

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR UMATILLA COUNTY, STATE OF OREGON

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FILED
J. DEAN FOUQUETTE, SR.
UMATILLA COUNTY CLERK
Gulyn B. Zimmerman, Rep.
1984 JUN 28 A 11:01

In the matter of the Legalization)
of County Roads 486 and 889,)
County of Umatilla, State of)
Oregon)

FINDINGS OF FACT
CONCLUSIONS OF LAW
ORDER OF LEGALIZATION

SYNOPSIS:

On February 1, 1984, the Umatilla County Board of Commissioners began the legalization proceedings for County Roads 486 and 889, as described in Exhibit "A", in Umatilla County, Oregon.

Pursuant to ORS 368.206, public hearings were held before the Umatilla County Board of Commissioners on March 7, 1984, and April 4, 1984. At the April 4, 1984, hearing, after consideration of all of the evidence presented, the Board of Commissioners approved the legalization of County Roads 486 and 889, as shown on Exhibit "A", making the following findings of fact and conclusions of law.

FINDINGS OF FACT

1. The Public Works Director determined that existing records on County Roads 486 and 889, are inaccurate and/or incomplete because the road as traveled and used for the past 10 years or more does not conform to the location of the roads described in county records.
2. On February 1, 1984, the Board of Commissioners signed an order initiating legalization proceedings and setting a date for the hearing to be held on the legalization of County Roads 486 and 889, for March 7, 1984, at 10:30 AM
3. Also on February 1, 1984, the Board of Commissioners signed an order directing the Public Works Director to survey the road. A survey had already been performed and is hereby referenced. For a copy of survey, see County Surveyor Records #84-41-C.
4. Notice of the March 7, 1984 and the April 4, 1984 hearings were given by the Umatilla County Public Works Director as follows: On February 2, 1984, notice of the hearing was posted at the east and west ends and at a place equidistance from the ends on the above referenced roads to be legalized. These notices remained posted in excess of 20 days. In addition, notice of the hearings was given by certified mail more than 30 days prior to the hearing, pursuant to ORS 368.406, to persons and interested parties as listed on Exhibit "B". Pursuant to ORS 368.416, a notice of the hearing was published twice in a newspaper of general circulation, once being more than 20 days prior to the hearing and once being within 10 days of the hearing.
5. At the March 7, 1984, and the April 4, 1984, hearings no challenges of bias, prejudice or personal interest were made to the qualifications of any Commissioners by any proponent or opponent of the proposed legalization.

6. No Board member disqualified himself due to any personal or other conflict of interest.

7. There were no objections to the jurisdiction of the Board to hear the matter.

8. At the commencement of each hearing, the presiding officer announced the nature and purpose of the hearing.

9. At the March 7, 1984, hearing, there were several objections to the legalization, however after some discussion with those persons objecting, the objections were withdrawn.

CONCLUSIONS OF LAW

1. Notice for all hearings was properly given pursuant to ORS 368.206.

2. The provisions of ORS 368.206 to ORS 368.221 were complied with in conducting the legalization hearings.

3. Because both County Roads 486 and 889, which are being legalized, serve the general public at this time, are of significant use to the county road system, and no other access is present for properties served by the roads, the legalization of the above referenced county roads will be in the public interest.

BASED on the above findings of fact and conclusions of law,


IT IS HEREBY ORDERED that the legalization of County Road 486 and 889, as described in Exhibit "A" is approved.

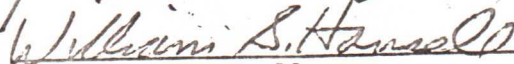
This order shall be final on the dated indicated below and shall become effective when filed with the County Clerk, County Surveyor, and County Assessor pursuant to ORS 368.356 (3).

Dated this 6th day of June, 1984.

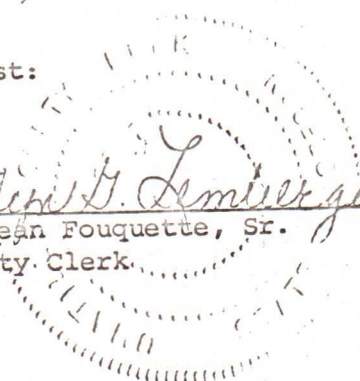
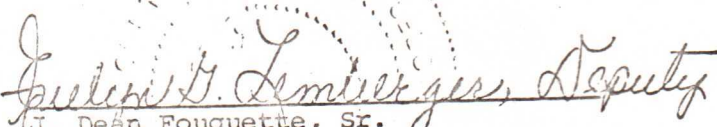
Umatilla County Board of Commissioners


A. L. Draper


Robert Ten Eyck


William S. Hansell

Attest:



J. Dean Fouquette, Sr.
County Clerk

Umatilla County Roads #486 and 889

A centerline description for a road being 40 feet in width lying in Sections 18,19,20,21, and 22, Township 6 North, Range 38 East, Umatilla County, Oregon being more particularly described as follows:

Commencing at a point on the Oregon-Washington Border, said point being North 48°46'04" West, a distance of 5116.56 feet from the corner common to Sections 18, 17, 19, and 20, Township 6 North, Range 38 East, WM; said point also being the True Point of Beginning for this description;

Thence South 29°14'31" East a distance of 500.75 feet, said point being North 89°39'30" East a distance of 34.17 feet from the Northwest corner of Lot 1, Block 1, Mill Creek Glen Second Addition; thence South 28°56'10" East a distance of 81.53 feet; thence along a 1160.00 foot radius curve to the left, the chord bears South 33°01'45" East a distance of 165.57 feet, an arc distance of 165.72 feet; thence South 37°07'20" East a distance of 759.46 feet; thence along a 380.00 foot radius curve to the left, the chord bears South 40°53'56" East, 50.06 feet, an arc distance of 50.10 feet; thence South 44°40'30" East a distance of 184.00 feet; thence along a 265.00 foot radius curve to the right, the chord bears South 26°13'52" East 167.68 feet, an arc distance of 170.61 feet, thence South 7°47'10" East a distance of 228.25 feet; thence along a 240.00 foot radius curve to the left, the chord bears South 23°19'38" East, 128.60 feet, an arc distance of 130.19 feet; thence South 38°52'00" East a distance of 162.87 feet; thence along a 385.00 foot radius curve to the left, the chord bears South 47°50'18" East 120.06 feet, an arc distance of 120.56 feet; thence South 56°48'30" East a distance of 113.52 feet; thence along a 665.00 foot radius curve to the right, the chord bears South 51°22'49" East 125.83 feet, an arc distance of 126.02 feet, thence South 45°57'00" East a distance of 411.33 feet; thence along a 5375.00 foot radius curve to the right, the chord bears South 43°28'48" East 463.55 feet, an arc distance of 463.72 feet; thence South 41°00'30" East a distance of 160.66 feet; thence along a 300.00 foot radius curve to the left, the chord bears South 58°07'00" East 176.51 feet, an arc distance of 179.16 feet; thence South 75°13'30" East a distance of 108.13 feet; thence along a 270.00 foot radius curve to the right, the chord bears South 61°53'05" East 124.60 feet, an arc distance of 125.73 feet, thence South 48°32'40" East a distance of 376.39 feet; thence along a 950 foot radius curve to the left, the chord bears 55°16'40" East 222.77 feet, an arc distance of 223.29 feet, said point being North 27°59'20" East 30.00 feet from the Initial Point of Mill Creek Glen First Addition, said Initial Point is South 74°22'30" West 806.98 feet from the Section Corner Common to Sections 18,17,19, and 20; continuing thence South 62°00'40" East a distance of 1495.82 feet; thence along a 370.00 foot radius curve to the left, the chord bears South 78°30'55" East 210.22 feet, an arc distance of 213.16 feet; thence North 84°58'50" East a distance of 96.47 feet; thence along a 591.84 foot radius curve to the right, the chord bears South 73°33'49" East 432.98 feet, an arc distance of 442.27 feet, thence continuing South 52°06'24" East a distance of 171.05 feet; thence along a 99.49 foot radius curve to the left, the chord bears South 88°03'13" East 116.80 feet, an arc distance of 124.83 feet; thence North 55°59'59" East a distance of 13.30 feet; thence along a 469.72 foot radius curve to the right, the chord bears North 70°37'30" East 237.20 feet, an arc distance of 239.80 feet; thence along a 478.38 foot radius

curve to the left, the chord bears North 72°37'30" East 209.12 feet, an arc distance of 210.82 feet; thence along a 466.74 foot radius curve to the right, the chord bears South 89°07'30" East, 479.03 feet, an arc distance of 503.02 feet, thence along a 403.48 foot radius curve to the left, the chord bears South 67°24'00" East 128.32 feet, an arc distance of 128.87 feet; thence South 76°33'00" East a distance of 1203.82 feet; thence along a 180.96 foot radius curve to the right, the chord bears South 55°46'30" East 128.37 feet, an arc distance of 131.23 feet; thence along a 368.04 foot radius curve to the left, the chord bears South 68°22'30" East, 404.93 feet, an arc distance of 428.77 feet; thence along a 432.38 foot radius curve to the right, the chord bears South 86°52'30" East 221.99, an arc distance of 224.50 feet; thence along a 152.96 foot radius curve to the left, the chord bears North 87°22'30" East 107.76 feet, an arc distance of 110.13 feet; thence North 66°45'00" East a distance of 75.06 feet; thence along a 431.01 foot radius curve to the right, the chord bears South 87°49'54" East 370.00 feet, an arc distance of 382.43 feet; thence South 62°24'47" East a distance of 321.23 feet; thence along a 174.29 foot radius curve to the left, the chord bears North 84°40'06" East 189.43 feet, an arc distance of 200.27; thence along a 935.06 foot radius curve to the right, the chord bears North 70°10'13" East 590.93 feet, an arc distance of 601.24 feet; thence North 88°35'26" East a distance of 309.17 feet; thence along a 1129.17 foot radius curve to the left, the chord bears North 82°25'13" East 242.70 feet, an arc distance of 243.17 feet; thence North 76°15'00" East a distance of 842.00 feet; thence along a 622.35 foot radius curve to the right, the chord bears South 87°07'23" East 356.16 feet, an arc distance of 361.20 feet; thence South 70°29'46" East a distance of 90.01 feet; thence along a 296.94 foot radius curve to the left, the chord bears North 88°00'29" East, 217.62 feet, an arc distance of 222.81 feet; thence North 66°30'43" East a distance of 104.22 feet; thence along a 155.57 foot radius curve to the left, the chord bears North 40°46'25" East 135.12 feet, an arc distance of 139.77 feet; thence along a 332.01 foot radius curve to the right, the chord bears North 51°28'09" East 394.36 feet, an arc distance of 422.25 feet; thence North 87°54'13" East a distance of 414.38 feet; thence along a 1495.03 foot radius curve to the left, the chord bears North 74°19'37" East 701.91 feet, an arc distance of 708.53 feet; thence along a 560.24 foot radius curve to the right, the chord bears South 86°55'53" East 599.04 feet, an arc distance of 632.03 feet; thence South 54°36'45" East a distance of 213.39 feet; thence along a 155.89 foot radius curve to the left, the chord bears North 70°51'49" East 253.91 feet, an arc distance of 296.70 feet; thence North 16°20'22" East a distance of 60.00 feet; thence along a 137.38 foot radius curve to the right, the chord bears North 37°45'23" East 100.33 feet, an arc distance of 102.71 feet; thence North 59°10'25" East a distance of 69.16 feet; thence along a 308.61 foot radius curve to the right, the chord bears North 74°35'13" East 164.04 feet, an arc distance of 166.04 feet to the Terminus Point for this description, said point being South 87°06'18" East a distance of 10936.45 feet from the corner common to Sections 18,17,19, and 20.

All being in the County of Umatilla, State of Oregon

EXHIBIT "B"

Donald and Bernice Anderson	411 E. 7th	Moscow, Id. 83843
Michael and Peggy Austin	29 S. Clinton	WW
Milton and Elva Bair	1709 Evergreen St.	WW
Marcia Baker	P.O. Box 3074	Wenatchee, Wa 98801
Ralph Baldwin 3rd	2101 N. 30th	Tacoma, Wa 98403
William Bean and Amy Ramm	P.O. Box 252	WW
Blue Mt. Gateways, Inc.	609 S. Division	WW
Boise Cascade Corp	P.O. Box 610	LaGrande, Or. 97850
Jack and Alice Bond	209 N. Blue	WW
Richard and Fairy Brown	1239 Alvarado T.	WW
Daniel and Barbara Clark	P.O. Box 1222	WW
Carlton and Jean Conkey	Rt 5 Box 124-V	WW
Herbert and Adele Conway	911 Chestnut	Richland, Wa 99352
Charles Crow	P.O. Box 3066	Gresham, Or 97030
Daryl DeBeaumont	1825 Pike Pl.	WW
Donald and Gaynell Denchel	No Address Given	
George and Grances Dietrich	P.O. Box 269	WW
Errol and Bertha Downing		
c/o Robert and Judy Devel	Rt 4 Box 595	WW
Ray Dunn	Rt 4 Box 608	WW
Helen Eberly	711 S. Third	WW
David Edwards, etal	29004 Seventh Pl.S.	Federal Way, Wa 98802
James Erwin	2152 Crawford Dr.	WW
Zita Eyraud		
c/o Dennis Dietrich	P.O. Box 269	WW
James and Patricia Filsinger	1307 Marshall	Richland, Wa 99352
Nolan and Lee Finch	1314 Monroe	WW
Richard and Paula Finch	Rt 4 Box 454	WW
Melvin and Margie Franchiseur	3501 W. Canal Dr.	Kennewick, Wa 99336
William Garland	207-209 Dietz Bldg	Bremerton, Wa 98310
K. Geitner and A. Superfisky		
c/o Dennis Dietrich	P.O. Box 269	WW
Marshall and Bernice Gilcher	Rt 4 Box 500	WW
Richard and Beverly Gilman	609 S. Division	WW
John and Agnes Greer	1036 Birch	Richland, Wa. 99352
Robert and Olive Griess	Rt 2 Box 41-A	Milton-Freewater, Or.
Milton and Norma Harrington		
c/o Tyrone and L. Watts, etal	1006 Waverly	WW
Rush and Lois Higgenbotham	Rt 1 Box 18	Touchet, Wa. 99360
Illahee House Assn		
c/o R. Reid, Treas	Whitman College	WW
Gabe and Margaret Joseph	320 N. Division	
Robert and Ruth Junkins	54 Allandale Rd	Philadelphia, Pa 19151
Lester and Doris Keen	1229 Bonsella St.	WW
Joseph Kirkman	Rt 3 Box 313	WW
Delbert Klicker Estate		
c/o Richar and Beverly	609 S. Division	WW

Delbert Klicker Estate c/o David and Lanna Steemer ;	626 Hope	WW	
Donald and Jacqueline Klicker	Rt 4	WW	
Jacob Klicker etal	Rt 4 Box 236	WW	
Phillip Klicker etal	Rt 4 Box 236	WW	
Richard Klicker, etal c/o Mary Wilson etal	362 N. State St.		Lake Oswego, Or 97034
Richard Klicker, etal c/o Blue Mt. Gateways, Inc.	4220 W. Ruby St.		Pasco, Wa 99301
Richard Klicker etal c/o James and Shirley Irwin	2152 Crawford Dr.	WW	
Richard Klicker	Rt 4 Box 236	WW	
William and Dorothy Klinger	P.O. Box 768		Shoshone, Id 83352
Kenyon and Madelyn Knopf c/o Vickie Scuri	602 Boyer	WW	
Kenyon and Madelyn Knopf	602 Boyer Ave #5-A	WW	
Russel and Bertha Larsen	11 Newell	WW	
Edner Leek	1698 Greenwood Rd.		Pleasanton Ca 94566
Harley and Inge Leigh	1818 Mahan		Richland, Wa 99352
A. M. and Selma Lodmell	339 Locust St.	WW	
Elizabeth McFarland	P.O. Box 1142	WW	
W. H. and Rose Mills	1825 M. Waitsburg	WW	
R. F. and Michael Monahan c/o James and Brenda Kessie	7420 W. 10th		Kennewick, Wa 99336
Orville and Yvonne Murray	115 Cascade Dr.	WW	
Katherine Myers c/o R and R Enterprises	P.O. Box 536		Kennewick, Wa 99336
Margaret New Heirs c/o David New	18750 Marylhurst Ct.		West Linn, Or 97068
Dennis and Juliann Norby	1340 Havstad Dr.	WW	
Edward and Bonnie O'Bannon	Rt 3 Box 3433		Kennewick, Wa 99337
Owen and Marjorie O'Connell	6421 W. Victoria		Kennewick, As 99336
Jack and Mary Pelton	P.O. Box 1135	WW	
Fred and Oretta Phillips	P.O. Box 1968	WW	
Richard and Shirley Phillips	Rt 5 Box 160	WW	
James and Opal Powell c/o Richard Gillard	14110 112th Ave. Ct.		Puyallup, Wa 98373
Charles and Mary Putman	Rt 1 Box 266	WW	
Burdette and Mary Rawlings	P.O. Box 1252	WW	
Rudy Ray	1019 Francis St.	WW	
Kenneth and Shirley Reardon	Rt 1 Ells 40	WW	99362
Alfred and Winifred Reed etal c/o Geo Reed	P.O. Box 114		Burbank, Wa 99323
Loren and Dorothy Russell	2254 E. Isaacs Ave.	WW	
Donald Schmidt	P.O. Box 1732	WW	
John and Mary Schneidmiller	911 Martin Dr.	WW	
SDA Church Southern Cal. Assn. c/o Verchel and Esther Wood	1325 Kincaid St.		Redlands Ca. 92737
Thomas and June Stallwood	1415 Woodbury		Richland, Wa 99352
David and Nell Stevens	Rt 4	WW	
Ralph and Bernice Stevens	1609 Fern Ave.	WW	

Winfred and Beverly Stocker
 c/o Clyde and Barb Peterson
 Phil and Shirley True
 USA, Umatilla National Forest
 City of Walla Walla
 Walla Walla Kiwanis Club
 Wallace and Xenia Warwick
 Western United Life Assurance
 c/o Robert and Judith Moore
 B. G. and Roberta Wheeler
 c/o Mrs. Bruce Wheeler
 Lina Wingfield
 Earl and Arlyne Witt
 c/o Wallace and Xenia Warwick
 Robert and Maxine Wood
 Robert Wright etal

Pacific NW Bell
 Umatilla Co. Planning Dept.
 Pacific Power

Truman and Carolyn Wingfield
 Robert and Le Ellen Bradshaw
 Blaise and Mary Grden
 Timothy and Sharon Brown
 Miles and Jeanine King
 Joseph and Lucy Dayton
 Louise Austin
 Robert and Daurice Rittenhouse
 William and Carla Wiebe
 Larry and Patricia Allen
 Raymond and L.M. DeBevec
 Katherine Jacobs VanBuren
 Steven Kimball
 Gregory and Linda Brown
 John Winter
 c/o Patrick Tyson
 Arthur and Lucile Rempel
 Gordon and Virginia Scribner
 John and Mary Emigh
 Catherine Wheeler
 John Schwarz
 Richard Schwarz
 Adolph Schwarz
 c/o Henry Schwarz
 Michael and Susan Gillespie
 Pacific Northwest Bell
 Pacific Power
 Umatilla County Planning Commission

318 W. Main WW
 1025 Birch Richland, Wa 99352
 Dept. of Agri. Salem, Oregon 97310
 P.O. Box 478 WW
 WW
 P.O. Box 1661 WW

1113 Elm Richland, Wa 99352

311 Armstead St. Richland, Wa 99352
 1317 Farrell Lane Richland, Wa 99352

510 Menio St. WW
 Rt 3 Box 145A Milton-Freewater, Or.
 Box 337 Lind, Wa 99341

102 E. Alder WW
 P.O. Box 1427 Pendleton, Or. 97801
 27 N. Second Ave. WW

Rt 4 Box 405 WW
 Pateros, Wa 98846

Rt 4 Box 415 WW
 Rt 4 Mill Cr. Glen WW
 4010 Nixon Pasco, Wa 99301
 P.O. Box 1855 WW
 29 S. Clinton WW
 P.O. Box 2012 WW
 1982-B Van Vorhis Fort Eustis, Va 236
 10712 51st Ave. S. Seattle, Wa. 98178
 2420 Rd 72 Pasco, Wa. 99301
 231 Stone St. WW
 1210 Pleasant St. WW
 1135 Alvarado T. WW

Whitman College- Geology Dept. WW
 635 University St. WW
 107 Brookside Dr. WW
 711 N. Rose WW
 205 Brock WW
 Box 214 NimsheW Stage Chico, Cal 95926
 1505 Sunset Dr. WW

3434 South 144th Apt. 138 Seattle, Wa 981
 101 Brookside Dr. WW
 102 E. Alder St. WW
 27 North Second Av. WW
 P.O. Box 1427 Pendleton

WW= Walla Walla Washington