

AGENDA ITEM FOR ADMINISTRATIVE MEETING () Discussion only
(X) Action

FROM (DEPT/ DIVISION): County Counsel

SUBJECT: Canal Road Legislation

<p>Background: A portion of Canal Road does not follow the established course of the road. The Board initiated the legalization process for this segment of the road, and set a public hearing to consider the matter on February 21, 2024. Notice has been posted and sent to the adjacent land owners. The matter is before the Board for the hearing and possible legalization of the road.</p>	<p>Requested Action:</p> <ol style="list-style-type: none"> 1. Conduct Public Hearing 2. Adopt Order No. RD2023-03
--	--

ATTACHMENTS: Report; Proposed Order

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

Checkoffs:

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

To be notified of Meeting:
Tom Fellows

Needed at Meeting:

Scheduled for meeting on: February 21, 2024

Action taken:

Follow-up:

**UMATILLA COUNTY
PUBLIC WORKS DEPARTMENT**

ROAD REPORT
COUNTY ROAD NO. 1179

PROPOSED LEGALIZATION OF A PORTION OF CANAL ROAD, COUNTY
ROAD NO. 1179

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Road Report

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Introduction & Background

The Umatilla County Public Works Director has determined that a portion of Canal Road, County Road No. 1179, as travelled, used, and maintained for 10 years or more, does not agree with the existing records, and in some locations, records are missing or lost.

That portion of Canal Road lying between US Highway 395 and a point around 500 feet north of Feedville Road, County Road No. 1000F lacks record acquisition documents. It is believed that these records are missing or lost. The remaining portion of Canal Road proposed for legalization is part of old County Road No. 681 which does not agree with the current road location as traveled for 10 years or more and begins at a point around 500 feet north of aforementioned Feedville road and runs Northerly to a point near the West Quarter Corner of Section 20, Township 4 North, Range 29 East, W.M.

The Public Works Department proposes legalization of Canal Road, as previously described, in preparation for a road improvement project. Legalization will fix the road right-of-way to the current as-travelled road location, correcting the record and allowing future improvements to move forward without delay.

A preliminary survey has been conducted outlining the proposed new right-of-way and has been included in this report for review and consideration.

History & Current Use

Old County Road No. 681 was Petitioned for on December 23, 1909 at a width of 60 feet. Notice was posted on November 2, 1910. The report of County Road Viewers, Survey, and Field Notes were filed on March 3, 1910 where the route was found practicable and recommended to be established and declared a public highway.

The road began at the Northeast Corner of the Southeast Quarter of the Southeast Quarter of Section 29, Township 4 North, Range 29 East, W.M., and ran northwesterly through Sections 29 and 20 to the west line of Section 20. It then ran north along the section line to the Northwest Corner of Section 17 of said Township and Range, to current County Road No. 1198, East Highland Extension. Only that portion of old County Road No. 681 which runs north along the west line of Sections 17 & 20 is still used and maintained. That portion running northwesterly through Sections 29 and 20 is no longer in use by the general public or the Public Works Department. It is the intent of the Public Works Department to declare this unused portion of old County Road No. 681 void, and the road relocated and legalized in its current location.

That portion of Canal Road where records are missing or lost can clearly be seen in 1956 aerial photo NA-29-46, Umatilla County Survey records, indicating its long time use and maintenance. This, along with Umatilla County Public Works maintenance records provides proof that this portion of Canal Road has been travelled, used, and maintained for 10 years or more.

Why a Road Legalization is Needed

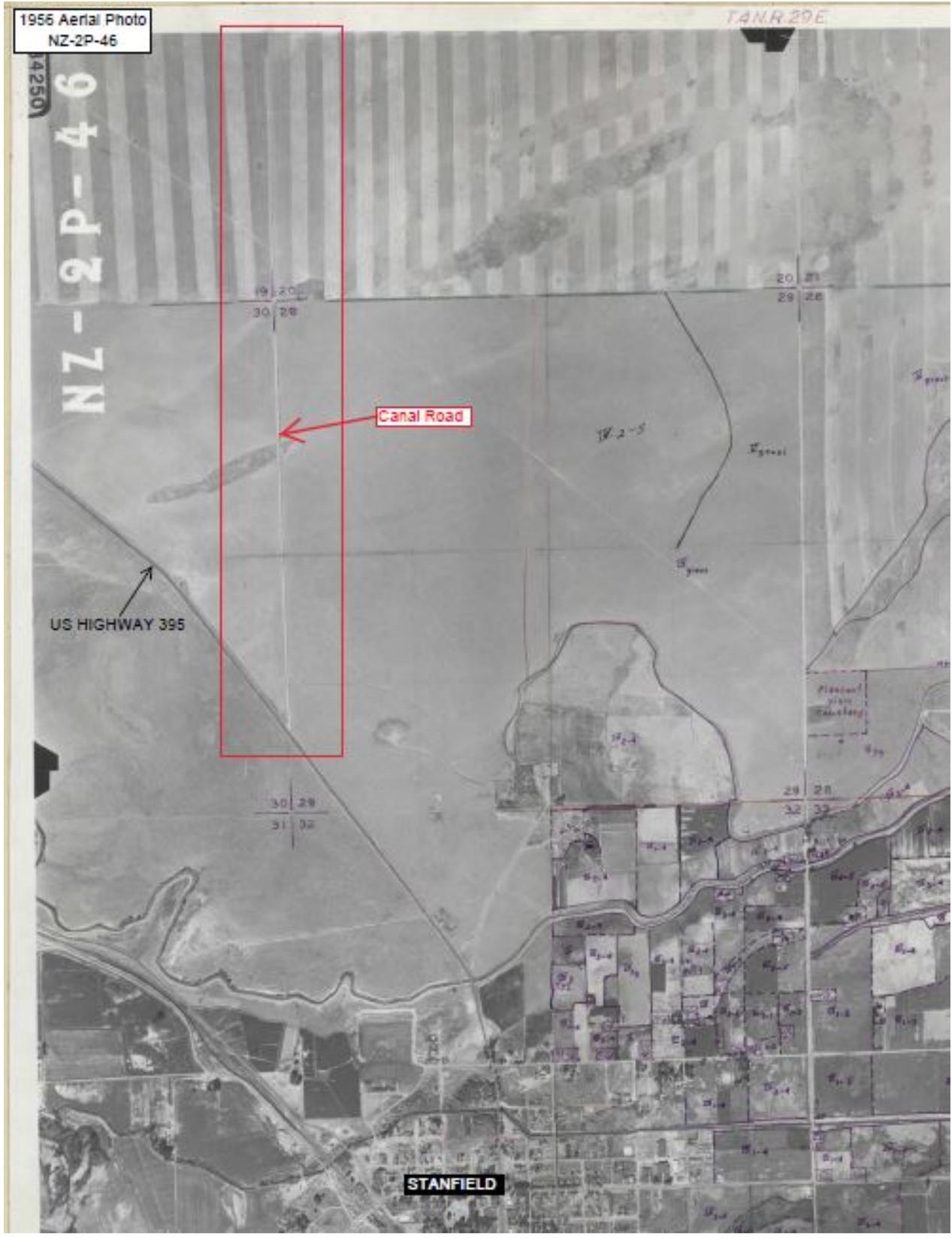
The portion of Canal Road proposed for legalization does not agree with the existing records, and in some locations, records are missing or lost. The road meets requirements outlined in State Statute and is a good candidate for legalization, fixing the right-of-way and voiding any portion of old right-of-way no longer in use. Legalization will fix the right-of-way making improvement projects and the need for additional right-of-way acquisition possible. All of which will be in the best interest of the general public by preserving local access rights and allowing continued use of the road system.

Impacts to Utilities and Property Owners

The Public Works Department finds no adverse impacts to utilities or property owners at this time. Legalization will correct the record, allowing property owners to maintain access to a public road. A utility locate request was submitted under Ticket #23334866. Field investigation of all marked utilities and measurement to utility structures indicate they will remain within the legalized location of Canal Road, most of which also possess a Utility Permit issued by the Public Works Department.

Recommendation

The Umatilla County Public Works Department recommends that Canal Road be legalized in the location shown on the preliminary road survey, pursuant to ORS 368-201 to 368-221. The width is recommended to be 60 feet wide, consistent with the width petitioned for on old Road No. 681, and Umatilla County Development Code Standard width for Local Roads and new County Road construction.



E

To the Honorable County Court of the State of Oregon, for Umatilla County.

WE THE UNDERSIGNED, your petitioners, who are freeholders of said Umatilla County, Oregon, and who reside in the road district, or districts where said road is to be laid out, respectfully petition your honorable body to cause to be laid out, located, and established a County Road in said County and State, commencing, running and terminating as follows, to-wit: Commencing at the Northeast corner of the Southeast Quarter of the Southeast Quarter of Section 29, in Township 4 North, Range 29 E. W. M., and running thence North 48° West 6,900 feet to a point on the West line of Section 20, Township 4 North, Range 29 E. W. M., thence North along the section lines 24,440 feet to the Northwest corner of Section 5, in Township 4 North, Range 29 E. W. M.

Said road to be 60 feet wide.

And your petitioners will ever pray.

Dated this 23rd day of Decemr, 1909

NAMES.

NAMES.

Frank Sloan
J. P. Schneider
F. O. ...
M. Means
E. P. Brown
Chas. ...
W. C. White
J. A. ...
Geo. H. Ward
C. W. ...
J. E. ...
J. D. ...
J. ...
W. T. ...

1-3-10- TPTB

B

ROAD NOTICE.

TO ALL PERSONS WHOM IT MAY CONCERN:

Notice is hereby given that a petition will be presented to the County Court of the State of Oregon, for Umatilla County, by the Undersigned who are freeholders of said County and State and reside in the road district or districts of the hereinafter described route for a County road, at the February term, 1910, of said County Court, to-wit: On the 2nd day of February, 1910, praying said Court to lay out, locate and establish a County road in said County and State, commencing, running and terminating as follows, to-wit: Beginning

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at the Northeast corner of the Southeast Quarter of the Southeast Quarter of Section 29, in Township 4 North, Range 29 E. W. M., and running thence North 48° West 6,900 feet to a point on the West line of Section 20, Township 4 North, Range 29 E. W. M., thence North along the section lines 24,440 feet to the Northwest corner of Section 5, in Township 4 North, Range 29 E. W. M.

Said road to be 60 feet wide.

Dated this 23rd day of December, 1909.

NAME

NAME

Frank Sloan
J. Pelmeier
J. Meadows
Port Brown
Thos. Richards
W. I. Reeves

W. L. White
J. W. Meadernhall
Geo. L. Ward
C. W. Kemison
J. C. Reeves
J. W. Wallace
M. D. Duffell

REPORT OF BOARD OF COUNTY ROAD VIEWERS.

In the Matter of Viewing, surveying and laying out county road No. 679

To the Honorable County Court of the State of Oregon for Umatilla county.

We, the undersigned Board of county road viewers, heretofore instructed to view, survey and locate Road No. 679 submit the following report:

Pursuant to an order of the Honorable county court we met at the beginning of said road on the 26th day of February 1910. We called to our aid: W J Stockman, chairman, Sam Williams, chainman; Scott Brown, flagman, J H Saling, marker, who were by the surveyor each duly sworn. We viewed, surveyed and located said Road no. 679 as specified in our order. We find said route practicable and would most respectfully recommend the same be established and declared a public highway of Umatilla county, Oregon. The cost of construction will be the damages to be sustained by property owners by reason of the establishment of said will be nothing.

John W Kimbrell, W J Stockman D F Lavender
Board of county road viewers of Umatilla county, State of Oregon

Filed March 3, 1910
Frank Saling, Clerk

FIELD NOTES OF ROAD No. 680

Commencing at the NE corner of the SE 1/4 of SE 1/4 of sec 29 T 4 N R 29 E W M, set post 4 inch square 4 feet long 30 feet east of initial point marked R 680 dug pits and raised mound 4' wide at base 18 inch high. Thence No. 38°30' E 80 00 1 mile set post 4 inch square 4 feet long 30 feet to right marked 1 M dug pits and raised mound 4 feet base 18 inch high. thence N 38°30' E 47.36 chs A 1; thence north 32.64 chs 80 00 1 mile set post 4 inch square 4 feet long 30 feet to right marked 2 M dug pits and raised mound 4 feet wide at base 18 inch high; thence south 80 00 chs 3 mile, set post 4 inches square 4 feet long 30 feet to right marked 3 M dug pits and raised mound 4 feet base 18 inch high thence north 60.50 irrigation ditch E & W 4' wide, thence north 8000 4 miles set post 4 inch square 4 feet long 30 feet to right marked 4 M dug pits and raised mound 4 feet base 18 inch high thence north 240 course to sec 4-5-8 & 9, 28 00 to government feed canal N 80° E set post 4 inch square 4 feet long marked R T 680 dug pits and raised mound 4 ft wide at base 18 inch high.

I hereby certify that the foregoing field notes of Road No. 680 are correct.
John W Kimbrell, county surveyor of Umatilla county, Oregon.

REPORT OF BOARD OF COUNTY ROAD VIEWERS.

In the Matter of Viewing, surveying and laying out county road. No. 680
To the Honorable county court of the State of Oregon for Umatilla county.

We, the undersigned board of county road viewers, heretofore instructed to view, survey and locate Road No. 680 submit the following report:

Pursuant to an order of the honorable county court we met at commencement of said road on the 26 day of February 1910, we called to our aid: W J Stockman, chairman; Sam Williams chainman; Scott Brown, flagman, J H Saling, marker who were by the surveyor each duly sworn. We viewed, surveyed and located said Road No. 680 as specified in our order. We find said route practicable and would most respectfully recommend the same be established and declared a public highway of Umatilla county, Oregon. the cost of construction will be nothing. The damages to be sustained by property owners by reason of the establishment of said road will be nothing.

John W Kimbrell, W J Stockman, D F Lavender
Board of county road viewers of Umatilla county, Oregon

Filed March 3, 1910
Frank Saling, Clerk

FIELD NOTES OF ROAD No. 681

Commencing at the NE corner of the SE 1/4 of SE 1/4 of Sec 29 T 4 N R 29 E W M set post 4x4 inch 4 ft long marked R 681 in mound 4 ft base 18 inch high, thence N 48° W 80 00 set post 4x4 in 4 ft long marked L m in mound 4 ft base 18 inch high, thence N 48° W 26.06 chs A 1 thence north 53 94 8000 2 miles, set post in mound 4 ft base 18 in high marked " 2 m thence north 6000 /Furnish ditch 4 ft wide SW 80 00 3 miles set post 4x4 inches 4ft long in mound 4 ft base 18 in high marked 3 M thence north 715 intersect commencement of Road No. 6 set post marked R T 681 .

I hereby certify that the foregoing field notes of Road No. 681 as surveyed by me are correct.
John W Kimbrell, county surveyor

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REPORT OF BOARD OF BOARD OF COUNTY ROAD VIEWERS.

In the Matter of viewing, surveying and laying out county road No. 681 to the Honorable county court of the State of Oregon, for Umatilla county.

We, the undersigned board of county road viewers, heretofore instructed to view, survey and locate Road No. 681 submit the following report:

Pursuant to an order of the Honorable county court we met at commencing of said road on the 26th day of February 1910. We called to our aid, W J Stockman, chairman; Sam Williams, chairman; Scott Brown, flagman; H J Saling, marker, who were by the surveyor each duly sworn. We viewed, surveyed and located said road No. 681 as specified in our order. We find said route practicable and would most respectfully recommend the same be established and declared as public highway of Umatilla county, Oregon. The cost of construction will be the damages to be sustained by property owners by reason of the establishment of said will be nothing.

J W Kimbrell, W J Stockman, D F Lavender
Board of county road viewers of Umatilla county, Oregon

Filed March 3, 1910
Frank Saling, Clerk

FIELD NOTES OF ROAD No. 682.

Commencing at the NW corner of Sec 18 in T 4 N R 29 E W M set post 4 inch sq 4 feet long 45 feet NE marked R 682 dug pits and raised mound of earth 4 ft base 18 in high, thence south on baseline 80 00 to SW cor sec 18 set post 4 inch sq 4 ft long 30 feet west marked 1 M A 1 dug pits and raised mound 4 ft base 18 in high around post, thence S 48° E 80 00 2 M se post 4 inch sq 4 ft long 30 feet to right marked 2 M dug pits & raised mound 4 ft base 18 inch high thence S 48° E 27.50 R T at point 556 feet north of SW corner of Sec 20 set post 4 inch sq 4 ft long marked R T 682 dug pits and raised mound 4 ft base 18 in high around post. I hereby certify that the foregoing field notes of road No. 682 are correct.

John W Kimbrell, county surveyor for Umatilla county, Ore

REPORT OF BOARD OF COUNTY ROAD VIEWERS.

In the Matter of viewing, surveying and laying out county road No. 682. To the Honorable County Court of the State of Oregon, for Umatilla county.

We, the undersigned, board of county road viewers, heretofore instructed to view, survey and locate road No. 682 submit the following report;

Pursuant to an order of the Honorable County Court we met at commencement of said road on the 26 day of February 1910. We called to our aid W J Stockman, chairman; Sam Williams, chairman; Scott Brown, flagman; J H Saling, marker, who were by the surveyor each duly sworn. We viewed, surveyed and located said road No. 682 as specified in our order. We find said route practicable and would most respectfully recommend the same be established as a public highway of Umatilla county, Oregon. The cost of construction will be nothing. The property through which said road is located will be less valuable by reason of the establishment in the sum of nothing.

John W Kimbrell, W J Stockman, D F Lavender
Board of county road viewers of Umatilla county, Oregon

Filed March 3, 1910
Frank Saling, Clerk

FIELD NOTES OF ROAD No. 683

Commencing at the NW corner of the SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 33 T 4 N R 29 E W M set post 4x4 inches 4 ft long 30 feet west marked R 683 dug pits N & S and raised mound 4 ft base 18 inch high around post. Thence north 20.00 along road No. 601, thence east along road No. 657 one mile thence east on proposed road No. 683 8.50 chains government reed canal 35 feet wide course NE 40.00 chs center Sec 34 A 1 thence north 30.00 government canal 35 feet wide course east. Thence north 10.00-8000 intersect road No. 657 thence north following road No. 657 4000 chs thence north along proposed road No. 683 2000 set 3 miles post in mound 4 ft base 18 in high thence north 570 government reed canal 35 ft wide course west 2000 the NW cor of NE $\frac{1}{4}$ Sec 27 T 4 N R 29 E W M thence east 6000+200 $\frac{1}{2}$ 8000 set 4 mile post thence east 2000 intersect road No. 657 at the NE cor of NW $\frac{1}{4}$ Sec 26. Thence north along road No. 657 $\frac{1}{2}$ miles to the center of sec 14 T 4 N R 29 E W M thence north on proposed rad No. 683, 2000 set post for 6 mile in mound marked G M thence north 2000 intersect road No. 611 set post Marked R T 683. I hereby certify that the foregoing field notes are correct.

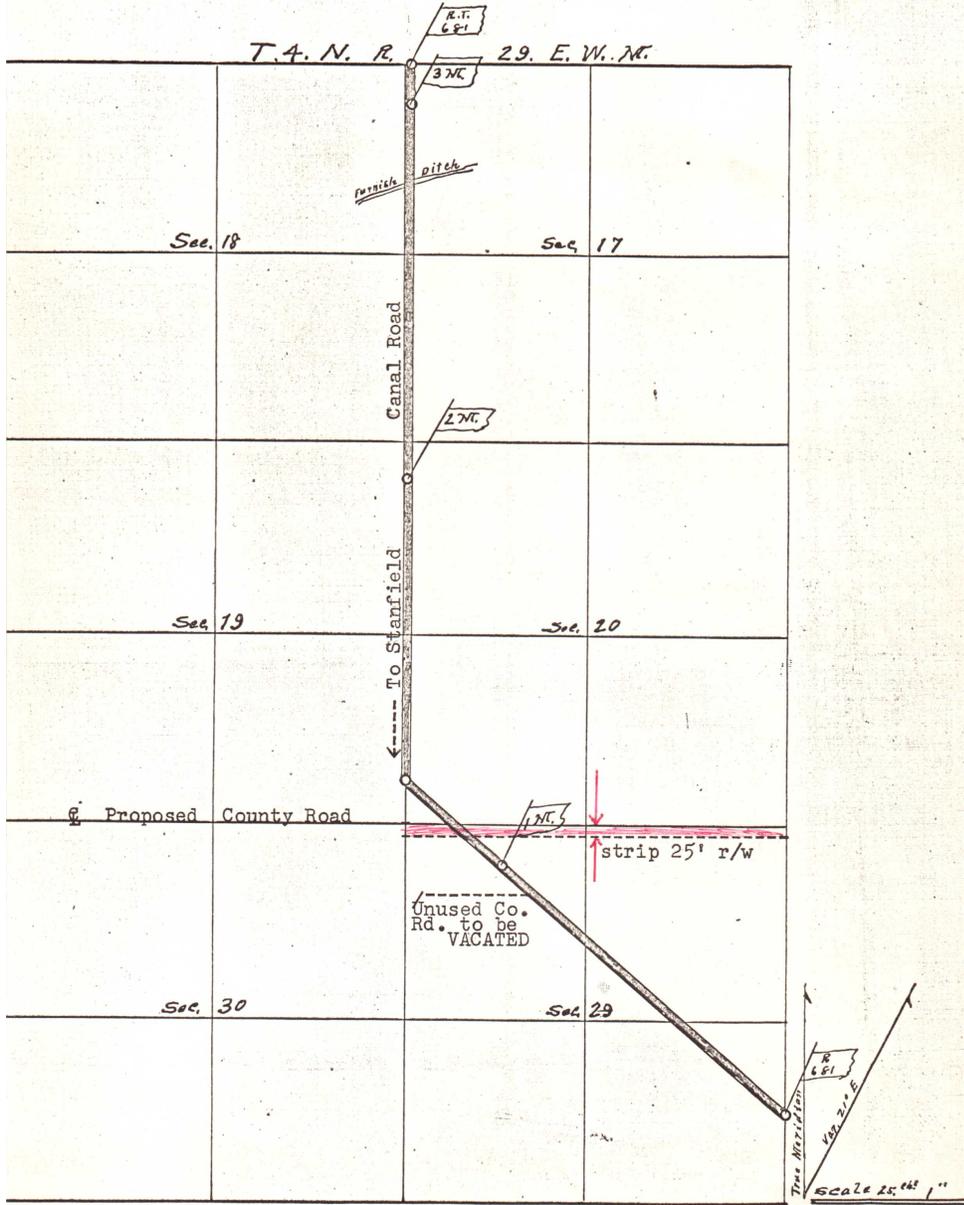
John W Kimbrell, county surveyor

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Filed M
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True COPY of Co.Rd.No. 681, established Mar.3,1910 (except typ.)

PLAT of ROAD No. 681



437

IN THE COUNTY COURT OF THE STATE OF OREGON FOR UMATILLA COUNTY.

1 In the matter of opening §
 2 County Road No 681, petition- §
 ed for by Frank Slaon et al § OPENING COUNTY ROAD NO 681.
 3 Commencing at NE.cor SE $\frac{1}{4}$ SE $\frac{1}{4}$ §
 Sec 29 Tp 4 N.R.29 E.W.M. §

4 Now on this day this matter coming on regularly to be heard
 5 upon the report of the Board of County Road Viewers heretofore instr-
 6 ncted at the February 1910 term of this Court to view, survey, stake
 7 and report on said proposed road No 681, Commencing at NE corner of
 8 SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 29 Tp 4 N.R. 29 E.W.M. and run thence North 48 degrees
 9 west, 6,900 feet to a point on the west line of Section 20 Township
 10 4 N.R. 29 E.W.M., thence north along the section lines 24,440 feet
 11 to the northwest corner of Section 5 said Tp and range, and to be 60
 12 feet wide, as a County road for final hearing, the same having been
 13 publicly read on two different days of the same term of Court to-wit;
 14 having been publicly read the first time on March ~~3~~ 3rdm, 1910 and
 15 publicly read the second time on March 4th 1910, and the said Board
 16 of County Road Viewers having reported favorably and recommended that
 17 said road be established as a County road, and the plat and field notes
 18 being on file and certified to by the surveyor appointed to survey
 19 the same and the Court being satisfied that said road would be of
 20 sufficient public utility and their being no remonstrance or objections
 21 on file against said report of against the petition filed herein, is
 22 is, THEREFORE HEREBY ORDERED that said report of the Board of County
 23 Road Viewers be approved and the plat and field notes be recorded
 24 in the record of plats and field notes of Umatilla County and that
 25 the Road Master be and he is hereby ordered to open said road for
 26 public use.

27 Dated this 4th day of March, 1910. _____
 28 County Judge
 29 _____
 County Com
 30 _____
 County Com,
 31
 32

Property Owners Adjacent to Proposed Legalization

4N29290000200

Windy River, 1000 S Hwy 395 STE A #423, Hermiston, OR 97838

4N29290000100

Loyalta, Inc. C/O Sandy Burley-Treasurer, 11201 S Parkland Ct., Oregon City, OR 97045

4N29300000100

Southgate, LLC., P.O. Box 585, Port Townsend, WA 98368

4N29300000200

Koester Steven R (EST) & Koester Cari L, 1980 NW 11th Street, Hermiston, OR 97838

4N29000001700

Windy River, 1000 S Hwy 395 STE A #423, Hermiston, OR 97838

4N29190000100

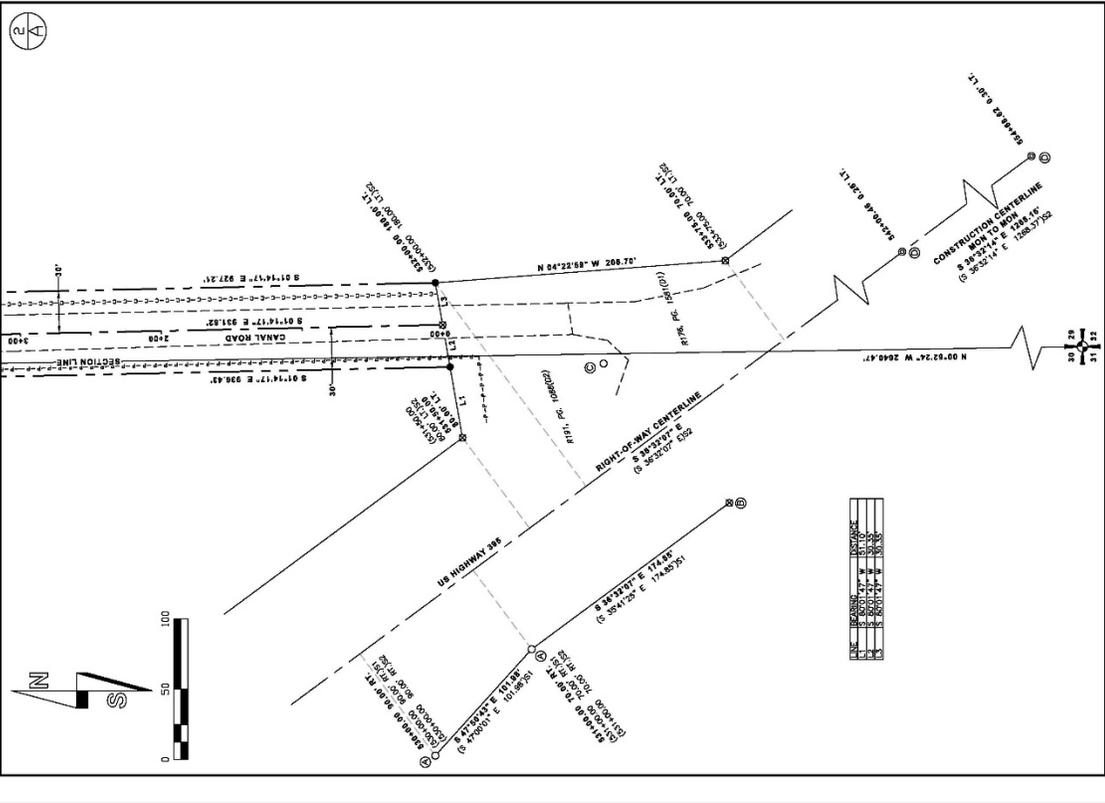
Windblown Ranch, Inc., 32327 Oregon Trail Road, Echo, OR 97826

4N29000001600

Windblown Solar, LLC., 32327 Oregon Trail Road, Echo, OR 97826

Canal Road Utility Contacts (as listed on utility locate request 23334866)

Charter Communications	800-778-9140
Cascade Natural Gas – Pendleton	541-278-0231
Transcanada GTN System	509-547-8161
Level 3 Now Lumen	577-366-8344
Pacific Power	425-392-6412
CTLQL – Century Link	800-778-9140
City of Stanfield	541-449-3831
Windwave Communications	541-561-3862



RECORD OF SURVEY FOR THE LEGALIZATION OF CANAL ROAD, COUNTY ROAD NO. 1179
 LOCATED IN SECTIONS 19, 20, 29 & 30,
 TOWNSHIP 30S, RANGE 29E, EAST 1/4, W.M.,
 UMATILLA COUNTY, OREGON.

LEGEND

- FOUND BRASS CAP SECTION OR QUARTER SECTION CORNER. SEE PG AND M4 FOR ADDITIONAL INFORMATION.
- FOUND SURVEY MONUMENT AS NOTED.
- SET 2 1/2" X 30" STEEL REBAR WITH PINK PLASTIC CAP, MARKED "KENNY LS 88274".
- ⊙ COMPUTED POSITION, NOTHING FOUND OR SET.
- Ⓜ MONUMENT IDENTIFIER, SEE MONUMENT TABLE FOR DETAILS.
- LEGALIZATION CENTERLINE
- LEGALIZATION RIGHT-OF-WAY LINE
- EDGE OF GRAVEL OR PAVEMENT
- OVERHEAD POWER LINE
- UNDERGROUND COMMUNICATION LINE
- RECORD DATA REFERENCE, SEE TABLE.

MONUMENT TABLE

- Ⓜ HELD 5/8" REBAR WITH YELLOW PLASTIC CAP PER PARTITION PLAT 1897-07 (R1).
- Ⓜ HELD TO ESTABLISH HIGHWAY RIGHT-OF-WAY CENTERLINE.
- Ⓜ COMPUTED LOCATION PER R1. FOUND 5/8" REBAR WITH YELLOW PLASTIC CAP PER PARTITION PLAT 2004-28 BEARS SOUTH 29°34'16" WEST, 0.82'.
- Ⓜ FOUND 2/8" REBAR, ORIGIN UNKNOWN, NOT HELD. LOCATED AT US HIGHWAY 385 STATION 532+91.28, 82.75 LT.
- Ⓜ FOUND BRASS DISK IN MONUMENT BOX PER SURVEY 81-039-C (R2). THESE MONUMENTS WERE FOUND TO BE IN THE CORRECT LOCATION AS UTILIZED WITH DATA PER R2 TO VERIFY COMPUTED RIGHT-OF-WAY CENTERLINE ONLY.

RECORDS OF REFERENCE

- S1: PARTITION PLAT NO. 1897-07, RECORDED 4-08-1997.
- S2: UMATILLA COUNTY SURVEY NO. 81-039-C, FILED MAR, 1991.
- S3: UMATILLA COUNTY SURVEY NO. 23-142-C, FILED MAY, 1995.
- S4: UMATILLA COUNTY SURVEY NO. 23-142-C, FILED 5-4-2023, (GRD).
- S5: COUNTY ROAD RECORDS, CANAL ROAD, R6, DATED 2-16-1976.
- S6: COUNTY ROAD RECORDS, CANAL ROAD, R6, DATED 2-16-1976.
- S7: COUNTY ROAD RECORDS, FEEDVILLE ROAD, NO. 1000P.
- D1: PREL. 191, PAGE 108B, RECORDED 4-23-1980.
- D2: PREL. 191, PAGE 108B, RECORDED 4-23-1980.

RECEIVED BY
 Umatilla County Surveyor
 Date: _____
 Rec'd By: _____
 No.: _____

KENNY LAND SURVEYING
 P.O. BOX 547, HEPPNER, OR 97836
 www.kennylandsurveying.com

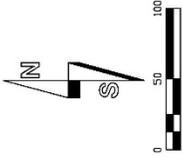
LEGALIZATION SURVEY FOR A PORTION OF CANAL ROAD, COUNTY ROAD NO. 1179
 LOCATED IN SECTIONS 19, 20, 29, & 30 TOWNSHIP 30 NORTH, RANGE 29 EAST,
 WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON

CLIENT:
 UMATILLA COUNTY

PROJECT: 23-48 DR: MKP CH: MKP DATE: DEC. 14, 2023 SHEET 2 OF 5

REGISTERED PROFESSIONAL LAND SURVEYOR
FOR REVIEW
 OREGON
 MATHIEW PATRICK KENNY
 852/4415
 LICENSE 6-30-75

**RECORD OF SURVEY FOR THE LEGALIZATION OF
CANAL ROAD, COUNTY ROAD NO. 1179**
LOCATED IN SECTIONS 19, 20, 29, & 30,
TOWNSHIP 4 NORTH, RANGE 29 EAST, W.M.,
UMATILLA COUNTY, OREGON.



COURSE	TRAILER	START	END	LENGTH	COURSE	TRAILER	START	END	LENGTH	COURSE	TRAILER	START	END	LENGTH
C1		17281.90	1822.02	1822.02	N	01°29'35"	W	0529.29						
C2		17281.90	1822.02	1822.02	N	01°29'35"	W	0529.29						
C3		11572.68	1171.09	1171.09	S	01°13'02"	E	0532.30						
C4		17281.90	1822.02	1822.02	N	01°29'35"	W	0529.29						
C5		17281.90	1822.02	1822.02	N	01°29'35"	W	0529.29						
C6		17281.90	1822.02	1822.02	N	01°29'35"	W	0529.29						
C7		17281.90	1822.02	1822.02	N	01°29'35"	W	0529.29						

LEGEND

- FOUND BRASS CAP SECTION OR QUARTER SECTION CORNER. SEE TO PAGE FOR ADDITIONAL INFORMATION.
- 3" X 3" STEEL REBAR WITH PINK PLASTIC CAP, MARKED "KENNY LS 8837A".
- ⊗ COMPUTED POSITION, NOTHING FOUND OR SET.
- ⊙ MONUMENT IDENTIFIER. SEE MONUMENT TABLE FOR DETAILS.
- LEGALIZATION CENTERLINE
- LEGALIZATION RIGHT-OF-WAY LINE
- EDGE OF GRAVEL OR PAVEMENT
- OVERHEAD POWER LINE
- UNDERGROUND COMMUNICATION LINE
- () DATA REFERENCE. SEE TABLE.

RECORDS OF REFERENCE

- S1: PARTITION PLAT NO. 1827-07, RECORDED 4-08-1927.
- S2: UMATILLA COUNTY SURVEY NO. 91-038-C, FILED MAR. 1891.
- S3: UMATILLA COUNTY SURVEY NO. 23-042-C, FILED 5-4-2023 (GRD)
- S4: UMATILLA COUNTY SURVEY NO. 23-042-C, FILED 5-4-2023 (GRD)
- S5: UMATILLA COUNTY SURVEY NO. 6-044-37/0-593-B, DATED 2-18-1978.
- S6: UMATILLA COUNTY SURVEY NO. 6-044-37/0-593-B, DATED 2-18-1978.
- S7: COUNTY ROAD RECORDS, FEDERAL ROAD, NO. 1006F.
- S8: COUNTY ROAD RECORDS, FEDERAL ROAD, NO. 1006F.
- D1: REEL 191, PAGE 1080, RECORDED 4-23-1890.

RECEIVED BY
Umatilla County Surveyor
Date: _____
Rec'd By: _____
No. _____

**REGISTERED
PROFESSIONAL
LAND SURVEYOR**

FOR REVIEW

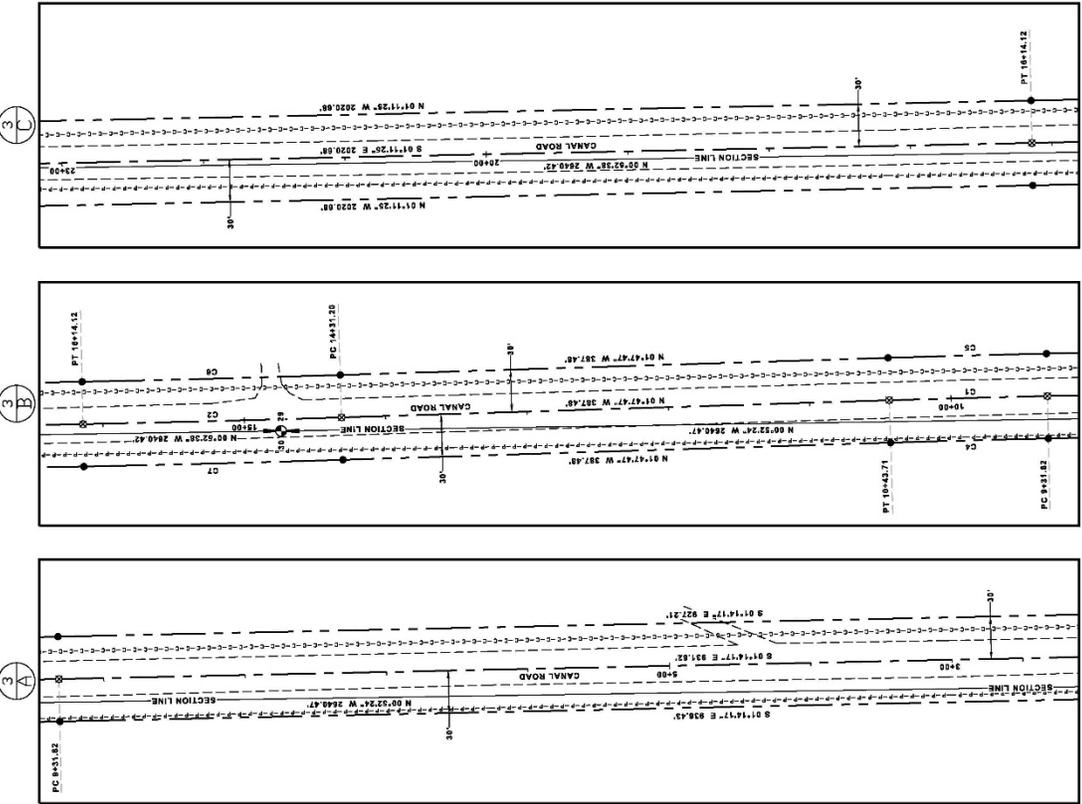
OREGON
JAN 12, 2016
MATTHEW R. KENNY
8837A/LS

KENNY LAND SURVEYING
P.O. BOX 447, HEPPNER, OR 97838
541-379-0242
www.kennylandsurveying.com

LEGALIZATION SURVEY FOR A PORTION OF CANAL ROAD, COUNTY ROAD NO. 1179
LOCATED IN SECTIONS 19, 20, 29, & 30 TOWNSHIP 4 NORTH, RANGE 29 EAST,
WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON

CLIENT:
UMATILLA COUNTY

PROJECT: 25-46 DSR: MKP CH: MKP DATE: DEC. 14, 2023 SHEET 5 OF 5



**RECORD OF SURVEY FOR THE LEGALIZATION OF
CANAL ROAD, COUNTY ROAD NO. 1179**
LOCATED IN SECTIONS 19, 20, 29 & 30,
TOWNSHIP 4 NORTH, RANGE 29 EAST, W.M.,
UMATILLA COUNTY, OREGON.

LINE	BEARING	W.	DISTANCE
1	S 89°42'52"	48'	0.0000

CURVE	BEARING	ARC LENGTH	CHORD	ANGLE	PC	PT	PI	PT	PC	PT	PI	PT
C1	S 89°42'52"	48.00	48.00	90°	0+00.00	0+48.00	0+48.00	0+48.00	0+00.00	0+48.00	0+48.00	0+48.00
C2	S 89°42'52"	48.00	48.00	90°	0+48.00	0+96.00	0+96.00	0+96.00	0+48.00	0+96.00	0+96.00	0+96.00
C3	S 89°42'52"	48.00	48.00	90°	0+96.00	0+144.00	0+144.00	0+144.00	0+96.00	0+144.00	0+144.00	0+144.00
C4	S 89°42'52"	48.00	48.00	90°	0+144.00	0+192.00	0+192.00	0+192.00	0+144.00	0+192.00	0+192.00	0+192.00
C5	S 89°42'52"	48.00	48.00	90°	0+192.00	0+240.00	0+240.00	0+240.00	0+192.00	0+240.00	0+240.00	0+240.00
C6	S 89°42'52"	48.00	48.00	90°	0+240.00	0+288.00	0+288.00	0+288.00	0+240.00	0+288.00	0+288.00	0+288.00
C7	S 89°42'52"	48.00	48.00	90°	0+288.00	0+336.00	0+336.00	0+336.00	0+288.00	0+336.00	0+336.00	0+336.00
C8	S 89°42'52"	48.00	48.00	90°	0+336.00	0+384.00	0+384.00	0+384.00	0+336.00	0+384.00	0+384.00	0+384.00
C9	S 89°42'52"	48.00	48.00	90°	0+384.00	0+432.00	0+432.00	0+432.00	0+384.00	0+432.00	0+432.00	0+432.00
C10	S 89°42'52"	48.00	48.00	90°	0+432.00	0+480.00	0+480.00	0+480.00	0+432.00	0+480.00	0+480.00	0+480.00
C11	S 89°42'52"	48.00	48.00	90°	0+480.00	0+528.00	0+528.00	0+528.00	0+480.00	0+528.00	0+528.00	0+528.00
C12	S 89°42'52"	48.00	48.00	90°	0+528.00	0+576.00	0+576.00	0+576.00	0+528.00	0+576.00	0+576.00	0+576.00
C13	S 89°42'52"	48.00	48.00	90°	0+576.00	0+624.00	0+624.00	0+624.00	0+576.00	0+624.00	0+624.00	0+624.00

LEGEND

- FOUND BRASS CAP SECTION OR QUARTER SECTION CORNER. SEE R3 AND R4 FOR ADDITIONAL INFORMATION.
- FOUND 5/8" REBAR WITH YELLOW PLASTIC CAP PER SS.
- SET 5/8" X 30" STEEL REBAR WITH PINK PLASTIC CAP, MARKED "KENNY LS 88374".
- ⊗ COMPUTED POSITION, NOTHING FOUND OR SET.
- ⊙ MONUMENT IDENTIFIER, SEE MONUMENT TABLE FOR DETAILS.
- LEGALIZATION CENTERLINE
- LEGALIZATION RIGHT-OF-WAY LINE
- EDGE OF GRAVEL OR PAVEMENT
- OVERHEAD POWER LINE
- UNDERGROUND COMMUNICATION LINE
- () RECORD DATA REFERENCE, SEE TABLE.

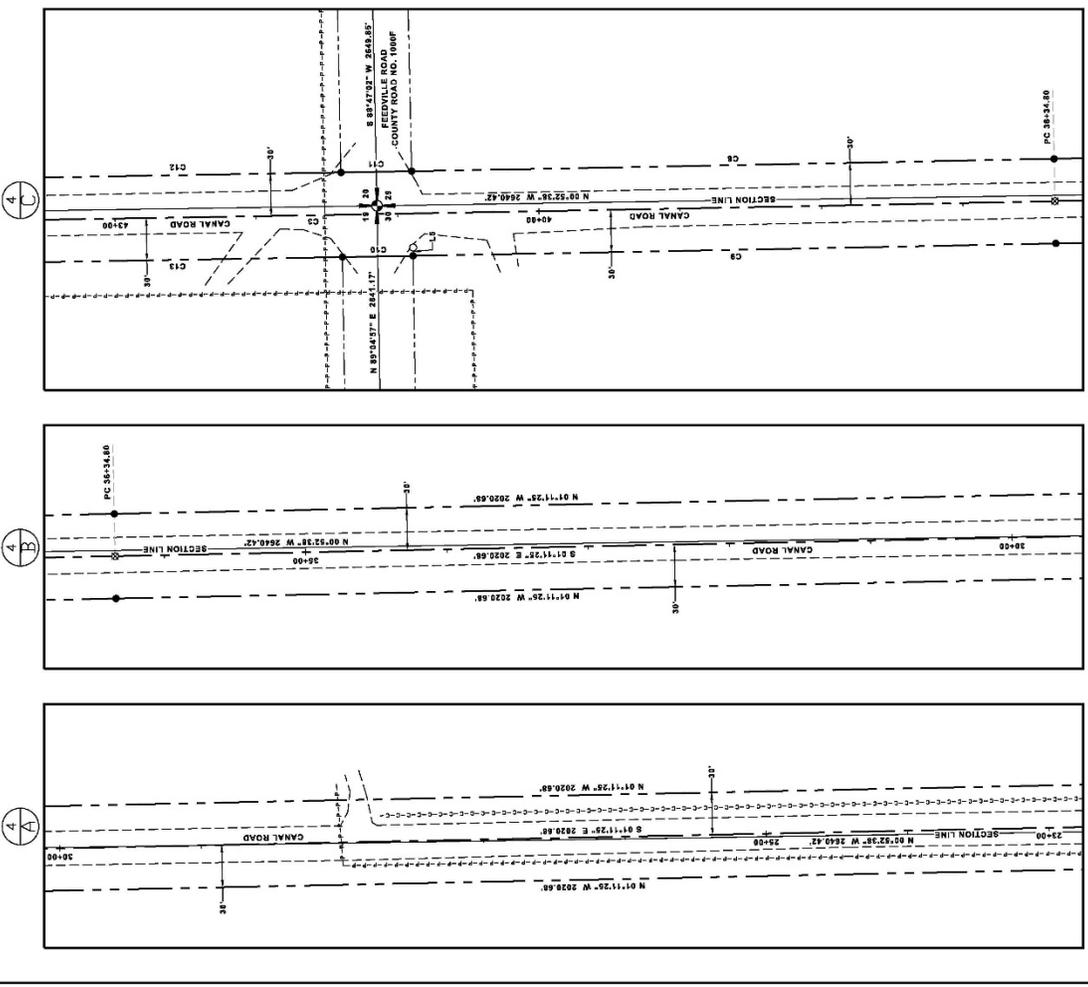
RECORDS OF REFERENCE

- S1: PARTITION PLAT NO. 1987-07, RECORDED 4-08-1987.
- S2: UMATILLA COUNTY SURVEY NO. 81-088-05, FILED APRIL 1985.
- S3: UMATILLA COUNTY SURVEY NO. 81-088-06, FILED APRIL 1985.
- S4: UMATILLA COUNTY SURVEY NO. 23-042-C, FILED 5-4-2023, (GEO)
- S5: UMATILLA COUNTY SURVEY NO. 23-042-C, FILED 5-4-2023, (GEO)
- S6: COUNTY ROAD RECORDS, CANAL ROAD NO. 1179.
- S7: COUNTY ROAD RECORDS, FEDERAL ROAD NO. 1000F.
- S8: COUNTY ROAD RECORDS, FEDERAL ROAD NO. 1000F.
- D1: REEL 1874, PAGE 108B, RECORDED 4-23-1981.

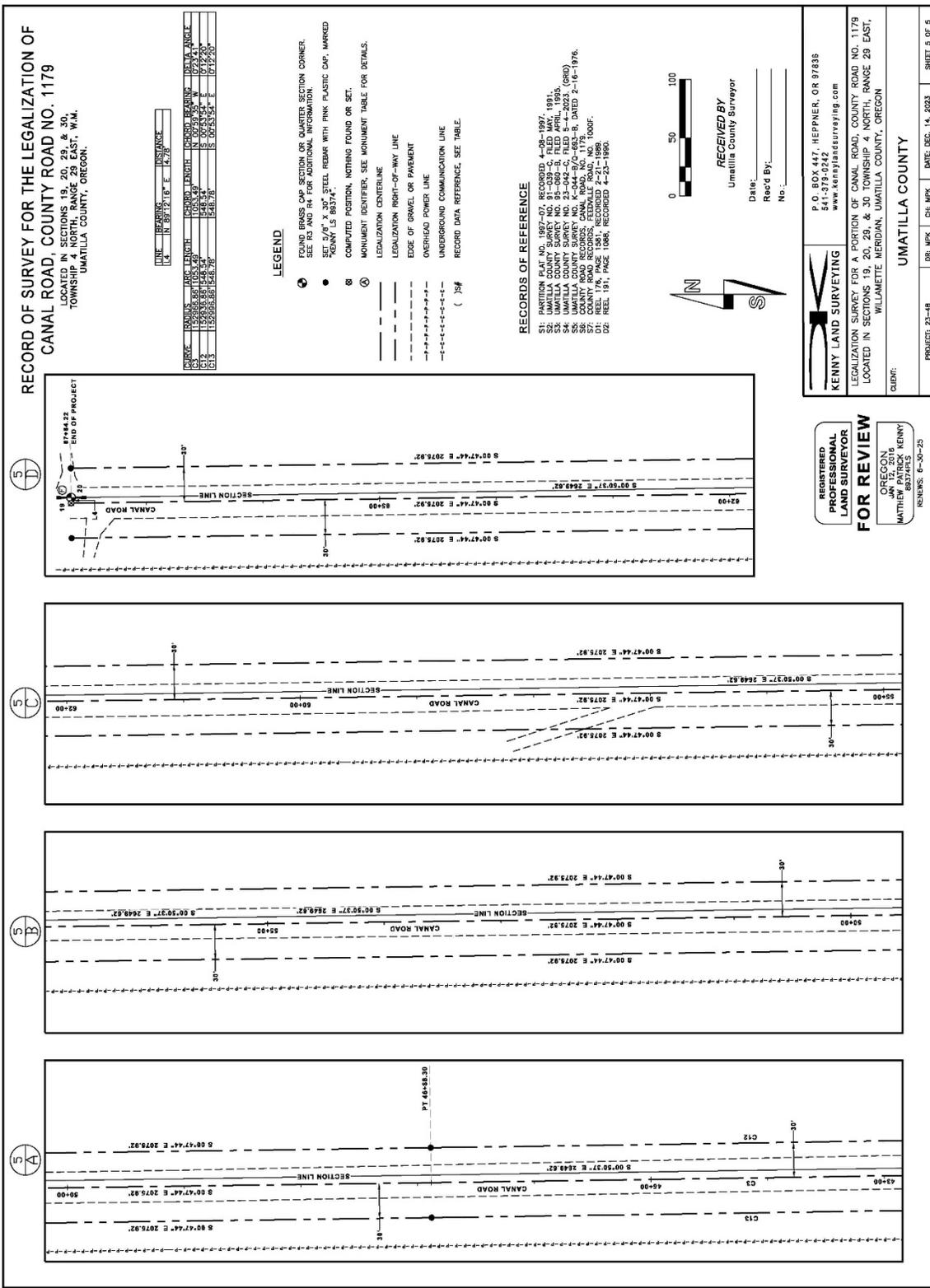
0 50 100
 RECEIVED BY
 Umatilla County Surveyor
 Date: _____
 No.: _____

FOR REVIEW

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR
 KENNY
 JAN 12, 2016
 MATTHEW PATRICK KENNY
 LICENSE: 61-36-25



KENNY LAND SURVEYING
 P.O. BOX 447, HEPPNER, OR 97836
 541-378-0242
 www.kennylandsurveying.com
 LEGALIZATION SURVEY FOR A PORTION OF CANAL ROAD, COUNTY ROAD NO. 1179
 LOCATED IN SECTIONS 19, 20, 29 & 30 TOWNSHIP 4 NORTH, RANGE 29 EAST,
 WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON
 CLIENT: UMATILLA COUNTY



KENNY LAND SURVEYING
 LEGALIZATION SURVEY FOR A PORTION OF CANAL ROAD, COUNTY ROAD NO. 1179
 LOCATED IN SECTIONS 19, 20, 29, & 30 TOWNSHIP 4 NORTH, RANGE 28 EAST,
 WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON

P.O. BOX 447, HEPPNER, OR 97835
 541-379-0242
 www.kennylandsurveying.com

RECEIVED BY
Umattilla County Surveyor

Date: _____
 Rec'd By: _____
 No. _____

REGISTERED PROFESSIONAL
LAND SURVEYOR
FOR REVIEW
 OREGON
 JAN 17, 2016
 MATTHEW J. KENNY
 6823 STATES
 REVENUES: 6-30-25

UMATILLA COUNTY

PROJECT: 23-48 | DR: MKP | CR: MKP | DATE: DEC. 14, 2023 | SHEET 5 OF 5

THE BOARD OF COMMISSIONERS OF UMATILLA COUNTY

STATE OF OREGON

In the Matter of Legalization)
of a Portion of Canal Road,) Order No. RD2024-03
County Road No. 1179)

WHEREAS in accordance with ORS 368.201 to 368.221, the Umatilla County Board of Commissioners may initiate proceedings to legalize a county road that has been used and traveled by the public for ten years or more,

WHEREAS the Board of Commissioners adopted Order No. RD2024-01 setting a hearing on the legalization of a portion of Canal Road, County Road No. 1179, located in Sections 19, 20, 29 and 30, Township 4 North, Range 29 E.W.M.;

WHEREAS a public hearing was set for February 21, 2024, to consider the legalization of the road, and notice of the hearing was posted on January 18, 2024 in three public places, and all owners of abutting property affected by the legalization procedure were mailed copies of the notice of the hearing;

WHEREAS the Board of Commissioners held a public hearing on February 21, 2024, and found that it would be in the public interest to legalize the road.

NOW THEREFORE IT IS ORDERED that the location of Canal Road, County Road No. 1179, is legalized as follows:

A 60.00-foot-wide strip, being 30.00 feet on each side of the centerline thereof, for public road and utility purposes over that portion of Canal Road, County Road No. 1179, located in Sections 19, 20, 29, and 30, Township 4 North, Range 29 East, Willamette Meridian, Umatilla County, Oregon, being further described as follows:

Beginning at a brass cap marking the Southeast Corner of said Section 30 (from which a brass cap marking the Quarter Corner common to said Sections 29 and 30 bears North 00°52'24" West, 2640.47 feet); thence North 00°52'24" West, along the east line of said Section 30 for a distance of 1162.84 feet to the northerly boundary of that real property described under Reel 191, Page 1088, and Reel 176, Page 1581, Office of County Records, Umatilla County, Oregon; thence North 80°01'47" East,

along the northerly boundary of said Reel 191, Page 1088, and Reel 176, Page 1581 for a distance of 22.67 feet to the TRUE POINT OF BEGINNING of the centerline to be described, said point being located at Canal Road Station 0+00.00, B.O.P. (Beginning of Project); thence leaving the northerly boundary of said Reel 191, Page 1088, and Reel 176, Page 1581, northerly along the centerline of Canal Road the following courses and distances:

Thence North $01^{\circ}14'17''$ West, 931.82 feet to Canal Road Station 9+31.82, P.C.; thence northerly along a 11,484.68-foot radius curve to the left, through a central angle of $00^{\circ}33'30''$, for an arc length of 111.89 feet (the long chord of which bears North $01^{\circ}31'02''$ West, 111.89 feet) to Canal Road Station 10+43.71, P.T.; thence North $01^{\circ}47'47''$ West, 387.48 feet to Canal Road Station 14+31.19, P.C.; thence northerly along a 17,291.90-foot radius curve to the right, through a central angle of $00^{\circ}36'22''$, for an arc length of 182.92 feet (the long chord of which bears North $01^{\circ}29'36''$ West, 182.92 feet) to Canal Road Station 16+14.11, P.T.; thence North $01^{\circ}11'25''$ West, 2020.68 feet to Canal Road Station 36+34.79, P.C.; thence northerly along a 152,966.86-foot radius curve to the right, through a central angle of $00^{\circ}23'41''$, for an arc length of 1053.49 feet (the long chord of which bears North $00^{\circ}59'35''$ West, 1053.49 feet) to Canal Road Station 46+88.28, P.T.; thence North $00^{\circ}47'44''$ West, 2075.92 feet to Canal Road Station 67+64.20, E.O.P. (End of Project) and the end of this centerline description, said point bears South $89^{\circ}12'16''$ West, 4.78 feet from a brass cap marking the Quarter Corner common to said Sections 19 and 20.

The right-of-way margins shall be extended or shortened to begin on the northerly boundary of said Reel 191, Page 1088, and Reel 176, Page 1581, and terminate 30.00 feet distant and at right angles to said Canal Road Station 67+64.22, E.O.P. (End of Project). This description has been prepared with reference to the Legalization Survey for Canal Road, County Road No. 1179 as recorded with the Umatilla County Surveyor's Office.

DATED this 21st day of February, 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