

**CITY OF FLORENCE
ORDINANCE NO. 11, SERIES 2014**

**AN ORDINANCE CONCERNING THE VACATION OF ALLEYS, AMENDING
CHAPTER 3 OF TITLE 8 OF THE FLORENCE CITY CODE, AND REPEALING
ORDINANCE NO. 11, SERIES 1996.**

WHEREAS, Florence City Code (FCC) Title 1, Chapter 3, Section 2 defines a public right of way to be that area dedicated to public use, being the full width of a street, alley or pedestrian way, as platted; and

WHEREAS, Florence City Code (FCC) Title 1, Chapter 3, Section 2 also defines that a street shall include alleys, lanes, courts, boulevards, public ways, public squares, public places and sidewalks; and

WHEREAS, on December 1, 2014, after deliberation, the City Council found that the loss of all public rights of way to private uses required an assessment for the value lost; and

WHEREAS, the City Council adopted Ordinance No.11, Series 2014 concerning the assessment of the value for vacation of alleys, amending Florence City Code (FCC) Title 8, Chapter 3, Section 4, and repealing Ordinance No. 11, Series 1996.

NOW THEREFORE, THE CITY OF FLORENCE ORDAINS AS FOLLOWS:

Section 1. Section 8-3-4-2 of Chapter 3 of Title 8 of the Florence City Code is amended to provide:

8-3-4-2: CRITERIA: In determining the value of the public way to be vacated, the Council shall consider any relevant appraisals the City possesses and the public information in the files of the Lane County Assessment and Taxation Department or its successor agency. Except for direct uses by a public body supported by local property taxes, in the absence of more relevant information the Council shall calculate the value based on the square foot value of abutting real property as shown on the current Lane County assessment roll, less a percentage for easements retained for public use. The abutting owner(s) may request the Council to obtain other evidence of value from a licensed real estate appraiser hired by the City. All such appraisal costs shall be borne by the requesting abutting property owner(s). The Council may consider this evidence and adjust its determination of value as the Council may find to be just and equitable. The basis for any such adjustment shall be stated on the record at the time the Council takes action. A determination of value shall be made and assessed to abutting property owners for all public ways being vacated.

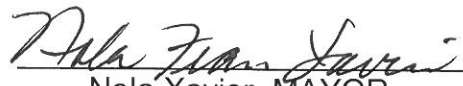
Section 2. This Ordinance shall become effective 30 days after adoption.

Section 3. The City Recorder is authorized to administratively correct any reference errors contained herein or in other provisions of the Florence City Code to the provisions added, amended, or repealed herein.

Passed by the Florence City Council this 1st day of December, 2014.

| | | | |
|---------|---|---|---|
| AYES | 5 | - | Councilors Roberts, Jagoe, Greene, Henry and Mayor Xavier |
| NAYS | 0 | | |
| ABSTAIN | 0 | | |
| ABSENT | 0 | | |

APPROVED BY THE MAYOR, this 1st day of December, 2014.



Nola Xavier, MAYOR

ATTEST:



Kelli Weese, CITY RECORDER