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Vol. M80 Page 539

BEFORE THE BOARD OF DIRECTORS

OF

KLAMATH IRRIGATION DISTRICT

In the Matter of the Petition of DONALD G. MICKA, JOHN R. BROWNING, LLOYD COGLEY, SUZANNE COGLEY, CHARLES V. DOBRY, SR., CHARLES V. DOBRY, JR., LEN A. DOBRY, HAROLD I. GOUGE, CAROL E. GOUGE, GUY MARROW, BARBARA MARROW, F. GAIL WEAVER, WARREN WELLS and NINA WELLS	ORDER EXCLUDING LANDS

This matter having come on to be heard on this 6th day of January, 1981, at the hour of 10:00 a.m., before the Board of Directors of Klamath Irrigation District, at the office of said Board at 6640 K.I.D. Lane, Klamath Falls, Oregon, upon Petition of DONALD G. MICKA, JOHN R. BROWNING, LLOYD COGLEY, SUZANNE COGLEY, CHARLES V. DOBRY, SR., CHARLES V. DOBRY, JR., LEN A. DOBRY, HAROLD I. GOUGE, CAROL E. GOUGE, GUY MARROW, BARBARA MARROW, F. GAIL WEAVER, WARREN WELLS and NINA WELLS for the exclusion of lands hereafter described from the Klamath Irrigation District pursuant to the provisions of ORS 545.602 to 545.620, that being the time and place heretobefore set by said Board for the Hearing on said Petition, and said Board proceeding to hear said Petition finds as follows:

1.

That on December 10, 1980, said Petitioners filed with the Board of Directors its duly verified Petition praying that their lands consisting of 3.96 acres, more or less, in Klamath County, State of Oregon, which said lands are in this Order hereinafter more particularly described, be excluded from Klamath Irrigation District pursuant to the provisions of ORS 545.602 to 545.620.

2.

That said Petitioners did tender to the Klamath Irrigation District with said petition the sum of $759.09, which said sum was determined by said Board of Directors to be the amount provided and required by ORS 545.613.

3.

That the Secretary of the Board of Directors of Klamath Irrigation District caused Notice of the filing of said Petition to be duly published

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RETURN TO: KLAMATH IRRIGATION DISTRICT 6640 K.I.D. LANE KLAMATH FALLS, OREGON 97601

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once a week for two weeks in the Herald and News, a newspaper of general circulation published in Klamath County, the County where the Board of Directors of Klamath Irrigation District is situated. That the Notice stated the filing of the Petition, the name of Petitioners, a description of the lands mentioned in the Petition, and the Prayer of the Petitioners, and notified all persons interested in, or who may be affected by such change of the boundaries of the District to appear at the office of the Board at 6640 K.I.D. Lane, Klamath Falls, Oregon, at 10:00 a.m. on January 6, 1981, and show cause in writing, if any they have, why the change in boundaries proposed in the Petition should not be made. That the time so specified in said Notice at which they were required to show cause was the regular meeting of the Board next after the expiration of the time for the publication of said Notice.

4.

That the Board of Directors of Klamath Irrigation District at said time and place mentioned in said Notice heard the said Petition and all evidence or proofs that were introduced by and on behalf of the Petitioners.

5.

That no person, firm or corporation whomsoever or whatsoever made, presented or filed any objections to the granting of said Petition.

6.

That there were no outstanding bonds of the District at the time of the filing of said Petition or at any time subsequent thereto.

7.

That the Secretary of the Interior of the United States of America, through the Manager of the Klamath Irrigation Project, Water and Power Resources Service, has assented in writing to such exclusion.

8.

The Board of Directors of Klamath Irrigation District finds and deems it for the best interests of said District for the reasons set forth in said Petition, including the reasons that said lands were purchased by Petitioners for subdivision and construction of a residential mobile home court, to-wit: TRACT 1181 and will continue to be so used in the future; that said mobile home

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court subdivision has three or more tracts on each acre of land within the subdivision; that it is not feasible to construct adequate irrigation facilities to serve the individual lots as required by ORS 545.611; that said lands are not to be used for agricultural, horticultural, viticultural or grazing purposes and, therefore, said lands hereinafter more particularly described should be excluded from said Klamath Irrigation District pursuant to the provisions of ORS 545.610 and 545.611; and the Board of Directors now being fully advised in the premises,

It is hereby ORDERED and RESOLVED as follows:

I

That said lands, which are more particularly described as follows:

ALL OF TRACT 1181,

in Section 16, Twp. 41 S.R. 12 E.W.M., Klamath County, Oregon,

according to the official plat thereof and containing 3.96 acres, more or less,

which said Lands are entered in the Assessment Book by the County Assessor as Code 13, Map 128, Tax Lots 253 thru 275, inclusive.

SAVING AND EXCEPTING from the above-described lands for the purpose of this Exclusion all Rights of Way, Easements and Interests of the United States, Klamath Irrigation District or any other Irrigation District, Drainage District or Improvement District,

be and they hereby are excluded from Klamath Irrigation District, and the Boundaries of the District are hereby changed to eliminate said lands.

II

That a certified copy of these Minutes of the Board excluding the above-described land, certified by the Secretary of the Board, shall be filed for record in the County Clerk's office of Klamath County, Oregon, as required by ORS 545.614.

Done at the Regular Meeting of the Board of Directors of Klamath Irrigation District held January 6, 1981.

Directors of Klamath Irrigation District

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STATE OF OREGON)
) SS.
County of Klamath)

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I, Malcolm D. Crawford, Secretary of Klamath Irrigation District, hereby Certify that the foregoing is a full, true and correct copy of the Order Excluding Lands duly made and adopted by the Board of Directors of Klamath Irrigation District at the regular meeting of said Board held on January 6, 1981, at 10:00 a.m. and of the whole thereof.

WITNESS my hand and the Seal of said Klamath Irrigation District this 6th day of January, 1981.

(SEAL)

Malcolm D. Crawford
Secretary, Klamath Irrigation District

STATE OF OREGON; COUNTY OF KLAMATH; ss.
Filed for record at request of Wm. Ganong, Attorney
this 12th day of January A.D. 1981 at 2:44 o'clock P.M., and
duly recorded in Vol. M81, of Deeds on Page 539.
EVELYN BIEHN, County Clerk
By Bernetha V. Letsch

Fee $14.00

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