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2005-4810383

1 of 3

UMATILLA COUNTY RECORDS

IN THE BOARD OF COUNTY COMMISSIONERS OF UMATILLA COUNTY

STATE OF OREGON

**IN THE MATTER OF LEGALIZATION OF)
PORTIONS OF MILTON CEMETARY ROAD,)
COUNTY ROAD #564, SPOFFORD ROAD,)
COUNTY ROAD NO. 564 & 567, AND)
WHITEMAN ROAD, COUNTY ROAD NO. 562)**

ORDER NO. RD2005-08

WHEREAS, the Umatilla County Board of Commissioners may, under authority of ORS 368.201 to 368.221, order county roads that have been used and traveled by the public for ten (10) years or more to be surveyed and recorded, and

WHEREAS, the Umatilla County Board of Commissioners ordered the survey of portions of Milton Cemetary Road, County Road No. 564, Spofford Road, County Road No. 564 and 567, and Whiteman Road, County Road No. 562, lying approximately 2 miles east of Milton-Freewater, Oregon, and located in Sections 5, 6, and 7, Township 5 North, Range 36 E.W.M., and Section 32, Township 6 North, Range 36 E.W.M., and

WHEREAS, the Notice of Hearing was posted and all owners of abutting property affected by the legalization procedure were served copies of the Notice of Hearing, and

WHEREAS, the Umatilla County Board of Commissioners on May 4, 2005, held a public hearing and finding that it would be in the public interest to legalize the roads:

THEREFORE IT IS NOW ORDERED that the roads be legalized as follows:

County Road No. 564-Milton Cemetary Road (A.K.A. County Road No. 299)

A 40-foot wide strip of land for road and utility installation purposes located in Sections 5, 6, and 7, Township 5 North, Range 36 E.W.M., lying 20 feet on each side of the following described centerline:
Beginning at a brass-capped monument marking the Southwest Corner of Section 6, Township 5 North, Range 36 E.W.M., said point being assigned Engineer's Station "MILCEM" 126+42.67 P.I.;
thence S86°23'15"E, 509.93 feet to a railroad spike; thence S86°23'15"E, 660.45 feet to a railroad spike;
thence S86°42'10"E, 368.02 feet to a railroad spike; thence S86°53'37"E, 961.07 feet to a railroad spike marking the South ¼ Corner of said Section 6; thence N89°43'11"E, 423.13 feet to a railroad spike;
thence N88°56'38"E, 515.00 feet to a railroad spike; thence N88°56'38"E, 513.85 feet to a railroad spike;
thence N88°57'20"E, 455.49 feet to a railroad spike; thence N89°08'23"E, 632.98 feet to a railroad spike;
thence 190.04 feet along a 122.76-foot radius curve left (the long chord bears N44°47'32"E, 171.63 feet) to a railroad spike; thence N00°26'40"E, 606.89 feet to a railroad spike; thence N00°26'40"E, 503.20 feet to a railroad spike; thence 186.07 feet along a 125.28-foot radius curve right (the long chord bears N42°59'43"E, 169.44 feet) to a railroad spike; thence N85°32'47"E, 648.16 feet to a railroad spike;
thence N85°32'47"E, 643.71 feet to a railroad spike; thence N85°37'58"E, 659.09 feet to a railroad spike;
thence N85°37'58"E, 780.16 feet to a railroad spike; thence N85°07'05"E, 259.25 feet to a railroad spike;
thence 199.94 feet along a 3307.70-foot radius curve right (the long chord bears N86°50'59"E, 199.91

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Copy to: County Counsel

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feet) to a railroad spike; thence N88°34'53"E, 935.92 feet to a railroad spike; thence 195.97 feet along a 120.32-foot radius curve left (the long chord bears N41°55'20"E, 175.02 feet) to a railroad spike which bears S15°17'59"W, 4072.95 feet from a 5/8" iron rebar marking the Northeast Corner of Section 5, Township 5 North, Range 36 E.W.M., said point being assigned Engineer's Station "MILCEM" 209+91.52 P.T., and the terminus of this description. EXCEPTING THEREFROM that portion lying within the right-of-way limits of Spofford Road (County Road No.s 564 & 567; A.K.A. County Road No. 59). Bearings and distances are NAD '83('91) grid.

County Road No.s 564 & 567-Spofford Road (A.K.A. County Road No. 59)

A 60-foot wide strip of land for road and utility installation purposes located in Section 5, Township 5 North, Range 36 E.W.M. and Section 32, Township 6 North, Range 36 E.W.M., lying 30 feet on each side of the following described centerline:

Beginning at a 5/8" iron rebar which bears N77°46'14"E, 7205.98 feet from a railroad spike marking the South ¼ Corner of Section 6, Township 5 North, Range 36 E.W.M., said point being assigned Engineer's Station "SPOFF" 207+25.90 P.O.T.; thence N05°29'33"W, 138.12 feet to a 5/8" iron rebar; thence N04°44'13"W, 725.53 feet to a railroad spike; thence N04°44'13"W, 551.12 feet to a railroad spike; thence N03°15'03"W, 542.52 feet to a railroad spike; thence N03°15'03"W, 747.98 feet to a railroad spike; thence N03°15'03"W, 777.30 feet to a railroad spike; thence N03°15'03"W, 680.97 feet to a railroad spike; thence N00°31'47"W, 408.02 feet to a 5/8" iron rebar which bears N74°29'13"W, 1379.53 feet from a 5/8" iron rebar marking the Northeast Corner of Section 5, Township 5 North, Range 36 E.W.M., said point being assigned Engineer's Station "SPOFF" 252+97.45 P.O.T., and the terminus of this description. Bearings and distances are NAD '83('91) grid.

County Road No. 562-Whiteman Road (A.K.A. County Road No. 299)

A 40-foot wide strip of land for road and utility installation purposes located in Section 5, Township 5 North, Range 36 E.W.M. and Section 32, Township 6 North, Range 36 E.W.M. lying 20 feet on each side of the following described centerline:

Beginning at a railroad spike which bears N49°59'32"E, 8835.91 feet from a railroad spike marking the South ¼ Corner of Section 6, Township 5 North, Range 36 E.W.M., said point being assigned Engineer's Station "WMAN" 248+89.43 P.O.T.; thence N88°18'48"E, 650.29 feet to a 5/8" iron rebar; thence N88°18'48"E, 675.79 feet to a 5/8" iron rebar marking the Northeast Corner of Section 5, Township 5 North, Range 36 E.W.M., said point being assigned Engineer's Station "WMAN" 262+15.51 P.I., and the terminus of this description. EXCEPTING THEREFROM that portion lying within the right-of-way limits of Spofford Road (County Road No. 564). Bearings and distances are NAD '83('91) grid.

The plat of the above three described roads is recorded as Survey No. 05-51-C in the Umatilla County Surveyor's Office.

Dated this 4th day of May, 2005



UMATILLA COUNTY BOARD OF COMMISSIONERS

Emile M. Holeman
Emile M. Holeman, Chairman

William S. Hansell
William S. Hansell, Commissioner

Dennis D. Doherty
Dennis D. Doherty, Commissioner



ATTEST: OFFICE OF COUNTY RECORDS

By: Jean Hemphill
Records Officer



APPROVED AS TO FORM:

Doug Olsen
Doug Olsen, County Counsel

State of Oregon)
County of Umatilla)

This instrument was received
and recorded on

05-05-05 at 12:35

in the record of instrument
code type DE-ORDER

Instrument Number 2005-4810383
Fee 0.00

Office of County Records

Jean Hemphill
Records Officer