

PETITION TO VACATE

TO THE BOARD OF COUNTY COMMISSIONERS FOR UMATILLA COUNTY, OREGON

IN THE MATTER OF THE VACATION OF )  
A PORTION OF MCKAY CREEK RIGHT OF WAY, )  
COUNTY ROAD NO. 1050 ) PETITION TO VACATE  
Umatilla County, Oregon )

- A. **Petitioner:** Louisiana-Pacific Corporation  
111 S.W. Fifth Avenue  
Portland, Oregon 97204
- B. **Contact Persons:** Gary Kerwood  
Attorney  
Louisiana-Pacific Corporation  
111 S.W. Fifth Avenue  
Portland, Oregon 97204  
Phone: (503) 221-0800 x124  
  
Rex Christensen, Ranch Manager  
Louisiana-Pacific Corporation  
P.O. Box J  
East Birch Creek Rd.  
Pilot Rock, OR 97868  
Phone: (503) 443-3108
- C. **Property:** Portion of McKay Creek  
Right-of-Way, County Rd. No. 1050,  
Umatilla County, Oregon
- D. **Date of Petition:** April 23, 1991

I

Louisiana-Pacific Corporation hereby petitions the Board of County Commissioners of Umatilla County, Oregon, to vacate a portion of the McKay Creek Right of Way, County Rd. No. 1050 (the "Right-of-Way"), more particularly described as follows:

Beginning at the intersection of the McKay Creek Right-of-Way, County Road No. 1050, and the north line of Section 30, T1S, R34E, W.M. and traversing generally in a southeasterly direction to the end of the Right-of-Way.

A photographically reduced copy of a county map showing the portion of Right-of-Way to be vacated is attached as Exhibit A.

II

Petitioner is the sole owner, as shown in the records of Umatilla County, of property abutting the property sought to be vacated, and is the only person or corporation particularly affected by the proposed vacation of the property.

III

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

IV

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

HOW PROPERTY IS USED: The property is used for mixed purposes, including timber cutting, hunting and recreation.

CONDITION OF PROPERTY: Mixture of forest and open country, being damaged by trespassers.

REASONS FOR VACATION: Petitioner owns all of the property on all sides of the Right-of-Way which is sought to be vacated. The Right-of-Way terminates entirely within Petitioner's property and no person has any right or cause to cross Petitioner's property from the point of the termination of the Right-of-Way to the boundary of Petitioner's property.

Allowing the Right-of-Way to remain open to public use encourages vandalism, trespassing and dumping on Petitioner's property by persons having no legitimate need or reason to be on any portion of the Right-of-Way.

Attached as Exhibit B are photographs of (a) portions of the Right-of-Way, (b) portions of Petitioner's property damaged by all-terrain vehicles, motorcycles and four-wheel drives trespassing on Petitioner's property and (c) garbage dumped by persons using the Right-of-Way.

V

Names and addresses of all persons holding any recorded interest in the property proposed to be vacated:

Louisiana-Pacific Corporation  
111 S.W. Fifth Avenue  
Portland, Oregon 97204

VI

Names and addresses of all persons owning any real property abutting the property proposed to be vacated: (For this purpose, any property on the opposite side of a public roadway from the property proposed to be vacated is also considered to be an abutting property.)


Louisiana-Pacific Corporation  
111 S.W. Fifth Avenue  
Portland, Oregon 97204

VII

Petitioner requests that after the giving of notice as required by law, a hearing be held on this petition before the Board of County Commissioners, and that an order be entered vacating the property more particularly described above.

Dated this 23rd day of April, 1991.

LOUISIANA-PACIFIC CORPORATION  
PETITIONER

By:   
Title: Vice President

STATE OF OREGON

County of Multnomah

This instrument was acknowledged before me on April 23, 1991 by Lee C. Simpson as Vice President, Operations, of Louisiana-Pacific Corporation.

*Letha G. White*

Notary Public for Oregon

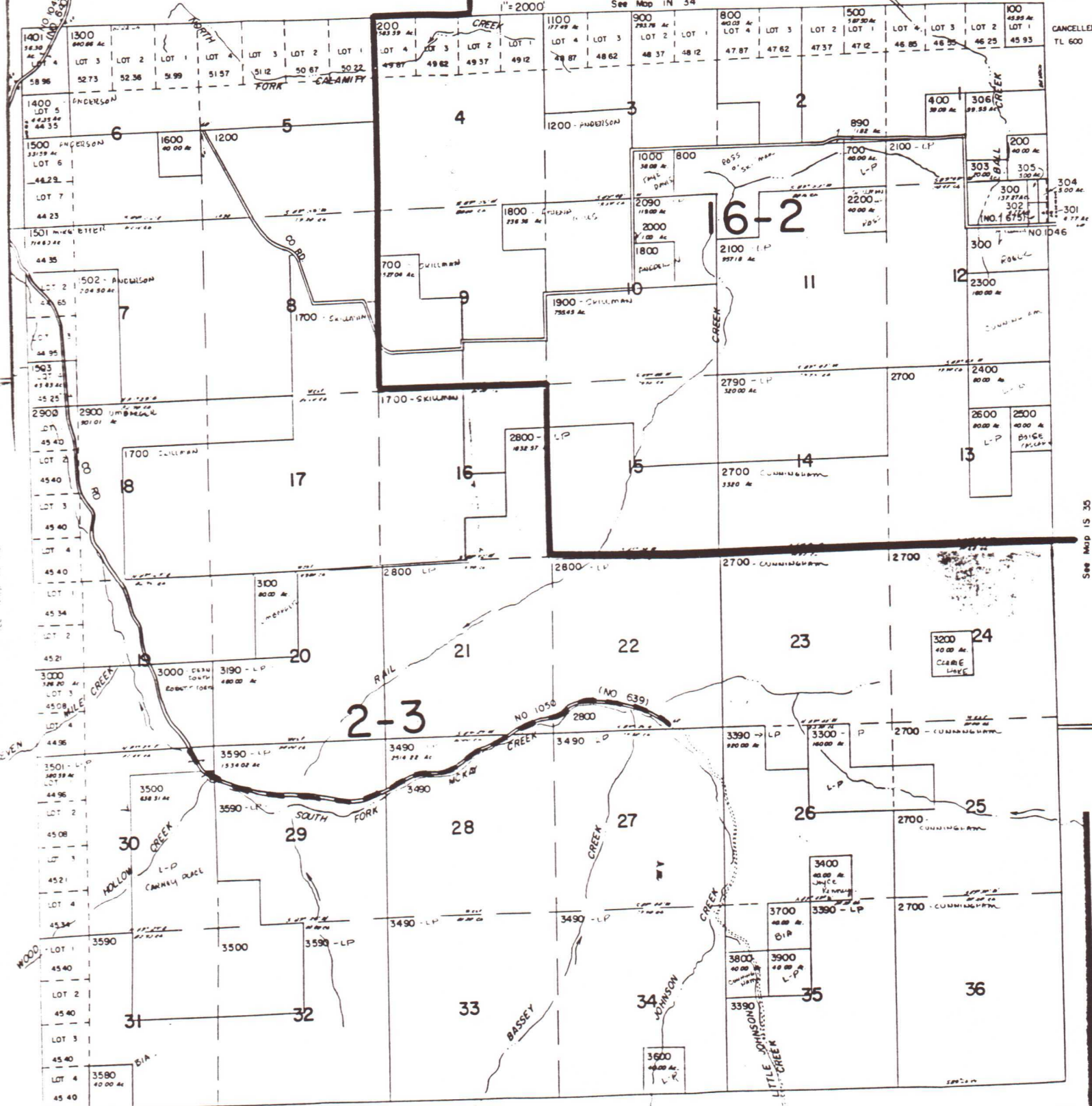
My Commission Expires: 9/20/93



T.1S. R.34E.W.M.  
UMATILLA COUNTY

IS 34  
Aerial Photo No. NZ-7P-12-16  
7P-98  
8P-96-98

CANCELLED  
TL 600



--- Access Road to Be Vacated

EXHIBIT A



March 1991

Upper McKay Creek  
Pilot Rock, Oregon

Most two wheel drive  
vehicles can not travel  
beyond this embankment.



This road is not  
maintained by the county.



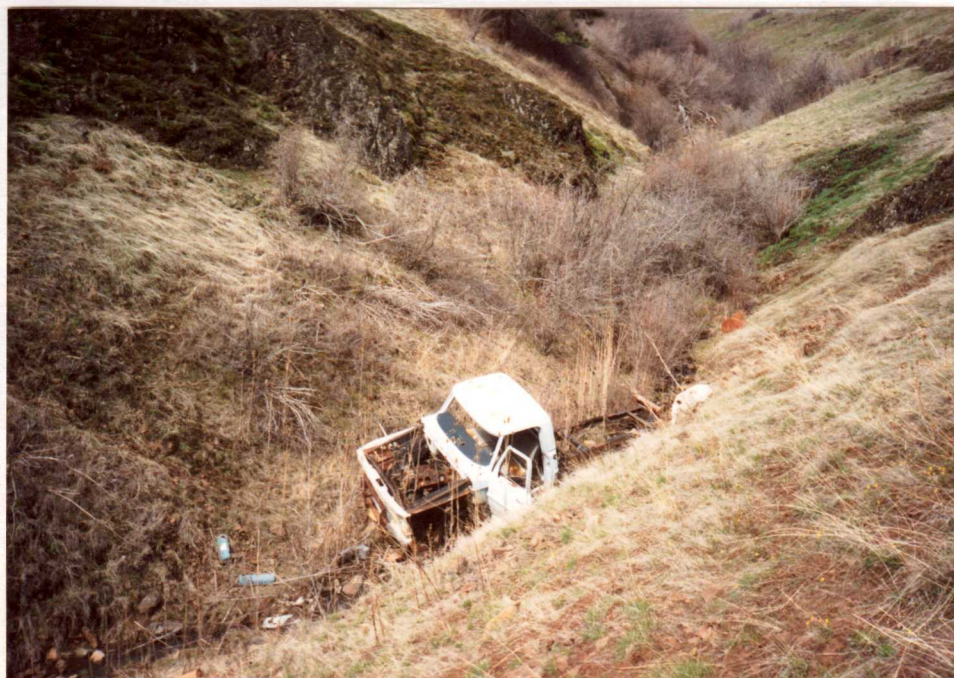
The road criss crosses  
the creek or travels in  
the creekbed itself in  
some places.



This private access road going up the ridge is intended only for ranchers leasing pastures, fire control and company use.



The abandoned vehicle in the bottom of the canyon was trespassing on this private access while poaching elk. They lost control of the vehicle, slid off the ridge into the bottom, wrecking the pickup. The driver, the passengers, the elk, and the license plates were gone by the time the State Police arrived.





Local four wheel drive enthusiasts find the soft meadows, embankments and the steep ridges a challenge to prove their driving prowess. It takes a long time for this damage to repair itself, unless erosion makes it worse and the top soil is gone.







Alot of locals use this area for dumping their garbage, instead of going to the landfill and paying a fee.



Week end beer parties around the campfire leaves messes like these.

