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95 DEC -6 P 3: 59

BOARD OF COUNTY COMMISSIONERS

UMATILLA COUNTY, OREGON

IN THE MATTER OF RELOCATING)
AND LEGALIZING THE PRESENT)
LOCATION OF A PORTION OF COUNTY)
ROAD NO. 1264, KLAUS ROAD)

ORDER NO. RD95-022

WHEREAS, in accordance with ORS 368.201(3) the Umatilla County Department of Public Works has recommended that the Board of Commissioners legalize the present location of a portion of County Road No. 1264, Klaus Road, because the present location of the road is as it has been traveled and used for more than 10 years, and

WHEREAS, the Department of Public Works found by survey dated October, 1995, attached hereto and incorporated herein, that the present location of this portion of County Road No. 1264 does not conform to the location of the road described in a deed from Charles Kik to Umatilla County, and

Whereas, a hearing was held on December 6, 1995, in Room 114 of the Umatilla County Courthouse, 216 S. E. Fourth Street, Pendleton, Oregon, to hear public testimony, if any, and consider if this portion of County Road No. 1264, Klaus Road, should be relocated and legalized in its present location.

NOW THEREFORE, the Umatilla County Board of Commissioners Orders that:

1. It is in the Public interest and therefore, in accordance with ORS 368.201(2)(a) and ORS 368.201(3) that the portion of County Road No. 1264, Klaus Road, described on page 2 of this Order, be legalized in its present location as used and travelled for more than 10 years.

Klaus Road Centerline Description

A strip of land for road purposes located in the Southeast 1/4 of Section 27, Township 5 North, Range 28 East of the Willamette Meridian lying 40.00 feet on each side of the following described centerline:

Commencing at the 1/4 corner common to Sections 26 and 27, Township 5 North, Range 28 E.W.M. which is a brass-capped iron pipe buried 6" below the surface of the gravel in the intersection of County Roads 1264 and 1269; thence N89°47'58"W, 384.22 feet along the east-west centerline of Section 27 to the true point of beginning of this description; thence S67°52'14"W, 1076.98 feet; thence S70°04'39"W, 658.54 feet; thence S78°41'38"W, 3.02 feet to a point which bears N11°18'22"W, 40.00 feet from the Northeast Corner of Lot 3 Block 3 of the Charles Tracts Subdivision, said point being the terminus of this description.

2. Affected property owners whose property fronts said road will be notified of this order.

3. This Order will be recorded and thereafter record of this action will be maintained by the Department of Public Works and the County Surveyor.

IT IS FURTHER ORDERED that in accordance with ORS 368.216(4)(a) all other descriptions of the road that are in conflict with the portion of the road described above are to be considered void.

Dated this 6th day of December, 1995, at Pendleton, Oregon.

UMATILLA COUNTY BOARD OF COMMISSIONERS

Glenn Youngman, Chair

William S. Hales, Commissioner

Emile M. Holeman, Commissioner

ATTEST:
OFFICE OF COUNTY RECORDS

BY: Jeanne Hanchick, Records Officer

APPROVED AS TO FORM:

William Jones, County Counsel