



00157937201400089190060067

08/27/2014 03:36:01 PM

Fee: NO FEE

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR KLAMATH COUNTY, OREGON

IN THE MATTER OF VACATION OF A LOT)
LINE COMMON TO LOTS 5 AND 6 OF)
BLOCK 22, 2nd ADDITION NIMROD RIVER)
PARK SUBDIVISION INCLUDING A 16-)
FOOT UTILITY EASEMENT CENTERED ON)
THE LOT LINE, AND SITUATED IN)
SECTION 3, TOWNSHIP 36 SOUTH, RANGE)
11 EAST OF THE WILLAMETTE MERIDIAN,)
KLAMATH COUNTY, OREGON.)

FINAL ORDER

No. OR 2015-013

WHEREAS in accordance with the provisions of ORS 368.351, a petition containing the acknowledged signatures of 100% of the owners of the property (Damien Boynton) identified in Exhibit "A" attached where the lot line is to be vacated, including a 16-foot utility easement centered on the lot line, 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 lot line vacation; and

WHEREAS the Planning Director filed with the Board of County Commissioners a report regarding the petition for lot 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 lot line, including an 16-foot utility easement centered on the lot line, 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 lot lines within the property are vacated.

DONE AND DATED THIS 26th day of August, 2014.

James Bellet
Chairman

Tom Mallam
Commissioner

[Signature]
Commissioner

Return to Commissioner's Journal

EXHIBIT "A"

Vacation of a lot line common to Lots 5 and 6 Block 22 of 2nd Addition Nimrod River Park Subdivision, and a 16-foot utility easement centered on the lot line, located in Klamath County, Oregon.

Unofficial
Copy



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 14, 2014

TO: Board of County Commissioners

FROM: Mark Gallagher, Interim Planning Director

RE: Request from Damien Boynton to vacate the lot line between Lots 5 and 6, Block 22 of 2nd Addition, Nimrod River Park Subdivision, including a 16-foot utility easement centered on the lot line. (Map numbers R-3611-003C0-06500 & 06600).

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:...

(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 an interior lot line established by 2nd Addition Nimrod River Park Subdivision situated in Section 3, Township 36 South, Range 11 East Willamette Meridian (see attached map) as the property owner has an existing manufactured home across the lot line. The two existing subdivision lots are separate tax lots, with both TL 6500 and 6600 being approximately 1.5 acres each and zoned Rural Residential – 2 acre minimum lot size (R-2). Once the interior lot lines are vacated, they will become one unit of land.

There is an existing 16-foot wide utility easement along this lot line that will be vacated as well. No agencies indicated they had utilities located within the easement.

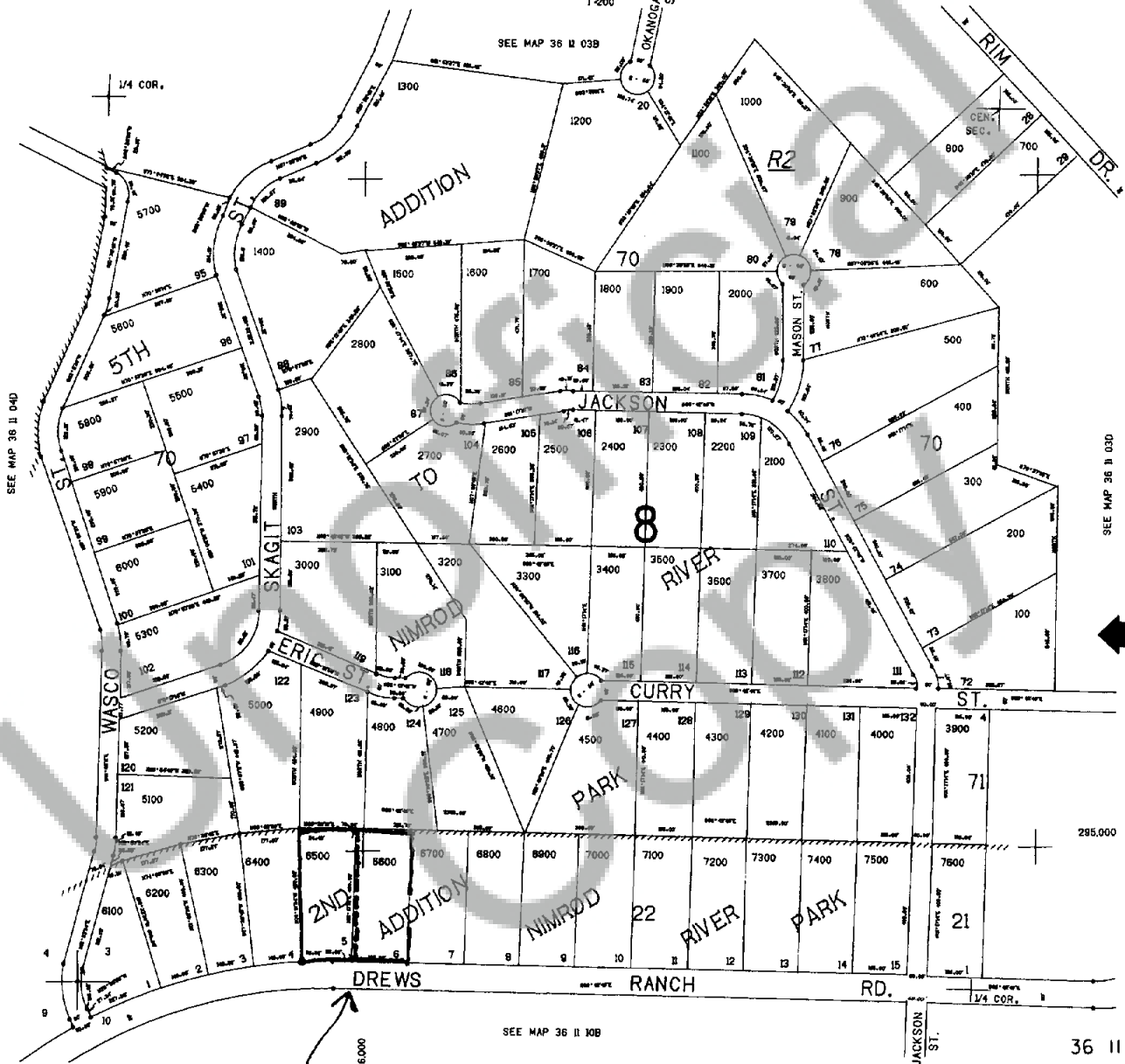
I find that vacating the interior lot lines of the above referenced private property complies with all applicable land use regulations and is not detrimental to the public interest. No negative comments were received from agency review.

REVISED 3-05-08

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY

SW1/4 SEC. 03 T.36S. R.11E. W.M.
KLAMATH COUNTY

36 11 03C



SECOND ADDITION TO NIMROD RIVER PARK
SITUATED IN SECTIONS 1, 2, 3, 4, 9, 10, 11, 12, 36S, R1E, W1M
KLAMATH COUNTY, OREGON
SCALE 1" = 200'

0 541 5/8" = 20' from PM
0 541 1/2" = 24' from PM
ALL LOTS CONTAIN 1.33 Acres Unless Otherwise Noted



P/L To Be Vacated

