

FROM (DEPT/ DIVISION): County Counsel

SUBJECT: Generation Road Vacation

<p>Background:</p> <p>The County received a petition to vacate a portion of Generation Road, a public road. The purpose of the vacation is to relocate the road. The adjoining property owners have signed the petition, and the other users of the road have consented to the vacation. The matter can proceed without a public hearing, and is before the Board for consideration. Public Works Department is in support of the petition.</p>	<p>Requested Action:</p> <p>Adopt Order No. RD2024-05</p>
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ATTACHMENTS : Road Vacation Report; Proposed Order

*****For Internal Use Only*****

Checkoffs:

- () Dept. Heard (copy)
- () Human Resources (copy)
- (X) Legal (copy)
- () (Other - List:)

To be notified of Meeting:
Tom Fellows
Needed at Meeting:

Scheduled for meeting on: October 2, 2024

Action taken:

Follow-up:

UMATILLA COUNTY
PUBLIC WORKS DEPARTMENT

GENERATION ROAD
ROAD VACATION REPORT

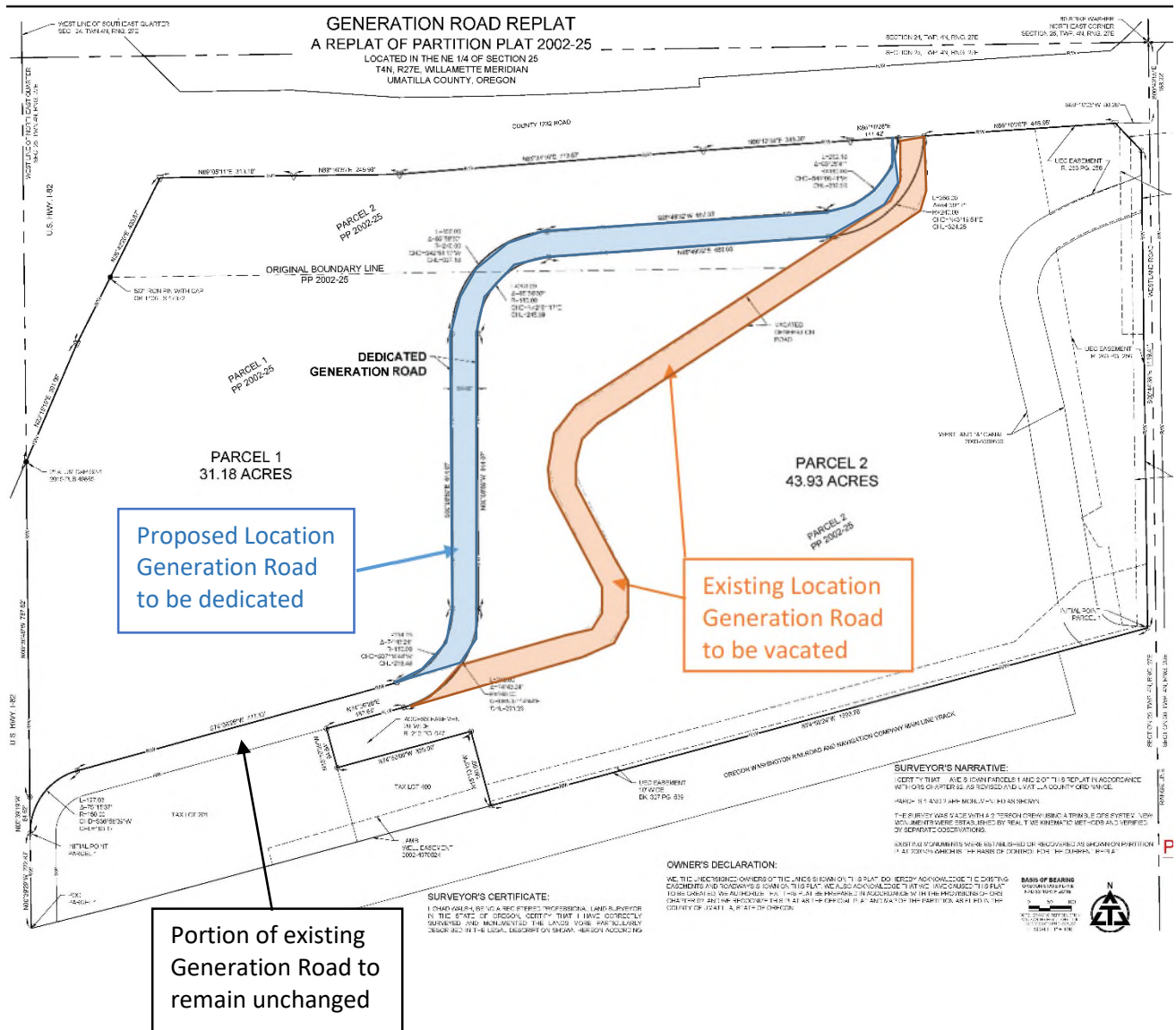
PROPOSED VACATION OF A PORTION OF GENERATION ROAD
LOCATED IN THE NE $\frac{1}{4}$ OF SECTION 25, T4N, R27E, W.M.,
UMATILLA COUNTY, OREGON.

October 7, 2024

VACATION PETITION PROPOSAL

Petitioner (Columbia Basin Properties, LLC) is proposing the vacation of a portion of Generation Road, while simultaneously dedicating public right-of-way over the subject property using a slightly different alignment to better accommodate land development options. In summary, the road is proposed to be realigned as depicted and described in the petition and further mapped in the proposed Generation Road Replat below.

Generation Road as it currently exists is outlined in orange while the newly proposed location is shown in blue. The remainder is to remain unchanged as noted below. A copy of the petition is included with this report.

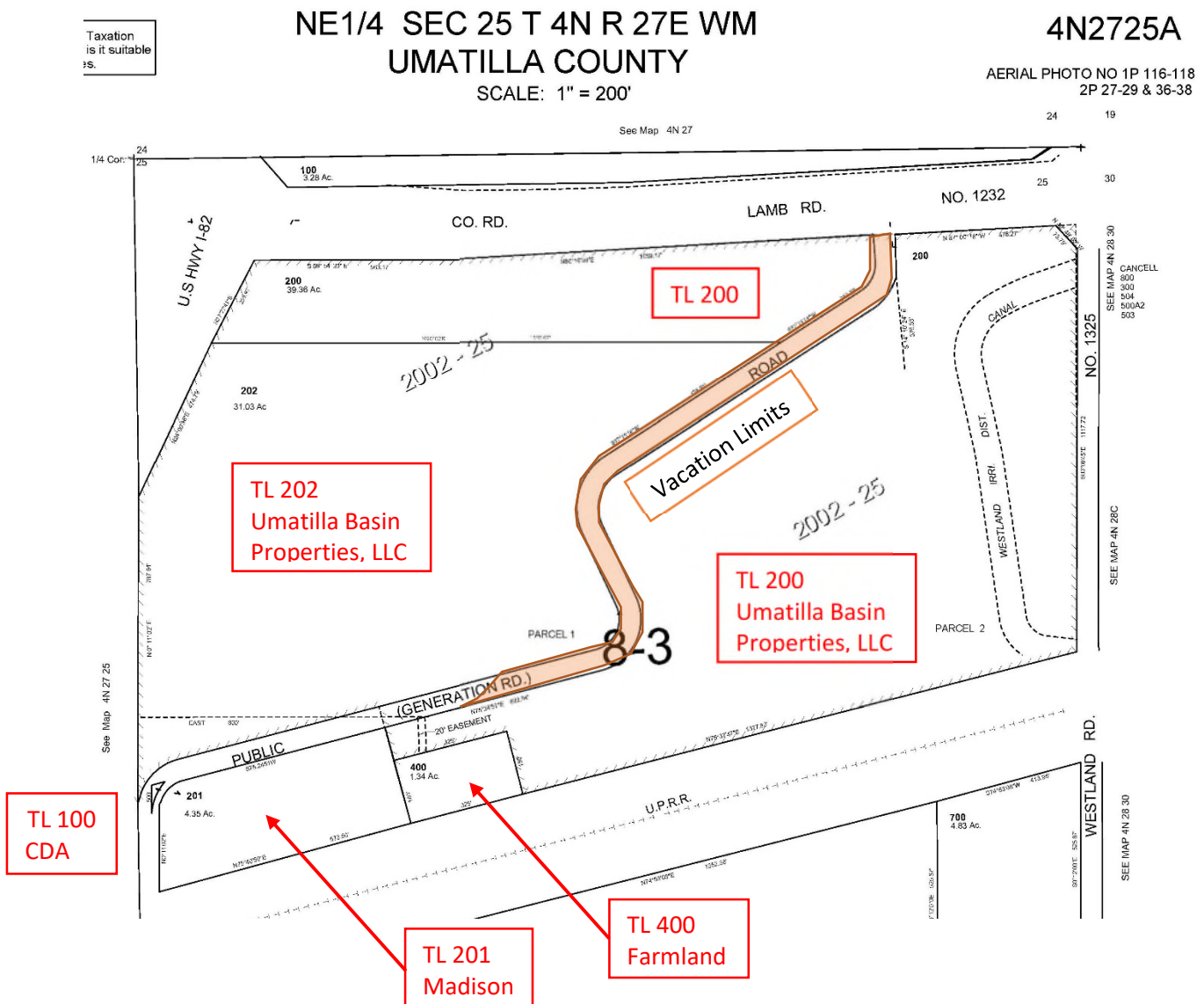


DESCRIPTION OF OWNERSHIP

Property proposed to be vacated (Generation Road) was dedicated as a public roadway and accepted by the Umatilla County Board of Commissioners under Reel 211, Page 1295, as recorded on October 11, 1991, Office of County Records, Umatilla County, Oregon. Generation Road is a local access road subject to the jurisdiction of Umatilla County.

That portion of Generation Road proposed for vacation lies entirely within Tax Lots 200 and 202 of Map 4N2725A, both owned by Umatilla Basin Properties, LLC (Petitioner). The road also serves as the primary access for Tax Lot 201 owned by Madison Ranches Land 1, LLC and Tax Lot 400 owned by Farmland Reserve, Inc., both of Map 4N2725A. In addition, Tax Lot 100 of Map 4N2725 owned by Columbia Development Authority has a gate and access onto Generation Road at its southerly most terminus. All of these abutting owners have provided a letter of consent to the proposed vacation, making this vacation eligible to proceed without hearing per Oregon Revised Statute 368.351. A copy of these letters has been included with this report.

If vacated, ownership shall revert back to Umatilla Basin Properties, LLC (Parcel's 1 and 2 of Partition Plat 2002-25) with property lines being revised as mapped on the proposed Generation Road Replat.



PROPERTY USES

Adjoining properties are currently zoned a combination of Light Industrial and Rural Tourist Commercial. The majority of abutting property is undeveloped. Tax Lots 201 & 400 of Map 4N2725A have been developed with industrial structures and currently represent the primary users of Generation Road. Being the road is proposed for realignment and will be constructed to the "D" Industrial/Agricultural Road Standard, there are no anticipated changes to current property use.

ASSESSMENT OF PUBLIC INTEREST

Generation Road currently has an alignment that limits development options for adjoining properties. Its current condition is made up of a portion of unmaintained asphalt in very poor condition with the remainder being gravel in fair condition. Re-aligning the road as proposed would create an opportunity to correct the faulty alignment and improve the road to a more maintenance friendly "D" industrial/agricultural standard. The Umatilla County Public Works Department determines this proposal would be in the public's best interest subject to the following recommended conditions:

- 1) All public utility companies using the current location of Generation Road be provided adequate notice to remove and/or relocate their existing facilities. This shall be done in coordination with all landowners actively using the service line to minimize unplanned service outages and inconvenience.
- 2) Demolition of the existing road and construction of the new road shall be completed so as not to disrupt the public access for Tax Lots 100, 201, and 400.

The Public Works Department recommends that if this vacation request is approved by the Board of County Commissioners, it be stated in the Final Order that the road shall become vacated with the recording of the Generation Road Replat. Vacation approval prior to the Generation Road Replat being recorded would create a situation where legal public access would be eliminated. Having the road vacation and replat happen simultaneously where the Vacation Order references the Replat, and the Replat references the Vacation Order assures continuous and uninterrupted public access.

Generation Road – Looking South
(Intersection of Lamb Rd. with Generation Rd.)



Generation Road
Begin Vacation

Lamb Road

Generation Road – Looking Southwest



Paving in poor condition

Generation Road – Looking Southwest



Generation Road – Looking Southeast



Generation Road – Looking South



Generation Road – Looking Southwest



Generation Road
End Vacation

Generation Road – Present Utilities



WE, UMATILLA BASIN PROPERTIES, LLC, PETITION THE BOARD OF COUNTY COMMISSIONERS OF UMATILLA COUNTY TO VACATE A PORTION OF GENERATION ROAD, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

That portion of Generation Road found on Partition Plat 2002-25 and currently depicted on Assessor's Map 4N 27 25A. See attached drawings and legal descriptions for the portion of Generation Road that is proposed for vacation. Also provided for reference is the location of the realigned Generation Road to be accomplished via an associated Conditional Use Permit, to authorize the relocation of the road, and Replat, to move property lines and dedicate the new location of the road, submitted for review and approval to the Umatilla County Planning Department concurrent with this request.

I

Petitioners are the owners, as shown in the records of Umatilla County, of property abutting the public use road proposed to be vacated. Those properties are tax lot 200 and 202 of Assessor's Map 4N 27 25A, also described as Parcels 1 and 2 of Partition Plat 2002-25.

To comply with procedural requirements of Umatilla County this request for vacation is partnered by a request to the Umatilla County Planning Department for a Conditional Use Permit and Replat to authorize, realign, and dedicate Generation Road.

Petitioners are not the only people affected by this petition. Owners of tax lots 201 and 400 of Assessor's Map 4N 27E 25A and a portion of tax lot 100 of Assessor's Map 4N 27 25 receive access from Generation Road. The portion of Generation Road that abuts their properties or the location of their access is not proposed for vacation. The realignment of Generation Road has the most effect on the properties owned by the Petitioner.

II

No portion of the property proposed to be vacated is situated within the corporate limits of any city.

III

The circumstances that justify granting a vacation of the described property are:

- Generation Road, as currently configured, follows the previous alignment of the Westland Irrigation District canal situated on tax lot 202 of Assessor's Map 4N 27E 25A which has been realigned. The canal realignment was done in cooperation with the Westland Irrigation District.
- The current configuration of Generation Road bisects the property owned by Umatilla Basin Properties, LLC and limits its uses. The realignment of Generation Road will provide more land for development in accordance with the Umatilla County Development Code.
- The proposed road vacation, and subsequent realignment, only addresses the part of Generation Road that abuts the subject properties identified above.

The reason for requesting this vacation is that the subject road segment of Generation Road has been identified to negatively affect the development potential of the subject properties. This proposed Vacation and the companion Conditional Use Permit and Replat to approve the realignment and dedicate the new location of the road will result in Generation Road continuing to serve the properties identified above and be situated to allow development of the properties owned by the Petitioner.

IV

We, Umatilla Basin Properties, LLC, hereby request that the Board of County Commissioners consider this petition for vacation of public property and that an order be entered vacating the property more particularly described above.

Dated this 29 day of April, 2024.

Robert Echenrode

Robert Echenrode
750 W Elm Avenue
Hermiston, Oregon 97838

CERTIFICATION

On this 29 day of April, 2024, before me, the undersigned, Robert Echenrode, personally appeared, known to me to be the identical individual described in and who executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last written above.

STATE OF OREGON Oregon) ss
COUNTY OF Umatilla)

Lynda Louise Kennedy
NOTARY PUBLIC FOR OREGON

My Commission Expires February 06, 2027

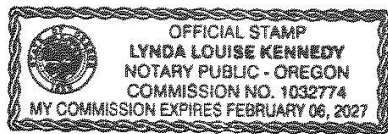


EXHIBIT "A"

Being a road vacation containing 2.570 acres (111,933 square feet) of land situated in the Northeast Quarter (1/4) of Section 25, Township 4 North, Range 27 East of the Willamette Meridian in Umatilla County, Oregon and being out of Partition Plat No. 2002-25 recorded in the Umatilla County Records, said road vacation being more particularly described by metes and bounds as follows: (Bearings cited herein are based on NAD 83, Oregon State Plane, North Zone)

COMMENCING at the intersection of the north right-of-way line of the Oregon Washington Railroad and Navigation Company Main Line Track and the west line of said Northeast Quarter of Section 25 and the southwest corner of Generation Road;

THENCE, North 00°39'29" West, along the west line of said Northeast Quarter and a west line of said Generation Road, a distance of 222.83 feet to a point for the beginning of a curve to the right;

THENCE, in a northeasterly direction, along a west line of said Generation Road, an arc distance of 197.05 feet, along said curve to the right, having a central angle of 75°15'57", a radius of 150.00 feet, and a chord which bears North 36°58'29" East, 183.18 feet to a point for end of curve;

THENCE, North 74°36'26" East, along a north line of Generation Road, a distance of 935.87 feet to the **POINT OF BEGINNING** of the herein described road vacation;

THENCE, North 74°36'26" East, a distance of 276.70 feet to the beginning of a curve to the left;

THENCE, in a northeasterly direction, an arc distance of 152.73 feet, along said curve to the left, having a central angle of 100°28'45" a radius of 87.09 feet, and a chord which bears North 24°21'30" East, 133.90 feet to a point for end of curve;

THENCE, North 25°53'26" West, a distance of 221.66 feet to the beginning of a curve to the right;

THENCE, in a northeasterly direction, an arc distance of 244.32 feet, along said curve to the right, having a central angle of 82°32'39", a radius of 169.59 feet, and a chord which bears North 15°18'15" East, 223.73 feet to a point for the end of curve;

THENCE, North 56°29'55" East, a distance of 716.85 feet to the beginning of a curve to the left;

THENCE, in a northeasterly direction, an arc distance of 333.86 feet, along said curve to the left, having a central angle of 79°42'10", a radius of 240.00 feet, and a chord which bears North 40°41'20" East, 307.58 feet;

THENCE, North 86°10'26" East, a distance of 0.72 feet;

THENCE, South 04°59'01" East, a distance of 74.47 feet to the beginning of a curve to the right;

THENCE, in a southwesterly direction, an arc distance of 160.19 feet, along said curve to the right, having a central angle of 61°29'41", a radius of 149.25 feet, and a chord which bears South 25°45'27" West, 152.61 feet to a point for end of curve;

THENCE, South 56°29'55" West, a distance of 846.70 feet to the beginning of a curve to the left;

Vacation Petition – Property Description

THENCE, in a southwesterly direction, an arc distance of 158.04 feet, along said curve to the left, having a central angle of $82^{\circ}37'46''$, a radius of 109.59 feet, and a chord which bears South $15^{\circ}18'16''$ West, 144.70 feet to a point for the end of curve;

THENCE, South $25^{\circ}53'26''$ East, a distance of 221.66 feet to the beginning of a curve to the right;

THENCE, in a southwesterly direction, an arc distance of 257.97 feet, along said curve to the right, having a central angle of $100^{\circ}29'21''$, a radius of 147.09 feet, and a chord which bears South $24^{\circ}21'31''$ West, 226.16 feet to a point for the end of curve;

THENCE, South $74^{\circ}36'26''$ West, a distance of 434.06 feet to the beginning of a curve to the left

THENCE, in a northeasterly direction, an arc distance of 172.07 feet, along said curve to the left, having a central angle of $41^{\circ}04'46''$, a radius of 240.00 feet, and a chord which bears North $53^{\circ}44'14''$ East, 168.41 feet to the **POINT OF BEGINNING** and containing 2.570 acres of land.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Chad W. Walsh
12-16-23

OREGON
MARCH 9, 2021
Chad W Walsh
96420PLS

EXPIRATION DATE: 06/30/2024

Vacation Petition – Exhibit Map

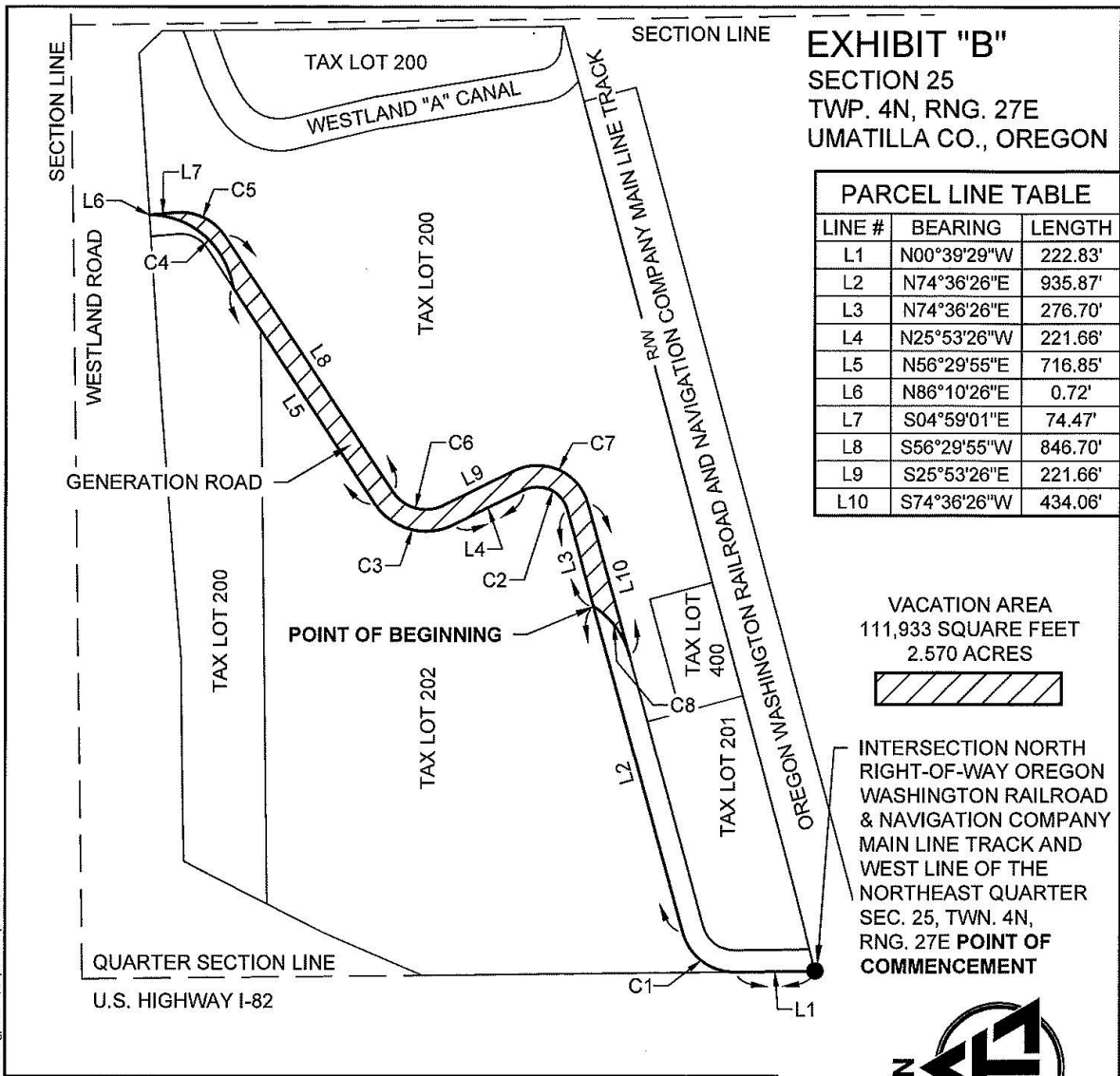
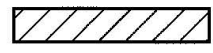


EXHIBIT "B"
 SECTION 25
 TWP. 4N, RNG. 27E
 UMATILLA CO., OREGON

LINE #	BEARING	LENGTH
L1	N00°39'29"W	222.83'
L2	N74°36'26"E	935.87'
L3	N74°36'26"E	276.70'
L4	N25°53'26"W	221.66'
L5	N56°29'55"E	716.85'
L6	N86°10'26"E	0.72'
L7	S04°59'01"E	74.47'
L8	S56°29'55"W	846.70'
L9	S25°53'26"E	221.66'
L10	S74°36'26"W	434.06'

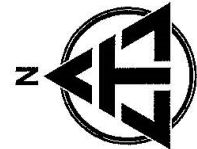
VACATION AREA
 111,933 SQUARE FEET
 2.570 ACRES



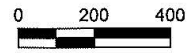
INTERSECTION NORTH
 RIGHT-OF-WAY OREGON
 WASHINGTON RAILROAD
 & NAVIGATION COMPANY
 MAIN LINE TRACK AND
 WEST LINE OF THE
 NORTHEAST QUARTER
 SEC. 25, TWN. 4N,
 RNG. 27E POINT OF
 COMMENCEMENT

V:\2025-24-523\projects\ordnance switchyard\drawings\ordnance switchyard\vacation.dwg, Jan. 17, 2018 9:24 AM\cawwener

CURVE #	DELTA	LENGTH	RADIUS	CHD BEARING	CHD DISTANCE
C1	75°15'57"	197.05'	150.00'	N36°58'29"E	183.18'
C2	100°28'45"	152.73'	87.09'	N24°21'30"E	133.90'
C3	82°32'39"	244.32'	169.59'	N15°18'15"E	223.73'
C4	79°42'10"	333.86'	240.00'	N40°41'20"E	307.58'
C5	61°29'41"	160.19'	149.25'	S25°45'27"W	152.61'
C6	82°37'46"	158.04'	109.59'	S15°18'16"W	144.70'
C7	100°29'21"	257.97'	147.09'	S24°21'31"W	226.16'
C8	41°04'46"	172.07'	240.00'	N53°44'14"E	168.41'



BASIS OF BEARING
 OREGON STATE PLANE
 NAD 83 NORTH ZONE



NOTE: DRAWING REPRODUCTION
 AND SCALING MAY CHANGE THE
 INDICATED GRAPHIC SCALES
 H. SCALE: 1" = 400'

DATE	REVISION	#	 1550 E. REPUBLIC ROAD SPRINGFIELD, MO 65804 Ph: 417-888-0645 Fax: 417-883-0657 www.totthassociates.com CERTIFICATE OF AUTHORITY: CSR NOT REQUIRED © 2024 Toth and Associates, Inc.	DATE BY	PROJECT:
11/30/2023	ISSUED FOR REFERENCE	0		CGW	ORDNANCE SWITCHYARD
01/17/2024	REVISED FOR REFERENCE	1	CGW	LOCATION:	LA: 45.9152°, LN: -119.2670°, UMATILLA COUNTY, OR
			CGW	CLIENT:	UMATILLA ELECTRIC COOPERATIVE HERMISTON, OREGON OREGON-14-UMATILLA
			DATE	TITLE:	ROAD VACATION GENERATION ROAD
					SHEET NO: 1 OF 1

NOTICE OF CONSENT

Madison Ranches Land 1, LLC
29299 Madison Rd
Echo, OR 97826

This document serves as notice that the undersigned is owner of the property identified below and expressly gives permission to Umatilla Basin Properties (UBP) to apply for relocation of Generation Road, a Public Road, which it intends to complete to facilitate the development of the surrounding property. UBP will maintain access to land which is accessible via Generation Road and is responsible for submitting the necessary applications to Umatilla County to vacate the current road location and rededicate this road to a new alignment as presented in the Preliminary Replat drawing (attached).

Property Identification:	Account #:149516 (Part of the Northeast Quarter of Section 25)
Property Owner:	Madison Ranches Land 1, LLC
Assessor's Tax Map Description:	4N2725A000201
Owner Mailing Address:	Madison Ranches Land 1, LLC 29299 Madison Rd Echo, OR 97826

 Jake Madison
By: _____

Title: _____

6.5.24
Date: _____

NOTICE OF CONSENT

Farmland Reserve, Inc.
PO Box 511196
Salt Lake City, UT 84151

This document serves as notice that the undersigned is owner of the property identified below and expressly gives permission to Umatilla Basin Properties (UBP) to apply for relocation of Generation Road, a Public Road, which it intends to complete to facilitate the development of the surrounding property. UBP will maintain access to land which is accessible via Generation Road and is responsible for submitting the necessary applications to Umatilla County to vacate the current road location and rededicate this road to a new alignment as presented in the Preliminary Replat (attached).

Property Identification:	Account #:144879 (Part of the Northeast Quarter of Section 25)
Property Owner:	Farmland Reserve, Inc.
Assessor's Tax Map Description:	4N2725A000400
Owner Mailing Address:	Farmland Reserve, Inc. PO Box 511196 Salt Lake City, UT 84151

Pat Tolman
By:

V.P.
Title:

Aug 2, 2024
Date:

NOTICE OF CONSENT

Columbia Development Authority
Two Marine Drive
PO Box 200
Boardman, OR 97818

This document serves as notice that the undersigned is owner of the property identified below and expressly gives permission to Umatilla Basin Properties (UBP) to apply for relocation of Generation Road, a Public Road, which it intends to complete to facilitate the development of the surrounding property. UBP will maintain access to land which is accessible via Generation Road and is responsible for submitting the necessary applications to Umatilla County to vacate the current road location and rededicate this road to a new alignment as presented in the Preliminary Replat (attached).

Property Identification:	Account #: 135608 (Part of the Southeast Quarter of the Northwest Quarter of Section 25)
Property Owner:	Columbia Development Authority
Assessor's Tax Map Description:	4N27250000100
Owner Mailing Address:	Columbia Development Authority Two Marine Drive PO Box 200 Boardman, OR 97818



By: _____
Executive Director

Title:

Date: 6-5-2024

THE BOARD OF COMMISSIONERS OF UMATILLA COUNTY

STATE OF OREGON

In the Matter of Vacation of)
a Portion of Generation Road,) Order No. RD2024-05
a Public Road)

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 Generation Road, a Public Road, dedicated under Dedication of Public Road, recorded in Reel 211, Page 1295, Document No. 1991-166359, Umatilla County Records, located in the Northeast Quarter of Section 24, Township 4 North, Range 27, E.W.M., which petition had been signed by all of the owners of the property abutting the road, along with consent by those owners of property using the road for access, and

WHEREAS the purpose for the vacation is to relocate the road, and subsequent to the road vacation, the property owner will dedicate a realigned road right of way for the portion vacated, and

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

WHEREAS, the Director of Public Works, after reviewing the proposed action, has recommended that the road be vacated, and

WHEREAS, ORS 368.351 allows a county governing body to vacate public property without holding a public hearing if the petition to vacate contains signatures of 100 percent of owners of property abutting a proposed vacation.

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

1. It is in the public interest to vacate a portion of Generation Road, as described below.

2. The portion of Generation Road described as follows is vacated on the conditions set out in this order:

Being a road vacation containing 2.570 acres (111,933 square feet) of land situated in the Northeast Quarter (1/4) of Section 25, Township 4 North, Range 27 East of

the Willamette Meridian in Umatilla County, Oregon and being out of Partition Plat No. 2002-25 recorded in the Umatilla County Records, said road vacation being more particularly described by metes and bounds as follows: (Bearings cited herein are based on NAD 83, Oregon State Plane, North Zone)

COMMENCING at the intersection of the north right-of-way line of the Oregon Washington Railroad and Navigation Company Main Line Track and the west line of said Northeast Quarter of Section 25 and the southwest corner of Generation Road; THENCE, North $00^{\circ}39'29''$ West, along the west line of said Northeast Quarter and a west line of said Generation Road, a distance of 222.83 feet to a point for the beginning of a curve to the right; THENCE, in a northeasterly direction, along a west line of said Generation Road, an arc distance of 197.05 feet, along said curve to the right, having a central angle of $75^{\circ}15'57''$, a radius of 150.00 feet, and a chord which bears North $36^{\circ}58'29''$ East, 183.18 feet to a point for end of curve; THENCE, North $74^{\circ}36'26''$ East, along a north line of Generation Road, a distance of 935.87 feet to the POINT OF BEGINNING of the herein described road vacation;

THENCE, North $74^{\circ}36'26''$ East, a distance of 276.70 feet to the beginning of a curve to the left; THENCE, in a northeasterly direction, an arc distance of 152.73 feet, along said curve to the left, having a central angle of $100^{\circ}28'45''$ a radius of 87.09 feet, and a chord which bears North $24^{\circ}21'30''$ East, 133.90 feet to a point for end of curve; THENCE, North $25^{\circ}53'26''$ West, a distance of 221.66 feet to the beginning of a curve to the right; THENCE, in a northeasterly direction, an arc distance of 244.32 feet, along said curve to the right, having a central angle of $82^{\circ}32'39''$, a radius of 169.59 feet, and a chord which bears North $15^{\circ}18'15''$ East, 223.73 feet to a point for the end of curve; THENCE, North $56^{\circ}29'55''$ East, a distance of 716.85 feet to the beginning of a curve to the left; THENCE, in a northeasterly direction, an arc distance of 333.86 feet, along said curve to the left, having a central angle of $79^{\circ}42'10''$, a radius of 240.00 feet, and a chord which bears North $40^{\circ}41'20''$ East, 307.58 feet; THENCE, North $86^{\circ}10'26''$ East, a distance of 0.72 feet; THENCE, South $04^{\circ}59'01''$ East, a distance of 74.47 feet to the beginning of a curve to the right; THENCE, in a

southwesterly direction, an arc distance of 160.19 feet, along said curve to the right, having a central angle of 61°29'41", a radius of 149.25 feet, and a chord which bears South 25°45'27" West, 152.61 feet to a point for end of curve; THENCE, South 56°29'55" West, a distance of 846.70 feet to the beginning of a curve to the left; THENCE, in a southwesterly direction, an arc distance of 158.04 feet, along said curve to the left, having a central angle of 82°37'46", a radius of 109.59 feet, and a chord which bears South 15°18'16" West, 144.70 feet to a point for the end of curve; THENCE, South 25°53'26" East, a distance of 221.66 feet to the beginning of a curve to the right; THENCE, in a southwesterly direction, an arc distance of 257.97 feet, along said curve to the right, having a central angle of 100°29'21", a radius of 147.09 feet, and a chord which bears South 24°21'31" West, 226.16 feet to a point for the end of curve; THENCE, South 74°36'26" West, a distance of 434.06 feet to the beginning of a curve to the left; THENCE, in a northeasterly direction, an arc distance of 172.07 feet, along said curve to the left, having a central angle of 41°04'46", a radius of 240.00 feet, and a chord which bears North 53°44'14" East, 168.41 feet to the POINT OF BEGINNING and containing 2.570 acres of land.

3. Ownership of the vacated right of way shall vest as allowed in ORS 368.366(d) in the owner of the land abutting the vacated property by extension of the abutting property boundaries to the center of the vacated property.

4. All public utility companies using the current location of Generation Road shall be provided adequate notice to remove and/or relocate their existing facilities. This shall be done in coordination with all landowners actively using the service line to minimize unplanned service outages and inconvenience.

5. Demolition of the existing road and construction of the new road shall be completed so as not to disrupt the public access for Umatilla County Tax Lots 4N2725-100, 4N2725-A-201, and -400.

6. This order is conditioned on the dedication of new right of way for the relocated Generation Road and will be effective only on the recording of the Generation Road Replat. In the event the replat is not recorded by November 1, 2025, this order will be voided and be of no effect.

DATED this 16th day of October, 2024.

UMATILLA COUNTY BOARD OF COMMISSIONERS

John M. Shafer, Chair

Celinda A. Timmons, Commissioner

Daniel N. Dorran, Commissioner

ATTEST:
OFFICE OF COUNTY RECORDS

Records Officer