

COMMON COUNCIL OF THE CITY OF MERRILL, OREGON
An Oregon Municipal Corporation

In the Matter of Partial Vacation of)
Fourth Street, of Merrill Original)
Lot 1 Block 8, Merrill, Klamath)
County, Oregon)

Resolution No. 564

THE COMMON COUNCIL OF THE CITY OF MERRILL, KLAMATH COUNTY, OREGON
intends to vacate the following described portion of a city street in said City, County and State:

That portion of Fourth Street adjacent to Lot 1, Block 8, of "The second supplementary plat to the town of Merrill, Oregon", a duly recorded subdivision, or particularly described as follows:

Beginning at a point on the north line of said lot 1 from which the northeast corner bears east 2.24 feet; thence N00 44'08" 2.71 feet; thence S89 15'52"W 64.62 feet; thence S00 44'08"E 1.88 feet to a point on the north line of said lot 1; thence east 64.62 feet to the point of beginning with bearings based on record of survey #5605.

(Said area may further be described as that portion of Deboy's house plus out to the eaves wide, that is encroaching upon the city street.)

This part of the street when vacated will revert to the abutting property owner for their use. This property owner is Bonnie Deboy. This portion of Fourth Street that is being vacated will be added to the legal description of the said property.

The reason for such vacation as above described and herein requested is because 7.5 inches of the Deboy house encroaches upon the city street. (See attached copy of the 1994 survey map.) Vacating the above described property will mean that the structure does not touch the right of way of the street. Vacation of the said property will allow Bonnie Deboy clear title of her property and she can proceed with the sell of her property.

The Common Council of the City of Merrill further notes that the area being vacated will not injure or damage any property holder or owner or any other person by such vacation.

Passed by Council this 16th day of October 1997, in Klamath County, Oregon.

Presented this 16th day of October 1997 to the mayor and by her signed.

Jean Leper
Mayor

Attest: Cynthia R. Naton
City Recorder

15-CA

97 OCT 23 P132

VARIANCE GRANTED

Merrill Common Council and the Merrill Planning Commission do hereby grant and approve a variance to the setback requirements at 438 Garfield Street.

Condition of Variance: This variance is a permanent variance to eliminate the set back requirements of the house at 438 Garfield Street on both Garfield Street and Fourth Street. This variance is a permanent variance and will transfer with ownership of said property.

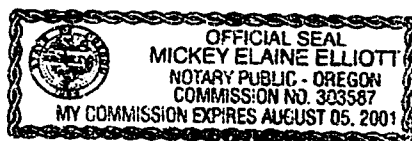
Reason for Variance: Set backs of the house built in 1922 do not comply with existing set back requirements of the City of Merrill.

Approval: Jean Lopez
Mayor

Penelope Schneider - Gribbey
Planning Commission

Cynthia R. Slaton
City Recorder

Mark C. Smith
Planning Commission



Mickey Elaine Elliott

after Recording return to:

City of Merrill
P.O. Box 487
Merrill, OR 97633

SPACE RESERVED
FOR
RECORDER'S USE

STATE OF OREGON,
County of Klamath } ss.

I certify that the within instrument was received for record on the 23rd day of October, 1997, at 1:32 o'clock P.M., and recorded in book/reel/volume No. M97 on page 34916 and/or as fee/file/instrument/microfilm/reception No. 47456, Records of said County. Deed

Witness my hand and seal of County affixed.

Bernetha G. Letsch, Co. Clerk
NAME TITLE

Fee: \$15.00

By Kathleen Ross, Deputy.