

Enrolled
House Bill 2668

Sponsored by Representative MORGAN

CHAPTER

AN ACT

Relating to vacation of property by county without hearing; amending ORS 368.351.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 368.351 is amended to read:

368.351. A county governing body may make a determination about a vacation of property under ORS 368.326 to 368.366 without complying with ORS 368.346 if **the proceedings for vacation were initiated by a petition under ORS 368.341 that indicates the owners' approval of the proposed vacation and that contains the 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 public property proposed to be vacated and either:**

(1) The county road official files with the county governing body a written report that contains the county road official's assessment that any vacation of public property is in the public interest; *[and]* **or**

[(2) The proceedings for vacation under ORS 368.326 to 368.366 were initiated by a petition under ORS 368.341 that contains the acknowledged signatures of owners of 100 percent of any private property proposed to be vacated and acknowledged signatures of owners of 100 percent of property abutting any public property proposed to be vacated. The petition must indicate the owners' approval of the proposed vacation.]

(2) The planning director of the county files a written report with the county governing body in which the planning director, upon review, finds that an interior lot line vacation affecting private property complies with applicable land use regulations and facilitates development of the property subject to interior lot line vacation.

Passed by House March 30, 2005

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Chief Clerk of House

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Speaker of House

Passed by Senate July 29, 2005

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President of Senate

Received by Governor:

.....M,....., 2005

Approved:

.....M,....., 2005

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Governor

Filed in Office of Secretary of State:

.....M,....., 2005

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Secretary of State