

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
KLAMATH COUNTY, OREGON**

**IN THE MATTER OF THE VACATION)
OF A PORTION OF CHURCH STREET AND) FINAL
MARIPOSA DRIVE (FORMERLY 11TH) ORDER 99- 077
STREET) IN THE WORDEN SUBDIVISION)
IN KLAMATH COUNTY, OREGON)**

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 November 12, 1998.

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.

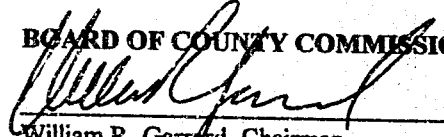
Now, after fully considering the report and other documentation presented, the Board of County Commissioners find that the vacation of a portion of Church Street and Mariposa drive (formerly 11th Street) in Klamath County, Oregon, as described in Exhibit "A", included hereto and incorporated herein by this reference, is in the public interest and finds that the petition should be granted and that the property vacated would benefit the public by being placed on the tax rolls. This Order stipulated that the vacation is subject to easements for existing public utilities to operate facilities in the vacated areas.

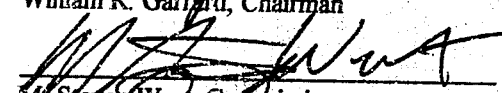
NOW, THEREFORE IT IS HEREBY ORDERED that the petition is granted and that the portion described herein is vacated, as said vacation in the public interest. It is further ordered that pursuant to ORS 365.366(1)(d) the vacated property is vested in the owners of the abutting property by extension of their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

IT IS FURTHER ORDERED that the costs resulting from the approved vacation is determined to be in 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 November 12, 1998.

DONE AND DATED this 22nd day of December, 1998.

BOARD OF COUNTY COMMISSIONERS


William R. Garrard, Chairman


Mr. Steven West, Commissioner


Al Switzer, Commissioner



46968

Klamath County - Public Works Department

ROAD DEPARTMENT - PARK DIVISION - SOLID WASTE DIVISION - WEED CONTROL DIVISION
305 MAIN STREET - KLAMATH FALLS, OREGON 97601
(541) 883-4696 - FAX (541) 882-3046

RECEIVED

DEC 16 1998

ROAD OFFICIALS REPORT

by Board of Commissioners

DATE: DECEMBER 14, 1998

TO: BOARD OF COUNTY COMMISSIONERS

FROM: DENNIS NELSON, COUNTY ENGINEER

SUBJECT: VACATION OF A PORTION OF CHURCH STREET AND MARIPOSA DRIVE
(FORMERLY 11TH STREET) IN THE WORDEN SUBDIVISION IN KLAMATH
COUNTY, OREGON (See attached map and description)

The Board of County Commissioners accepted the petition for vacation and referred it to the County Director of Public Works by Order #99-060 on December 1, 1998. One hundred percent of the adjoining property owners signed the petition requesting the vacation. Therefore, notice to the adjoining owners was not required.

According to the County Assessor's records, the owners of the property abutting the road are as follows:

Map 4008-3400

Tax Lot 500

Jerry L. Sweetman

4360 Vallejo Drive

San Diego, CA 92117-2830

Map 4008-34BD

Tax Lot 500

M. Alan & Rosalie P. Knight

493 N. Sabre Avenue

Fresno, CA 93727

Tax Lot 600

John Weston Jr.

637 Fern Street

Pinole, CA 94564

Tax Lot 700

James G. Clark

2684 Simas Avenue

Pinole, CA 94564

46969

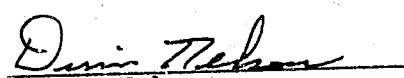
Roads Officials Report
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Map 4008-34BD
Tax Lot 800
John & Nancy Dunn
2487 40th Avenue S.E.
Albany, OR 97321

Notice was provided to all utility companies in the area. There are no utilities operating facilities in the area to be vacated.

The portion of Church Street & Mariposa Drive proposed to be vacated is not improved and is not needed to access other properties in the area. The surrounding land is zoned rural residential, but is currently vacant. The predominant vegetative coverage is sage brush and juniper trees.

Returning the property to the tax rolls would benefit the public. I recommend the property described in the petition be vacated.


Dennis Nelson

40 08 34 544

TRU SURVEYING, INC. LINE

TELEPHONE (541) 854-3391
2333 SUMMERS LANE • KLAMATH FALLS, OREGON 97603

SEPTEMBER 24, 1998

46972

LEGAL DESCRIPTION OF PROPOSED ROAD VACATION

BEING A PORTION OF CHURCH STREET AND A PORTION OF MARIPOSA DRIVE IN "WORDEN", A DULY RECORDED SUBDIVISION, SITUATED IN THE SE1/4 HW1/4 OF SECTION 34, T40S, R9EWM, KLAMATH COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 5/8" IRON PIN WITH TRU-LINE SURVEYING PLASTIC CAP MARKING THE MOST WESTERLY CORNER OF BLOCK 53 OF SAID "WORDEN" AND BEING ON THE SOUTHEASTERLY RIGHT OF WAY LINE OF SAID CHURCH STREET; THENCE N32°18'00"E, ALONG SAID RIGHT OF WAY, 100.00 FEET TO THE SOUTHWEST CORNER OF LOT 6 OF SAID BLOCK 53 AND BEING THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE N57°42'00"W 60.00 FEET TO THE SOUTHEAST CORNER OF LOT 3 BLOCK 52 OF SAID "WORDEN", ALSO BEING ON THE NORTHWESTERLY RIGHT OF WAY LINE OF SAID CHURCH STREET; THENCE N32°18'00"E, ALONG THE SAID RIGHT OF WAY LINE, 300.00 FEET TO ITS INTERSECTION WITH THE SOUTHWESTERLY RIGHT OF WAY LINE OF SAID MARIPOSA DRIVE; THENCE N57°42'00"W, ALONG THE SAID RIGHT OF WAY LINE, 253.78 FEET TO THE MOST NORTHERLY CORNER OF SAID BLOCK 52, ALSO BEING A POINT ON THE BOUNDARY OF SAID "WORDEN"; THENCE ALONG THE SAID BOUNDARY, NORTH 54.49 FEET AND N89°21'00"E 25.64 FEET TO THE MOST WESTERLY CORNER OF BLOCK 58 OF SAID "WORDEN", ALSO BEING ON THE NORTHEASTERLY RIGHT OF WAY LINE OF SAID MARIPOSA DRIVE; THENCE S57°42'00"E, ALONG THE SAID RIGHT OF WAY LINE, 261.38 FEET TO ITS INTERSECTION WITH THE SAID NORTHWESTERLY RIGHT OF WAY LINE OF CHURCH STREET; THENCE N32°18'00"E, ALONG THE SAID RIGHT OF LINE, 169.42 FEET TO THE NORTHEAST CORNER OF SAID BLOCK 58, ALSO BEING A POINT ON THE BOUNDARY OF SAID "WORDEN"; THENCE N89°21'00"E, ALONG THE SAID BOUNDARY, 71.50 FEET TO THE NORTHWEST CORNER OF BLOCK 57 OF SAID "WORDEN", ALSO BEING ON THE SAID SOUTHEASTERLY RIGHT OF WAY LINE OF CHURCH STREET; THENCE S32°18'00"W, ALONG THE SAID RIGHT OF WAY LINE, 208.31 FEET TO THE MOST WESTERLY CORNER OF SAID BLOCK 57, ALSO BEING ON THE NORTHEASTERLY RIGHT OF WAY LINE OF SAID MARIPOSA DRIVE; THENCE N57°42'00"W 30.00 FEET TO THE CENTERLINE OF SAID CHURCH STREET; THENCE S32°18'00"W, ALONG THE SAID CENTERLINE, 60.00 FEET; THENCE S57°42'00"E 30.00 FEET TO THE MOST NORTHERLY CORNER OF SAID BLOCK 53, ALSO BEING ON THE SAID SOUTHEASTERLY RIGHT OF WAY LINE OF CHURCH STREET; THENCE S32°18'00"W, ALONG THE SAID RIGHT OF WAY LINE, 300.00 FEET TO THE POINT OF BEGINNING, WITH BEARINGS BASED ON RECORD OF SURVEY 5775 ON FILE AT THE OFFICE OF THE KLAMATH COUNTY SURVEYOR.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Dennis A. Ensor

OREGON
JULY 25, 1990
DENNIS A. ENSOR
2442

Dennis A. Ensor
DENNIS A. ENSOR O.L.S. 2442

EXPIRES 12/31/99

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of _____ Klamath County BOC
of _____ December _____ A.D., 19 98 at 11:44 o'clock _____ A. M., and duly recorded in Vol. M98
of _____ Needs _____ on Page 46967

FEE No Fee

By *Bernetha G. Letsch*, County Clerk
Kathleen Ross