



BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR KLAMATH COUNTY, OREGON

IN THE MATTER OF VACATION OF)
PARCEL LINES COMMON TO PARCELS 1)
AND 2 AND PARCELS 2 AND 3 OF LAND)
PARTITION 28-95, AND SITUATED IN)
SECTION 2, TOWNSHIP 39 SOUTH, RANGE)
9 EAST OF THE WILLAMETTE MERIDIAN,)
KLAMATH COUNTY, OREGON.)

FINAL ORDER
No. OR 2015-008

WHEREAS in accordance with the provisions of ORS 368.351, a petition containing the acknowledged signatures of 100% of the owners of the property (New Horizon Christian Fellowship) identified in Exhibit "A" attached where the parcel lines are to be vacated has been submitted and accepted by the Board of County Commissioners; and

WHEREAS the Board of County Commissioners directed the Planning Director to submit a report regarding the petition for parcel line vacation; and

WHEREAS the Planning Director filed with the Board of County Commissioners a report regarding the petition for parcel line vacation which was accepted; and

WHEREAS after duly considering the report and other documentation presented, the Board of County Commissioners finds that the vacation of the parcel lines within the property identified in Exhibit "A" is acceptable and should be granted;

NOW, THEREFORE IT IS ORDERED that the petition is hereby granted and the identified parcel lines within the property are vacated.

DONE AND DATED THIS 12th day of August, 2014.

James Bellet
Chairman

Tom Mallam
Commissioner

[Signature]
Commissioner



Klamath County Planning Department


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

Phone 1-541-883-5121 Option #4
Toll Free in Oregon 1-800-426-9763
Fax 1-541-885-3644

PLANNING DIRECTOR'S REPORT

DATE: August 6, 2014

TO: Board of County Commissioners

FROM:  Mark Gallagher, Interim Planning Director

RE: Request from New Horizon Christian Fellowship to vacate the parcel lines between Parcels 1 and 2, and Parcels 2 and 3 of Land Partition 28-95. (Map numbers R-3909-002AA-06200, 06201 & 06202).

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 parcel lines established by Land Partition 28-95 situated in Section 2, Township 39 South, Range 9 East Willamette Meridian (see attached map) as the property owner wishes to construct a church building across the three parcels. The three existing parcels are separate tax lots, with tax lot 6200 being 0.41 of an acre and tax lots 6201 and 6202 both being 0.24 of an acre and all are zoned Suburban Residential (RS). Once the interior parcel lines are vacated, they will become one unit of land.

There are no utility easements affected by the vacation.

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

LAND PARTITION 28-95

IN LOT 9 OF "VICORY ACRES" SITUATED IN
THE NE 1/4 OF SECTION 2, T39S, R9E1/4M,
KLAMATH COUNTY OREGON

SURVEYOR'S CERTIFICATE

I, DONALD A. GUNOR, PARTNER IN TRU-LINE SURVEYING, HEREBY CERTIFY THAT I HAVE CORRECTLY SURVEYED, PARTITIONED AND PLATTED LAND PARTITION 28-95, BEING IN LOT 9 OF "VICORY ACRES" SITUATED IN THE NE 1/4 NE 1/4 OF SECTION 2, T39S, R9E1/4M, Klamath County, Oregon, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

NARRATIVE
LAND PARTITION 28-95 WAS SURVEYED TO MEET THE CONDITIONS OF APPROVAL MONUMENTS FOUND FROM R.O.S. 5542 WERE USED FOR CONTROL TO MONUMENT THE LAND PARTITION AS SHOWN ON THE ANNEXED MAP. LOT 9 WAS PROPORTIONED USING THE PROPORTIONATE MEASUREMENTS FROM R.O.S. 5542.

BEGINNING AT THE NE CORNER OF SAID LOT 9 BEING THE INITIAL POINT AS MARKED BY AN ANGLE THENCE S00°07'03"E 129.84 FEET TO A 3/8" IRON PIN MARKING THE SE CORNER OF SAID LOT 9; THENCE S89°07'20"W ALONG THE SOUTH BOUNDARY OF SAID LOT 9, 300.00 FEET TO A 3/8" IRON PIN ON THE EAST FRONT OF THE LINE OF HONEDALE ROAD AS ESTABLISHED BY RIGHT OF WAY DEED RECORDED IN VOLUME 138, PAGE 29, Klamath County Records; THENCE N00°05'14"W ALONG THE SAID EAST FRONT OF THE LINE 129.84 FEET TO A 3/8" IRON PIN ON THE NORTH LINE OF SAID LOT 9; THENCE N85°07'20"E 301.01 FEET TO THE POINT OF BEGINNING, CONTAINING 30.00 SQUARE FEET, MORE OR LESS.

Donald A. Gunor
DONALD A. GUNOR
O.R.S. 5542



EXPIRES 12/31/96

DECLARATION

STATE OF OREGON
COUNTY OF KLAMATH

THIS IS TO CERTIFY THAT DONALD A. GUNOR AND PAMELA B. LATOURETTE AS TENANTS BY THE WHOLE, THE PARTNERS OF "TRU-LINE SURVEYING", ARE THE SURVEYORS OF LAND PARTITION 28-95, MORE PARTICULARLY DESCRIBED IN THE ANNEXED MAP, AND THAT WE DO CAUSE THE SAME TO BE PARTITIONED, PLATTED AND SUBMITTED AS SHOWN ON THE ANNEXED MAP AND THAT WE DO FOR OURSELVES, OUR HEIRS AND ASSIGNS HEREBY CREATE THE 30.00 FOOT WIDE NON-EXCLUSIVE EASEMENT AS SHOWN ON THE ANNEXED MAP, SAID EASEMENT TO PROVIDE ACCESS TO PARCELS 1, 2 AND 3. THE LANDS IN THIS PARTITION ARE WITHIN THE ENTERPRISE IRRIGATION DISTRICT. NO OTHER WATER RIGHTS ARE APPURTENANT TO THIS MAP.

Donald A. Gunor
DONALD A. GUNOR
PAMELA B. LATOURETTE

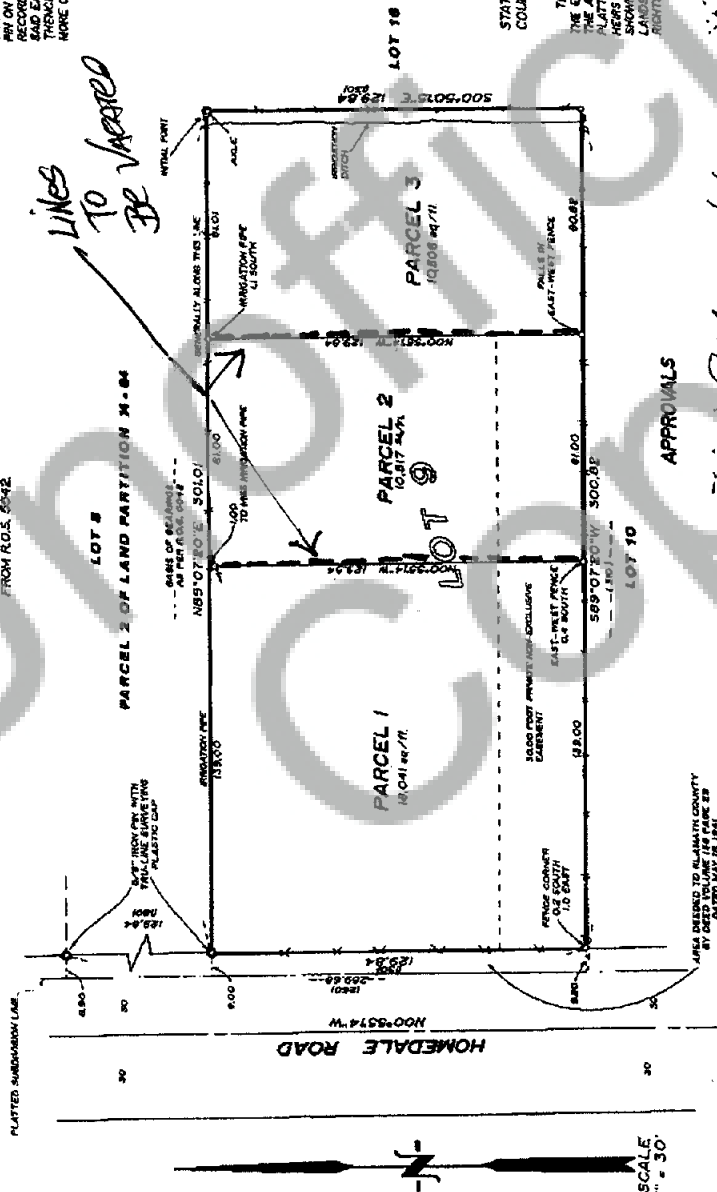
STATE OF OREGON
COUNTY OF KLAMATH

BE IT REMEMBERED THAT ON THE 14th DAY OF November, 1995, PERSONALLY APPEARED DONALD A. GUNOR AND PAMELA B. LATOURETTE WHO ARE KNOWN TO ME TO BE LEGAL PERSONS, DESCRIBED IN AND WHO EXECUTED THE ABOVE INSTRUMENT, AND WHO ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FREELY AND VOLUNTARILY, AND IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIRMED MY OFFICIAL NOTARIAL SEAL ON THE DAY AND YEAR LAST WRITTEN ABOVE.

Notary Public for the State of Oregon



TRU-LINE SURVEYING
2333 SUMMERS LANE
KLAMATH FALLS, OREGON 97603



APPROVALS

APPROVED BY *John J. Gunter* Klamath County Director
DATE 11-22-96

APPROVED BY *John J. Gunter* Klamath County Director
DATE 11-22-96

APPROVED BY *John J. Gunter* Klamath County Director
DATE 11-22-96

FILED FOR RECORD THIS 14th DAY OF November, 1995

BY *John J. Gunter* Klamath County Clerk

I HEREBY CERTIFY THAT ALL TAXES, INTERESTS, PENALTIES, ASSESSMENTS, FEES OR OTHER CHARGES REQUIRED BY O.R.S. 52.035 HAVE BEEN PAID.

KLAMATH COUNTY TAX COLLECTION

LEGEND

- FOUND MONUMENT AS SHOWN
- SET 3/4" IRON PIN WITH PLASTIC CAP
- SECOND DISTANCE AS PER PLAT

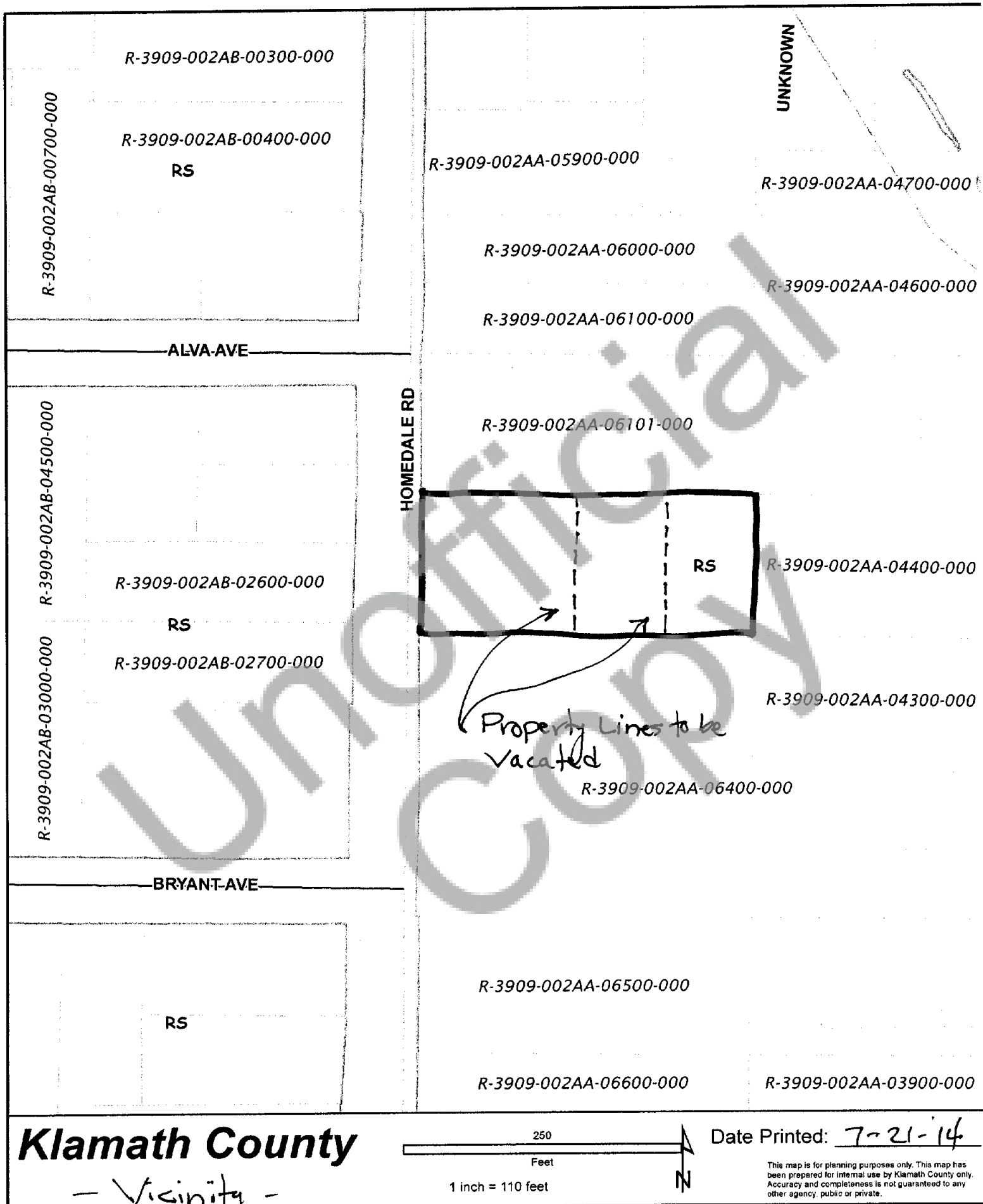


EXHIBIT "A"

Vacation of property lines common to Parcels 1 and 2 and Parcels 2 and 3 of Land Partition 28-95 located in Klamath County, Oregon

Unofficial
Copy