

BOARD OF COMMISSIONERS

IN AND FOR THE COUNTY OF KLAMATH, STATE OF OREGON

In the Matter of the Vacation)
 of the Alleys in Block 1 in)
 CHEMULT, a platted and subdivided) ORDER TO VACATE
 tract of acreage)

WHEREAS, on the 6th day of April, 1979, a Petition for Vacation duly
 executed by Richard Jessup was filed with the Board of Commissioners of
 Klamath County, Oregon; and

WHEREAS, the Board of County Commissioners set a public hearing on the
 said Vacation for the hour of 10:00 A.M. on the 9th day of May, 1979, in the
 Commissioners' Hearing Room in the Annex to the Klamath County Courthouse,
 Klamath Falls, Oregon; and

WHEREAS, the above-mentioned hearing was duly held and further con-
 tinued hearings were duly held on the 7th day of June, 1979; the 24th day of
 July, 1979; and the 15th day of August, 1979; and

WHEREAS, it was determined at said hearings that said CHEMULT is a
 platted and subdivided tract of acreage in Klamath County, Oregon, outside
 the limits of any incorporated City or Town and that all of the Alleys located
 in said Chemult which are included in said Petition for Vacation are Public
 Roads other than County Roads or State Highways and have never been opened or
 used by the public or by any person; that litter and garbage in said Alleys
 are a danger to Public health and safety; that the Public will benefit from
 improvement of the area by adjoining landowner-petitioner; that certain pri-
 vate utilities are presently using a part of the Alleys in block 1 for the
 transmission of electric power and telephone services and that said utilities'
 use of said Alleys will be protected by an existing easement and an additional
 easement to be granted by petitioner to said utilities; that proper Notice of
 the Petition to Vacate and the Hearing thereon was properly posted in three of
 the most public and conspicuous places within the limits of the platted acre-
 age to be vacated and that said Notice was duly posted more than four weeks
 prior to the time set for Hearing; and

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1 WHEREAS, it was determined at said Hearings that no opposition has
 2 been made to said Petition; that one landowner, R. A. Briggs & Sons, who
 3 would be particularly affected by Vacation of all of the Alleys in said Block
 4 1 has not consented to said Vacation; that the County Engineer determined and
 5 reported that Vacation of all the Alleys in said Block 1 would adversely
 6 affect said R. A. Briggs & Sons by eliminating all access to a portion of
 7 said owner's property in said Block 1; and

8 WHEREAS, it was determined that a portion of the Alleys in said Block
 9 1 could be Vacated without affecting said R. A. Briggs and Sons; that the
 10 owners of land adjoining said portion of the Alleys in said Block 1 are Richard
 11 Jessup, Virginia Jessup and Ethel Jessup; that two private utilities, Mid-State
 12 Electric Cooperative and Telephone Utilities of Eastern Oregon, would be par-
 13 ticularly affected by the Vacation of said portion of the Alleys; that said
 14 adjoining landowners and said utilities have consented to said Vacation in
 15 writing, which said Consent has been acknowledged before a Notary Public and
 16 filed with the Board of Commissioners of Klamath County, Oregon; that the
 17 Public will benefit from the Vacation of said portion of said Alleys in the
 18 same ways as the Public would benefit from Vacation of all the Alleys in said
 19 Block 1; that the description of said portion of said Alleys as set forth in
 20 the attached Exhibit A is a true and correct description of said portion of
 21 said Alleys; that all of the statements set forth in said Petition to Vacate
 22 are true; and the Board of County Commissioners now being fully advised in
 23 the premises,

24 IT IS HEREBY ORDERED, pursuant to the provisions of ORS 271.010 to
 25 271.070, that all of the tract in said CHEMULT, Klamath County, Oregon, de-
 26 scribed in Exhibit A, attached hereto and by this reference made a part hereof,
 27 be and the same is hereby Vacated.

28 DATED this 24th day of August, 1979.

29 BOARD OF COMMISSIONERS OF KLAMATH COUNTY, OREGON

30 By Harold L. Kerner
 31 Chairman of the Board

32 By Alvin O. Chynce
 Commissioner

By Lee McConner
 Commissioner

Legal Description of the Vacation of a Portion of an Alley in
Block 1 of the plat of CHEMULT

Beginnning at the Southwest corner of Lot 7, Block 1
of the plat of CHEMULT, OREGON; thence North 19°20' West, along
the West line of Lot 7, 140.00 feet to the Northwest corner
of Lot 7; thence South 70°40' West, 20.00 feet; thence
South 19°20' East, along the East line of Lots 3, 2 and 1,
140.00 feet to the Southeast corner of Lot 1; thence
North 70°40' East, 20.00 feet to the point of beginning.

Commissioners Journal

STATE OF OREGON; COUNTY OF KLAMATH; ss.
Filed for record at request of Wm. M. Ganong, Atty.
his 29th day of August A. D. 1979 at 3:46 clock P. M., at
uly recorded in Vol. M79, of Deeds on Page 20649

Fee \$10.50

Wm D. MILNE, County Cl.
By Linnetta H. Smith