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Umatilla County
Received:9/17/2014

THE BOARD OF COMMISSIONERS OF UMATILLA COUNTY



STATE OF OREGON

In the Matter of Legalization)
of a Portion of Birch Creek Road,) Order No. RD2014-16
County Road No. 550)

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, and

WHEREAS the Board of Commissioners adopted Order No. RD2014-05 to order a survey of a portion of Birch Creek Road (County Road No. 550), lying between Tum-A-Lum Road and the North ¼ Corner of Section 30, Township 6 North, Range 36 E.W.M., to initiate the legalization process for the portion of the road, and

WHEREAS a public hearing was set for September 17, 2014 to consider the legalization of the road, and notice of the hearing was posted on August 19, 2014 in four public places, published in the East Oregonian on August 27, 2014 and September 10, 2014, and all owners of abutting property affected by the legalization procedure were mailed copies of the notice of the hearing, and

WHEREAS the Board of Commissioners held a public hearing on September 17, 2014, and found that it would be in the public interest to legalize the road.

NOW THEREFORE IT IS ORDERED that the location of Birch Creek Road, County Road No. 550, is legalized as follows:

Unit 1

A 40-foot wide strip of land for road and utility installation purposes located in Sections 24 and 25, Township 6 North, Range 35 E.W.M., lying 20.00 feet on each side of the following described centerline:

Beginning at a railroad spike with punch mark set in the intersection of Tum-A-Lum Road (County Road 505) and Birch Creek Road (County Road 550) which bears N01°18'34"W, 14.89 feet along the north-south centerline of Section 25, Township 6 North, Range 35 E.W.M. from a brass-capped monument marking the ¼ corner common to Sections 24 and 25, T. 6 N., R. 35 E.W.M., said railroad spike being assigned Engineer's Station "BC" 0+00.00 B.O.P.; thence N89°16'09"E, 706.67 feet to a railroad spike with punch mark and Engineer's Station "BC" 7+06.67 P.I.; thence N88°45'59"E, 706.77 feet to a point on the west end of Umatilla County Bridge No. 483 (Tum-A-Lum Bridge) and Engineer's Station "BC" 14+13.44 P.I.; thence S83°31'42"E, 111.85 feet to a point on the east end of Tum-A-Lum Bridge which is assigned Engineer's Station "BC" 15+25.29 P.C. and bears S89°00'13"W, 1159.01 feet along the line between Sections 24 and 25 from a brass-capped monument marking the corner common to Sections 24 and 25, T. 6 N., R. 35 E.W.M., and Sections 19 and 30, T. 6 N., R. 36 E.W.M. and there terminating. Excepting therefrom that portion lying within the right of way limits of Tum-A-Lum Road (County Road 505).

**After recording return original
to: Commissioners' Journal.
cc: County Counsel**

Bearings and distances are NAD '83('91) grid. The plat of the road is recorded as Survey No. 12-118-C in the Umatilla County Surveyor's Office.

Unit 2

A 60-foot wide strip of land for road and utility installation purposes located in Sections 24 and 25, Township 6 North, Range 35 E.W.M., lying 30.00 feet on each side of the following described centerline:

Beginning at a point on the east end of Umatilla County Bridge No. 483 (Tum-A-Lum Bridge) which is assigned Engineer's Station "BC" 15+25.29 P.C. and bears S89°00'13"W, 1159.01 feet along the line between Sections 24 and 25 from a brass-capped monument marking the corner common to Sections 24 and 25, Township 6 North, Range 35 E.W.M., and Sections 19 and 30, Township 6 North, Range 36 E.W.M.; thence 56.70 feet along a 46.99-foot radius curve right (the long chord bears S48°57'40"E, 53.33 feet) to a railroad spike with punch mark assigned Engineer's Station "BC" 15+81.99 P.T.; thence S14°23'38"E, 255.38 feet to a railroad spike with punch mark assigned Engineer's Station "BC" 18+37.37 P.C.; thence 86.79 feet along a 300.05-foot radius curve right (the long chord bears S06°06'26"E, 86.49 feet) to a railroad spike with punch mark set in the intersection of Birch Creek Road (County Road 550) and Eastside Road (County Road 575) which bears S69°37'18"W, 1115.76 feet from the brass-capped monument marking the corner common to Sections 24 and 25, Township 6 North, Range 35 E.W.M., and Sections 19 and 30, Township 6 North, Range 36 E.W.M., said railroad spike being assigned Engineer's Equation Station "BC" 19+24.16 P.O.C. BK. = "BC" 19+24.16 P.C. AH., and there terminating.

Bearings are NAD '83('91) grid. The plat of the road is recorded as Survey No. 12-118-C in the Umatilla County Surveyor's Office.

Unit 3

A 40-foot wide strip of land for road and utility installation purposes located in Section 25, Township 6 North, Range 35 E.W.M. and Section 30, Township 6 North, Range 36 E.W.M., lying 20.00 feet on each side of the following described centerline:

Beginning at a railroad spike with punch mark set in the intersection of Birch Creek Road (County Road 550) and Eastside Road (County Road 575) which bears S69°37'18"W, 1115.76 feet from a brass-capped monument marking the corner common to Sections 24 and 25, Township 6 North, Range 35 E.W.M., and Sections 19 and 30, Township 6 North, Range 36 E.W.M., said railroad spike being assigned Engineer's Equation Station "BC" 19+24.16 P.O.C. BK. = "BC" 19+24.16 P.C. AH.; thence 178.89 feet along a 114.72-foot radius curve left (the long chord bears S46°12'13"E, 161.31 feet) to a railroad spike with punch mark assigned Engineer's Station "BC" 21+03.05 P.T.; thence N89°07'27"E, 2259.98 feet to a railroad spike with punch mark set in the intersection of Birch Creek Road (County Road 550) and Telephone Pole Road (County Road 551) which bears S02°21'17"E, 499.14 feet from a 5/8-inch rebar with 2-inch aluminum cap marking the west 1/16th corner common to Sections 19 and 30, Township 6 North, Range 36 E.W.M., said railroad spike being assigned Engineer's Station "BC" 43+63.03 P.I., and there terminating. Excepting therefrom that portion lying within the right of way limits of Eastside Road (County Road 575) and Telephone Pole Road (County Road 551).

Bearings and distances are NAD '83('91) grid. The plat of the road is recorded as Survey No. 12-118-C in the Umatilla County Surveyor's Office.

Unit 4


A 40-foot wide strip of land for road and utility installation purposes located in Sections 19 and 30, Township 6 North, Range 36 E.W.M., lying 20.00 feet on each side of the following described centerline:

Beginning at a 5/8-inch rebar with 2-inch aluminum cap marking the west 1/16th corner common to Sections 19 and 30, Township 6 North, Range 36 E.W.M., which is set in the intersection of Birch Creek Road (County Road 550) and Telephone Pole Road (County Road 551) and assigned Engineer's Station "BC" 48+62.17 P.I.; thence N88°33'08"E, 1320.03 feet to a P-K nail marking the ¼ corner common to Sections 19 and 30, Township 6 North, Range 36 E.W.M., said monument being assigned Engineer's Station "BC" 61+82.20 P.O.T., and there terminating. Excepting therefrom that portion lying within the right-of-way limits of Telephone Pole Road (County Road 551).

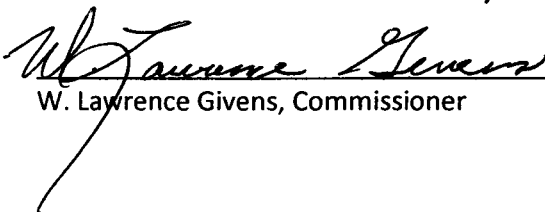
Bearings and distances are NAD '83('91) grid. The plat of the road is recorded as Survey No. 12-118-C in the Umatilla County Surveyor's Office.

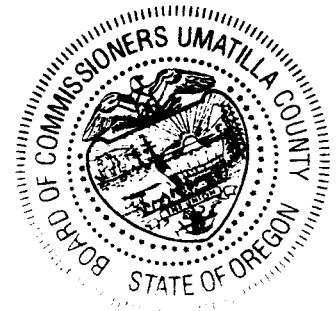
DATED this 17th day of September, 2014

UMATILLA COUNTY BOARD OF COMMISSIONERS



William J. Elfering, Chair

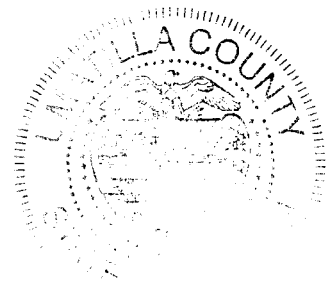

George L. Murdock, Commissioner


W. Lawrence Givens, Commissioner



ATTEST:
OFFICE OF COUNTY RECORDS


Mary Coen
Records Officer





2014-6200814 4 of 4

State of Oregon
County of Umatilla



Instrument received
and recorded on
9/17/2014 2:02:54 PM

in the record of instrument
code type DE-ORDER

Instrument number 2014-6200814
Fee \$0.00

Office of County Records

Steve Churchill

Records Officer
1019383 P4