

BEFORE THE COUNTY COURT OF UMATILLA COUNTY, OREGON

In the matter of the vacation of parts of)
County Road No. 867 in the SE $\frac{1}{4}$ of Section)
12, Township 4 North, Range 28 E.W.M., and the) ORDER OF VACATION
SW $\frac{1}{4}$ of Section 7, Township 4 North, Range)
29 E.W.M.)

BE IT REMEMBERED that at a regular session of the County Court of Umatilla County held in the court room of said Court in Umatilla County Court House at Pendleton, Oregon, on the 5th day of August 1953, at 10:00 o'clock A. M., present: James H. Sturgis, County Judge, and J. E. Olinger and Claude Meyers, County Commissioners, the following proceedings were had:

On motion of J. E. Olinger, seconded by Claud Meyers, the following preambles and order were unanimously adopted:

WHEREAS, by resolution and order unanimously adopted on the 24th day of June 1953, and duly entered in the journal of this court, it was declared that proceedings to vacate those parts of County Road No. 867 hereinafter described, would be undertaken, and said proceedings were instituted, and the County Surveyor was notified of said proceedings and was ordered and directed to examine said parts of County Road No. 867 and to make a report in writing on the same as provided by law; and

WHEREAS, said County Surveyor did examine said parts of County Road No. 867, and on the 25th day of June 1953, made his report in writing thereon as required by law, and filed said report with the County Clerk of Umatilla County; and

WHEREAS, on the 29th day of June 1953, this court made and entered its order for hearing on said report of the County Surveyor and on the resolution and any objections to the vacation of said parts of County Road No. 867, to be held in the court room of this court in the Umatilla County Court House in

Pendleton, Oregon, on the 5th day of August 1953, at 10:00 o'clock, A. M.; and ordered and directed that notice of said hearing be given as provided by law, and that said notice be posted by the County Surveyor; and

WHEREAS, notice of said hearing was duly given as provided by law, by posting said notice at the place of holding County Court and also at three public places in the vicinity of said road, on the 29th day of June 1953, which was more than thirty days before the day set for said hearing; and proof that such notice has been given was made by affidavit of the County Surveyor, now on file herein; and

WHEREAS, pursuant to said order and notice this matter came on duly to be heard by the County Court of Umatilla County in the court room of said Court in the Umatilla County Court House at Pendleton, Oregon, on the 5th day of August 1953, at the hour of 10:00, A. M., at which time and place the said report of the County Surveyor was duly heard and considered, and the said resolution instituting this proceeding was duly considered and no objection was made by any person to the vacating of said parts of County Road No. 867; and

WHEREAS, it appears to this court that said parts of county road are not now in use by the public, and that they will not be useful as parts of the general road system; and it further appears that the public will be benefited by the vacation thereof; and the court being fully advised in the premises;

IT IS HEREBY ORDERED that the following-described parts of County Road No. 867 of Umatilla County:

All that part of County Road No. 867 of Umatilla County, located in the $SE\frac{1}{4}$ of Section 12, Township 4 North, Range 28 E.W.M., Umatilla County, Oregon, described as follows: All that part of County Road No. 867 in the $SE\frac{1}{4}$ of Section 12, Township 4 North, Range 28 East, W.M., which part of said county road is 2696.12 feet in length and lies between the following termini: The north right of way line of county road No. 610 (at a location 30 feet north and 191.3 feet

east of the southwest corner of said SE $\frac{1}{4}$ of Section 12), and the westerly right of way line of County Road No. 605 (at a location 60 feet west and 1203.93 feet north of SE corner of said Section 12),

Also all the following described part of County Road 867 in the SW $\frac{1}{4}$ of Section 7, Township 4 North, Range 29 E.W.M.: Beginning at a point on the west line of Section 7 which point is one thousand two hundred three and ninety-three hundredths (1203.93) feet north of the SW corner of Section 7; thence N. 53° 55' 30" East along a straight line a distance of one hundred forty-three and fifty-two hundredths (143.52) feet; thence around a curve in a northeasterly direction having a radius of nine hundred seventy-four and ninety-three hundredths (974.93) feet a distance of one hundred seventy and eighty-two hundredths (170.82) feet; thence S. 63° 58' 30" W., along a straight line a distance of two hundred ninety-one and five-tenths (291.50) feet to a point on the west line of Section 7; thence south along the west line of Section 7 a distance of forty-four and seven-tenths (44.70) feet to the point of beginning;

be and the same hereby are vacated.

James H. Stungis
County Judge

J. E. Clinger
Commissioner

Claude Meyer
Commissioner

Being and constituting the County Court of Umatilla County, Oregon.

Attest:

Jessie M. Ball
County Clerk