



THE BOARD OF COMMISSIONERS OF UMATILLA COUNTY
STATE OF OREGON

In the Matter of Vacation of)
a Portion of Tamarack Avenue) Order No. RD2019-08
near Hermiston, Oregon)

WHEREAS, in accordance with ORS 368.341(1)(c), the Umatilla County Board of Commissioners received and accepted a petition to vacate a portion of Tamarack Avenue, a public road located in Section 12, Township 4 North, Range 28, E.W.M., near the City of Hermiston, along with adjacent right of way dedicated for public purposes, and right of way dedicated for public purposes as part of southerly extension of SE 11th Street, and

WHEREAS, pursuant to ORS 368.346, the Board of Commissioners directed the Public Works Director to prepare and file a written report including a recommendation as to whether the vacation would be in the public interest, and

WHEREAS, the Public Works Department has prepared a report on the petition, and

WHEREAS, in accordance with ORS 368.346(2), the Board of Commissioners held a public hearing on March 13, 2019, to consider the proposed vacation, and

WHEREAS the City of Hermiston submitted a letter on the petition, objecting to the vacation, particularly that portion of the right of way that could be utilized as a future extension of SE 11th Street.

NOW THEREFORE, the Board of Commissioners finds and orders that:

1. It is in the public interest to vacate a portion of Tamarack Avenue, as described below.
2. The portion of Tamarack Avenues described as follows is vacated:

Part "A"

That portion of Tract 2, a local access road for road and utility purposes dedicated in Dedication Deed recorded as

Instrument No. 2005-4920401, Records of Umatilla County, Oregon, being located within a portion of the north 30.00 feet of Lot 6, Block L, Hermiston Orchards, according to the plat thereof recorded under Book 2, Page 81, Records of Umatilla County, Oregon, being more particularly described as follows:

The north 30.00 feet of said Lot 6, Block L, lying easterly of an extension of the westerly boundary of that certain parcel described in deed recorded as Instrument No. 2017-6590772, Records of Umatilla County, Oregon, northerly to the northerly boundary of said Lot 6, Block L.

TOGETHER WITH

Part "B"

The 30.00-foot public road and utility easement dedicated within Parcel 1 of Partition Plat 1994-30, Records of Umatilla County, Oregon, being located within the south 30.00 feet of Lot 7, Block L, said plat of Hermiston Orchards;

EXCEPTING THEREFROM, that portion of the above described public road and utility easement lying within the south 30.00 feet of the west 20.00 feet of said Parcel 1.

3. Ownership of the vacated right of way shall vest as allowed in ORS 368.366 as follows:

Part A - to become a part of Umatilla County Tax Lot 4N2812C-704, also known as parcel described in deed recorded as Instrument No. 2017-6590772, Records of Umatilla County, Oregon;

Part B - to become a part of Umatilla County Tax Lot 4N2812C-806, also known as Parcel 1 of Partition Plat 1994-30, Records of Umatilla County, Oregon.

4. The 20 feet public road and utility easement dedicated to the public on Partition Plat No. 1994-30, recorded on September 26, 1994, and located on the West 20 feet of Parcel 1, Partition Plat No. 1994-30, is accepted on behalf of Umatilla County as a local access road.

5. The portion of the petition for vacation of the 20-foot access and utility easement on the west side of the property is denied.

DATED this 13th day of March, 2019.

UMATILLA COUNTY BOARD OF COMMISSIONERS

William J. Elfering
William J. Elfering, Chair

George L. Murdock
George L. Murdock, Commissioner

John M. Shafer
John M. Shafer, Commissioner



ATTEST:
OFFICE OF COUNTY RECORDS

Steve Churchill
Records Officer



State of Oregon
County of Umatilla



Instrument received
and recorded on
4/4/2019 9:59:03 AM

in the record of instrument
code type DE-ORDER

Instrument number 2019-6840352
Fee \$0.00

Office of County Records

Steve Churchill

Records Officer
1095132 P3