

*Quincy Avenue Vacation
County Road #1277*

ROAD OFFICIAL'S REPORT

*UMATILLA COUNTY DEPARTMENT
OF PUBLIC WORKS*

JUNE 19, 2001

Table of Contents

<u>Page #</u>	<u>Description</u>
1.....	Report
2.....	Portion of McNary Addition Plat Showing Location of Road
3.....	Easement Document Creating Road
4.....	Petition for Improvement of Road
5.....	Affidavit Certifying Quincy Ave. as County Road
A,B,C,D,E.....	Photographs

Quincy Avenue Vacation

ISSUE

The vacation of a right-of-way easement granted to Umatilla County by Cyril and Florence Brownell and Zella and Ralph Joder, Book 246, Page 162, Deed Records, through land owned by the Army Corps of Engineers and leased by Umatilla Marina.

BACKGROUND

An easement for roadway purposes was granted to Umatilla County in the 1950's through what is now U. S. Army Corps of Engineers-owned property to provide access to the boat marina built by the Port of Umatilla, according to records. Its location is recorded as being the extension of Quincy Avenue as platted in McNary Addition, to what was the mean high water line of the Columbia River at the time of the plat, in 1948.

FACTS AND FINDINGS

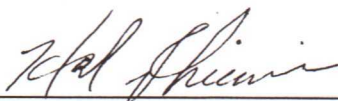
An intergovernmental agreement with the City of Umatilla calls for Umatilla County transferring Quincy Avenue, among other roads, to the City in exchange for the City receiving some of the County's bicycle path funds. The City has verbally requested that the portion of Quincy Avenue lying within Umatilla Marina be vacated. Marking the legal location of the road on the ground showed that there are small structures and landscaping (lawns, trees, sprinkler systems) within the right-of-way (see attached photos), and that much of the road leading to the river lies outside of the easement.

FISCAL IMPACTS

Vacation of the road would not return any property to the tax rolls, as the property would revert to a non-taxed entity and it is an easement anyway. No other fiscal impacts are known.

RECOMMENDATIONS

Since the Corps of Engineers obtained title to the lands along the Columbia River and improvements have been built at Umatilla Marina, this easement serves no purpose and due to the presence of trees and lawns within the easement that benefit the public users of the Marina facility, the Public Works Director feels that it would be in the Public's interest to vacate the road.



Hal Phillips, Public Works Director

APPROX. AVER. HIGH WATER LINE 481.42

BOOK 246
PAGE 162

LOT 'B'
2.62 ACS

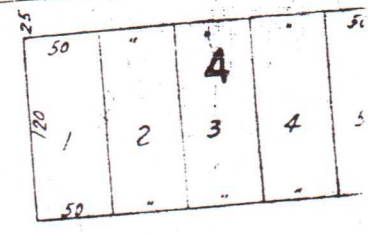
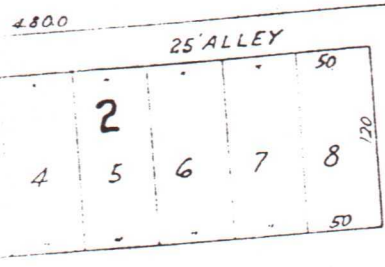
LOT 'C'
302 ACS

LOT 'D'

255.86
N 16° 47' W

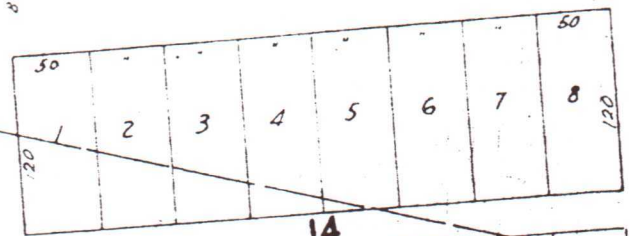
222.80
N 16° 47' W

I.P.



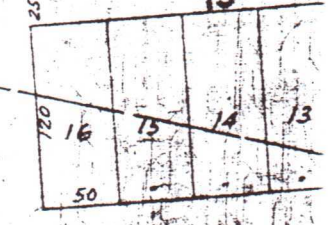
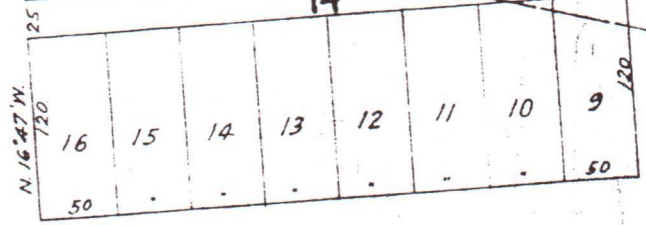
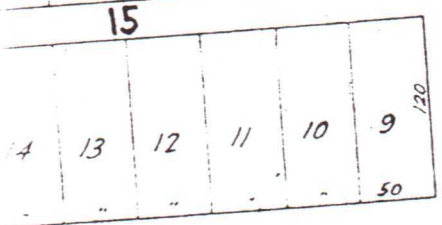
SECOND

STREET



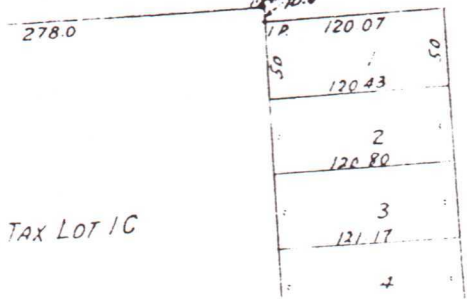
AVE.

AVE.



STREET

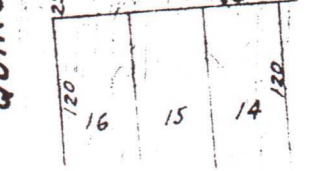
YARD



PATTERSON



QUINCY



E A S E M E N T

200072

KNOW ALL MEN BY THESE PRESENTS, that we, CYRIL G. BROWNELL and FLORENCE R. BROWNELL, husband and wife, and ZELLA JODER and RALPH JODER, wife and husband, in consideration of ONE (\$1.00) DOLLAR, and other good and valuable consideration to us paid by Umatilla County, Oregon, a municipal corporation, have bargained and sold and by these presents do grant, bargain and sell, and convey unto the said Umatilla County, Oregon, a municipal corporation, its successors and assigns, a permanent easement and right-of-way on, over and across the hereinafter described real property, situated in the County of Umatilla, State of Oregon, to-wit:

A parcel of land in Section 8, Township 5 North, Range 28, East of the Willamette Meridian, 80' in width, extending from Third Street Northerly to the mean highwater line of the Columbia River, said parcel being the Northerly extension of Quincy Avenue as shown on the plat of McNary Addition, Umatilla, Oregon, and more particularly described as follows:

The Westerly 40' of Lot D and the Easterly 40' of Lot C of the said McNary Addition.

TO HAVE AND TO HOLD the said easement and right-of-way unto the said Umatilla County, Oregon, a municipal corporation, and unto its successors and assigns forever.

That the purposes for which this easement and right-of-way are granted are for the right to enter upon the above described land, and grade, level, fill, drain, pave, build, maintain, repair and rebuild a road or highway, together with such bridges, culverts, ramps, and cuts as may be necessary.

That the grantors do covenant with the grantee that they are lawfully seised and possessed of the above described parcel of land, and that they have a good and lawful right to sell and convey it; that it is free from all encumbrances and that they will warrant and forever defend the title against the lawful claims of all persons whomsoever.

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 North side of Third Street on Quincy Street running North to the Small Boat Marina in McNary Addition in Umatilla County, not the City of Umatilla. This includes an 30 foot strip which is an extension of Quincy Street north to the Port Small Boat Marina. This strip has now been dedicated to the public.

said road to be _____ Feet wide _____

We respectfully show that there is a public necessity for said road road, in that, it will provide good access to the Small Boat Marina which is being built by the Port of Umatilla for public use.

And your petitioners will ever pray, etc.

Dated this 16th day of January 1958 A. D.

NAMES	NAMES
Cyril G. Brownell	Catherine Anderson
W. R. Walsh	H. Gosney
G. J. Lunsberry	M. E. Hatt
C. S. Stephens	H. B. Hull
Warren W. Pney	D. C. Bartlett Jr.
Hazel Amy	Ruby Boardman
Jan H. Sluys	Robert Bergstrom
H. D. Cooksey	E. J. de Baldwin
Paul H. Wilson	Ray N. Koon
G. E. Gaston	Elizabeth R. Paulson
C. F. Golde	E. M. Greene
L. J. Armstrong	David Vandenberg
Roger Bond	Darrell Hadley

Court met this day pursuant to adjournment, present the same officers as on the last day. The Journal of the last day's proceedings was read and is hereby approved and signed, and among other proceedings the following were had, to-wit:

[Signature]
County Judge
[Signature]
Commissioner
[Signature]
Commissioner

D E E D

KNOW ALL MEN BY THESE PRESENTS: That Umatilla County, Oregon, a municipal corporation in the State of Oregon, for and in consideration of the sum of \$1,200.00, the receipt whereof is hereby acknowledged and pursuant to an order of sale of real property acquired by foreclosure of delinquent tax liens has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto W. E. Hughes and Pauline Hughes, husband and wife, their heirs and assigns, the following described parcel of land situated in Umatilla County, State of Oregon, to-wit:

N½ SE¼ in Section 25, Township 5 South, Range 31, E.W.M., and
NW¼ SW¼ in Section 30, Township 5 South, Range 32, E.W.M.,
All in Umatilla County, Oregon.

together with the tenements, hereditaments and appurtenances thereunto belonging.
TO HAVE AND TO HOLD the same to the said W. E. Hughes and Pauline Hughes husband and wife their heirs and assigns, FOREVER.

IN WITNESS WHEREOF, said Umatilla County, Oregon, has caused its name to be hereunto signed by D. R. Cook, its County Judge, and F. B. Hayes and Cecil B. Stanton, its County Commissioners, who have hereunto subscribed their names this 11th day of August, 1964.

UMATILLA COUNTY, OREGON
By D. R. COOK, County Judge
F. B. HAYES, County Commissioner
CECIL B. STANTON, County Commissioner

STATE OF OREGON)
County of Umatilla) ss.

THIS CERTIFIES, That on this 11th day of August, 1964, before me, the undersigned, County Clerk of Umatilla County, Oregon, personally appeared the within named D. R. Cook, County Judge, F. B. Hayes, and Cecil B. Stanton, County Commissioners of Umatilla County, Oregon, who are known to me to be the identical persons named in and who, sitting for the transaction of County Business, executed the within instrument and acknowledged to me that they executed the same for and on behalf of Umatilla County, Oregon.

(SEAL) JESSIE M. BELL, Clerk
Umatilla County, Oregon

-----000000-----

A F F I D A V I T

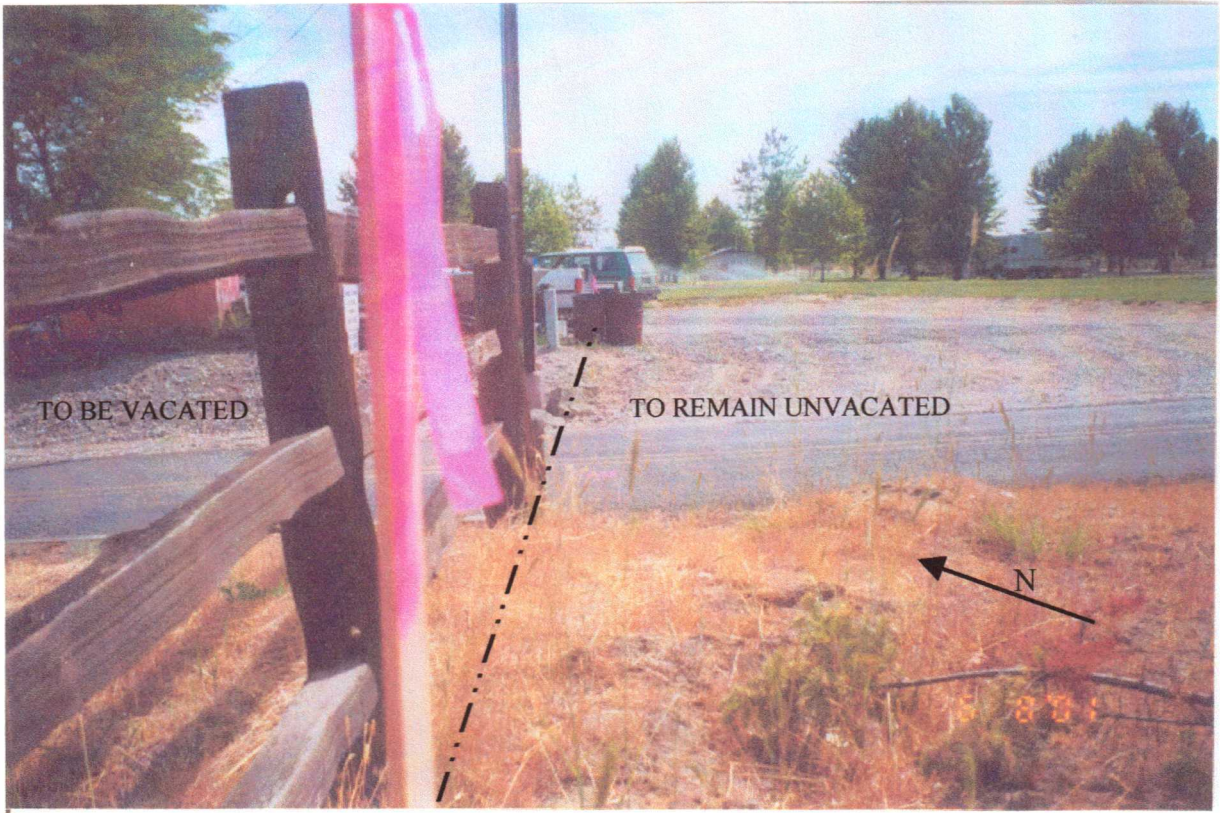
STATE OF OREGON)
COUNTY OF UMATILLA) ss.

We, D. R. Cook, Judge, Frank B. Hayes, and Cecil Stanton, the duly elected, qualified and acting County Commissioners of Umatilla County, State of Oregon, and comprising the Board of County Commissioners (hereinafter called "Board") do certify that the Board has general charge of and supervision over all County roads in said County; and that records in the Board's office show all County roads in said County Except the north shore approach road to Umatilla County bridge crossing the Columbia River;

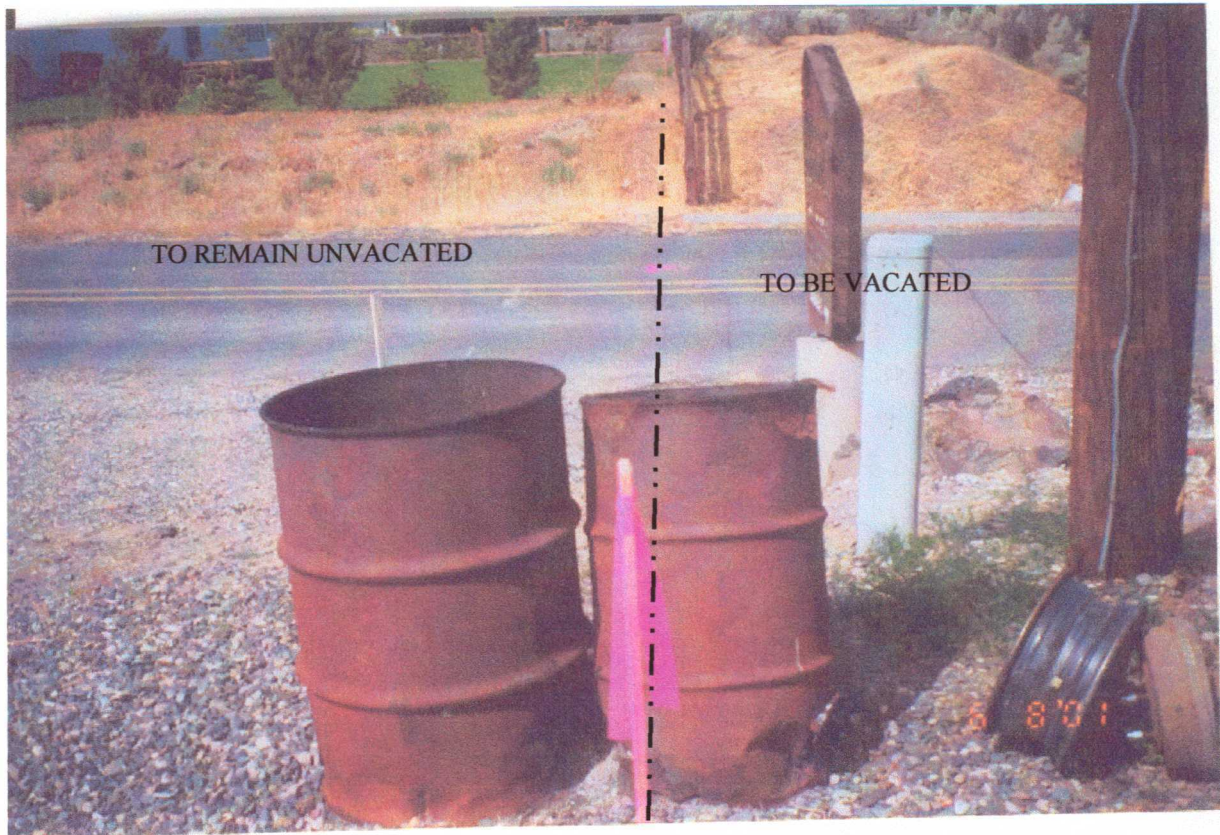
THAT the following described roads are public roads, maintained by Umatilla County for the use of the general public and have been used as public roads for more than 10 years last past.

1. That portion of County Road No. 754 extending southeasterly from the connection with U. S. No. 730, a distance of approximately 2,000 feet to the south line of the NW¼ SW¼ of Section 17, T. 5 N., R. 28 E., W.M.
2. All that portion of County Road No. 927 (known as Umatilla Oil Depot Road) lying northerly of the northerly right of way line of Oregon-Washington Railroad and Navigation Company in Sections 9 and 16, Township 5 North, Range 28 E., W.M.
3. All the northerly extension of Quincy Avenue in McNary Addition to Umatilla, Oregon, in Section 16, T. 5 N., Range 28 E., W.M. (County Easement Deed recorded in Deed Book 246, page 162).
4. All of County Road No. 909 (Switzler Avenue) in Sections 8 and 17, T. 5 N., R. 28 E., W.M. (County easement deed recorded in deed book 120, page 563).
5. All of County Road No. 926 being the easterly extension of Third Street in Umatilla, Oregon, lying in Sections 17, 8 and 9; T. 5 N., R. 28 E., W.M.
6. All that portion of County Road included within the southerly approach to the Umatilla County Bridge crossing the Columbia River lying northerly of the north right of way line of the Union Pacific Railway Company (Oregon Washington Railroad and Navigation Company) located in Sections 9 and 16, T. 5 N., R. 28 E., W.M. Umatilla County, Oregon.
7. All of the County Road included within the north shore access road to the Umatilla County Bridge located in Sections 8 and 9, T. 5 N., R. 28 E., W.M. Benton County, Washington.

IN WITNESS WHEREOF, Umatilla County, acting by and through its Board of County Commissioners, has executed this instrument and affixed its official seal this 11th day of August, 1964.



SOUTH END OF PROPOSED VACATION LOOKING EAST



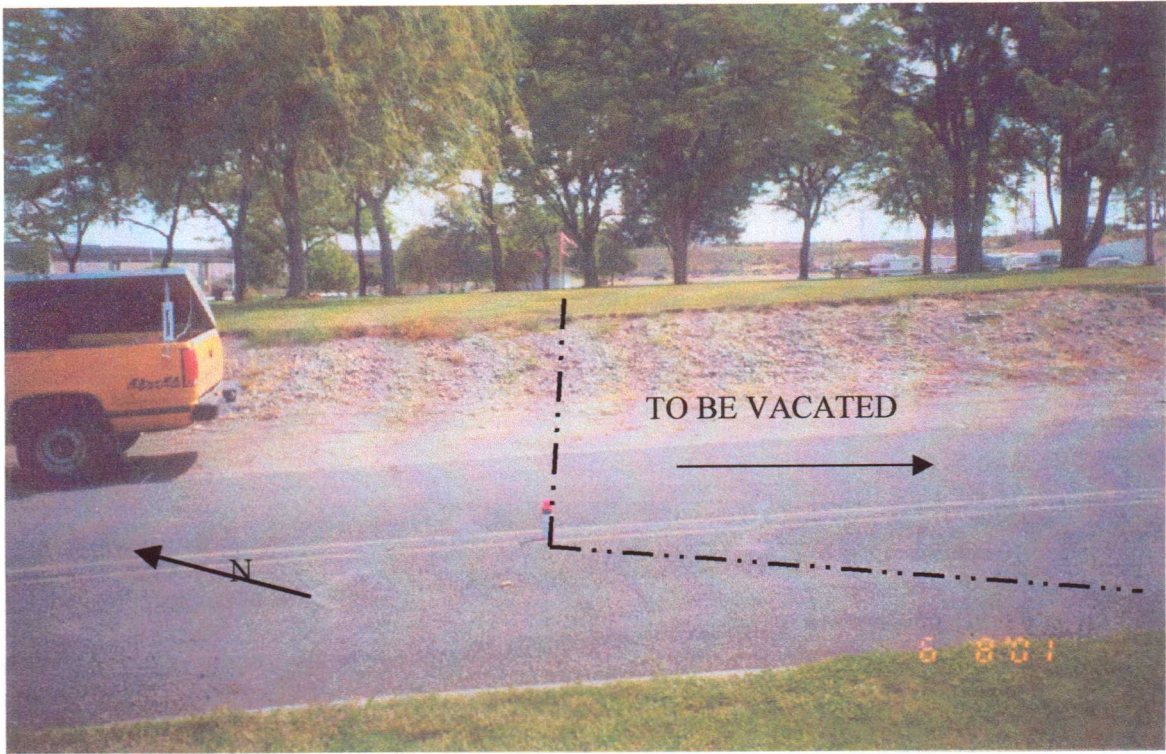
SOUTH END OF PROPOSED VACATION LOOKING WEST



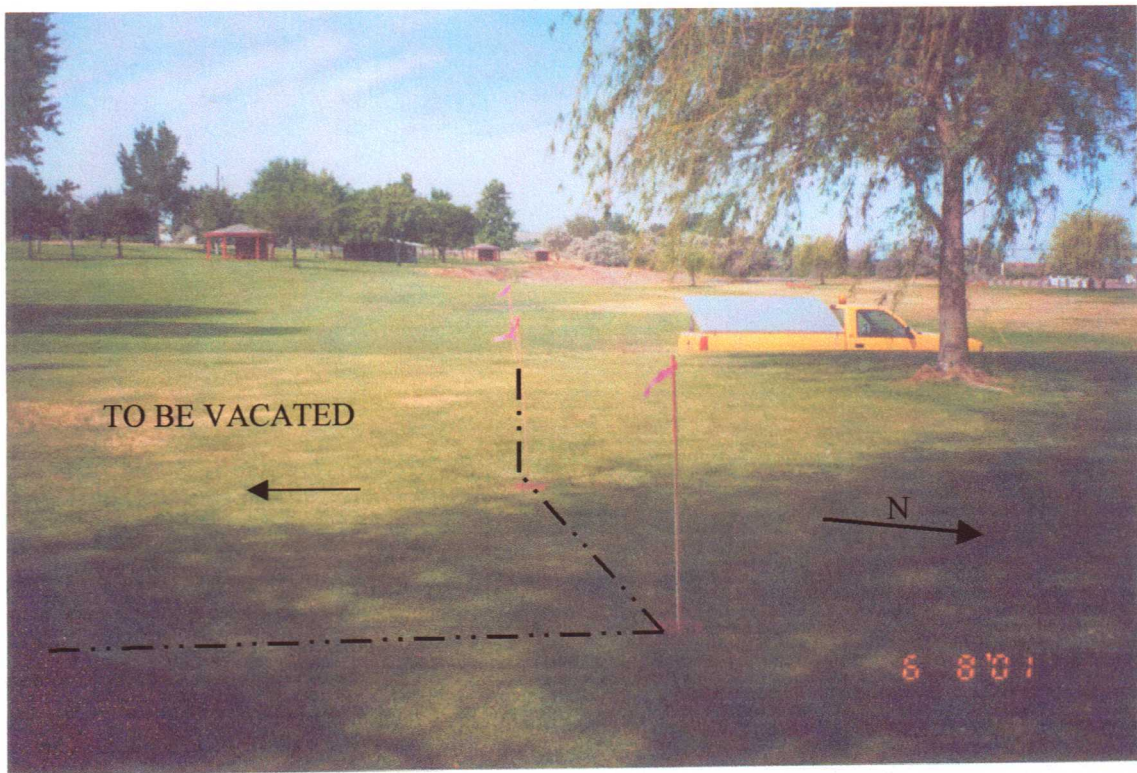
AT SOUTH END OF PROPOSED VACATION LOOKING NORTH



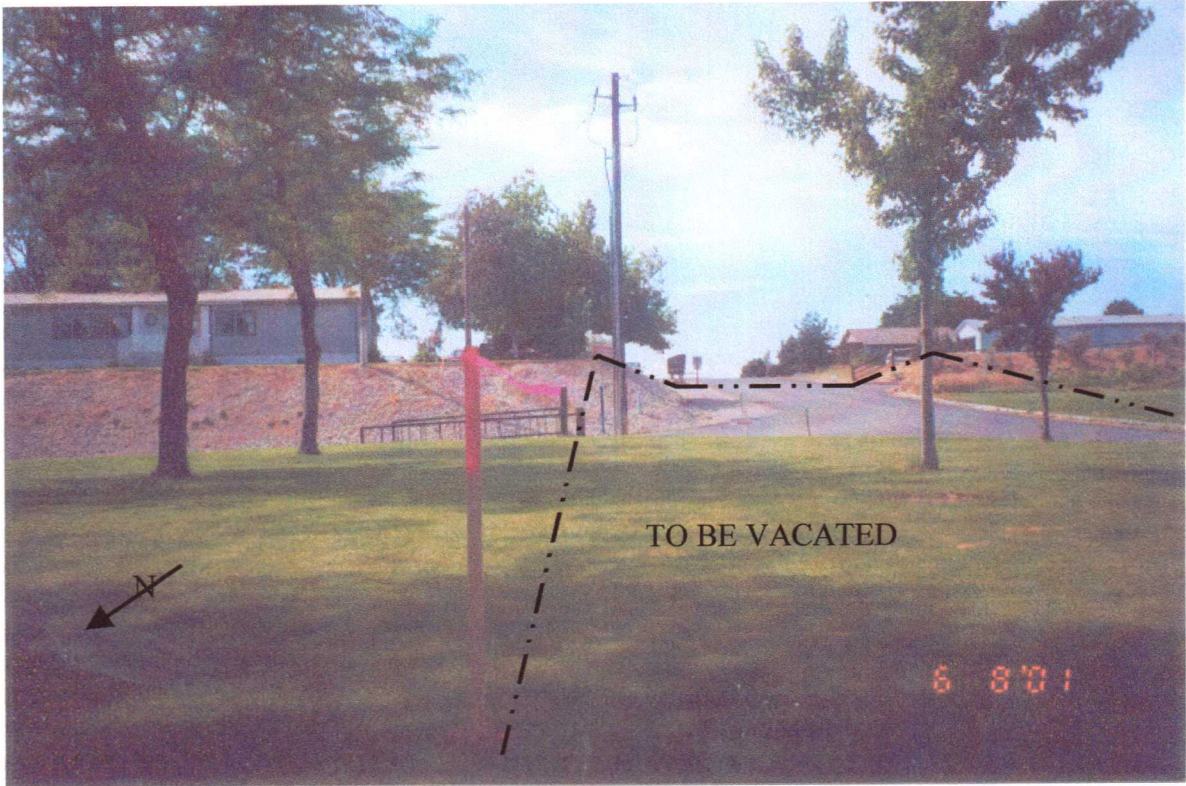
AT SOUTH END OF VACATION LOOKING NORTH



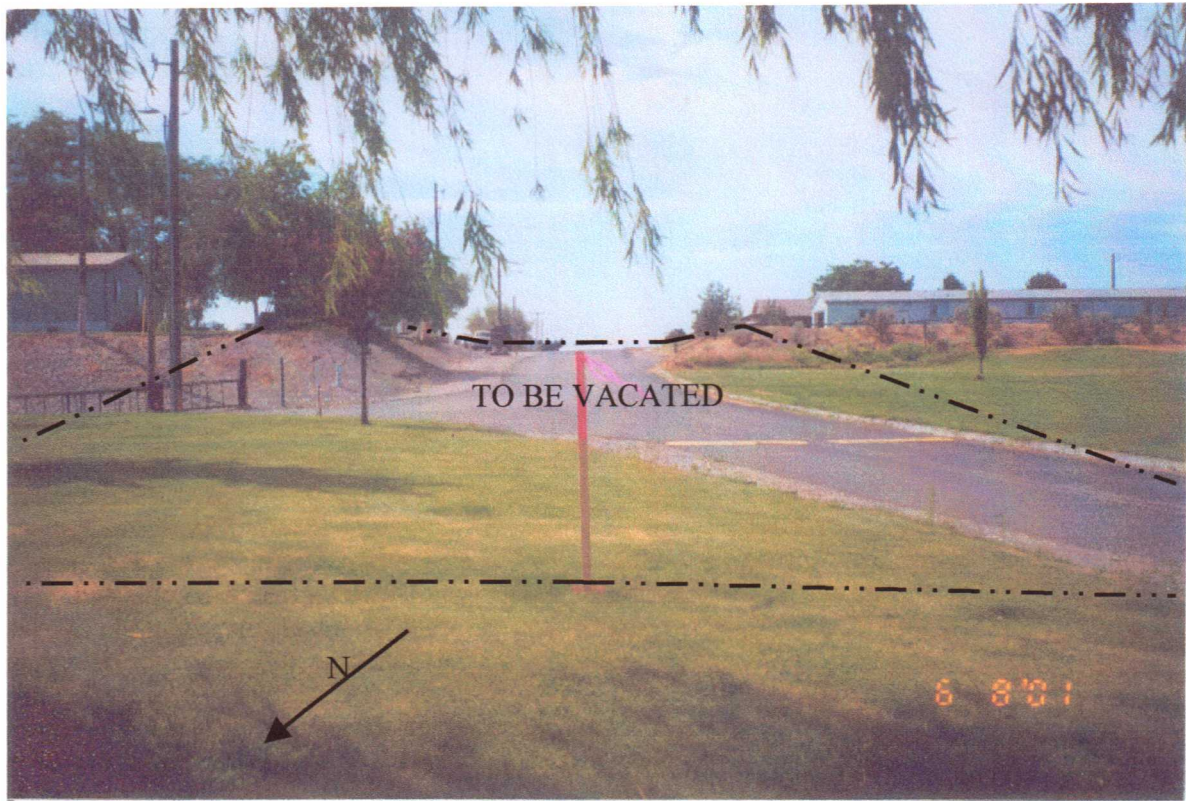
AT NORTH END OF PROPOSED VACATION LOOKING EAST



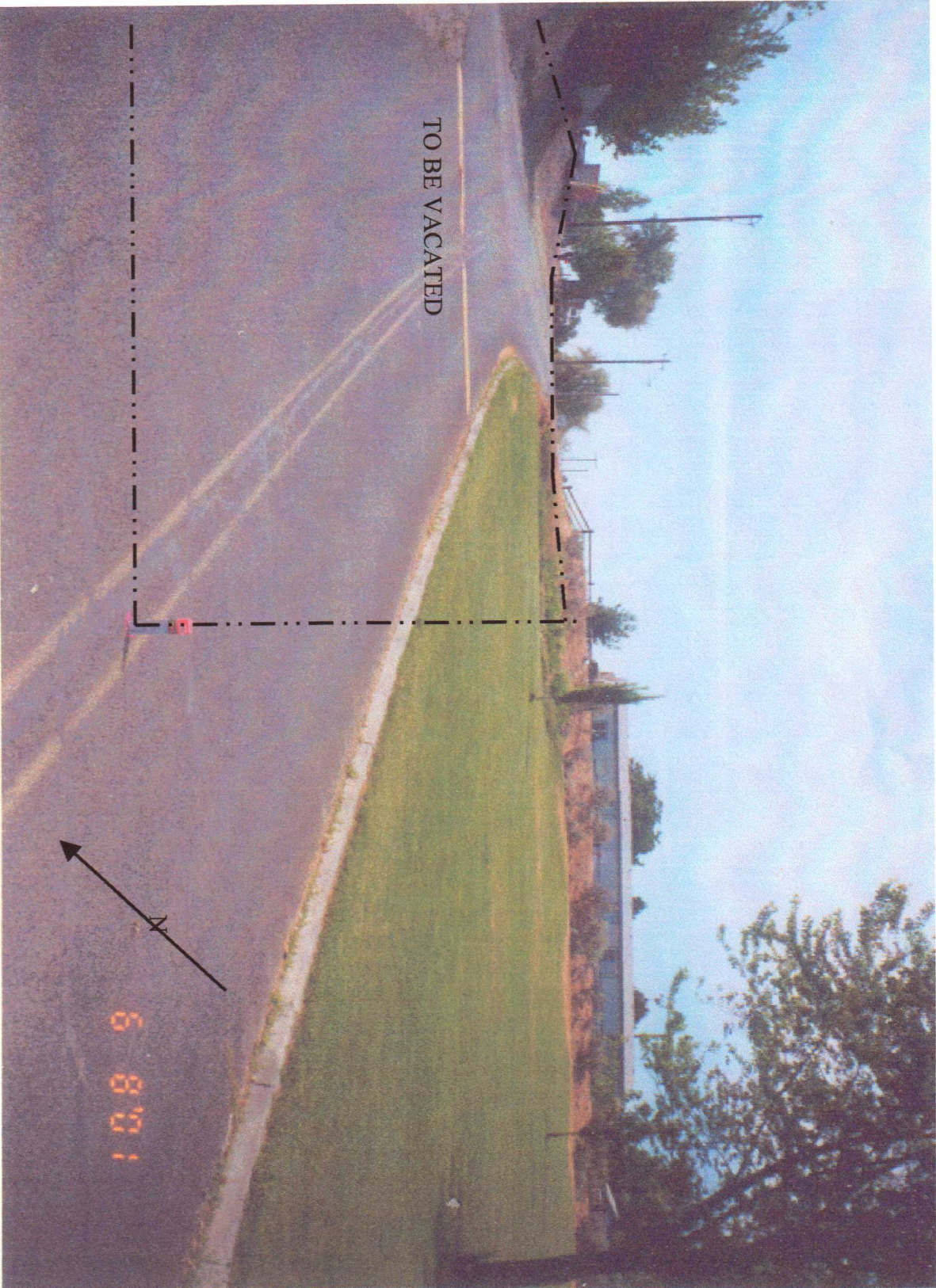
AT NORTH END OF PROPOSED VACATION LOOKING WEST



AT NORTH END OF PROPOSED VACATION LOOKING SOUTH



AT NORTH END OF PROPOSED VACATION LOOKING SOUTH



AT NORTH END OF PROPOSED VACATION LOOKING SOUTH