



MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

(Revised March 2016)

Board Clerk Use Only

Meeting Date: 9/29/16
Agenda Item #: R.2
Est. Start Time: 9:50 am approx.
Date Submitted: 9/13/16

Agenda Title: Resolution Vacating a Portion of N.W. 101st Avenue, Pursuant to ORS 368.326 to 368.366

Note: Title should not be more than 2 lines but sufficient to describe the action requested. Title on APR must match title on Ordinance, Resolution, Order or Proclamation.

Requested

Meeting Date: September 29, 2016 **Time Needed:** 5 minutes
Department: Community Services **Division:** Transportation
Contact(s): Patrick Hinds, PLS
Phone: 503-988-3712 **Ext.** 83712 **I/O Address:** 425/2

Presenter

Name(s) &

Title(s): Patrick Hinds, Permit Specialist; Courtney Lords, Assistant County Attorney

General Information

1. What action are you requesting from the Board?

The Transportation Division requests that the Board approve the attached Resolution vacating a portion of a public road, situated in West Multnomah County. This request is based on a citizen-initiated petition pursuant to ORS 368.341.

2. Please provide sufficient background information for the Board and the public to understand this issue. Please note which Program Offer this action affects and how it impacts the results.

The public road known as N.W. 101st Avenue was created by a deed recorded on June 27, 1946, in Book 1070, Page 49 Multnomah County Deed Records. At the location of the area proposed for vacation, the centerline of N.W. 101st Avenue is boundary between the City of Portland and Multnomah County. Multnomah County is the Road Authority for the westerly one-half of this road, and the City of Portland is the Road Authority for the easterly one-half of this road. The City of Portland, by Ordinance No. 187750 passed May 18, 2016, vacated the abutting easterly one-half of the this road. If adopted, this Resolution would vacate the portion of this road situated in Multnomah County that directly abuts the area vacated by the City of Portland.

The petitioner owns 100 percent of the property abutting the westerly side of this public road. Forest Heights Homeowners Association owns 100 percent of the property abutting the easterly portion of the area proposed to be vacated.

N.W. 101st Avenue is a dead-end road approximately 650' in length. This vacation would reduce the length of this road to approximately 400'. No abutting properties will be land-locked by the proposed road vacation.

The petition contains the acknowledged signatures of owners of 100 percent of private property proposed to be vacated, including the Forest Heights Homeowners Association, and acknowledged signatures of owners of 100 percent of property abutting public property proposed to be vacated.

The Transportation Division recommends that the County approve the vacation of the portion of public road known as N.W. 101st Avenue, as more particularly described in Exhibit 1 to this Resolution.

A copy of the petition is attached to the Resolution as Exhibit 2.

3. Explain the fiscal impact (current year and ongoing).

There is no fiscal impact to Multnomah County. This public Right of Way is not maintained by Multnomah County, and no public money is spent on this road. All costs associated with this vacation request are the responsibility of the petitioner.

4. Explain any legal and/or policy issues involved.

The County Engineer, as required by ORS 368.351(1), has reviewed the petition and finds that the portions of the public road to be vacated are no longer needed for public purposes. Further, the County Engineer has determined that the vacation of the road as set forth in the proposed resolution is in the public interest. Because of the 100% support of both private and abutting property owners for this proposed vacation as noted above, under the authority of ORS 368.351, the County may proceed to complete this vacation without additional notice and publication.

This Agenda Placement Request constitutes the written report to be filed with the County Board by the County Road Official under ORS 368.351(1).

5. Explain any citizen and/or other government participation that has or will take place.

This is a citizen-initiated petition.

The portion of the public road being vacated is located entirely within the County.

The proposed action is consistent with community involvement, development, and any applicable intergovernmental cooperation.

Required Signature

**Elected
Official or
Department
Director:**

Kim Peoples /s/

Date:

Sept. 13, 2016