

2007-012340

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  
OF A 60 FOOT WIDE PUBLIC ROAD RIGHT-OF-WAY  
KNOWN AS ROCK CREEK ROAD (INDIAN SERVICE ROAD  
S-53) IN KLAMATH COUNTY, OREGON**

)  
) **FINAL**  
) **ORDER 2008- 002**  
)  
)

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" and "B", 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 December 11, 2006.

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 60 foot wide public road right-of-way known as Rock Creek Road (Indian Service Road S-53) in Klamath County, Oregon, as described in Exhibit "A" and "B", 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 is 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.

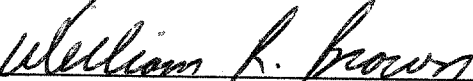
**IT IS FURTHER ORDERED** that the costs resulting from the approved vacation is determined to be in the sum of \$150.00 and that the persons liable for payment of the costs are the petitioners, who have paid the above mentioned sum on December 4, 2006 .

**DONE AND DATED** this 10th day of July, 2007.

**BOARD OF COUNTY COMMISSIONERS**

  
Chairman

  
Commissioner

  
Commissioner

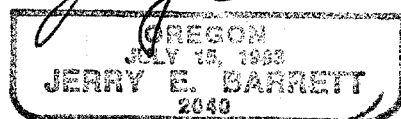
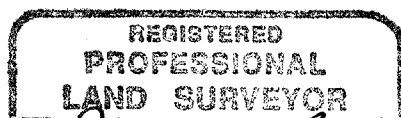
Parcel 1

Exhibit "A"

## LEGAL DESCRIPTION

Legal description of a portion of a 60 feet wide public road right-of-way known as "Rock Creek Road", also known as "Indian Service Road S-53", which is to be vacated by Klamath County.

Said right-of-way is located in Government Lot 6, Section 19, T36S, R11E, W.M. Klamath County, Oregon, with the center line of the right-of-way being more particularly described as follows: Beginning at a point on the south right-of-way line of Government lot 6, identical with the north line of Lot 12, Tract No. 1164, (from which the northeast corner of Lot 12 bears S88 08'03"E 11.31 feet), thence N21 37'15"W 347.74 feet, N19 26'05"W 155.46 feet to the terminal point, (from which the NW 1/16 corner of section 19 bears S53 30'08"W 747.23 feet).



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DEC 18 2006

BOARD OF COUNTY COMMISSIONERS

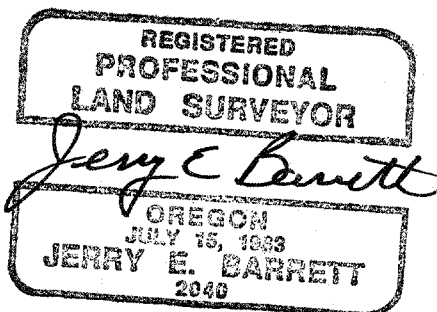
Parcel 2

Exhibit "B"

## LEGAL DESCRIPTION

Legal description of a portion of a 60 feet wide public road right-of-way known as "Rock Creek Road", also known as "Indian Service Road S-53", which is to be vacated by Klamath County.

Said right-of-way is located in Lots 12 and 13, Tract No. 1164, Section 19, T36S, R11E, W.M. Klamath County, Oregon, with the center line of the right-of-way being more particularly described as follows: Beginning at a point on the north right-of-way line of Fremont Road, in Lot 13, (from which the southwest corner of Lot 13 bears N88 07'29"W 201.44 feet and S 0 17'40"W 25.00 feet); thence N37 36'50"E 80.80 feet, N12 45'24"E 71.64 feet, N5 56'06"W 599.25 feet, N14 22'33"W 72.29 feet, N21 37'15"W 490.26 feet, to a point on the line between Lots 12 and 13; thence N21 37'15"W 30.32 to a point on the north line of Lot 12, identical with the south line of Government Lot 6 (from which the northeast corner of Lot 12 bears S88 08'03"E 11.31 feet).



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