

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

RESOLUTION NO. 2019-014

Authorizing Staff to Initiate Proceedings to Legalize a Portion of SE Foster Road, County Road No. 81.

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 SE Foster Road, County Road No. 81, from the easterly boundary of the City of Portland to the South boundary of Multnomah County, the location of the road cannot be accurately determined due to numerous alternations of the road or a defective survey of the road, and 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 a portion of SE Foster Road, County Road No. 81, is hereby granted.
2. The County Surveyor is directed to survey the road 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 for legalization of the above mentioned county road before this Board and as required under ORS 368.206(1)(c), shall provide notice of such proceedings under ORS 368.401 to 368.426 by service to owners of abutting land and by posting.

ADOPTED this 7th day of February, 2019.



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