

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

**IN THE MATTER OF A VACATION OF)
A PORTION OF POTTER STREET)
AND ALL OF THE ALLEY IN BLOCK 25)
OF CRESCENT SUBDIVISION LOCATED)
IN KLAMATH COUNTY, OREGON)**

FINAL ORDER 2000- 04/5

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 September 20, 1999.

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 Potter Street and all of the alley in Block 25 as per the Plat of Crescent Subdivision 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 stipulates 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 September 20, 1999.

DONE AND DATED this 30th day of November, 1999.

BOARD OF COUNTY COMMISSIONERS


M. Steven West, Chairman


Al Switzer, Commissioner


William R. Gannard, Commissioner



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

ROAD OFFICIALS REPORT

DATE: NOVEMBER 22, 1999
TO: BOARD OF COUNTY COMMISSIONERS
FROM: DENNIS NELSON, COUNTY ENGINEER
SUBJECT: VACATION OF PORTION OF POTTER STREET AND ALL OF
 THE ALLEY IN BLOCK 25 LOCATED IN CRESCENT
 SUBDIVISION, KLAMATH COUNTY, OREGON (SEE ATTACHED
 MAPS & DESCRIPTION)

The Board of County Commissioners accepted the petition for vacation and referred it to the County Road Official by Order #2000-030 on October 26, 1999. One hundred percent of the adjoining private property owners signed the petition requesting the vacation, therefore, a public hearing is not required.

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

Tax Lot 100
 Crown Pacific
 121 SW Morrison St., Ste. 1500
 Portland, Oregon 97204

Tax Lot 4100, 4200 & 4400
 Terry R. & Deborah Roseberry
 P.O. Box 67
 Crescent, Oregon 97733

Tax Lot 4300 & 4500
 David C. & Donna M. Bell
 14461 Camden Lane
 Lake Oswego, Oregon 97035

RECEIVED

NOV 22 1999

BOARD OF COUNTY COMMISSIONERS

RECEIVED

NOV 15 1999

BOARD OF COUNTY COMMISSIONERS

Road Officials Report
Page 2 of 2

Notice was provided to all utility companies in the area. Century Telephone operates facilities in the area to be vacated.

The portion of Potter Street and the Alley proposed to be vacated are not needed to access other properties in the area. The road and Alley are currently maintained by the adjacent property owners. Fences, driveways and landscaping have been built on the property. Returning this road and Alley to the tax rolls would benefit the public.

I recommend the property described in the petition be vacated. The order should stipulate that the vacation is subject to an easement for existing public utilities to operate facilities in the vacated area.



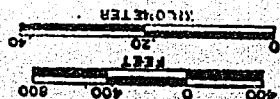
Dennis Nelson
Klamath County Engineer

SECTION 30 T.24S. R.09E. WM.
K IATH COUNTY

24 09 3C DE

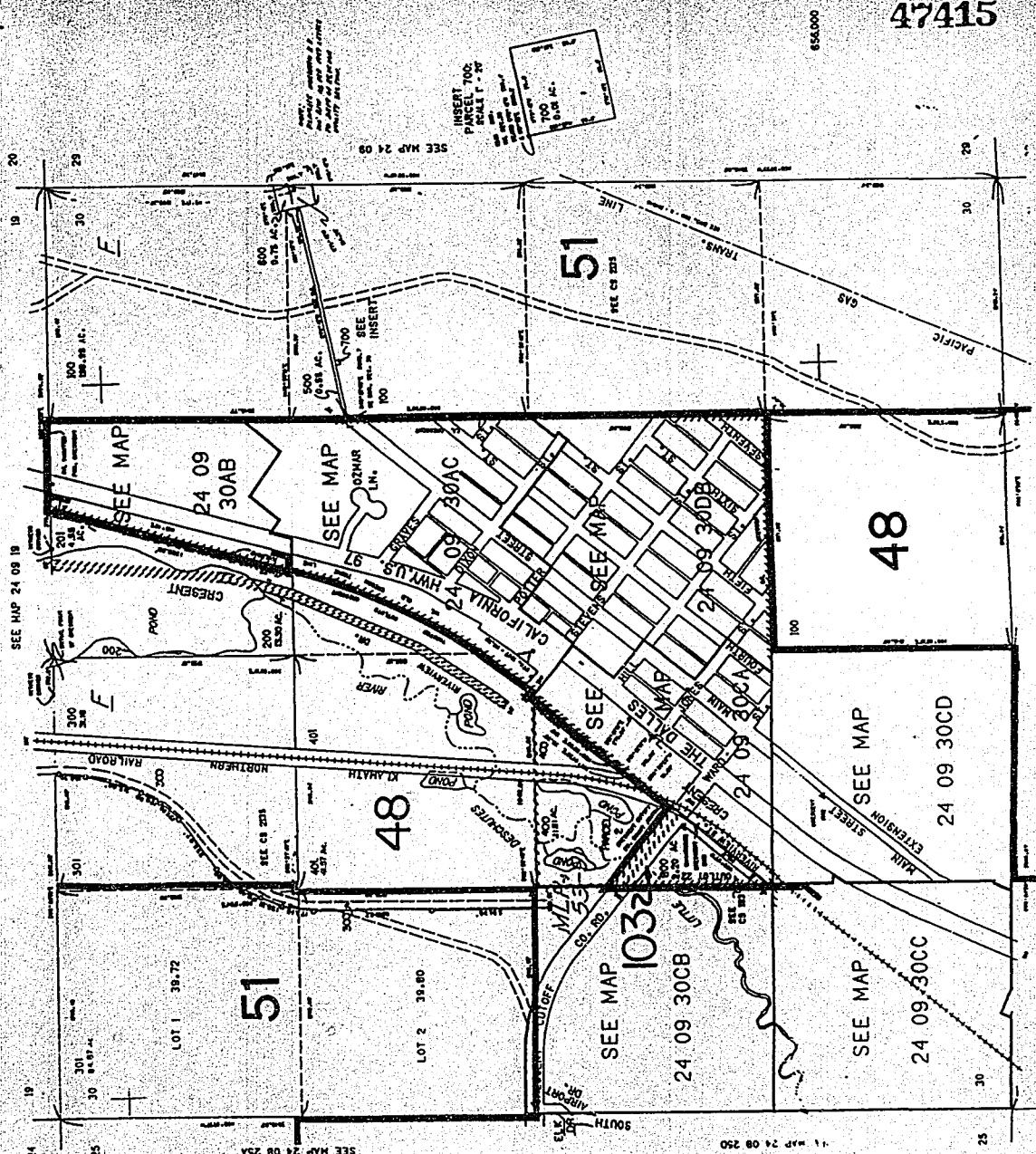
THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY.

1-400



SCALE 1:9600

RECEIVED
OCT 16 0955
DEPT. OF REVENUE
STATE OF OREGON



47415

656,000

47416

24 9 30DB

24 09 30DB

63E500

SEE MAP 24 09 30

CANCELLED NOS

1/8 COR.

1/8 COR.

SEE MAP 24 09 30

1/8 COR.

1/8 COR.

SEE MAP 24 09 30CA

RECEIVED
AUG 21 1956
OFFICE OF THE
STATE OF OREGON

SCALE 2400



US 97

CALIFORNIA

THE DALES-
RAILROAD

STEVENS

POTTER

DIXON

MAIN

JONES

5TH

6TH

7TH

103

STEVENS

POTTER

DIXON

MAIN

JONES

5TH

6TH

7TH

103

STEVENS

POTTER

DIXON

MAIN

JONES

5TH

6TH

7TH

103

STEVENS

POTTER

DIXON

MAIN

JONES

5TH

6TH

7TH

103

STEVENS

POTTER

DIXON

MAIN

JONES

5TH

6TH

7TH

103

STEVENS

POTTER

DIXON

MAIN

JONES

5TH

6TH

7TH

103

STEVENS

POTTER

DIXON

MAIN

JONES

5TH

6TH

7TH

103

STEVENS

POTTER

DIXON

MAIN

JONES

5TH

6TH

7TH

103

STEVENS

POTTER

DIXON

MAIN

JONES

5TH

6TH

7TH

103

STEVENS

POTTER

DIXON

MAIN

JONES

5TH

6TH

7TH

103

STEVENS

POTTER

DIXON

MAIN

JONES

5TH

6TH

7TH

103

STEVENS

POTTER

DIXON

MAIN

JONES

5TH

6TH

7TH

103

STEVENS

POTTER

DIXON

MAIN

JONES

5TH

6TH

7TH

103

STEVENS

POTTER

DIXON

MAIN

JONES

5TH

6TH

7TH

103

STEVENS

POTTER

DIXON

MAIN

JONES

5TH

6TH

7TH

103

STEVENS

POTTER

DIXON

MAIN

JONES

5TH

6TH

7TH

103

STEVENS

POTTER

DIXON

MAIN

JONES

5TH

6TH

7TH

103

STEVENS

POTTER

DIXON

MAIN

JONES

5TH

6TH

7TH

103

STEVENS

POTTER

DIXON

MAIN

JONES

5TH

6TH

7TH

103

STEVENS

POTTER

DIXON

MAIN

JONES

5TH

6TH

7TH

103

STEVENS

POTTER

DIXON

MAIN

JONES

5TH

6TH

7TH

103

STEVENS

POTTER

DIXON

MAIN

JONES

5TH

6TH

7TH

103

STEVENS

POTTER

DIXON

MAIN

JONES

5TH

6TH

7TH

103

STEVENS

POTTER

DIXON

MAIN

JONES

5TH

6TH

7TH

103

STEVENS

POTTER

DIXON

MAIN

JONES

5TH

6TH

7TH

103

STEVENS

POTTER

DIXON

MAIN

JONES

5TH

6TH

7TH

103

STEVENS

POTTER

DIXON

MAIN

JONES

5TH

6TH

7TH

103

STEVENS

POTTER

DIXON

MAIN

JONES

5TH

6TH

7TH

103

STEVENS

POTTER

DIXON

MAIN

JONES

5TH

6TH

7TH

103

STEVENS

POTTER

DIXON

MAIN

JONES

5TH

6TH

7TH

103

STEVENS

POTTER

DIXON

MAIN

JONES

5TH

6TH

7TH

103

STEVENS

POTTER

DIXON

MAIN

JONES

5TH

6TH

7TH

103

STEVENS

POTTER

DIXON

MAIN

JONES

5TH

6TH

7TH

103

EXHIBIT A

PARCEL 1

A portion of Potter Street located in Crescent Subdivision, Section 30, T.24S. R.9 E., W.M., Klamath County, Oregon more particularly described as follows:

Beginning at the northwest corner of Lot 7, Block 25 of said Subdivision thence N 39°, 49' E, 60.00 feet along the projected easterly right-of-way of Sixth Street to the southwest corner of Lot 1, Block 23 of said Subdivision; thence S 50° 11' E, 136.31 feet along the northerly right-of-way of Potter Street to the easterly boundary of said subdivision; thence S 0° 03' 10" W, 78.06 feet along said easterly boundary to the northeast corner of Lot 6, Block 25 of said Subdivision; thence N 50° 11' W, 186.23 feet along the southerly right-of-way line of Potter Street to the point of beginning.

PARCEL 2

All of the Alley in Block 25 of Crescent Subdivision, Klamath County, Oregon.

State of Oregon, County of Klamath
Recorded 12/01/99, at 12:45 p.m.
In Vol. M99 Page 47412
Linda Smith,
County Clerk Fee \$ pd.