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BEFORE THE BOARD OF COUNTY COMMISSIONERS
KLAMATH COUNTY, OREGONVol. 198 Page 41441

IN THE MATTER OF THE VACATION OF
A PORTION OF FUGAR WAY AND LOTS 3,
4, 5, 6, 7, 8, 9, 10 LOCATED IN PELICAN
ACRES IN SECTIONS 3 & 10, TOWNSHIP 36S,
RANGE 6E IN KLAMATH COUNTY, OREGON
AND REVISE ORDER 99-043

REVISED
ORDER 99-046
FOR FINAL
VACATION

According to the provisions of ORS 368.341 (3) and ORS 368.351, a petition containing the acknowledged signatures of the owners of 100% of the property abutting the public property described in Exhibit "A", included hereto and by this reference incorporated herein, proposed to be vacated and indicating said owners' approval of the proposed vacation was filed with the Board of Commissioners on June 5, 1998 as:

"A portion of Fugar Way and Lots 3, 4, 5, 6, 7, 8, 9, 10 located in Pelican Acres located in sections 3 and 10, T.36 S., R.6 E.W.M. in Klamath County, Oregon"

Thereafter, the Public Works Director filed with the Commissioners a written report containing the required information of ORS 368.346(1), finding the vacation to be in the public interest.

Now, after fully considering the report and other documentation presented, the Board of County Commissioners finds that the vacation of "a portion of Fugar Way and Lots 3, 4, 5, 6, 7, 8, 9, 10 located in Pelican Acres in Sections 3 & 10, Township 36S, Range 6E in Klamath County, Oregon, as described in Exhibit "A", included hereto and incorporated herein by this reference, is in the public interest and finds that the petition should be granted and that the real property be vacated would benefit the public by being placed on the tax rolls. This Order stipulated that the vacation is subject to an easement for existing public utilities to operate facilities in the vacated area.

NOW THEREFORE, IT IS HEREBY ORDERED that the petition is granted and that the portion described herein is vacated, as said vacation is in the public interest. It is further ordered that pursuant to ORS 365.366(1)(d) the vacated property is vested in the owners of the abutting property by extension of their property boundaries.

IT IS FURTHER ORDERED that the costs resulting from the approved vacation is determined to be the sum of \$150.00 and that the persons liable for payment of the costs are the petitioners, who have paid the above mentioned sum on June 5, 1998.

DONE AND DATED this 13th day of October, 1998.

BOARD OF COUNTY COMMISSIONERS

William R. Gerard, Chairman

M. Steven West, Commissioner

Al Switzer, Commissioner

STATE OF OREGON, COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County B.O.C. the 14th day
of October A.D. 1998 at 1:08 o'clock P.M., and duly recorded in Vol. M98
of Deeds on Page 37667

FEE \$15.00

INDEXED

By Bernetha G. Letsch, County Clerk

EXHIBIT A

A portion of Pelican Acres, a recorded subdivision in Klamath County, situated in Sections 3 and 10, Township 36 South, Range 6 East, Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Lots 3, 4, 5, 6, 7, 8, 9, 10 and all that portion of Fugar Way (formerly Aspen Lane) lying south of and adjacent to lots 3 through 6 and north of and adjacent to lots 7 through 10.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County the 13th day
of Nov A.D., 19 96 at 11:48 o'clock A. M., and duly recorded in Vol. M98
of Deeds on Page 41441

FEE none

By Bernetha G. Letsch, County Clerk
Kathleen Rose

-Re-recorded to remove pages 38079 & 38080 and to add Exhibit A-

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Dennis Nelson

OREGON
JULY 25, 1933
DENNIS A. NELSON
2156