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UMATILLA COUNTY RECORDS

2001-3870391

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THE BOARD OF COMMISSIONERS OF UMATILLA COUNTY

04300113

STATE OF OREGON

In the Matter of Proceedings )  
 for Legalization of ) Order No. BCC2001-06  
 Schiewe Road )

WHEREAS research of records for the road located along Little Dry Creek and south Little Dry Creek Road, and commonly referred to as Schiewe Road, produces evidence that the road is a public road;

WHEREAS due to an omission or defect in the public records, there is some doubt whether the identified road was ever properly established as a public road and, therefore, whether it is a public road over which the public has a right of use;

WHEREAS, the Umatilla County Board of Commissioners, by law, has jurisdiction over public roads within the county, including trails (ORS 368.021), local access roads (ORS 368.031) and county roads (ORS 368.016);

WHEREAS the Board of Commissions has authority pursuant to ORS 368.021 to initiate proceedings to legalize public roads, which, through omission or defect, doubt exists as to their legal establishment or as to the evidence of their establishment;

WHEREAS the Board of Commissioners on October 30, 2000, by Order No. BCC2000-30 initiated proceedings to legalize the public road, specifically a local access road, located in Sections 13 and 24, Township 4 North, Range 35, East of Willamette Meridian, Umatilla County, Oregon.

WHEREAS a hearing was scheduled for December 6, 2000, to consider the legalization of the identified road as a public road, specifically a local access road, and notice was sent to property owner or those having an interest in the property abutting the identified road, and notice was posted at the site of the road and at the Umatilla County Courthouse;

WHEREAS a public hearing was held December 6, 2000 to consider the legalization, which was continued to January 17, 2001, February 21, 2001, March 21, 2001 and April 4, 2001;

WHEREAS at the hearings testimony was made and exhibits



received on the evidence on the nature of the status of the identified road;

WHEREAS the documentation before the board includes references in deeds to a public road, existence of the road for an extended period of time, and maps and records prepared by Umatilla County designating the road as a public road;

WHEREAS the adjacent land owners and users of the road request that the portion of the road designated public be limited to that part North of the North-South centerline of Section 13, Township 4 North, Range 35.

NOW THEREFORE, the Board of Commissioners orders as follows:

1. Evidence presented to the Board of Commissioners documents that the identified road has been a public road, specifically a local access road, for the portion lying North of the North-South centerline of Section 13, Township 4 North, Range 35.

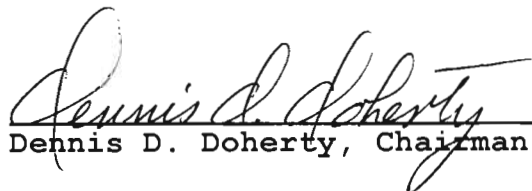
2. The description of the right of way for the road will be 25 feet on each side of the centerline of the existing road generally located as follows:

From the southerly right of way line of County Road No. 642 (Little Dry Creek Road) at its intersection with the West line of Section 13, Township 4 North, Range 35; thence southeasterly across the West Half of the Northwest Quarter to the North-South centerline of said Section 13; All being East of Willamette Meridian, Umatilla County, Oregon.

3. The name of the identified public road will be Schiewe Road.

DATED this 18th day of April, 2001.

UMATILLA COUNTY BOARD OF COMMISSIONERS

  
Dennis D. Doherty, Chairman





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**ABSENT**

Emile M. Holeman, Commissioner

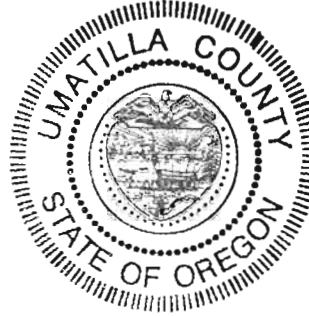
*William S. Hansell*

William S. Hansell, Commissioner

ATTEST:  
OFFICE OF COUNTY RECORDS

*Jean Humphill*

Records Officer



State of Oregon )  
County of Umatilla )

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Office of County Records

*Jean Humphill*  
Records Officer