

25. ACCEPTANCE OF RIGHT OF WAY

25.1 SCOPE

Pursuant to ORS 368.016, 368.031 and 368.036, Clatsop County has jurisdiction and authority over all dedicated public ways within the unincorporated area of Clatsop County. ORS 92.175, 92.014(2), and 93.808 provide that land dedicated as a public way by a dedication or donation document must be accepted by the County. The Board intends by this ordinance to authorize the County Surveyor and Director of Public Works, together or individually, to accept on behalf of the Board of County Commissioners of Clatsop County all offers of dedication of public right-of-ways made pursuant to ORS 92.014(2) and ORS 93.808 when such acceptance would in their judgment be in the best interest of the traveling public and Clatsop County, and further, are susceptible to economical maintenance and regulation.

25.2 SUBMISSION OF REQUESTS TO DEDICATE

All requests to dedicate or donate real property to Clatsop County for Road purposes shall be on forms provided by the County Surveyor and/or the Director of Public Works and contain such information as such County officers may determine is necessary for their review of the proposed dedication or donation. (Ordinance 93-12, Sec. 3)

25.3 ACCEPTANCE

25.3.1 The County Surveyor and/or Director of Public Works shall review all requests submitted pursuant to Section 25.2 to determine whether such requests are in compliance with applicable State and County laws and regulations and further to determine whether acceptance would, in their sole judgment, be in the best interest of the traveling public and Clatsop County and, further, are capable of being maintained and regulated by Clatsop County in an efficient and economical manner. Upon such determination, the County Surveyor and/or the Director of Public Works shall cause the donating party to execute a Deed of Dedication and thereafter execute an acceptance of dedication thereon, all in a form satisfactory to them, which act shall constitute formal acceptance by Clatsop County of the dedicated or donated property without the need of any further action by the Clatsop County Board of Commissioners.

25.3.2 Upon execution of the Deed and acceptance described in Section 25.3.1, the same shall be recorded in Clatsop County Deed Records. (Ordinance 93-12, Sec. 4)