

1999 DEC -1 PM 12: 45

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

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**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- 045

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.

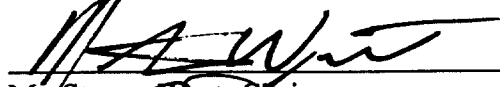
Now, after fully considering the report and other documentation presented, the Board of County Commissioners find that the vacation of a portion of Potter Street and all of the alley in Block 25 as per the Plat of Crescent Subdivision in Klamath County, Oregon, as described in Exhibit "A", included hereto 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. Garrard, Commissioner

State of Oregon, County of Klamath
Recorded 07/11/00, at 2:58 p. m.
In Vol. M00 Page 25282
Linda Smith,
County Clerk Fee \$ NC

* Re-recorded to add legal.

July 7, 2000

CORRECTED

EXHIBIT A

PARCEL 1

A portion of Potter Street located in Crescent Subdivision, Section 30, T.24S. R.9E., 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 24 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.

