



Umatilla County Road Department

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September 20, 1994

STAFF REPORT

TO: Umatilla County Board of Commissioners

FROM: Department of Public Works

RE: Road Vacation of Moses Road, Umatilla County, OR

BACKGROUND

The board of commissioners at its June 15, 1994, meeting accepted the vacation petition from Mary Lou McEachern, of a portion of 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, referred it to the director of public works for action, and scheduled a public hearing. The Public Works Dept. placed the required legal notices and provided notice to the affected property owners and utility companies.

FACTS AND FINDINGS

The petition has been filed with the prescribed fee of \$100.00.

The prescribed notices have been sent and posted. No adverse comments have been received from the public or the utility companies. The Umatilla County Planning Commission reviewed this petition at their August 4, 1994 meeting, approving the petition as presented.

The portion of Moses Road is located in the SW1/4 of Sec. 13 and NW1/4 of Sec. 24, T4N, R28 E.W.M. The recorded owners, including abutting properties, for this proposed vacation being Mary Lou McEachern, the petitioner, Blue Mountain Community College Scholarship & Development Association, Spudnik Equipment Co., and Oregon Dept. of Transportation. The Legal description of the proposed vacation is as follows:

That portion of the Southwest Quarter of Section 13 and the Northwest Quarter of Section 24, T 4 N, R 28 E. W. M., Umatilla County, Oregon, being described as follows:

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 of 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.

The preliminary assessment by the Director of Public Works of Umatilla County is that this portion Moses Road, Co. Rd. #1202, will best serve the public by being vacated, as a building encroaches the right-of-way on the south side of side portion of road. Papers have been drawn up to dedicate the traveled portion around to the north for public passage, therefore, vacation would be in the public interest. See enclosed copy of Exhibit 2, Page 1 of filed petition.

FISCAL IMPACT

This property would have minimal market value for the County and this road is not maintained by the County. It would benefit the adjacent property owners. An attached order to grant title to the vacated property equally to the property owners on each side. George Anderson, Attorney for Mary Lou McEachern, has prepared the Dedication of Public Roadway and Bargain and Sale Deed from the Blue Mountain Community College Scholarship and Development Association, approved by County Counsel.

RECOMMENDATION

After the public hearing on September 21, 1994, if no negative comments are received the Department of Public Words recommends that the Board of Commissioners grant the vacation of the unnamed road in the SW1/4 of Section 13 and the NW1/4 of Section 24, Township 4 North, Range 28 East of the Willamette Meridian, approving the attached order.

Attachments