE  
100  
200  
300  
400  
500  
600  
700  
800  
900



SEE MAP 12 4W 12

SEE MAP 12 4W 12



8-11

BETLEMIRE

GREEN GABLES PL

PACIFIC HWY 90

12S04W12AD  
TANGENT  
CONVEYANCE  
100  
200  
300  
400  
500  
600  
700  
800  
900

RECORDING AS  
LAND SETTING  
IN CONFORMITY WITH  
SECTION 127

12S04W12AD  
TANGENT