

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

RESOLUTION NO. 2020-075

Public Hearing Regarding the Proposed Vacation of Public Property, Pursuant to ORS 368.346(2).

The Multnomah County Board of Commissioners Finds:

- a. The public way affected by this proposed vacation, was originally created by the plat Town of Latourelle Falls recorded on June 3, 1887, in Book 2, Pages 104-105, Multnomah County Plat Records, Multnomah County, Oregon.
- b. The portion of the public way to be vacated is more particularly described in Exhibit 1, attached hereto. Multnomah County does not maintain, nor have plans to develop, the public way proposed for vacation.
- c. James and Janie Griffin, petitioners, have submitted a petition to vacate a portion of this public way in compliance with ORS 368.341(3). A copy of the petition is attached to this Resolution as Exhibit 2.
- d. On May 14, 2020 the Board, by Resolution 2020-029, declared its intent to vacate a portion of this public way, and directed the County Engineer to prepare a report as required under ORS 368.346.
- e. On May 28, 2020 the Board by Resolution 2020-035, accepted the County Engineer's report, which found the proposed vacation to be in the best public interest; directed that Notice be provided as required by ORS 368.346; and, set August 27, 2020 as the public hearing date for the proposed vacation.
- f. As required under MCC 27.054, the County has received a total of \$1265.00 from the petitioners, of which \$200.00 applies to a feasibility study performed by the County. The remaining \$1065.00 will be applied to the vacation proceeding. The total costs for this vacation, including administrative costs, are \$3249.40. Administrative costs include staff time for research, review, analyses, and document preparation. The balance owed by the petitioners at the date of this hearing is \$1984.40.
- g. Upon vacation, the portion of public way described in said Exhibit 1 will remain subject to the rights of any existing public utility that has improvements located within that former public way.

The Multnomah County Board of Commissioners Resolves:

1. Subject to the petitioner's payment of all funds due as provided above under MCC 27.054, the portion of public way, as more particularly described in the attached Exhibit 1, is vacated as a public way, excepting the easement rights any existing utilities may have in the vacated property under ORS Chapter 368.

2. Pursuant to MCC 27.054, the total cost for this vacation proceeding incurred by the County is \$3249.40; and James and Janie Griffin, the petitioners, are directed to pay the remaining amount of \$1984.40 to the County.
3. The Transportation Division of the Department of Community Services will record and file this Resolution in accordance with ORS 368.356(3), only upon receipt of the total amount due under MCC 27.054; as set forth in Resolve Clause No. 2.
4. 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.

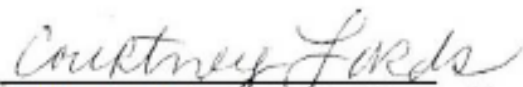
ADOPTED this 10th day of September, 2020

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

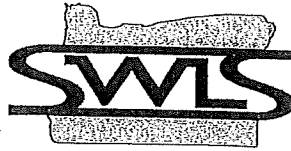


Deborah Kafoury, Chair

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

By 
Courtney Lords, Senior Assistant County Attorney

SUBMITTED BY: Jamie Waltz, Interim Director, Department of Community Services



STATEWIDE LAND SURVEYING INC.

EXHIBIT 1

AREA OF VACATION DESCRIPTION

04-04-19

A Tract of land being a portion of "Town of Latourelle Falls" Plat, located in the Northwest One Quarter of Section 29, Township 1 North, Range 5 East, Willamette Meridian, Multnomah County Oregon, being described as follows, to wit:

COMMENCING at a point on the West line of Lot 1 Block 3 of "Town of Latourelle Falls" Plat, being the intersection of the North Right-of-Way line of Latourelle Road (County road No. 566, 60 feet wide), and the East Right-of-Way of Falls Street of said Plat, said **COMMENCEMENT** point being 10 feet North 00°00'00" East of the Southwest Corner of said Lot 1, said **COMMENCEMENT** point is marked by 5/8 inch iron rebar with pointed tip and yellow plastic cap, stamped "CLAYTON LS 2832";

thence, along the West line of said Lot 1, South 00°00'00" West for a distance of 10.00 feet to the Southwest Corner of said Lot 1;

thence, departing the Southwest Corner of said Lot 1 of Block 3, North 90°00'00" West for a distance of 50.00 feet crossing said Falls Street to the West Right-of-Way of said Falls Street and Southeast Corner of Lot 29 Block 2 of said Plat;

thence, along the West lines of Lot 29, Lot 28 of Block 2, and the West Right-of-Way of said Falls Street North 00°00'00" East for a distance of 44.00 feet to the Northeast Corner of Lot 28 Block 2 of said Plat, and **POINT OF BEGINNING**;

thence, on a North projection of the West line of Lot 29, Lot 28 of Block 2 of said Plat, North 00°00'00" East for a distance of 33.90 feet to point on a non-tangent Curve, being the Southerly line of the Oregon Railroad and Navigation Company (OR & NC), as re-established in Book 263 Page 212-213 (1900), Multnomah County Deed Records;

thence, along the Southerly line of said OR & NC Railroad on a non-tangent curve to the right, with an radius of 1482.70 feet, a central angle of 04°21'43", an arc length of 112.88 feet, with a long chord bearing of North 82°57'01" West with Chord distance of 112.85 feet to a point in the East line of Lot 9 of Block 2 of said Plat;

thence, departing the Southerly line of said OR & NC Railroad and along the East line of Lot 9 of Block 2 of said Plat, South 00°00'00" East for a distance of 91.75 feet to the North Right-of-Way of Second Street, and the Southeast Corner of Lot 9 of Block 2 of said Plat;

thence, along the North Right-of-Way of Second Street of said Plat, North 90°00'00" East for a distance of 12.00 feet to the Southwest Corner of Lot 29 Block 2 of said Plat;

thence, along the West line of Lot 29, Lot 28 of Block 2, North 00°00'00" East for a distance of 44.00 feet to the Northwest Corner of Lot 28 of Block 2 of said Plat;

thence, along the North line of Lot 28 of Block 2 of said Plat, North 90°00'00" East for a distance 100.00 feet to **THE POINT OF BEGINNING**, said described Tract of land containing 5020 square feet (0.115 Acres), more less.

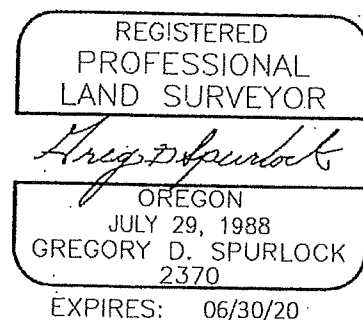
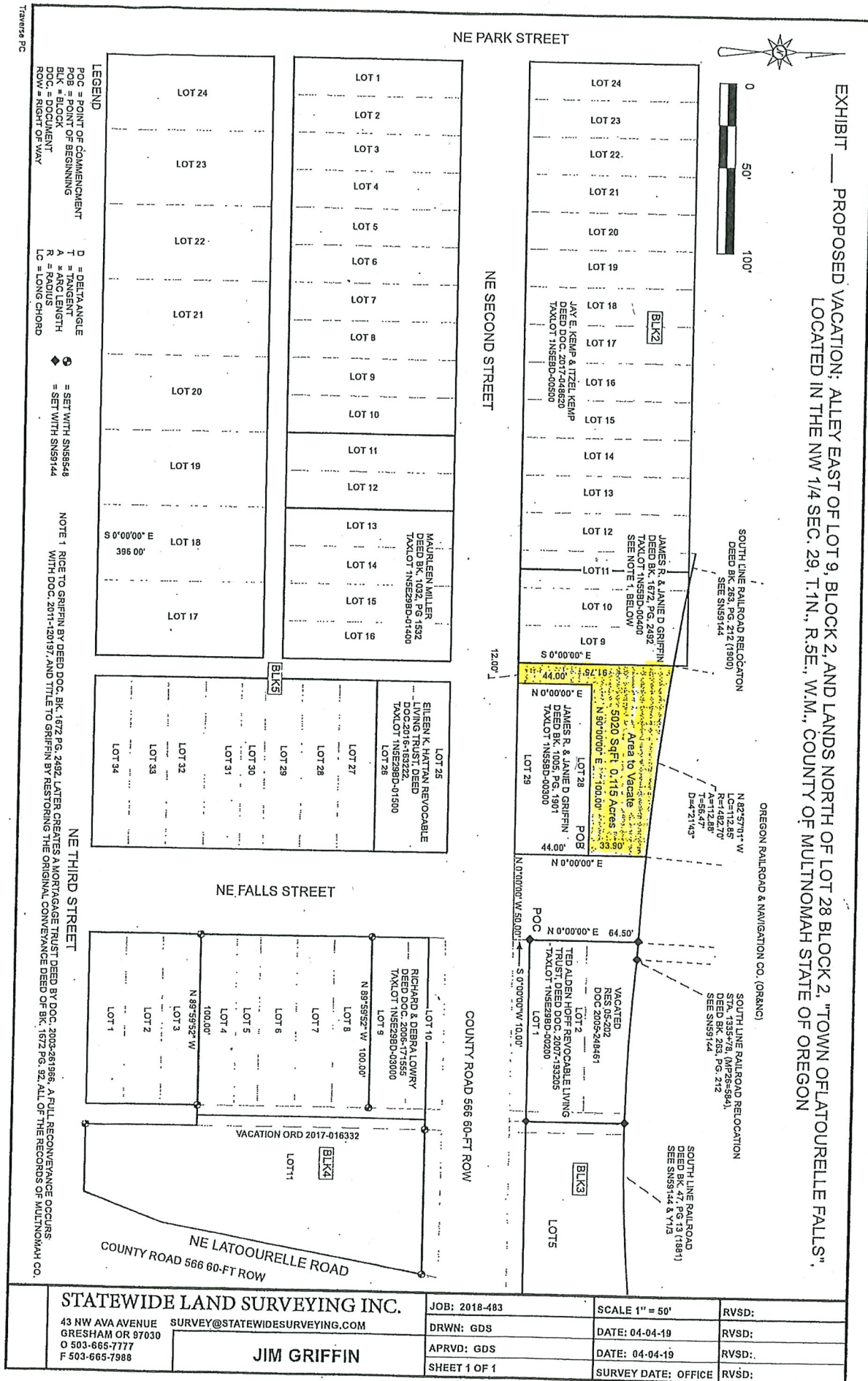
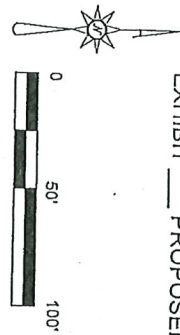
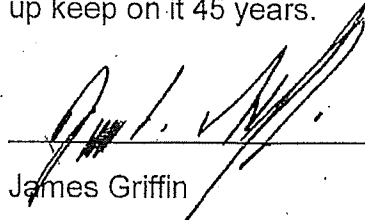


EXHIBIT PROPOSED VACATION; ALLEY EAST OF LOT 9, BLOCK 2, AND LANDS NORTH OF LOT 28 BLOCK 2, "TOWN OF LATOURELLE FALLS",
 LOCATED IN THE NW 1/4 SEC. 29, T.1N., R.5E., W.M., COUNTY OF MULTNOMAH STATE OF OREGON

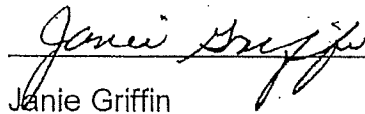


We are requesting the vacation of this property due to an aerial photo showing that part of our barn is extending onto this property. We need to redo our septic system and need to leech the lines through the alley way leading to this property.

We, James Griffin and Janie Griffin, 43015 NE 2nd Street, Corbett, OR 97019 (Latourelle Falls) own 60 percent of the land abutting this property and have been maintaining the up keep on it 45 years.


James Griffin

4/8/2019
Date


Janie Griffin

4/8/2019
Date

OREGON NOTARY ACKNOWLEDGMENT

State of Oregon

County of Multnomah

This record was acknowledged before me on (date) April 8th, 2019
by (name(s) of individual(s)) James Griffin and Janie Griffin

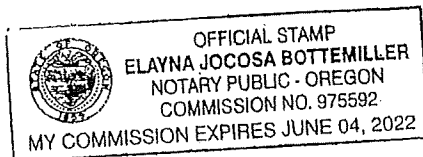


Signature of Notarial Officer

Notary for the State of Oregon
Title of Office

My commission expires: June 04, 2022

Stamp



Document Description

This certificate is attached to page ____ of a _____ (title
or type of document), dated _____, consisting of _____
pages.

December 19, 2019

To: Patrick Hinds

Fr: James Griffin

Re: Vacation petition for land in Latourell Falls

Hello Pat,

This is an addendum to the vacation petition we have submitted regarding the property in Latourell Falls, in Multnomah County.

The owner that on the North border of the property is:

Union Pacific Railroad
1400 Douglas Street
Omaha, Nebraska, 68179

Thank You,
James Griffin
503-502-0862