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UMATILLA COUNTY RECORDS

BEFORE THE BOARD OF COMMISSIONERS FOR UMATILLA COUNTY

STATE OF OREGON

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MAR - 3 2004

UMATILLA COUNTY RECORDS

IN THE MATTER OF THE )  
VACATION OF SIMPLOT ROAD,) )  
COUNTY ROAD NO. 1324 )

CORRECTED

ORDER NO. RD2003-19

WHEREAS, pursuant to ORS 368.341, the Umatilla County Board of Commissioners accepted a petition from Simplot Corporation to vacate County Road No. 1324 (Simplot Road) located approximately 2 1/2 miles south of the city limits of Hermiston in Sections 27 and 28, Township 4 North, Range 28 E.W.M.,

WHEREAS, pursuant to ORS 368.346, the Board of Commissioners directed the Public Works Director to prepare and file a written report including a recommendation as to whether the vacation would be in the public interest, and

WHEREAS, the Director of Public Works, after reviewing the proposed action, recommended that the above road be vacated, and

WHEREAS, subsequent to receiving the report from the Public Works Director, a public Hearing was held on the proposed vacation on November 22, 2000, in Room 114 of the Umatilla County Courthouse in Pendleton, Oregon, and that notice 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 on file in the Umatilla County Road Records, and

WHEREAS, no objections to the proposed vacation were brought forth, but concerns from the City of Hermiston and Cascade Natural Gas, as well as the Board of Commissioners, regarding maintaining easement rights over and across the vacated right-of-way were expressed, and

WHEREAS, the Board of Commissioners agreed to vacate the road after the Petitioner granted specific easements to the City of Hermiston, Port of Umatilla, and Cascade Natural Gas for repair, maintenance, and construction of their facilities lying in the road right-of-way, and

WHEREAS, it appears the Petitioner has fulfilled the Board's request by granting an easement to the City of Hermiston and the Port of Umatilla, recorded as Document 2003-4330334, Umatilla County Deed Records; an easement to Cascade Natural Gas recorded as Document 2001-3930518, Umatilla County Deed Records; and an easement to PacifiCorp, recorded as Document No. 2000-3760124, Umatilla County Deed Records;

Document re-recorded to correct legal description of road to be vacated, recorded at Document No. 2003-4400086, Umatilla County Records.

NOW THEREFORE IT IS HEREBY ORDERED that the following described road be vacated and that all right and title thereto does hereby vest in the owners of the land abutting the vacated property, subject to any easement of record, and nothing in this order shall invalidate any part of the previously described easements, or any other easement of record:

LEGAL DESCRIPTION OF ROAD TO BE VACATED

Beginning at a brass-capped monument marking the corner common to Sections 27, 28, 33, and 34, Township 4 North, Range 28, East of the Willamette Meridian, Umatilla County, Oregon; thence N89°56'53"W, 33.00 feet along the south line of Section 28 to the westerly right-of-way line of County Road No. 1324; thence N01°19'26"W, 1483.07 feet along said westerly right-of-way line and parallel to the line between Sections 27 and 28 to the southerly right-of-way line of Hinkle Road, a 50-foot wide public road lying immediately south of the Union Pacific Railroad right-of-way; thence S74°41'53"E, 68.87 feet along the extension of said southerly public road right-of-way line to the easterly right-of-way line of County Road No. 1324; thence S01°19'26"E, 1464.71 feet along said easterly right-of-way line and parallel to the line between Sections 27 and 28 to the south line of Section 27; thence S89°37'59"W, 33.00 feet to the point of beginning. Bearings and distances are based on Survey No. 99-266-B filed in the Umatilla County Surveyor's Office.

Dated this 18th day of June, 2003.

UMATILLA COUNTY  
BOARD OF COMMISSIONERS

William S. Hansell  
William S. Hansell, Chair

**ABSENT**

Dennis D. Doherty, Commissioner

Emile M. Holeman  
Emile M. Holeman, Commissioner

ATTEST: OFFICE OF COUNTY RECORDS

By: Jean Hemphill  
Records Officer





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State of Oregon )  
County of Umatilla )

This instrument was received  
and recorded on

06-18-03 at 3:57

in the record of instrument  
code type DE-ORDER

Instrument Number 2003-440086  
Fee 0.00

Office of County Records

*Jean Hemphill*  
Records Officer

State of Oregon )  
County of Umatilla )

This instrument was received  
and recorded on

03-03-04 at 2:17

in the record of instrument  
code type DE-CORR

Instrument Number 2004-4580031  
Fee 0.00

Office of County Records

*Jean Hemphill*  
Records Officer