

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

**IN THE MATTER OF THE VACATION OF
EWAUNA WAY WEST OF MAYWOOD DRIVE
AS DESCRIBED IN EXHIBIT "A" LOCATED IN
THE PLAT OF ENTERPRISE TRACTS SUBDIVISION
KLAMATH COUNTY, OREGON**

) **FINAL**
) **ORDER 2001- 084**
)
)
)

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 January 31, 2001.

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 Ewauna Way West of Maywood Drive in the Plat of Enterprise Tracts in Sections 4 and 9, Township 39 South, Range 9 east of the Willamette Meridian, 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 \$100.00 and that the persons liable for payment of the costs are the petitioners, who have paid the above mentioned sum on February 6, 2001.

DONE AND DATED this 20th day of March, 2001.

BOARD OF COUNTY COMMISSIONERS


M. Steven West, Chairman


John Elliott, Commissioner


Al Switzer, Commissioner



11626

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: MARCH 12, 2001
TO: BOARD OF COUNTY COMMISSIONERS
FROM: DENNIS NELSON, COUNTY ENGINEER
SUBJECT: VACATION OF EWAUNA WAY WEST OF MAYWOOD DR.
IN ENTERPRISE TRACTS SUBDIVISION, KLAMATH
COUNTY, OREGON (See attached map and description)

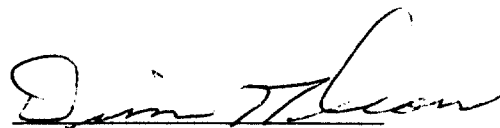
RECEIVED
MAR 12 2001
BOARD OF COUNTY COMMISSIONERS

The Board of County Commissioners accepted the petition for vacation and referred it to the County Road Official by Order #2001-073 on February 15, 2001. According to the County Assessor's records, the owner of all the property abutting this portion of the road is the South Suburban Sanitary District. Therefore, notice to the adjoining owners was not required.

Notice was provided to all utility companies in the area. Pacific Power & Light Company has facilities in the area to be vacated.

The portion of Ewauna Way proposed to be vacated is currently being used as a driveway and for sewage sanitation ponds by South Suburban Sanitary District and is not needed to access other properties in the area.

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 utilities to operate their existing facilities in the vacated area.


Dennis Nelson
County Engineer

SEE MAP 39 09 04

27

POND

2.97 AC.

WASHBURN
9

99

11627

WASHBURN

5
1600
2.41 AC.
PARK

5
800
1.62 AC.

400
1.99 AC.

500
1.53 AC.

PARK

700
0.13 AC.

500
0.09 AC.

1300

1300

POND

APPROX 1/8" COR

Ewauna Way

1H

SANITATION

POND

ENTERPRISE

27

TRACTS

RE SUB LOT 5 BLOCK 1 WASHBURN PARK

MAYWOOD DRIVE

99

RE SUB LOT 4 BLOCK 1 WASHBURN PARK

MIDLAND STATE HWY. NO. 420

WASHBURN WAY

MIDLAND HWY.

WASHBURN

NO.

SEE MAP 39 09 03CC

SEE MAP 39 09 10BB

196.00'

1/16"

COR.

ONYX

APPROX. 62

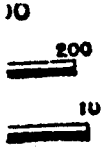
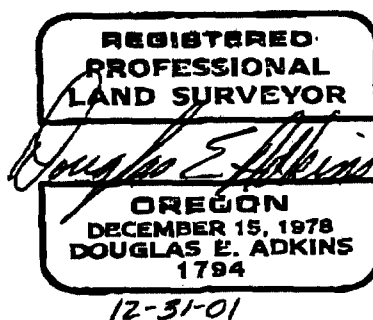


EXHIBIT A

A 30' wide strip of land being that portion of Ewauna Way (Hilyard Avenue) lying west of the westerly right-of-way line of Maywood Drive, of the Plat of Enterprise Tracts in Sections 4 and 9, Township 39 South, Range 9 East of the Willamette Meridian, located in Klamath County, Oregon.



State of Oregon, County of Klamath
Recorded 03/23/01, at 8:09 a. m.
In Vol. M01 Page 11625
Linda Smith,
County Clerk Fee\$ NC

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