



M. BARBARA CARTMILL
DIRECTOR

DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT
DEVELOPMENT SERVICES BUILDING
150 BEAVERCREEK ROAD OREGON CITY, OR 97045

November 9, 2016

Board of Commissioners
Clackamas County

Members of the Board:

Approval of a Board Order Adopting the Vacation of Sunset Drive and River Street

Purpose/Outcomes	Vacates portions of Sunset Drive and River Street
Dollar Amount and Fiscal Impact	Application and processing fee received
Funding Source	N/A
Duration	Upon execution; permanent vacation.
Previous Board Contact	N/A
Strategic Plan Alignment	Build public trust through good government.
Contact Person	Doug Cutshall, Engineering Technician 503-742-4669

BACKGROUND

Sunset Drive and River Street, both Local Access Roads, were created and dedicated to the public May 15, 1893 by Friends Oregon Colony, Plat 115, situated in the northeast one quarter of Section 22, and the northwest one quarter of Section 23, T.6 S., R.1 E., W.M., The portions of Sunset Drive and River Street to be vacated were never opened and will not deprive public access to any adjoining properties. The petitioners would like to develop their property and will utilize the area in the vacated roads to accomplish that development.

The portion of Sunset Drive to be vacated is 40 feet wide, 457 feet long, the portion of River Street to be vacated is 80 feet wide, 982 feet long, this right-of-way serves no public need and is not a benefit to the traveling public.

The Petition to Vacate has been filed with the determined fee and signed by 100 percent of the abutting property owners. All abutting property owners have signed Consent to Vacate forms that have been acknowledged by the proper authority. Clackamas County Department of Transportation Maintenance, Engineering, Planning, and Traffic Divisions, along with all local utility companies including, have been contacted and do not have any objections to this vacation. County Counsel has reviewed and approved this vacation.

RECOMMENDATION

Staff respectfully recommends that the Board adopt the attached Board Order approving the vacation of portions of Sunset Drive and River Street.

Sincerely,

Mike Bezner, PE
Assistant Director of Transportation

In the matter of the Vacation of
Portions of Sunset Drive and River
Street, Local Access Roads, situated
In Sections 22 and 23, T.6 S., R.1 E.,
WM Clackamas County, Oregon

Order No.

This matter coming before the Board of County Commissioners at this time and appearing to the Board that in accordance with ORS 368.341 and pursuant to ORS 368.351, a petition has been filed with the determined fee and acknowledged signatures of owners of 100 percent of the affected owners of property proposed to be vacated, and a written report finding this vacation to be in the public interest from the County Road Official, M. Barbara Cartmill, Director, have been submitted in the matter of the vacation of portions of Sunset Drive and River Street, Local Access Roads, described as follows:

All those portions of Sunset Drive and River Street, Local Access Roads, situated in Section 22 and 23, T.6 S., R.1 E., WM, Clackamas County, Oregon, as more particularly described and shown on attached Exhibits "A" and "B".

IT FURTHER APPEARING that the Board having read said petition and report from the County Road Official and having determined the vacation of the above described portions of roadway to be in the public interest; and,

IT FURTHER APPEARING that Clackamas County Departments of Transportation Maintenance, Engineering, Planning, Traffic, along with all local utility companies, have been contacted and do not have any objections to this vacation; now therefore,

IT IS HEREBY ORDERED that the attached described portion of Sunset Drive and River Street, Local Access Roads, containing respectively, 18,288 square feet, and 76,442 square feet more or less, be vacated; and,

IT IS FURTHER ORDERED that rights for all exiting utilities within the vacated portions of Sunset Drive and River Street be reserved. Nothing contained herein shall cause or require the removal or abandonment of any storm or sanitary sewer, water main, gas line, conduit of any kind, wires, or poles which are now installed in said right-of-way and used or intended to be used for any public service or utility. In addition, the rights are reserved to maintain, repair, construct or reconstruct, install, renew, and enlarge all utilities that are now used for any public service or utility; and,

IT IS FURTHER ORDERED, that this Order and attached exhibits be recorded in the Deed Records for Clackamas County and that a copy be filed with the County Surveyor, County Assessor, and Finance Office/Fixed Assets.

ADOPTED this ____ day of _____, 2016

CLACKAMAS COUNTY BOARD OF COMMISSIONERS

Chair

Recording Secretary