

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

Clerk

**IN THE MATTER OF THE VACATION OF DELANY STREET, COMMON)
TO VACATED BLOCKS 56 AND 57, VACATED LOTS 1, 3 AND 5)
THROUGH 12 AND LOTS 2 AND 4 OF BLOCK 50 AND VACATED)
BLOCK 51 AND VACATED LOTS 9, 10, 11, 12, 14, 15, 16 AND LOT 13)
OF BLOCK 53 AND VACATED LOTS 1, 2, 3, 4, 6, 7, 8 AND LOT 5 OF)
BLOCK 54 AS DESCRIBED IN EXHIBIT "A" LOCATED IN THE PLAT OF)
KLAMATH COUNTY, OREGON)**

FINAL

ORDER 2001- 079

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 30, 2000.

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 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 June 30, 2000.

DONE AND DATED this 6th day of March, 2001.

BOARD OF COUNTY COMMISSIONERS

Out of Office Today

M. Steven West, Chairman

John Elliott
John Elliott, Commissioner

Al Switzer
Al Switzer, Commissioner



11617

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

RECEIVED

FEB 26 2001

by Board of Commissioners

DATE: FEBRUARY 22, 2001

TO: BOARD OF COUNTY COMMISSIONERS

FROM: DENNIS NELSON, COUNTY ENGINEER

SUBJECT: VACATION OF A PORTION OF **DELANY 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 Road Official by Order #2001-068 on January 30, 2001. 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
1107 Wiard Street
Klamath Falls, Oregon 97603

Map 4008-34BD
Tax Lot 400
Johnny & Vivian Cook
19550 Keno-Worden Road
Klamath Falls, Oregon 97603

Tax Lot 900
Dolores Culver
P.O. Box 964
Keno, Oregon 97627

Tax Lot 500
James Clark
2684 Simas Avenue
Pinole, CA 94564

Tax Lot 1000, 1100, 1200
Claude & Kari Nelson
19730 Keno Worden Road
Klamath Falls, Oregon 97603

Tax Lot 800
John & Nancy Dunn
2487 40th Avenue. S.E.
Albany, Oregon 97321

Tax Lot 1300
Mark & Dori Pace
P.O. Box 742
Keno, Oregon 97627

Roads Officials Report
Page 2 of 2

Notice was provided to all utility companies in the area. Pacific Power & Light Co. may have facilities in the area to be vacated.

The portion of **Delany Street** 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. The order should stipulate that the vacation is subject to an easement for existing utilities to operate facilities in the vacated area.



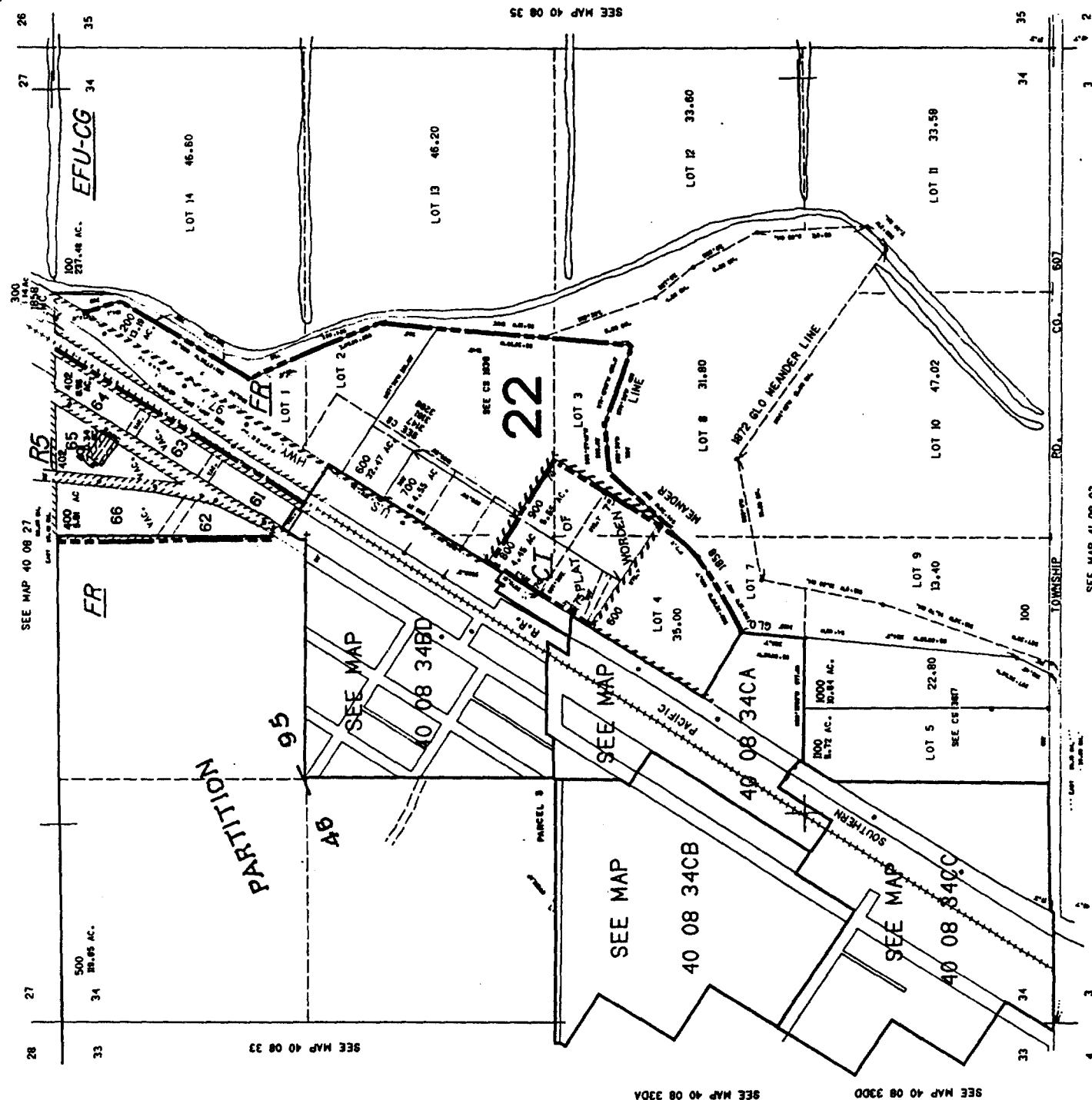
Dennis Nelson
Klamath County Engineer

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY.

40831

11619

40 08 34.



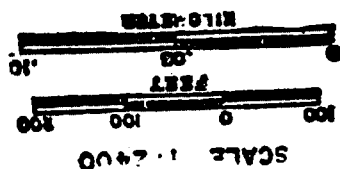
RECEIVED
APR 16 1997
DEPT. OF REVENUE
STATE OF OREGON

4068-3480

K' MATH COUNTY

1-100

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY.



SEE MAP 40 08 34

SEE MAP 40 08 34

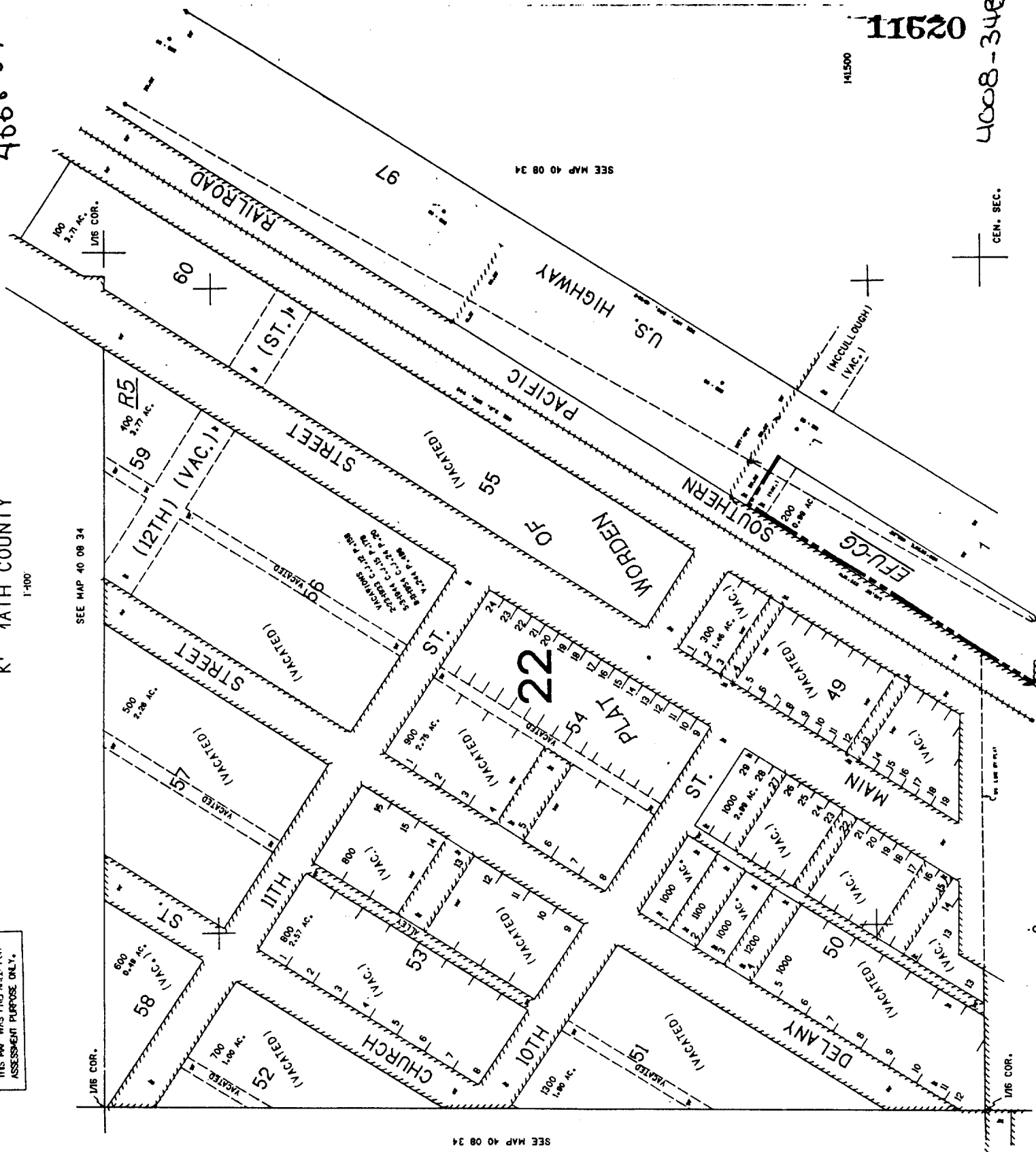
SEE MAP 40 08 34

11620

141500

CEN. SEC.

4008-3480



OWNER
DENNIS A. ENSOR, L.S., W.R.E.

Exhibit A
Page 1/3
CHAD B. ENSOR, L.S.I.T.
JOHN M. HEATON, L.S.I.T.
11621

TRU SURVEYING, INC. LINE

TELEPHONE (541) 884-3691
2333 SUMMERS LANE KLAMATH FALLS, OREGON 97603

SEPTEMBER 10, 2000

LEGAL DESCRIPTION OF PROPOSED ROAD VACATION

A PROPOSED ROAD VACATION BEING THAT PORTION OF DELANY STREET COMMON TO VACATED BLOCKS 56 AND 57 OF "WORDEN", A DULY RECORDED SUBDIVISION, SITUATED IN THE SE1/4 NW1/4 OF SECTION 34, T40S, R8EWM, 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 EASTERLY CORNER OF BLOCK 53 OF SAID "WORDEN" AND BEING ON THE NORTHWESTERLY RIGHT OF WAY LINE OF SAID DELANY STREET; THENCE N32°18'00"E, ALONG THE SAID RIGHT OF WAY LINE, 60.00 FEET TO THE MOST SOUTHERLY CORNER OF SAID BLOCK 57 AND BEING THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUING N32°18'00"E, ALONG SAID RIGHT OF WAY LINE, 402.76 FEET TO THE NORTHEAST CORNER OF SAID BLOCK 57, ALSO BEING ON THE NORTH BOUNDARY OF SAID "WORDEN"; THENCE N89°21'00"E, ALONG THE SAID NORTH BOUNDARY, 71.50 FEET TO A POINT ON THE SOUTHEASTERLY RIGHT OF WAY LINE OF SAID DELANY STREET; THENCE S32°18'00"W, ALONG THE SAID RIGHT OF WAY LINE, 441.65 FEET TO THE MOST WESTERLY CORNER OF SAID BLOCK 56; THENCE N57°42'00"W 60.00 FEET TO THE POINT OF BEGINNING, WITH BEARINGS BASED ON RECORD OF SURVEY 5775 ON FILE AT THE OFFICE OF THE KLAMATH COUNTY SURVEYOR.

Dennis A. Ensor
**REGISTERED
PROFESSIONAL
LAND SURVEYOR**

**OREGON
JULY 25, 1990
DENNIS A. ENSOR
2442**

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

EXPIRES 12/31/01

OWNER
DENNIS A. ENSOR, L.S., W.R.E.

CHAD B. ENSOR, L.S.I.T.
JOHN M. HEATON, L.S.I.T. 11622

TRU SURVEYING, INC. LINE

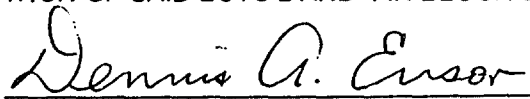
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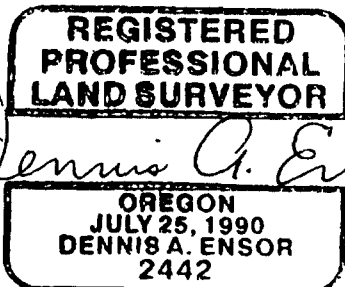
SEPTEMBER 10, 2000

LEGAL DESCRIPTION OF PROPOSED ROAD AND LOT VACATION

A PROPOSED ROAD AND LOT VACATION BEING THAT PORTION OF DELANY STREET COMMON TO VACATED LOTS 1, 3, AND 5 THROUGH 12 AND LOTS 2 AND 4 OF BLOCK 50 AND VACATED BLOCK 51 OF "WORDEN", A DULY RECORDED SUBDIVISION, SITUATED IN THE SE1/4 NW1/4 OF SECTION 34, T40S, R8EWM, 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 NORTHERLY CORNER OF SAID BLOCK 50, AND BEING ON THE SOUTHEASTERLY RIGHT OF WAY LINE OF SAID DELANY STREET; THENCE S32°18'00"W, ALONG THE SAID RIGHT OF WAY LINE, 605.81 FEET TO THE WEST BOUNDARY OF SAID "WORDEN"; THENCE NORTH, ALONG THE SAID WEST BOUNDARY, 112.29 FEET TO THE MOST SOUTHERLY CORNER OF SAID BLOCK 51, ALSO BEING ON THE NORTHWESTERLY RIGHT OF WAY LINE OF SAID DELANY STREET; THENCE N32°18'00"E, ALONG SAID RIGHT OF WAY LINE, 510.90 FEET TO THE MOST EASTERLY CORNER OF SAID BLOCK 51; THENCE S57°42'00"E 60.00 FEET TO THE POINT OF BEGINNING, WITH BEARINGS BASED ON RECORD OF SURVEY 5961 ON FILE AT THE OFFICE OF THE KLAMATH COUNTY SURVEYOR. TOGETHER WITH THE VACATION OF SAID LOTS 2 AND 4 IN BLOCK 50.


DENNIS A. ENSOR O.L.S. 2442



EXPIRES 12/31/01

OWNER
DENNIS A. ENSOR, L.S., W.R.E.

CHAD B. ENSOR, L.S.I.T.
JOHN M. HEATON, L.S.I.T.

TRU SURVEYING, INC. LINE

TELEPHONE (541) 884-3691
2333 SUMMERS LANE KLAMATH FALLS, OREGON 97603

11623

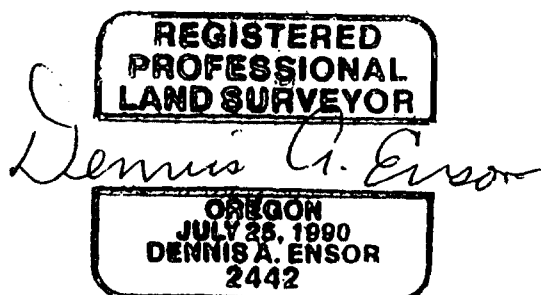
SEPTEMBER 10, 2000

LEGAL DESCRIPTION OF PROPOSED ROAD AND LOT VACATION

A PROPOSED ROAD AND LOT VACATION BEING THAT PORTION OF DELANY STREET COMMON TO VACATED LOTS 9, 10, 11, 12, 14, 15, 16 AND LOT 13 OF BLOCK 53 AND VACATED LOTS 1, 2, 3, 4, 6, 7, 8 AND LOT 5 OF BLOCK 54 OF "WORDEN", A DULY RECORD SUBDIVISION, SITUATED IN THE SE1/4 NW1/4 OF SECTION 34, T40S, R8EWM, KLAMATH COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 5/8" IRON PIN WITH TRU-LINE SURVEYING PLASTIC CAP MARKING THE THE MOST SOUTHERLY CORNER OF SAID BLOCK 53, AND BEING ON THE NORTHWESTERLY RIGHT OF WAY LINE OF SAID DELANY STREET; THENCE N32°18'00"E, ALONG THE SAID RIGHT OF WAY LINE, 400.00 FEET TO THE MOST EASTERLY CORNER OF SAID BLOCK 53; THENCE S57°42'00"E 60.00 FEET TO THE MOST NORTHERLY CORNER OF SAID BLOCK 54, ALSO BEING ON THE SOUTHEASTERLY RIGHT OF WAY LINE OF SAID DELANY STREET; THENCE S32°18'00"W, ALONG THE SAID RIGHT OF WAY LINE, 400.00 FEET TO THE MOST WESTERLY CORNER OF SAID BLOCK 54; THENCE N57°42'00"W 60.00 FEET TO THE POINT OF BEGINNING, WITH BEARINGS BASED ON RECORD OF SURVEY 5775 ON FILE AT THE OFFICE OF THE KLAMATH COUNTY SURVEYOR. TOGETHER WITH THE VACATION OF SAID LOT 13 IN BLOCK 53 AND SAID LOT 5 IN BLOCK 54.


DENNIS A. ENSOR O.L.S. 2442



EXPIRES 12/31/01

State of Oregon, County of Klamath
Recorded 03/23/01, at 8:09 a. m.
In Vol. M01 Page 11616
Linda Smith,
County Clerk Fee \$ NC

Return to Commissioner's Journal