
COUNCIL ORDINANCE NO. 20728

AN ORDINANCE VACATING A PORTION OF LEO HARRIS PARKWAY.

ADOPTED: September 22, 2025

SIGNED: September 23, 2025

PASSED: 6:1

REJECTED:

OPPOSED: Clark

ABSENT: Evans

EFFECTIVE: October 24, 2025



ORDINANCE NO. 20728

AN ORDINANCE VACATING A PORTION OF LEO HARRIS PARKWAY.

The City Council of the City of Eugene finds that:

A. The City Council of the City of Eugene approved an agenda that set a public hearing to be held at 7:30 p.m. on September 15, 2025, in Council Chambers, for the purpose of hearing protests and remonstrances to the proposed vacation of the following described right-of-way:

The right-of-way identified as a portion of Leo Harris Parkway located south of Martin Luther King Jr. Boulevard which is more particularly described in Exhibit A and depicted on Exhibit B attached to this Ordinance.

B. Notice was duly and regularly given of the public hearing, and on September 15, 2025, the City Council held a public hearing and heard all objections to the proposed vacation.

NOW, THEREFORE,

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

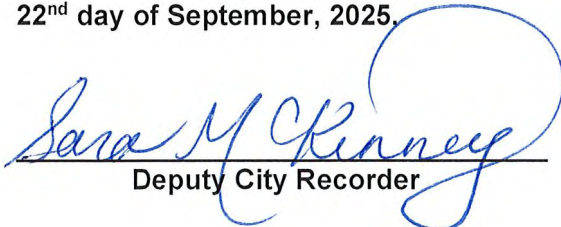
Section 1. The City Council of the City of Eugene finds that notice of the public hearing on the proposed vacation was published and posted as required by law, that consents required by EC 9.8710(6) and ORS 271.080(2) and any needed statements of concurrence from affected utility providers have been filed in the proceedings, and that vacation of the right-of-way described in Exhibit A and depicted on Exhibit B attached to this Ordinance is in the public interest, as described in the Findings attached as Exhibit C to this Ordinance and hereby adopted in support of this Ordinance.

Section 2. The right-of-way described and depicted on Exhibits A and B attached to this Ordinance is hereby vacated and shall revert pursuant to the statutes of the State of Oregon.

Section 3. The City Recorder is directed to file a certified copy of this Ordinance with the Recorder of Lane County, Oregon, together with a map or plat of said property, and a certified copy of this Ordinance shall be filed with the Lane County Assessor and another certified copy shall be filed with the Lane County Surveyor.

Passed by the City Council this

22nd day of September, 2025.


Deputy City Recorder

Approved by the Mayor this

23 day of September, 2025.


Mayor

EXHIBIT A

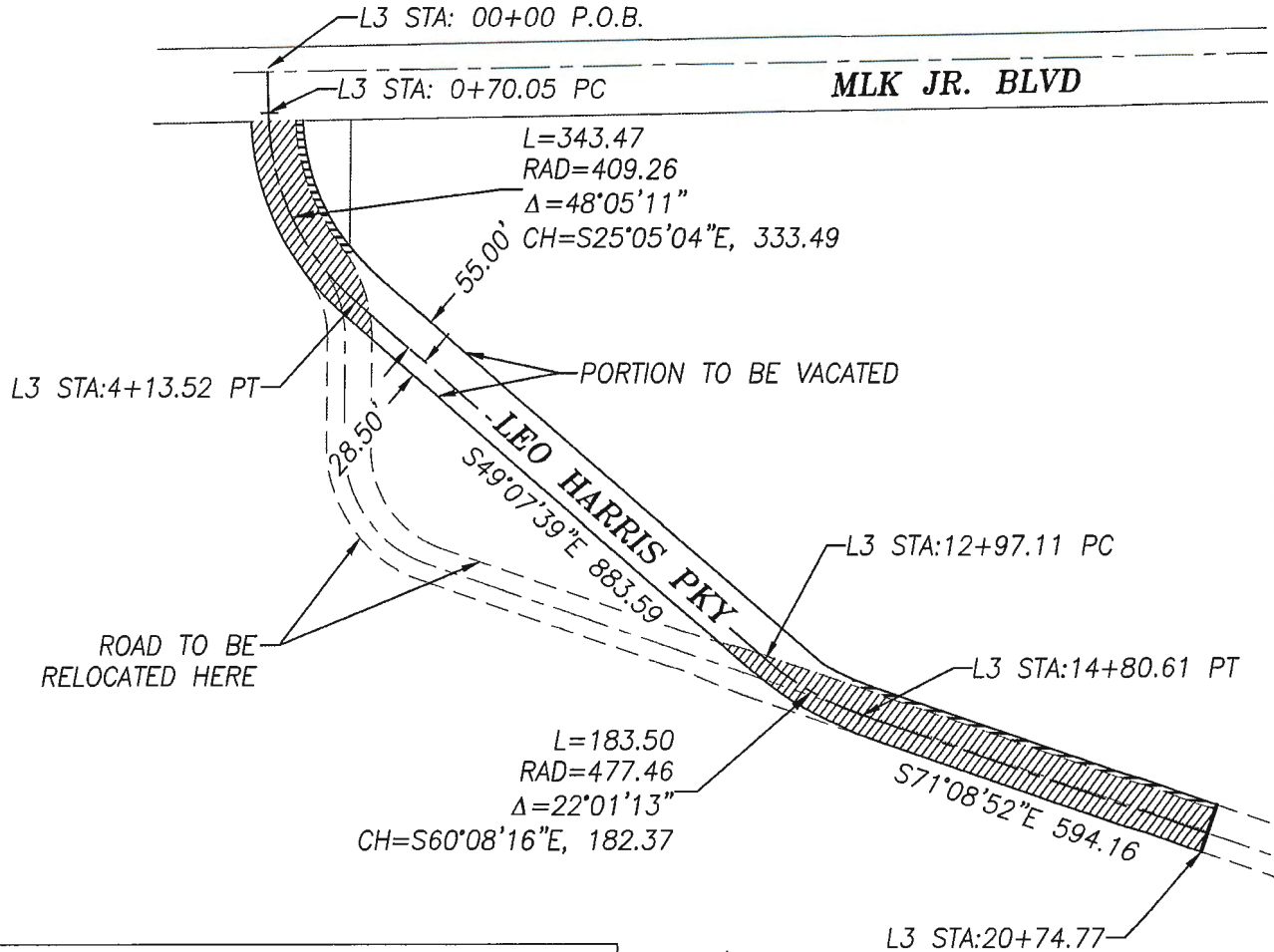
Legal Description Leo Harris Pkwy Vacation

Located in the Southeast Quarter of Section 29, Township 17 South, Range 3 West, W.M. in Eugene, Lane County, Oregon, being a portion of a variable width strip of land known as Leo Harris Parkway, originally established by a Resolution of the Lane County Commissioners as stated in Reel 94, Page 352 and later adopted by the Eugene City Council per Resolution No. 4661, further referenced by Engineer's Centerline "L3" as shown on County Survey File 31225; that portion being vacated is located and described as lying between the south margin of Martin Luther King Jr. Blvd and Engineer's Centerline Station "L3 20+74.77".

EXCEPT: Those portions of land described in that certain DECLARATION OF RIGHT-OF-WAY recorded as Instrument No. 2025-015529, Lane County Deeds and Records.

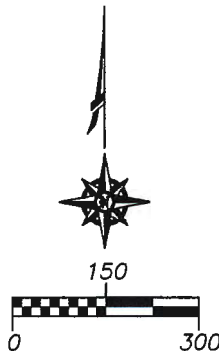
EXHIBIT B

LOCATION MAP
LEO HARRIS PARKWAY VACATION
MAY. 7, 2024
SCALE: 1"=300'



Legend

- Existing ROW excluded from vacation area
- Land within vacation but outside of street



FINDINGS IN SUPPORT OF VACATING A PORTION OF LEO HARRIS PARKWAY

APPLICATION OVERVIEW

Name (File Number):	Leo Harris parkway UO (VRI 25-02)
Applicant:	University of Oregon
Subject Property:	Former Segment of Right-of-Way for Leo Harris Parkway
Zoning:	Abutting properties zoned PL Public Land and R-1 Low-Density Residential, with /WR Water Resources Conservation Overlay
Location:	1.72 acres of improved right-of-way, located south of Martin Luther King Jr. Boulevard and east of Autzen Stadium

BACKGROUND

The University of Oregon (the applicant) filed a request for vacation of a segment of improved public right-of-way that was formerly part of the right-of-way for Leo Harris Parkway. Leo Harris Parkway has been realigned and constructed to the southwest of the area to be vacated. The University completed the construction of a realignment of this segment of Leo Harris Parkway in June 2025, which is now available for public use, and the City has recorded the new alignment as the current right-of-way for Leo Harris Parkway. The segment of right-of-way proposed for vacation is no longer part of the right-of-way for Leo Harris Parkway and it has no independent use.

The area proposed to be vacated is a total of 1.72 acres or 75,279 square feet of public right-of-way. The area of vacation is the portion of Leo Harris Parkway just south of its intersection with Martin Luther King Jr. Boulevard and extending from the point where the newly constructed right-of-way centerline diverges from the existing right-of-way centerline and extends until the centerlines reconverge approximately 1,100 feet to the southeast. The Applicant and the City own all properties abutting the right-of-way to be vacated. Abutting properties are zoned either PL Public Land or R-1 Low-Density Residential, with the /WR Water Resources Conservation overlay.

FINDINGS

The vacation process serves as a means to evaluate the need for public ways as land develops and uses change over time, and to address the manner in which the City may dispense with public ways. Public ways are defined by the Eugene Code as follows: "Any street, road, alley, right-of-way, pedestrian or bicycle easement or accessway, or utility easement for public use that is controlled by the city, county, or state."

This request for vacation is being considered in accordance with Sections 9.8700 – 9.8725 of the Eugene Code (EC) and Oregon Revised Statutes (ORS) 271.080 – 271.230, and processed pursuant to EC 9.7445 – 9.7455. EC 9.8710(3) requires that any vacation of an improved right-of-way be considered and decided upon by the City Council in accordance with the procedures in EC 9.7445 through 9.7455. The public hearing is being conducted consistent with quasi-judicial procedures in State law and as set forth in EC 9.7065 – 9.7095.

The University has constructed the realigned portion of Leo Harris Parkway and bore all costs associated with the realignment, including design, permitting, construction, and related City staff costs. The new alignment has been recorded as the City right-of-way for Leo Harris Parkway, such that the vacation of the former right-of-way does not result in any loss of improvement costs or value to the City of Eugene. The vacated area will be included in a land swap agreement between the City and the University that takes into account the value of the vacated area. Therefore, EC 9.8710(5) does not require that the University pay a special assessment for the vacation.

In accordance with ORS 271.080, the applicant has provided evidence of consent to the vacation from the owners of at least two-thirds of the property within the affected area. ORS 271.080 defines the affected as the land lying on either side of the vacated area to the next lateral street or 200 feet, and 400 feet beyond each terminus of the right-of-way to be vacated. The applicant and the City own 98.8% of the real property affected and the City has signed the required consent form. The applicant has demonstrated it exceeds the requirements of ORS 271.080 and EC 9.8710.

The City of Eugene Public Works Department has reviewed this vacation application, as well as the surrounding facilities and infrastructure affected by the request. All franchise utilities have been relocated to the new location and are operational, therefore letters of concurrence are not necessary.

Compliance with Approval Criterion

Per EC 9.8725, the sole approval criterion applicable to vacation of improved public right-of-way requires City Council to find that approval of the requested vacation is in the public interest. The full text of the approval criterion is provided below, followed by findings demonstrating compliance:

EC 9.8725: Approval Criteria for the Vacation of Improved Public Right-of-Way, Public Ways Acquired with Public Funds, and Undeveloped Subdivision and Partition Plats. The city council shall approve, or approve with conditions and reservations of easements, the vacation of improved public right-of-way, public ways acquired with public funds, or undeveloped subdivision and partition plats, or portions thereof, including public right-of-way and improved public easements located therein, only if the council finds that approval of the vacation is in the public interest.

On January 23, 2023, the City Council approved the terms of a land swap agreement between the City and University to acquire approximately 4 acres of property owned by the City as part of its Alton Baker Park, and for the City to acquire approximately 8 acres of riverfront real property that is owned by the University. The University needed additional land between Leo Harris Parkway and Martin Luther King Jr. Boulevard to construct two new outdoor football practice fields as replacements for the outdoor practice fields displaced by a new indoor practice facility on the University's Autzen Stadium Complex land. This required the realignment of Leo Harris Parkway, making the subject segment of former Leo Harris Parkway a right-of-way remnant without independent use.

On January 23, 2023, the City Council voted to approve an Outline of Terms that was provided with the AIS for the Council meeting on that date. The approved Outline of Terms included a requirement that the University construct and be responsible for all costs associated with Leo Harris Parkway realignment. As relevant to this application to vacate the old alignment, the approved Outline of Terms stated:

"[T]he University will apply for, and the City Council will hold a hearing on, the vacation of the City's interest in the portion of the existing Leo Harris right-of-way that is replaced by the newly constructed / realigned roadway. The City Council's approval of these Terms will serve as evidence that the vacation associated with the Road Work is in the public interest as defined in the City's road vacation approval criteria at EC 9.8725."

The University completed the re-construction and re-alignment of this portion of Leo Harris Parkway in June 2025, which is now available for public use and provides the same level of access as was served by the previous alignment. The agreement executed by the University and City demonstrates that the vacation of a portion of Leo Harris Parkway and land transfer to the University furthers the interests of both public agencies and is therefore in the public interest.

The above findings demonstrate that vacation of the subject portion of Leo Harris Parkway is in the public interest. This determination is based on the conclusion that the vacation of the improved right-of-way will provide an opportunity for the efficient use of land and will not negatively impact the City's transportation system, surrounding uses, or emergency access.

Conclusion

Based on the above facts and the terms of the Ordinance, the applicant's requested vacation of a portion of Leo Harris parkway public right-of-way is in the public interest.