

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

In the Matter of Amending the Procedure)
for Vacation of Public Property)
_____)

ORDER NO. 8 - 2006

WHEREAS, ORS 368.341 states that a county governing body may initiate proceedings to vacate property by (1) adopting a resolution, (2) through the filing of a petition which meets the statutory requirements by the person who holds title to property, or (3) through the filing of a petition which meets the statutory requirements by an owner of property abutting the public property to be vacated; and

WHEREAS, it is more efficient to administratively initiate vacation proceedings upon receipt of a petition meeting the statutory requirements without the need for a formal Board resolution; and

WHEREAS, there is a need to amend the Instructions for Vacation of County Property and the form Petition for Vacation from time-to-time due to statutory changes or administrative changes in procedure as recommended by staff; and

WHEREAS, these routine amendments are best accomplished by staff who administer vacation proceedings after the approval of County Counsel, without the need for a Board order;

NOW, THEREFORE, IT IS HEREBY ORDERED as follows:

1. Upon receipt of a petition for a road vacation which meets all legal requirements of ORS 368.341(b) or (c), as determined by the Office of County Counsel, vacation proceedings shall be deemed to be initiated administratively without the need for a formal Board resolution.
2. Upon receipt of notice from the Office of County Counsel that proceedings have been initiated, the Public Works Director shall prepare and file with the governing body, through the Office of County Counsel, a written report pursuant to ORS 368.346 which contains:
 - a. A description of the ownership and uses of the property proposed to be vacated;
 - b. An assessment by the county road official of whether the vacation would be in the public interest; and
 - c. Any other information required by the county governing body or the Office of County Counsel.
3. Amendments to the procedures outlined in the "Instructions for Vacation of County Property" or to the "Petition for Vacation", as originally adopted by Order No. 96 - 93 and later

amended by Order No. 55 - 2001, may be made upon approval of the Office of County Counsel without the need for further Board approval.

DATED this 18th day of Jan, 2006.

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

By: Joe Corvick
Chair

By: John M. Richard
Commissioner

By: [Signature]
Commissioner

Approved as to form

By: Sarah Hansen
Office of County Counsel

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