

GRABNER LANE LEGALIZATION
PUBLIC ROAD #3008

ROAD OFFICIAL'S REPORT

UMATILLA COUNTY
DEPARTMENT OF PUBLIC
WORKS

MAY 14, 2003

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GRABNER LANE LEGALIZATION REPORT

HISTORY

Grabner Lane has been used for many years as an access to residences and farms. The 1914 Standard Atlas of Umatilla County shows 6 separate properties abutting the road. Currently there are 12 different tax lots abutting the road and 6 residences depend on it for access to their houses.

GENERAL

Unfortunately, no legal records exist for the road, though it is shown on the Standard Atlas, as a public road on assessor maps, and even as a county road on the 1926 plat of Fruitvale Road. One deed for property along the road specifically excepts the portion lying in the county road, another specifically excepts the portion "lying in the road to the west", and the remainder of the deeds use the general statement "excepting water rights-of-way and roads". The County Road Department has always considered it a public road, as shown in the attached correspondence to the abutting property owners dated 1973. Assessor maps show width at 40 feet. Scaling from the 1926 plat of Fruitvale Road also shows a width of 40 feet.

IMPACTS TO UTILITIES AND PROPERTY OWNERS

Pacific Power and Light has poles along the west side of the road and there are also underground telephone facilities on the same side. If the road is legalized at a 40-foot width lying 20 feet on each side of the north-south centerline of the section, the majority of the utilities would fall within the right-of-way. Those poles not within the right-of-way could easily be moved into the right-of-way, as they are only 2 to 5 feet outside.

No major encroachments from structures exist. There are some fences, landscaping, and one concrete driveway that would encroach into the right-of-way should it be legalized at 40 feet. The only obstructions that would have to be moved in order to construct a satisfactory roadway would be some of the fences.

STATUTES

ORS 368.201(1) provides a basis for a county governing body to initiate legalization proceedings if, through omission or defect, doubt exists as to the legal establishment or evidence of establishment of a public road. ORS 368.201(3) provides a basis for the county governing body to initiate legalization proceedings if a road as traveled and used for 10 years or more does not conform to the location of a road described in county records.

RECOMMENDATION

The Public Works Department, after researching records and consulting with County Counsel, recommends that legalization of the portion of Grabner Lane lying in Section 30, as discussed in the December, 2002 hearing, be abandoned due to little or no

evidence of its existence, little or no public need, and objections from abutting owners. It is recommended that should the portion in Section 19 be legalized, it be legalized at a width of 40 feet, lying 20 feet on each side of the north-south centerline of Section 19, as shown on the attached map.

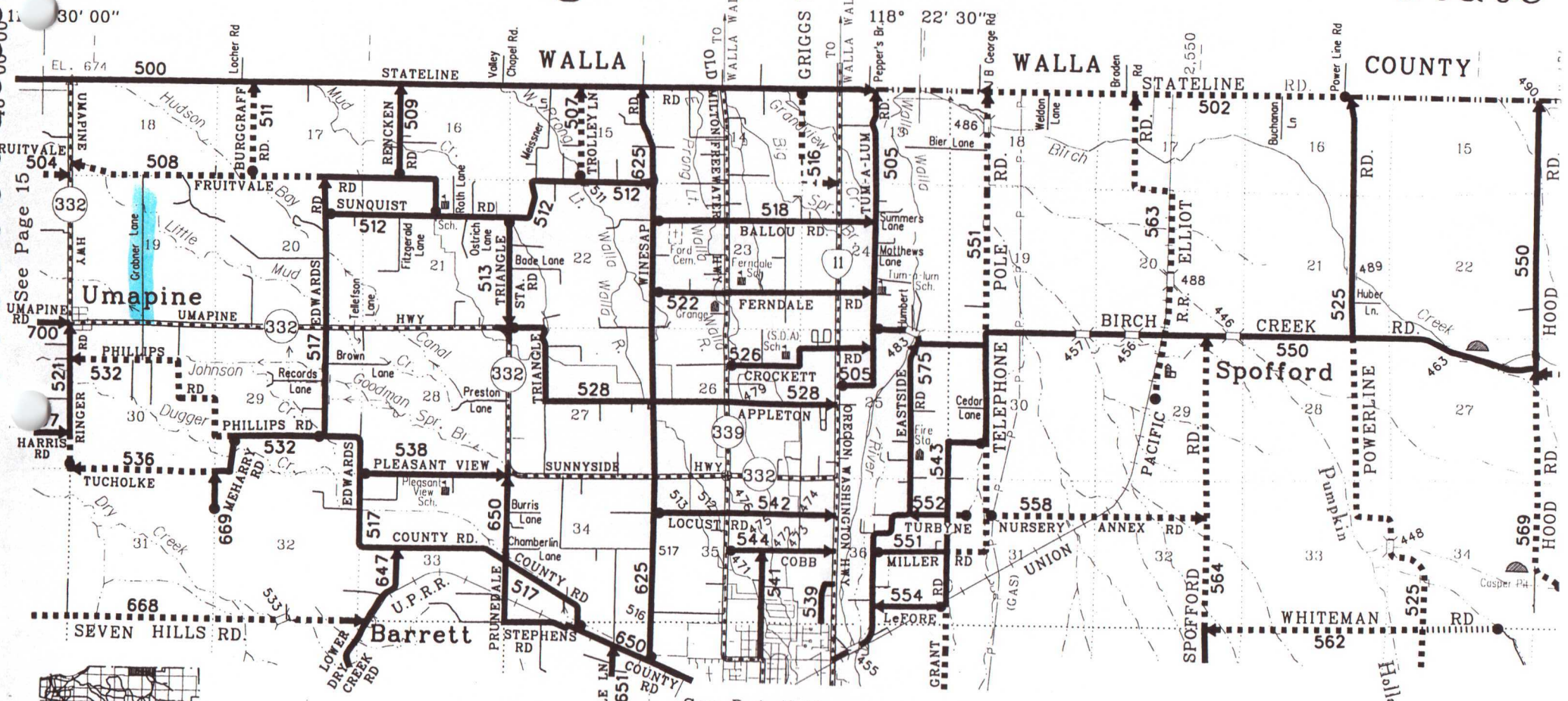
Lower Dry Cr Rd 647
 Meharry Rd 536, 669
 Miller Rd 551
 North Main St 541
 Nursery Annex Rd 558
 Phillips Rd 532
 Pleasant Veiw Rd 538
 Powerline Rd 525
 Prunedale Rd 650
 Rencken Rd 509
 Ringer Rd 521
 Seven Hills Rd 668
 Spofford Rd 564

Stateline Rd 500, 502
 Stephens Rd 650
 Sunquist Rd 512
 Telephone Pole Rd 551
 Tucholke Rd 536
 Triangle Rd 528
 Triangle Sta Rd 513

Trolley Ln 507
 Tum-A-Lum Rd 505
 Turbyne Rd 552
 Umapine Rd 700
 Weber Ln 516
 Whiteman Rd 562
 Winesap Rd 625

Washington

State



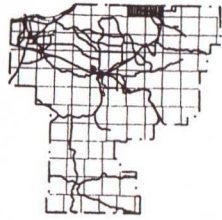
R35

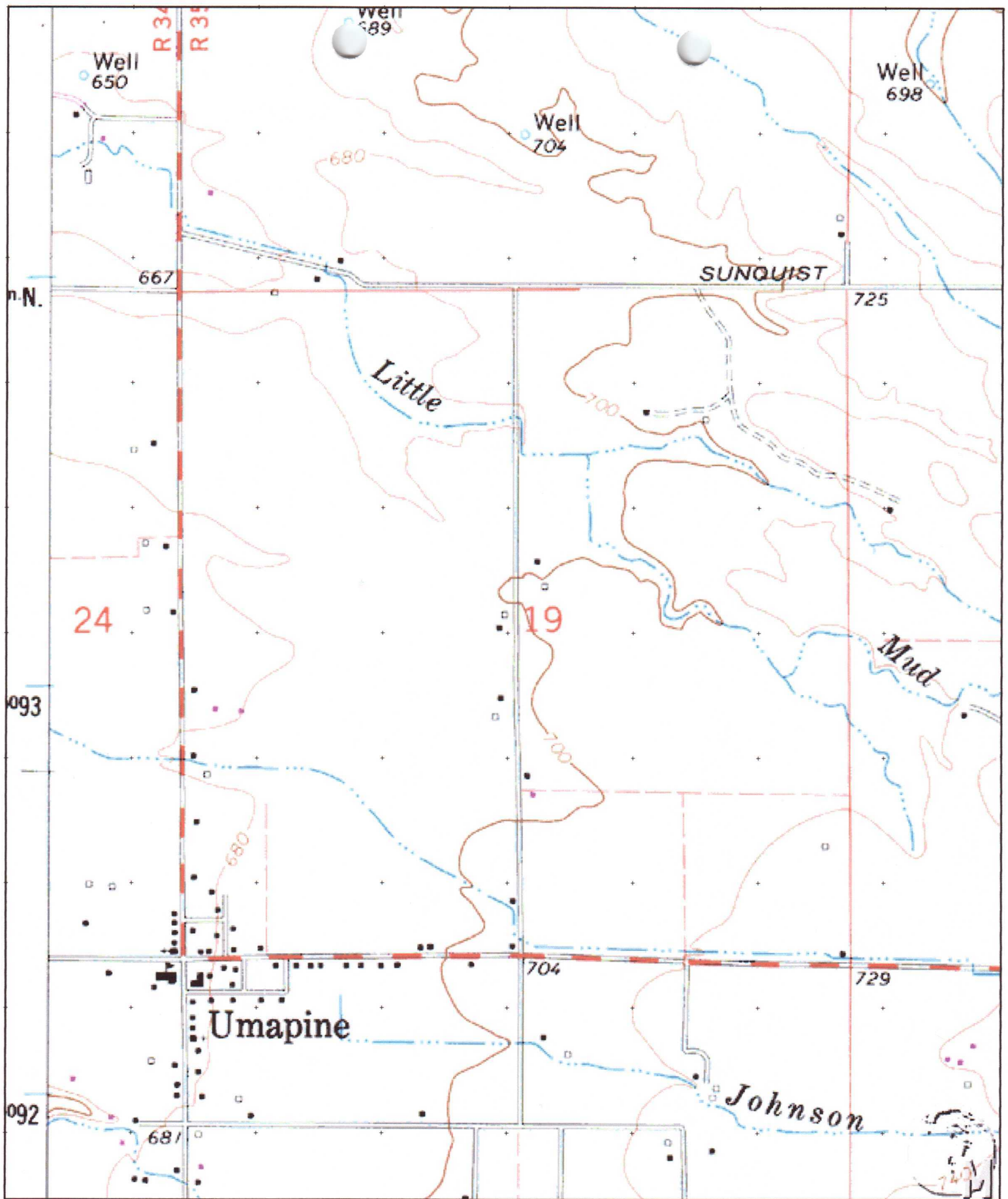
R36

See Detail Maps
 of Milton-Freewater
 Area Page 60, 61, & 62

See Page 19

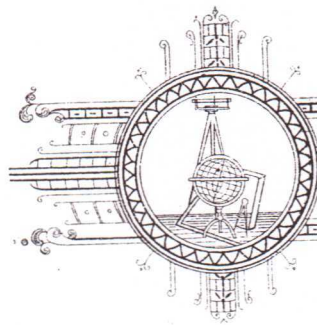
See Page 15





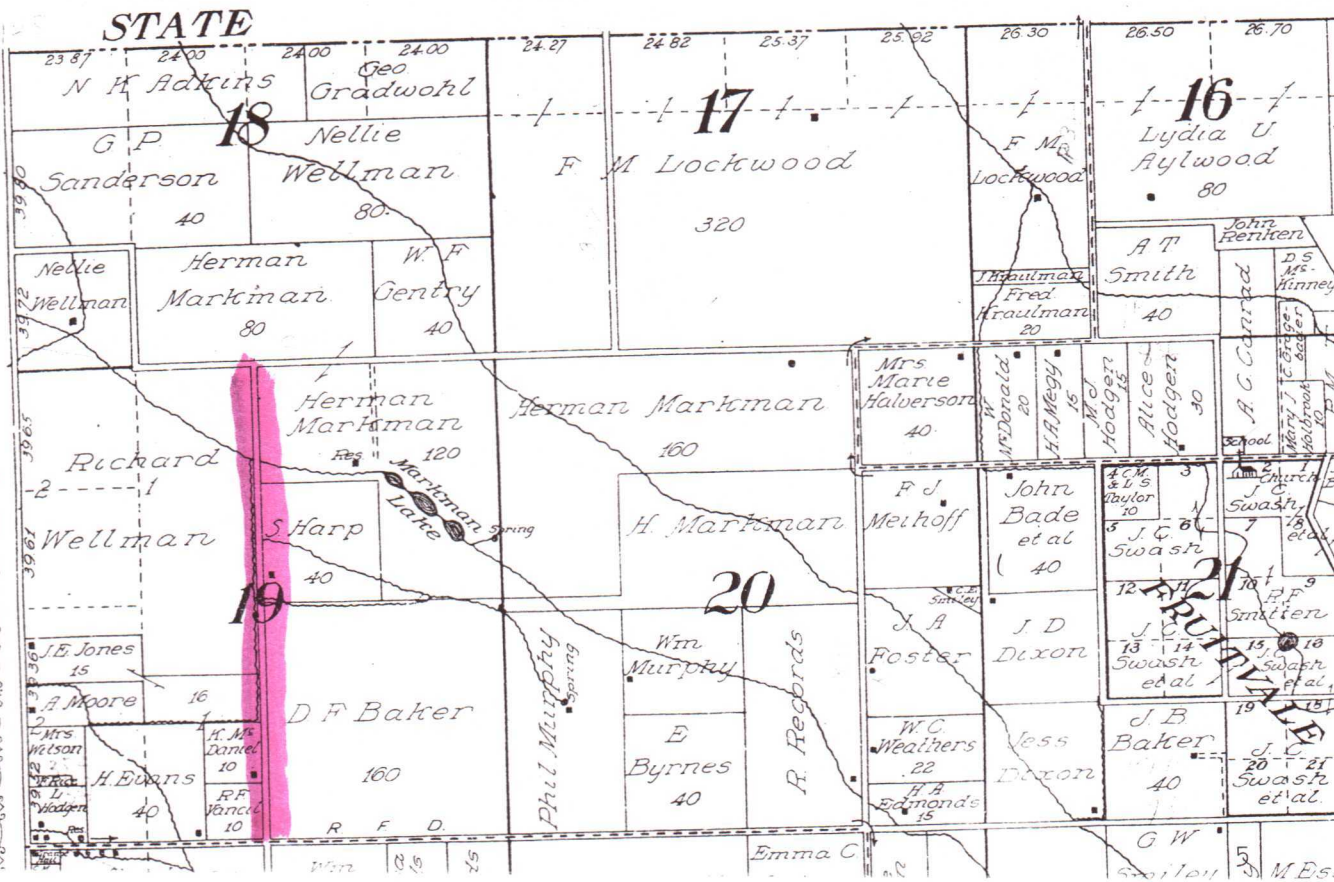
Name: MILTON-FREEWATER
 Date: 4/29/103
 Scale: 1 inch equals 1000 feet

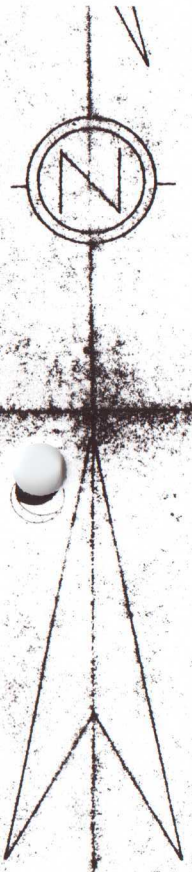
Location: 045° 59' 04.2" N 118° 29' 08.4" W



Part of Town

OF T





South

8+90.2 P.I.

S 76° 52' E

77° 30'

23+53.7 P.I.

23+25.9 P.C.
24+66.4 P.T.
55° 01' 00"
D = 140.0'

N 89° 51' E

34+38.1 A
0° 22' RT

Umapine State Line Road
Market Road # 21

90° 00'

Co. Road

UMATILLA COUNTY COURT
UMATILLA COUNTY COURTHOUSE
216 S. E. 4TH STREET
P. O. BOX 1427
PENDLETON, OREGON 97801
PHONE 276-7111

MEMORANDUM

DATE April 17, 1973

TO: All property owners concerned

FROM: Umatilla County Court

SUBJECT: County Road Department's sketch of road requested by Bill Pfaffle,
Louis Swearingen and John Grabner.

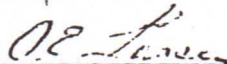
At considerable expense the Engineering Division of the Umatilla County Road Department has surveyed the road in question and placed some center line markers for your observation.

This public road is forty (40') feet in width, (20 feet to each side of center line).

To make this road eligible for acceptance as a County road there must be a right of way of at least fifty (50') feet.

Sincerely,

UMATILLA COUNTY COURT


C. E. LASSEN, COUNTY JUDGE


R. E. REES, COUNTY COMMISSIONER


RAYMOND BEVANS, COUNTY COMMISSIONER

cc: George Jones
Louis & Fannie Swearingen
Harry Rainwater
John Lee
John Grabner
C. B. Williams
C. O. & D. M. Christensen
Pete Pfaffle
M. E. Nibler
Lawrence Edwards
enclosure - map

Traverse Line Data

From Point	To Point	Bearing	Distance
Centerline Fruitvale Road	GR-1	S03°58'02"W	192.31'
North 1/4 Corner Section 19	GR-1	S04°29'09"W	172.38' (S04°30'36"W, 172.31', Survey 03-59-B)
GR-1	GR-2	S02°47'22"E	941.91'
North 1/4 Corner Section 19	South 1/4 Corner Section 19	S00°30'27"E	5361.63' (Measured and Record, Survey 03-59-B)

Oregon State Plane Coordinates
NAD '83 ('91) North Zone 3601 (International Feet)

Point	Northing	Easting
North 1/4 Cor. Sec. 19	853,931.27	8,713,840.39
GR-1	853,759.15	8,713,831.19
GR-2	852,819.26	8,713,862.26

Survey Narrative

The purpose of this survey was to monument a 40-foot wide right-of-way for a possible legalization of Grabner Lane as a public road at the request of the Umatilla County Board of Commissioners. Most deeds for parcels adjacent to the road are described by aliquot parts to the north-south centerline of Section 19. In a previous survey I did, Survey No. 03-59-B, I established the north-south centerline of the section. I held that line for the right-of-way centerline of Grabner Lane. Because the legalization hearing has not yet been held, surveyors and others should make sure a legalization order is on file before assuming the right-of-way shown on this plat actually exists. Bearings shown are true and were obtained by rotating grid bearings 1°25'41" clockwise about the South 1/4 Corner of Section 19. Multiply distances shown by a combined scale and elevation factor of 0.9993695 to obtain grid distances. This survey was performed using a Sokkia Radian GPS system. The base was operated from a control point established by static methods in my previous survey and new monuments were set using RTK methods.

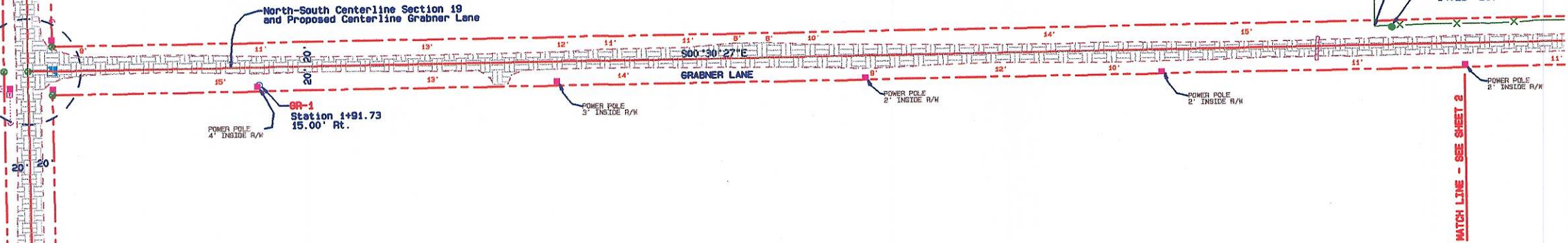
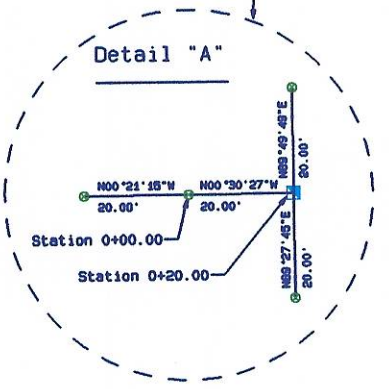


FRUITVALE ROAD (TO BE LEGALIZED AT A LATER DATE)
N89°49'45"E

TAX LOT 100
JOE CHVATAL

TAX LOT 101
LORENCE AND MARIANN PFAFFLE

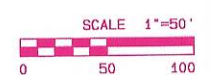
See Detail "A"
(Not To Scale)



LEGEND

- Set 5/8" X 30" iron rebar with yellow plastic cap marked "UCPWD...LS2627"
- Found 1" O.D. iron pipe 8" below road surface I accepted in Survey No. 03-59-B as North 1/4 Corner Section 19
- ⊙ Found railroad spike stamped "LS2627" with punch mark I set as South 1/4 Corner Section 19, Survey No. 03-59-B
- ⊙ Found 5/8" iron rebar with yellow plastic cap marked "UCPWD...LS2627" I set as the southwest reference to the North 1/4 Corner Section 19, Survey No. 03-59-B
- PPGL pole
- ⋯ Guy wire and anchor
- Telephone pedestal
- - - Edge of traveled road
- - - Proposed right-of-way line
- X—X— Fence
- ⋯ Culvert pipe or water line crossing
- ⊙ Calculated point only - nothing found or set

TAX LOT 400
RHEA GRAY



Note: Monuments Set April 1, 2003

Umatilla County Road Department
3420 Westgate
Pendleton, Oregon 97801
Phone 541/278-5424

Survey for the Legalization of Grabner Lane
Public Road No. 3008

Located in Section 19
Township 6 North, Range 35 E.W.M.

Date of Survey: February, 2003

Sheet 1 of 4

REGISTERED
PROFESSIONAL
LAND SURVEYOR

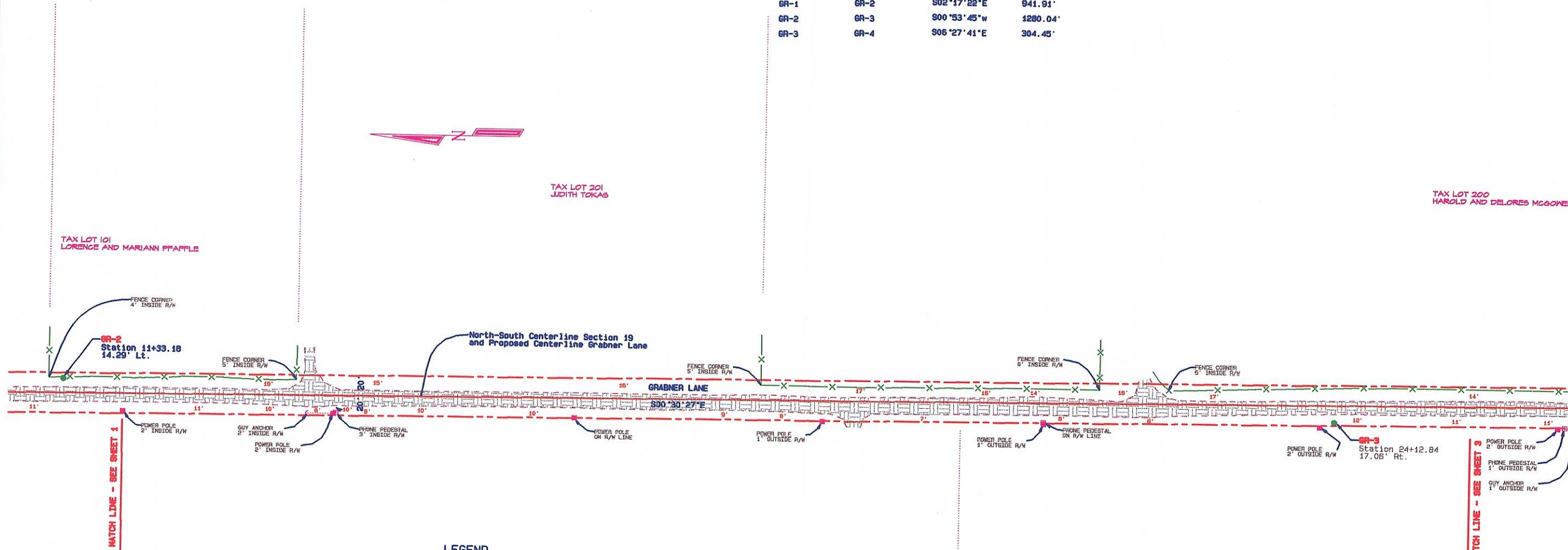
OREGON
JULY 20, 1989
GARY R. ROBERTS
2627
RENEWS 12/31/2004

Oregon State Plane Coordinates
NAD '83 ('94) North Zone 3601 (International Feet)

Point	Northing	Easting
GR-2	852,819.26	8,713,892.26
GR-3	851,539.32	8,713,904.15

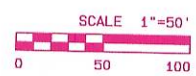
Traverse Line Data

From Point	To Point	Bearing	Distance
GR-1	GR-2	S02°17'22"E	841.91'
GR-2	GR-3	S00°53'45"W	1280.04'
GR-3	GR-4	S05°27'41"E	304.45'



LEGEND

- Set 5/8" X 30" iron rebar with yellow plastic cap marked "UCPMD...LS2627"
- Found 1" O.D. iron pipe 8" below road surface I accepted in Survey No. 03-59-B as North 1/4 Corner Section 19
- ⊙ Found railroad spike stamped "LS2627" with punch mark I set as South 1/4 Corner Section 19, Survey No. 03-59-B
- Found 5/8" iron rebar with yellow plastic cap marked "UCPMD...LS2627" I set as the southwest reference to the North 1/4 Corner Section 19, Survey No. 03-59-B
- PPL pole
- Guy wire and anchor
- Telephone pedestal
- Edge of traveled road
- - - Proposed right-of-way line
- x-x- Fence
- Culvert pipe or water line crossing
- ⊙ Calculated point only - nothing found or set



REGISTERED
PROFESSIONAL
LAND SURVEYOR

GARY R. ROBERTS
2627
RENEWS 12/31/2004

Note: Monuments Set April, 2003

Umatilla County Road Department
3920 Westgate
Pendleton, Oregon 97801
Phone 541/278-5424

Survey for the Legalization of Grabner Lane
Public Road No. 3008

Located in Section 19
Township 6 North, Range 35 E.W.M.

Date of Survey: February, 2003

Sheet 2 of 4

Oregon State Plane Coordinates
NAD '83 ('91) North Zone 3601 (International Feet)

Point	Northing	Easting
GR-4	851,237.77	8,713,945.94
GR-5	850,423.02	8,713,939.17

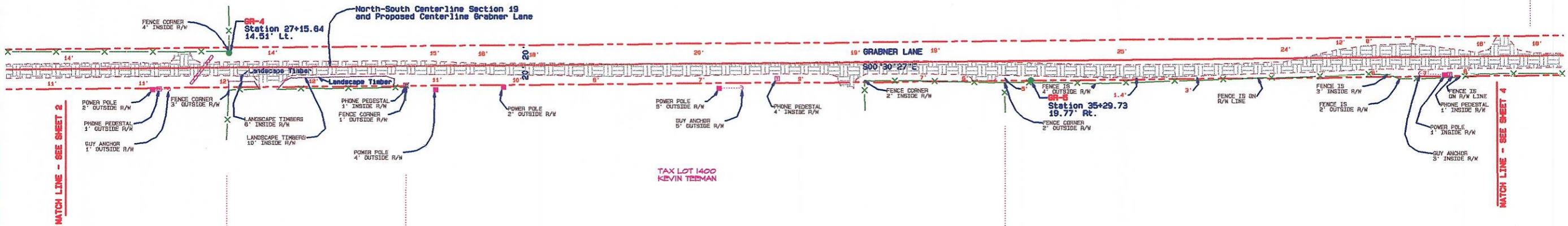
Traverse Line Data

From Point	To Point	Bearing	Distance
GR-3	GR-4	S06°27'41"E	304.45'
GR-4	GR-5	S01°54'15"W	814.81'
GR-5	GR-6	S00°55'36"E	804.98'
GR-6	GR-7	S00°43'02"E	472.56'



TAX LOT 200
HAROLD AND DELORES MOOMEN

TAX LOT 1601
PATRICIA PORTER LEE



TAX LOT 1400
KEVIN TEEMAN

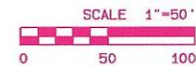
TAX LOT 1900
KELVEN AND BEVERLY SEIBOLD

TAX LOT 600
RHEA GRAY

TAX LOT 1500
MARRIN AND TAMMY TOKAS

LEGEND

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- PP&L pole
- Guy wire and anchor
- ▣ Telephone pedestal
- - - - - Edge of traveled road
- Proposed right-of-way line
- X — X — Fence
- Culvert pipe or water line crossing
- ⊙ Calculated point only - nothing found or set



REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 21, 1989
GARY R. ROBERTS
2627
RENEWS 12/31/2004

Note: Monuments Set April, 2003

Umatilla County Road Department
9420 Westgate
Pendleton, Oregon 97801
Phone 541/278-5424

Survey for the Legalization of Grabner Lane
Public Road No. 3008

Located in Section 19
Township 6 North, Range 35 E.M.M.

Date of Survey: February, 2003

Sheet 3 of 4

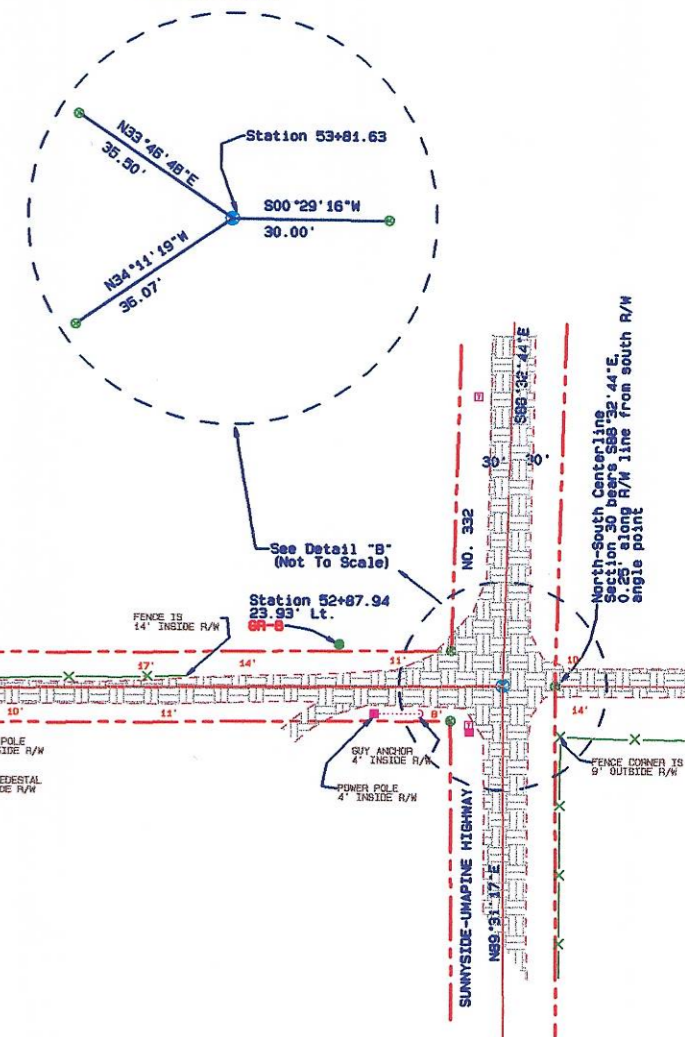
Traverse Line Data

From Point	To Point	Bearing	Distance
GR-6	GR-7	S00°43'02"E	472.56'
GR-7	GR-8	S04°48'02"E	482.06'
GR-8	South 1/4 Corner Section 19	S13°49'23"W	96.69'

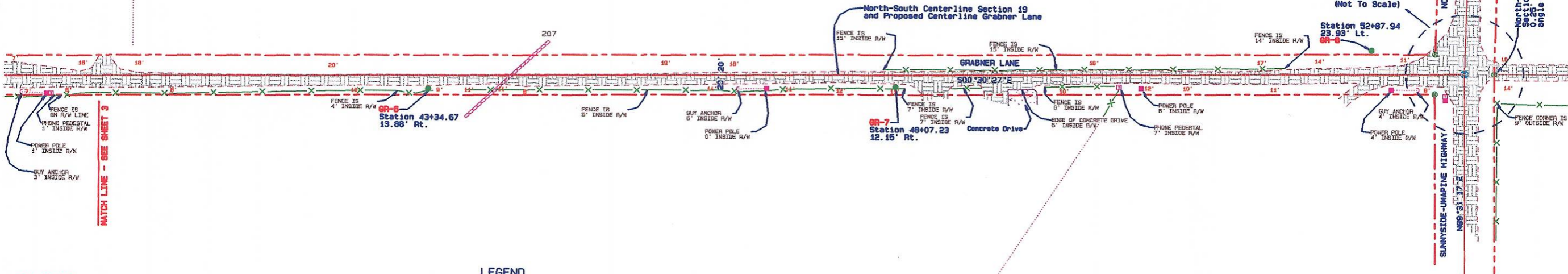
Oregon State Plane Coordinates
NAD '83('91) North Zone 3601 (International Feet)

Point	Northing	Easting
GR-6	849,618.77	8,713,972.24
GR-7	849,146.55	8,713,989.93
GR-8	848,667.36	8,714,042.23
South 1/4 Cor. Sec. 19	848,572.92	8,714,021.47

Detail "B"



TAX LOT 1600
PATRICIA PORTER LEE



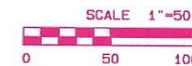
MATCH LINE - SEE SHEET 3

TAX LOT 1300
KELVEN AND BEVERLY SEIBOLD

TAX LOT 1200
RUSSELL AND LETTIE GINTER

LEGEND

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- ⋯ Guy wire and anchor
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- X-X- Fence
- ⋯ Culvert pipe or water line crossing
- ⊙ Calculated point only - nothing found or set



REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JUL 23, 1983
GARY R. ROBERTS
2627
RENEWS 12/31/2004

Note: Monuments Set April, 2003
 Umatilla County Road Department
 3920 Westgate
 Pendleton, Oregon 97801
 Phone 541/278-5424
 Survey for the Legalization of Grabner Lane
 Public Road No. 3008
 Located in Section 19
 Township 6 North, Range 35 E.W.M.
 Date of Survey: February, 2003
 Sheet 4 of 4

A

