

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

**IN THE MATTER OF THE VACATION OF ALL OF THE)
20 FOOT WIDE ALLEY LOCATED BETWEEN LOTS 14)
AND 15 IN GIENGER'S HOME TRACTS, A RECORDED)
SUBDIVISION IN KLAMATH COUNTY, SITUATED IN)
THE EAST ½, EAST ½, SW 1/4, SECTION 2, T.39 S., R. 9 E.,)
W.M., KLAMATH COUNTY, OREGON)**

**REVISED FINAL
ORDER - 2005-100**

State of Oregon, County of Klamath
Recorded 05/18/05 8:23 a.m.
Vol M05 Pg 35873-76
Linda Smith, County Clerk
Fee \$ NC # of Pgs 4

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 February 18, 2005.

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 20 foot wide Alley located between Lots 14 and 15 in Gienger's Home Tracts, a recorded subdivision in Klamath County, situated in the East ½, East ½, SW 1/4, Section 2, T. 39 S., R. 9 E., W.M., 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.

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 owner of the abutting property by extension of her property boundaries.

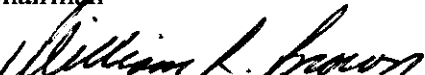
IT IS FURTHER ORDERED that the costs resulting from the approved vacation is determined to be in the sum of \$150.00 and that the persons liable for payment of the costs are the petitioners, who have paid the above mentioned sum on February 18, 2005.

DONE AND DATED this 17th day of May, 2005.

BOARD OF COUNTY COMMISSIONERS



Chairman



Commissioner



Commissioner

ok.

Return to Commissioner's Journal

RECEIVED

MAY - 6 2005

BOARD OF COUNTY COMMISSIONERS

35874

ROAD OFFICIALS REPORT

DATE: May 6, 2005

TO: Board of Klamath County Commissioners

SUBJECT: Vacation of the 20 foot wide Alley located between lots 14 and 15 in Gienger's Home Tracts, a recorded 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 #2005-093 on April 12, 2005. One hundred percent of the adjoining property owners signed the petition requesting the vacation. Therefore, notice to the adjoining owners was not required.

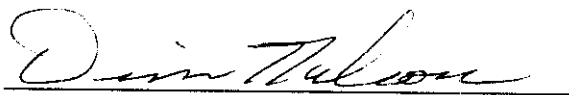
According to the County Clerk and County Assessor's records, the owners of the property abutting the vacation area are as follows:

**Tax Lot 3909 02CD 100 & 200
Linda & Ronald Hancock
416 NE Highway 11
Pendleton, Oregon 97801**

Notice was provided to all utility companies in the area. There are no utilities operating facilities in the area to be vacated.

The alley proposed for vacation is not needed to access other properties in the area. The property proposed for vacation is unimproved and maintained by the owner of lots 14 and 15, Gienger's Home Tracts.

Returning the property to the tax rolls would benefit the public. I recommend the property described in the petition be vacated.

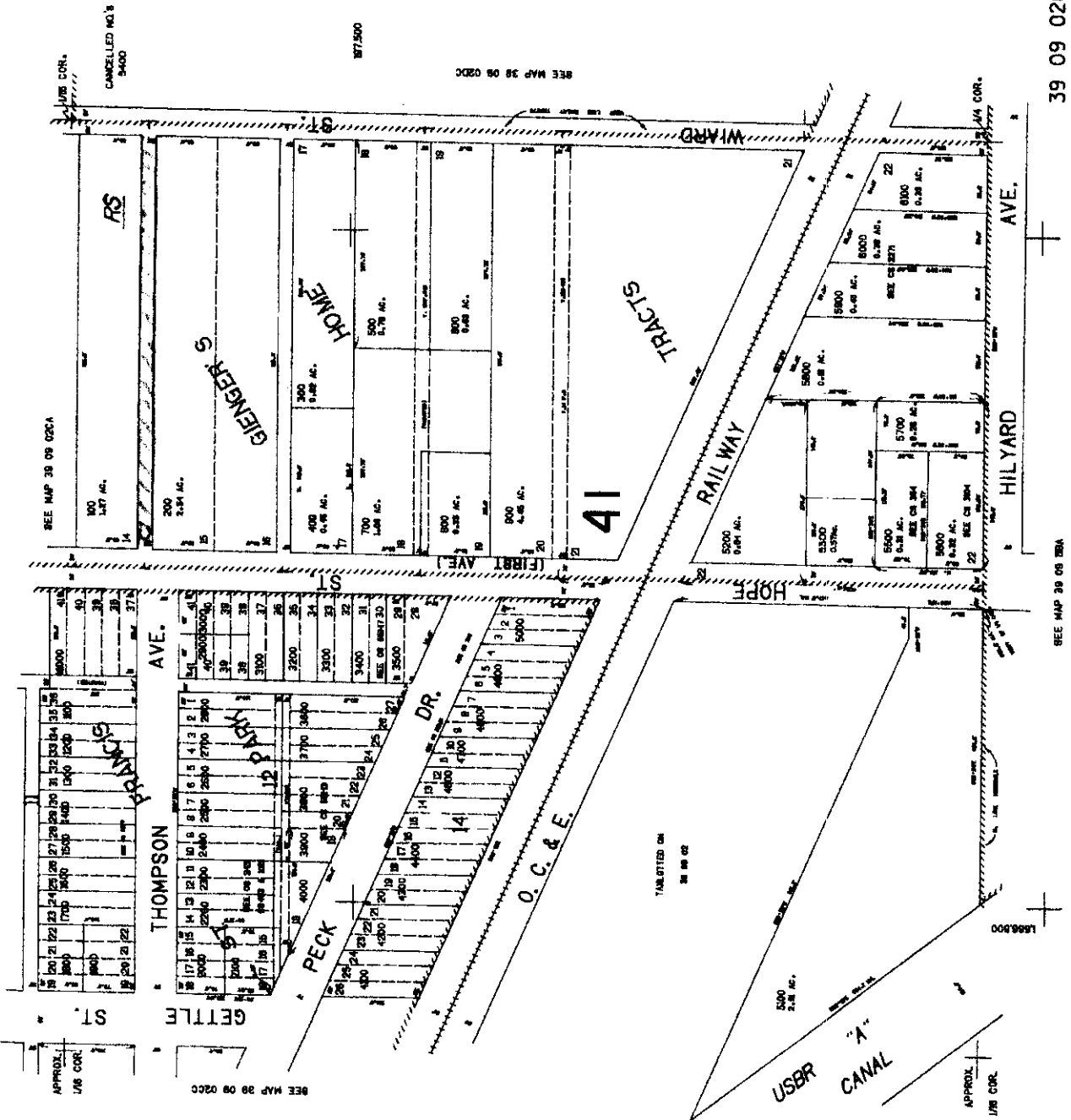


Dennis, Nelson, County Engineer
Klamath County Public Works

35875

SE1/4 SW1/4 SEC. 02 T.39S. R.09E. WM.
KLAMATH COUNTY
1400

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY



39 09 02CD

39 09 02CD

35876

February 24, 2005

EXHIBIT A

All of the 20 foot wide Alley located between lots 14 and 15 in Gienger's Home Tracts, a recorded subdivision in Klamath County, situated in the East $\frac{1}{2}$, East $\frac{1}{2}$, SW $\frac{1}{4}$, Section 2, T. 39 S., R. 9 E., W.M., Klamath County, Oregon.

DN