

S. Ken Ray W. Hansen.

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UMATILLA COUNTY CLERK

REEL 260 PAGE 860

94 SEP 29 A 11:02

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR UMATILLA COUNTY, OREGON

IN THE MATTER OF THE VACATION)
OF A PORTION OF MOSES ROAD THE)
UMATILLA BOARD OF COMMISSIONERS))
UPON PUBLIC PETITION)

COPY

VACATION
ORDER NO. RD94-004

This matter having previously come before the Umatilla County Board of Commissioners for proceedings to vacate a portion of Moses Road, a County Road right-of-way, located in Umatilla County, Oregon; and

IT APPEARING that on June 15, 1994, pursuant to ORS 368.341, the Board of Commissioners accepted and referred to the Director of Public Works for investigation a petition initiating proceedings to vacate said road; and

IT APPEARING that the Director of Public Works, after reviewing the petition and coordinating with utility companies, has recommended that the said portion of road, be vacated; and

IT FURTHER APPEARING that subsequent to acceptance of the petition on June 15, 1994, a public hearing was held on the proposed vacation on September 21, 1994, in Room 114, in the Umatilla County Courthouse, Pendleton, Oregon; that notice of the pendency of the petition and of the time and place of the hearing was given as provided by law, and proof of posting and notice is filed herein; and finding the property proposed for vacation to have little to no value to the county, no liabilities are to incurred resulting from the vacation; and the Board of Commissioners finding that it would be in the public interest to vacate a portion of Moses Road, located in the SW1/4 of Sec. 13 and the NW1/4 of Sec. 24, T4N, R28 E.W.M., just west of Hwy 395, north of Hermiston Foods on the west side of Hwy. 395, southeast of the U.S.R.S. Feed Canal where it crosses Hwy. 395, approximately 1 mile south of the city of Hermiston, Umatilla County, Oregon hereinafter described:.

Beginning at the point of intersection of the section line common to said Sections 13 and 24, with the Westerly right of way line of U.S. Highway #395 and running; thence S 89° 34' 39" E along said Section line 4.64 feet to the Northeast corner of Lot 1, Block 1, "HIGHLANDER CENTER SUBDIVISION - UNIT ONE"; thence S 49° 04' 18" E along the Easterly line of said Lot 1 a distance of 50.81 feet to a point which lies 33 feet South of the North line of said Section 24 when measured at right angles; thence N 89° 34' 39" W parallel with the North line of said Section 24 a distance of 152.32 feet to a point on

the Northwesterly line of said Lot 1; thence N 40° 55' 24" E along said Northwesterly line and said Northwesterly line projected a distance of 86.80 feet to a point which lies 33 feet North of the South line of Section 13 when measured at right angles; thence S 89° 34' 39" E parallel with the South line of said Section 13 a distance of 13.98 feet to a point on the Westerly right of way line of U.S. Highway #395; thence S 49° 07' 08" E along said right of way line 50.86 feet to the Point of Beginning.

NOW THEREFORE, BE IT AND IT HEREBY IS ORDERED AND ADJUDGED that the above described portion of Moses Road, shown in yellow on the assessor's map 4N28 24BB, which is attached hereto, and by this reference incorporated herein and made a part hereof be, and the same is, hereby vacated and that all right and title thereto subject to the rights of all public and private utility companies or easements of record, does hereby vest in the owner of the land abutting the vacated property by extension of the person's abutting boundaries to the center of the vacated property, in accordance with Oregon law contingent upon Blue Mountain Community College recording the "Dedication of Public Roadway" instrument so that land to replace the vacated part of the right of way is dedicated to Umatilla County.

The county surveyor is directed to mark the plat as provided under ORS 271.230 and copies of the order be recorded with the county clerk, county surveyor, and county assessor.

Dated at Pendleton, OR, this 28 day of September, 1994.

UMATILLA COUNTY BOARD OF COMMISSIONERS

Attest:

Thomas Groat
Thomas Groat
County Clerk

William S. Hansell
Commissioner William Hansell

Glenn Youngman
Commissioner Glenn Youngman

Emile M. Holeman
Commissioner Emile Holeman

APPROVED AS TO FORM

William C. Jones
William C. Jones
Umatilla County Legal Counsel

SEE MAP 4N28A

(CO. RD. NO. 609)

NW1/4 NW1/4 Sec. 24 T. 4N. R. 28 E. W.M.

UMATILLA COUNTY

No. 1202

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803

8

1" = 100'

3300
3.78 Ac.

G H L
N D E R
D R I V E

U. S.
Old Hwy

SHANNON

(State Hwy No. 32)
New Hwy

H I G H L A N D

YARD

