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IN THE BOARD OF COUNTY COMMISSIONERS

UMATILLA COUNTY RECORDS

STATE OF OREGON

In the Matter of Transferring )  
Jurisdiction of a Portion of West )  
Orchard Avenue, Co. Rd. No. 1238, )  
to the City of Hermiston, Oregon. )

Order No. RD99-14

**WHEREAS**, in accordance with ORS 373.270(1)(a) the Umatilla County Board of Commissioners has deemed it to be in the best interests of the County to surrender jurisdiction over that portion of West Orchard Avenue (County Road No. 1238) lying in the East 1/2 of the Southeast 1/4 of Section 9, T. 4 North, Range 28 E.W.M. between the northerly extension of the west boundary of Viewcrest Addition and the westerly right-of-way line of Oregon State Highway No. 207, near the West City Limits of Hermiston, Oregon, to the City of Hermiston, and

**WHEREAS**, an agreement titled "Supplemental Development Agreement for Viewcrest Addition" was reached between Umatilla County, the City of Hermiston, and the Developer whereby the City would accept jurisdiction over the above described portion of road once the County had acquired the necessary right-of-way for the road improvements and the Developer had completed road improvements as set forth in the agreement, and

**WHEREAS**, the necessary right-of-way has been acquired and improvements substantially completed, and

**WHEREAS**, pursuant to ORS 373.270(4) a hearing was held on December 20, 1999, at 10:00 a.m. to hear public testimony both for and against the proposed transfer, and determining it to be in the public interest to transfer the above described portion of West Orchard Avenue to the City of Hermiston:

**IT IS HEREBY ORDERED** that in accordance with ORS 373.270(5)(a) . . . jurisdiction over the portion of County Road No. 1238, West Orchard Avenue, described above and more particularly on Exhibit "A", attached hereto and incorporated herein, be offered to the City of Hermiston, Oregon, and that improvement, construction, or repair by the County shall cease, and that the full and absolute jurisdiction over the road for all purposes of repair, construction, improvement, and the levying and collection of assessments shall vest in the City.

Original to: Commissioner's Journal  
Copy to: Doug Olsen

Dated this 20 day of December, 1999.



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**EXHIBIT "A"**

**Orchard Avenue Transfer, Umatilla County to the City of Hermiston**

**Right-of-Way Description**

Beginning at the Southeast 1/16<sup>th</sup> Corner of Section 9, Township 4 North, Range 28 East of the Willamette Meridian; thence N00°02'35"E, 20.00 feet along the west line of the Northeast 1/4 of the Southeast 1/4 of said Section 9; thence S89°08'27"E, 174.39 feet parallel to and 20.00 feet distant from the south line of the Northeast 1/4 of the Southeast 1/4 of said Section 9; thence N00°02'35"E, 5.00 feet; thence S89°08'27"E, 472.00 feet parallel to and 25.00 feet distant from the south line of the Northeast 1/4 of the Southeast 1/4 of said Section 9; thence N00°00'10"W, 5.07 feet to the Southwest Corner of Lot 5, Block "D", Ekleberry Tracts; thence S89°02'53"E, 260.78 feet to the Southeast Corner of Lot 5, Block "C", Ekleberry Tracts; thence S00°05'15"E, 4.64 feet to a point 25.00 feet north of the south line of the Northeast 1/4 of the Southeast 1/4 of Section 9; thence S89°08'27"E, 384.36 feet parallel to and 25.00 feet distant from the south line of the Northeast 1/4 of the Southeast 1/4 of Section 9 to the westerly right-of-way line of Oregon State Highway No. 207; thence South 45.01 feet along said westerly highway right-of-way line to a point 20.00 feet south of the south line of the Northeast 1/4 of the Southeast 1/4 of Section 9; thence N89°08'27"W, 99.00 feet parallel to and 20.00 feet distant from the south line of the Northeast 1/4 of the Southeast 1/4 of Section 9; thence South 8.00 feet; thence N86°51'19"W, 75.10 feet to a point 25.00 feet south of the south line of the Northeast 1/4 of the Southeast 1/4 of Section 9; thence N89°08'27"W, 1117.59 feet parallel to and 25.00 feet distant from the south line of the Northeast 1/4 of the Southeast 1/4 of Section 9 to a point on the west line of the Southeast 1/4 of the Southeast 1/4 of said Section 9; thence N00°02'35"E, 25.00 feet along said west line of the Southeast 1/4 of the Southeast 1/4 of Section 9 to the Point of Beginning.





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UMATILLA COUNTY BOARD OF COMMISSIONERS

**ABSENT**

Emile Holeman, Chairman

*Dennis Doherty*

Dennis Doherty, Commissioner

*William S. Hansell*

William S. Hansell, Commissioner



ATTEST: OFFICE OF COUNTY RECORDS

BY: *Jean Humphreys*  
Records Officer



APPROVED AS TO FORM:

*Doug Olsen*  
Doug Olsen, County Counsel

Jurisdiction over the portion of West Orchard Avenue (County Road #1238) described on Pages 1 and 2 of this order is accepted by the City of Hermiston.

*Tom Shibe* Mayor      *Yuan* City Manager



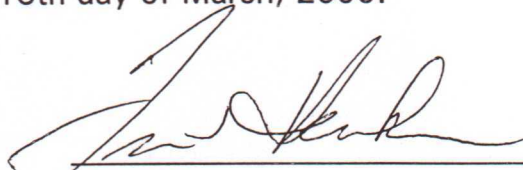
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RESOLUTION NO. 1584


WHEREAS, the Hermiston City Council deems it necessary, expedient and in the best interests of the City of Hermiston to acquire jurisdiction over W. Orchard Avenue (County Road #1238) from the northerly extension of the west boundary of Viewcrest Addition to the westerly right-of-way line of Oregon State Highway No. 207 (S.W. 11th Street) to the same extent as it has over other public streets and alleys of the city,

NOW, THEREFORE, the Hermiston City Council does hereby accept Umatilla County Order No. RD 99-14, passed by the Board of Commissioners on December 20, 1999, to transfer jurisdiction over W. Orchard Avenue (County Road #1238) from the northerly extension of the west boundary of Viewcrest Addition to the westerly right-of-way line of Oregon State Highway No. 207 (S.W. 11th Street) from Umatilla County to the City of Hermiston in accord with ORS 373.270.

PASSED by the Common Council this 13th day of March, 2000.  
APPROVED by the Mayor this 13th day of March, 2000.

  
\_\_\_\_\_  
MAYOR

ATTEST:

  
\_\_\_\_\_  
CITY RECORDER

State of Oregon     )  
                                  )  
County of Umatilla    )

This instrument was received  
and recorded on

03-16-00 at 9:28

in the record of document  
code type DE-ORDER

Location               R366-0821  
Document number      2000-3660821  
Fee                     0.00

Office of County Records

  
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Records Officer