

Ad
10/1

RECEIVED **BEFORE THE BOARD OF COMMISSIONERS FOR UMATILLA COUNTY**

JUN 10 1998

STATE OF OREGON

UMATILLA COUNTY
RECORDS
2:30 PM

**IN THE MATTER OF THE)
VACATION OF A PORTION OF) ORDER NO. RD 98-03
WEST 2nd STREET, A PUBLIC ROAD)
IN CHARLES TRACTS SUBDIVISION)**

WHEREAS, this matter previously came before the Umatilla County Board of Commissioners for proceedings to vacate a portion of West 2nd Street, a platted public street lying between Blocks 12 and 23 in the Charles Tracts Subdivision near Hermiston, Oregon; and

IT APPEARING that pursuant to ORS 368.341, the Board of Commissioners accepted and referred to the Director of Public Works for investigation a petition initiating proceedings to vacate said road; and

IT APPEARING that the Director of Public Works, after reviewing the petition and coordinating with utility companies has recommended that the above described portion of West 2nd Street be vacated; and

IT FURTHER APPEARING that subsequent to acceptance of the petition, a public hearing was held on the proposed vacation on June 10, 1998, in Room 114 of the Umatilla County Courthouse in Pendleton, Oregon; that notice of the time and place of the hearing was given as provided by law, and proof of posting and notice is on file in the Umatilla County Road Records; and hearing no objections to the vacation of the street and finding the property to have no value to the County and the Board of Commissioners finding that it would be in the public interest to vacate that portion of West 2nd Street lying between Blocks 12 and 23, south of Birtrand Street, and north of Robnett Street:

NOW THEREFORE IT IS HEREBY ORDERED that the portion of West 2nd Street described above be vacated and that all right and title thereto does hereby vest in the owners of the land abutting the vacated property by extension of the owners' abutting boundaries to the center of the vacated property, in accordance with ORS 368.366.

IT IS ALSO ORDERED that an easement over and across the westerly 20 feet of the street be reserved for ingress and egress to Lot 4 Block 23, Charles Tracts, and for construction and maintenance of an existing water line. The easement to be reserved is described as follows: Beginning at the Northeast Corner of Lot 5, Block 12 of the Charles Tracts Subdivision; thence N79°33'15"E, 20.00 feet along an extension of the North line of Block 23, Charles Tracts; thence S10°26'45"W, 420 feet, more or less, to the extension of the South line of Block 23, Charles Tracts; thence S79°33'15"W, 20.00 feet along the extension of the south line of Block 23, Charles Tracts to the

West 2nd Street Vacation - Page 2

Southeast Corner of Lot 1, Block 23, Charles Tracts; thence N10°26'45"W, 420 feet, more or less, to the point of beginning. This vacation is also subject to the rights of all public and private utility companies or other easements of record.

Dated this 10th day of June, 1998.

UMATILLA COUNTY
BOARD OF COMMISSIONERS

ABSENT

Dennis Doherty, Chairman

ATTEST: OFFICE OF COUNTY RECORDS

Emile M. Holeman
Emile Holeman, Commissioner

By: Jean Hempt
Records Officer

William S. Hansell
William S. Hansell, Commissioner

APPROVED AS TO FORM:

William Jones
William Jones, County Counsel

