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UMATILLA COUNTY
RECORDS

**IN THE BOARD OF COUNTY COMMISSIONERS
STATE OF OREGON**

In the Matter of Setting a Hearing on the)
Legalization of a Portion of Birch Creek Road,))
County Road No. 550)

Order No. RD2003-21

WHEREAS, In accordance with ORS 368.206 the Umatilla County Board of Commissioners issued an order to survey and monument a portion of Birch Creek Road, County Road No. 550, lying between Powerline Road and Hood Road in Sections 22 and 27, Township 6 North, Range 36 E.W.M., and

WHEREAS, the Department of Public Works has found that the road as traveled and used for ten (10) years or more does not match the existing road records and has recommended that the Board of Commissioners legalize the road as shown on the survey completed in June, 2003, and

WHEREAS, the Board of Commissioners has determined it to be in the Public interest to legalize the road, and

WHEREAS, persons interested or concerned about the proposed legalization may examine said survey and other documents concerning this proposed action by contacting the Umatilla County Department of Public Works , 3920 Westgate, Pendleton, Oregon 97801. (541) 278-5424, Monday through Friday, 8:00 a.m. to 5:00 p.m.

NOW THEREFORE IT IS HEREBY ORDERED that a hearing is set for August 20, 2003, at 10:10 a.m. in Room 114 of the Umatilla County Courthouse , 216 S.E. Fourth Street , Pendleton , Oregon to hear public testimony both for and against the proposed legalization and determine if Birch Creek Road shall be legalized in its present location as traveled and used for ten (10) years or more.

IT IS ALSO ORDERED that in accordance with ORS 368.206(1)(c), 368.406, 368.411, and 368.416 those persons whose property abuts said road legalization shall be notified of this hearing by certified mail at least 30 days before the date of the hearing , notice of the hearing shall be posted in no less than three (3) public places no later than 20 days before the hearing , and notice of the hearing shall be published in the East Oregonian once at least 20 days before the hearing and once within 10 days of the hearing.

Dated this 16th day of July, 2003.

UMATILLA COUNTY BOARD OF COMMISSIONERS

ABSENT

William S. Hansell, Chairman

Emile M. Holeman

Emile M. Holeman, Commissioner

Dennis D. Doherty

Dennis D. Doherty, Commissioner



ATTEST:
OFFICER OF THE COUNTY RECORDS

BY: *Jean Kempster*

Records Officer

APPROVED AS TO FORM:

Doug Olsen

Doug Olsen, County Counsel

