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BEFORE

Vol. ^m 79 Page 29302

THE BOARD OF COUNTY COMMISSIONERS

FOR THE COUNTY OF KLAMATH, STATE OF OREGON

In the matter of the petition of)	
BENNY A. CRITELLI AND ANN F.)	No.
CRITELLI, husband and wife,)	
to Establish a Statutory Way)	ORDER GRANTING STATUTORY
of Necessity.)	WAY OF NECESSITY

THIS MATTER having come before the Board of County Commissioners of Klamath County, Oregon, the 31st day of October, 1979, on the petition of Benny A. Critelli and Ann F. Critelli, husband and wife, for a statutory way of necessity, Dryden and Edna McIntosh, husband and wife, respondents, and the following persons being present:

Floyd Wynne, Chairman of the Board
 Alvin Cheyne, County Commissioner
 Nell Kuonen, County Commissioner
 Francis Roberts, County Engineer
 Robert Boivin, County Counsel
 Neil D. Smith, Counsel for petitioners,

And, no one appearing to represent Mr. and Mrs. McIntosh, the respondents, after adequate notice having been duly given the Commissioners held a hearing on the matter; examined exhibits and weighed the report of the Board of Road Viewers as filed September 20, 1970; Commissioner Cheyne made a motion to omit that portion of the road viewers report which required that the Critellis furnish a survey, description and map of the way of necessity for the reason that in this particular case the way of necessity connects with private easements which easements can be moved at anytime by the grantors.

ORDER - 1

NEIL D. SMITH
 Attorney at Law
 325 Main Street
 Klamath Falls, Oregon 97601
 (503) 893-3456

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1 The motion was unanimously accepted. A motion was then made
 2 by Chairman Floyd Wynne, seconded by Commissioner Kuonen to
 3 grant the way of necessity to petitioners in as much as the
 4 evidence and discussion showed that such was warranted and that
 5 there was no opposition to the granting of the way of necessity.

6 IT IS HEREBY ORDERED that the petition of Benny A.
 7 and Ann F. Critelli for a statutory way of necessity shall be
 8 unconditionally granted.

9 IT IS FURTHER ORDERED that the way of necessity
 10 shall be described as follows:

11 A thirty foot wide existing road which is recorded
 12 as an easement to Eugene P. and Joanne M. Coryell
 13 recorded at Volume M74, page 7514 and an easement
 14 to Michael R. and Peggy L. Peterson, as recorded
 15 in Volume M79 at page 6839. The easement is
 16 further described as beginning on the northern
 17 terminus of the easement across James H. and Lois
 18 Woods land on the south running in a northwesterly
 19 direction and joining the easement across the
 20 Critellis' land on the north across the land
 21 of Dryden and Edna Gayle McIntosh

22 DATED this 12th day of December, 1979.

23 Floyd L. Wynne
 24 Chairman of the Board

25 Alvin A. Thayer
 26 County Commissioner

27 Neil Kuonen
 28 County Commissioner

NEIL D. SMITH
 Attorney at Law
 325 Main Street
 Klamath Falls, Oregon 97601
 (503) 883-3456

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STATE OF OREGON
County of Klamath

I, Wm D. MILNE, County Clerk in and for Klamath County,
State of Oregon, do hereby certify that the foregoing copy of _____
Order

has been by me compared with the original and that this is a cor-
rect transcript of the original as the same is on file in my office
at my office _____
IN _____
affidavit of _____
19.79



Wm D. MILNE, County Clerk
By Bernhard Hetsch Deput

Return to
Neil Smith
325 Main
E. Lolo, Id.

STATE OF OREGON; COUNTY OF KLAMATH; ss.

and for record at request of Neil Smith, Atty.
is 21st day of December A. D. 19 79 at 1:28 o'clock P M., on:
tuly recorded in Vol. 1179, of Deeds on Page 29307

Wm D. MILNE, County Clerk
By Bernhard Hetsch

Fee \$10.50