

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

**IN THE MATTER OF THE VACATION OF ALL)
OF THE ALLEY LYING WITHIN BLOCK 34)
SOUTH OF THE SOUTHERLY RIGHT-OF-WAY)
LINE OF STEVENS STREET AND NORTH OF THE)
NORTHERLY RIGHT-OF-WAY LINE OF HILL)
STREET AS DESCRIBED IN EXHIBIT "A" WHICH)
IS LOCATED IN THE RECORDED SUBDIVISION)
OF CRESCENT, IN KLAMATH COUNTY, OREGON)**

**FINAL
ORDER 2003- 053**

State of Oregon, County of Klamath
Recorded 12/16/2002 8:24 a. m.
Vol M02, Pg 72847-51
Linda Smith, County Clerk
Fee \$ NC # of Pgs 5

According to the provisions of ORS 368.341(3) and ORS 368.351, a petition containing the acknowledged signatures of the owners of less than 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 4, 2002.

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 all of the alley lying within Block 34 south of the southerly right-of-way line of Stevens Street and north of the northerly right-of-way line of Hill Street located in the recorded subdivision of Crescent, 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 is 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.

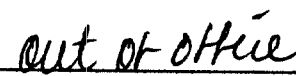
IT IS FURTHER ORDERED that the costs resulting from the approved vacation is determined to be in the sum of \$150.00 and that the persons liable for payment of the costs are the petitioners, who have paid the above mentioned sum on September 4, 2002.

DONE AND DATED this 11th day of December, 2002.

BOARD OF COUNTY COMMISSIONERS


John Elliott
Chairman


Al Switzer
Commissioner


M. Steven West
Commissioner

NC R: Boel



72848

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

NOV 26 2002

ROAD OFFICIALS REPORT

BOARD OF COUNTY COMMISSIONERS

DATE: NOVEMBER 21, 2002

TO: BOARD OF COUNTY COMMISSIONERS

FROM: DENNIS NELSON, COUNTY ENGINEER

SUBJECT: VACATION OF AN ALLEY LOCATED IN BLOCK 34 OF THE CRESCENT
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 #2003-03 on October 15, 2002. 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:

Tax Lot 5600 & 5500
Theresa Stevens
P.O. Box 160
Crescent, Oregon 97733

Tax Lot 5400
Robert Thomas
P.O. Box 446
Gilchrist, Oregon 97737

Tax Lot 5300
Charles Hale
P.O. Box 835
Gilchrist, Oregon 97737

Tax Lot 5000, 5100 & 5200
Phillip & Janet Hale
11330 N.E. Flanders
Portland, Oregon 97220-2322

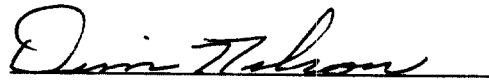
Roads Officials Report
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Notice was provided to all utility companies in the area. No utilities indicated that they have facilities in the vicinity of the proposed vacation.

The property proposed for vacation is unimproved and maintained by the adjacent property owners.

The alley proposed to be vacated 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.

A handwritten signature in cursive script, appearing to read "Dennis Nelson", written over a horizontal line.

Dennis Nelson
Klamath County Engineer

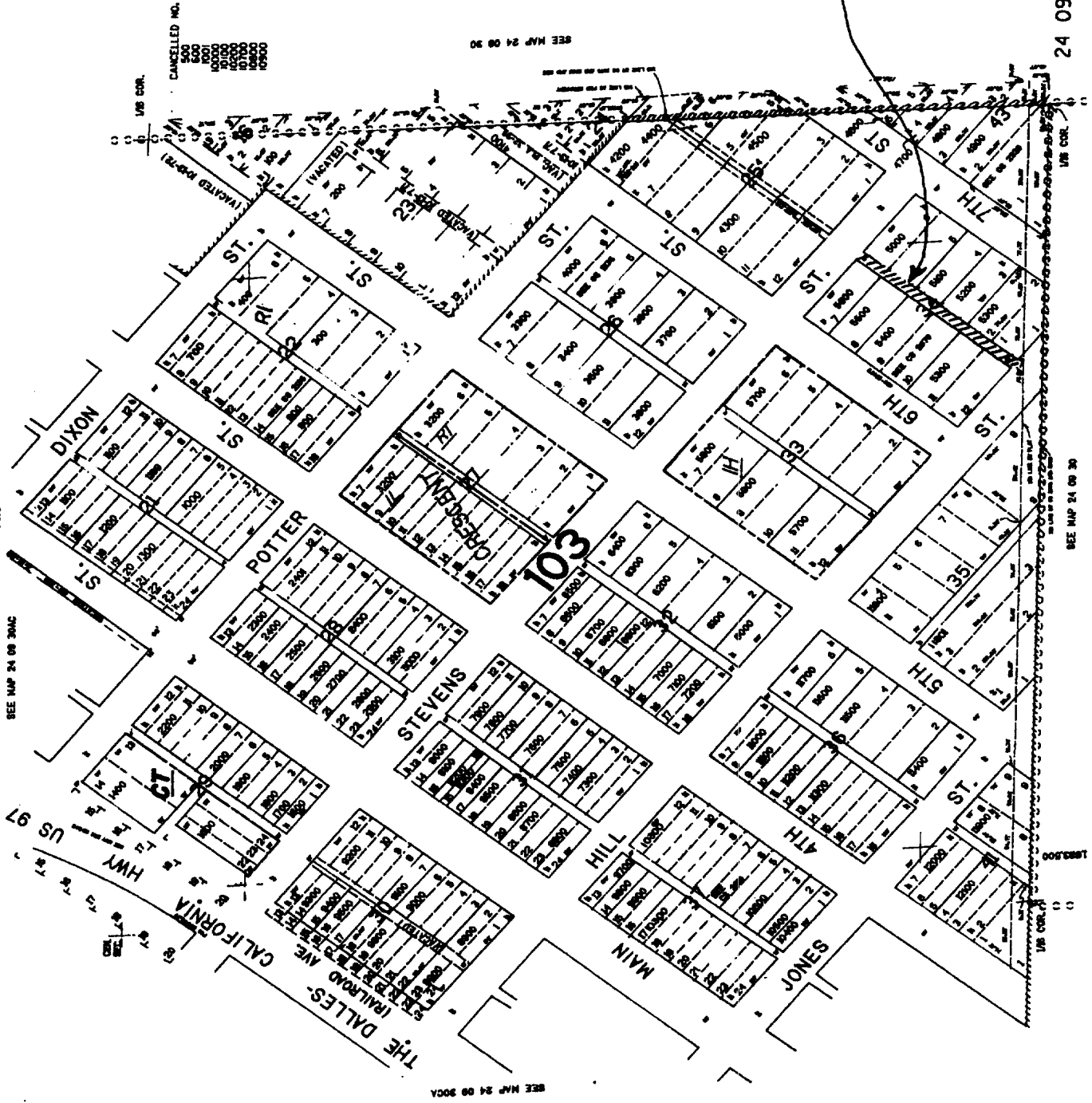
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24 09 30DB

24 09 30DB

NW1/4 SEC. 30 T.24S. R.09E. WM.
KLAMATH COUNTY

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY



"EXHIBIT A"

A dedicated alley in Crescent, a recorded subdivision in Klamath County, situated in Section 30, T.24S., R.9E., W.M., Klamath County, Oregon, more particularly described as follows:

All of the alley lying within Block 34, south of the southerly right-of-way line of Stevens Street and north of the northerly right-of-way line of Hill Street.