

# City of St. Helens

## Vacation of a Public Way

(street, avenue, alley, etc.)

### Procedures:

1. Contact the City Engineer's and Planner's office to discuss your request.
2. Complete the attached petition form.
3. You, as petitioner, will need to solicit your neighbors within 200 feet on each side of the width of the public way and 400 feet on each side of the length of the public way. *Please see attached drawing.* You must receive consent from a minimum of two-thirds of the property owners within this affected area, including **all** owners of private property **abutting** the proposed vacation area.
4. Return the petition with signed consent forms and required fee (sufficient to cover publication, posting and other anticipated expenses) to the City Recorder. The City Recorder will check the signatures and determine if the appropriate number of signatures has been acquired.
5. If the petition is adequate, the City Council will receive it and consider it for further action. Sometimes, the City Council will refer the petition to the City Planning Commission for study and recommendation.
6. Based on the Planning Commission's recommendation, the City Council will determine whether a notice to proceed should be given, or the request denied.
7. The City Recorder shall give notice in the local newspaper once a week for two consecutive weeks, giving details of the proposed vacation. The notice shall include when and where a public hearing will be held.
8. Within five (5) days after the first publication, the City Recorder will post the notice of vacation at each end of the proposed vacation area.
9. A City Council meeting is then held to receive comments regarding the vacation. The City Council may deny, grant part, deny part, or make conditions as appear to be in the interest of the public. If the City Council decides in favor of the petition, they shall adopt an ordinance making their decision a matter of record and vacate the area as petitioned. (Ordinance adoption generally takes at least two months to become effective.)
10. Title to the vacated areas shall attach to the bordering property in equal proportions; except where such area has been dedicated by different persons, and the title of which has not been otherwise disposed of.
11. A certified copy of the ordinance will be filed with the County Clerk, County Assessor and County Surveyor.

### Definitions:

- ◆ **Affected Area:** Please see example attached.
- ◆ **Property Owner:** Individual(s) listed as property owner in Columbia County Assessor's records.
- ◆ **Vacate:** To give up rights.

**PETITION FOR VACATION OF STREETS, AVENUES OR ALLEYS**

We, the undersigned petitioners, respectfully request of the City Council an order and ordinance vacating the property described as follows:

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The proposed use of this vacated public way is:

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Please print the name(s), address(es) and tax account number(s) of the real property owners of record abutting the property proposed for vacation: *Signed consent forms must be attached.*

Name	Street Address	Tax Account No.
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We have deposited a fee of \$550 for this petition request.

We understand and agree that if the actual cost of processing this vacation request exceeds the amount of the deposit, an additional fee sufficient to cover the deficiency shall be paid by us to the Finance Director before the vacation is complete.

We request that the City Council establish a date, time and place for hearing all persons interested in or objecting to approval of this vacation request.

Dated: \_\_\_\_\_

Respectfully submitted,

\_\_\_\_\_  
Petitioner

\_\_\_\_\_  
Petitioner

**CONSENT TO VACATION OF PUBLIC WAY**

The undersigned, being the owner(s) of real property located in the affected area of the request by

\_\_\_\_\_ to vacate a portion of a public right of way, hereby

Petitioner's Name

consent(s)\* to the vacation of that portion described as \_\_\_\_\_

\_\_\_\_\_, St. Helens, Columbia County, Oregon.

*Please see attached plot plan.*

The legal description (Lot and Block, Meets and Bounds, and Assessor's Tax Account Number) of the property owned by the undersigned is: \_\_\_\_\_

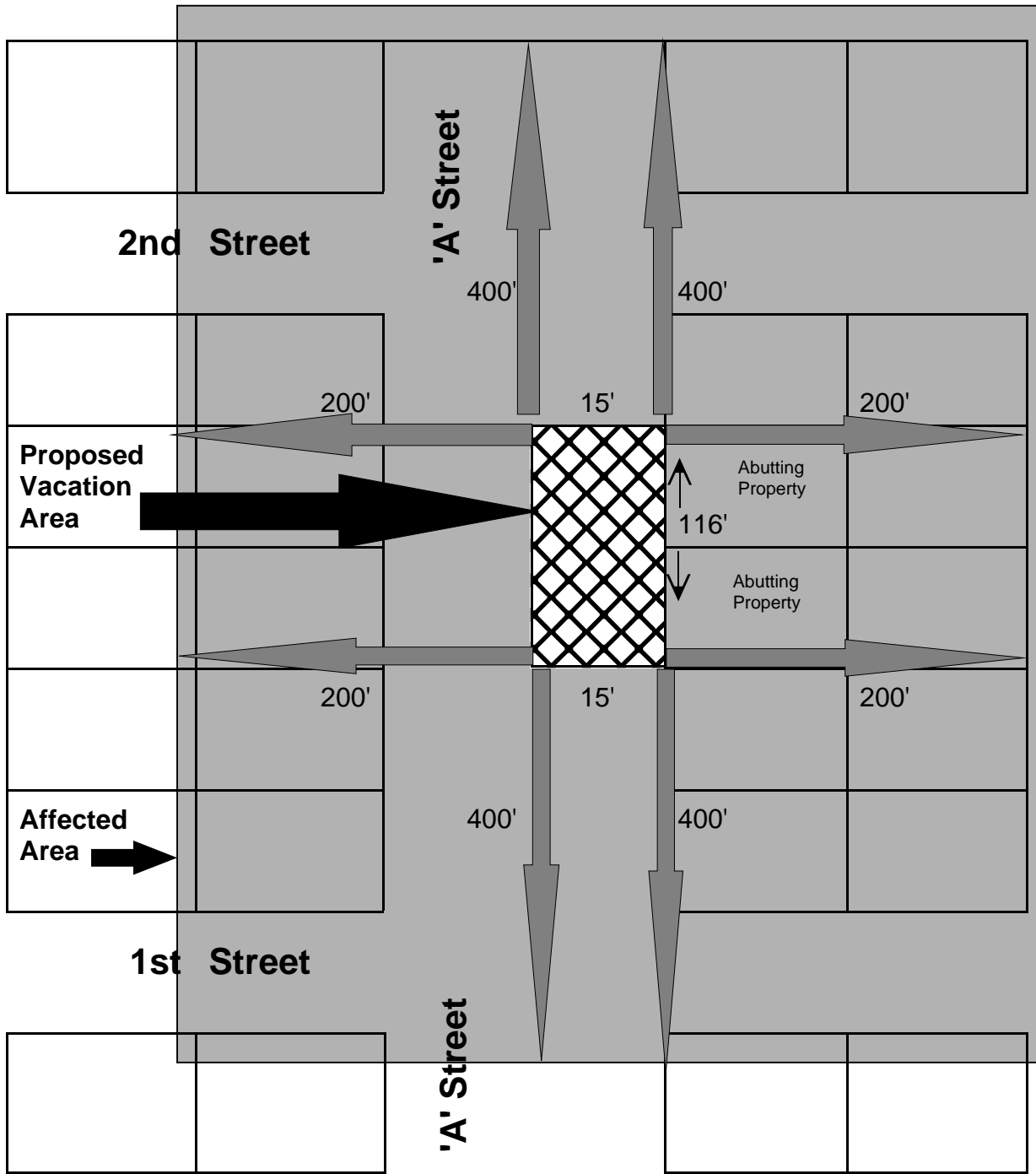
The address of our property is: \_\_\_\_\_

**My property is abutting by physically fronting the portion of the right-of-way being vacated.**

Dated: \_\_\_\_\_

Dated: \_\_\_\_\_

*\*Per ORS 271.080(2), the petitioner must have the consent of the property owners of all abutting properties and not less than two-thirds of the real property owners located in the affected area.*



**Affected Area Example**

