



DAN JOHNSON
DIRECTOR

DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

DEVELOPMENT SERVICES BUILDING
150 BEAVERCREEK ROAD OREGON CITY, OR 97045

June 26, 2025

BCC Agenda Date/Item: _____

Board of County Commissioners
Clackamas County

Approval of a Board Order vacating a portion of Talons Road to Eagle Creek Rock Products. Order Value is \$2,547.53. Funding is through Eagle Creek Rock Products. No County General Funds are involved.

Previous Board Action/Review	Talons Road Vacation, Board Order No. 16233, C.J. Bk. 73, Pg. 91, Deed No. 1968-11302		
Performance Clackamas	1. Build a strong infrastructure		
Counsel Review	Yes	Procurement Review	No
Contact Person	Douglas Cutshall	Contact Phone	503-742-4669

EXECUTIVE SUMMARY: Talons Road, Local Access Road No. P4079, was dedicated to the public in a deed recorded in Book 645, Page 918, on September 3, 1964. It is situated in the NW 1/4 of Section 5 and the NE 1/4 of Section 6, T. 3 S., R. 4 E., W.M., lying north of Estacada. The northerly portion of this 50 foot wide road traverses an active sand and gravel mining operation ending at the Cazadero Trail. The petitioner is in the process of redeveloping the gravel yard and would like to vacate the northerly portion of the Talons Road right of way. This portion of local access road right-of-way serves no current or future public need and is not a benefit to the traveling public.

The portion to be vacated contains approximately 44,632 square feet. Vacating this portion of road right of way will not affect area traffic flow or deprive public access to adjoining properties.

A Petition for Road Easement Vacation has been filed with the required fee under ORS 368.341. All abutting property owners have signed the Consent to Vacate forms, and their signatures have been acknowledged. The attached report from the County Road Official determines that the vacation is in the public interest. Accordingly, under ORS 368.351, the Board of County Commissioners may decide on the proposed vacation without a hearing.

Abutting property owners have offered to the public portions of their property to be used for vehicle turn around.

The Clackamas County Transportation Maintenance, Engineering, Planning, and Traffic programs; the Oregon Parks and Recreation Department; and all local utility companies have been contacted and do not have any objections to the vacation.

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RECOMMENDATION: Staff respectfully recommends that the Board adopt the attached Board Order vacating a portion of the Talons Road right of way.

Respectfully submitted,

Dan Johnson

Dan Johnson, Director
Department of Transportation and Development

ATTACHMENTS:

- County Road Official Report
- Board Order with Exhibit

MEMORANDUM

TO: Board of County Commissioners

FROM: Dan Johnson, DTD Director and County Road Official

DATE: June 11, 2025

RE: **VACATION OF A PORTION OF TALONS ROAD**

LOCATION: The proposed road vacation is located north of Estacada in the NW 1/4 of Section 5 and the NE 1/4 of Section 6, Township 3 South, Range 4 East, Willamette Meridian.

FACTS AND FINDINGS: Talons Road, Local Access Road No. P4079, was dedicated to the public in a deed recorded in Book 645, Page 918, on September 3, 1964. The northerly portion of this 50 foot wide road traverses an active sand and gravel mining operation ending at the Cazadero Trail. The petitioner is in the process of redeveloping the gravel yard and would like to vacate the northerly, unused portion of the Talons Road right of way. This portion of local access road right of way serves no current or future public need and is not a benefit to the traveling public.

A Petition for Road Easement Vacation has been filed with the required fee under ORS 368.341. All abutting property owners have signed Consent to Vacate forms, and their signatures have been acknowledged. This County Road Official report provides an assessment of the proposed vacation. Accordingly, under ORS 368.351, the Board of County Commissioners may decide on the proposed vacation without a hearing.

Abutting property owners have offered to the public portions of their property to be used for vehicle turn around.

The Clackamas County Transportation Maintenance, Engineering, Planning, and Traffic programs; the Oregon Parks and Recreation Department; and all local utility companies have been contacted and do not have any objections to the vacation, provided that utility rights are reserved for all utilities currently located in the vacated right of way.

This road vacation is consistent with the criteria of Clackamas County Code 7.03.095(4)(A), 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.

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 possible to build a road in this right of way; however, it ends at the Oregon Parks and Recreation Department's "Cazadero Trail," which was originally a railroad right of way, without a recognized road crossing.

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 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: The petitioner owns several of the properties adjoining the portion of the right of way to be vacated; however, no other properties adjoin this dead end road or use this right of way for 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: There is no potential road use for the right of way.

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

Finding: There are no present or future likely benefits of the 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.

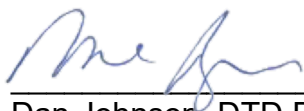
h. Whether the right-of-way proposed to be vacated leads to a creek, river, or other waterway that can be used for public recreation; and

Finding: Not applicable.

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: This right of way ends at the Cazadero Trail, but only after traversing an active mining operation. The State has constructed public parking areas in different locations for those accessing the trail.

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



Mike Bezner, Assistant Director for Dan Johnson

Dan Johnson, DTD Director and County Road Official

BEFORE THE BOARD OF COUNTY COMMISSIONERS

OF CLACKAMAS COUNTY, STATE OF OREGON

In the Matter of the Vacation of a Portion of
Talons Road, Situated in Sections 5 and 6,
T. 3 S., R. 4 E., W.M., Clackamas County,
Oregon



Board Order No.

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Whereas, this matter coming before the Board at this time, and it appearing that, in accordance with ORS 368.341 and ORS 368.351, a petition has been filed with the required fee requesting the vacation of a portion of the Talons Road right of way described as follows:

All of that portion of Talons Road, a 50 foot wide Local Access Road No. P4079, situated in the NW 1/4 of Section 5 and the NE 1/4 of Section 6, T. 3 S., R. 4 E., Willamette Meridian, Clackamas County, Oregon, described in Book 645, Page 918, and Document No. 1968-8381, Clackamas County Deed Records, being that portion of right of way lying northerly and easterly of, and between the westerly prolongation of the south line of that property described in Document No. 2007-33588 in said deed records, and the west line of Oregon Parks and Recreation Department's 100 foot wide strip of property described in Document No. 1974-32629 in said deed records, depicted on the attached Exhibit "A," by this reference being a part of this description, and containing 44,632 square feet, more or less; and

Whereas, in accordance with ORS 368.351, a written report finding the vacation to be in the public interest has been submitted by Dan Johnson, County Road Official and Director of the Department of Transportation and Development, dated November 6, 2023, and

Whereas, the Board, having read said petition and report from the County Road Official, has determined the vacation to be in the public interest and

Whereas, abutting property owners have offered to the public previously recorded dedications of real property for Permanent Easements for Road Right of Way for emergency and vehicular turn around areas, described and depicted in Document Nos. 2025-018899 and 2025-018900 in the Clackamas County Deed Records; and

Whereas, the Clackamas County Transportation Maintenance, Engineering, Planning, and Traffic programs; the Oregon Parks and Recreation Department; and all local utility companies have been contacted and do not have any objections to the vacation, provided that rights are reserved for existing utilities within the vacated portion of right of way;

NOW, THEREFORE, the Clackamas County Board of Commissioners does hereby order that the above described portion of Talons Road, Local Access Road No. P4079, as depicted on the attached Exhibit "A," containing 44,632 square feet, more or less, is vacated; and

Order that the Board adopts as its own the findings and conclusions contained in the report from the County Road Official; and

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OF CLACKAMAS COUNTY, STATE OF OREGON

In the Matter of the Vacation of a Portion of
Talons Road, Situated in Sections 5 and 6,
T. 3 S., R. 4 E., W.M., Clackamas County,
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Board Order No.

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Order that the Board recognizes and accepts the offers of Permanent Easements for Road Right of Way described and depicted in Document Nos. 2025-018899 and 2025-018900 in the Clackamas County Deed Records; and

Order that the rights for all existing utilities within the vacated Talons Road right of way are reserved, nothing contained herein shall cause or require the removal or abandonment of any storm or sanitary sewer, water main, gas line, conduit of any kind, wires, or poles which are now installed in said right of way and used or intended to be used for any public service or utility, and rights are reserved to access, maintain, repair, construct or reconstruct, install, renew, and enlarge all utilities that are now used for any public service or utility; and

Order that this order and any attached exhibits shall be recorded in the Clackamas County Deed Records, and a copy shall be filed with the County Surveyor, County Assessor, and Finance Office/Fixed Assets.

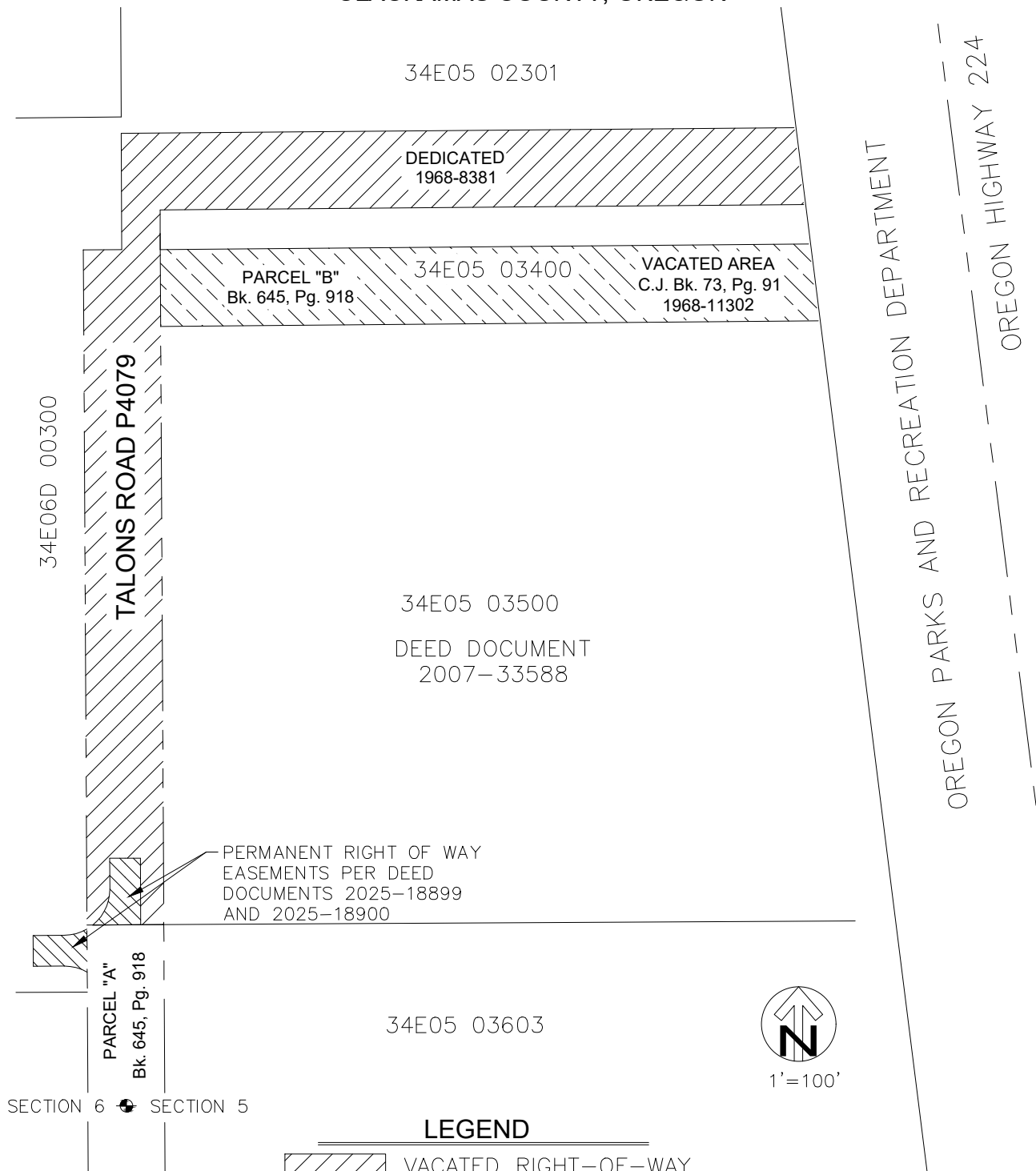
DATED this _____ day of _____ 2025

BOARD OF COUNTY COMMISSIONERS


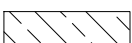
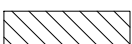
Chair

Recording Secretary

LOCATED IN THE NW 1/4 OF SECTION 5, AND
THE NE 1/4 OF SECTION 6, T.3 S., R.4 E., W.M.,
CLACKAMAS COUNTY, OREGON



LEGEND

-  VACATED RIGHT-OF-WAY
-  PREVIOUSLY VACATED RIGHT-OF-WAY
C.J. Bk.73, Pg.91, DEED 1968-11302
-  PREVIOUSLY DEDICATED RIGHT-OF-WAY
2025-18899 AND 2025-18900