



BEFORE THE BOARD OF COMMISSIONERS FOR UMATILLA COUNTY

STATE OF OREGON

**IN THE MATTER OF THE VACATION OF)
A PORTION OF COUNTY ROAD NO. 908A,) ORDER NO. RD2009-40
A DEEDED RIGHT OF WAY NEAR THE CITY)
OF PILOT ROCK, OREGON)**

WHEREAS, pursuant to ORS 368.341, the Umatilla County Board of Commissioners received and accepted a petition, signed by 100 percent of the abutting property owners, to initiate proceedings to vacate an unused portion of County Road No. 908A, a part of which is also known as County Road No. 1388, Stock Drive Road, located in Section 8, Township 1 South, Range 32 E.W.M., near the west city limits of Pilot Rock, Oregon, and

WHEREAS, pursuant to ORS 368.346, the Board of Commissioners directed the Public Works Department to prepare and file a written report including a recommendation as to whether the vacation would be in the public interest, and

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

WHEREAS, ORS 368.351 allows a county governing body to vacate public property without holding a public hearing if the petition to vacate contains signatures of 100 percent of owners of property abutting a proposed vacation, and

WHEREAS, ORS 368.366(2) allows a county governing body to determine the vesting of the property vacated:

NOW THEREFORE IT IS HEREBY ORDERED that the following described portions of County Road No. 908A be vacated and that ownership of the vacated property shall vest as described:

Parcel 1
A Portion of County Road No. 908A
Umatilla County to Ivan and Colleen Cook – Tax Lot 1200

Commencing at a brass-capped monument marking the South ¼ Corner of Section 8, Township 1 South, Range 32 E. W. M.; thence N39°18'59"E, 34.06 feet to a point on the northerly right of way line of County Road No. 908A and the true point of beginning of this description; thence 287.50 feet along a 256.49-foot radius curve left (the long chord bears N45°51'00"E, 272.69 feet); thence N13°44'18"E, 141.40 feet; thence 371.06 feet along a 189.12-foot radius curve right (the long chord bears N69°56'48"E, 314.34 feet); thence S53°50'42"E, 163.89 feet to a point marking the intersection of the northerly right of way line of County Road No. 908A and the common line between that property owned by Ivan and Colleen Cook and James, Evelyn, and Jerry Hatley; thence S62°15'43"W, 11.50 feet along said

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



common boundary line to a 5/8" iron rebar with orange plastic cap; thence S60°36'04"W, 54.57 feet along said common boundary line to its intersection with the southerly right of way line of County Road No. 908A; thence N53°50'42"W, 136.25 feet; thence 253.34 feet along a 129.12-foot radius curve left (the long chord bears S69°56'48"W, 214.61 feet); thence S13°44'18"W, 141.40 feet; thence 139.64 feet along a 316.49-foot radius curve right (the long chord bears S26°22'40"W, 138.51 feet to the intersection of the southerly right of way line of County Road No. 908A and the common line between the Hatley and Cook parcels; thence S56°10'38"W, 18.67 feet along said common boundary line to a 5/8" iron rebar with orange plastic cap; thence S56°10'38"W, 19.01 feet; thence 95.76 feet along a 170.00-foot radius curve left (the long chord bears S72°18'53"W, 94.50 feet); thence S88°27'08"W, 71.09 feet to the point of beginning.

The above described parcel is a portion of County Road No. 908A, deeded to Umatilla County by Mrs. J. M. Royer and Henry and Margaret Schultz in 1934, Book 146, Pages 10 and 11, deed records, and contains 1.14 acres, more or less. Bearings are based on Survey No. 08-139-B filed in the Umatilla County Surveyor's Office.

Parcel #2
A Portion of County Road No. 908A
Umatilla County to James, Evelyn, and Jerry Hatley – Tax Lot 300

Commencing at a brass-capped monument marking the South ¼ Corner of Section 8, Township 1 South, Range 32 E.W.M.; thence N61°50'43"E, 704.38 feet to a point on the southerly right of way line of County Road No. 908A and the true point of beginning; thence N53°50'42"W, 0.40 foot along said southerly right of way line; thence departing from said southerly right of way line on a bearing of N60°53'25"E and a distance of 66.06 feet to a point on the northerly right of way line of said County Road No. 908A; thence S53°50'43"E, 14.09 feet along said northerly right of way line; thence departing from said northerly right of way line along a 306.70-foot radius curve left a distance of 73.03 feet (the long chord bears S70°42'57"W, 72.86 feet) to the point of beginning.

The above described parcel is a portion of County Road No. 908A, deeded to Umatilla County by Mrs. J. M. Royer and Henry and Margaret Schultz in 1934, Book 146, Pages 10 and 11, deed records, and contains 0.01 acre, more or less. Bearings are based on Survey No. 08-139-B filed in the Umatilla County Surveyor's Office.

Parcel #3
A Portion of County Road No. 908A
Umatilla County to James, Evelyn, and Jerry Hatley – Tax Lot 302

Commencing at a brass-capped monument marking the South ¼ Corner of Section 8, Township 1 South, Range 32 E. W. M.; thence N66°46'09"E, 737.56 feet to a point on the southerly right of way line of County Road No. 908A and the true point of beginning; thence 85.75 feet along a 246.70-foot radius curve right (the long chord bears N81°28'07"E, 85.32 feet) to a point on the northerly right of way line of County Road No. 908A; thence S53°50'43"E, 132.34 feet along said northerly right of way line; thence 248.70 feet on a 208.73-foot radius curve left (the long chord bears S87°58'44"E, 234.25 feet) along said northerly right of way line;



thence departing from said northerly right of way line along a 310.54-foot radius curve left a distance of 44.43 feet to the common boundary line between the parcels owned by James, Evelyn, and Jerry Hatley and Douglas and Tammy Austin; thence $S0^{\circ}22'03''W$, 52.87 feet along said common boundary line to a point on the southerly right of way line of County Road No. 908A; thence continuing on said southerly right of way line along a 268.73-foot radius curve right a distance of 333.56 feet (the long chord bears $N89^{\circ}24'15''W$, 312.56 feet); thence $N53^{\circ}50'43''W$, 193.00 feet to the point of beginning.

The above described parcel is a portion of County Road No. 908A, deeded to Umatilla County by Mrs. J. M. Royer and Henry and Margaret Schultz in 1934, Book 146, Pages 10 and 11, deed records, and contains 0.66 acre, more or less. Bearings are based on Survey No. 08-139-B filed in the Umatilla County Surveyor's Office.

Parcel 4

A Portion of County Road No. 908A

Umatilla County to Douglas and Tammy Austin – Tax Lot 303

Commencing at a brass-capped monument marking the South $\frac{1}{4}$ Corner of Section 8, Township 1 South, Range 32 E. W. M.; thence $N81^{\circ}22'38''E$, 1159.24 feet to a point at the intersection of the southerly line of County Road No. 908A and the common boundary line between the parcels owned by James, Evelyn, and Jerry Hatley and Douglas and Tammy Austin and the true point of beginning; thence departing from the southerly road right of way line on a bearing of $N0^{\circ}22'03''E$ and a distance of 52.87 feet along the common Hatley and Austin boundary line; thence 147.69 feet along a 310.54-foot radius curve left (the long chord bears $N60^{\circ}00'37''E$, 146.31 feet); thence $N46^{\circ}23'07''E$, 49.69 feet to a $\frac{5}{8}$ " iron rebar on the north-south centerline of the Southeast $\frac{1}{4}$ of Section 8; thence $S0^{\circ}22'03''W$, 22.97 feet along said north-south centerline of the Southeast $\frac{1}{4}$ of Section 8 to a point on the southerly right of way line of County Road No. 908A; thence $S49^{\circ}32'18''W$, 187.28 feet along said southerly right of way line; thence continuing on said southerly right of way line along a 268.73-foot radius curve right a distance of 25.79 feet (the long chord bears $S52^{\circ}17'15''W$, 25.78 feet) to the point of beginning.

The above described parcel is a portion of County Road No. 908A, deeded to Umatilla County by Mrs. J. M. Royer and Henry and Margaret Schultz in 1934, Book 146, Pages 10 and 11, deed records, and contains 0.10 acre, more or less. Bearings are based on Survey No. 08-139-B filed in the Umatilla County Surveyor's Office.

Dated this 8th day of September, 2009.



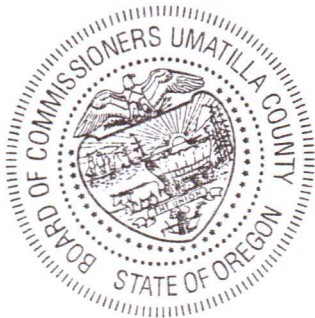
UMATILLA COUNTY
BOARD OF COMMISSIONERS

W. Lawrence Givens
W, Lawrence Givens, Chairman

ABSENT

Dennis D. Doherty, Commissioner

William S. Hansell
William S. Hansell, Commissioner



ATTEST: OFFICE OF COUNTY RECORDS

By: Jean Kempster
Records Officer



APPROVED AS TO FORM:

Doug Olsen
Doug Olsen, County Counsel

State of Oregon)
County of Umatilla)

This instrument was received
and recorded on

09-08-09 at 3:35

in the record of instrument
code type DE-ORDER

Instrument Number 2009-5560215
Fee 0.00

Office of County Records

Jean Kempster
Records Officer