

PETITION FOR VACATION

TO THE BOARD OF COUNTY COMMISSIONERS FOR UMATILLA COUNTY, OREGON, IN THE MATTER OF THE VACATION OF LEATHERS A PORTION OF COUNTY ROAD NO. 1213, UMATILLA COUNTY, OREGON

I, Richard V. & Kathryn A. Erz, petition the Board of County Commissioners of Umatilla County, Oregon to vacate a portion of County Road No. 1213, more particularly described as follows:

(Attach legal description)

II

Petitioners are the owners, as shown in the records of Umatilla County, of property abutting the property sought to be vacated, (and petitioners are the only persons or corporations particularly affected by the proposed vacation of the property*).

III

(attached)

No portion of the street proposed to be vacated is situated within the corporate limits of any city.

IV

The particular circumstances that justify granting a vacation of the described property are: (attach extra page if necessary) **The portion of the street we want vacated is on the map only and has never been built or used.**

HOW PROPERTY IS USED	<u>Pasture - raising cattle</u>
CONDITION OF PROPERTY	<u>Property sub-irrigates - springs located on property</u>
REASON FOR VACATION	<u>Road would be impractical to build and would serve no Purpose</u>

V

Names and addresses of all persons holding any recorded interest in and / or owning any real property abutting the property proposed to be vacated: (Including any property on the opposite side of road).

Richard V. Erz P. O. Box 171, Hermiston, Ore. 97838

Kathryn A. Erz P. O. Box 171, Hermiston, Ore. 97838

4N2907 A, code 8-3, tax lot 600, 31.4 acres _____

4N2907 B, code 8-3, tax lot 900, 37.4 acres _____

- To be included if all property owners petition.

Certification

On this 12 day of May, 1997, before me, the undersigned, Richard V. Erz, personally appeared, known to me to be the identical individual described in and who executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last written above.

STATE OF OREGON) ss
COUNTY OF Umatilla)

Richard V. Erz
Richard V. Erz

Connie Johnston
NOTARY PUBLIC FOR OREGON

My Commission Expires July 12, 1999



Certification

On this 12 day of May, 1997, before me, the undersigned, Kathryn A. Erz, personally appeared, known to me to be the identical individual described in and who executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last written above.

STATE OF OREGON) ss
COUNTY OF Umatilla)

Kathryn A. Erz
Kathryn A. Erz

Connie Johnston
NOTARY PUBLIC FOR OREGON

My Commission Expires July 12, 1999



Certification

On this ___ day of _____, 19___, before me, the undersigned, _____, personally appeared, known to me to be the identical individual described in and who executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last written above.

STATE OF OREGON) ss
COUNTY OF _____)

NOTARY PUBLIC FOR OREGON

My Commission Expires _____

Certification

On this ___ day of _____, 19___, before me, the undersigned, _____, personally appeared, known to me to be the identical individual described in and who executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last written above.

STATE OF OREGON)ss
COUNTY OF _____)

NOTARY PUBLIC FOR OREGON
My Commission Expires _____

Certification

On this ___ day of _____, 19___, before me, the undersigned, _____, personally appeared, known to me to be the identical individual described in and who executed the same freely and voluntarily.

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STATE OF OREGON)ss
COUNTY OF _____)

NOTARY PUBLIC FOR OREGON
My Commission Expires _____

Certification

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IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last written above.

STATE OF OREGON)ss
COUNTY OF _____)

NOTARY PUBLIC FOR OREGON
My Commission Expires _____

ERZ, Richard V.
C08615

ADDENDUM TO CONTRACT OF SALE

Legal Description: Erz Property

Beginning at Section corner common to Sections 5, 6, 7 and 8, Township 4 North, Range 29; thence South along East line of said Section 7, a distance of 133 feet to North right of way line of O. W. R. N. & Co., right of way; thence South 56° 10' West along said right of way a distance of 4940 feet to Southeast corner of tract of land conveyed to Robert O. Behrman, by Deed recorded in Book 268, Page 447, Deed Records; thence North along East line of said Behrman Tract a distance of 730 feet to Northeast corner thereof, said point also being the intersection with South right of way boundary of "A" Line Canal of Hermiston Irrigation District; thence in a generally Northeasterly direction along said South right of way to an intersection with North boundary line of said Section 7; thence East along North line of said Section 7, a distance of 553.5 feet to Northeast corner of said Section 7 and the point of beginning;

All being East of the Willamette Meridian, Umatilla County, Oregon;

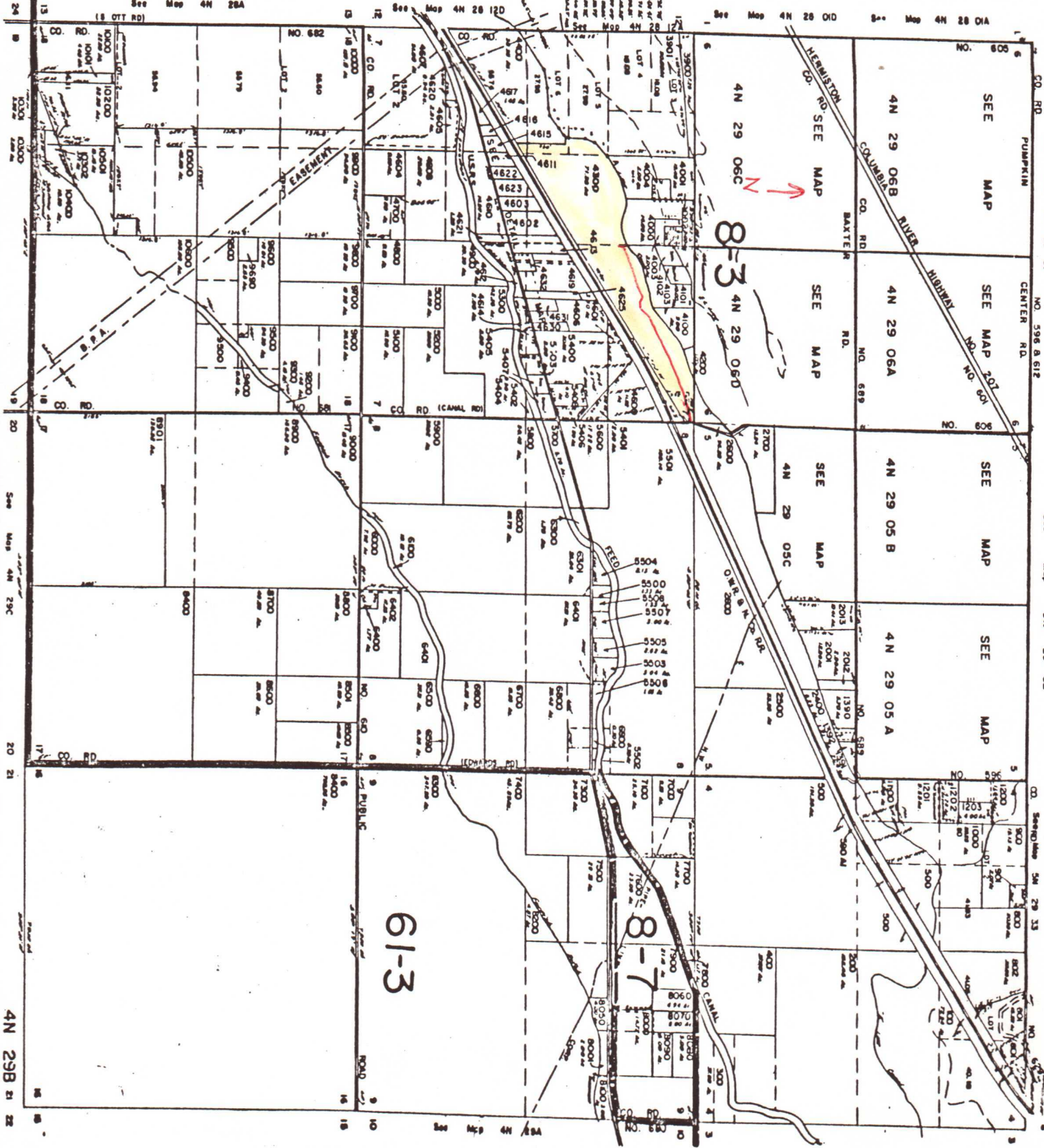
SUBJECT to any and all water rights of way and roads.

Road Description: That portion of Umatilla County Road 1213 (Leathers Road) west of Umatilla County Road 1203 (Canal Road) and that portion of the road laying south of the Hermiston Irrigation A-Line canal. (see portion of road colored pink on attached maps.

Road

THIS SKETCH IS MADE SOLELY FOR THE PURPOSE OF ASCERTAINING AND LOCATING CERTAIN PREMISES AND IS NOT TO BE ACCURATE FOR VARIATIONS, IF ANY, IN THE DISTANCES AND LOCATIONS ASCERTAINED BY ACTUAL SURVEY.

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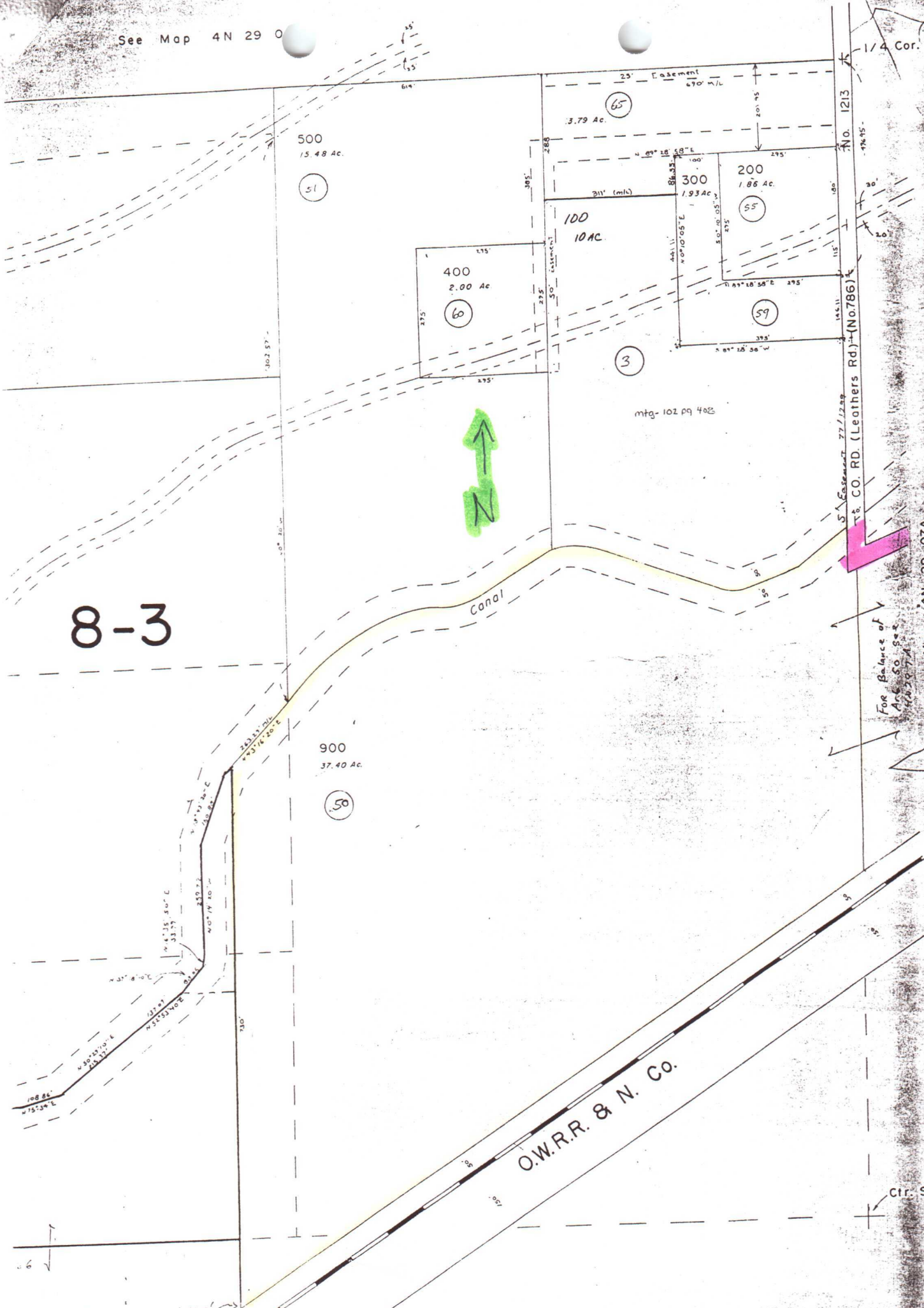
4N 29 06C

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8-3



O.W.R.R. & N. Co.

For Balance of Acre See Map 4N 29 07A

See Map 4N 29 07A

Ctr. Sec.

No. 1213
Leathers Rd. (No. 786)

1/4 Cor.

mtg- 102 pg 408

Canal

500
15.48 Ac.

400
2.00 Ac

100
10 AC

300
1.93 Ac

200
1.86 Ac

900
37.40 Ac.

65
3.79 Ac.

51

60

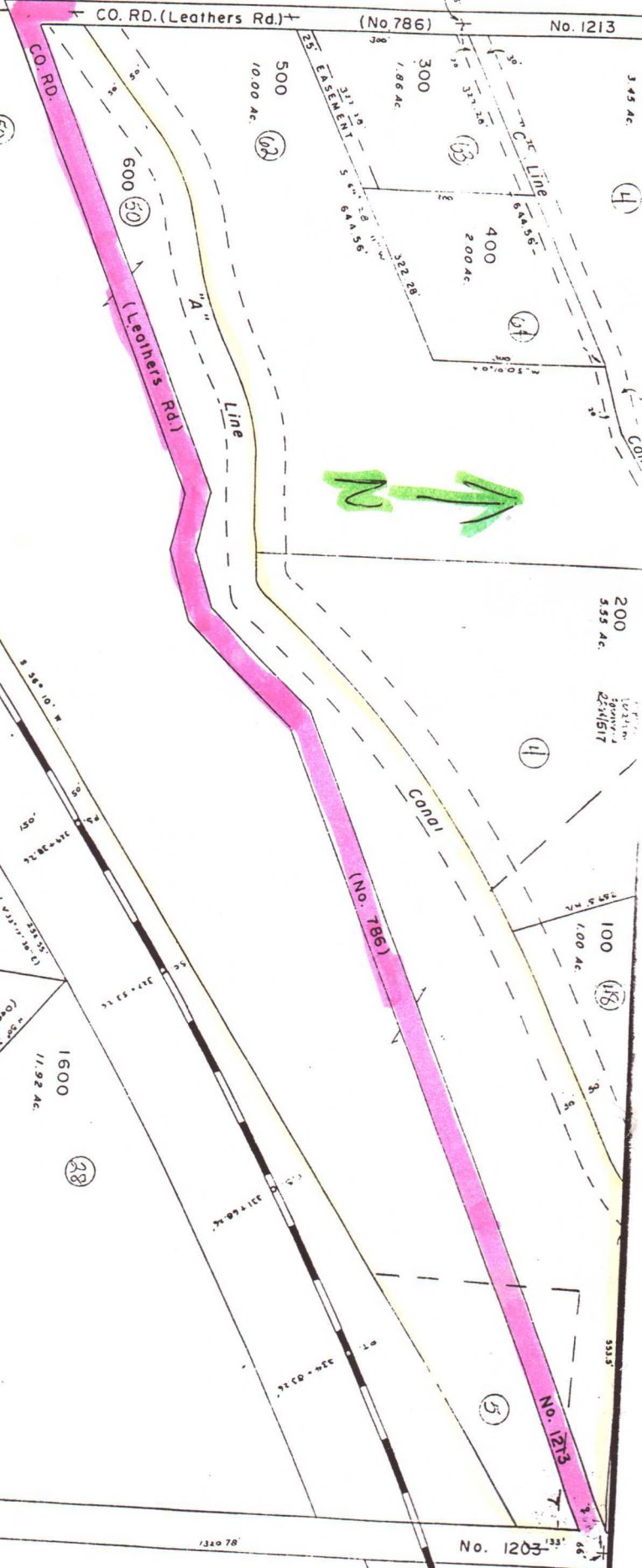
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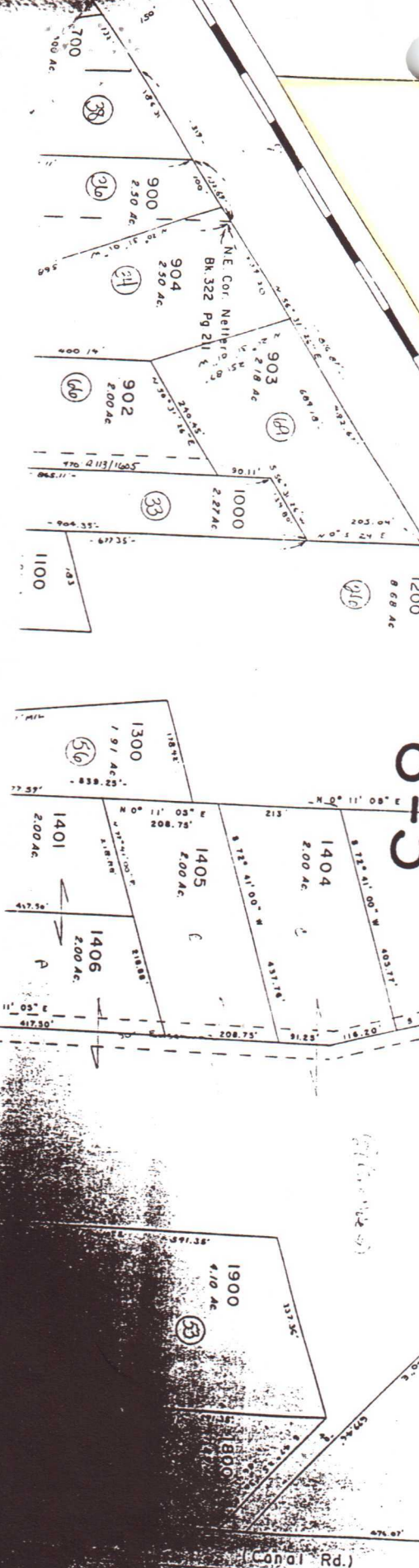
SEE MAP 4N 29B
FOR
STAKE
LOCATIONS

CO. RD. (Leathers Rd.) (No 786) No. 1213



O.W.R.R. & N. CO.

8-3



Canal Rd. (No. 606)

No. 1203

See Map 4N 29B

715
1902, 1904
1901 & 1902
are all sold
to
W. H. Merrill
1903
is sold to
W. H. Merrill

CANCELLED
TL 1500