

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

**IN THE MATTER OF THE VACATION OF STREETS,
ALLEYS AND LOTS IN B LOCKS 18, 19, 24, AND 25
OF TERMINAL CITY, A SUBDIVISION LOCATED IN
THE SW1/4, NW1/4, SECTION 18, TOWNSHIP 38 SOUTH,
RANGE 9 EAST, WILLAMETTE MERIDIAN, KLAMATH
COUNTY, OREGON**

) **FINAL**) **ORDER 2006- 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 October 12, 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 *streets, alleys and lots in Blocks 18, 19, 24 and 25 of Terminal City, a Subdivision located in the SW1/4, NW1/4, Section 18, Township 38 South, Range 9 East, 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 made subject to the rights of existing utilities to access, construct, maintain and operate facilities in the vacated area. Current and future owners of the vacated property shall keep the area free from brush, trees, structures and other hazards which might interfere with or impede the operations of the currently existing utilities.

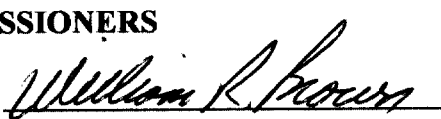
NOW, THEREFORE IT IS HEREBY ORDERED that the petition is granted and that the portion described herein is vacated, as said vacation in the public interest. It is further ordered that pursuant to ORS 365.366(1)(d) the vacated property is vested in the owners of the abutting property by extension of their 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 October 12, 2005.

DONE AND DATED this 27th day of December, 2005.

BOARD OF COUNTY COMMISSIONERS


Chairman


Commissioner


Commissioner

NC

RE: BOCC

Exhibit A

A legal description for the vacation of Streets, Alleys and Lots in Blocks 18, 19, 24 and 25 of Terminal City, a subdivision located in the SW ¼, NW ¼, Section 18, Township 38 South, Range 9 East, Willamette Meridian, Klamath County, Oregon.

All of the Lots in Blocks 18, 19, 24 and 25 and the Alleys in Blocks 18 and 19 of said Terminal City and the portions of Shasta Street and Midway Avenue more particularly described as follows:

Beginning at the northwest corner of Lot 4, Block 25; thence west, 260 feet along the south right-of-way line of Shasta Street to the northwest corner of Lot 4, Block 24; thence north, 257.4 feet more or less along the east right-of-way line of Midway Avenue to the south right-of-way line of Sunset Beach Road; thence N83°42'14"W, 60.4 feet more or less along the south right-of-way line of Sunset Beach Road to the northeast corner of Lot 1, Block 18; thence south 214 feet along the west right-of-way line of Midway Avenue to the southeast corner of Lot 8, Block 18; thence west, 200 feet along the north right-of-way line of Shasta Street to the southwest corner of Lot 5, Block 18; thence south, 50 feet along the east right-of-way line of Summit Avenue to the point of beginning.

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BOARD OF COUNTY COMMISSIONERS

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