

E3

ORDINANCE NO. 3979

AN ORDINANCE VACATING A PORTION OF THE WAVERLY DRIVE RIGHT-OF-WAY AT THE INTERSECTION OF GRAND PRAIRIE ROAD AND WAVERLY DRIVE.

WHEREAS, the City Council of the City of Albany, did, by adoption of Resolution No. 1820, City of Albany Resolutions, at the Council meeting held on the 13th day of Oct. , 1976 , set the hour of 7:15 p.m. o'clock on the 17th* day of November , 19 76 , as the time for hearing of objections to the proposed vacation of a portion of

the Waverly Drive right-of-way at the intersection of Grand
Prairie Road and Waverly Drive

WHEREAS, the said notice has been posted and published as required by law, and

* (correction date published)

WHEREAS, the said hearing on the 17th day of November , 1976 , has been duly held and parties were given an opportunity to be heard and the Council being fully informed,

THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

Section 1:

That a portion of the Waverly Drive right-of-way at the intersection of Grand Prairie Road and Waverly Drive be vacated subject to the following condition:

1. That the entire section of right-of-way be retained by the City as a permanent utility easement.

Passed by the Council: November 24, 1976

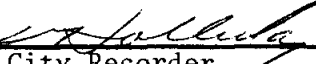
Approved by the Mayor: November 24, 1976

Effective Date: December 24, 1976



Mayor

ATTEST:



City Recorder

FINDINGS OF FACT

1. The right-of-way section is excess after completed improvements of Waverly Drive and will not be needed for any further street improvements or widening project.
2. If the triangular parcel is vacated, the City will still have 88 feet of right of way along Waverly Drive.
3. Continued maintenance of the right-of-way section is a burden on the City.
4. The right-of-way parcel should logically be incorporated into the adjoining subdivision and it is presently convenient to do so.

VACATION OF A PORTION OF WAVERLY DRIVE AT INTERSECTION OF GRAND PRAIRIE ROAD

Beginning at a point which is N $89^{\circ}10'$ E, 20 ft. and S $1^{\circ}39'$ E, 211 ft. from the southwest corner of Anderson Cox D.L.C. #49 in Sec. 17, T. 11S., R. 3W, W.M.; thence

S $1^{\circ}39'$ E, 124.76 ft. to a point 11.03 ft. North of the north right-of-way line of County Rd. 335 (Grand Prairie Road); thence

N $65^{\circ}51'$ W, 21.91 ft.; thence

on a 238.73° curve, right (the long chord of which bears N $20^{\circ}51'02''$ W, 33.94 ft.) a distance of 33.94 ft; thence

on a 10.0° curve left (the long chord of which bears N $17^{\circ}51'09''$ E, 88.86 ft.) a distance of 88.94 ft. to the point of beginning.

The entire description shall be reserved as a utility easement.

