

**11<sup>TH</sup> STREET VACATION  
(HERMISTON ORCHARDS)**

**REVISED ROAD REPORT**

**UMATILLA COUNTY  
DEPARTMENT OF PUBLIC  
WORKS**

**APRIL, 2010**

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## 11<sup>th</sup> Street (Hermiston Orchards) Revised Vacation Report

### Issue

Nancylynn Joynes, the owner of Tax Lot 802, submitted a petition in February, 2010 to vacate a portion of 11<sup>th</sup> Street through her property. She has since spoken with the other property owners who own land adjacent to the road and they also wish to have the road vacated. A new petition has been submitted with all of the property owners' signatures to vacate the entire road from East Highland Avenue to Newport Avenue. A copy of the petition is attached

### Planning Issues

Clint Spencer, City of Hermiston Planner, was again contacted regarding any concerns the City may have about future impacts of vacating the road. His reply is attached and states that they have none.

### Vacation Without Hearing

ORS 368.351 allows a county governing body to vacate a road if 100% of abutting property owners sign the petition. Since 100% of the abutting property owners have signed the petition and based on the City of Hermiston's comments, it is recommended that a determination be made without holding a public hearing.

### Recommendation

The Road Department recommends that the road be vacated, as it has never been used since it was platted in 1909 and no future need is anticipated for it. The Public would be benefitted by the addition of 1.33 acres to the tax rolls. Attached is a photograph showing the current condition of the road right of way at the south (East Highland Avenue) end. See the original report for other photos.

**Gary Roberts**

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**From:** Clint Spencer [CSpencer@hermiston.or.us]  
**Sent:** Wednesday, April 07, 2010 11:26 AM  
**To:** groberts@co.umatilla.or.us  
**Subject:** Joynes Vacation

The City of Hermiston has no objection to vacating that portion of the county road designated as Eleventh Street which runs through Section 12 of Township 4N Range 28E. The city does not see a need for a future street connection connecting the Highland Summit subdivision with Highland Avenue and the existing and future dwellings which exist south of that development can be served through future improvements of the existing streets at such time that city development occurs in the area. The city would prefer to develop an organic street network for this section which reflects the canals as redevelopment occurs

Clint Spencer  
City Planner  
cspencer@hermiston.or.us  
(541) 567-5521

Clint Spencer  
City Planner  
cspencer@hermiston.or.us  
(541) 567-5521

ROAD VACATION PETITION

We (SEE "PETITIONERS" NEXT PAGE) petition the Board of County Commissioners of Umatilla County , Oregon to vacate 11<sup>th</sup> Street in its entirety as shown on the plat of Hermiston Orchards and located in the Southwest ¼ of Section 12, T. 4 North, Range 28 E.W.M. ( Drawing Attached)

II

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

III

No portion of the road 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 road are:

The road right of way is used for pasture and horse training purposes. It has never been developed as a road and is not needed for access to any of the parcels. The City of Hermiston has concluded that it is not needed for any future road.

V

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

<u>T.L. 802 Nancylynn Joynes</u>	<u>1076 E. Pine Ave., Hermiston, Or. 97838</u>
<u>T.L. 704 Michael Gilliland</u>	<u>1273 E Juniper Hermiston OR 97838</u>
<u>T.L. 706 Michael &amp; Karin Gilliland</u>	<u>1273 E Juniper Hermiston OR 97838.</u>
<u>T.L. 804 Betty Jo Joynes (Trustee)</u>	<u>13020 SW Wein Rd., Beaverton, Or 97008</u>
<u>" Kathryn Carlson</u>	<u>2507 Blue Hill Ct. RICHLAND, WA 99352</u>
<u>T.L. 800 Dency Jo Paluso</u>	<u>1511 East Highland Ave. Hermiston, OR 97838</u>

VI

Petitioners request that after the giving of notice as required by law , a hearing be held on this petition before the Board of county Commissioners , and that an order be entered vacating the property more particularly described above.

PETITIONERS

NAME

ADDRESS

TAX LOT #

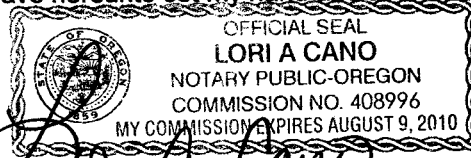
~~Vanessa [Signature]~~ 1516 E. Pine Ave. Hermiston, OR 802  
~~[Signature]~~ 1273 E. Juniper <sup>Ave.</sup> Hermiston, OR 704/706  
Karin Dilliland 1273 E. Juniper <sup>Ave.</sup> Hermiston, OR 706  
Betty Jo Joysus 13020 S.W. Weir Rd. <sup>97838</sup>  
Beaverton, OR 97008 804  
Doreen Hayes (Arden) 2507 Blue Hill Ct. RICHMOND <sup>WA 99336</sup> 804  
Lenny Jo Falvo 1511 E. Highland Ave. Hermiston, OR 800


**Certification**

On this 1<sup>st</sup> day of April, 2010, before me, the undersigned, Nancy L. Joyner 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 )



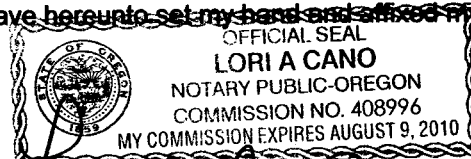
Lori A. Cano  
NOTARY PUBLIC FOR OREGON  
My Commission Expires August 9, 2010

**Certification**

On this 1<sup>st</sup> day of April, 2010, before me, the undersigned, Michael D. Gilliland 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 )



Lori A. Cano  
NOTARY PUBLIC FOR OREGON  
My Commission Expires August 9, 2010

**Certification**

On this 1<sup>st</sup> day of April, 2010, before me, the undersigned, Karim T. Gilliland 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 )



Lori A. Cano  
NOTARY PUBLIC FOR OREGON  
My Commission Expires August 9, 2010

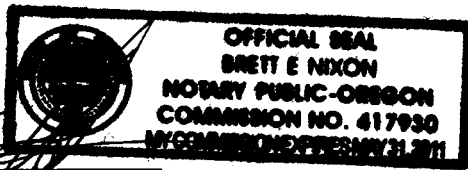
**Certification**

On this 7 day of March, 2010, before me, the undersigned, Betty Jo Toyne S 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 Washington )

Brett E Nixon  
NOTARY PUBLIC FOR OREGON  
My Commission Expires May 31, 2011




**Certification**

On this 5 day of April, 2010, before me, the undersigned, Kathryn Klases Carlson 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.

Washington  
STATE OF OREGON )ss  
COUNTY OF Benton )

Mateo  
NOTARY PUBLIC FOR OREGON Washington.  
My Commission Expires 05-19-2013



**Certification**

On this 1st day of April, 2010, before me, the undersigned, Dorcy D Paulso personally appeared, known to me to be the identical individual described in and who executed the same freely and voluntarily.

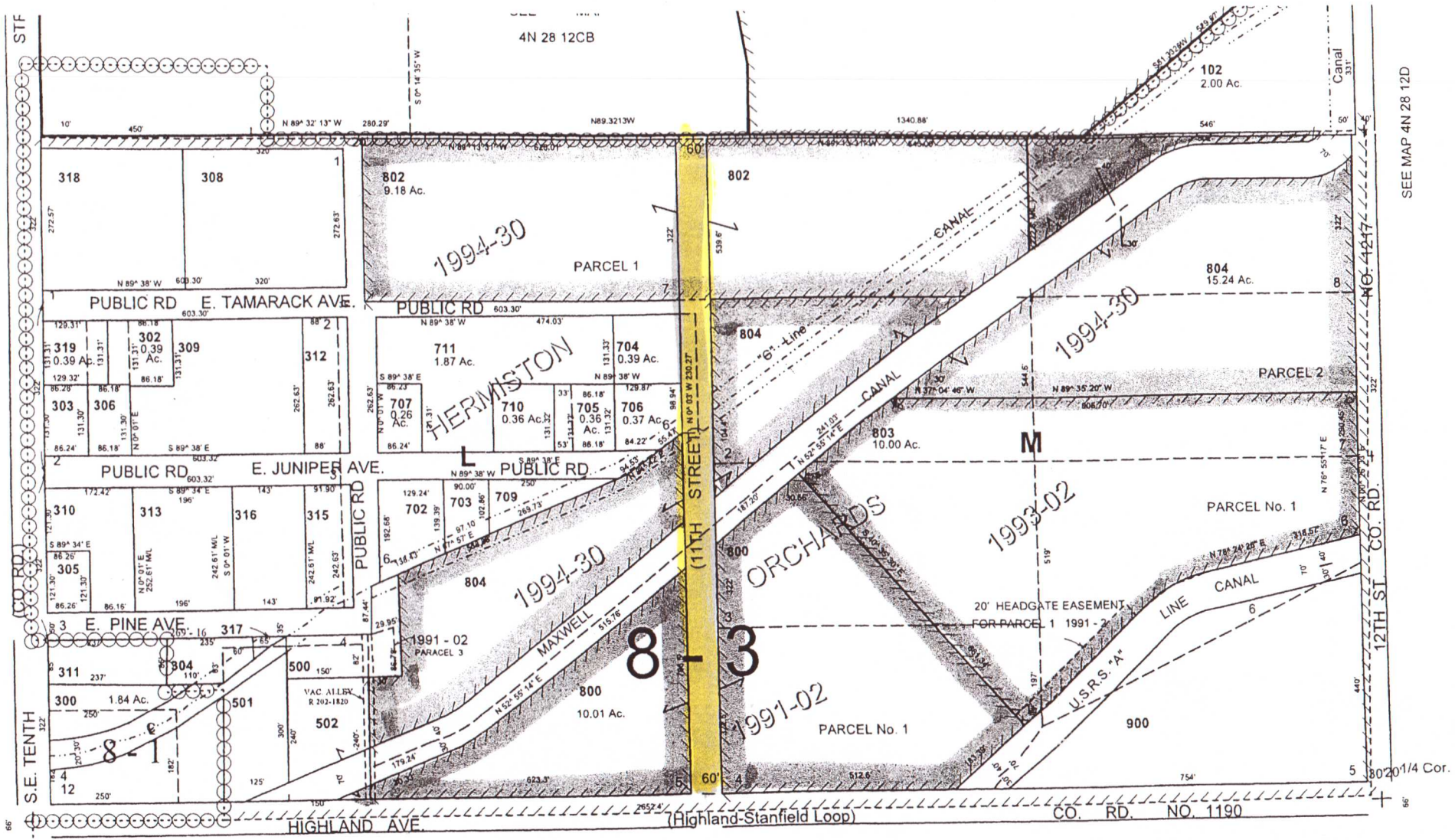
IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last written above.

STATE OF OREGON )ss  
COUNTY OF Umatilla )

Lori A Cano  
NOTARY PUBLIC FOR OREGON  
My Commission Expires August 9, 2010







SEE MAP 4N 28 12D

13  
BLUE

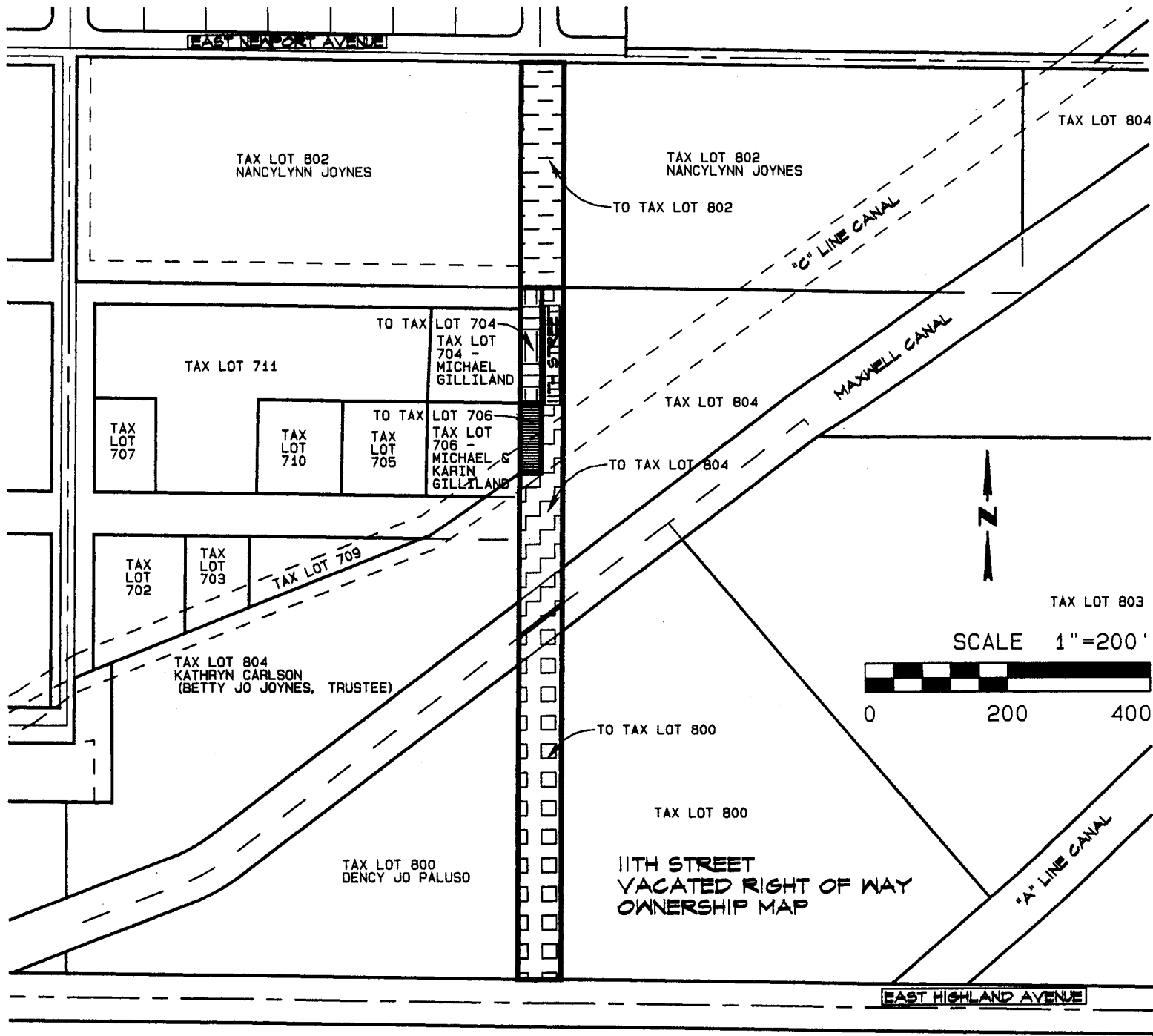
SEE MAP 4N 28 13BB

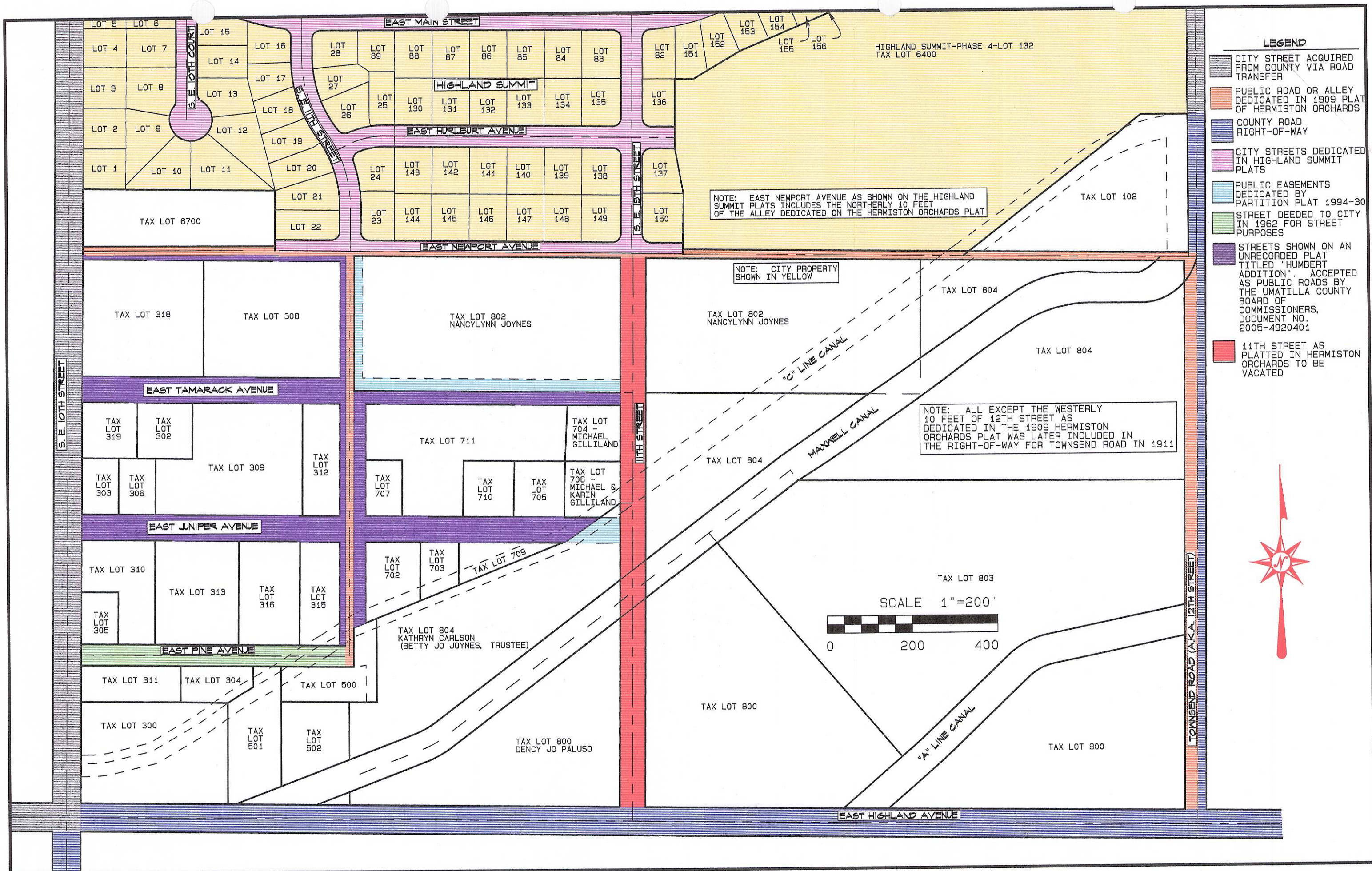
BLUE 800 = Dancy Jo Malone  
 ORANGE 802 = Nancy Ann Jaynes  
 GREEN 803 = Ben & Missy Doherty  
 PINK 804 = Betty Jo Jaynes (Crawford) & Kathryn Carver

SEE MAP 4N 28 13

4N 28 12C

DENNIS W. CONERT 567-4254 home  
 720-3744 cell





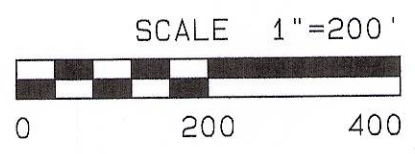
**LEGEND**

- CITY STREET ACQUIRED FROM COUNTY VIA ROAD TRANSFER
- PUBLIC ROAD OR ALLEY DEDICATED IN 1909 PLAT OF HERMISTON ORCHARDS
- COUNTY ROAD RIGHT-OF-WAY
- CITY STREETS DEDICATED IN HIGHLAND SUMMIT PLATS
- PUBLIC EASEMENTS DEDICATED BY PARTITION PLAT 1994-30
- STREET DEEDED TO CITY IN 1962 FOR STREET PURPOSES
- STREETS SHOWN ON AN UNRECORDED PLAT TITLED "HUMBERT ADDITION". ACCEPTED AS PUBLIC ROADS BY THE UMATILLA COUNTY BOARD OF COMMISSIONERS, DOCUMENT NO. 2005-4920401
- 11TH STREET AS PLATTED IN HERMISTON ORCHARDS TO BE VACATED

NOTE: EAST NEWPORT AVENUE AS SHOWN ON THE HIGHLAND SUMMIT PLATS INCLUDES THE NORTHERLY 10 FEET OF THE ALLEY DEDICATED ON THE HERMISTON ORCHARDS PLAT

NOTE: CITY PROPERTY SHOWN IN YELLOW

NOTE: ALL EXCEPT THE WESTERLY 10 FEET OF 12TH STREET AS DEDICATED IN THE 1909 HERMISTON ORCHARDS PLAT WAS LATER INCLUDED IN THE RIGHT-OF-WAY FOR TOWNSEND ROAD IN 1911





APPROXIMATE LOCATION OF  
11<sup>TH</sup> STREET CENTERLINE  
LOOKING NORTH FROM  
EAST HIGHLAND AVENUE

2010 4 8