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Fee: NO FEE

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR KLAMATH COUNTY, OREGON

IN THE MATTER OF VACATION OF LOT LINES)
COMMON TO LOTS 1, 2, 3 AND 4, BLOCK 2,)
NORTH BEAVER MARSH ADDITION AND)
EASEMENTS ASSOCIATED WITH THOSE LOT)
LINES (MAP NO. R-2808-019A0-00201, 00202,)
00203 AND 00300) IN KLAMATH COUNTY,)
OREGON.)

FINAL ORDER

No. 2013-016

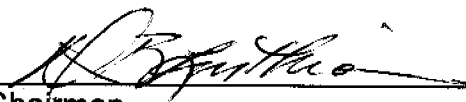
According to the provisions of ORS 368.341(3) and ORS 368.351, a petition containing the acknowledged signatures of 100% of the owners (Steven D. and Arlene D. Allen) of property identified in Exhibit "A," included hereto and by this reference incorporated herein, proposed to be vacated and indicating said owners' approval of the proposed vacation was submitted and accepted by the Board of County Commissioners.

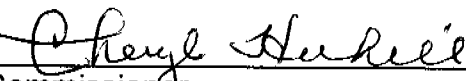
Thereafter, the Commissioners requested a Planning Director's written report containing the required information of ORS 368.346(1), which was filed and accepted.

Now, after fully considering the report and other documentation presented, the Board of County Commissioners find that the vacation of said lot lines as described in Exhibit "A", included hereto and incorporated herein by this reference and the easements associated with those lot lines, 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 are vacated, as said vacation is in the public interest.

DONE AND DATED THIS 18th day of September, 2012.


Chairman


Commissioner

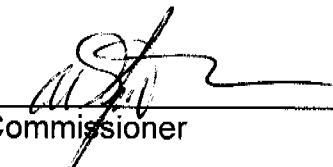

Commissioner

EXHIBIT "A"

Vacation of a Lot Line common to Lots 1, 2, 3 and 4, Block 2, North Beaver Marsh Addition
located in Klamath County, Oregon



Klamath County Planning Department

Klamath County Government Center
305 Main Street, Klamath Falls, Oregon 97601

Phone 1-541-883-5121 Option #4
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PLANNING DIRECTOR'S REPORT

DATE: September 11, 2012

TO: Board of County Commissioners

FROM: Bill Adams, Planning Director *WBA*

RE: Request from Steven D. and Arlene D. Allen to vacate the lot line and associated 16 foot utility easements between lots 1, 2, 3 and 4 Block 2 of North Beaver Marsh Addition (Map number R-2808-019A0-00201, 00202, 00203 & 00300).

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 remove interior lot lines and associated utility easements established by North Beaver Marsh Addition Subdivision, situated in Section 10, Township 39 South, Range 9 East Willamette Meridian (see attached map). The four existing lots are currently each a tax lot and total 2.29 acres in size and is zoned R-1 (Rural Residential – 1 Acre Minimum Lot Size). Once the interior lot lines are vacated, they will become one unit of land.

I find that vacating the interior lot lines of the above referenced private property complies with all applicable land use regulations, is not detrimental to the public interest, and facilitates construction on the property. No negative comments were received from agency review.