



THE BOARD OF COMMISSIONERS OF UMATILLA COUNTY

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UMATILLA COUNTY RECORDS

STATE OF OREGON

In the Matter of Proceedings)
for Legalization of) Order No. BCC2000-35
Wildwood Lane)

WHEREAS research of records for the road named Wildwood Lane produces evidence that Wildwood Lane is a public road;

WHEREAS due to an omission or defect in the public records, there is some doubt whether Wildwood Lane was ever properly established as a public road and, therefore, whether it is a public road over which the public has a right of use;

WHEREAS, the Umatilla County Board of Commissioners, by law, has jurisdiction over public roads within the county, including trails (ORS 368.021), local access roads (ORS 368.031) and county roads (ORS 368.016);

WHEREAS the Board of Commissions has authority pursuant to ORS 368.021 to initiate proceedings to legalize public roads, which, through omission or defect, doubt exists as to their legal establishment or as to the evidence of their establishment;

WHEREAS the Board of Commissioners on March 15, 2000, by Order No. BCC2000-06 initiated proceedings to legalize the public road, specifically a local access road, named Wildwood Lane, located in Section 15, Township 5 North, Range 28, East of Willamette Meridian, Umatilla County, Oregon, at its current location as follows:

From the southerly right of way line of Highway 730 at the intersection with the North-South centerline of the Northwest Quarter of the Northwest Quarter of said Section 15, South to the South line of the Northeast Quarter of the Southwest Quarter of said Section 15, at a width of 60 feet, including across the southern portion known as Margaret Avenue at its current location from the easterly right of way line of Highway 395 at the intersection with the East-West centerline of the Southwest Quarter of said Section 15, East to the West line of the Northeast Quarter of the Southwest Quarter of said Section 15, at a width of 60 feet;



WHEREAS a hearing was held April 5, 2000, to consider the legalization of Wildwood Lane as a public road, specifically a local access road, and at that time the Board of Commissioners referred the issue to the Public Works Department for review, comment and recommendation;

WHEREAS a report was issued by the Public Works Department, setting forth the results of research of the records for evidence of the status of Wildwood Lane, with no recommendation made at that time;

WHEREAS a public hearing was held July 24, 2000, for the continuation of the legalization of Wildwood Lane as a public road;

WHEREAS notice of the hearing was sent by certified mail to all adjacent land owners on June 21, 2000, posted on the site of Wildwood Lane, and published in the East Oregonian;

WHEREAS at the hearings testimony was made and exhibits received on the evidence on the nature of the status of Wildwood Lane;

WHEREAS the City of Umatilla has approved Resolution No. 29-2000, supporting the declaration of Wildwood Lane as a public road within the City of Umatilla;

WHEREAS the documentation before the board includes references in deeds to a public road, existence of the road for an extended period of time, usage of the road by the general public, and maps prepared by Umatilla County designating the road as a public road;

NOW THEREFORE, the Board of Commissioners orders as follows:

1. Evidence presented to the Board of Commissioners documents that Wildwood Lane, has been a public road, specifically a local access road.
2. The width of the public road will be documented by later order of the Board of Commissioners following a survey.
3. The road known as Wildwood Lane, located in Section 15, Township 5 North, Range 28, East of the Willamette Meridian between U.S. Highway 395 and Highway 730, will be surveyed as time permits.



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4. Once the results of the survey are known, the legalization of Wildwood Lane as a public road, specifically a local access road, will be completed.

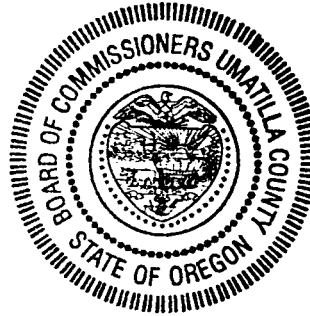
DATED this 13th day of December, 2000.

UMATILLA COUNTY BOARD OF COMMISSIONERS

William S. Hansell
William S. Hansell, Chairman

Dennis D. Doherty
Dennis D. Doherty, Commissioner

Emile M. Holeman
Emile M. Holeman, Commissioner



ATTEST:
OFFICE OF COUNTY RECORDS

Jean Hemphill
Records Officer



State of Oregon)
County of Umatilla)

This instrument was received
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12-19-00 at 3:35

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Document number 2000-3800265
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Office of County Records

Jean Hemphill
Records Officer