

FEEDVILLE ROAD

COUNTY ROAD #1180

PARTIAL RIGHT-OF-WAY  
VACATION

ROAD REPORT

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UMATILLA COUNTY  
DEPARTMENT OF PUBLIC  
WORKS

OCTOBER, 2010



TABLE OF CONTENTS

<u>DESCRIPTION</u>	<u>PAGE NO.</u>
Report.....	1
Vicinity Map.....	2
Petition.....	3,4
Survey Map.....	5
Photographs.....	A,B,C,D,E

## Feedville Road Vacation Report

### Issues

A petition was received from Peter and Deanna Strawick and Gary Turner to vacate the northerly 16 feet of the right-of-way of a portion of County Road No. 1180, Feedville Road, near its west end. The road was originally established in 1907 as Road No. 608, at a width of 66 feet. The request to vacate came after it was discovered that a new shop building had inadvertently been built approximately 12 feet into the road right-of-way.

Another issue is that Umatilla County constructed and has been maintaining the road west from its legal terminus to the A-Line Canal, including the bridge across the canal. Records show that the County built the bridge in 1930 and it has been repaired several times since then, including in 2002 when it was rebuilt. No right-of-way for this portion of the road, which is approximately 300 feet long, was ever acquired.

### History

On May 12, 2010 at the Board meeting, it was agreed by the Commissioners that the right-of-way could be vacated if the Strawicks would grant a 17-foot wide strip of land on the north side of the section line and Gary Turner would grant a 33-foot wide strip on the south side of the section line from the southwest corner of Section 20 west to the A-Line Canal so that the County would have a legal right-of-way for the road it has been maintaining. Gary Turner had a pending land partition at the time and after discussion with Carol Johnson in Planning, it was decided that if Mr. Turner was willing to grant the 33 feet to the County, he could do it by dedication on his plat, which he did in June (Partition Plat 2010-17). The Strawicks have recently signed a public road easement grant to the County for the 17-foot wide strip on the north.

### Vacation Without Hearing

ORS 368.351 allows a county governing body to vacate a road if 100% of abutting property owners sign the petition. Peter and Deanna Strawick and Gary Turner own all of the land abutting the road on both sides and all signed the petition. It is recommended that a determination be made without holding a public hearing.

### Recommendation

As can be seen in the photos, the traveled road is centered south of the section line and the "new" north right-of-way line would more or less match the location of the fence. The resulting width of the road from Strawick's east property line to the A-Line Canal would be 50 feet. It is not anticipated that Feedville road will be extended west any time in the foreseeable future. The public benefit of vacating the 16-foot wide strip is the acquisition of the additional right-of-way at no cost in return for vacating it. The Public Works Department recommends the right-of-way be vacated and the easement grant from the Strawicks be accepted.







## ROAD VACATION PETITION

We, Peter Strawick, Deanna Strawick, and Gary Turner petition the Board of County Commissioners of Umatilla County, Oregon to vacate a 16-foot wide strip of Feedville Road lying north of the line between Sections 20 and 29, Township 4 North, Range 28 E.W.M., said strip being the northerly 16 feet of that portion of the 66-foot wide Feedville Road right-of-way lying within the tract of land owned by Peter and Deanna Strawick as described on Instrument #2008-5430451, Umatilla County Deed Records

( Drawing Attached)

### II

Petitioners are the owners, as shown in the records of Umatilla County, of property abutting the road sought to be vacated, (and petitioners are the only persons or corporations particularly affected by the proposed vacation of the road).

### III

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

### IV

The particular circumstance that justifies granting a vacation of the described road is that a new garage was inadvertently built encroaching approximately 12.5 feet into the road right-of-way. A meeting with the Board of Commissioners was held on May 12, 2010 and it was agreed that the road right-of-way could be vacated if Peter and Deanna Strawick would grant a 17-foot wide right-of-way to the County west from the end of the dedicated road to the "A" Canal and if Gary Turner would grant to the County a 33-foot wide strip (via dedication on his partition plat) west from the end of the dedicated road to the "A" Canal, resulting in a 50-foot wide right-of-way that would encompass the portion of the road the County has been maintaining beyond where it has any legal right-of-way.

### V

Names and addresses of all persons holding any recorded interest in and / or owning any real property abutting the road proposed to be vacated: ( Including any property on the opposite side of road ).

Peter Strawick	29345 Feedville Road Hermiston, Oregon 97838
Deanna Strawick	29345 Feedville Road Hermiston, Oregon 97838
Gary Turner	29307 Feedville Road Hermiston, Oregon 97838

### VI

Petitioners request 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.

### PETITIONERS

NAME	ADDRESS	TAX LOT #
Peter Strawick	29345 Feedville Road	4N2820C#600
Deanna Strawick	29345 Feedville Road	4N2820C#600
Gary Turner	29307 Feedville Road	4N28C#2800

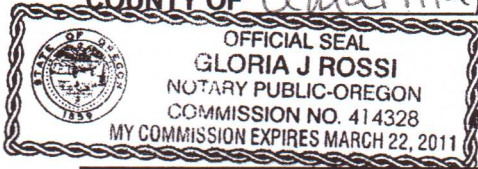
Peter Strawick

**Certification**

On this 29<sup>th</sup> day of June, 2010, before me, the undersigned, Peter Strawick 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 )  
COUNTY OF Umatilla ) ss



Gloria J Rossi  
NOTARY PUBLIC FOR OREGON  
My Commission Expires 3/22/11

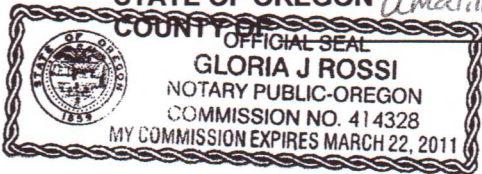
Deanna Strawick

**Certification**

On this 29<sup>th</sup> day of June 2010, before me, the undersigned, Deanna Strawick 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 )  
COUNTY OF Umatilla ) ss



Gloria J Rossi  
NOTARY PUBLIC FOR OREGON  
My Commission Expires 3/22/11

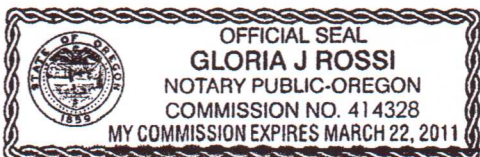
Gary D Turner

**Certification**

On this 6<sup>th</sup> day of July, 2010, before me, the undersigned, Gary D. Turner 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 )  
COUNTY OF Umatilla ) ss

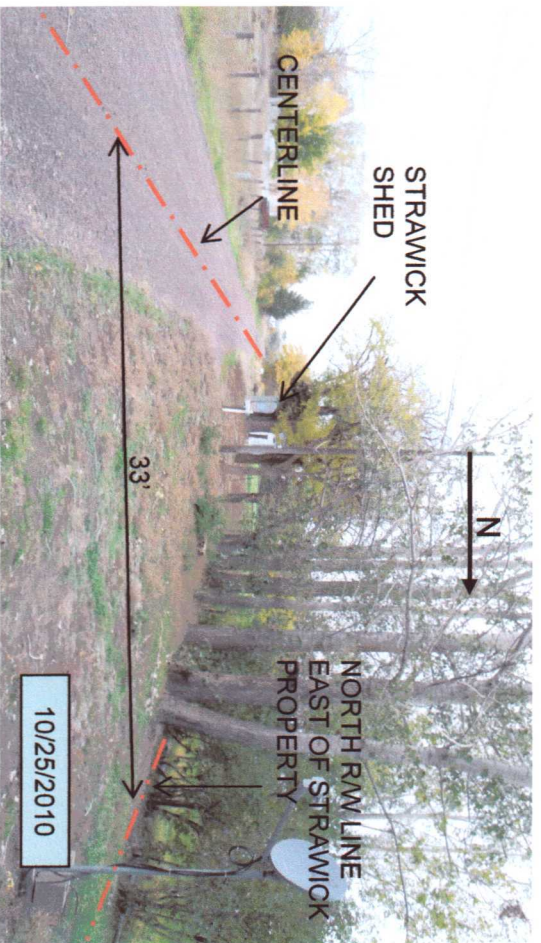
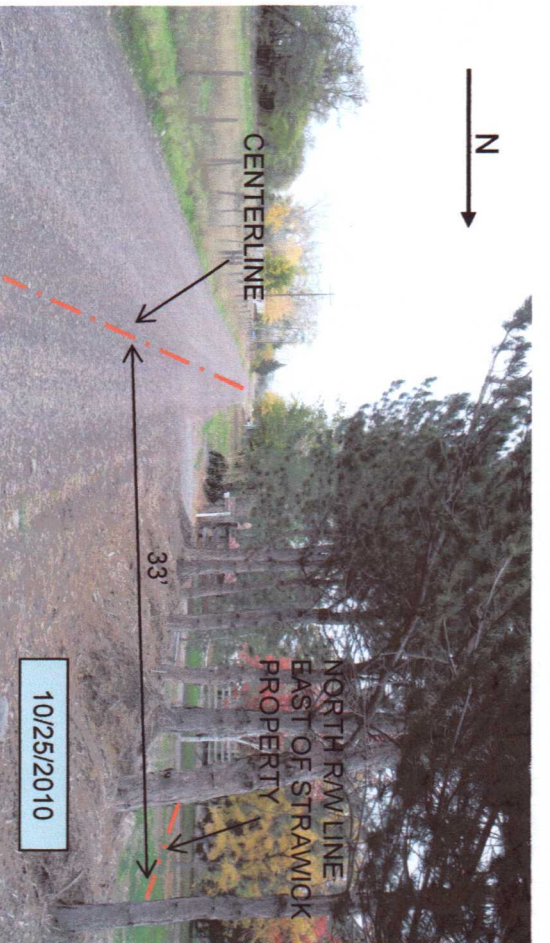
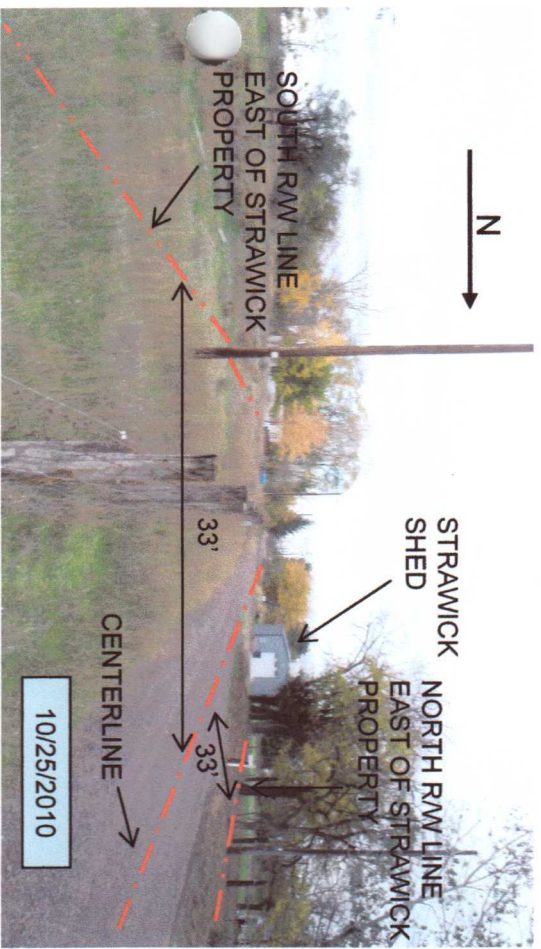
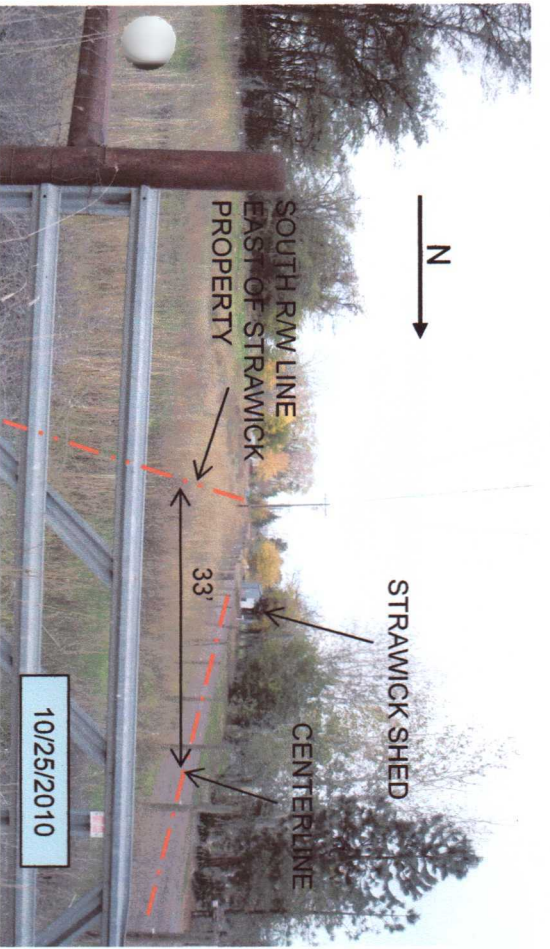


Gloria J Rossi  
NOTARY PUBLIC FOR OREGON  
My Commission Expires 3/22/2011

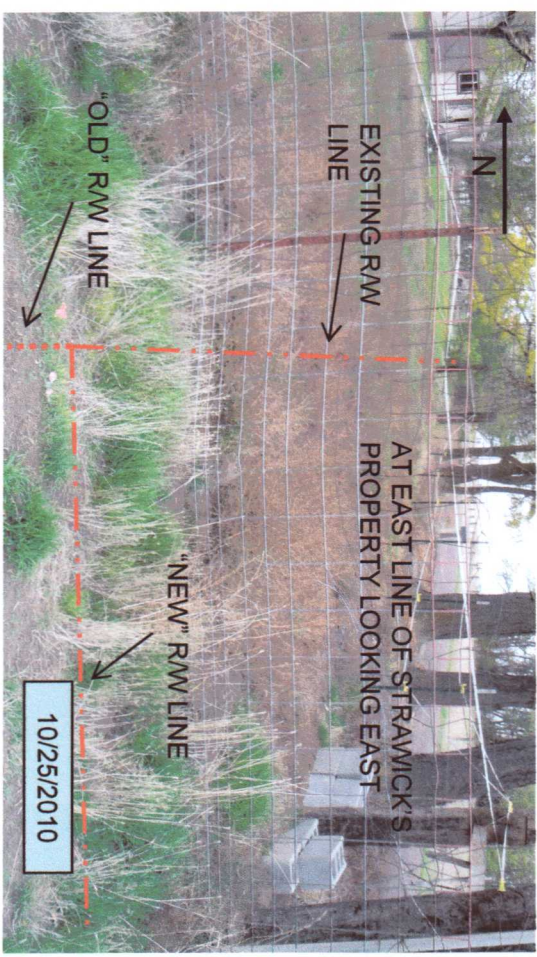
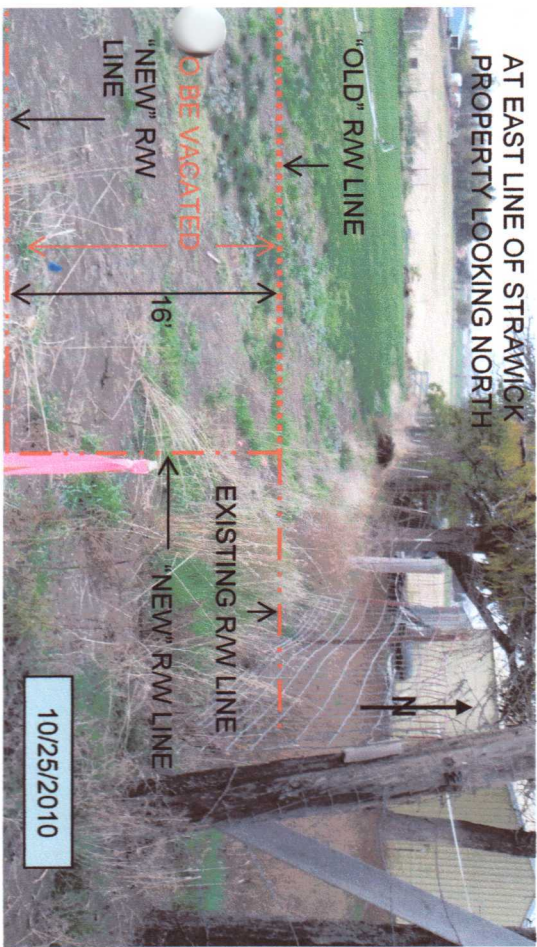
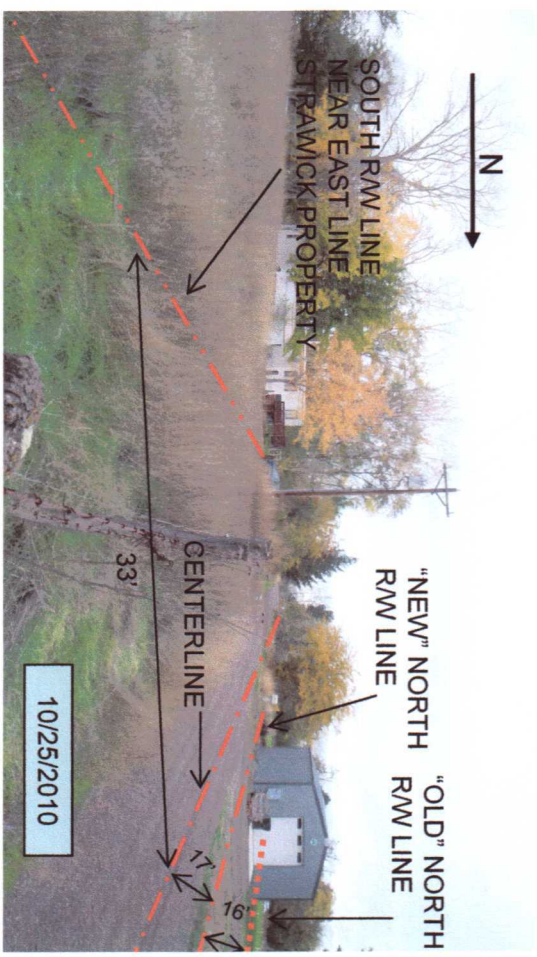
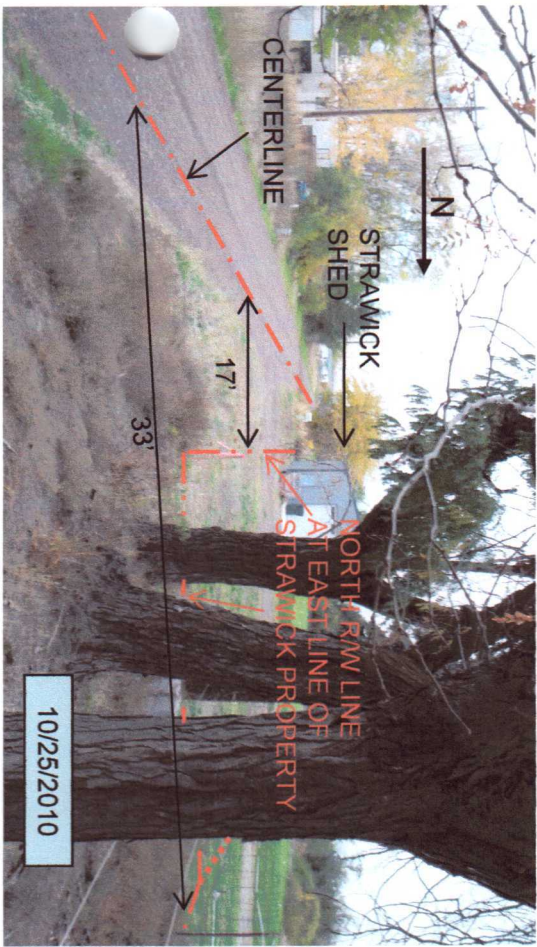




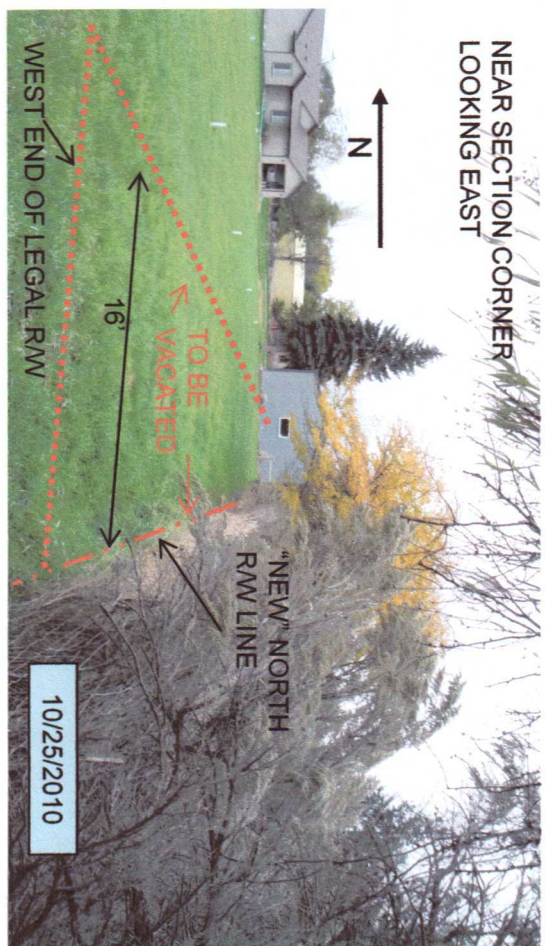
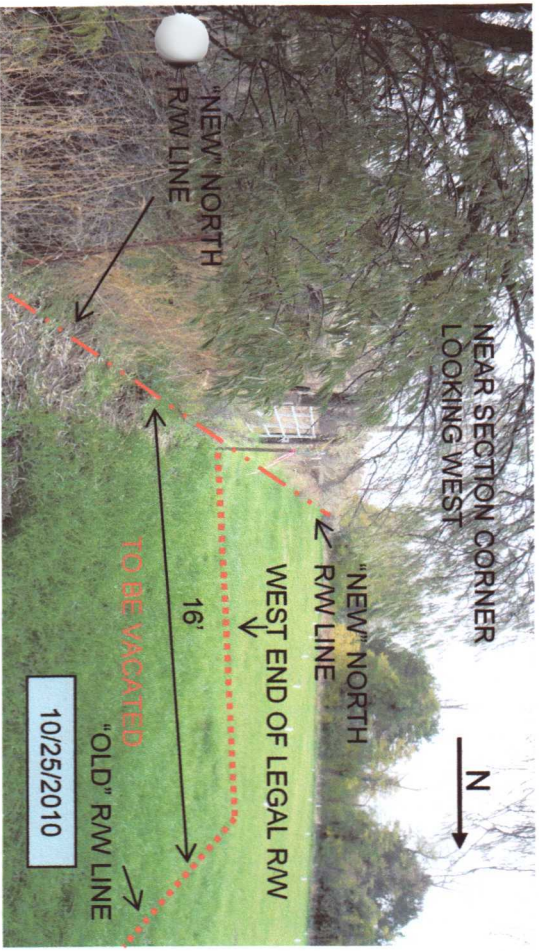
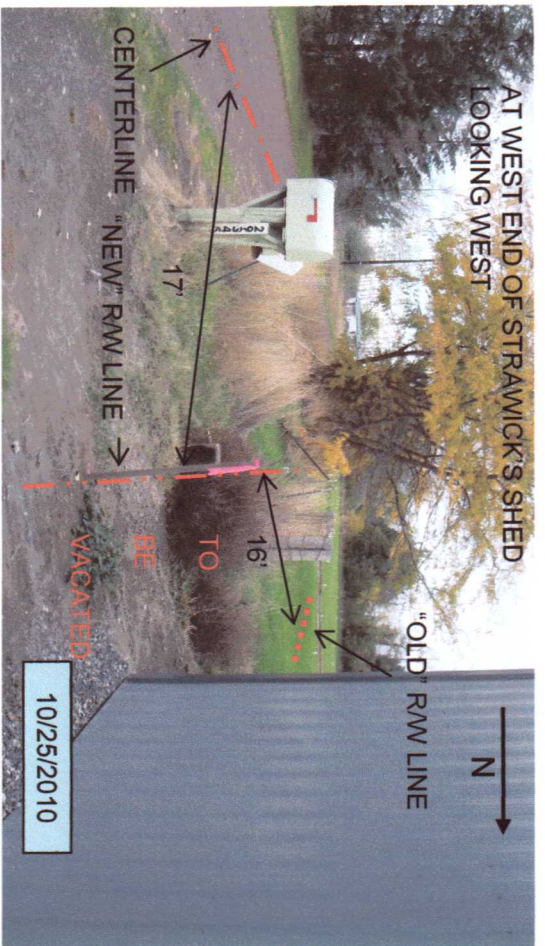
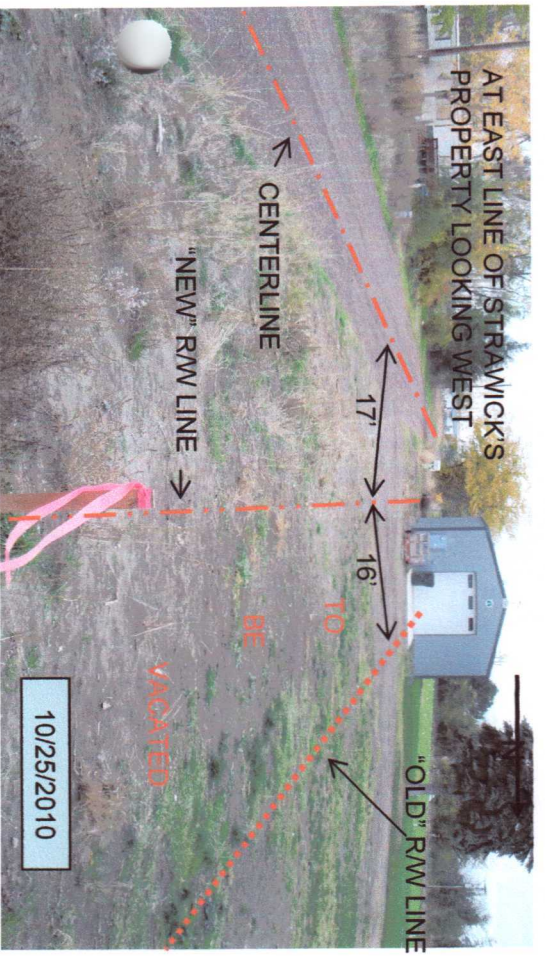






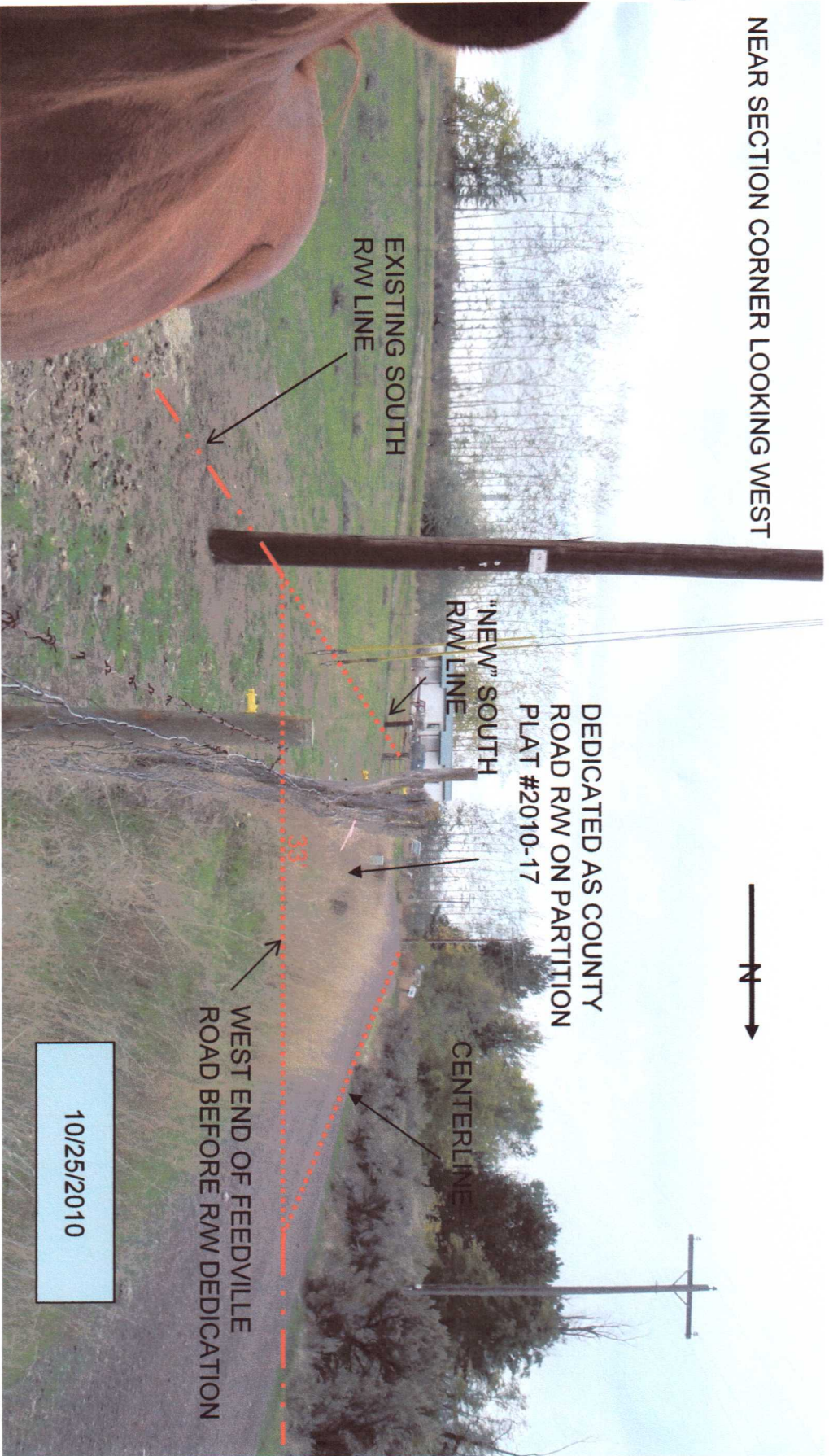








NEAR SECTION CORNER LOOKING WEST



10/25/2010



