

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

**IN THE MATTER OF THE VACATION OF A PORTION OF) FINAL
MAYWOOD DRIVE SITUATED IN THE NE1/4 NE1/4 OF) ORDER 2006- 085
SECTION 9, TOWNSHIP 39 SOUTH, RANGE 9 EAST OF THE)
WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON)
OREGON, SAID PORTION OF MAYWOOD DRIVE BEING)
THAT 60 FOOT WIDE STRIP ADJACENT TO LOT 4, BLOCK 2)
AND LOT 5, BLOCK 1 OF TRACT 1249)**

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 (date petitioners brought in paperwork).

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.

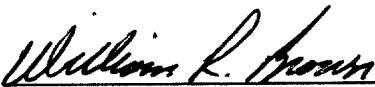
Now, after fully considering the report and other documentation presented, the Board of County Commissioners find that the vacation of *a portion of Maywood Drive situated in the NE1/4 NE1/4 of Section 9, Township 39 South, Range 9 East of the Willamette Meridian* in Klamath County, Oregon, as described 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. 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. This vacation order is made subject to the creation of a 30 foot minimum width easement from the South end of Maywood Drive to the access easements described in M91, Pg12081 and M91, Pg24751.


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.

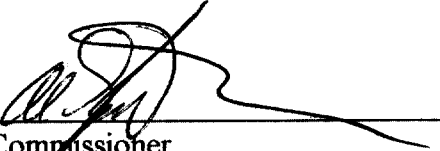
IT IS FURTHER ORDERED that the costs resulting from the approved vacation is determined to be in the sum of \$150.00 and that the persons liable for payment of the costs are the petitioners, who have paid the above mentioned sum on March 22, 2006.

DONE AND DATED this 23rd day of May, 2006.

BOARD OF COUNTY COMMISSIONERS


Chairman


Commissioner


Commissioner



430 Walnut Ave.
PO Box 909
Klamath Falls OR 97601

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BOARD OF COUNTY COMMISSIONERS

**OZ INVESTMENT, LLC
MAYWOOD DRIVE VACATION DESCRIPTION**

A portion of Maywood Drive situated in the NE1/4 NE1/4 of Section 9, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, said portion of Maywood Drive being that 60 foot wide strip adjacent to Lot 4, Block 2 and Lot 5, Block 1 of Tract 1249, according to the official plat thereof on file in the Klamath County Clerks Office, said portion being more particularly described as follows:

Beginning at the southeast corner of said Lot 4, Block 2; thence N.00°02'00"W., 165.00 feet along the west right-of-way line of Maywood Drive, to the northeast corner of said Lot 4, Block 2; thence N.89°58'00"E., 60.00 feet to the northwest corner of said Lot 5, Block 1; thence S.00°02'00"E. along the east right of way line of Maywood Drive, a distance of 165.00 feet to the southwest corner of said Lot 5, Block 1; thence S.89°58'00"W., 60.00 feet to the Point of Beginning. Containing 9,900 square feet more or less, with bearings based on the Plat of Tract 1249.

3-27-06
DAC

OK
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