

ORDINANCE NO 5925

AN ORDINANCE VACATING A PORTION OF THE WALNUT STREET RIGHT-OF-WAY THAT IS LOCATED ABOUT 500 FEET SOUTH OF THE PACIFIC BOULEVARD/WALNUT STREET INTERSECTION, IN ALBANY, OREGON AND ADOPTING FINDINGS

WHEREAS, notices of public hearing were mailed on January 8, 2019, published in the Albany Democrat-Herald on January 7, 2019, and January 14, 2019, and posted on the site, as described in Section 1 below, on January 17, 2019, as required by state and local law, and

WHEREAS, the Albany Planning Commission held a public hearing on January 28, 2019, and recommended that the City Council approve the proposed right-of-way vacation, and

WHEREAS, the Albany City Council held a public hearing on February 27, 2019, reviewed the testimony presented at the public hearing and the findings in the staff report, and deliberated on the proposed vacation

WHEREAS, the Albany City Council decided to approve the right-of-way vacation, based on findings and conclusions in the January 18, 2019, staff report to the Planning Commission and City Council, (File No VC-01-18)

NOW, THEREFORE, THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS

Section 1 Subject Property The southern 175 feet of the Walnut Street right-of-way that is located approximately 500 feet south of the Pacific Boulevard/Walnut Street intersection, as described in Exhibit A and illustrated in Exhibit B, is hereby vacated

Section 2 Transfer of Vacated Property The southern 175 feet of the Walnut Street right-of-way, as described in Exhibit A and illustrated in Exhibit B, will revert to the abutting property owner, WSS Properties, LLC

Section 3. Easements Retained. The City retains a public utility easement over the northwest corner of the area to be vacated This easement shall be the westernmost 30 feet and northernmost 15 feet of the area to be vacated, as illustrated in Exhibit B

Section 4. The City Recorder shall, within 10 days of the effective date of this Ordinance, file a certified copy of the Ordinance with the Linn County Clerk, Linn County Assessor, and Linn County Surveyor (ORS 271 150) The petitioner for the vacation shall bear the recording costs

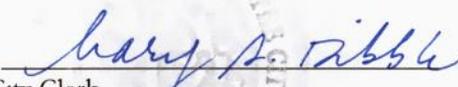
Passed by the Council February 27, 2019

Approved by the Mayor February 27, 2019

Effective Date March 29, 2019


Mayor

ATTEST


City Clerk





DAVID SCHLOSSER - LAND SURVEYOR

720 NW 4th Street, Corvallis, Oregon 97330 Phone 541-757-9050; FAX 541-757-7578

EXHIBIT A

JANUARY 16, 2019

WALNUT STREET VACATION

A 60 foot wide portion of Walnut Street SW, in the Northwest Quarter of Section 13, Township 11 South, Range 4 West, Willamette Meridian, City of Albany, Benton County, Oregon, being more particularly described as follows:

Beginning at a 5/8" iron rod at the Westerly Northeast corner of Parcel 3, as conveyed to WSS Properties, LLC, recorded in Volume 1359, Page 828, Benton County Records, said rod lying on the West Right-of-Way line of Walnut Street SW,

Thence along the north line of said WSS Tract, N 88°37'25"E 60.07 feet to a 5/8" iron rod at the Easterly Northeast corner of said Parcel 3, said rod lying on the East Right-of-Way line of said Walnut Street SW,

Thence along said East Right-of-Way line, S 00°48'00"W 175.07 feet to a 5/8" iron rod at the Southeast corner of said Walnut Street SW,

Thence leaving said East Right-of-Way line, along the South Right-of-Way line of said Walnut Street SW S 88°52'12"W 60.00 to the Southwest corner of said Street;

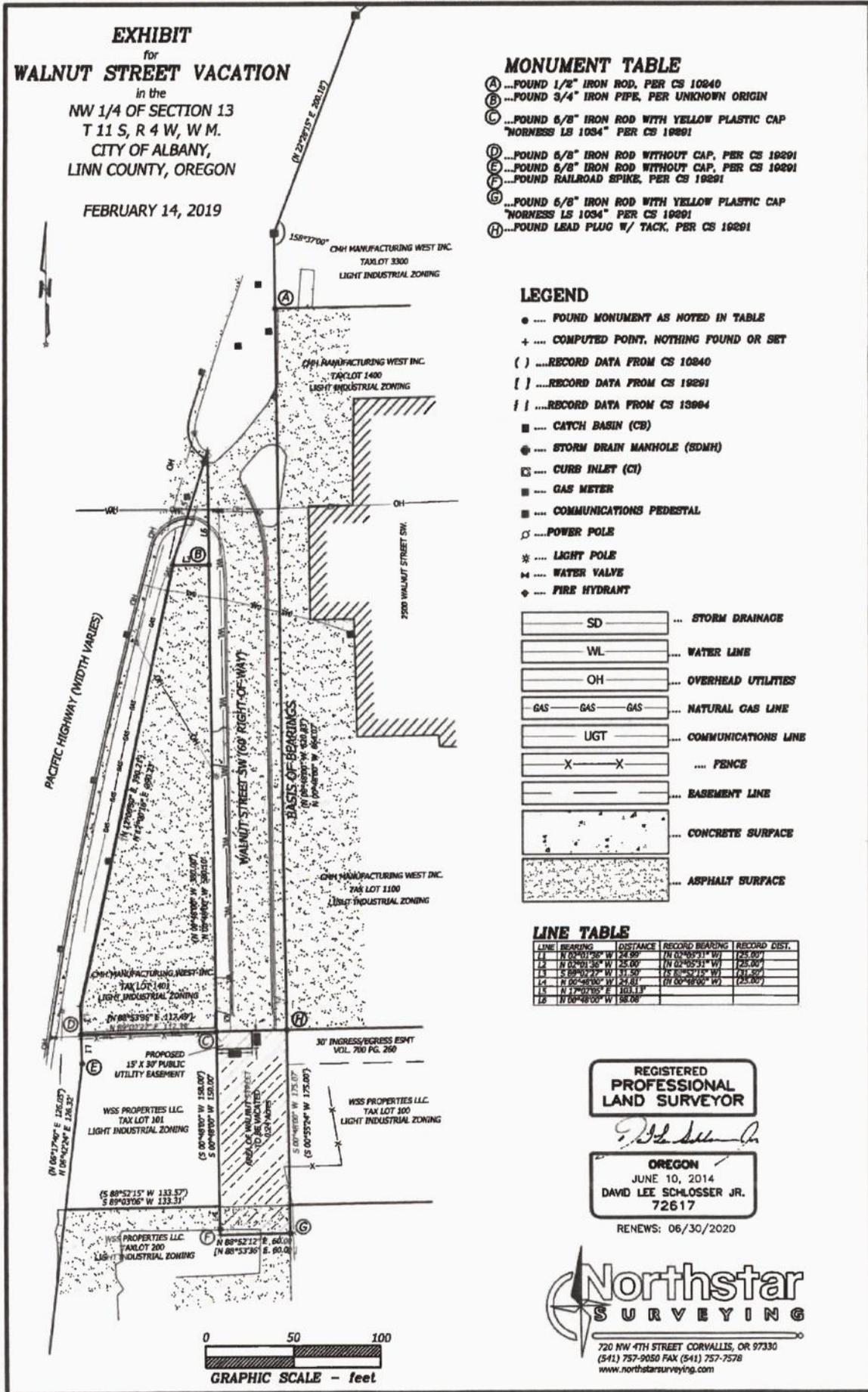
Thence leaving said South Right-of-Way line, along said West Right-of-Way line, N 00°48'00"E 174.81 feet back to the Point of Beginning:

Containing 10,502 square feet, more or less

The basis of bearing for this description is from monuments found along the east Right-of-Way of Walnut Street SW per County Survey No 10240

EXHIBIT
for
WALNUT STREET VACATION
in the
NW 1/4 OF SECTION 13
T 11 S, R 4 W, W.M.
CITY OF ALBANY,
LINN COUNTY, OREGON

FEBRUARY 14, 2019



MONUMENT TABLE

- (A) ...FOUND 1/2" IRON ROD, PER CS 10240
- (B) ...FOUND 3/4" IRON PIPE, PER UNKNOWN ORIGIN
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 - GAS - GAS - GAS ... NATURAL GAS LINE
 - UGT ... COMMUNICATIONS LINE
 - X - X ... FENCE
 - ... BASEMENT LINE
 - ... CONCRETE SURFACE
 - ... ASPHALT SURFACE

LINE TABLE

LINE	BEARING	DISTANCE	RECORD BEARING	RECORD DIST.
L1	N 02°01'30" W	24.99'	N 02°05'31" W	25.00'
L2	N 02°01'30" W	25.00'	N 02°05'31" W	25.00'
L3	S 88°52'12" W	111.50'	S 88°52'12" W	111.50'
L4	N 88°52'15" W	113.57'	N 88°52'15" W	113.57'
L5	N 88°52'15" W	113.57'	N 88°52'15" W	113.57'
L6	N 00°48'00" W	58.00'		

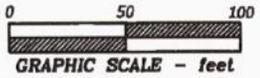
REGISTERED
PROFESSIONAL
LAND SURVEYOR

David Lee Schlosser Jr.
OREGON
JUNE 10, 2014
DAVID LEE SCHLOSSER JR.
72617

RENEWS: 06/30/2020

Northstar
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720 NW 4TH STREET CORVALLIS, OR 97330
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COMMUNITY DEVELOPMENT

333 Broadalbin Street SW, PO Box 490, Albany, Oregon 97321-0144 | BUILDING 541-917-7553 | PLANNING 541-917-7550

Staff Report

Street Vacation

VC-01-18

January 18, 2019

Summary

The application is to vacate an undeveloped portion of the Walnut Street right-of-way. The right-of-way proposed for vacation is the south 175 feet of Walnut Street that is located about 500 feet south of the Pacific Boulevard/Walnut Street intersection, the right-of-way is located on Linn County Assessor Map 11S-04W-13AA and fronts onto Tax Lots 100, 101 and 200. The area proposed to be vacated is illustrated in Attachment B and C.

Walnut Street would have been extended to 27th Avenue south of the existing terminus, however, 27th Avenue has since been vacated. As such, extension of Walnut Street south to another public street is not possible because there are existing industrial structures between the existing terminus of Walnut Street and 28th Avenue, the next public street to the south. Since 27th Avenue has been vacated, there is no longer a purpose for any extension of Walnut Street beyond the terminus of existing street improvements.

Land Division criteria contained in Albany Development Code (ADC) 11.180 are addressed in this report for the proposed development. The criteria must be satisfied to grant approval for this application.

Application Information

Review Body:	Planning Commission and City Council (Type IV)
Staff Report Prepared By:	Melissa Anderson, Senior Planner
Type of Application:	Street Vacation for a portion of the Walnut Street SW right-of-way. The total area proposed to be vacated is 0.24 acres.
Property Owner / Applicant:	WSS Properties, LLC, Attn: Richard P. Smith, P O Box 158, Rickreall, OR 97371
Engineer:	Troy L. Plum, PE, TKP Engineering, LLC P O Box 374, Corvallis, OR 97339
Address/Location:	Unassigned, south end of Walnut Street SW, west of Tax Lot 101, East of Tax Lot 100 and North of Tax Lot 200
Map/Tax Lot:	None, Adjacent to Linn County Assessor's Map No. 11S-04W-13AA, Tax Lots 100, 101, 200, 1100 and 1401

Zoning	N/A
Total Land Area	0.24 Acres
Existing Land Use	Undeveloped right-of-way
Neighborhood	West Albany
Surrounding Zoning:	North. LI – Light Industrial South. LI East: LI West: LI
Surrounding Uses.	North. Vacant land and industrial development South. Vacant land East: Vacant land West: Vacant land
Prior History:	No relevant land use cases on file

Notice Information

A Notice of Public Hearing was published in the Democrat-Herald newspaper on January 7 and 14, 2019

A Notice of Public Hearing was mailed on January 8, 2019, to all property owners located within 300 feet of the subject properties. A notice of public hearing was also posted on the subject site on January 17, 2019. Lastly, the staff report for the proposal was posted on the City's website and available for public review on January 21, 2019. At the time this staff report was completed, no comments had been received.

Analysis of Development Code Criteria

The Albany Development Code (ADC) includes the following review criteria for a Street Vacation (ADC 2.630), which must be met for these applications to be approved. Code criteria are written in **bold** followed by findings, conclusions, and conditions of approval where conditions are necessary to meet the review criteria.

Vacation Review Criteria

Criterion 1

The requested vacation is consistent with relevant Comprehensive Plan policies and with any street plan, city transportation or public facility plan.

Findings of Fact

- 1.1 The right-of-way proposed for vacation is the south 175 feet of Walnut Street and is located about 500 feet south of the Pacific Boulevard/Walnut Street intersection.
- 1.2 Walnut Street is classified as a local street. Albany's Transportation System Plan does not identify Walnut Street as being a part of the city's arterial/collector street system, nor does it identify it as a critical local street connection.
- 1.3 The following Comprehensive Plan policies have been identified as relevant to this review criterion.

GOAL 11: Public Facilities and Services

- a. Prohibit the construction of structures over public water lines and easements*
- b. Prohibit the construction of structures over drainage improvements and easements.*
- c. Prohibit the construction of structures over public wastewater lines and easements*

Sanitary Sewer. City utility maps show no public sanitary sewer facilities in the area of the proposed vacation. There are no plans for public sanitary sewer improvements to be made in this area

Water. City utility maps show a 12-inch public water main running along the west side of the Walnut Street right-of-way north of the proposed vacation. This water main turns to the west at the very northwest corner of the proposed vacation area

Public utility easements of at least 15 feet in width, centered over the main, are required for all public water lines and appurtenances (ADC 12.370) Permanent structures are not allowed to encroach on a public utility easement or be placed over a public water line (AMC 11 01 290)

A public utility easement will be required over the portion of the area to be vacated where the public water main lies

Storm Drainage. City utility maps show an 18-inch public storm drainage main running diagonally through the northwest portion of the area to be vacated.

ADC 12.370 requires the dedication of public utility easements of at least 15 feet in width, centered over the main, for all public storm drain lines and appurtenances. Permanent structures are not allowed to encroach on a public utility easement or be placed over a public storm drain line

A public utility easement will be required over the portion of the area to be vacated where the public storm drainage facilities lie.

Conclusions

- 1 1 Public water facilities and storm drainage facilities lie within a portion of the area to be vacated
- 1.2 A public utility easement will be required over the area to be vacated where the public utilities exist.
- 1 3 The proposed vacation does not conflict with Albany's Transportation System Plan.
- 1 4 This criterion can be met with the following condition

Condition

Condition #1 A public utility easement must be maintained over the northwest corner of the area to be vacated This easement shall be the westernmost 30 feet and northernmost 15 feet of the area to be vacated.

Criterion 2

The requested vacation will not have a negative effect on access between public rights-of-way or to existing properties, potential lots, public facilities or utilities.

Findings of Fact

- 2.1 Walnut Street south of Pacific Boulevard is a dead-end street that provides access to several parcels zoned for industrial uses
- 2.2 A vacation of the south 175 feet of Walnut Street would not land-lock or remove access to any existing parcels

Conclusions

- 2.1 The vacation of this portion of Walnut Street would not negatively impact access between rights of way, nor eliminate access to any parcels
- 2.2 This criterion is met without conditions

Criterion 3

The requested vacation will not have a negative effect on traffic circulation or emergency service protection.

Findings of Fact

- 3.1 As discussed under 2.630(2) the vacation will not have a negative impact on access between rights of way or remove access to any existing parcels
- 3.2 Walnut Street is a dead-end street. The proposed vacation will not change that traffic pattern. The parcels that adjoin the proposed vacation will continue to use the remaining Walnut Street right of way to the north for access to and from Pacific Boulevard.
- 3.3 The portion of Walnut Street proposed for the vacation is not necessary for emergency vehicle access

Conclusions

- 3.1 The requested vacation will not have a negative effect on traffic circulation or emergency vehicle service protection
- 3.2 This criterion is met without conditions

Criterion 4

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.

Findings of Fact

- 4.1 The subject portion of Walnut Street proposed for Vacation is undeveloped. The proposed vacation would not require any improvements and would be left in the existing condition until such time industrial development is proposed on the subject properties

Conclusion

- 4.1 There are no improvements required to bring the portion of Walnut Street that is proposed to be vacated into compliance with any section of the Albany Development Code

4.2 This criterion is met without conditions

Criterion 5

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

Findings of Fact

- 5.1 The existing right-of-way is not needed to serve the general public because extension of Walnut Street to the south is no longer possible since 27th Avenue has been vacated.
- 5.2 Vacating the right-of-way will provide opportunities for abutting properties to redevelop and expand their operations into the vacated street right-of-way, potentially creating jobs or expanding the tax base.

Conclusion

- 5.1 The proposed undeveloped portion of Walnut Street no longer serves a purpose for the public interest. As such, the best use for the public of that undeveloped portion of Walnut Street is vacation of the right-of-way
- 5.2 This criterion is met without conditions.

Overall Conclusion

As proposed and conditioned, the application for a street vacation satisfies all applicable review criteria as outlined in this report.

Options for the Planning Commission

The Planning Commission has three options with respect to the proposal.

- Option 1 Recommend that the City Council approve the request as proposed,
- Option 2: Recommend that the City Council approve the request with conditions of approval, or
- Option 3 Recommend that the City Council deny the request.

Staff Recommendation

Based on the analysis in this report, staff suggests that the Planning Commission pursue Option 2 and recommend that the City Council approve the requested street vacation as conditioned in this staff report. Should the Planning Commission accept this recommendation, the following motion is suggested.

I move that the Planning Commission recommend that the City Council approve the proposed Street Vacation (planning file VC-01-18) as conditioned in the staff report. This motion is based on the findings and conclusions in the staff report and findings in support of the application made by the Planning Commission during deliberations on this matter

Condition of Approval

- Condition #1 A public utility easement must be maintained over the northwest corner of the area to be vacated. This easement shall be the westernmost 30 feet and northernmost 15 feet of the area to be vacated.

Attachments

- A Applicant's Findings
- B Map of proposed right-of-way vacation
- C Aerial map of proposed right-of-way vacation
- D Property description of proposed right-of-way vacation

WALNUT STREET VACATION
LAND USE APPLICATION SUBMITTAL FOR;
Right-of-Way Vacation

September 2018



Expires 12/31/2018

PREPARED FOR:

WSS PROPERTIES, LLC
P.O. BOX 158
RICKREALL, OR 97371

PREPARED BY:

TKP ENGINEERING LLC
P.O. BOX 374
CORVALLIS, OR 97339
PHONE (541) 760-7205
FAX. (866) 861-5704

WALNUT STREET VACATION

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Project Introduction

Section 1

PROJECT INTRODUCTION

TKP Engineering is pleased to submit a Land Use Application for Right-of-Way Vacation on an undeveloped portion of Walnut Street. The subject portion of Walnut Street requested for vacation is located on Linn County Tax Map 11S-04W-13AA. The proposed right-of-way vacation fronts Tax Lots 100, 101 and 200.

Walnut Street has been improved to the northern property line of Tax Lots 100 and 101. The proposed right-of-way vacation involves that undeveloped portion of Walnut Street abutting Tax Lots 100, 101 and 200.

Walnut Street would have been extended to 27th Avenue south of the existing terminus, although 27th Avenue has since been vacated. Extension of Walnut Street south to another public street is not possible as there are existing industrial structures between the existing terminus of Walnut Street and 28th Avenue, the next public street to the south. Since 27th Avenue has been vacated, there is no longer a purpose for any extension of Walnut Street beyond the terminus of existing street improvements.

The developed portion of Walnut Street currently serves three industrial properties. Extending Walnut Street to the south would not provide any benefit to those industrial properties fronting the improved portion of that public street.

The properties abutting that section of Walnut Street proposed for Vacation are zoned Light Industrial and will not benefit from any extension of Walnut Street through those properties. The Light Industrial properties fronting the proposed right-of-way vacation would be developed upon vacation of the subject section of Walnut Street as requested herein. Currently, the presence of that undeveloped section of Walnut Street right-of-way renders the subject properties fronting that right-of-way limited, or no, development potential.

The following sections provide 'Findings of Fact' and 'Affected Property' criteria addressing right-of-way vacation requirements.

Vacation Review Criteria – Finding of Fact

Section 2

VACATION REVIEW CRITERIA – FINDINGS OF FACT

The following 'Findings of Fact' address the review criteria for proposed right-of-way vacations

Criterion 1: The requested vacation is consistent with relevant Comprehensive Plan policies and with any street plan city transportation or public facility plan.

Fact: The Comprehensive Plan addresses the need for public streets, which would conform to the requirements detailed in the ADC. The Comprehensive Plan does not consider this specific request for right-of-way vacation.

The City of Albany Transportation System Plan does not identify Walnut Street, or an extension thereof. Public utility infrastructure is currently provided to all surrounding properties and extension of the subject Walnut Street right-of-way is not required to ensure all adjoining properties are provided adequate utility service.

Conclusion: The proposed right-of-way vacation is consistent with the Comprehensive Plan and all transportation and public utility master plans.

Criterion 2: The requested vacation will not have a negative effect on access between public rights-of-way or to existing properties, potential lots, public facilities or utilities.

Fact: When the Walnut Street right-of-way was created, 27th Avenue existed to the south on the subject property. Since that time, the 27th Avenue right-of-way has been vacated. Since 27th Avenue no longer exists, Walnut Street can no longer be extended. The undeveloped portion of Walnut Street proposed for Vacation no longer serves any purpose in providing public facilities or utilities.

Conclusion: The proposed vacation will not have any impact for access between public rights-of-way or to existing properties and associated public facilities.

Criterion 3: The requested vacation will not have a negative effect on traffic circulation or emergency service protection.

Fact: When the Walnut Street right-of-way was created, 27th Avenue existed to the south on the subject property. Since that time, the 27th Avenue right-of-way has been vacated. Since 27th Avenue no longer exists, Walnut Street can no longer be extended. The undeveloped portion of Walnut Street, currently proposed for vacation, has adequately served adjoining properties for decades. As such, vacation of that portion of Walnut Street will not have a negative impact.

Conclusion. Vacation of the undeveloped portion of Walnut Street will not have a negative impact on traffic circulation or emergency service protection as all of those

services have been adequately provided for decades as Walnut Street is currently configured

Criterion 4: 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.

Fact: The subject portion of Walnut Street proposed for Vacation is undeveloped. The proposed vacation would not require any improvements and would be left in the existing condition until such time industrial development is proposed on those subject properties.

Conclusion: There are no improvements required to bring that vacated portion of Walnut Street into compliance with any section of the Albany Development Code

Criterion 5: The public interest, present and future, will be best served by approval of the proposed vacation.

Fact: The subject portion of Walnut Street proposed for Vacation is undeveloped. Extension of Walnut Street to the south is no longer possible since 27th Avenue has been vacated.

Conclusion: The proposed undeveloped portion of Walnut Street no longer serves a purpose for the public interest. As such, the best use for the public of that undeveloped portion of Walnut Street is vacation of the right-of-way.

Affected Properties

Section 3

AFFECTED PROPERTIES

The proposed right-of-way vacation requires signatures from adjoining properties along with properties within the 'Affected Area' as described on the Vacation Checklist & Review Criteria and as more precisely defined in Section 271.080 of the Oregon Revised Statutes. The 'Affected Area' is defined in ORS 271.080 as *The real property affected thereby shall be deemed to be the land lying on either side of the street or portion thereof proposed to be vacated and extending laterally to the next street that serves as a parallel street, but in any case not to exceed 200 feet, and the land for a like lateral distance on either side of the street for 400 feet along its course beyond each terminus of the part proposed to be vacated.* Additionally, 100% of the properties abutting the proposed right-of-way vacation must provide signatures.

The graphics provided on the following pages show the 'Affected Area' along with associated areas of each affected property lying within the 200-ft by 400-ft rectangle defined above. The following table provides a summary of the 'Affected Areas' and demonstrates over 2/3 of the properties within that 'Affected Area' have signed the right-of-way vacation petition.

Affected Area Summary

WSS Properties, LLC		
Tax Map	Tax Lot	Affected Area (Acres)
11S-04W-13AA	100	0.72
11S-04W-13AA	101	0.43
11S-04W-13AA	200	1.13
11S-04W-13AD	200	0.49
11S-04W-13AD	300	1.42
11S-04W-13AD	305	0.83
Sub Total		5.02
CMH Manufacturing West Inc.		
Tax Map	Tax Lot	Affected Area (Acres)
11S-04W-13AA	1100	1.34
11S-04W-13AA	1400	0.40
11S-04W-13AA	1401	0.75
Sub Total		2.49
Total Affected Area		7.51

WSS Properties, LLC owns all of the properties adjacent to the proposed right-of-way vacation and represents approximately 66.8% of properties within the 'Affected Area', which exceeds all signatory requirements. WSS Properties, LLC has signed the Vacation Application form for all of the properties listed above under their ownership. Signatures from CMH Manufacturing West Inc. are not required for the subject right-of-way vacation petition.

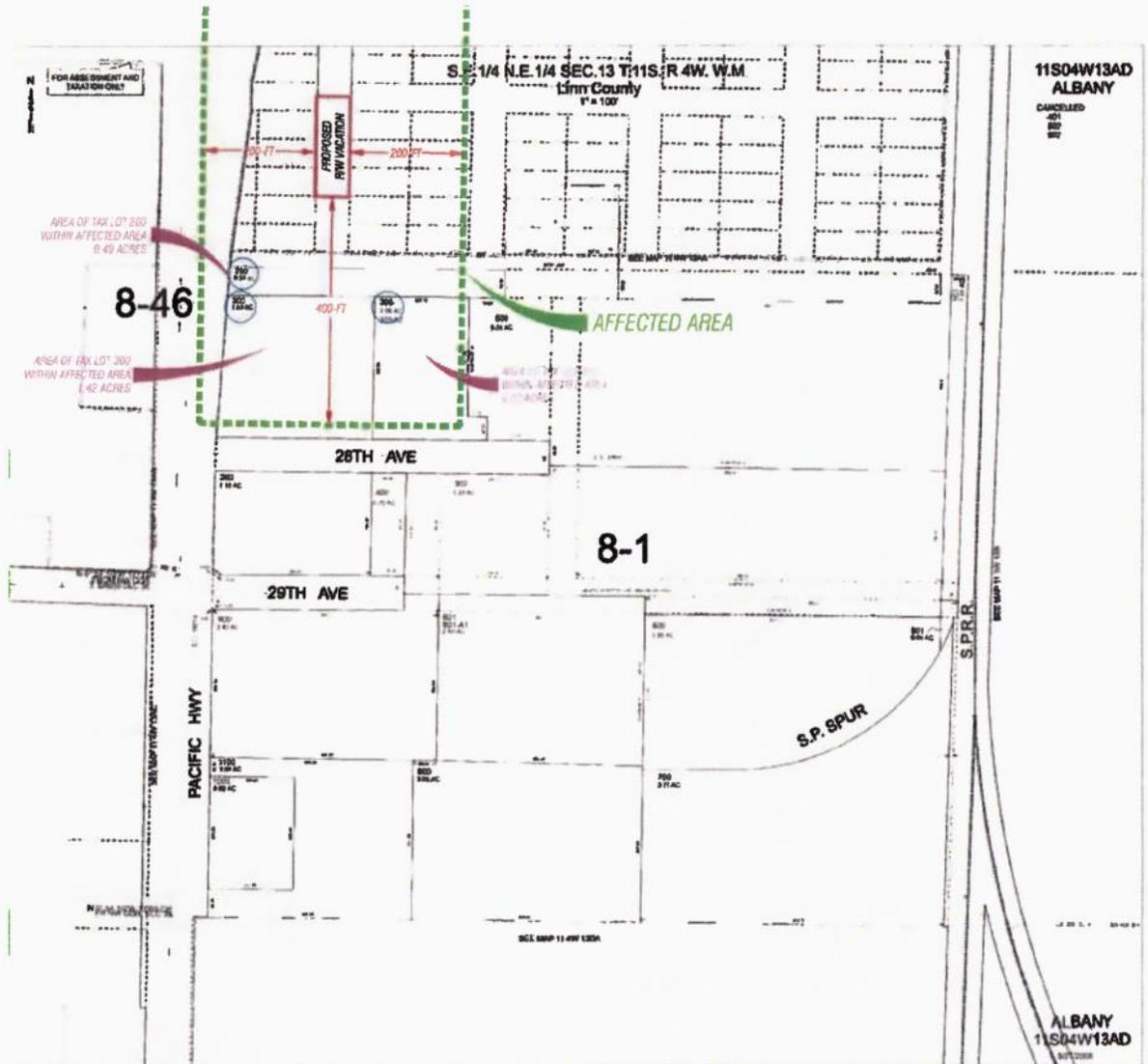
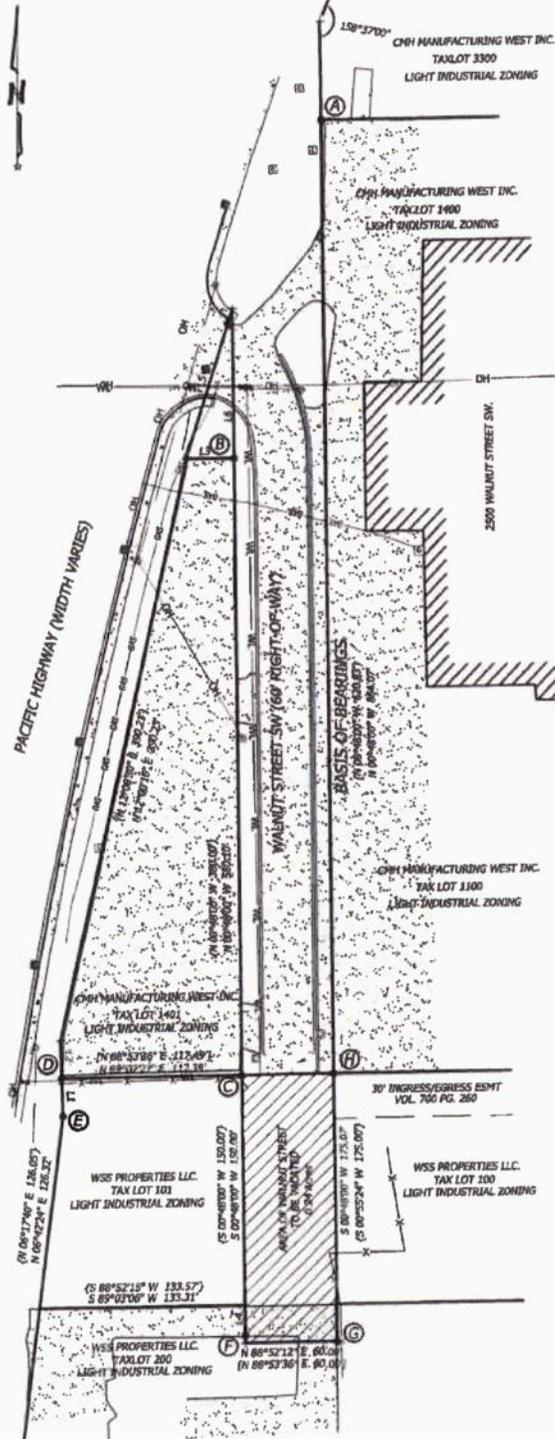


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BENTON COUNTY, OREGON

APRIL 12, 2018



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LINE TABLE

LINE	BEARING	DISTANCE	RECORD BEARING	RECORD DIST.
11	N 09°01'34" W	154.50'	T6 09°03'31" W	125.00'
12	N 09°01'34" W	25.00'	T6 09°03'31" W	125.00'
13	S 89°02'22" W	31.50'	T6 89°02'15" W	131.50'
14	N 00°48'00" W	24.81'	N 00°48'00" W	25.00'
15	N 00°48'00" E	110.13'		
16	N 00°48'00" W	50.00'		

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JUNE 10, 2014
DAVID LEE SCHLOSSER JR.
72617

RENEWS: 06/30/2018

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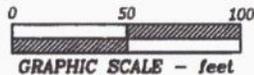
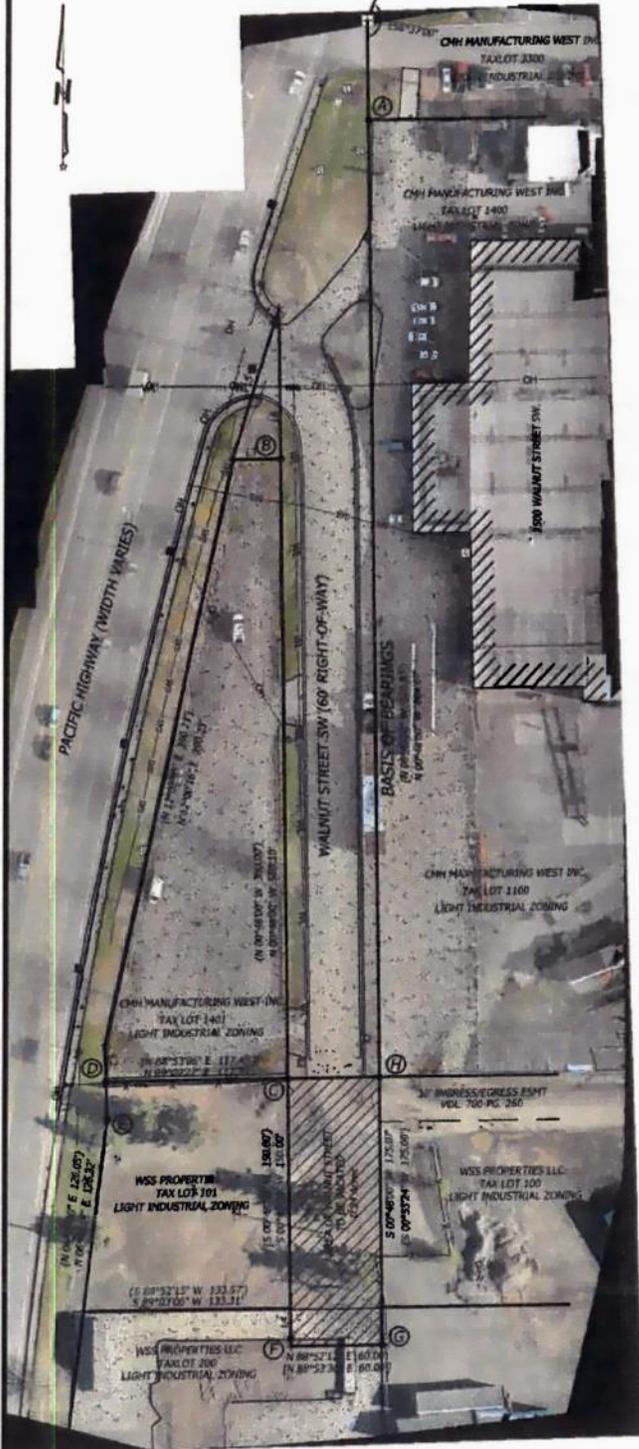


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- + ... COMPUTED POINT, NOTHING FOUND OR SET
- () ...RECORD DATA FROM CS 10240
- [] ...RECORD DATA FROM CS 19291
- || ...RECORD DATA FROM CS 13994
- ... CATCH BASIN (CB)
- ⊙ ... STORM DRAIN MANHOLE (SDMH)
- ⊠ ... CURB INLET (CI)
- ⊞ ... GAS METER
- ⊞ ... COMMUNICATIONS PEDESTAL
- ⊞ ... POWER POLE
- * ... LIGHT POLE
- ⋈ ... WATER VALVE
- ◆ ... FIRE HYDRANT

	SD	... STORM DRAINAGE
	WL	... WATER LINE
	OH	... OVERHEAD UTILITIES
	GAS	... NATURAL GAS LINE
	UGT	... COMMUNICATIONS LINE
	X	... FENCE
		... EASEMENT LINE
		... CONCRETE SURFACE
		... ASPHALT SURFACE

LINE TABLE

LINE	BEARING	DISTANCE	RECORD BEARING	RECORD DIST.
L1	N 02°01'38" W	24.59	N 02°03'11" W	25.20
L2	N 02°01'38" W	25.00	N 02°03'11" W	25.00
L3	S 89°02'27" W	113.50	S 89°04'15" W	111.50
L4	N 02°01'38" W	14.81	S 89°02'00" W	155.10
L5	N 79°02'05" E	103.13		
L6	N 00°48'00" W	18.00		

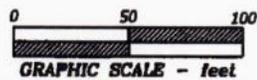
**REGISTERED
PROFESSIONAL
LAND SURVEYOR**

OREGON
JUNE 10, 2014
DAVID LEE SCHLOSSER JR.
72617

RENEWS. 06/30/2018

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EXHIBIT A

JANUARY 16, 2019

WALNUT STREET VACATION

A 60 foot wide portion of Walnut Street SW, in the Northwest Quarter of Section 13, Township 11 South, Range 4 West, Willamette Meridian, City of Albany, Benton County, Oregon, being more particularly described as follows:

Beginning at a 5/8" iron rod at the Westerly Northeast corner of Parcel 3, as conveyed to WSS Properties, LLC, recorded in Volume 1359, Page 828, Benton County Records, said rod lying on the West Right-of-Way line of Walnut Street SW;

Thence along the north line of said WSS Tract, N 88°37'25"E 60.07 feet to a 5/8" iron rod at the Easterly Northeast corner of said Parcel 3, said rod lying on the East Right-of-Way line of said Walnut Street SW,

Thence along said East Right-of-Way line, S 00°48'00"W 175.07 feet to a 5/8" iron rod at the Southeast corner of said Walnut Street SW;

Thence leaving said East Right-of-Way line, along the South Right-of-Way line of said Walnut Street SW S 88°52'12"W 60.00 to the Southwest corner of said Street,

Thence leaving said South Right-of-Way line, along said West Right-of-Way line, N 00°48'00"E 174.81 feet back to the Point of Beginning

Containing 10,502 square feet, more or less

The basis of bearing for this description is from monuments found along the east Right-of-Way of Walnut Street SW per County Survey No. 10240