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**IN THE BOARD OF COUNTY COMMISSIONERS**

**STATE OF OREGON**

UMATILLA COUNTY  
RECORDS

In the Matter of Setting a Hearing on the )  
Legalization of a Portion of Despain Gulch Road,) )  
County Road No. 1000 )

Order No. RD2004-12

WHEREAS, In accordance with ORS 368.206 the Umatilla County Board of Commissioners issued an order to survey and monument a portion of Despain Gulch Road, County Road No. 1000, lying in Sections 23, 24, 25, and 26, Township 4 North, Range 30 E.W.M. and Section 30, Township 4 North, Range 31 E.W.M., approximately 9 miles northeast of Stanfield in Umatilla County, Oregon, 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 May, 2004, 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, telephone # ( 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 4, 2004, at 10:30 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 Despain Gulch 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.

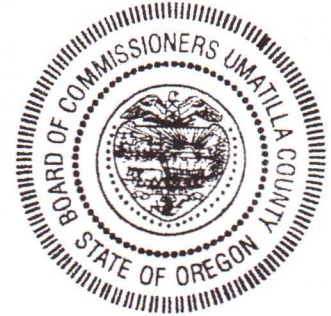
Dated this 9th day of June, 2004.

**UMATILLA COUNTY BOARD OF COMMISSIONERS**

*Dennis D. Doherty*  
Dennis D. Doherty, Chairman

*Emile M. Holeman*  
Emile M. Holeman, Commissioner

*William S. Hansell*  
William S. Hansell, Commissioner



**ATTEST:  
OFFICER OF THE COUNTY RECORDS**

BY: *Gene Churchill*  
Records Officer



**APPROVED AS TO FORM:**

*Doug Olsen*  
Doug Olsen, County Counsel