

2009-002870

Klamath County, Oregon



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

**IN THE MATTER OF THE VACATION OF)
A PORTION OF DAIRY, A RECORDED SUBDIVISION IN)
KLAMATH COUNTY, SITUATED IN THE NW 1/4, SECTION 34,)
TOWNSHIP 38 SOUTH, RANGE 11 ½ EAST, WILLAMETTE)
MERIDIAN, KLAMATH COUNTY, OREGON)**

**FINAL
ORDER 20 09 063**

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 January 6, 2009.

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 Dairy, a Recorded Subdivision 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 the creation of a Public Road right-of-way on the easterly 60' of lots 4 & 5, Block 1, Dairy Subdivision.

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 December 30, 2008.

DONE AND DATED this 24th day of February, 20 09

BOARD OF COUNTY COMMISSIONERS


Chairman


Commissioner


Commissioner

EXHIBIT "A"

A portion of Dairy, a recorded subdivision in Klamath County, situated in the NW $\frac{1}{4}$, Section 34, Township 38 South, Range 11 $\frac{1}{2}$ East, Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Lots 1 and 8 in Block 2, Lots 4 and 5 in Block 1 and all that portion of Canby Street lying North of the North right-of-way line of Fremont Street and South of the South right-of-way line of the Dairy-Bonanza Highway (formerly Robert Street).