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10/29/2014 08:40:29 AM

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 1 AND 2, Block 6)
OF WINEMA PENINSULA, UNIT NO. 2)
SUBDIVISION (TRACT 1019) INCLUDING A)
16-FOOT UTILITY EASEMENT CENTERED)
ON THE LOT LINE, AND SITUATED IN)
SECTION 28, TOWNSHIP 34 SOUTH,)
RANGE 7 EAST OF THE WILLAMETTE)
MERIDIAN, KLAMATH COUNTY, OREGON.

FINAL ORDER

No. 2015-027

WHEREAS in accordance with the provisions of ORS 368.351, a petition containing the acknowledged signatures of 100% of the owners of the property (Jorge and Marla Santiago) 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 28th day of October, 2014.

James Bellet
Chairman

Tom Mallam
Commissioner

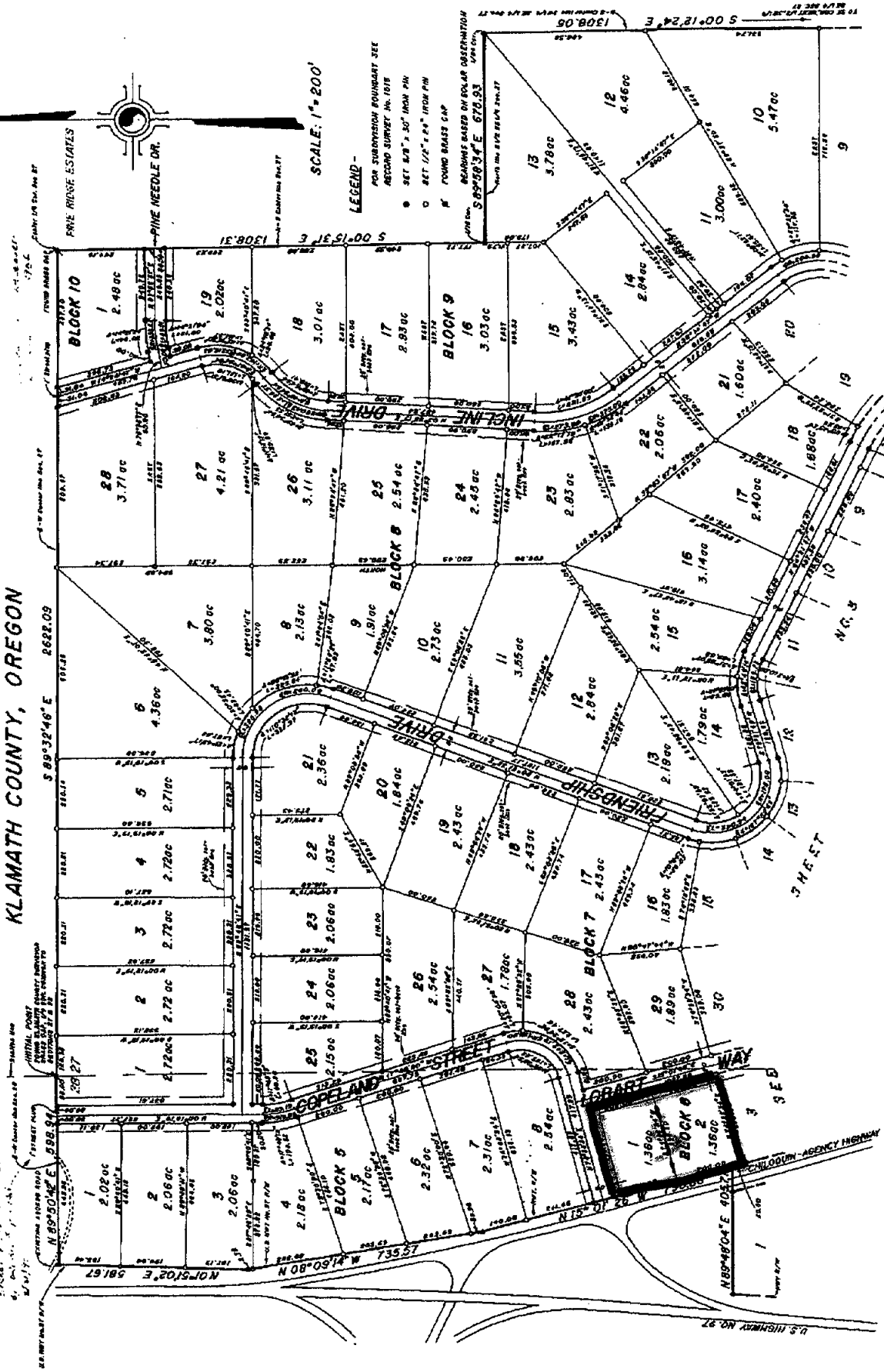
[Signature]
Commissioner

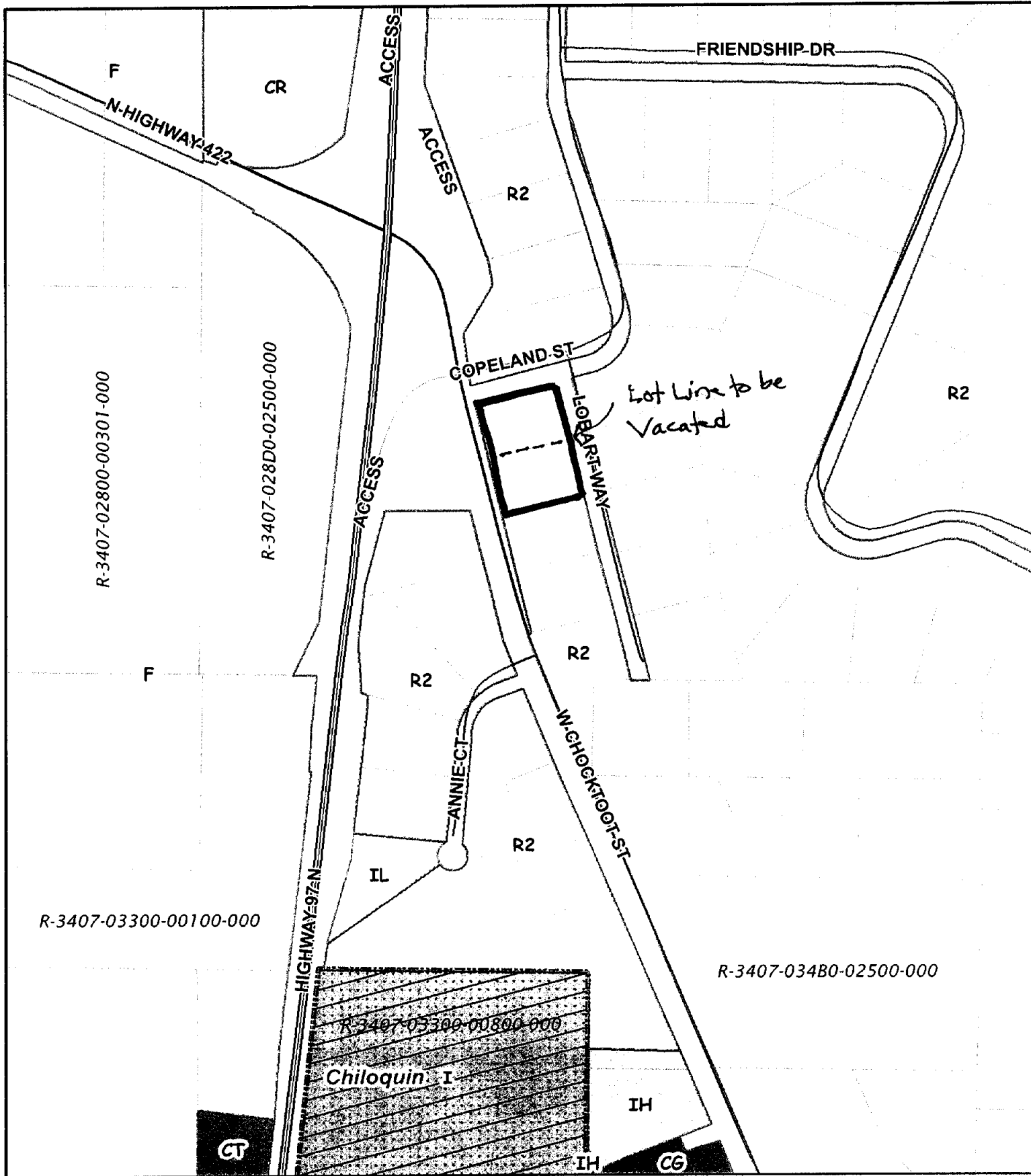
EXHIBIT "A"

Vacation of a lot line common to Lots 1 and 2, Block 6 of Winema Peninsula, Unit No. 2 Subdivision (Tract 1019), and a 16-foot utility easement centered on the lot line, located in Klamath County, Oregon.

TRACT NO. 1019 WINEMA PENINSULA-UNIT NO. 2 SITUATE IN SEC. 27, 28, 33 & 34, T34S, R7E, WM. KLAMATH COUNTY, OREGON

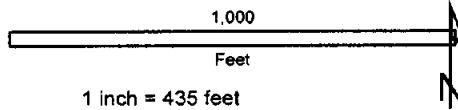
REGISTERED
OREGON
LAND SURVEYOR
B.H. Hall
JULY 26, 1984
BOB L. KITCHEN
640





Klamath County

Vicinity -



Date Printed: 9-23-14

This map is for planning purposes only. This map has been prepared for internal use by Klamath County only. Accuracy and completeness is not guaranteed to any other agency, public or private.



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: October 21, 2014

TO: Board of County Commissioners

FROM: Mark Gallagher, Interim Planning Director

RE: Request from Jorge and Marla Santiago to vacate the lot line between Lots 1 and 2, Block 6 of Winema Peninsula, Unit No. 2 Subdivision (Tract 1019), including a 16-foot utility easement centered on the lot line. (Map numbers R-3407-028D0-00900 & 01000).

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 an interior lot line established by Winema Peninsula, Unit 2 Subdivision situated in Section 28, Township 34 South, Range 7 East Willamette Meridian (see attached map) as the property owner would like to build a new shop across the lot line. The two existing subdivision lots are separate tax lots, with both being approximately 1.36 acres 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.

AGENDA REPORT
BOARD OF COUNTY COMMISSIONERS

Agenda Category: ORDER Item No: 9.2

OR 2015-037

ORIGINATING DEPARTMENT: BOCC/ CDD-PLANNING

DATE ACTION REQUESTED: October 28, 2014 Date Action Taken:

ISSUE: Approve the Final Order for the vacation of the lot line between lots 1 and 2, Block 6, Winema Peninsula, Unit No. 2 Subdivision (Tract 1019), and a 16-foot utility easement centered on the lot line – Assessor's Map Numbers R-3407-028D0-00900 & 01000).

BACKGROUND & CONCLUSIONS: The property owners are Jorge and Marla Santiago, whom have signed a petition requesting this action. The vacation should pose no public harm. The Planning Director's Report recommends the vacation of the lot line. This will finalize the vacation.

FISCAL IMPACT: There is a fiscal impact (\$583 application fee).

RECOMMENDED MOTION: Approve the Final Order for the vacation of the above described property located in Klamath County, Oregon. (Record original Order with Exhibit A) There is a fiscal impact (\$583 application fee).

DEPARTMENT HEAD APPROVAL: _____

BUDGET OFFICER APPROVAL: _____

COUNTY COUNSEL REVIEW: _____

CONTRACT SPECIALIST: S. Shepherd

COMMISSIONER LIAISON APPROVAL: _____

JH 10/22/2014 [Signature] 10/23/2014
Janna Bellet 10/28/14

APPROVED THIS ____ DAY OF

by the Klamath County Board
of Commissioners.

(SEAL)

CERTIFIED By _____
Recording Secretary

DISTRIBUTION: 10-28-14

1 – ORIGINAL - CLERK - For recording
1 – FILE
1 – PLANNING
1 –
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