City Reworder

2007-009515 Klamath County, Oregon



05/25/2007 03:28:30 PM

Fee: \$36.00

## BEFORE THE COUNCIL OF THE CITY OF KLAMATH FALLS, OREGON

In the Matter of:	
Dedicating Right-of-Way Areas Located At the Northerly Ends of Glenwood	) ) ORDER OF DEDICATION
Drive and Regency Drive in Tract 1400,	)
Regency Estates, Phase 2	) )

WHEREAS, Glenwood Drive and Regency Drive were dedicated as City-controlled public rights-of-way when the final plat for Tract 1400, Regency Estates, Phase 2 was approved by the City in July of 2004; and

WHEREAS, A condition of approval for Regency Estates, Phase 2 required the Developer to deed in "fee simple" to the City one-foot "reserve strips" at the northerly ends of Glenwood Drive and Regency Drive within said Phase 2; and

WHEREAS, The "reserve strips" at the northerly ends of Glenwood Drive and Regency Drive were deeded to the City by the Developer via Bargain and Sale Deed dated May 26, 2004 and recorded in the Deed Records of Klamath County, Oregon at M04, Pages 34000 and 34001; and

WHEREAS, The purpose of the "reserve strips" being granted to City was to give the City significant control over the extension of Glenwood Drive and Regency Drive when adjoining properties to the north were approved for development; and

WHEREAS, The City agreed as part of the approval of Regency Estates, Phase 2 to "grant public use of" the reserve strips "when adjoining property is approved for development in accordance with applicable ordinances;" and

WHEREAS, The property to the north of and adjoining Regency Estates, Phase 2 has been developed, and the City needs to formally dedicate the "reserve strips" as public rights-of-way; and

WHEREAS, At its regular meeting on May 7, 2007, the City Council approved the dedication of the "reserve strips" within Regency Estates, Phase 2 as public rights-of-way; and

NOW, THEREFORE, IT IS HEREBY ORDERED that the one foot wide reserve strips deeded to the City by deed recorded at M04, Pages 34000-34001 (Klamath County Deed Records), legally described in attached Exhibit A and depicted on attached Exhibit B, are hereby dedicated as public rights-of-way under the jurisdiction of the City of Klamath Falls, Oregon.

Approved by the Council of the City of Klamath Falls, Oregon the day of May, 2007. Presented to the Mayor for approval and signed this day of May, 2007.

Mayor

ATTEST:

City Recorder

PARCEL I

## LEGAL DESCRIPTION OF ONE FOOT WIDE RESERVE STRIP

BEGINNING AT THE NORTHWEST CORNER OF LOT 28 OF "TRACT 1400 - REGENCY ESTATES - PHASE 2", AS MARKED BY A TRU-LINE SURVEYING, INC. PLASTIC CAP; THENCE SO1°44'41"E ALONG THE EASTERLY RIGHT OF WAY LINE OF GLENWOOD DRIVE 1.00 FOOT; THENCE N89°58'56"W 60.03 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF GLENWOOD DRIVE; THENCE ALONG SAID RIGHT OF WAY LINE N01°44'41"W 1.00 FOOT; THENCE S89°58'56"E 60.03 FEET TO THE POINT OF BEGINNING. THIS DEED IS INTENDED TO DESCRIBE THE NORTHERLY ONE FOOT OF SAID GLENWOOD DRIVE CONTAINED WITHIN THE BOUNDS OF SAID "TRACT 1400" WHEN FILED.

PARCEL 2

## LEGAL DESCRIPTION OF ONE FOOT WIDE RESERVE STRIP

BEGINNING AT THE NORTHWEST CORNER OF LOT 23 OF "TRACT 1400 - REGENCY ESTATES - PHASE 2", AS MARKED BY A TRU-LINE SURVEYING, INC. PLASTIC CAP; THENCE \$10°46'25"W ALONG THE EASTERLY RIGHT OF WAY LINE OF REGENCY DRIVE 1.00 FOOT; THENCE N79°13'35"W 60.00 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF REGENCY DRIVE; THENCE ALONG SAID RIGHT OF WAY LINE N10°46'25"E 1.00 FOOT; THENCE \$79°13'35"E 60.00 FEET TO THE POINT OF BEGINNING. THIS DEED IS INTENDED TO DESCRIBE THE NORTHERLY ONE FOOT OF SAID REGENCY DRIVE CONTAINED WITHIN THE BOUNDS OF SAID "TRACT 1400" WHEN FILED.

SET 5/8" X 30" IRON PIN WITH TRU-LINE SURVEYING, INC. PLASTIC CAP IN MONUMENT CASE

SET 5/8" X 30" IRON PIN WITH TRU-LINE SURVEYING, INC. PLASTIC CAP UNLESS OTHERWISE NOTED

Exhibit "B"

## TRACT 1400 - REGENCY ESTATES - PHASE 2 SITUATED IN THE NW1/4 AND THE NE1/4 OF SECTION 14, T39S, R9EWM, KLAMATH COUNTY, OREGON MAY, 2004

255.00 NO1'44'41"W 85.00 85.00 85.00 NO1.44'41"W 44.74 15 9,350 SQ/FT 29 9,350 SQ/FT N88.15.19"E 30 9,350 SQ/FT 110.00 110.00 DRIVE 298.82 GLENWOOD 30 FOOT WIDE WATER EASEMENT BY DEED 5/8" IRON L = 30.80 A = 8814'15" R = 20.00 L.C. = \$45'51'49'E 28 9,751 SQ/FT 16 10.672 SQ/FT 95.24 180 S88'15'19"W 453.99
BASIS OF BEARINGS BY "TRACT 1292 - REGENCY ESTATES PHASE 1" REGENCY 27 8.925 SO/FT 9,221 SO/FT 84.96 10' WIDE PUBLIC UTILITIES EASEMENT S89'58'56"E to' WIDE PUBLIC UTILITIES EASEMENT 105.00 26 8,925 SQ/FT DRIVE 404.80 18 8,999 SQ/FT 516.87 25 8,925 SQ/FT 8,777 19 50/FT N10'46'25"E 22.06 106,60 \$58'00'34"E 6.75 \$\ 17.386 SO/FT \01.70 12,472 ENSEMET k: