



THE BOARD OF COMMISSIONERS OF UMATILLA COUNTY

STATE OF OREGON

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NOV 03 2011

UMATILLA COUNTY RECORDS

In the Matter of Withdrawal of)
County Road Status of County) ORDER NO. RD2011-09
Road No. 917 (Iskuulpa Creek)
Road))

WHEREAS County Road No. 917 (Iskuulpa Creek Road) is a Public Road approximately 3.9 miles in length, with a width of 40 feet, located in Section 36, Township 3 North, Range 35, E.W.M. and Sections 1, 2, 11, 14, and 23, Township 2 North, Range 35, E.W.M., and has also been identified as Old County Road No. 911;

WHEREAS the Confederated Tribes of the Umatilla Indian Reservation (CTUIR), requested that the County transfer jurisdiction of Iskuulpa Creek Road;

WHEREAS on August 15, 2011, an agreement was signed in which the county agreed to initiate action to remove the road from County jurisdiction, and on completion of the removal, tender jurisdiction of the road to the CTUIR;

WHEREAS the Board of Commissioners, pursuant to ORS 368.026, initiated proceedings for withdrawal by requesting the Umatilla County Public Works Department to prepare a report stating the reasons for and effects of the proposed withdrawal;

WHEREAS a public hearing on the proposed withdrawal was set for November 2, 2011;

WHEREAS notice of the public hearing was published in the East Oregonian and mailed to abutting land owners;

WHEREAS the Umatilla County Public Works Department prepared a Report on Withdrawal of County Road Status from County Road No. 917, Iskuulpa Creek Road, and the report was available for access by interested parties.

NOW THEREFORE, the Board of Commissioners orders that:

1. The Road Official's Report on Withdrawal of County Road Status from County Road No. 917, Iskuulpa Creek Road, dated October, 2011, is accepted, and is incorporated into this order by

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this reference.

2. The reason for withdrawal of the County Road Status is to enable the jurisdiction of the road be transferred to the CTUIR. The road provides access to an important area of the Reservation, and a majority of land abutting the road is owned by the CTUIR or its members. The withdrawal will have minimal impact, and the CTUIR is willing to maintain the road.

3. County Road status is withdrawn from County Road No. 917, also known as Iskuulpa Creek Road, more particularly described as follows:

A 40-foot wide road located in Section 36, Township 3 North, Range 35 E.W.M. and Sections 1, 2, 11, 14, and 23, Township 2 North, Range 35 E. W. M., said road beginning at a point assigned Engineer's Station 0+00.00 on the centerline of County Road No. 900 (Bingham Road) in the Northwest Quarter of Section 36, Township 3 North, Range 35, E.W.M. and running in a southerly direction for approximately 3.89 miles to its terminus at a point assigned Engineer's Station 204+87.3 in the Northeast Quarter of Section 23, Township 2 North, Range 35, E. W. M. The survey of the road is shown on a plat by the Umatilla Indian Agency Road Department dated December, 1933 and approved by the B. I. A. Commissioner.

4. Upon this withdrawal, the improvement, the construction and the repair of County Road No. 917 by Umatilla County shall cease.

5. The withdrawal does not change the status of the road as a Public Road, and the property described in paragraph 3 shall remain a Public Road, over which the public has a right of use.

6. Jurisdiction over Iskuulpa Creek Road is tendered to the Confederated Tribes of the Umatilla Indian Reservation.

DATED this 2nd day of November, 2011.

UMATILLA COUNTY BOARD OF COMMISSIONERS

William S. Hansell
William S. Hansell, Chair





2011-5840450 3 of 3

W. Lawrence Givens
W. Lawrence Givens, Commissioner

ABSENT

Dennis D. Doherty, Commissioner



ATTEST:
OFFICE OF COUNTY RECORDS

Jean Hemphill
Records Officer



State of Oregon)
County of Umatilla)

This instrument was received
and recorded on

11-03-11 at 3:45

in the record of instrument
code type DE-ORDER

Instrument Number 2011-5840450
Fee 0.00

Office of County Records

Jean Hemphill
Records Officer