



# MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

(Revised: Feb. 2017)

## Board Clerk Use Only

Meeting Date: 4/5/18  
Agenda Item #: R.1  
Est. Start Time: 9:30 am  
Date Submitted: 3/29/18

**Agenda Title:** **Hold a Hearing to Legalize a Portion of SW Hewett Boulevard, County Road No. 405, and Adopt Order Legalizing a Portion of SW Hewett Boulevard, as County Road No. 5025**

### Requested

**Meeting Date:** April 5, 2018 **Time Needed:** 5 minutes

**Department:** Community Services **Division:** Transportation

**Contact(s):** Ian Cannon, County Engineer

**Phone:** 503-988-3595 **Ext.**  **Email:**

**Presenters:** Courtney Lords, Assistant County Attorney and Ian Cannon, County Engineer

## General Information

### 1. What action are you requesting from the Board?

For all the reasons discussed below, the Transportation Division respectfully requests: (1) the Board hold a public hearing to consider legalization of a portion of SW Hewett Boulevard, as more specifically shown and described in Exhibit A, and (2) upon conclusion of the public hearing, adopt the attached Order for Legalization of Hewett Boulevard, as County Road No. 5025.

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

On December 21, 2017, the Board of Commissioners adopted Resolution No. 2017-103 initiating proceedings for legalizing a portion of SW Hewett Boulevard and directed the County Surveyor to conduct a survey of the road in its traveled location. On January 25, the County Surveyor filed his survey with the Board Clerk and the County Engineer filed a report supporting legalization of SW Hewett Boulevard. Subsequently on January 25, 2018, the Board adopted Resolution 2018-009 Scheduling a Public Hearing and Directing Notice Thereof for the Consideration of the Legalization of a Portion of SW Hewett Boulevard.

By way of background, SW Hewett Boulevard was established as County Road No. 405 in 1886 and the location of the road cannot be accurately determined due to numerous alterations of the road, historically conflicting and/or defective surveys of the road or adjacent property, and the road as traveled and used for the last ten years from SW Grant Street southeasterly, about 1,800 feet to SW 54<sup>th</sup> Avenue, does not conform to the existing records for this county road.

ORS 368.201 – ORS 368.221 provide for proceedings to “legalize” a county road or a portion thereof, when conditions as set forth therein apply to the road in question. The legalization proceedings provide for notice to abutting property owners and the public and for the County Board to determine whether the legalization of the road is in the public interest.

The County Surveyor has surveyed the road and the Transportation Division strongly believes the legalization of a portion of SW Hewett Boulevard is in the public interest because it will address past conflicting and defective surveys and legalize the road as traveled and used for the last ten years.

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

There is no ongoing fiscal impact associated with this road legalization. The area is currently being used for road purposes. Administrative costs associated with this legalization are estimated to be less than \$10,000.00.

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

This legalization is following procedures as required by ORS 368.201 to 368.221; see also the discussion in Section 2 above.

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

Notice has been provided in compliance with ORS 368.206(1)(c) to property owners abutting the roadway and by posting.

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**Required Signature**

**Elected  
Official or  
Department  
Director:**

/s/ Kim Peoples

**Date:**

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