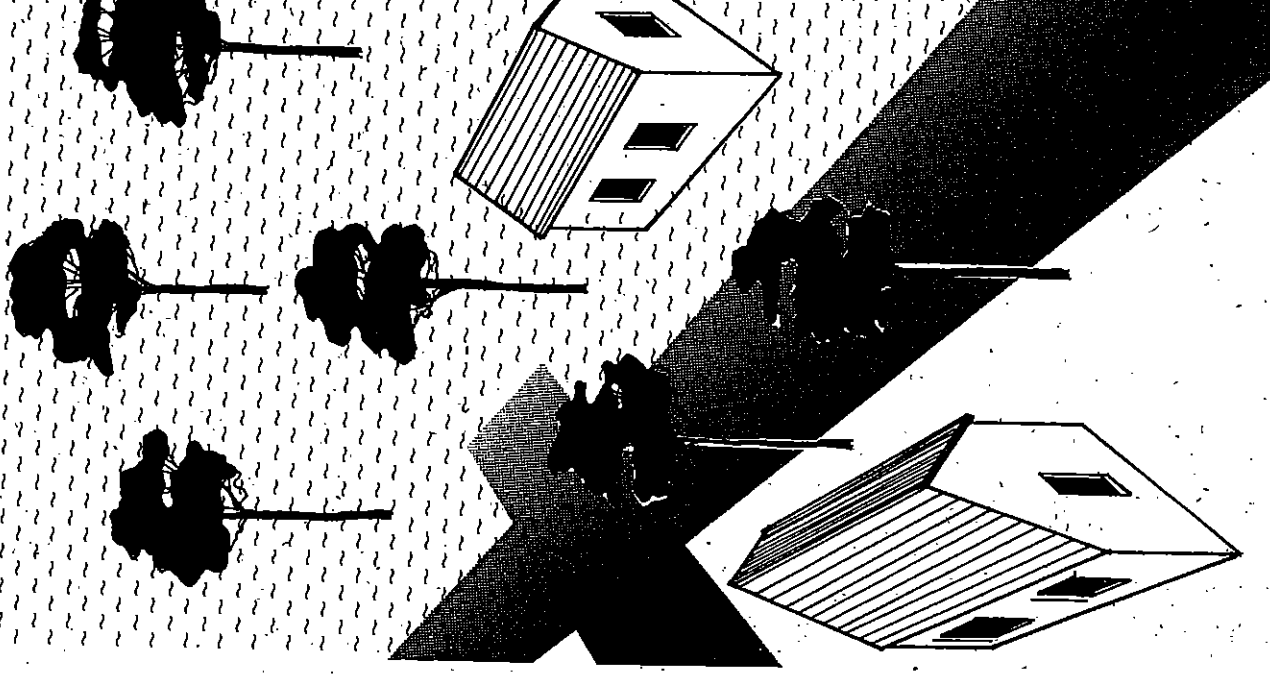


# Vacating A Street



## Is an Existing Street Right-of-Way Causing a Problem?

The solution may be to vacate it.

Vacating street right-of-way eliminates the public's interest and returns ownership of the street area to private parties — most often, but not always, to the abutting property owners.

The street vacation process may solve development-related problems caused by the existence of unneeded public right-of-way. For example, an undeveloped street through two parcels of land might be vacated to allow better development of the property.

The street vacation process does not solve problems like parking disputes or vandalism. For that kind of nuisance, it's probably better — and easier — to work it out with your neighbors or report the problem to the City.

If you think a street vacation may be the solution to your problem.

Call us.

**503-823-7166**

Tell us why you want the street vacated. We'll answer your questions and get you started. Or, if another course of action is better, we'll direct you to the agency that can help you.

**PORTLAND**  
CITY OF  
OFFICE OF  
**TRANSPORTATION**  
1120 S.W. 5th Avenue, Suite 800  
Portland, Oregon 97204-1914



### Vacating a Street Takes

#### Time.

This is not an "overnight" solution. If the problem is complex or controversial, vacating a street can be a lengthy process. And, it can take a lot of your time.

#### Money.

You will be charged for the City's time and expenses to process the vacation. A non-refundable deposit must be paid when you file the signed petition with the Auditor. If there are additional costs in excess of the deposit, they must be paid prior to recording the Ordinance, if the vacation is successful, or at the time the vacation process is discontinued.

There may be additional costs to you to meet conditions of the vacation, such as moving utilities or reconstructing an intersection.

#### Work.

In addition to leg work, getting a street vacated takes coordination and cooperation - with the City, other public agencies, and the affected property owners.

Here's how it works . . .

### Filing the Petition

*The first move is yours.*

You can save yourself time and money if you do some investigating on your own.

- Call the Multnomah County Cartographer's Office. Who will own the right-of-way once the street is vacated?

- Check with your neighbors. Will the affected property owners agree to the vacation and sign the petition?

- Check with other public agencies. Are there any obvious obstacles - like a water main in the right-of-way - that could make vacating the street more difficult, costly, or even impossible?

If everything checks out, call us and request a street vacation petition.

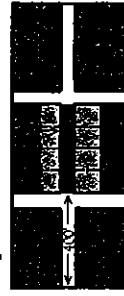
- The petition request must include the signed street vacation checklist (enclosed) and the fee for preparing the petition.

City staff prepares the petition, including a map, and sends it to you with instructions for collecting signatures.

- You must:
- Collect the signatures of:

100% of the property owners abutting the right-of-way you wish to vacate and

The owner(s) of 2/3 of the square footage of the property in the affected area as shown on the map we provided.



- Submit the completed petition to the City Auditor, 1221 SW 4th Ave., Room 140, Portland, OR 97204, along with a check for the deposit. This non-refundable deposit is your "down payment" on the total cost of the street vacation process.

### Formal Investigation

*Is there a public need for the right-of-way.*

When we get the completed petition:

- We ask city bureaus, the Planning Commission, other governmental agencies, utility companies, and neighborhood associations if there are any reasons - now or in the future - why the street should not be vacated. There may or may not be objections to all or a part of the proposed street vacation.

- The City Engineer summarizes the responses in a report and makes a recommendation to the City Council.\*

- \* Prior to making the recommendation to Council, we send you a copy of the report to review. If you decide to go ahead, send back the report which you have signed in the space provided.

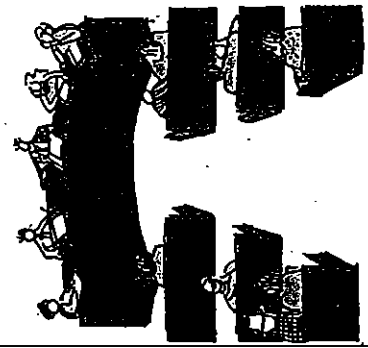
Remember! There may be more costs if you have conditions to meet.

### Public Hearing

*Public opinion can affect the outcome.*

Streets are not vacated on our recommendation alone. City Council holds a public hearing. Anyone can attend and comment on the proposed street vacation. After considering the testimony and our recommendation, the Council makes a decision.

If the street vacation is approved, we prepare an ordinance to vacate the street right-of-way and send it back to City Council for final action.



### Recording the Ordinance

*The City has to take the final step.*

After the ordinance passes, there is a 30-day waiting period.

- When:
- The 30 days are up
  - All the conditions are met, and
  - All the costs are paid

the City sends a certified copy of the ordinance to be recorded in the County Deed Records.

When the ordinance is recorded, the street vacation is complete and the property is added to the County tax assessment rolls.