



COUNCIL PUBLIC HEARING

Wednesday, October 21, 2020 at 5:45 PM

COUNCIL MEMBERS:

Mayor Rick Scholl
Council President Doug Morten
Councilor Keith Locke
Councilor Ginny Carlson
Councilor Stephen R. Topaz

LOCATION & CONTACT:

<https://zoom.us/j/98005360046?pwd=Smk3Tm5KTUFxNmp0azl3Y2xBcEZYdz09>
Website | www.sthelensoregon.gov
Email | kathy@ci.st-helens.or.us
Phone | 503-397-6272
Fax | 503-397-4016

AGENDA

OPEN PUBLIC HEARING

TOPIC

- [1.](#) Request to Extinguish Public Sanitary Sewer Easement at 205 Brayden Street

CLOSE PUBLIC HEARING

VIRTUAL MEETING DETAILS

Join Zoom

Meeting: <https://zoom.us/j/98005360046?pwd=Smk3Tm5KTUFxNmp0azl3Y2xBcEZYdz09>

Meeting ID: 980 0536 0046

Passcode: 644165

Call in: 1 346 248 7799

The St. Helens City Council Chambers are handicapped accessible. If you wish to participate or attend the meeting and need special accommodation, please contact City Hall at 503-397-6272 in advance of the meeting.

Be a part of the vision...Get involved with your City...Volunteer for a City of St. Helens Board or Commission!

For more information or for an application, stop by City Hall or call 503-366-8217.

**CITY OF ST. HELENS PLANNING DEPARTMENT
STAFF REPORT
Easement Extinguishment**

DATE: October 12, 2020
TO: City Council
FROM: Jacob A. Graichen, AICP, City Planner

APPLICANT (OWNER)/LOCATION:

Multi/Tech Engineering / 205 Brayden Street, Parcel 1 of Partition Plat 2020-05

PROPOSAL: Removal of a *portion* of a sanitary sewer easement on property identified above.

APPLICABLE LAW & PROCESS

221.725 Sale of city real property; publication of notice; public hearing.

(1) Except as provided in ORS 221.727, when a city council considers it necessary or convenient to sell real property or any interest therein, the city council shall publish a notice of the proposed sale in a newspaper of general circulation in the city, and shall hold a public hearing concerning the sale prior to the sale.

(2) The notice required by subsection (1) of this section shall be published at least once during the week prior to the public hearing required under this section. The notice shall state the time and place of the public hearing, a description of the property or interest to be sold, the proposed uses for the property and the reasons why the city council considers it necessary or convenient to sell the property. Proof of publication of the notice may be made as provided by ORS 193.070.

(3) Not earlier than five days after publication of the notice, the public hearing concerning the sale shall be held at the time and place stated in the notice. Nothing in this section prevents a city council from holding the hearing at any regular or special meeting of the city council as part of its regular agenda.

(4) The nature of the proposed sale and the general terms thereof, including an appraisal or other evidence of the market value of the property, shall be fully disclosed by the city council at the public hearing. Any resident of the city shall be given an opportunity to present written or oral testimony at the hearing.

(5) As used in this section and ORS 221.727, "sale" includes a lease-option agreement under which the lessee has the right to buy the leased real property in accordance with the terms specified in the agreement.

To remove a public easement, the City has typically used a Quit Claim Deed and Release (extinguishment) from each party who benefits from an easement (e.g., utility companies, the City) that is recorded in public records. This requires a public hearing with notice as described per the ORS above.

PUBLIC HEARING & NOTICE

Hearing date before the City Council: October 21, 2020

Publish date for the notice of this hearing is via the The Chronicle on October 14, 2020.

BACKGROUND

The easement and sewer line in question was established as part of the Matzen Subdivision in 2018. The lot layout of the Matzen Subdivision has since been modified to accommodate a new grocery store. The property lines were rearranged by a land partition (PP Plat. No. 2020-05), but the partition process cannot remove existing easements. The sewer line is proposed to be reconstructed to accommodate the grocer building and the easement will also need to be modified by extinguishing a portion and creating a new easement to coincide with the moved sewer line.

Resolving this issue is a requirement of Site Development Review SDR.3.20, which is the land use permit for the grocer.

Affected parties: City of St. Helens and users of said utility

CONCLUSION

The easement may be vacated but only after the sanitary sewer line is rerouted and new easement area established for the relocated line.

Staff asks the Council make this conditional to help with construction timelines, as opposed to delaying the decision until the reroute and new easements are done.

Attachment(s): Matzen Subdivision sheets 1 and 2
PP No. 2020-05 sheet 1
Grocer site plan with highlighted easements

NOTES:

1. ALL MONUMENTS FOUND IN GOOD CONDITION AND WITHIN 0.2' OF THE SURFACE OF THE GROUND UNLESS OTHERWISE NOTED.

REFERENCE SURVEYS:

- | | |
|-------------------------------|--|
| 1. SDV K-734
"MILTON PARK" | 13. CSM 261 |
| 2. CS 481 | 14. A-346 - PARTITION
PLAT 1994-10 |
| 3. CS 1495 | 15. A-552 - PARTITION
PLAT 1998-05 |
| 4. CS 1574 | 16. BOOK 2, PAGE 62
"THE SUBDIVISION
OF TRACTS 11
AND 12 OF
MILTON PARK" |
| 5. CS 1768 | 17. BOOK 3, PAGE 30
"FIRST ADDITION
TO CEDAROAK" |
| 6. CS 1832 | 18. BOOK 7, PAGE 57
"MCBRIDE PLACE
SUBDIVISION" |
| 7. CS 3958 | |
| 8. CS 4736 | |
| 9. CS 4843 | |
| 10. CS 4930 | |
| 11. CS 6330 | |
| 12. CSL 107 | |

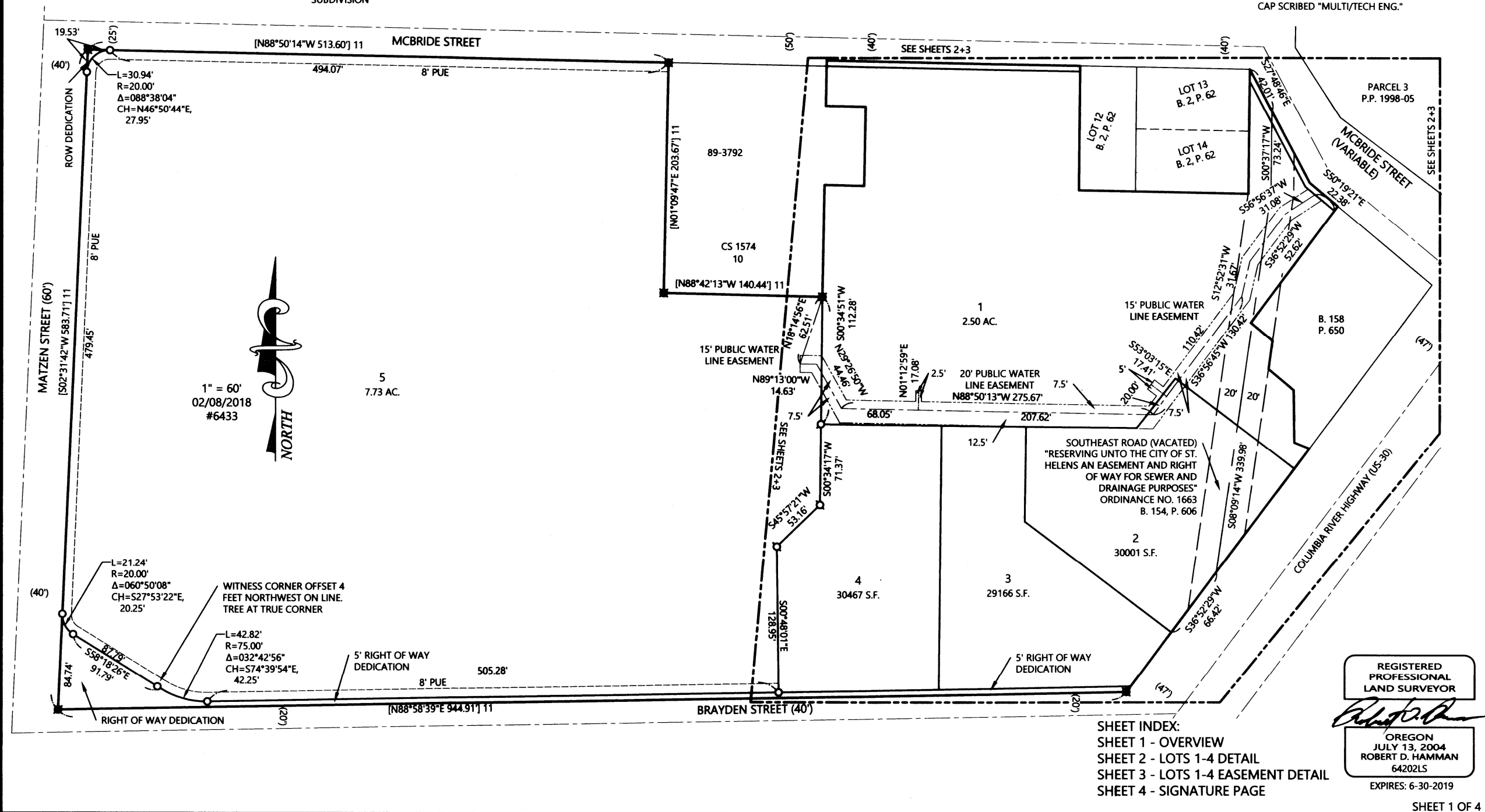
MATZEN SUBDIVISION
IN THE SE 1/4 S. 05, T. 4N, R. 1W, W.M.
CITY OF ST. HELENS, COLUMBIA COUNTY, OREGON

BY:
MULTI/TECH ENGINEERING SERVICES, INC.
1155 13TH ST. S.E. SALEM, OREGON 97302
503-363-9227

LEGEND:

CS = COUNTY SURVEY
OS = OFFSET
BL = BLOCK
L = LOT
P.P. = PARTITION PLAT
PC = PARCEL
B. = BOOK
P. = PAGE
PUE = PUBLIC UTILITY EASEMENT
STA = RIGHT OF WAY CENTERLINE STATION
[] = RECORD AND MEASURED DATA PER SURVEY NOTED
() = RECORD DATA PER SURVEY NOTED

● = FOUND MONUMENT, SEE TABLE
■ = 5/8" IRON ROD WITH YELLOW PLASTIC CAP SCRIBED "W.B. WELLS & ASSOC. INC." PER CS 3958
▲ = 5/8" IRON ROD WITH YELLOW PLASTIC CAP SCRIBED "SWENSON LS 2596" PER CS 4736
■ = 5/8" X 30" IRON ROD WITH YELLOW PLASTIC CAP SCRIBED "MULTI/TECH ENG." PER CS 6330
○ = SET 5/8" X 30" IRON ROD WITH YELLOW PLASTIC CAP SCRIBED "MULTI/TECH ENG."
⊕ = SET 5/8" X 24" IRON ROD WITH YELLOW PLASTIC CAP SCRIBED "MULTI/TECH ENG."



REGISTERED
PROFESSIONAL
LAND SURVEYOR

Robert D. Hamman
OREGON
JULY 13, 2004
ROBERT D. HAMMAN
64202LS

EXPIRES: 6-30-2019

SHEET 1 OF 4

MATZEN SUBDIVISION

IN THE SE 1/4 S. 05, T. 4N, R. 1W, W.M.
CITY OF ST. HELENS, COLUMBIA COUNTY, OREGON

BY:
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NOTES:

- ALL MONUMENTS FOUND IN GOOD CONDITION AND WITHIN 0.2' OF THE SURFACE OF THE GROUND UNLESS OTHERWISE NOTED.
- NO MINERAL RIGHTS ON PORTIONS OF LOT 1 PER (A) B. 191, P. 415 AND (B) B. 259, P. 67.

LEGEND:

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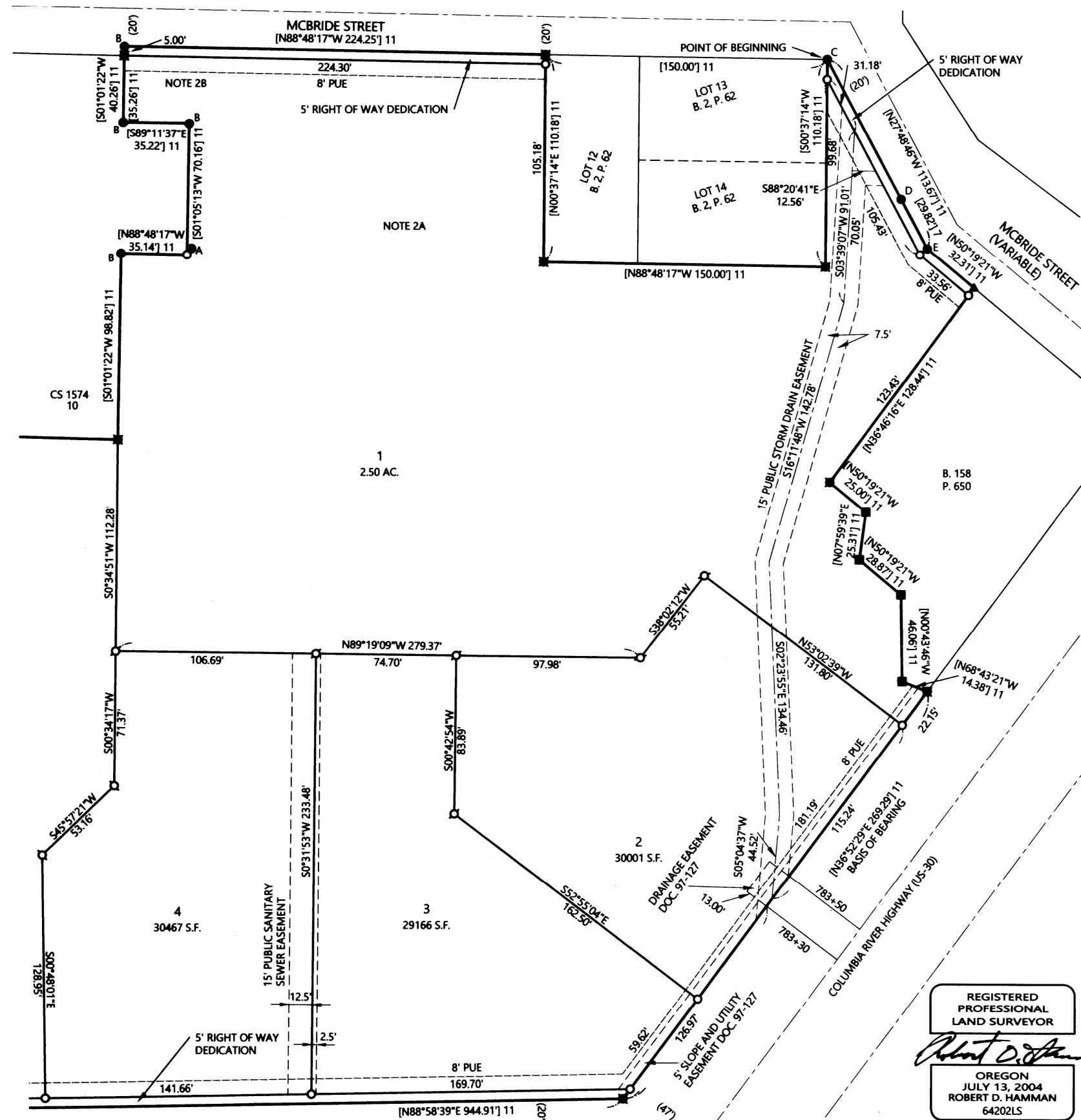
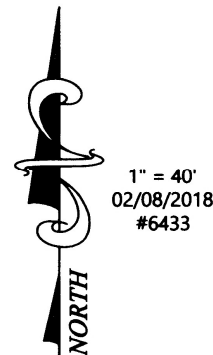
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- ◻ = SET 5/8" X 24" IRON ROD WITH YELLOW PLASTIC CAP SCRIBED "MULTI/TECH ENG."

MONUMENT TABLE:

- | | |
|----|--|
| A. | IRON PIPE, ORIGIN UNKNOWN, N07°05'43"W
0.67' FROM TRUE CORNER |
| B. | 5/8" IRON ROD PER CSL 107 |
| C. | FOUND X ON STONE TIED IN CSM 261 |
| D. | 1/2" IRON ROD TIED IN CS 3958 |
| E. | 1" IRON BOLT, BENT AND SPUN, TIED IN CS 3958 |

REFERENCE SURVEYS:

- | | |
|----------------------------|--|
| 1. SDV K-734 "MILTON PARK" | 12. CSL 107 |
| 2. CS 481 | 13. CSM 261 |
| 3. CS 1495 | 14. A-346 - PARTITION PLAT 1994-10 |
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| 9. CS 4843 | |
| 10. CS 4930 | |
| 11. CS 6330 | |



REGISTERED
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LAND SURVEYOR

Robert D. Hamman

OREGON
JULY 13, 2004
ROBERT D. HAMMAN
64202LS

EXPIRES: 6-30-2019

SHEET 2 OF 4

PARTITION PLAT 2020- 05
INSTRUMENT NUMBER 2020 - 7495
A REPLAT OF LOTS 2, 3, AND 4, MATZEN SUBDIVISION
IN THE SE 1/4 S. 05, T. 4N, R. 1W, W.M.
CITY OF ST. HELENS, COLUMBIA COUNTY, OREGON

NOTES:

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REFERENCE SURVEY:

1. MATZEN SUBDIVISION PLAT BOOK 7, PAGES 104-107

LEGEND:

- SUB. = SUBDIVISION
P.P. = PARTITION PLAT
PC = PARCEL
B. = BOOK
P. = PAGE
PUE = PUBLIC UTILITY EASEMENT
[] = RECORD AND MEASURED DATA PER MATZEN SUBDIVISION
() = RECORD DATA PER MATZEN SUBDIVISION

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OREGON
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ROBERT D. HAMMAN
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EXPIRES: 6-30-2021

- = 5/8" IRON ROD WITH YELLOW PLASTIC CAP SCRIBED "MULTI/TECH ENG." PER MATZEN SUB.
○ = SET 5/8" X 30" IRON ROD WITH YELLOW PLASTIC CAP SCRIBED "MULTI/TECH ENG."



DETAIL
1" = 6'

PUBLIC WATER LINE
EASEMENT PER MATZEN SUB.

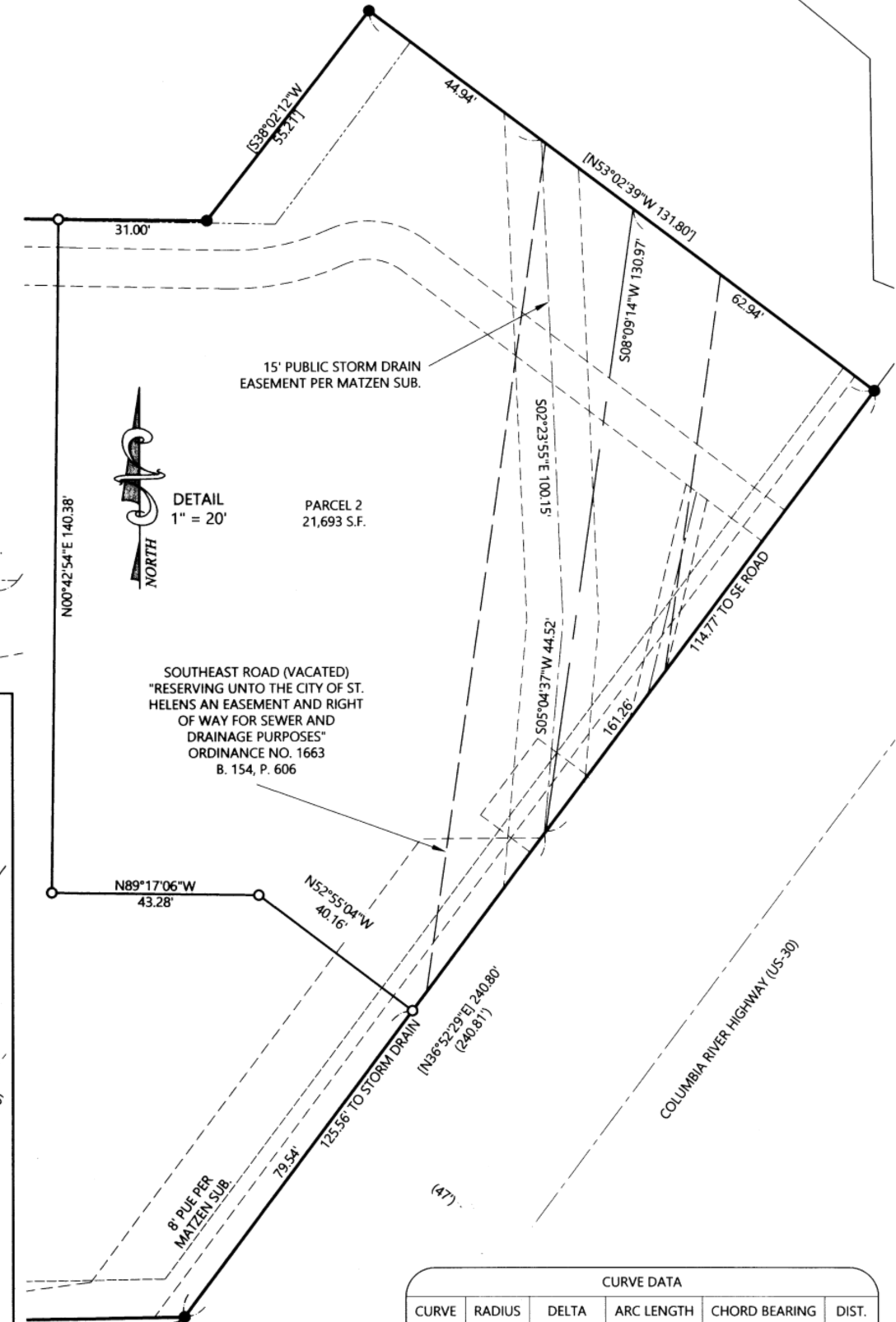
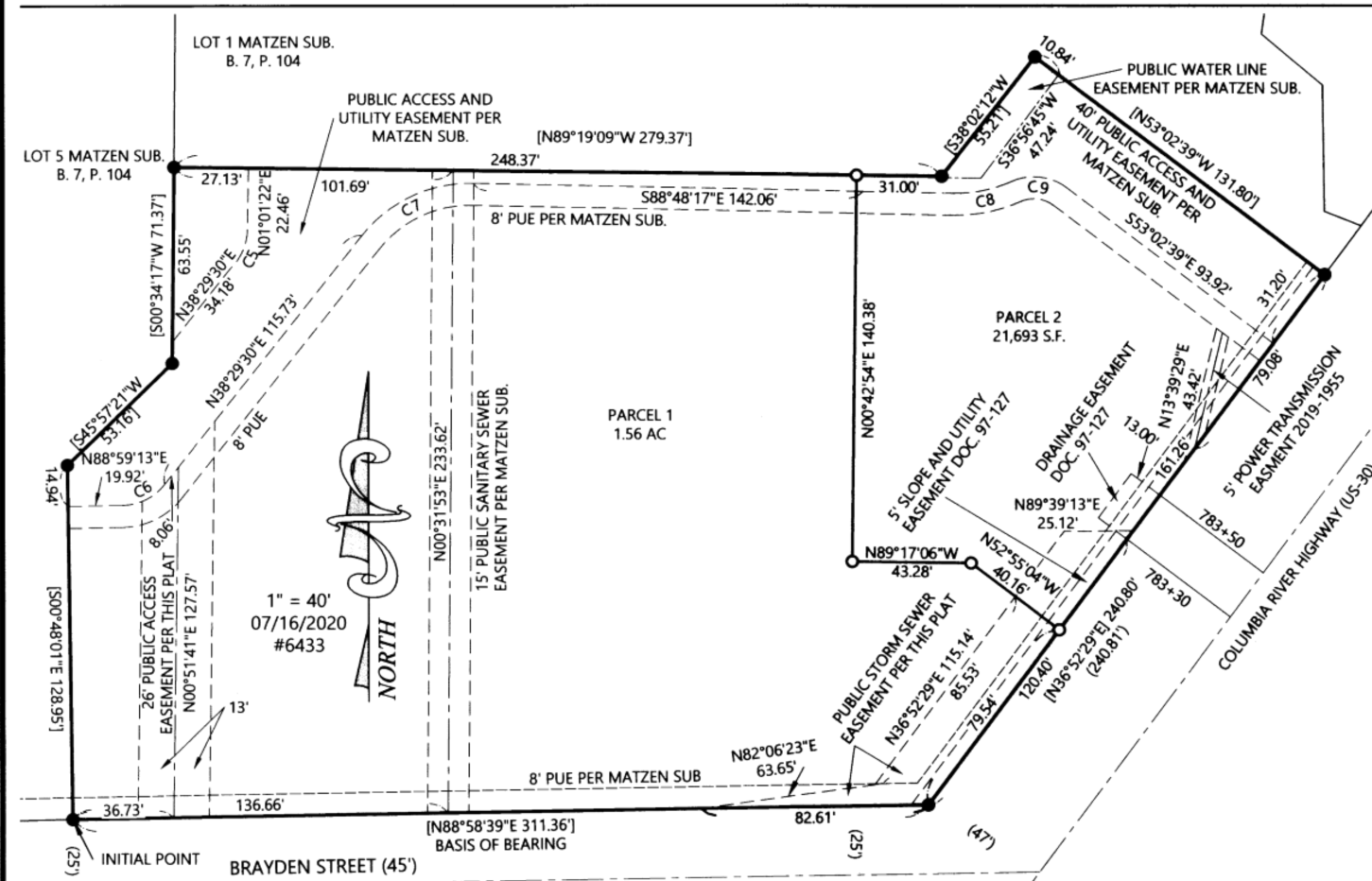


DETAIL
1" = 20'

PARCEL 2
21,693 S.F.

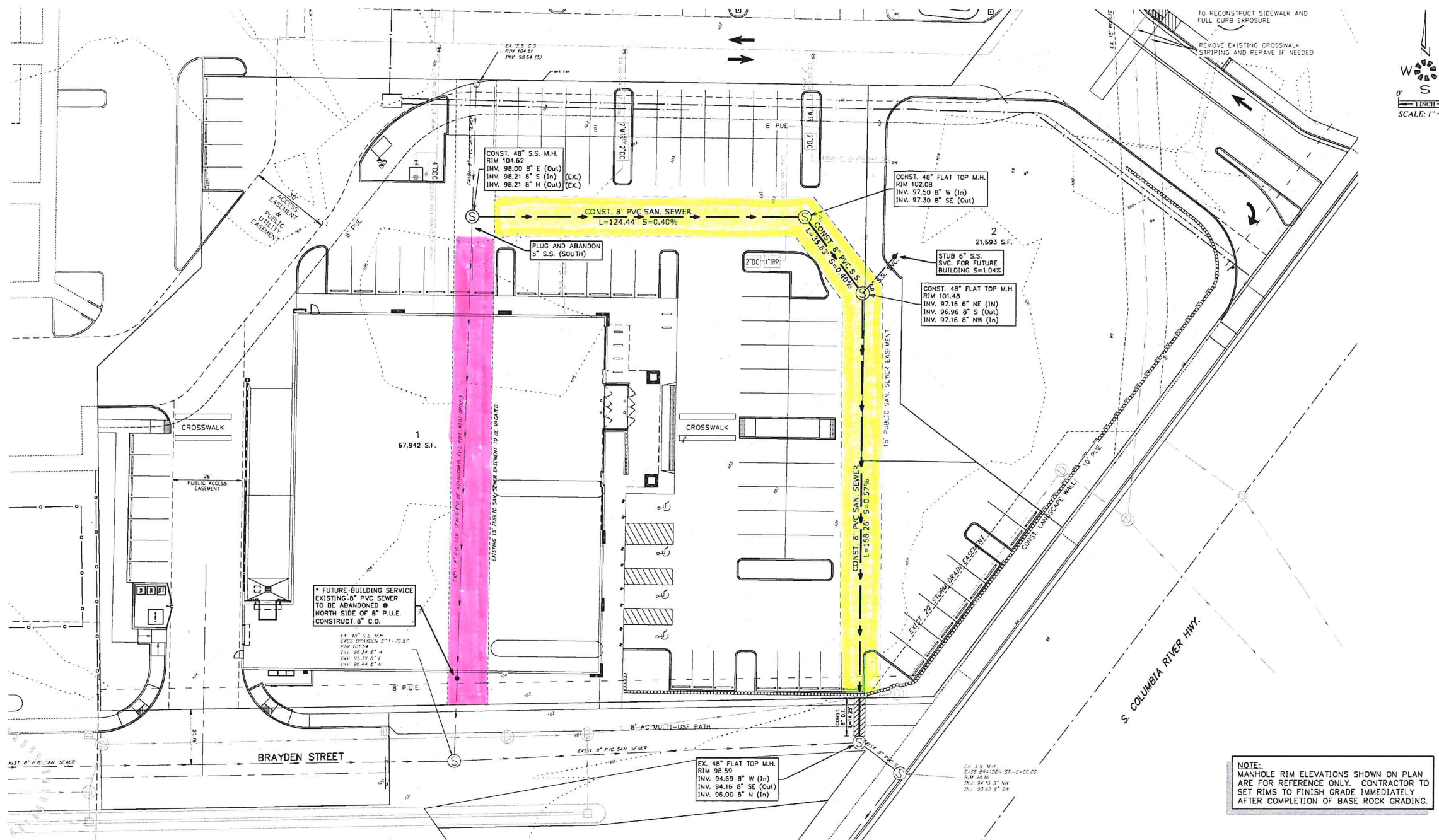
SOUTHEAST ROAD (VACATED)
"RESERVING UNTO THE CITY OF ST.
HELENS AN EASEMENT AND RIGHT
OF WAY FOR SEWER AND
DRAINAGE PURPOSES"
ORDINANCE NO. 1663
B. 154, P. 606

COLUMBIA RIVER HIGHWAY (US-30)

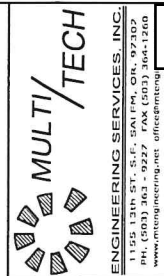
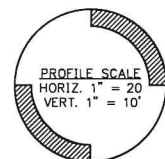
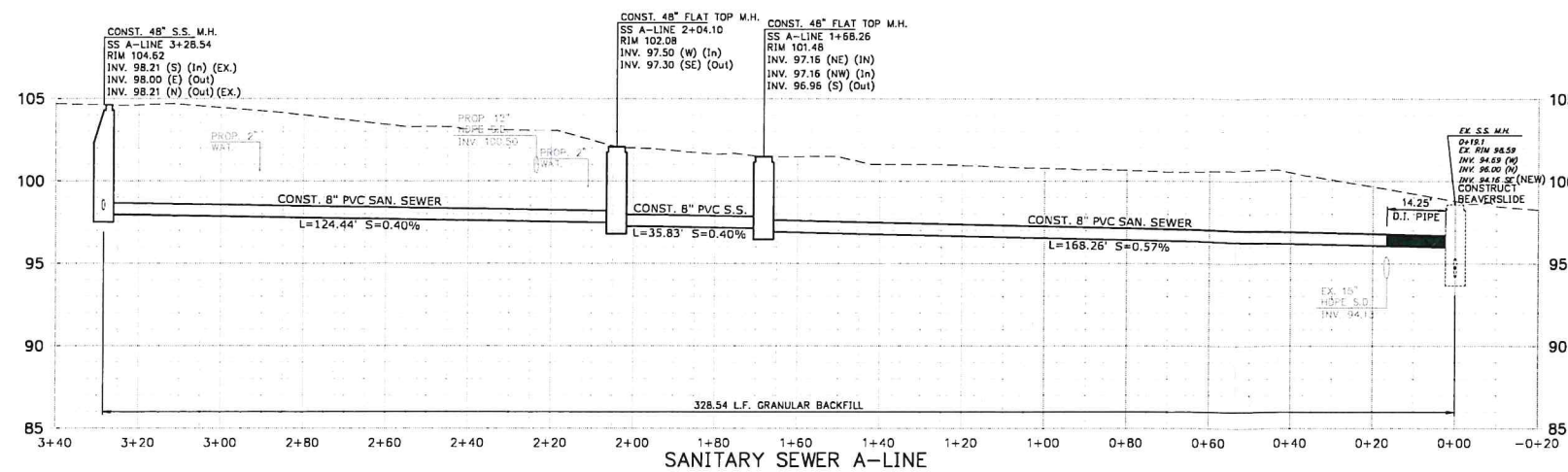


CURVE DATA					
CURVE	RADIUS	DELTA	ARC LENGTH	CHORD BEARING	DIST.
C5	20.00'	44°55'59"	15.68'	N23°29'22"E	15.29'
C6	20.00'	50°29'41"	17.63'	N63°44'21"E	17.06'
C7	50.00'	52°42'12"	45.99'	S64°50'37"W	44.39'
C8	50.00'	25°08'03"	21.93'	N78°37'41"E	21.76'
C9	20.00'	60°53'41"	21.26'	N83°29'30"W	20.27'

\\s01-6455\1431-21000\GIS\Drawings\1431-21000\1431-21000.dwg 11/15/2017 10:46:56 AM 1431-21000.dwg



NOTE:
MANHOLE RIM ELEVATIONS SHOWN ON PLAN
ARE FOR REFERENCE ONLY. CONTRACTOR TO
SET RIMS TO FINISH GRADE IMMEDIATELY
AFTER COMPLETION OF BASE ROCK GRADING.



PUBLIC SANITARY SEWER IMPROVEMENTS

ST. HELENS LOT #4 DEVELOPMENT PLAN

MULTITECH ENGINEERING SERVICE, INC.
11505 13TH ST. S.E. SALEM, OR 97302
(503) 585-1200
www.multitech-engineering.net

NO CHANGES, MODIFICATIONS
OR REPRODUCTIONS TO BE
MADE TO THESE DRAWINGS
WITHOUT THE WRITTEN
AUTHORIZATION OF THE
DESIGN ENGINEER.
DIMENSIONS & NOTES TAKE
PRECEDENCE OVER
GRAPHICAL REPRESENTATION.

Design: M.D.G.
Drawn: C.D.G.
Proj/Mgr: M.D.G.
Date: SEPT. 2017
Scale: AS SHOWN
As-Built: ----



EXPRES 06-30-2021
JOB # 6433