

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. _____

Vacating a Portion of Public Road, Pursuant to ORS 368.326 to 368.366.

The Multnomah County Board of Commissioners Finds:

- a. The County is charged with operating and maintaining specific bridges across the Willamette River within the boundaries of the City of Portland (the “bridges”), pursuant to ORS 382.305. The County is obligated to maintain, keep in good condition, repair, and operate the bridges and their approaches in accordance with ORS 382.310.
- b. Pursuant to ORS 382.305 and 382.310, the County operates and maintains the Hawthorne Bridge (the “Bridge”) and its approaches.
- c. A west approach ramp to the Bridge was constructed in or around 1976; that approach ramp was later closed to vehicular traffic in or around 2001 by order of the City of Portland as authorized by ORS 382.325.
- d. The bridges over the Willamette River, including the approaches and viaducts leading thereto, are permanent roads per ORS 382.340. This definition includes the Bridge and its west approach ramp.
- e. The portion of the public road proposed to be vacated is the west approach ramp situated in Block 8, of the plat City of Portland, being more particularly described in Exhibit 1 (“vacation area”) attached hereto.
- f. The County intends to vacate its right of way interest in the vacation area, in support of a proposed new County courthouse to be constructed entirely within said Block 8, pursuant to Resolution No. 2015-031, adopted April 16, 2015.
- g. The County Road Official has submitted a petition to vacate the County’s right of way interest in the vacation area in compliance with ORS 368.341(3). A copy of the petition is attached to this Resolution as Exhibit 2.
- h. As allowed under ORS 368.351, the above referenced petition indicates the owner’s approval of the proposed vacation. It contains the acknowledged signature of the Chair of Multnomah County, which is the owner of 100 percent of the property proposed to be vacated and the owner of 100 percent of the property abutting the public property proposed to be vacated. There is no privately owned property either within or abutting the vacation area.
- i. In addition, the County Road Official has filed a written report pursuant to ORS 368.351(1), that contains an assessment that the proposed vacation of public property is in the public interest. The Agenda Placement Request filed in this matter is the County Road Official’s report.
- j. Pursuant to ORS 368.351, the County may make a determination about this vacation without additional notice and publication required under ORS 368.346, because the petition contains the acknowledged signature of the owner of 100 percent of the

property proposed to be vacated and the owner of 100 percent of the property abutting the vacation area.

- k. Vacation of the County's right-of-way interest in the vacation area described in said Exhibit 1 is in the best public interest.

The Multnomah County Board of Commissioners Resolves:

1. The Board finds the vacation of the portion of the Hawthorne Bridge West approach, as more particularly described and shown in the attached Exhibit 1, to be in the best public interest and is approved.
2. This vacation will be effective in compliance with ORS 368.361(3), upon the City of Portland's separate adoption of a Resolution or Order that concurs in the above stated findings of this Board.
3. Upon the adoption of the City of Portland's Resolution or Order as set forth in Resolve Clause 2 above, the LUTP will record and file this Resolution in accordance with ORS 368.356(3).
4. Upon the recording and filing of this Resolution as set forth in Resolve Clause 3 above, the County Surveyor will mark the plat, if applicable, as provided under ORS 271.230, and title in the underlying property shall vest in the County as provided under ORS 368.366(1)(a).

ADOPTED this _____ day of August, 2016.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Deborah Kafoury, Chair

REVIEWED:
JENNY M. MADKOUR, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____
Courtney Lords, Assistant County Attorney

SUBMITTED BY:
Kim Peoples, Director Department of Community Services