

BOARD OF COUNTY COMMISSIONERS
IN AND FOR THE COUNTY OF KLAMATH, STATE OF OREGON

In the Matter of the Vacation of a
Portion of an Alley and a Portion of
Pear Street, situated in Mills Gardens,
a subdivision, in Klamath County, Oregon,
situate in the SW 1/4 NW 1/4 Section 34,
Township 38 South, Range 9 East, W.M.,
Klamath County, Oregon

O R D E R

WHEREAS, on December 2, 1970, a Petition for Vacation of a portion of an alley and a portion of Pear Street as herein-after described, was filed with the Board of County Commissioners, and

WHEREAS, such petition was duly executed by Bruce A. Froemke, Secretary-Treasurer for Froemke Masonry, Incorporated, and

WHEREAS, by Affidavit of Posting, Earl E. Kessler has proved that proper Notice of Petition to Vacate and hearing thereon was properly posted on the Bulletin Board at the place of meeting of the Board of County Commissioners and at three public places in the vicinity of the proposed vacation, and

WHEREAS, the Board of County Commissioners by Order did set a public hearing for 10:30 o'clock A.M. on March 3, 1971, in the Board of Commissioners Hearing Room at the Klamath County Courthouse, Klamath County, Oregon; that Notice thereof was posted on the 1st day of February, 1971, which is more than thirty days prior to the time set for said hearing; and

WHEREAS, said Notice was published in the Herald and News, a newspaper of general circulation in the County of Klamath, as is evidenced by Affidavit of Publication on file herein, and

WHEREAS, properly executed Consent to Vacation was executed by Richard Tyler, Melvin and Mary Lou Stewart, Mabel C. Merryman, and Gary Froemke, President of Froemke Masonry, Inc. and Bruce A. Froemke,

Secretary-Treasurer of Froemke Masonry, Inc., all of the parties particularly affected thereby, and that said Consents are on file herein, and

WHEREAS, a hearing was held at 10:30 o'clock A.M. on the 3rd day of March, 1971, and no person appeared and objected thereto, and

WHEREAS, the Board of County Commissioners did determine that it is in the best interests of all parties that said portion of alley and street be vacated as prayed for in said petition, and that no harm will come to the general public therefrom; now, therefore,

IT IS HEREBY ORDERED that the fifteen (15) foot alley abutting Lots 1 and 2, Block 2, Mills Gardens, and that portion of Pear Street beginning at the Northwest corner of Lot 2, Block 2; thence North on the extension of the westerly line of said Lot 2, forty (40) feet; thence North 89°45' East 45.60 feet to the easterly boundary of the Plat of Mills Gardens; thence South 21°40' East 42.96 feet; thence South 89°45' West 61.4 feet to the point of beginning, be, and the same are hereby vacated, subject to the reservation of all public utility easements, if any existing upon said property on this date.

Dated this 5th day of March, 1971.

KLAMATH COUNTY BOARD OF COMMISSIONERS

R. A. Pye Chairman of the Board
M. E. Holland County Commissioner
Lloyd Giff County Commissioner 5

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of ENGINEER'S OFFICE

this 10th day of March A. D., 19 71 at 2:54 o'clock P M., and duly recorded in Vol. M71 of Deeds on Page 2052.

Fee \$3.00

WM. D. MILNE, County Clerk
 By Cynthia W. Milne