

FROM (DEPT/ DIVISION): County Counsel

SUBJECT: Cemetery District Annexation

<p>Background:</p> <p>The county received a petition to annex approximately 1.5 acres into the Weston Cemetery District. The petition was signed by the property owner, as well as the cemetery district board. A public hearing is set to consider the petition. Following the public hearing, the property can be annexed if approved by the Board.</p>	<p>Requested Action:</p> <p>Adopt Order No. BCC2024-047</p>
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ATTACHMENTS: Petition; Proposed Order

*****For Internal Use Only*****

Checkoffs:

- () Dept. Heard (copy)
- () Human Resources (copy)
- (X) Legal (copy)
- () (Other - List:)

To be notified of Meeting:

Needed at Meeting:

Scheduled for meeting on: July 17, 2024

Action taken:

Follow-up:

PETITION
FOR ANNEXATION TO WESTON CEMETERY DISTRICT

We, the undersigned, petition the Board of County Commissioners of Umatilla County to initiate proceedings to annex to the Weston Cemetery District territory not now a part of said district, which is described as follows:

Property identified as Umatilla County tax lot 4N35-9700 and described in the attached deed recorded in Book C, Page 85, Umatilla County Records.

1. This petition is filed pursuant to ORS 198.705 to 198.955, and specifically ORS 198.857.
2. The names of other affected districts are:

<u>District</u>	<u>Organized under ORS:</u>
NONE	_____
_____	_____
3. The names of affected counties are:

<u>County</u>
Umatilla

4. The name(s) and address(es) of the principal petitioner(s) is (are):

Board of Trustees, Blue Mountain Cemetery Weston Cemetery Board
Sheldon Delph Sheldon Delph
Signature Signature

The foregoing instrument was acknowledged before me this 13th day of June, 2023, by Sheldon Delph & Joseph Neugart



Nichole R. Cisneros
Notary Public for Oregon

Andrew Kees & wife }
To }
Trustees of Blue Mountain Cemetery }

Know all men by these presents that Andrew Kees & Nancy A Kees my wife in consideration of fifteen Dollars to us paid by J. M. Johns Alfred Stigge & Andrew Kees Trustees of the Cemetery grounds do hereby bargain sell and convey to said Trustees of Cemetery known as Blue Mountain Cemetery their Successors forever the following described parcel of real estate to wit

A certain portion of land as follows Commencing at the N.W. corner of the South East 1/4 of Section 28 Township 4 North of Range 35: East running East 20 Rods thence South 12 1/2 rods thence west 20 rods thence north 12 1/2 rods to place of beginning Containing 1 acre & 2/3 acre more or less together with the tenements hereditaments and appurtenances thereto belonging or in any wise appertaining and also all estate right title and interest at law and in equity therein or thereto including dower and claim of dower

To Have and to Hold the same to the said Trustees & their successors in office forever. And we do covenant with the said Trustees & their successors and legal representatives forever that the said real estate is free from all incumbrances and that we will and our heirs executors and administrators shall warrant and defend the same to the said Trustees & their successors forever against the lawful claims and demands of all persons whatsoever.

In Witness Whereof we have hereunto set our hands and seals this fifth day of June 1875

Executed in presence of }
R. A. Steel }
J. L. Story }

A. Kees (L.S.)
N. A. Kees (R.S.)

State of Oregon)
Wasatch County) SS

This certifies that on this 5th day of June 1875 before me the undersigned personally appeared the within named Andrew Kees & Nancy A Kees his wife known to me to be the persons described in and who executed the within instrument and acknowledged the same to be their free act and deed and Nancy A Kees wife of said Andrew Kees on a private examination made by me separate and apart from her said husband

117191

cemetary
district 1

122860

cemetary
district 2

117194

cemetary
district 1

Keys

120676

not in a district

THE BOARD OF COMMISSIONERS OF UMATILLA COUNTY

STATE OF OREGON

In the Matter of Annexation)
to Weston Cemetery District) ORDER NO. BCC2024-047
#2)

WHEREAS, in accordance with ORS 198.857, the Umatilla County Board of Commissioners has received a petition from a land owner in an unincorporated area of Umatilla County that desires annexation to the Weston Cemetery District #2;

WHEREAS the board of the Weston Cemetery District has indorsed the petition for annexation;

WHEREAS the petition contains the signature of all of the property owners owning property in the area proposed to be annexed.

WHEREAS, in accordance with ORS 198.857, the Board of Commissioners adopted Order No. BCC2024-042 accepting the petition and scheduled a hearing on the proposed annexation for July 17, 2024;

WHEREAS, written notice of the public hearing on this annexation was mailed to the petitioner and the board of the affected district on June 21, 2024;

WHEREAS, on July 17, 2024, the Board of Commissioners held a public hearing on the proposed annexation to determine if the potential annexation would be appropriate and in compliance with the requirements of ORS 198.857 for an annexation and to consider public input.

NOW THEREFORE, the Board of Commissioners orders that:

1. The requirements of ORS Chapter 198 concerning this proposed annexation of territory into the Weston Cemetery District #2 are met.

2. The petition for annexation was signed by the property owners and an election of the proposed annexation is not required.

3. The property proposed to be annexed to the district will be benefitted by the annexation with additional services being provided.

4. The following territory is annexed to the Weston Cemetery District #2:

Commencing at the Northwest corner of the Southeast Quarter of Section 28, Township 4 North, Range 35, East of Willamette Meridian, Umatilla County, Oregon; thence running East 20 rods; thence South 12½ rods; thence West 20 rods; thence North 12½ rods to place of beginning.

DATED this 17th day of July, 2024

UMATILLA COUNTY BOARD OF COMMISSIONERS

John M. Shafer, Commissioner

Celinda A. Timmons, Commissioner

Daniel N. Dorran, Commissioner

ATTEST:
OFFICE OF COUNTY RECORDS

Records Officer