

BOARD OF COMMISSIONERS

IN AND FOR THE COUNTY OF KLAMATH, STATE OF OREGON

In the Matter of the Vacation of )  
Lots 1 and 2 of Block 14 and a )  
portion of Halo Street and a portion )  
of the alley in Block 14 )  
in TERMINAL CITY, a platted and )  
subdivided tract of acreage. )

ORDER TO VACATE

WHEREAS, on the 26th day of April, 1979, a Petition for Vacation duly executed by Virginia Payne and Robert Payne was filed with the Board of County Commissioners; and

WHEREAS, the Board of County Commissioners set a public hearing on the said proposed vacation for the hour of 2:00 P.M. on the 7th day of June, 1979, in the Commissioners' Hearing Room in the Annex to the Klamath County Courthouse, Klamath Falls, Oregon; and

WHEREAS, by Affidavit, Wm. M. Ganong has proved the proper Notice of the Petition to Vacate and the Hearing thereon was properly posted on the Bulletin Board at said place of the Hearing of the Board of County Commissioners, and in three of the most public and conspicuous places within the limits of the platted acreage to be vacated, more than four weeks prior to the time set for Hearing; and

WHEREAS, a Hearing was duly held at 2:00 P.M. on June 7, 1979, on said Petition, at which time it was determined that said Terminal City 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 and Streets located in said Terminal City which are included in said Petition for Vacation are Public Roads other than a County Road or State Highway and are outside the limits of any incorporated City or Town; that Virginia Payne and Robert Payne, the Petitioners, are the sole owners of all of said Block 14 and Lots 1 and 2 in Block 14 in Terminal City, Klamath County, Oregon, and are the only persons who will be particularly affected by this Vacation and are the sole owners of all of the property immediately adjoining the Street and Alley to be vacated and have consented to said Vacation in writing, which

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1 said Consent has been acknowledged before an Oregon Notary Public and filed  
2 with the Klamath County Board of Commissioners; that the Board of County  
3 Commissioners referred this matter to the County Engineer and Roadmaster for  
4 his Report and that the County Engineer has investigated this matter and has  
5 approved the proposed Vacation as set forth in said Petition; that no opposi-  
6 tion has been made to said Petition; that the proposed Vacation is for the  
7 benefit of the general public for the reason that said area was platted in  
8 1909 without regard to the topography or natural conditions of the area; that  
9 the Streets and Alley are not County roads or State highways and have never  
10 been opened or used by the public or by any person; that it is not possible  
11 to construct houses upon said lots as platted or to open or use said Streets  
12 and Alley as platted; that under present-day government sewage and sanitation  
13 requirements, the whole of said tract to be vacated is required to provide  
14 adequate sub-surface sewage disposal for any residence to be constructed on  
15 said tract; that the vacation of said Lots, Alley, and Streets will enable a  
16 residence to be constructed on said tract in such a manner as to preserve and  
17 enhance the natural beauty of the area; that the Vacation of said Streets  
18 and Alley will enable the same to be placed on the public tax rolls and will  
19 relieve the County of any future expense and responsibility for the improve-  
20 ment, maintenance, and repair of said Street and Alley; that all of the state-  
21 ments set forth in said Petition to Vacate are true; and the Board of County  
22 Commissioners now being fully advised in the premises,

23 IT IS HEREBY ORDERED, pursuant to the provisions of ORS 271.010 to  
24 271.070, that all of the following tract in said Terminal City, Klamath Coun-  
25 ty, Oregon, to-wit:

26 Beginning at the Northeast corner of Lot 1, Block 14,  
27 TERMINAL CITY, a duly-recorded subdivision in Klamath  
28 County, Oregon; thence South, along the East boundary  
29 of said Block 14, 114.00 feet to the South boundary of  
30 the alley in said Block 14; thence West, along the South  
31 boundary of said alley 100.00 feet; thence North, 114.00  
32 feet to the Northwest corner of Lot 2 of said Block 14;  
thence West, along the South boundary of Halo Street,  
100.00 feet to the East boundary of MIDWAY AVENUE; thence  
North, 50.00 feet to the Southwest corner of vacated Block  
9 of said subdivision; thence East, along the North boundary  
of Halo Street, 200.00 feet to the West boundary of JUNIFER  
AVENUE; thence South, 50.00 feet to the point of beginning;

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be, and the same is hereby vacated.

Dated this 8th day of June, 1979.

BOARD OF COMMISSIONERS OF KLAMATH COUNTY, OREGON

By Harold L. Kynne  
Chairman of the Board

By Alvin A. Payne  
Commissioner

By Rue Kucen  
Commissioner

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of Wm. M. Ganong, Atty

this 30th day of August A. D. 1979 at 14 o'clock A M., and  
duly recorded in Vol. M79, of Deeds on Page 20660

Wm D. MILNE, County Clerk

Fee \$10.50

By Lernetha A. Helich

June  
Commissioners Journal