

BEFORE THE BOARD OF DIRECTORS

OF

KLAMATH IRRIGATION DISTRICT

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In the Matter of the Petition :
of MAURICE E. BERCOT, et al., : ORDER EXCLUDING LANDS

This matter having come on to be heard this 1st day of May, 1973, at the hour of 10:15 a.m., before the Board of Directors of Klamath Irrigation District, at the office of said Board at 6640 K.I.D. Lane, Klamath Falls, Oregon, upon the Petition of Maurice E. Bercot, Mildred A. Bercot, Melvin Stewart, Mary Lou Stewart, Jimmie Lee Hargrove, Sharon L. Hargrove, Daniel J. Duff, Doris Duff, Johnny DeVine, Linda DeVine, Daimon B. Layton, Carolyn Layton, Frank D. Meyers, Norma J. Meyers, Edward J. Bibiano, Lynette Bibiano, Forrest D. Young, Donna Young, D. Allen Perkins, Mary Perkins, E. M. Lounsbury, Sheila Lounsbury, Refugio Esqueda, Judy L. Esqueda, W. Alan Bowker, Lenis M. Bowker, Earle Knodel, Arlene Knodel, Thomas J. Runft, Laura Jean Runft, Richard C. Jageman, Kumiko Jageman, Bradley W. Lasniewski and Deanna L. Lasniewski, for the exclusion of the lands hereafter described from the Klamath Irrigation District pursuant to the provisions of ORS 545.602 to 545.620, this being the time and place heretofore set by said Board for the Hearing on said Petition, and said Board proceeding to hear said Petition, finds as follows:

1.

That on April 9, 1973, said Petitioners filed with the Board of Directors their duly verified Petition praying that their lands consisting of 7.00 acres, more or less, in Klamath County, State of Oregon, which said lands are in this Order hereinafter more particularly described, be excluded from Klamath Irrigation District pursuant to the provisions of ORS 545.602 to 545.620.

2.

That said Petitioners did tender to the Klamath Irrigation District with said Petition the sum of \$1,177.40, which said sum was determined by said Board of Directors to be amount provided and required by ORS 545.613.

Ret
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IANONG, BISEMORE & ZAMSKY
ATTORNEYS AT LAW
838 MAIN STREET
KLAMATH FALLS, ORE.
97601

Ch 6.00

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2 That the Secretary of the Board of Directors of Klamath Irrigation District
3 caused Notice of the filing of said Petition to be duly published once a week
4 for two weeks in the Herald and News, a newspaper of general circulation pub-
5 lished in Klamath County, the County where the Board of Directors of Klamath
6 Irrigation District is situated. That the Notice stated the filing of the
7 Petition, the name of Petitioners, a description of the lands mentioned in the
8 Petition, and the Prayer of the Petitioners, and Notified all Persons interest-
9 ed in, or who may be affected by such change of the boundaries of the District
10 to appear at the office of the Board at 6640 K.L.D.Lane, Klamath Falls,
11 Oregon, 97601, at 10:15 a.m. on May 1, 1973, and show cause in writing, if any
12 they have, why the change in boundaries proposed in the Petition should not be
13 made. That the time so specified in said Notice at which they were required
14 to show cause was the regular Meeting of the Board next after the expiration
15 of the time for the publication of said Notice.

4.

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17 That the Board of Directors of Klamath Irrigation District at said time
18 and place mentioned in said Notice heard the said Petition and all evidence or
19 proofs that were introduced by and on behalf of the Petitioners.

5.

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21 That no person, firm or corporation whomsoever or whatsoever, made, presen-
22 ted or filed any objections to the granting of said Petition.

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24 That there were no outstanding bonds of the District at the time of the
25 filing of said Petition or at any time subsequent thereto.

7.

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27 That the Secretary of the Interior through the Manager of the Klamath
28 Irrigation Project, Bureau of Reclamation, has assented in writing to such
29 exclusion.

8.

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31 The Board of Directors of Klamath Irrigation District finds and deems it
32 for the best interests of said District that the lands mentioned in said

Order - Page 2

1 Petition, which said lands are hereinafter more particularly described, be
2 excluded from said Klamath Irrigation District, and the Board of Directors
3 now being fully advised in the premises,

4 It is hereby ORDERED and RESOLVED as follows:

5 I

6 That said lands, which are more particularly described as follows, to-wit:

7 All of BANYON PARK, EXCEPT Block 2 thereof, and except for any
8 easements or rights of way for irrigation and/or drainage,
9 Klamath County, Oregon, according to the official plat thereof
entered in the Assessment Book by the County Assessor as follows:

10 Code 44, Tax Lots No. 3909-1421-100 through 1200, inclusive,

11 Code 44, Tax Lots No. 3909-1421-1800 through 3300, inclusive,

12 containing a total of 7.00 acres, more or less, as shown in the records of
13 Klamath County, State of Oregon, be and they hereby are excluded from Klamath
14 Irrigation District, and the Boundaries of the District are hereby changed
15 to eliminate said lands.

16 II

17 That a certified copy of these Minutes of the Board excluding the above-
18 described land, certified by the Secretary of the Board shall be filed for
19 record in the County Clerk's office of Klamath County, Oregon, as required
20 by ORS 545.614.

21 Done at the regular Meeting of the Board of Directors of Klamath
22 Irrigation District held May 1, 1973.

23 John A. Marshall
24 William T. Payne
25 [Signature]

26
27 I, John L. Stewart, Jr., hereby certify that the foregoing
28 is a full true and correct copy of order duly made and adopted by
29 Board of Directors of Klamath Irrigation District at the regular
meeting of said Board held on May 1, 1973 at 10:50 o'clock A.M.,
and of the whole thereof.

30 WITNESS my official hand and the seal of said Klamath
Irrigation District this 1st day of May, 1973.

John L. Stewart, Jr.
Secretary of Klamath Irrigation District

GANONG, SISEMORE
& ZAMSKY CO
ATTORNEYS AT LAW
428 MAIN STREET
KLAMATH FALLS, ORE.
97601

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of Ganong, Sisemore and Zamsky
this 3rd day of May A. D., 19 73 at 2:21 o'clock P.M., and duly recorded in
Vol. M73, of Deeds on Page 5337.

WM. D. MILNE, County Clerk
By Lucia Antala