

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON**

RESOLUTION NO. _____

Vacation of a Portion of a Public Road as Shown on the Hillhurst Plat Pursuant to ORS 368.326 to 368.366.

The Multnomah County Board of Commissioners Finds:

- a. A public road was established by dedication on a duly recorded plat for the Hillhurst Subdivision, which was recorded in 1892 in the Plat Records of Multnomah County, Oregon; the said public road shall be referred to herein as “the Hillhurst Road” and is located approximately as shown in the map included as a part of Exhibit A, attached hereto.
- b. On March 8, 2012, the Board, by Resolution No. 2012-028, declared its intent to vacate a portion of the Hillhurst Road as authorized under ORS 368.341(1); the specific portion of the Hillhurst Road to be vacated is more particularly described in Exhibit A.
- c. By Resolution No. 2012-028, the Board further directed the county road official to prepare a report as required by ORS 368.346(1) regarding the proposed road vacation.
- d. The county road official filed a report containing an assessment that the proposed vacation of the specific portion of the Hillhurst Road described in Exhibit A is in the public interest.
- e. On April 26, 2012, by Resolution 2012-046, the Board, in compliance with ORS 368. 346(2), set a public hearing for June 14, 2012, to consider the proposed vacation of the portion of the Hillhurst Road described in Exhibit A.
- f. As directed by the Board, the County’s Land Use and Transportation Program (LUTP) provided notice by mail, posting, and publishing of the hearing as required under ORS 368.346(3).
- g. As noted in Resolution No. 2012-028, this vacation proceeding is also being sought to accomplish a settlement of a case before the Oregon State Court of Appeals involving the County as the appellant and a abutting property owner as the respondent; more information regarding the appellate case is provided in Resolution No. 2012-028.
- h. The public hearing was held on June 14, 2012, and the Board determined the vacation of the portion of the Hillhurst Road described in Exhibit A serves the public interest.

The Multnomah County Board of Commissioners Resolves:

1. The portion of the Hillhurst Road as more particularly property described in the attached Exhibit A is vacated, excepting the easement rights any existing utilities may have in the vacated property under ORS Chapter 368.

2. The Land Use and Transportation Program of the Department of Community Services will record and file this Resolution in accordance with ORS 368.356(3).
3. Upon the recording and filing of this Resolution, the County Surveyor will mark the plat, if applicable, as provided under ORS 271.230, and title in the underlying property shall vest as provided under ORS 368.366(1).

ADOPTED this 14th day of June, 2012.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Jeff Cogen, Chair

REVIEWED:

JENNY M. MORF, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By /s/ Matthew O. Ryan
Matthew O. Ryan, Assistant County Attorney

SUBMITTED BY:

M. Cecilia Collier, Director
Department of Community Services