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Vol. 74 Page 16023

BOARD OF COUNTY COMMISSIONERS

In and For the County of Klamath, State of Oregon

IN THE MATTER OF THE)
 APPLICATION FOR ZONE)
 CORRECTION NO. 74-70)
 BY OREGON STATE HIGHWAY)
 DIVISION)

O R D E R

This matter having come on for hearing upon the application of the Oregon State Highway Division for a zone correction, said correction application being numbered Zone Correction 74-70 and said application having been heretofore recommended from F (Forestry) zone to SP -12 (Quarry) zone by the Klamath County Planning Commission to correct a mapping error, a description of the real property referred to in said application being marked Exhibit A, attached hereto and by reference made a part hereof, and a public hearing on said application having been regularly held on November 26, 1974, before the Board of Commissioners, and it appearing to said Board of Commissioners from the testimony, reports, and information produced at said hearing by the applicant, interested parties, the Planning Commission and Planning Department, that the application should be granted, the Board of Commissioners makes the following findings of fact:

1. The State Highway Division had obtained a perpetual easement for a haul road to the subject property and a quarry on the subject property from the State Board of Forestry in November 1945, many years prior to the adoption of the Zoning Ordinance on December 7, 1972, and had operated the quarry subsequent to November 1945 and prior to December 7, 1972.

2. The Land Use Study preceding the adoption of the Zoning Ordinance had not properly designated the applicant's property as SP-12 zone.

3. Section 11.007 and Article 112, as amended, of

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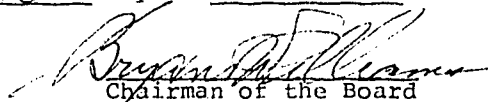
Ordinance Number 17, require that Klamath County initiate correction of mapping errors on the zoning map and the Klamath County Planning Director affirmed that a mapping error had been made on the zoning map.

Based upon the above findings of fact, the Board reaches the following conclusions of law:

1. The Planning Commission acted properly in initiating and recommending to the Board of Commissioners a correction from F (Forestry) zone to SP-12 (Quarry) zone.
2. There was a mapping error on the zoning map which, as originally adopted, should have shown the SP -12 zone on the applicant's property.
3. The application is consistent with the Klamath County adopted Comprehensive Land Use Plan maps and text.

NOW, THEREFORE, IT IS HEREBY ORDERED that the application of the Oregon State Highway Division for a zone correction from F (Forestry) to SP-12 (Quarry) zone, a particular description of the real property referred to in said application being marked Exhibit A, attached hereto and by reference made a part hereof, said change application being numbered Zone Correction No. 74-70 is hereby approved because of a mapping error.

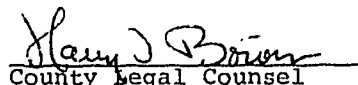
DONE AND DATED THIS 16th day of Dec. 1974.


Chairman of the Board

County Commissioner


County Commissioner

Approved as to form


County Legal Counsel

16025

EXHIBIT A
LEGAL DESCRIPTION
ZONE CHANGE 74-70

A parcel of land lying in the NE $\frac{1}{4}$ and Lot 3, Section 14, Township 33 So., Range 7 $\frac{1}{2}$ EWM, Klamath County, Oregon, the said parcel being described as follows:

Beginning at a point which is 1101' So. and 2597' E. of the NW corner of Section 14, Township 33 So., Range 7 $\frac{1}{2}$ EWM; thence So. 20° 41' E a distance of 1950'; thence No. 69° 19' E. a distance of 650'; thence No. 20° 41' W. a distance of 1950'; thence So. 69° 19' W. a distance of 650' to the point of beginning.

The parcel of land to which this description applies contains 29.10 acres.

ALSO

A strip of land 30' wide to be used for a hauling road described as follows:

Commencing at the beginning point of above-described parcel; thence running westerly along the present hauling road to a connection with the Dalles-California Highway at or near Mile Post No. 245.89 thereof.

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of KLAMATH COUNTY BOARD OF COMMISSIONERS

this 13th day of DECEMBER A. D. 1974 at 9:30 o'clock A. M., and
duly recorded in Vol. M 74, of DEEDS on Page 16023

NO FEE

Wm D. MILNE, County Clerk

By Hazel Drangel