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Vol. 27 Page 13020

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

In the Matter of the Vacation of)
a portion of a road situate in)
Section 13, Township 39 South,)
Range 8 East, W. M., Klamath)
County, Oregon)

ORDER

WHEREAS, on the 7th day of October, 1971, the Board of Commissioners of Klamath County, Oregon did on its own motion and pursuant to the provisions of ORS 368.565, declare its intention to vacate a portion of Old Highway #21 (aka Highway #66) abandoned to Klamath County upon completion of a new alignment by the State Highway Department; and

WHEREAS, the Board of County Commissioners did refer said matter to the Interim County Engineer for his report, which said report approved the vacation of said portion of abandoned highway as described in said Resolution; and

WHEREAS, the Affidavit of Earl E. Kessler has proved that proper notice of the Resolution to vacate and the hearing thereon was posted on the bulletin board at the place of meeting of the Board of Commissioners, and at three (3) public places in the vicinity of the road proposed to be vacated; and

WHEREAS, the Board of County Commissioners did set a public hearing on the proposed vacation for the hour of 10:30 o'clock A.M. on the 1st day of December, 1971, in the Board of Commissioners Hearing Room in the Courthouse, Klamath Falls, Klamath County, Oregon, and that said notices were so posted on the 22nd day of October, 1971: which posting was more than thirty (30) days prior to the time set for hearing; and

WHEREAS, the hearing was held at the scheduled time, at which time it was determined that the road was no longer used for road purposes; that the proposed vacation is to the benefit of the general public for the reason that the road being vacated is out of the prescribed right-of-way now being used by the public and the general public does not use

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said road; that the property will be used by the abutting owner and will be on the tax rolls; and that the public will be benefitted for the reasons above set forth; Now, Therefore,

IT IS HEREBY ORDERED that the road more particularly described as follows:

Beginning at the Westerly intersection of Old Highway #66 and the newly relocated Highway #66; thence Northeasterly following the old highway to its intersection with the East bank of the first irrigation crossing (which is the Westerly right-of-way of the presently constructed cul-de-sac)

be and the same is hereby vacated.

Dated this 3rd day of December, 1971.

KLAMATH COUNTY BOARD OF COMMISSIONERS

R. Ryle Chairman of the Board

M. E. Holland County Commissioner

Lloyd Giff County Commissioner

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of Klamath County Commissioners
this 13th day of Dec. A. D., 1971 at 1:39 o'clock P M., and duly recorded in
Vol. M 71 of Deeds on Page 13020

No Fee

WM. D. MILNE, County Clerk
By Alice C. Lujan

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DATED at Salem,

SP-23301-170