

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

**RESOLUTION NO. 01-023**

Declaring Intent to Vacate a Portion of SE 172nd Avenue, Accepting County Engineer's Report, and Setting a Hearing Date

**The Multnomah County Board of Commissioners Finds:**

- a. A section of S.E. 172nd Avenue was originally created by a Board Order, in March 1946, as Rock Creek Road, County Road No. 1548, being 40.00 feet in width. In 1949, this section of road was re-named S.E. 172nd Avenue.
- b. At this location, S.E. 172nd Avenue consists of a single strip of asphalt, approximately 20 feet in width, without curbs or sidewalks. Multnomah County no longer requires the use of a portion of S.E. 172nd Avenue (property). The property is described as follows:

A strip of land situated in the Southwest One-quarter of Section 19, T.1S., R.3E., W.M., Multnomah County, Oregon, being the West 15.00 feet, of the East 45.00 feet of that tract of land conveyed to Dorus Ray Warner by deed recorded January 30, 1953, in Book 1582, Page 102, Multnomah County Deed Records, reserving therefrom an easement for sidewalk, slope, utility, drainage, landscape and traffic control devices over the East 5.00 feet of the West 15.00 feet of the East 45.00 feet, of said Dorus Ray Warner tract. Said Warner tract being more particularly described as followed:

Beginning at a point in the North and South centerline of Section 19, Township 1 South of Range 3 East of the Willamette Meridian, 600 feet North of the South quarter corner; thence Westerly parallel with South line of said section, 440 feet to the East line of S.E. 170<sup>th</sup> Avenue; thence North along said East line 198 feet; thence Easterly parallel with the South line of Section 19, 440 feet to the North and South centerline of said section; thence South along said centerline 198 feet to the place of beginning.

As shown on the attached Exhibit A.

Containing 2970 square feet, more or less.

- c. As reported by the County Engineer in the Staff Report for this Resolution:
  - The property was acquired by the County in 1986 with respect to functional classification of S.E. 172<sup>nd</sup> Ave. as an arterial. The arterial classification for this portion of S.E. 172<sup>nd</sup> Ave. was never adopted. The road remains classified as a collector, and the property is no longer required for the right-of-way. Interests in the property being vacated will be returned to and vest in the name of the abutting owner and the original grantor, Dorus R. Warner.

- Vacation of the County's right-of-way interest in this property serves the public interest.
- d. The rights of existing utilities, located within the area to be vacated, will not be affected by this vacation.
- e. ORS 368.326 to 368.426 authorizes the County to initiate vacation proceedings of County right-of-way when it is no longer needed for road purposes.

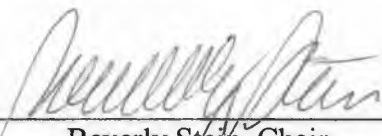
**The Multnomah County Board of Commissioners Resolves:**

1. To initiate vacation proceedings for the above described portion of S.E. 172<sup>nd</sup> Avenue that is no longer needed by the County, pursuant to ORS Chapter 368.
2. To accept the Supplemental Staff Report for this Resolution as the written report required under ORS 368.346.
3. To conduct a public hearing on this proposed vacation on April 26, 2001, at the Multnomah County Board of Commissioners meeting, Multnomah County, Oregon.
4. That the Transportation Division of the Department of Sustainable Community Development will provide notice of the hearing in accordance with ORS 368.346(3) and ORS 368.401 to 368.426.

Adopted this 8th day of March, 2001.




BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

  
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Beverly Stein, Chair

REVIEWED:

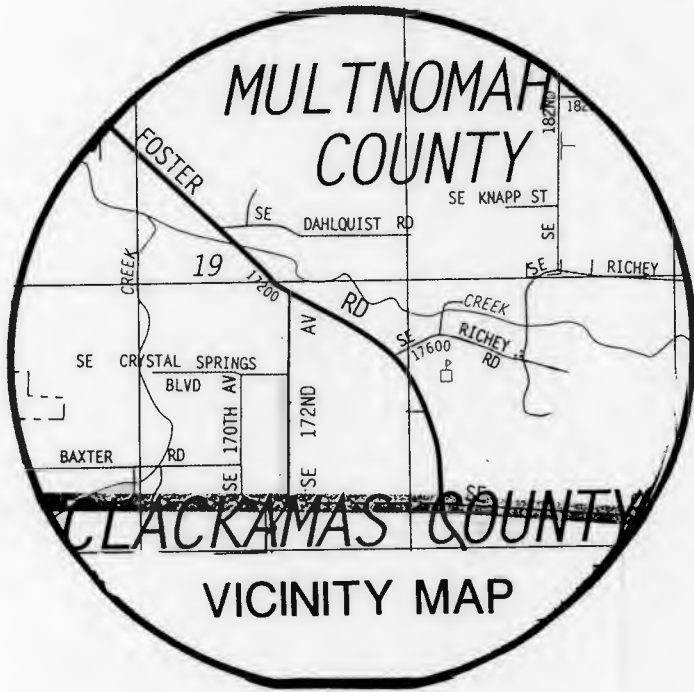
THOMAS SPONSLER, COUNTY ATTORNEY  
FOR MULTNOMAH COUNTY, OREGON

By   
\_\_\_\_\_  
Matthew O. Ryan, Assistant County Attorney

# EXHIBIT "A"

NO SCALE

SE1/4 SW1/4 SEC.19 T.1S. R.3E. W.M.  
MULTNOMAH COUNTY



CLACKAMAS COUNTY

IS 3E 19