

Rt to  
Comm. Jour.

2007-010716

Klamath County, Oregon



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06/14/2007 09:36:17 AM

Fee: NO FEE

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

**IN THE MATTER OF THE VACATION OF LOT LINES  
COMMON TO LOTS 301 AND 302, NW1/4 of SECTION 9,  
T 39S, R10, EWM (#R-3910-009BB-00301-000 AND  
R-3910-009BB-00302-000) LOCATED IN KLAMATH COUNTY,  
OREGON**

**FINAL  
ORDER -  
2007-109**

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 May 1, 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 as found in the Order 2007-106, *Prepare a Planning Director's Report* approved on June 5, 2007.


Now, after fully considering the report and other documentation presented, the Board of County Commissioners find that the vacation of *Lot Lines common to Lots 301 and 302, NW1/4 of Section 9, T39S, R10, EWM (#R-3910-009BB-00301-000 and R-3910-009BB-00302-000)* located 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 it should be noted that this property is already on the tax roll.


**NOW, THEREFORE IT IS HEREBY ORDERED** that the petition is granted and that the lot lines and utility easements described herein is vacated, as said vacation is in the public interest.

**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 May 1, 2007.

**DONE AND DATED** this 12th day of June, 2007.

**BOARD OF COUNTY COMMISSIONERS**

  
Chairman

  
Commissioner

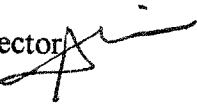
  
Commissioner

MAY 29 2007

## MEMO

BOARD OF COUNTY COMMISSIONERS

TO: Board of County Commissioners

FROM: Alwin Turiel, Planning Director 

DATE: 23 May 2007

RE: Carl and Laurie Gurske Internal Lot Line VACATION - Parcel 1 and Parcel 3 of Land Partition 5-01 (Map ID: R-3910-009BB, Tax Lots 301 & 302)

*ORS Chapter 368 provides as follows:*

**368.351 Vacation without hearing.** A county governing body may make a determination about a vacation of property under ORS 368.326 to 368.366 without complying with ORS 368.346 if the proceedings for vacation were initiated by a petition under ORS 368.341 that indicates the owners' approval of the proposed vacation and that contains the acknowledged signatures of owners of 100 percent of private property proposed to be vacated and acknowledged signatures of owners of 100 percent of property abutting public property proposed to be vacated and either: ...or

(2) The planning director of the county files a written report with the county governing body in which the planning director, upon review, finds that an interior lot line vacation affecting private property complies with applicable land use regulations and facilitates development of the property subject to interior lot line vacation.

The purpose of the above referenced interior lot line vacation request is to permit future home site development of the subject property (Parcels 1 and Parcel 3 of Land Partition 5-01) as a single lot fronting Pine Grove Road. Tax Lot 301 is currently addressed as 1915 Pine Gove Road. The two existing vacant lots are approximately 2.05 and 2.11 acres in size. Once the interior lot line is vacated the lot will be approximately 4.16 acres in size. Department of Environmental Quality (DEQ) rules require a minimum of 100 feet between any domestic well and any on-site sewage disposal system on the property or an adjacent lot.

The interior lot line will facilitate future home site development requiring an on-site septic disposal system separated from any domestic well on the property and nearby properties. Vacating the interior lot line will also allow buildings and in-ground facilities to be placed on the site in proper relationship to each other without conflicts with property line setbacks required by Rural Residential (R-2) zoning district.

I find that vacation the interior lot lines of the above referenced private property complies with all applicable land use regulations, is in the public interest, and facilitates development of the property.



231.86

GURSKE CARL J & LAURIE A  
3636 NORTHRIDGE DR  
KLAMATH FALLS, OR 97601  
STATEMENT SE 000001

## THIS YEAR'S TAX

EDUCATION:	
KLAMATH COUNTY SCHOOLS	82.09
SOUTHERN OREGON EDUCAT	7.14
KLAMATH COMMUNITY COLL	8.34

EDUCATION TOTAL: 97.57

MARKET VALUES:		
LAND	28,800	51,560
IMPROVEMENT	0	0
TOTAL VALUE	28,800	51,560
TAXABLE VALUES:		
ASSESSED VA	19,670	20,260
EXEMPTION	0	0

GENERAL GOVERNMENT:	
KLAMATH COUNTY	35.10
LIBRARY	9.93
KLAM FIRE DIST #1	58.39
KLAMATH VECTOR	3.66
KLAM CTY EMER COMM	3.12

GENERAL GOVERNMENT TOTAL	110.20
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MAKE CHECK PAYABLE TO  
KLAMATH COUNTY TAX COLLECTOR  
PAY @ TAX OFFICE, PROCESSING CENTER,

EXCLUDED FROM LIMITATION:	
COURTHOUSE BOND	7.95
FAIRGROUNDS BOND	2.95
KLAMATH LAKE TIMBER	15.30
KLAMATH LAKE GRAZING	2.70

ASSESSMENT ? CALL 541-883-5111  
PAYMENT ? CALL 541-883-4297

EXCLUDED FROM  
LIMITATION TOTAL: 28.90

2006-07 PROPERTY	=====
TAX TOTALS	236.67

2006-07 Property Taxes

Klamath Real

ACCOUNT NO.: R888500

Pay By	Discount Allowed	Net Amount
11/15/06	3%	
11/15/06	2%	
11/15/06	NONE 0%	

CANCELED CHECK IS YOUR RECEIPT

GURSKE CARL J & LAURIE A  
3636 NORTHRIDGE DR  
KLAMATH FALLS, OR 97601

KLAMATH COUNTY TAX COLLECTOR  
P.O. BOX 3599  
PORTLAND, OR 97208-3599

1800001888500000000000000000000000000000000000000

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

**IN THE MATTER OF THE VACATION OF LOT LINES  
COMMON TO LOTS 301 AND 302, NW1/4 OF SECTION 9,  
T39S, R10, EWM (MAP #R3910-009BB-00301-000 AND  
#R3910-009BB-00302-000) LOCATED IN KLAMATH  
COUNTY, OREGON**

**ORDER 20 07 - 106  
TO PREPARE  
PLANNING DIRECTOR  
REPORT**

**THIS MATTER** coming on before the Klamath County Board of Commissioners on a petition from Carl J. and Laurie A. Gurske for the vacation of the above mentioned property, located in Klamath County, Oregon.

**NOW THEREFORE, IT IS HEREBY ORDERED** that the County Planning Director of Klamath County prepare a report regarding this Petition for Vacation. The report shall contain the following:

1. A description of the ownership and uses of the property proposed to be vacated; and
2. An assessment by the County Planning Director whether the vacation would be in the public interest; and
3. Any other information required by the County Commissioners.

**DONE AND DATED** this 5th day of June, 2007.

**BOARD OF COUNTY COMMISSIONERS**

  
\_\_\_\_\_  
Chairman

  
\_\_\_\_\_  
Commissioner

  
\_\_\_\_\_  
Commissioner



**KLAMATH COUNTY**  
*Home of Crater Lake*  
**Klamath County Commissioners**  
305 Main Street, Klamath Falls, Oregon 97601  
Phone: 541.883-5100 Fax: 541.883-5163  
Email: [bocc@co.klamath.or.us](mailto:bocc@co.klamath.or.us)



**Al Switzer, Commissioner**  
Position One

**John Elliott, Chairman**  
Position Two

**Bill Brown, Commissioner**  
Position Three

May 8, 2007

Carl and Laurie Gurske  
1915 Pine Grove Road  
Klamath Falls, OR 97603

Dear Mr. and Mrs. Gurske:

Enclosed please find a petition regarding a request to vacate a Lot Line Common to the NW1/4 of Section 9, T 39S, R10, EWM, Lots 301 and 302 (Map #R-3910-009BB-00301-000 and R-3910-009BB-00302-000) located in Klamath County, Oregon.

The enclosed petition is being sent to you as the property owners. If you approve of the vacation, please sign this petition in front of a notary (there are notaries in my office if you cannot find one) and return the **original** to me. As soon as I receive the original petition, I will begin the rest of the process. I will send you copies of the paperwork as we go along.

If you have any questions, please do not hesitate to call me.

Sincerely,

A handwritten signature in cursive script that reads "Nancy Bodkin".

Nancy Bodkin  
Administrative Assistant to the  
Board of County Commissioners

Enclosure

Lot Line Vacations Format/Revised 02-15-07

BEFORE THE COUNTY COMMISSIONERS

IN AND FOR THE COUNTY OF KLAMATH, STATE OF OREGON

IN THE MATTER OF A VACATION OF A LOT LINE )  
COMMON TO LOTS 301 AND 302, NW1/4 OF SECTION 9 )  
T 39S, R10, EAST OF THE WILLAMETTE MERIDIAN ) PETITION  
(R-3910-009BB-00301-000 and R-3910-009BB-00302-000) )  
IN KLAMATH COUNTY, OREGON )  
\_\_\_\_\_ )

Under the provisions of ORS 368.341(3), the undersigned and endorsed, who are 100% of the owners of the property abutting the public property to be vacated, petition the Board of County Commissioners in and for the County of Klamath, State of Oregon, and state as follows:

1. The property proposed to be vacated in Exhibit "A", which is attached hereto and incorporated by this reference.
2. The reasons for this request are as follows: The property described will become a home site for the owners with no utility easement in the middle of the property.
3. The names and addresses of all persons owning any real property abutting the public property proposed to be vacated are as follows:

Carl J. And Laurie A. Gurske  
1915 Pine Grove Road  
Klamath Falls, OR 97603

DONE AND DATED THIS 15<sup>th</sup> day of May, 2007

Petitioner

Petitioner

State of Oregon )  
County of Klamath )

Before me this 15<sup>th</sup> day of May, 2007, personally appeared \_\_\_\_\_

Carl J. & Laurie A. Gurske

and acknowledged the foregoing instrument (Petition to Vacate Property previously described) to be his/her voluntary act and deed.



Nancy Bodkin  
Notary Public for Oregon  
My Commission Expires: Feb 8, 2009

State of Oregon )  
County of \_\_\_\_\_ )

Before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, personally appeared \_\_\_\_\_

\_\_\_\_\_

and acknowledged the foregoing instrument (Petition to Vacate Property previously described) to be his/her voluntary act and deed.

\_\_\_\_\_  
Notary Public for Oregon  
My Commission Expires: \_\_\_\_\_



162

LAND

PARTITION

PINE GROVE RD.

302  
2.05 AC.

301  
2.11 AC.

300  
2.48 AC.

3-01

SEE CS 299

PARCEL 3 SEE CS 517

PARCEL 2

PARCEL 2

PARCEL 2

ARCEL 1

SEE RD SURVEY

1/16 COR.

SEE MAP 39 10 09BC

1,687,000

**Ametime**  
THIS SKETCH IS MADE SOLELY FOR THE  
PURPOSE OF ASSISTING IN LOCATING  
CERTAIN PREMISES AND NO LIABILITY IS  
ASSUMED FOR VARIATIONS IF ANY, IN  
DIMENSIONS AND LOCATIONS ASCERTAINED  
BY ACTUAL SURVEY

3  
N

SEE MAP 39 10 09BA

## CASH TRANSMITTAL

Department Name: BOCC

Date: 5-9-07


Account #	Name	Amount
		\$
<u>100-161-32168</u>	<u>Vacation Fees</u>	<u>124</u>
<u>100-162-34040</u>	<u>Clerk Fees</u>	<u>15</u>
<u>437-763-35050</u>	<u>Corner Restoration</u>	<u>5</u>
<u>100-763-36100</u>	<u>Surveyor Fees</u>	<u>6</u>

CARL J GURSKE ORDL 2486553  
LAURIE A GURSKE ORDL 2760267  
PH 883-7575  
KLAMATH FALLS, OR 97603


#9963

8980  
96-7470/3232

Pay to the Order of Klamath County \$

One Hundred and Fifty and 00/100 Dollars  Security Features Details on Back

Value Plus

 **PacificCrest**  
FEDERAL CREDIT UNION  
Solutions today for lifetime success.

PO BOX 1179  
KLAMATH FALLS, OR 97601  
541-864-1378

Carl J Gurske MP

For LOT LINE VACATION

⑆323274704⑆00000070050103⑈08980


Cash \$           

Checks \$ 150.00

Prepared By: ab

Total \$ 150.00

Carrier Rec:

162

PARCEL 1

PARCEL 2

302  
2.05 AC.

301  
2.11 AC.

300  
2.48 AC.

PARCEL 3  
SEE CS 517

SEE CS 299

PARCEL 2

RD.

PINE GROVE

1/16 COR.

SEE MAP 39 10 09BC

1.687.000

**AmeriTitle**  
THIS SKETCH IS MADE SOLELY FOR THE  
PURPOSE OF ASSISTING IN LOCATING  
CERTAIN PREMISES AND NO LIABILITY IS  
ASSUMED FOR VARIATIONS IF ANY, IN  
DIMENSIONS AND LOCATIONS ASCERTAINED  
BY ACTUAL SURVEY

3  
N

SEE MAP 39 10 09BA

RECEIPT NO. 11968

1

1

1000

220217

220328

**FOOTAI**

WIKI

**DANGER TO LIFE**

KLAMATH COUNTY TREASURER  
305 MAIN STREET, ROOM # 121  
PO BOX 340  
KLAMATH FALL, OR 97601  
541-883-4269