

## ORDINANCE NO. NS-2536

### AN ORDINANCE OF THE CITY COUNCIL TO VACATE A PORTION OF NE ANDESITE STREET RIGHT OF WAY NEAR NE TALUS PLACE

#### Recitals

A. On January 27, 2025, the City of Bend, by and through its Real Estate Department (Applicant), submitted a Right-of-Way Vacation application (PLROWV20250046) requesting the City vacate a portion of NE Andesite Street in close proximity to the intersection with NE Talus Place as described on the Exhibit A and depicted on Exhibit B (the "Right-of-Way"). The Applicant requested that the City Council accept a petition signed by all affected property owners to vacate the Right-of-Way.

B. The Right-of-Way is within the Juniper Overlay Zone and was originally platted as NE Caldara Drive in 2010. In February 2024, the street was realigned and renamed NE Andesite Street via the Juniper Ridge Large Tract subdivision 130 feet to the west of the original location was dedicated (but not improved) as right of way.

C. On July 16, 2025, the City Council accepted the petition to vacate the right-of-way and directed staff to proceed to process the right-of-way vacation application.

D. On July 18, 2025, notice of the public hearing was mailed by the Planning Division to all applicable agencies and franchise utilities within the affected area of the proposed vacation. On July 23, 2025, notice of the proposed right-of-way vacation was posted at each end of the area proposed to be vacated.

E. On July 23, 2025 and July 30, 2025, the City published notice of a public hearing on the requested vacation in The Bulletin, a newspaper of general circulation in the City once each week for two consecutive weeks, consistent with ORS 271.110-120.

F. The City received comments from utility providers indicating that no additional easements are necessary and that no existing utilities utilize the area to be vacated. The City Council finds that it is in the public interest to approve the proposed vacation.

G. The City Council held a public hearing on the proposed vacation on August 6, 2025, and found that the right-of-way vacation complied with the applicable standards in Bend Code 3.80.070.

H. The City Council has determined that the vacation is in the public interest, and the area is to be vacated.

**Based on these findings, THE CITY OF BEND ORDAINS AS FOLLOWS:**

**Section 1.** The right-of-way of NE Andesite Street near the intersection with NE Talus Place is vacated as described and shown in Exhibits A and B.

**Section 2.** Upon adoption, the City Recorder shall file and record this Ordinance in the Deschutes County Clerk's office.

**Section 3.** If any provision, section, phrase, or word of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions that can be given effect without the invalid provision or application.

**Section 4.** All other provisions of the Bend Municipal Code remain unchanged by this ordinance and remain in effect.

First Reading Date: August 6, 2025.

Second Reading and adoption by roll call vote: August 20, 2025.

YES: Kebler, Franzosa, Méndez, Norris, Perkins, Platt, Riley

NO:



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Melanie Kebler, Mayor

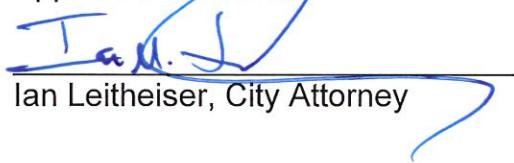
ATTEST:



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Ashley Bortje, City Recorder

Approved as to form:



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Ian Leitheiser, City Attorney



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AKS Job #9765

## **EXHIBIT A**

### **Right-of-Way Vacation**

A portion of NE Andesite Street, located in the Southwest Quarter of Section 10, Township 17 South, Range 12 East, Willamette Meridian, City of Bend, Deschutes County, Oregon, and being more particularly described as follows:

Commencing at the northwest corner of Lot 5 of "Juniper Ridge Large Tract", recorded February 23, 2024, as Instrument Number 2024-04317, Deschutes County Official Records, located on the south right-of-way line of NE Olivine Drive (30.00 feet from centerline), and the east right-of-way line of NE Andesite Street (36.00 feet from centerline); thence along said east right-of-way line, South 00°09'41" West 918.73 feet to the Point of Beginning; thence continuing along said east right-of-way line, South 00°09'41" West 476.79 feet to the north right-of-way line of NE Talus Place (30.00 feet from centerline); thence along the westerly prolongation of said north right-of-way line, North 90°00'00" West 72.00 feet to the west right-of-way line of said NE Andesite Street (36.00 feet from centerline); thence along said west right-of-way line, North 00°09'41" East 244.14 feet to the southeasterly right-of-way line of another portion of said NE Andesite Street (30.00 feet from centerline); thence along the northeasterly prolongation of said southeasterly right-of-way line, North 27°37'26" East 61.80 feet; thence leaving said prolongation, along a curve to the left, with a Radius of 386.00 feet, a Central Angle of 27°27'45", an Arc Length of 185.01 feet, and a Chord of North 13°53'33" East 183.25 feet to the Point of Beginning.

The above tract of land contains 23,257 square feet more or less.

The bearings for this exhibit are based on said "Juniper Ridge Large Tract".

9/20/2024

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

OREGON  
MAY 11, 2021  
JACOB ALLEN CARSON  
94570PLS  
RENEWS: 12/31/25

# EXHIBIT B

A PORTION OF NE ANDESITE STREET, LOCATED IN THE  
THE SW 1/4 OF SEC. 10, T17S, R12E, W.M.,  
CITY OF BEND, DESCHUTES COUNTY, OREGON

