

ORDINANCE NO. 26-908

AN ORDINANCE VACATING PORTIONS OF WEST 'A' STREET, WEST 'B' STREET, WEST 'C' STREET, NORTH IMPERIAL AVENUE, NORTH JUNTURA AVENUE, NORTH KEARNY AVENUE, NORTH LIBERTY AVENUE, NORTH MCGOWAN AVENUE, NORTH NEVADA AVENUE, NORTH OREGON AVENUE, NORTH PIUTE AVENUE, NORTH QUEBEC AVENUE, NORTH ROCK AVENUE, NORTH STATE AVENUE, AND TWO PUBLIC ALLEYS

WHEREAS, on February 11, 2026, the City Council approved Resolution No. 26-819 initiating the proceedings for vacating the rights-of-way described above (LPAF-001-2026); and

WHEREAS, the City Council set 6:00 PM on March 11, 2026, at City Hall as the time and place for conducting a public hearing on the proposed vacation and to hear any objections thereto; and

WHEREAS, the City Clerk gave notice of the time and place for said public hearing as required by law and the public hearing was held by the City Council on March 11, 2026, at which time the City Council heard no objections verbally or written to the proposed alley vacation; and

WHEREAS, on the basis of the findings and conclusions stated in the City Council Report dated March 4, 2026, on file at the Planning & Zoning Department, the City Council has deemed it to be in the public interest that said area be vacated;

NOW, THEREFORE, THE CITY OF BURNS ORDAINS AS FOLLOWS:

Section 1. The City Council finds and determines that no written or oral objections were received from the owners of the area affected by the vacation.

Section 2. The City Council hereby finds and determines that the area proposed for vacation is in the public interest and does not damage or cause a deterioration of the market value of any real property of non-consenting owners (if any; no objecting property owners were identified during the proceedings) abutting the same or any portion thereof, and that no damage on account thereof shall be allowed.

Section 3. The City Council hereby vacates the public rights-of-way legally described and depicted in Exhibits "A" and "B" to this Ordinance, attached hereto and incorporated herein; provided, however, that the City Council hereby reserves a perpetual public utility easement for any existing public utilities within the vacated areas. The easement shall be reserved and granted for the purpose of constructing, reconstructing, operating, maintaining, repairing and upgrading any existing utility facilities within the vacated area, and any use of the vacated area that will interfere with the utilities' full use and enjoyment of the easement is hereby prohibited. The City Council further orders that ownership of the area hereby vacated shall become vested as provided by law.

Section 4. The City Clerk is hereby directed to record this ordinance, together with any map, plat or other record showing the vacated area, with the County Clerk, and to file a certified copy of the recorded ordinance with the Harney County Assessor, Harney County Surveyor, and each affected public utility.

PASSED by the City Council and signed by me in authentication of its passage this 11th day of March, 2026.

This ordinance shall take effect on the date of recording of the final plat for the 'B' Street Frontage Properties Replat approved under Planning File QPCF-002-2024.

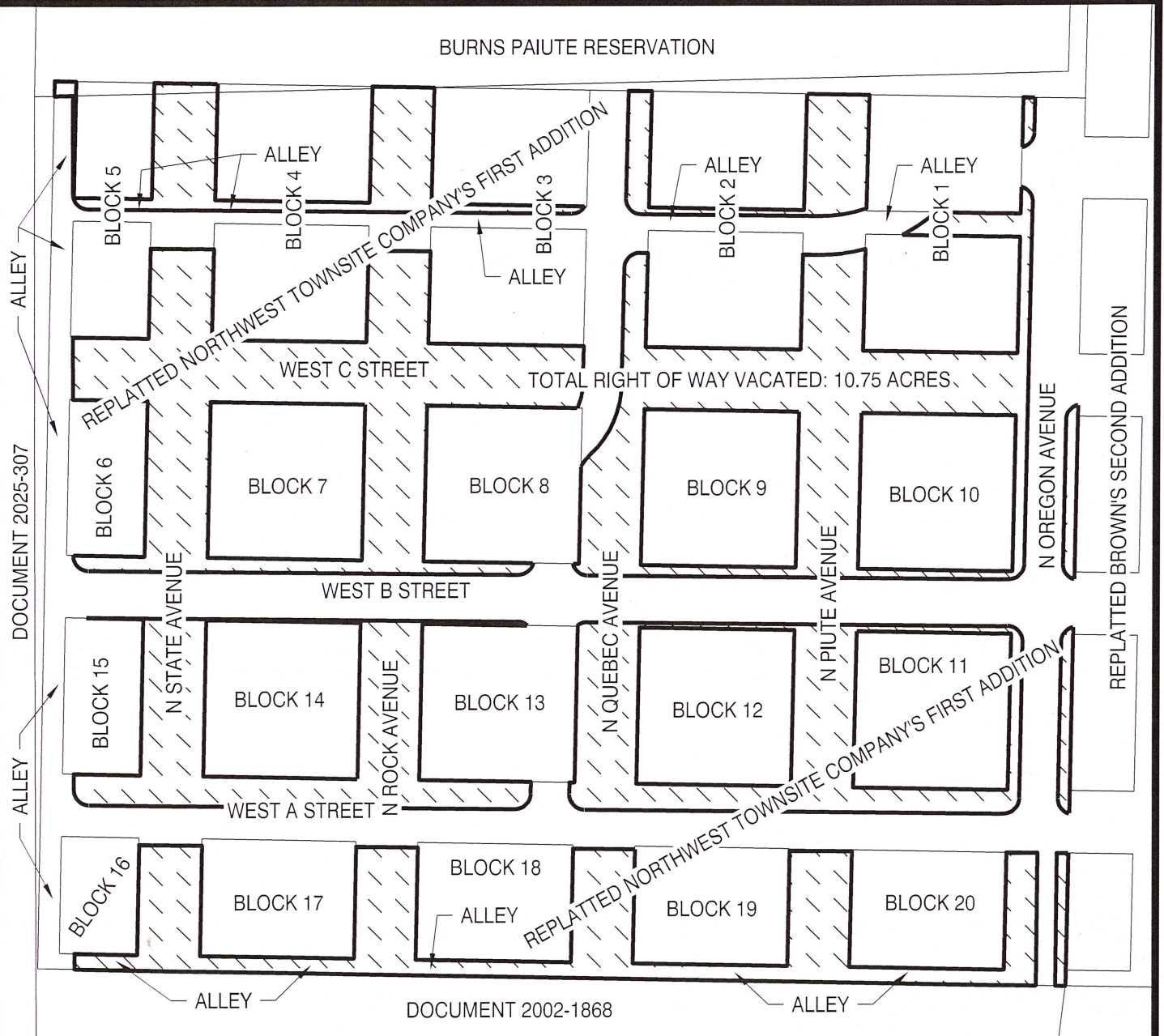
ATTEST:


Tiffany Leffler
City Clerk


Brad Erbe
Mayor

EXHIBIT A

RIGHT OF WAY VACATION
A PORTION OF ROAD RIGHTS OF WAY WITHIN REPLATTED NORTHWEST TOWNSITE COMPANY'S FIRST ADDITION
LOCATED IN SECTION 12,
TOWNSHIP 23 SOUTH, RANGE 30 EAST, WILLAMETTE MERIDIAN,
CITY OF BURNS, HARNEY COUNTY, OREGON.



H.A. M'COY
ENGINEERING & SURVEYING LLC

1180 SW LAKE ROAD SUITE 201
REDMOND, OR 97756
(541) 923-7554

SCALE: 1" = 200'
FOR 8.5"x11" SHEETS
0 100' 200'

2-2-2026

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
NOVEMBER 10, 2009
JASON L. SIMES
83256PLS

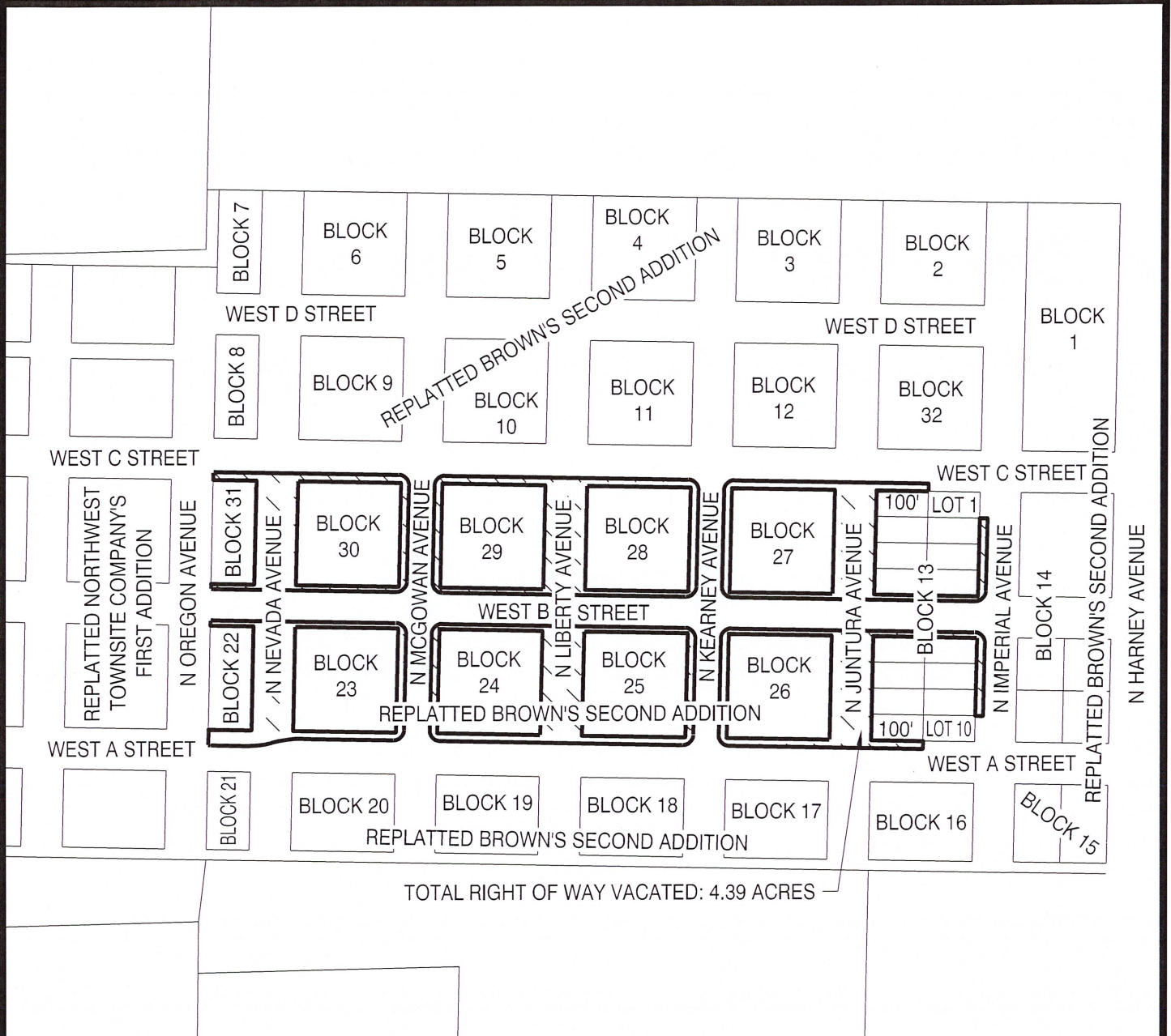
EXPIRES 6/30/26

PROJECT: BURNS IE ZONE PLAT

DRAWN BY: JJW DATE: 02/02/2026 PAGE 1 OF 1 PROJECT#: 25-155

EXHIBIT B

RIGHT OF WAY VACATION
A PORTION OF ROAD RIGHTS OF WAY WITHIN REPLATTED BROWN'S SECOND ADDITION
LOCATED IN SECTION 12,
TOWNSHIP 23 SOUTH, RANGE 30 EAST, WILLAMETTE MERIDIAN,
CITY OF BURNS, HARNEY COUNTY, OREGON.



H.A. M'COY
ENGINEERING & SURVEYING LLC

1180 SW LAKE ROAD SUITE 201
REDMOND, OR 97756
(541) 923-7554

SCALE: 1" = 300'
FOR 8.5"x11" SHEETS
0 150' 300'

2-2-2026
REGISTERED
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OREGON
NOVEMBER 10, 2009
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