

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

**RESOLUTION NO. 2020-055**

Authorizing Staff to Initiate Proceedings to Legalize a Portion of NW Rocky Point Road, County Road No. 445

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

- a. ORS 368.201 to ORS 368.221 establishes the process and procedures the County must follow to “legalize” a county road when there are irregularities in the County’s records with respect to the legal description or otherwise for the road.
- b. ORS 368.201(1)-(3) provides authority for a county governing body to initiate proceedings to legalize a county road where doubt exists as to the legal establishment of the road due to omission or defect, where the location of the road cannot be accurately determined due to numerous alternations of the road or a defective survey of the road or adjacent property, or where the road as traveled and used for 10 years or more does not conform to the road as described in the county records.
- c. For portions of NW Rocky Point Road, County Road No. 445, between Engineer’s Stations 75+91.54 and 84+40.70 (hereafter referred to as “the portion of NW Rocky Point Rd.”), the road as traveled and used for at least the past ten years does not conform to the existing records for this county road.

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

1. Pursuant to ORS 368.201, authorization to initiate proceedings to legalize the portion of NW Rocky Point Rd., County Road No. 445, is hereby granted.
2. The County Surveyor is directed to survey the portion of NW Rocky Point Rd. to determine the location of the road and the width of the road in compliance with ORS 368.206(1)(a).
3. The County Engineer is directed to file a written report with the governing body including the above referenced survey and any other information required by the governing body in compliance with ORS 368.206(1).
4. The County Engineer shall set this matter for further proceedings to determine if legalization is in the public interest in accordance with ORS 368.216, and shall provide notice of such proceedings under ORS 368.401 to 368.426 by service to owners of abutting land and by posting as required by ORS 368.206(1)(c).

**ADOPTED this 25th day of June, 2020.**



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, Senior Assistant County Attorney

Submitted by: Jaime Waltz, Interim Director, Department of Community Services



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