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Vol. 12 Page 12941

BOARD OF COUNTY COMMISSIONERS

In and For the County of Klamath, State of Oregon

IN THE MATTER OF THE
APPLICATION FOR CHANGE
OF ZONE NUMBER 73-30 BY
WINIFRED L. EMMICH

O R D E R

SEP 25 9 30 AM 1973

This matter having come on for hearing upon the application of Winifred L. Emmich for a change of zone, said change application being numbered Zone Change 73-30 and said application having been heretofore recommended from AF (Agriculture Forestry) zone to C-5 (Highway Commercial) zone by the Klamath County Planning Commission, a description of the real property referred to in said application being attached hereto, marked Exhibit A, and by reference made a part hereof, and public hearings on said application having been held at several times, including the final hearing on August 20, 1973 before said Board of Commissioners, and evidence both oral and documentary introduced at said public hearing, and the Board of Commissioners finding:

1. That the applicant has not provided sufficient information to demonstrate that a public need exists for such a drastic zone change; and
2. That the applicant has not provided sufficient information on the availability of C-5 (Highway Commercial) zoned property which in fact does exist directly on the west side of Highway 97 near the applicant's land, nor has the applicant provided sufficient information on the suitability of applicant's land to meet the public need recited in the above paragraph; and
3. That the applicant's allegation that there was a mistake or error in the original zoning and that the said land should have been zoned C-5 (Highway Commercial) is incorrect.

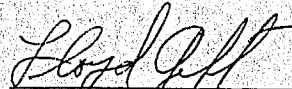
NOW, THEREFORE, IT IS HEREBY ORDERED That the application

ORDER: ZONE CHANGE NUMBER 73-30
WINIFRED L. EMMICH
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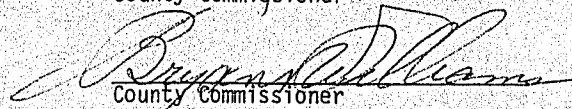
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of Winifred L. Emmich for a change of zone from AF (Agriculture Forestry) zone to C-5 (Highway Commercial) zone, a particular description of the real property referred to in said application being attached hereto, marked Exhibit A, and by reference made a part hereof, said change application being numbered Zone Change 73-30 is hereby disapproved.

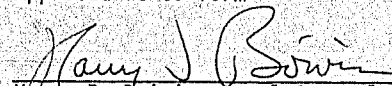
DONE AND DATED this 24th day of Sept. 1973.


Chairman of the Board


County Commissioner


County Commissioner

Approved as to form


Harry D. Boivin, Legal Counsel

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EXHIBIT A

LEGAL DESCRIPTION

ZONE CHANGE 73-30

Generally located at the northeast corner of Highway 97 and Joe Wright Road, and more particularly described as a tract of land situated in Section 19 and 20, Township 39 S., Range 9 East of the Willamette Meridian, Klamath County, Oregon, described as follows: Beginning at the intersection of the Easterly right-of-way line of the Dalles-California Highway No. 97 and the Northeasterly line of Joe Wright Road; thence North 03 degrees 38' 00" East along said Highway right-of-way line 568.68 feet; thence East 679.56 feet; thence South 789.22 feet to the North line of Joe Wright Road; thence South 89 degrees 28' 26" West along said North line 272.50 feet; thence continuing along said North line North 63 degrees 90' 52" West 496.60 feet to the true point of beginning.

STATE OF OREGON, COUNTY OF KLAMATH, ss.
Filed for record at request of KLAMATH COUNTY BOARD OF COMMISSIONERS
this 25th day of SEPTEMBER A. D. 1973 at 9:38 o'clock A.M., and
duly recorded in Vol. M 73, of DEEDS on Page 12941
NO FEE

Wm D. MILNE, County Clerk

Hazel Drayton