

2007-007505

Klamath County, Oregon



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Fee: NO FEE

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

IN THE MATTER OF THE VACATION OF A PORTION )  
OF MT. CALVARY CEMETERY SITUATED IN THE )  
NE1/4 SE1/4 OF SECTION 8, TOWNSHIP 39 SOUTH, )  
RANGE 10 EAST OF THE WILLAMETTE MERIDIAN, )  
KLAMATH COUNTY, OREGON )

FINAL  
ORDER 2007- 097

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 March 2, 2007.

Thereafter, the Planning 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, approved on April 17, 2007 by Order 2007-092.

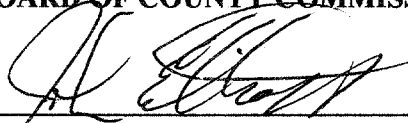
Now, after fully considering the report and other documentation presented, the Board of County Commissioners find that the vacation of *a portion of Mt. Calvary Cemetery situated in the NE1/4 SE1/4 of Section 8, Township 39 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon*, as 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.

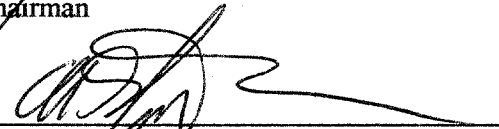
**NOW, THEREFORE IT IS HEREBY ORDERED** that the petition is granted and that the portion described herein is vacated, as said vacation in the public interest. It is further ordered that pursuant to ORS 365.366(1)(d) the vacated property is vested in the owner of the abutting property by extension of 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 2, 2007.

**DONE AND DATED** this 24th day of April, 2007.

**BOARD OF COUNTY COMMISSIONERS**

  
Chairman

  
Commissioner

  
Commissioner

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KLAMATH COUNTY  
PLANNING DEPARTMENT

**DESCRIPTION OF  
PROPOSED VACATION OF A PORTION  
OF MT. CALVARY CEMETERY**

A portion of Mt. Calvary Cemetery situated in the NE1/4 SE1/4 of Section 8, Township 39 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon, according to the official plat thereof on file in the Klamath County Clerk's Office, said portion being more particularly described as follows:

Beginning at the northeast corner of Block "L", of said Mt. Calvary Cemetery; thence N.54°03'00"W., 40.00 feet to the northwest corner of said Block "L" and the beginning of a 248.00 foot radius curve to the left; thence northwesterly distance of 10.05 feet along the arc of said curve, said arc being parallel with and 10.00 feet southwesterly of the centerline of Via Pacis, (chord of said curve bears N.59°50'12"W. a distance of 10.05 feet); thence S.35°57'00"W., along the centerline of Via Dei Genitricis (20' wide), a distance of 150.86 feet to the northeasterly line of Via Salvatoris (40' wide); thence southeasterly along said northeasterly line, said line being the arc of a 99.93 foot radius curve to the right, an arc distance of 60.94 feet (chord of said curve bears S.54°03'00"E. a distance of 60.00 feet); thence N.35°57'00"E., along the centerline of Via Mariae (20' wide), a distance of 150.86 feet to the southwesterly line of Via Pacis; thence northwesterly along said southwesterly line, said line being the arc of a 248.00 foot radius curve to the left, an arc distance of 10.05 feet, said arc being parallel with and 10.00 feet southwesterly of the centerline of Via Pacis, (chord of said curve bears N.48°15'48"W. a distance of 10.05 feet) to the Point of Beginning. Bearings are based on Record of Survey No. 6482.

R-6

TL. 7000 39.08

39.10.08 TL. 2400

16.50