



**DAN JOHNSON**  
DIRECTOR

DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT  
DEVELOPMENT SERVICES BUILDING  
150 BEAVERCREEK ROAD OREGON CITY, OR 97045

November 09, 2022

Board of Commissioners  
Clackamas County  
Members of the Board:

**Permanent Right of Way Easement Vacation of a portion of Sladky Lane, Local Access Road P6011. Funding is through petitioner. Vacation Fee \$2,956.91. County General Funds are not involved.**

<b>Purpose/Outcomes</b>	Vacates a portion of Sladky Lane.
<b>Dollar Amount and Fiscal Impact</b>	\$2,956.91, Revenue
<b>Funding Source</b>	Petitioners road vacation fee, Revenue.
<b>Duration</b>	Upon execution; permanent road right of way vacation.
<b>Previous Board Action</b>	None
<b>Counsel Review</b>	Reviewed and approved by County Counsel on: 10/26/202
<b>Procurement Review</b>	Was the item processed through Procurement? yes <input type="checkbox"/> no <input checked="" type="checkbox"/> This is a road right of way vacation
<b>Strategic Plan Alignment</b>	Build a Strong Infrastructure
<b>Contact Person</b>	Doug Cutshall, Engineering Technician 503-742-4669
<b>Contract No.</b>	There is no contract

**BACKGROUND:**

Sladky Lane (Main Street, per plat) Local Access Road P 6011, located in the SE quarter of Section 23, Township 2 South, Range 6 East, W.M., was dedicated April 07, 1923 through the Map of Salmon River Park, Plat Number 456. Sladky Lane was dedicated 99 years ago and no road has been constructed in the right of way. The Sandy River is several hundred feet south of its 1923 location and has isolated many of the lots that would have been accessed through Sladky Lane. There are only two properties that adjoin what is left of Sladky Lane. This portion of Sladky Lane does not provide access to any property other than those listed in the petition and is of no use to the traveling public. There are no negative impacts to the traveling public or the adjoining property owners by this road action. This action is pursuant to ORS 368.326.

The Petition to Vacate under ORS 368.341 has been filed with the determined fee and acknowledged signatures of owners of 100 percent of property abutting public property proposed to be vacated, pursuant to ORS 368.351. All abutting property owners in this instance have signed the Consent to Vacate forms that have been acknowledged by the proper authority.

After considering traffic impacts, fiscal impacts, and social impacts, staff believes that it would be in the public's interest to approve the Board Order Vacating this portion of Sladky Lane right of way as described in the Board Order and shown in Exhibit "A".

**RECOMMENDATION:**

Staff respectfully recommends that the Board adopt the attached Board Order Vacating a portion of Sladky Lane, Local Access Road P6011, in Map of Salmon River Park, Plat 456, Clackamas County Plat Records.

Respectfully submitted,

*Dan Johnson*

Dan Johnson – Director  
Transportation & Development

**BEFORE THE BOARD OF COUNTY COMMISSIONERS  
OF CLACKAMAS COUNTY, STATE OF OREGON**

In the matter of the Vacation of a portion of Sladky Lane, a local access road situated in Section 23, T.2 S., R.6 E., W.M. Clackamas County, Oregon



Board Order No. \_\_\_\_\_  
Page 1 of 1

This matter coming before the Board of County Commissioners at this time and appearing to the Board that in accordance with ORS 368.341 and pursuant to ORS 368.351, a petition has been filed with the determined fee, and a written report finding this vacation to be in the public interest from the County Road Official, Dan Johnson, Director, have been submitted in the matter of the vacation of a portion of Sladky Lane, local access road P6011, described as follows:

All of that portion of 40 foot wide, Sladky Lane, (Main Street, per plat), as depicted in Map of Salmon River Park, Plat Number 456, Clackamas County Plat Records, situated in the SE1/4 of Section 23, T.2 S., R.6 E., W.M., Clackamas County, Oregon, lying north of and between the northerly right of way of Salmon Street and, the easterly prolongation of the south line of Lot 3, Block 2 of said plat. Depicted on attached Exhibit "A" and, by this reference being a part of this description. Containing 11,060 square feet more or less.

**Whereas** the Board having read said petition and report from the County Road Official, have determined the vacation of the above described portion of roadway to be in the public interest; and,

**Whereas** the Board adopts as its own, the findings and conclusions contained in the written report from the County Road Official dated August 10, 2022; and,

**Whereas** Clackamas County Departments of Transportation Maintenance, Engineering, Planning, Traffic, along with all local utility companies, have been contacted and do not have any objections to this vacation; now therefore,

**IT IS HEREBY ORDERED** that the above described portion of Sladky Lane right of way as depicted on attached Exhibit "A", containing, 11,060 square feet, more or less, be vacated; and,

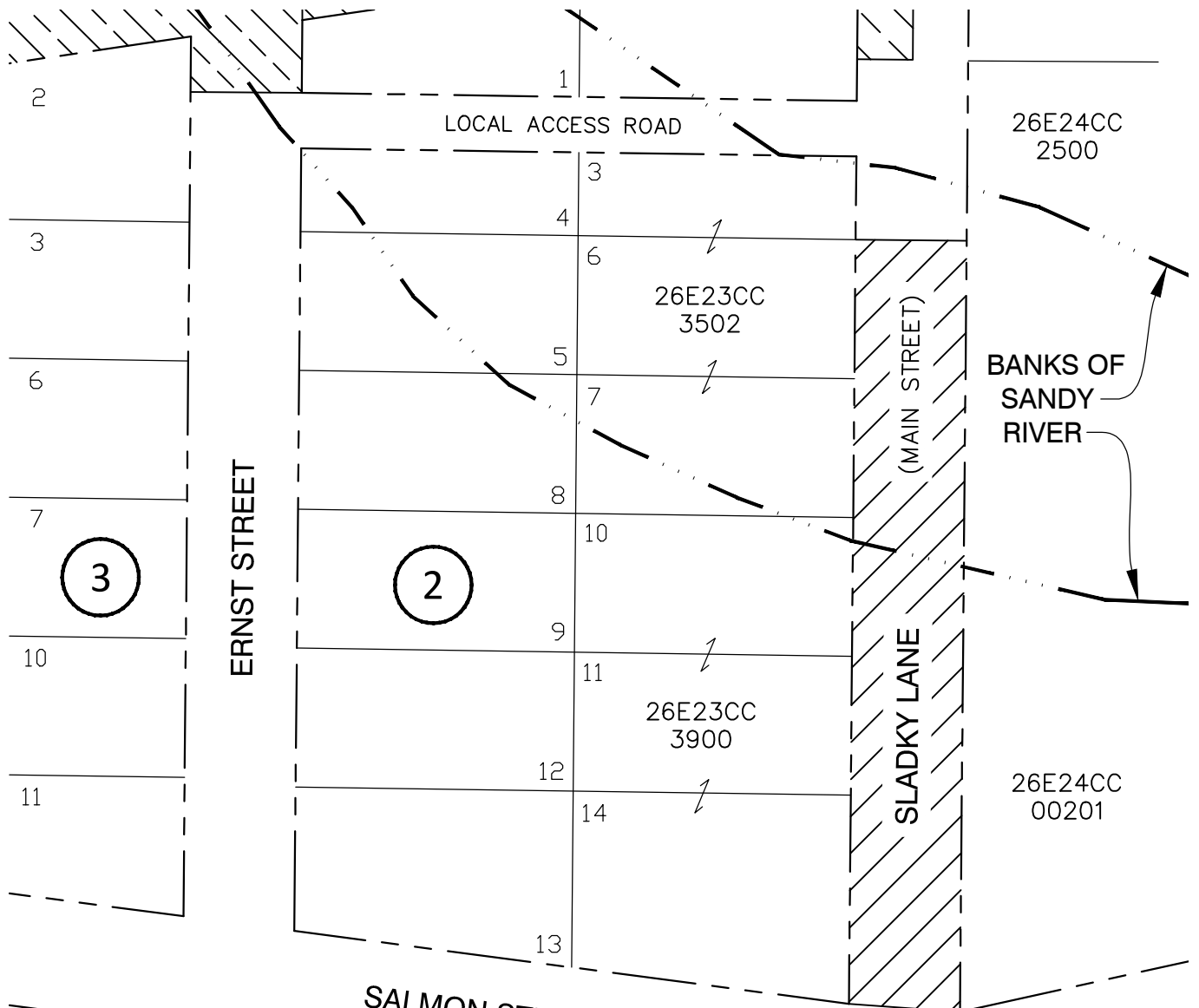
**IT IS FURTHER ORDERED**, that this Order and attached exhibits be recorded in the Deed Records for Clackamas County and that a copy be filed with the County Surveyor, County Assessor, and Finance Office/Fixed Assets.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2022  
BOARD OF COUNTY COMMISSIONERS

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Recording Secretary

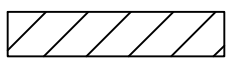
SITUATED IN THE SE 1/4 OF SECTION 23, T.2 S., R.6 E., W.M.



SALMON STREET

MAP of SALMON RIVER PARK PLAT 456

**LEGEND**



TOTAL VACATED AREA  
11,060 Sq. Ft.



PREVIOUSLY VACATED AREAS



SCALE 1" = 60'

DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

150 BEAVERCREEK ROAD  
OREGON CITY, OR 97045



BY: D. CUTSHALL

DATE: 05/11/2022

**EXHIBIT "A"**

SHEET  
1 OF 1

## MEMORANDUM

TO: Board of Commissioners

FROM: Dan Johnson, Director D.T.D.

DATE: August 10, 2022

SUBJ: **BOARD ORDER VACATING A PORTION OF SLADKY LANE**

**LOCATION:** The proposed road vacation is located in the SE quarter of Section 23, Township 2 South, Range 6 East, W.M., and the Map of Salmon River Park, Plat Number 456.

**FACTS AND FINDINGS:** Sladky Lane (Main Street, per plat) Local Access Road P6011, was dedicated to the public 99 years ago, there is no evidence of a road being constructed in the right of way. The Sandy River is several hundred feet south of its 1923 location and has isolated many of the lots that would have been accessed through Sladky Lane. There are only two properties that adjoin what is left of Sladky Lane. This portion of undeveloped road right-of-way serve no public need and is not a benefit to the traveling public. Vacating this portion of road right of way will not affect area traffic flow or deprive public access to adjoining properties.

The Petition to Vacate under ORS 368.341 has been filed with the determined fee and, acknowledged signatures of owners of 100 percent of private property proposed to be vacated and acknowledged signatures of owners of 100 percent of property abutting the public property proposed to be vacated, pursuant to ORS 368.351. All abutting property owners in this instance have signed the Consent to Vacate forms that have been acknowledged by the proper authority.

Clackamas County Departments of Transportation Maintenance, Engineering, Planning, Traffic, along with all local utility companies, have been contacted and do not have any objections to this vacation.

This road vacation does not violate any portion of Clackamas County Code 7.03.095 (4) (A). Said Code enumerated as follows;

a. Whether the vacation would inhibit or preclude access to an abutting property, and whether an access reservation would be adequate to protect that access;

Finding: Vacating this right of way would not inhibit or preclude access to any abutting property. Access to abutting properties is available via existing improved local access roads.

b. Whether it is physically possible to build a road that meets contemporary standards over the existing terrain or right of way;

Finding: It is physically possible to build a road in the right of way.

c. Whether it is economically feasible to build a road that meets contemporary standards over the existing terrain or right of way;

Finding: It may be economically feasible to build a road in this portion of right of way however, there is no public need to improve the right of way.

d. Whether there is another nearby road that can effectively provide the same access as the right-of-way to be vacated;

Finding: There are other roads that effectively provide the same access.

e. Whether the right-of-way to be vacated has present or future value in terms of development potential, use in transportation linkages, or use in road replacements;

Finding: The right of way does not have present and future value for development potential, use in transportation linkages, or use in road replacements.

f. Whether there are present and future likely benefits of the right-of way to the traveling public;

Finding: There are no present and future likely benefits of right of way to the traveling public.

g. Whether anticipated growth or changes in use of the surrounding area are likely to impact the future use of the right-of-way proposed to be vacated;

Finding: There is no anticipated growth or changes in use of the surrounding area right of ways proposed to be vacated.

h. Whether the right-of-way proposed to be vacated leads to a creek, river, or other waterway that can be used for public recreation; and

Finding: This undeveloped right of way ends at the Sandy River however, the slope to the river is unstable and steep. There are a few local access roads in the neighborhood that provide better access to the Sandy and Salmon Rivers.

i. Whether the right-of-way proposed to be vacated leads to federal, state or local public lands that can be used for public recreation.

Finding: Not applicable.

It is my assessment that the proposed vacation is in the public interest.

COVER SHEET

- New Agreement/Contract
- Amendment/Change/Extension to \_\_\_\_\_
- Other \_\_\_\_\_

Originating County Department: \_\_\_\_\_

Other party to contract/agreement: \_\_\_\_\_

Description:

After recording please return to: X \_\_\_\_\_

- County Admin
- Procurement

If applicable, complete the following: \_\_\_\_\_

Board Agenda Date/Item Number: \_\_\_\_\_