



THE BOARD OF COMMISSIONERS OF UMATILLA COUNTY

STATE OF OREGON

In the Matter of Vacation of)
a Portion of Old County Road) ORDER NO. RD2011-03
No. 407 in the City of Adams)

WHEREAS, pursuant to ORS 368.341, the Umatilla County Board of Commissioners received and accepted a petition from the owner of 100 percent of the abutting property, to initiate proceedings to vacate a portion of County Road No. 407, located in City of Adams; and

WHEREAS, on October 11, 1939, a Final Order was adopted by the Umatilla County Court, vacating a portion of County Road No. 407, but due to an incorrect legal description, this portion of the road was not vacated; and

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, has recommended that the road be vacated; and

WHEREAS ORS 368.351 allows a county governing body to vacate public property without holding a public hearing if the petition to vacate contains signatures of 100 percent of owners of property abutting a proposed vacation.

NOW THEREFORE, the Board of Commissioners orders that:

1. The portion of old County Road No. 407 described as follows is vacated:

A strip of land located in the Southeast Quarter of Section 4 and the Southwest Quarter of Section 3, Township 3 North, Range 34, East of the Willamette Meridian, Umatilla County, Oregon being more particularly described as:

All that portion of that road known as County Road No. 407 (now known as County Road 925) as said road was



established by final order recorded on November 12, 1892 in Commissioners Journal I at Page 350, lying on, over and across that tract of land commonly referred to as the "Depot Grounds" granted to the Oregon Railway & Navigation Company by the Act of October 17, 1888 (25 Stat. 558), and approved by the Commissioner of Indian Affairs on March 7, 1891, as recorded in Book 128, Page 250 of the Umatilla County, Oregon Deed Records, said Depot Grounds being described as follows: Commencing at a point one thousand and thirty eight and one half feet (1038.5') North of the Southeast corner of Section 4, Township 3 North, Range 34, East of the Willamette Meridian, and on the East line of said Section 4; thence North fifty-seven degrees West two hundred and fifty and three tenths feet (250.3') to a point three hundred and fourteen and eight tenths feet (314.8') from the main track of the Oregon Railway and Navigation Company's railroad; thence North thirty-three degrees East one thousand and fifty feet (1050') on a line parallel with the main track of said railroad at this point; thence South fifty-seven degrees East four hundred and fourteen and eight tenths feet (414.8'); thence South thirty-three degrees West one thousand and fifty feet (1050'); thence North fifty-seven degrees West one hundred feet (100') to the center of the main track of said railroad; thence North fifty-seven degrees West sixty-four and one half feet (64.5') to the place of beginning.

2. Ownership of the vacated right-of-way shall vest with Eric C. Sederburg dba Eastern Oregon Custom Milling, and acreage shall be added to Umatilla County Tax Lot 3N3403-600.

3. Pursuant to ORS 368.361(3), this matter will be referred to the City of Adams for concurrence of findings for this vacation.

DATED this 4th day of May, 2011.

UMATILLA COUNTY BOARD OF COMMISSIONERS

William S. Hansell
 William S. Hansell, Chair





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W. Lawrence Givens

W. Lawrence Givens, Commissioner

Dennis D. Doherty

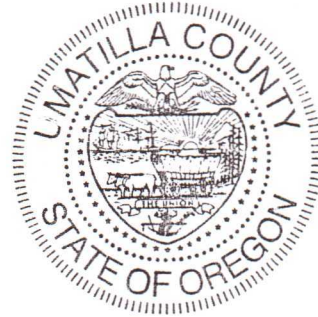
Dennis D. Doherty, Commissioner



ATTEST:
OFFICE OF COUNTY RECORDS

Gene Churchill

Records Officer





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RESOLUTION NO. 11-09

BE IT RESOLVED that the City of Adams do hereby resolve as follows:

The City of Adams concurs with The Board of Commissioners of Umatilla County, State of Oregon, Order No. RD2011-03 in the matter of vacation of a portion of Old County Road No. 407 in the City of Adams.

Ownership of the vacated right-of-way shall vest with Eric C. Sederburg dba Eastern Oregon Custom Milling, and acreage shall be added to Umatilla County Tax Lot 3N3403-600.

PASSED BY THE COMMON COUNCIL this 11th day of May, 2011.

Carie Bennett
Recorder

Dave Holm pro tem
Mayor

State of Oregon)
County of Umatilla)

This instrument was received
and recorded on

05-13-11 at 3:35

in the record of instrument
code type DE-ORDER

Instrument Number 2011-5780458
Fee 0.00

Office of County Records

John Hemphill
Records Officer