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2012 500899



THE BOARD OF COMMISSIONERS OF UMATILLA COUNTY

STATE OF OREGON

RECEIVED

MAY 16 2012

In the Matter of Vacation of)
a Portion of old County Road) ORDER NO. RD2012-10
No. 709)

UMATILLA COUNTY
RECORDS

WHEREAS, pursuant to ORS 368.341, the Umatilla County Board of Commissioners on April 2, 2012, adopted Order No. RD2012-07, initiating proceedings to vacate a portion of Old County Road No. 709 located in the Northeast Quarter of Section 16, Township 5 North, Range 28, E.W.M. lying North of U.S. Highway No. 720 and West of the East line of said Section 16;

WHEREAS, pursuant to ORS 368.346, the Board of Commissioners directed the Public Works Director to prepare and file a written report including a recommendation as to whether the vacation would be in the public interest, and set this matter for a public hearing on May 16, 2012;

WHEREAS notice of the public hearing was posted on April 12, 2012 on the property proposed to be vacated, on the Courthouse public bulletin board and on a bulletin board in the Umatilla City Hall, published in the East Oregonian on April 25, 2012 and on May 9, 2012, and sent by certified mail on April 13, 2012 to the adjacent property owners;

WHEREAS the Director of Public Works, after reviewing the proposed action, has recommended that the road be vacated; and

WHEREAS, in accordance with ORS 368.346(2), the Board of Commissioners held a public hearing on May 16, 2012, to consider the proposed vacation and finding it to be in the public interest to vacate the road.

NOW THEREFORE, the Board of Commissioners orders that:

- 1. That portion of County Road No. 709 described below is vacated, subject to the terms of this order:

All of that portion of County Road No. 709 as described in Pages 18 and 19, Book "C", County Roads and Field Notes, and ordered opened in Book "M", Page 538, Commissioners' Journals, located in the Northeast Quarter

Original to: Commissioner's Journal
Copy to: Doug Olsen, Umatilla County Counsel



of Section 16, Township 5 North, Range 28 E. W. M. and lying between the northerly right-of-way line of U. S. Highway No. 730 and the East line of said Section 16.

Nothing in this vacation shall affect the following: the locations or configurations of the boundaries of Parcels "A", "B", or "C" as described in Exhibit A of the bargain and sale deed recorded as Document No. 2012-5880111 in the Umatilla County Records Office and as shown on Survey No. 12-14-C recorded in the Umatilla County Surveyor's Office; the new ingress-egress and utility Easements No. 1, 2, 3, and 4, also described in Exhibit A of Document No. 2012-5880111 and shown on Survey No. 12-14-C; the "grandfathered" approach permits for access to Highway 730 at Engineering Stations 64+05 Left (A. N. 17305) and 59+60 Left (A. N. 17322) granted by the Oregon Department of Transportation in letters dated 12/08/11 and 12/09/11 respectively; or the locations or configurations of the boundaries of Parcels 1, 2, and 3 of Partition Plat No. 2001-48.

2. Ownership of the vacated right-of-way shall vest in the owners of the land abutting the vacated property by extension of the owners' abutting property boundaries to the center of the vacated property, subject to easements of record.

DATED this 16th day of May, 2012.

UMATILLA COUNTY BOARD OF COMMISSIONERS

W. Lawrence Givens
W. Lawrence Givens, Chair

Dennis D. Doherty
Dennis D. Doherty, Commissioner

William S. Hansell
William S. Hansell, Commissioner



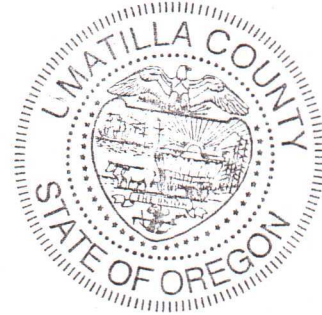


2012-5910899 3 of 3

ATTEST:
OFFICE OF COUNTY RECORDS

Jean Hemphill

Records Officer



State of Oregon)
County of Umatilla)

This instrument was received
and recorded on

05-16-12 at 3:05

in the record of instrument
code type DE-ORDER

Instrument Number 2012-5910899
Fee 0.00

Office of County Records

Jean Hemphill

Records Officer