

Multnomah County Official Records
R Weldon, Deputy Clerk

2017-027597



\$71.00

01879995201700275970080094

2R-RESOLUTN
\$40.00 \$11.00 \$20.00

03/03/2017 03:37:53 PM
Pgs=9 Stn=11 CRESWEP

P/w Jill

CITY OF PORTLAND
Office of the City Auditor
1221 SW Fourth Avenue, Room 130
Portland, OR 97204

I hereby certify this Resolution No. 37269 to be a complete and exact copy of the original as the same appears on file and of record in my office and in my care and custody on February 27, 2017.

Mary Hull Caballero
Auditor of the City of Portland
By *M. Anderson*
Deputy

RESOLUTION No. 37269

Vacate a portion of Multnomah County public road known as the Hawthorne Bridge West Approach Ramp pursuant to ORS 368.361(3) (Resolution)

WHEREAS, a west approach ramp to the Hawthorne Bridge (the "Ramp") was constructed in or around 1958 within Lots 1 through 4, Block 8 in the Plat of "City of Portland"; and

WHEREAS, pursuant to ORS 382.305 and 382.310, Multnomah County (the "County") is charged with operating and maintaining specific bridges across the Willamette River within the boundaries of the city of Portland which includes the Hawthorne Bridge and its approaches; and

WHEREAS, the Ramp was later closed to vehicular traffic in or around 2001 by order of the City of Portland (the "City") as authorized by ORS 382.325; and

WHEREAS, it was determined after thorough research that the Ramp was never dedicated as public right-of-way, although used by the public for over fifty years; and

WHEREAS, ORS 382.340 states that the Bridges over the Willamette River, including the approaches and viaducts leading thereto, are permanent roads; and

WHEREAS, the County went through proceedings to vacate the Ramp in Resolution No. 2016-084 (the "County's Resolution"), adopted by the Board of County Commissioners on August 18, 2016, in support of a proposed new County courthouse to be constructed entirely within said Block 8; and

WHEREAS, pursuant to the County's "Resolution Resolves" No. 2, the vacation will be effective in compliance with ORS 368.361(3), upon the City's separate adoption of a resolution or order that concurs with the findings of the County; and

WHEREAS, the County is the owner of the vacation area and 100% of the property abutting the vacation area.

NOW, THEREFORE, BE IT RESOLVED, that the City recommends the area vacated by the County's Resolution, attached as Exhibit A and incorporated by reference, be vacated by the City pursuant to said Resolution and pursuant to ORS 368.361 (3).

BE IT FURTHER RESOLVED, the Auditor shall return a certified copy of this Resolution to the Right-of-Way Acquisition ("RWA") Section for the City, which shall file with the recorder, the assessor, and the surveyor of the county in which said property is located, the certified copy of this Resolution and any map, plat or other record which may be required by law. The RWA Section shall return the recorded Resolution to the Auditor and retain a copy in RWA File No. 8196; and

BE IT FURTHER RESOLVED, upon 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 in the County as provided under ORS 368.366(1)a.

Adopted by the Council, FEB 22 2017

Commissioner Dan Saltzman
Prepared by: Dee A. Walker; ck
Date Prepared: January 24, 2017
RWA # 8196

Mary Hull Caballero
Auditor of the City of Portland
By

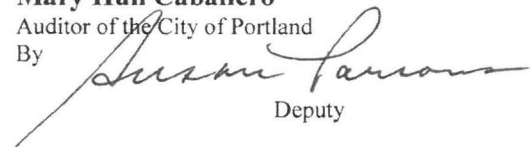

Deputy

Exhibit A

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

RESOLUTION NO. 2016-084

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 18th day of August, 2016.



BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Deborah Kafoury

Deborah Kafoury, Chair

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

By *Courtney Lords*
Courtney Lords, Assistant County Attorney

SUBMITTED BY: Kim Peoples, Director Department of Community Services

**EXHIBIT "1"**

Multnomah County Courthouse
 File number 001
 Lot 1-4 Block 8 City of Portland

August 10, 2016

PARCEL 1 Roadway Vacation

A strip of land situated in the northwest one-quarter of Section 3 and the Stephen Coffin DLC No. 48 in Township 1 South, Range 1 East of the Willamette Meridian, Multnomah County, Oregon and being a portion of that property described as Lots 1-4, Block 8, City of Portland, conveyed to Multnomah County, a political subdivision of the State of Oregon in that Judgment recorded June 5, 1963 as Document No. 1865-0315, Book 2171, Page 140, Multnomah County Deed Records; said parcel being a portion of said Block 8 being a strip of land 32.00 feet wide, 28 feet westerly and 4 feet easterly when measured at right angles of the described centerline below.

CENTERLINE DESCRIPTION OF A HAWTHORNE BRIDGE ON RAMP

A road centerline situated in the northwest one-quarter of Section 3 and the Stephen Coffin DLC No. 48 in Township 1 South, Range 1 East of the Willamette Meridian, Multnomah County, Oregon

Commencing at the Southeast block corner of said Block 8, City of Portland, thence North 26°49'48" East, 24.58 feet to a point on a non-tangent curve (the radial bearing being North 1°24'56" East), said point also being the true point of beginning; thence on the arc of a 55.00 foot radius curve to the right, through a central angle of 109°22'46", an arc distance of 105.00 feet (the long chord of which bears North 33°53'41" West, 89.76 feet) to a point of compound curvature; thence on the arc of a 110.00 foot radius curve to the right, through a central angle of 41°31'49", an arc distance of 79.73 feet (the long chord of which bears North 41°33'37" East, 78.00 feet) to a point of compound curvature; thence on the arc of a 135.00 foot radius curve to the right, through a central angle of 27°35'16", an arc distance of 65.00 feet (the long chord of which bears North 76°07'09" East, 64.34 feet) to a point and its termination. Said point bears South 14°20'03" East, 17.26 feet from the Northeast corner of said block.

The parcel of land to which this description applies contains 8368.54 square feet, more or less, excepting therefrom the existing right-of-way of SW Naito Parkway, SW Jefferson Street, and SW Madison Street



REGISTERED
PROFESSIONAL
LAND SURVEYOR

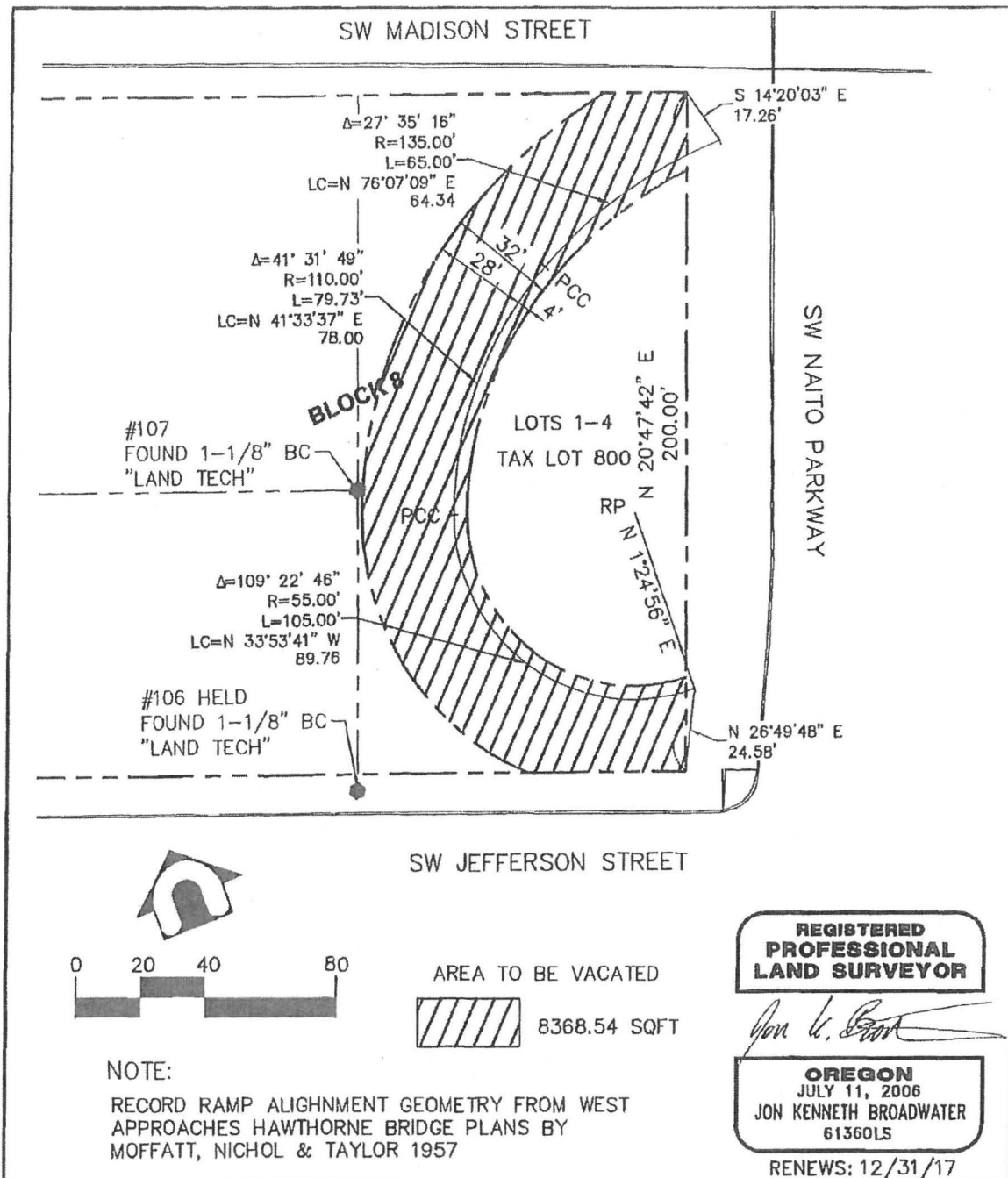
Jon K. Broadwater

OREGON
JULY 11, 2006
JON KENNETH BROADWATER
61360LS

RENEWS: 12/31/17

1598

37269



DAVID EVANS AND ASSOCIATES INC.
2100 SW River Parkway
Portland Oregon 97201
Phone: 503.223.6663

| | | | | |
|-----------|------------------|-------------|---------------|-------|
| PROJECT | COURTHOUSE | | | SHEET |
| TITLE | SW RAMP | | | |
| | HAWTHORNE BRIDGE | | | |
| DWG. REF. | PROJECT | SCALE | AMENDMENT NO. | |
| C-1 | MULT0000-0078 | 1" = 40' | 0.0 | |
| DRAWN BY | DESIGN BY | APPROVED BY | DATE | |
| LDM | JKB | | 06/28/2016 | |

1

Exhibit 2

Department of Community Services
Transportation Division – Road Engineering & Maintenance

**VACATION PETITION**

To Whom It May Concern,

Please accept this petition, pursuant to ORS 368.341(3), as a request to vacate specific public right of way, situated entirely within the City of Portland, Multnomah County, Oregon. Specific details of this request are as follows:

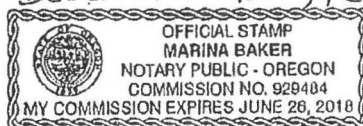
- (a) The property proposed for vacation is more particularly described in the attached Exhibit A.
- (b) This vacation request is being made in support of a proposal to more fully develop Block 8, City of Portland, into a new County Courthouse and ultimately creating a significantly greater public benefit and better use of public resources.
- (c) Multnomah County is the only party holding an interest in the property proposed to be vacated. The address for Multnomah County, for purposes of this vacation is: 401 N. Dixon St. Portland, Oregon, 97227-1865. An alternative address is: 501 S.E. Hawthorne Blvd., Portland Oregon 97214.
- (d) Multnomah County owns 100% of the improvements situated in the property proposed to be vacated. The address for Multnomah County, for purposes of this vacation is: 401 N. Dixon St. Portland, Oregon, 97227-1865. An alternative address is: 501 S.E. Hawthorne Blvd., Portland Oregon 97214.
- (e) Multnomah County owns 100% of the real property abutting and underlying the right of way proposed to be vacated. The address for Multnomah County, for purposes of this vacation is: 401 N. Dixon St. Portland, Oregon, 97227-1865. An alternative address is: 501 S.E. Hawthorne Blvd., Portland Oregon 97214.

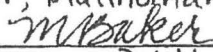
For Multnomah County:

State of Oregon
County of Multnomah

By: 
Deborah Kafoury, Chair
Multnomah County Board of County Commissioners

This record was acknowledged before me on August 10, 2016 by Deborah Kafoury, Chair, Multnomah County Board of County Commissioners.




Notary Public, State of Oregon
My commission expires: 6/26/18