

FROM (DEPT/ DIVISION): County Counsel

SUBJECT: County Road No. 635 Vacation

<p>Background: The County received a petition from property owners adjacent to County Road No. 635 (Rayborn Canyon Road) to vacate a portion of the road. Since all of the adjoining property owners signed the petition, a public hearing is not needed. A Road Vacation Report is submitted from the Public Works Department, recommending that the road be vacated. The petition is before the Board for consideration.</p>	<p>Requested Action: Adopt Order No. RD2022-04</p>
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ATTACHMENTS: Petition; Report; Proposed Order

\*\*\*\*\*For Internal Use Only\*\*\*\*\*

Checkoffs:

- ( ) Dept. Heard (copy)
- ( ) Human Resources (copy)
- ( ) Fiscal
- ( X ) Legal (copy)
- ( ) (Other - List:)

To be notified of Meeting:  
Tom Fellows

Needed at Meeting:

\*\*\*\*\*

Scheduled for meeting on: May 24, 2022

Action taken:

\*\*\*\*\*

Follow-up:

# Monahan, Grove & Tucker

Attorneys At Law

105 North Main Milton-Freewater, OR 97862

Samuel E. Tucker  
Molly Tucker Hasenbank  
Brooklynn Armesto-Larson

Phone: (541) 938-3377 Fax: (541) 938-6112  
sam@mgtlegal.com molly@mgtlegal.com brooklynn@mgtlegal.com

Kittee Custer, Of Counsel  
John U. Grove, Deceased  
J.T. Monahan, Deceased

April 11, 2022

Umatilla County Public Works Road Department  
390 Westgate Street  
Pendleton, OR 97801

RE: Road Vacation

Dear friends:

Enclosed is a petition to vacate a road on Weston Mt. Enclosed is your \$500.00 check. Please proceed with the vacation. We also enclose a \$20.00 check to the Umatilla County Clerks Office for recording.

Please proceed with this vacation process. Contact me if there is any question or problem.

Sincerely,

MONAHAN, GROVE & TUCKER



Sam Tucker  
ST:sa  
Enclosures:

c : Jerry R. Nance and Patricia J Nance

Tom Reitmann and Katherine M Cook

**PETITION FOR VACATION**

**TO THE BOARD OF COUNTY COMMISSIONERS FOR UMATILLA COUNTY, OREGON, IN THE MATTER OF THE VACATION OF**

**Umatilla County Road 635, formerly known as County Road # 354, South of Highway 204**

We, Jerry R. Nance, Patricia J. Nance, Tom Rietman, and Katherine Cook , petition the Board of County Commissioners of Umatilla County , Oregon to vacate portion of County road 635, , more particularly described as follows:

Umatilla County Road 635, formerly County Road 354, South of Highway 204. See attached portion of Wells Survey / Umatilla County Survey #21-137-C

**II**

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

**III  
(attached)**

No portion of the street 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 property are: ( attach extra page if necessary )

HOW PROPERTY IS USED  
CONDITION OF PROPERTY  
REASON FOR VACATION

County Road abandoned many years ago.  
Access to Rietmann now granted through easement  
recorded at Umatilla County Instrument No. 2022-7360543

**V**

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

Jerry R. Nance and Patricia J. Nance

Tom Rietmann and Katherine M. Cook

55916 Hwy 204

P.O. Box 446

Weston, OR 97886

Condon, OR 97823

- To be included if all property owners petition.

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.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

**PETITIONERS**

<b>NAME</b>	<b>ADDRESS</b>	<b>T.L.</b>
Jerry Nance and	55916 Hwy 204	4N 36
Patricia Nance	Weston, OR 97838	28 Tax Lot 100
<i>Jerry Nance</i>		
<i>Patricia Nance</i>		
Tom Rietmann and	P.O. Box 446	4N 36 28
Katherine Cook	Condon, OR 97823	Tax Lot 1200
<i>Tom Rietmann</i>		
<i>Katherine Cook</i>		

**NOTE:** All petitions must be accompanied by a \$ 500.00 recording fee. If petitions for vacation is granted and a \$ 20.00 recording fee. This is to be paid by the petitioners and must be prepaid. If vacation is located in a subdivision , an additional \$ 12.00 survey fee is due.

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.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

**PETITIONERS**

<b>NAME</b>	<b>ADDRESS</b>	<b>T.L.</b>
Jerry Nance and	55916 Hwy 204	4N 36
Patricia Nance	Weston, OR 97838	28 Tax Lot 100
<i>Jerry Nance</i>		
<i>Patricia Nance</i>		
Tom Rietmann and	P.O. Box 446	4N 36 28
Katherine Cook	Condon, OR 97823	Tax Lot 1200

**NOTE:** All petitions must be accompanied by a \$ 500.00 recording fee. If petitions for vacation is granted and a \$ 20.00 recording fee. This is to be paid by the petitioners and must be prepaid. If vacation is located in a subdivision , an additional \$ 12.00 survey fee is due.

**Certification**

On this 4th day of March, 2022, before me, the undersigned, Jerry Nance, 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 )

Jill Kristin Verkist  
NOTARY PUBLIC FOR OREGON  
My Commission Expires 11/20/23



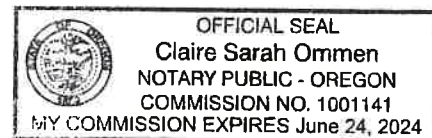
**Certification**

On this 16th day of March, 2022, before me, the undersigned, Patricia Nance, 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 )

Claire Sarah Ommen  
NOTARY PUBLIC FOR OREGON  
My Commission Expires 06/24/2024



**Certification**

On this \_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, the undersigned, \_\_\_\_\_, 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 \_\_\_\_\_ )

\_\_\_\_\_  
NOTARY PUBLIC FOR OREGON  
My Commission Expires \_\_\_\_\_

**Certification**

On this 5 day of April, 2022 before me, the undersigned Katherine Cook 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 )  
COUNTY OF William )



Danielle Hunt

NOTARY PUBLIC FOR OREGON  
My Commission Expires April 13, 2025

**Certification**

On this \_\_\_ day of \_\_\_, 2022, before me, the undersigned, \_\_\_\_\_ 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 )  
COUNTY OF \_\_\_\_\_ )

\_\_\_\_\_  
NOTARY PUBLIC FOR OREGON  
My Commission Expires \_\_\_\_\_

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STATE OF OREGON )  
COUNTY OF \_\_\_\_\_ )

\_\_\_\_\_  
NOTARY PUBLIC FOR OREGON  
My Commission Expires \_\_\_\_\_

**Certification**

On this 4<sup>th</sup> day of March 2022, before me, the undersigned, Jerry Nance, 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 )  
COUNTY OF Umatilla ) ss

Jill Verkist  
NOTARY PUBLIC FOR OREGON

My Commission Expires 11/20/23



**Certification**

On this 16<sup>th</sup> day of March 2022, before me, the undersigned, Patricia Nance, 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 )  
COUNTY OF Umatilla ) ss

Claire Sarah Ommen  
NOTARY PUBLIC FOR OREGON

My Commission Expires June 24, 2024



**Certification**

On this 5 day of April 2022, before me, the undersigned, Thomas Rietman, 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 )  
COUNTY OF Gilliam ) ss

Danielle Hunt  
NOTARY PUBLIC FOR OREGON

My Commission Expires April 13, 2025

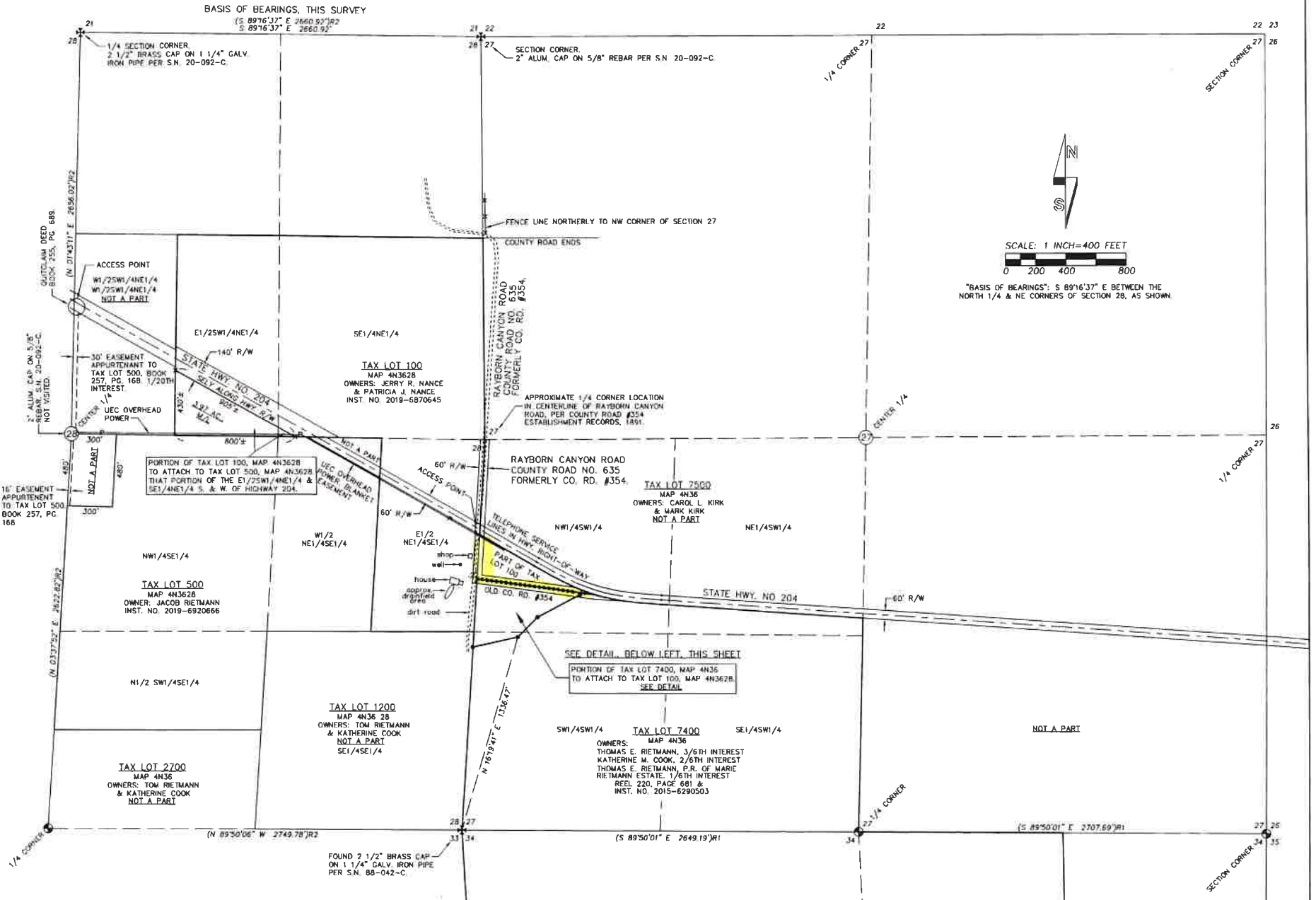
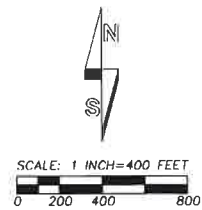




# RECORD OF SURVEY FOR PROPERTY LINE ADJUSTMENT

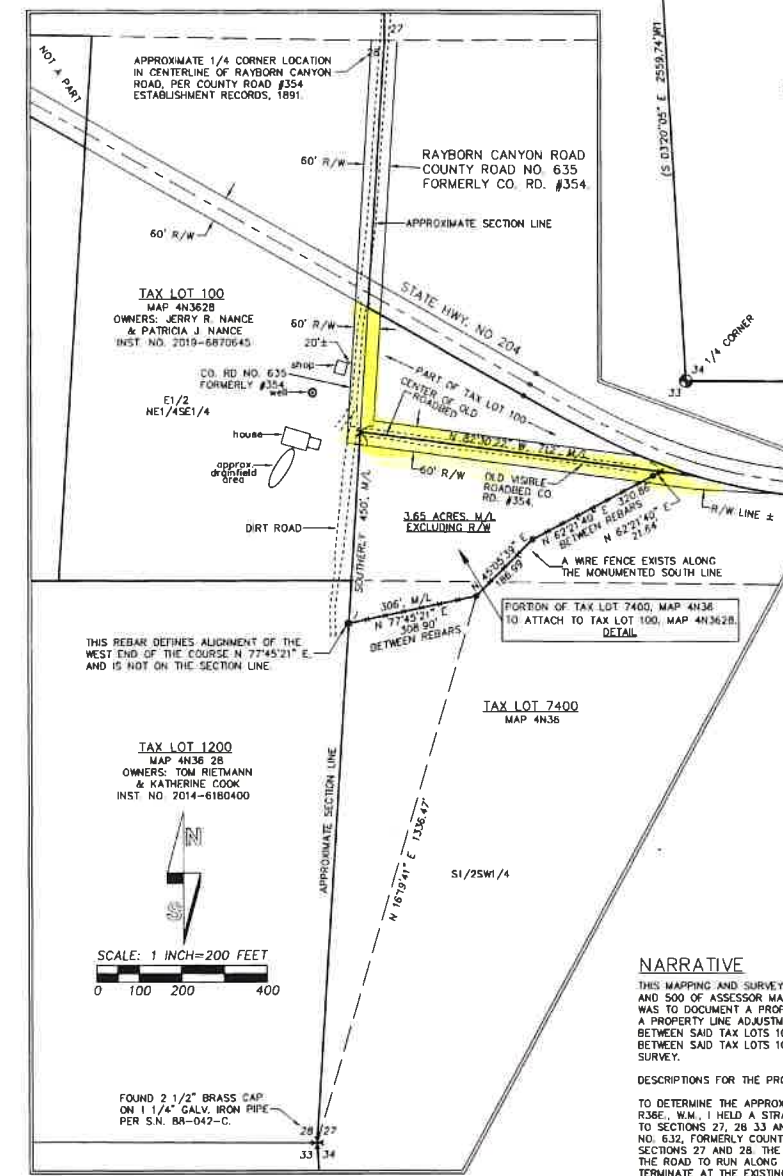
JULY, 2021

BASIS OF BEARINGS, THIS SURVEY  
(S 89°16'37" E 2660.97' R2  
S 89°16'37" E 2660.97'



**PROPERTY LINE ADJUSTMENT AREA SUMMARY**  
 PORTION OF TAX LOT 100, MAP 4N3628 TO ATTACH TO TAX LOT 500, MAP 4N3628 = 3.97 ACRES, M/L  
 REVISED AREA OF TAX LOT 500, MAP 4N3628 = 76.04 ACRES + 3.97 ACRES = 80.01 ACRES, M/L  
 PORTION OF TAX LOT 7400, MAP 4N36 TO ATTACH TO TAX LOT 100, MAP 4N3628 = 3.65 ACRES, M/L  
 REVISED AREA OF TAX LOT 7400, MAP 4N36 = 373.31 ACRES - 3.65 ACRES = 369.66 ACRES, M/L  
 REVISED AREA OF TAX LOT 100, MAP 4N3628 = 75.73 ACRES - 3.97 ACRES + 3.65 ACRES = 75.41 ACRES, M/L

- LEGEND**
- - SET 5/8 BY 24" REBAR WITH 1 1/4" RED PLASTIC CAP MARKED "OR PLS 1106 WA PLS 17372"
  - ✱ - SECTION OR 1/4 SECTION CORNER MONUMENT AS DESCRIBED.
  - x - COMPUTED OR MAPPING POINT ONLY, NOT SET OR FOUND.
  - ⊙ - BRASS CAP MONUMENT OF RECORD, PER S.N. 88-042-C. NOT VISITED.
  - (XXX)R1 - RECORD DIMENSION PER SURVEY NO. 88-042-C.
  - (XXX)R2 - RECORD DIMENSION PER SURVEY NO. 20-092-C.
  - S.N. - INDICATES SURVEY NUMBER OF RECORD SURVEY IN COUNTY SURVEYORS OFFICE.
  - R/W - INDICATES RIGHT-OF-WAY.



**NARRATIVE**  
 THIS MAPPING AND SURVEY WAS MADE AT THE REQUEST OF THE OWNERS OF TAX LOTS 100 AND 500 OF ASSESSOR MAP 4N3628 AND TAX LOT 7400, ASSESSOR MAP 4N36. THE PURPOSE WAS TO DOCUMENT A PROPERTY LINE ADJUSTMENT BETWEEN SAID TAX LOTS 100 AND 500 AND A PROPERTY LINE ADJUSTMENT BETWEEN SAID TAX LOTS 100 AND 7400. THE ADJUSTMENT BETWEEN SAID TAX LOTS 100 AND 500 WAS MAPPED BUT NOT SURVEYED. THE ADJUSTMENT BETWEEN SAID TAX LOTS 100 AND 7400 IS SURVEYED AS SHOWN ON THIS RECORD OF SURVEY.  
 DESCRIPTIONS FOR THE PROPERTY LINE ADJUSTMENTS ARE PREPARED SEPARATELY.  
 TO DETERMINE THE APPROXIMATE SECTION LINE BETWEEN SECTIONS 27 AND 28, T4N, R36E, W.M. I HELD A STRAIGHT LINE BETWEEN THE RECOVERED SECTION CORNER COMMON TO SECTIONS 27, 28, 33 AND 34 AND THE CENTERLINE OF EXISTING RAYBORN CANYON ROAD NO. 632, FORMERLY COUNTY ROAD NO. 354 AT THE 1/4 CORNER POSITION BETWEEN SECTIONS 27 AND 28. THE ROAD VIEWER'S REPORT FOR COUNTY ROAD NO. 354 CALLS FOR THE ROAD TO RUN ALONG THE SECTION LINE COMMON TO SECTIONS 27 AND 28, AND TERMINATE AT THE EXISTING COUNTY ROAD AT THE SW CORNER OF THE NW1/4 OF THE NW1/4 OF SECTION 27. THE EXISTING ROAD NORTH OF THE 1/4 CORNER POSITION BETWEEN SECTIONS 27 AND 28 APPEARS TO FOLLOW THE NORTHERLY PROJECTION OF ROAD NO. 835 FROM STATE HIGHWAY 204 THROUGH THE 1/4 CORNER POSITION BETWEEN SECTIONS 27 AND 28. I HAD PREVIOUSLY SEARCHED FOR EVIDENCE OF THE ORIGINAL 1/4 CORNER BETWEEN SECTIONS 27 AND 28, WITHOUT SUCCESS, AS NOTED IN THE SURVEY NARRATIVE FOR RECORD SURVEY NO. 20-092-C. THE VARIATION OF COUNTY ROAD NO. 635 AND THE SECTION LINE NORTH OF THE 1/4 CORNER POSITION IS BELIEVED TO BE THE RESULT OF IMPROPER "STUBBING" SURVEY METHODS USED BY GOVERNMENT SURVEYOR WILLIAM ODELL, IN HIS 1866 SUBDIVISION OF TOWNSHIP 4 NORTH, RANGE 36 EAST, W.M. SEE ALSO RECORD SURVEY NO. 88-042-C.  
 I RECOVERED AND TIED EVIDENCE OF THE OLD ROAD BED FOR COUNTY ROAD NO. 354, EAST OF THE APPROXIMATE SECTION LINE BETWEEN SECTIONS 27 AND 28, AS SHOWN ON THIS RECORD OF SURVEY. THE OLD ROAD BED DISAPPEARS AS IT NEARS STATE HIGHWAY NO. 204, AS CONSTRUCTED.  
 THIS SURVEY WAS MADE A LEICA GEODETIC GPS RECEIVER CONNECTED TO THE OREGON REAL TIME NETWORK, AND WITH A TRIMBLE S8 ROBOT TOTAL STATION MEASUREMENTS WERE GATHERED ON THE OREGON STATE PLANE COORDINATE SYSTEM AND CONVERTED TO TRUE BEARINGS (AS INDICATED IN "BASIS OF BEARINGS" STATEMENT). MEASURED DISTANCES REPORTED ARE GROUND DISTANCES. CONTROL CORNER TIES AND CORNER MONUMENTS SET WERE VERIFIED BY REDUNDANT OBSERVATIONS.

REGISTERED PROFESSIONAL LAND SURVEYOR  
**Will-R. Wells**  
 OREGON  
 JULY 22, 1977  
 WILLIAM R. WELLS  
 1166  
 RENEWS: 6/30/22

**RECEIVED BY**  
 Umatilla County Surveyor  
 Date: 12/10/21  
 Rec'd By: CT  
 No.: 21-137-C

WELLS SURVEYING  
 200 SE HAILEY SUITE 108  
 P.O. BOX 1696  
 PENDLETON, OR 97801  
 PHONE: (541) 276-6362

PROJECT: VN-RROT  
 PROPERTY LINE ADJUSTMENT FOR:  
 NANCE, RIETMANN & COOK  
 SITUATED IN THE SW1/4 OF SECTION 27 AND NE1/4 OF SECTION 28, TOWNSHIP 4 NORTH, RANGE 36E, W.M. UMATILLA COUNTY, OREGON

DATE: 07/21 DR. BY: WRW  
 CK. BY: WRW NO: 21-1797

# **RAYBORN CANYON ROAD COUNTY ROAD NO. 635**

## **Road Vacation Report**

**Umatilla County Public Works Department**

# TABLE OF CONTENTS

## **ROAD DETAILS ..... 1-2**

Location of proposed vacation .....	1
Map #1: Location map .....	1
Road history and details .....	2

## **EXAMINATION OF PROPERTY ..... 2-4**

Description of ownership and property uses .....	2-3
Map #2: Use Exhibit .....	3
Assessment of public interest .....	3
Department recommendation .....	4

## **ATTACHMENTS AND SUPPORTING DOCUMENTS .... 5-29**

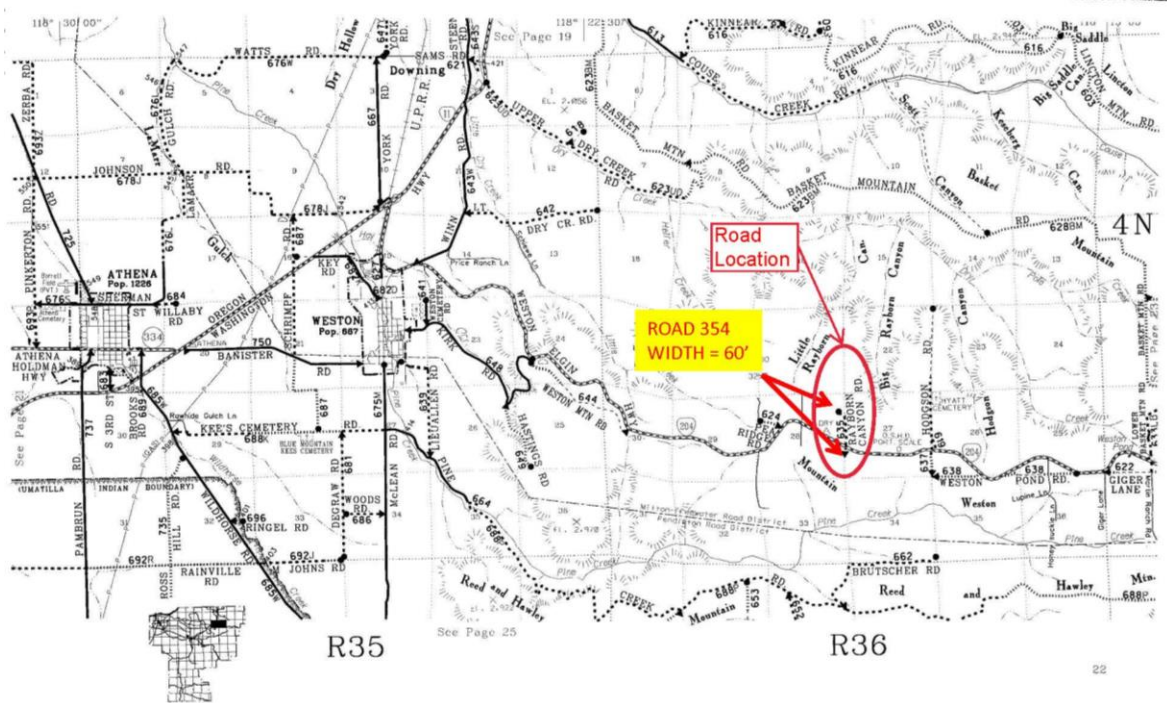
Road vacation petition .....	5-12
Road establishment documents .....	13-19
Abutting ownership map .....	20
New easement (2022-7360543) .....	21-29

# ROAD DETAILS

## LOCATION OF PROPOSED VACATION

Rayborn Canyon Road is located along the Weston-Elgin Highway (Highway 204) approximately 7 miles east of Weston. The road runs north-south and east-west in a "L" type configuration and intersects the Highway at milepost 6.5. That portion of the road lying south of the Highway has been petitioned for vacation.

Map #1: Location Map



## **ROAD HISTORY AND DETAILS**

Rayborn Canyon Road is known as current County Road No. 635 but was originally established in the late 1800's as County Road No. 354. Road 354 was petitioned for on January 7, 1891. The court ordered the County Road Viewers to report on the proposed road and to have a survey conducted. The Road Viewers report, survey field notes, and plat were recorded on March 4, 1891 in which the report and survey were favorable and recommended the road be granted as described. On March 6, 1891 the court ordered the road be established and opened to the public according to the viewers report and survey.

# **EXAMINATION OF PROPERTY**

## **DESCRIPTION OF OWNERSHIP AND PROPERTY USES**

Today, the portion of the road lying north of Highway 204 is actively used and maintained. That portion lying south of the Highway is used only by the few land owners for access and is not currently maintained.

The north-south portion of the road lying south of Highway 204 has been covered by an easement that will maintain legal access for adjoining owners back to the highway. This has been recorded under Document Number 2022-7360543. The east-west portion is no longer in use, with little evidence of the road's location remaining. See Map #2 on page 3.

Overhead power and underground phone lines are present in the area; however, there are no utility permits on file for that portion of Rayborn Canyon Road south of Highway 204. The property use is confined to ingress-egress. Adjoining land is zoned exclusive farm use or critical winter range and is used primarily for livestock.

*Map #2: Use Exhibit*



## **ASSESSMENT OF PUBLIC INTEREST**

All adjoining landowners abutting the property have signed the petition in approval of the vacation. Access to the Highway has been preserved for landowners through the recording of Document Number 2022-7360543. The road has not been used by the general public for many years as the adjacent Highway serves as the primary area thoroughfare. We find the vacation request as described in the petition to be in the public interest.

## **DEPARTMENT RECOMMENDATION**

Utility companies with structures near this proposed vacation should be notified to address any facility concerns prior to granting of this vacation request. These companies include Umatilla Electric and Century Link. The Umatilla County Public Works Department recommends granting the vacation as petitioned pending review by the aforementioned utility companies.

# **ATTACHMENTS AND SUPPORTING DOCUMENTS**

**ROAD VACATION PETITION (SEE FOLLOWING PAGES  
5-12)**

# Monahan, Grove & Tucker

Attorneys At Law

105 North Main Milton-Freewater, OR 97862

Samuel E. Tucker  
Molly Tucker Hasenbank  
Brooklynn Armesto-Larson

Phone: (541) 938-3377 Fax: (541) 938-6112  
sam@mgtlegal.com molly@mgtlegal.com brooklynn@mgtlegal.com

Kittee Custer, Of Counsel  
John U. Grove, Deceased  
J.T. Monahan, Deceased

April 11, 2022

Umatilla County Public Works Road Department  
390 Westgate Street  
Pendleton, OR 97801

RE: Road Vacation

Dear friends:

Enclosed is a petition to vacate a road on Weston Mt. Enclosed is your \$500.00 check. Please proceed with the vacation. We also enclose a \$20.00 check to the Umatilla County Clerks Office for recording.

Please proceed with this vacation process. Contact me if there is any question or problem.

Sincerely,

MONAHAN, GROVE & TUCKER



Sam Tucker  
ST:sa  
Enclosures:

c : Jerry R. Nance and Patricia J Nance

Tom Reitmann and Katherine M Cook



**PETITION FOR VACATION**

**TO THE BOARD OF COUNTY COMMISSIONERS FOR UMATILLA COUNTY, OREGON, IN THE MATTER OF THE VACATION OF**

**Umatilla County Road 635, formerly known as County Road # 354, South of Highway 204**

We, Jerry R. Nance, Patricia J. Nance, Tom Rietman, and Katherine Cook , petition the Board of County Commissioners of Umatilla County , Oregon to vacate portion of County road 635, . more particularly described as follows:

Umatilla County Road 635, formerly County Road 354, South of Highway 204. See attached portion of Wells Survey / Umatilla County Survey #21-137-C

**II**

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

**III  
(attached)**

No portion of the street 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 property are: ( attach extra page if necessary )

HOW PROPERTY IS USED  
CONDITION OF PROPERTY  
REASON FOR VACATION

County Road abandoned many years ago.  
Access to Rietmann now granted through easement  
recorded at Umatilla County Instrument No. 2022-7360543

**V**

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

Jerry R. Nance and Patricia J. Nance  
55916 Hwy 204  
Weston, OR 97886  
\_\_\_\_\_  
\_\_\_\_\_

Tom Rietmann and Katherine M. Cook  
P.O. Box 446  
Condon, OR 97823  
\_\_\_\_\_  
\_\_\_\_\_

- To be included if all property owners petition.





**Certification**

On this 4<sup>th</sup> day of March, 2022, before me, the undersigned, Jerry Nance, 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 )  
COUNTY OF Umatilla )ss

Jill Verkist  
NOTARY PUBLIC FOR OREGON  
My Commission Expires 11/20/23



**Certification**

On this 16<sup>th</sup> day of March, 2022, before me, the undersigned, Patricia Nance, 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 )  
COUNTY OF Umatilla )

Claire Sarah Ommen  
NOTARY PUBLIC FOR OREGON  
My Commission Expires 06/24/2024



**Certification**

On this \_\_\_ day of \_\_\_\_\_, 20\_\_\_, before me, the undersigned, \_\_\_\_\_, 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 )  
COUNTY OF \_\_\_\_\_ )

\_\_\_\_\_  
NOTARY PUBLIC FOR OREGON  
My Commission Expires \_\_\_\_\_

**Certification**

On this 5 day of April, 2022 before me, the undersigned Katherine Cook 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 )  
COUNTY OF Gilliam )



Danielle Hunt  
NOTARY PUBLIC FOR OREGON  
My Commission Expires April 13, 2025

**Certification**

On this \_\_\_ day of \_\_\_, 2022, before me, the undersigned, \_\_\_\_\_ 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 )  
COUNTY OF \_\_\_\_\_ )

\_\_\_\_\_  
NOTARY PUBLIC FOR OREGON  
My Commission Expires \_\_\_\_\_

**Certification**

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STATE OF OREGON )  
COUNTY OF \_\_\_\_\_ )

\_\_\_\_\_  
NOTARY PUBLIC FOR OREGON  
My Commission Expires \_\_\_\_\_

**Certification**

On this 4<sup>th</sup> day of March 2022, before me, the undersigned, Jerry Vance, 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 )  
COUNTY OF Umatilla )ss

Jill Verkist  
NOTARY PUBLIC FOR OREGON  
My Commission Expires 11/20/23



**Certification**

On this 16<sup>th</sup> day of March 2022, before me, the undersigned, Patricia Vance, 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 )  
COUNTY OF Umatilla )ss

Claire Sarah Ommen  
NOTARY PUBLIC FOR OREGON  
My Commission Expires June 24, 2024



**Certification**

On this 5 day of April 2022, before me, the undersigned, Thomas Rictmann, personally appeared, known to me to be the identical individual described in and who executed the same freely and voluntarily.

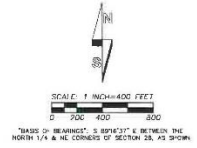
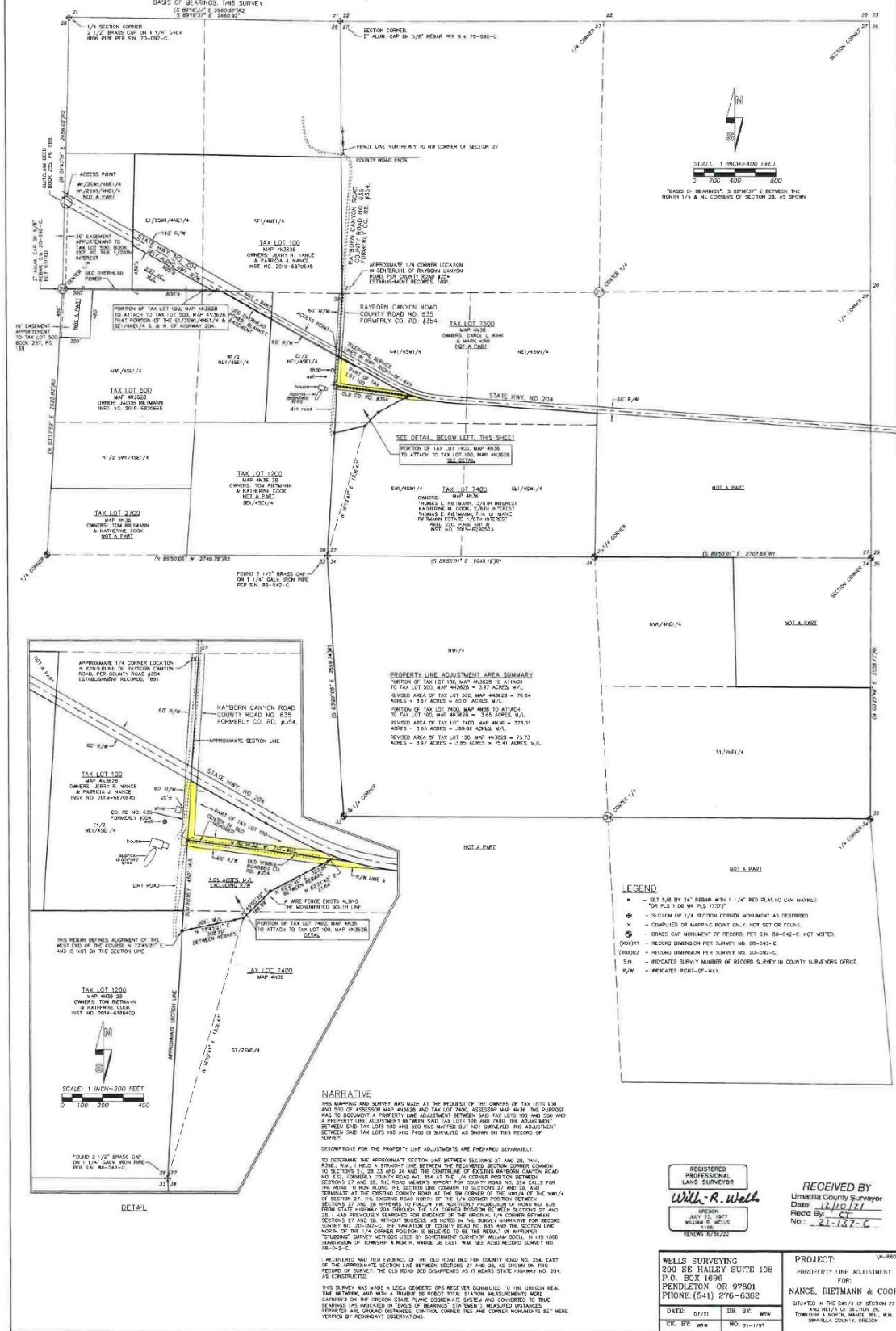
IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last written above.

STATE OF OREGON )  
COUNTY OF William )ss

Danielle Hunt  
NOTARY PUBLIC FOR OREGON  
My Commission Expires April 13, 2025



RECORD OF SURVEY FOR  
PROPERTY LINE ADJUSTMENT  
JULY, 2021



SEE DETAIL BELOW LEFT, THIS SHEET

**PROPERTY LINE ADJUSTMENT AREA SUMMARY**  
 PORTION OF TAX LOT 100 MAP ANS 28 TO ATTACH TO TAX LOT 500 MAP ANS 28 = 337 ACRES ± W/L  
 REISED AREA OF TAX LOT 500 MAP ANS 28 = 76.04 ACRES ±  
 PORTION OF TAX LOT 700 MAP ANS 28 TO ATTACH TO TAX LOT 100 MAP ANS 28 = 3.68 ACRES ± W/L  
 REISED AREA OF TAX LOT 700 MAP ANS 28 = 273.31 ACRES ±  
 REISED AREA OF TAX LOT 100 MAP ANS 28 = 75.73 ACRES ±  
 REISED AREA OF TAX LOT 7400 MAP ANS 28 = 75.41 ACRES ± W/L

- LEGEND**
- 1/4\"/>



**NARRATIVE**  
 THIS MAPPING AND SURVEY WAS MADE AT THE REQUEST OF THE OWNERS OF TAX LOTS 100 AND 7400 OF ASSASSOR MAP ANS 28 AND TAX LOT 7400, ASSASSOR MAP ANS 28. THE PURPOSE WAS TO ADJUST A PROPERTY LINE ADJUSTMENT BETWEEN SAID TAX LOTS 100 AND 7400 AND BETWEEN SAID TAX LOTS 100 AND 7400 AND 7400 AND 7400. THE ADJUSTMENT BETWEEN SAID TAX LOTS 100 AND 7400 WAS SURVEYED AS SHOWN ON THIS RECORD OF SURVEY.  
 DESCRIPTIONS FOR THE PROPERTY LINE ADJUSTMENTS ARE PREPARED SEPARATELY.  
 TO DETERMINE THE APPROXIMATE SECTION LINE BETWEEN SECTIONS 27 AND 28, TAX LOTS 100 AND 7400, A STRONG LINE BETWEEN THE RECORDED SECTION CORNER COMMON TO SAID TAX LOTS 100 AND 7400 AND THE 1/4\"/>

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR  
*Will R. Wells*  
JULY 22 2021  
WELLS SURVEYING  
1126  
RECORD 6732/21

RECEIVED BY  
LinnBella County Surveyor  
Date: 12/10/21  
Rec'd By: CTE  
No.: 21-137-C

WELLS SURVEYING  
200 SE HAILLEY SUITE 108  
P.O. BOX 1696  
PENDLETON, OR 97901  
PHONE: (541) 276-6382  
DATE: 07/21 DR. BY: WRM  
CK. BY: WRM NO: 21-1197

PROJECT: LV-0001  
PROPERTY LINE ADJUSTMENT FOR:  
NANCE, RIETMANN & COOK  
SITuated IN THE SW 1/4 OF SECTION 27 AND NE 1/4 OF SECTION 28, TOWNSHIP 4 NORTH, RANGE 36E, S6E, WELLS COUNTY, OREGON

ROAD ESTABLISHMENT DOCUMENTS

To the Honorable the County  
Court of the State of Oregon  
for the County of Washtenaw

We the undersigned your  
Petitioners who are Residents  
and Householders in Washtenaw  
County Oregon and who  
Reside in the vicinity of  
the hereinafter described tract  
for a County Road would  
respectfully ask your Honorable  
body to Cause to be laid out  
located and established a  
County Road sixty feet wide  
in said County and State  
commencing running and  
terminating as follows

To begin at angle Post  
set by J. P. Arnold County  
Surveyor of Washtenaw County  
Oregon at a point 68 Rods  
South of the Center of Section  
27 Twp 4 North of Range 34  
E of R 1 on run thence West  
about one half mile on the  
most practical road and last  
ground for a Road to a Point  
about 15 Rods North of the



South West Corner of the  
 North West 1/4 of South  
 West 1/4 of South West 1/4  
 of said Section 27 thence  
 North on section line  
 between sections 27 and 28  
 in said Town and Range to  
 the intersection of the County  
 Road at the South West  
 Corner of the North West 1/4  
 of the North West 1/4 of the  
~~North West 1/4~~ of said sec  
 27 in said Township and  
 Range and so in duly  
 bound your Petitioners will  
 ever Pray

Petition for  
 Road No. 354  
 0 11 1891

FILED JAN 7 1891  
 W. M. Pierce Clerk  
 Deputy

Docket 132

Petition granted and  
 J. E. Saling, J. J. Cro  
 Witt + John C. Davis  
 appointed viewers &  
 J. H. Laury appointed  
 surveyor to meet at the  
 school house in school  
 Dist. no. 49 on the 27  
 day of Jan 1891  
 January 9<sup>th</sup> 1891  
 Wm Martin & Judge  
 John Lingo Com  
 D. M. Rae "

Report accepted and  
 Clerk ordered to instruct  
 supervisor to open said  
 Road March 6-1891  
 Wm Martin & Judge  
 John Lingo Com  
 D. M. Rae "

## Road Notice

Notice is hereby given that a Petition will be presented to the Honorable the County Court of Sumner County State of Oregon on Wednesday the 17<sup>th</sup> day of January A.D. 1891 Praying said County Court to locate and establish a County Road in said County and State sixty feet wide commencing running and terminating as follows to wit to begin at angle stake set by G. B. Arnold County Surveyor of Sumner County Oregon at a point 68 Rods south of the center of section 27 Town 4 North of Range 36 E of W.M. run thence west about one half mile in the most practical and best ground for a Road to a point about 15 Rods north of the south west corner of the ~~North~~ North West 1/4 of the North West 1/4 of South West 1/4 of said Section 27 thence north on section line between sections 27 and 28 in said Town and Range to the intersection of the County Road at the south west corner of the

on  
The other  
Side  
Repeat

line between sections 21  
and 28 in said Town and  
Range to the intersection of  
the County Road at the  
south west corner of the  
North west 1/4 of the North  
west 1/4 of ~~the~~ the North  
west 1/4 of said sec 27 in  
said Township and Range  
dated this 25<sup>th</sup> day of November  
1890

Names

Names

L. Vanderpool  
J. M. Downs  
C. Chase  
W. Lawrence

Charles  
J. M. Lawrence  
L. H. [unclear]

Notice of  
Road No. 354

No. 132

FILED JUN 7 1891  
W. M. Brennan, Clerk  
Deputy

ROAD NO  
354

# Road No 354

Report of Viewers, field notes and plat of Survey of Road No 354 in Multnomah County Oregon, Commencing at an angle stake at a point 68 rods South of the Center of Section 27 Town 4 North of Range 36 E.W.M. run thence West about 1/2 mile in the most practical and best ground for a road to a point about 15 rods North of the South West corner of the North West 1/4 of the South West 1/4 of South West 1/4 of said Section 27, thence North on Section line between Sections 27 + 28 in said Town + Range to the intersection of the County Road at the South West corner of the North West 1/4 of the North West 1/4 of said Sec 27 in said Sp or R

Report of Viewers on Road No 354.  
 Weston Ore Jan'y 28/1891.  
 To the Honorable County Court for the County of Multnomah State of Oregon  
 Gentlemen

We the undersigned Viewers on the Road beginning at a point or angle stake set by J.C. Arnold County Surveyor 68 rods South of the Center of Sec 27 T4 N.R. 36 E.W.M. and running thence West about half mile to a point about 15 rods North of the SW corner of NW 1/4 of SW 1/4 of SW 1/4 of said Sec 27 Thence North on Section line between Sections 27 + 28 said Tr Range to the intersection of County Road at the SW corner of the NW 1/4 of the NW 1/4 of said Section 27. We recommend that the said described road be granted

Witness  
 P.A. Worthington  
 J. Dalrymple  
 John C. Davis  
 Filed Mar 4 - 1891  
 W.M.P. incc. Clerk

Report  
 Mr. Wm. Martin County Judge,  
 Sir  
 In regard to Road No 354, I will have to report not favorable

the ground is favorable but the bal of the road is not good that connects with it also if this Road is excepted it will only be a short time till there will be a petition for it to be changed as there is a better location and will be more satisfactory to the people that travel the road and for the community in which the road is located in the right place and which I will recommend the road to be put is to Commence at the School House & run 2600 feet South on Section line between Sec 27 & 28 then angle South East across sec 27 up a small draw to the line between sec 27 & 28 & follows this line till it intersects the road that is now located.

Dated 17 Mar 11 1891  
M. M. Paine Clerk

Yours Respectfully  
Ira J. Croft

Field Notes of Road Survey No 354 in  
Umatilla County Oregon

I met full board of Viewers at Weston Wednesday June 27 1891 we called A. B. Adams and Wm Marston to act as chain men and markers each of whom was duly qualified as directed by Law I set initial post at a point about 68 rods South of the Center of Section 27 1/2 1st N. 36 1/2 W. and ran West

West 2600 set angle stake

North 2300 set terminal post 30 ft from line

I hereby certify that the foregoing field notes of Road Survey No 354 for Umatilla County Oregon are correct

Dated 17 Mar 11 1891  
M. M. Paine Clerk

J. H. Lawray  
Surveyor

I hereby certify the following to be a correct plat of the  
No 354 Road Survey as made by me July 27. 1891.  
J. H. Lawrey  
Surveyor.

Sp 11                      1700 36 E. W. M.

6	5	4	3	2	1
7	8	9	10	11	12
18	17	16	15	14	13
19	20	21	22	23	24
29	28	27	26	25	24
31	32	33	34	35	36

Permanence  
Initial 2-11

Dated March 1. 1891 }  
W. M. Pearce Clerk }      July 9 1891 H 648-712

# ABUTTING OWNERSHIP MAP



# NEW EASEMENT (2022-7360543)

After recording return to:  
Monahan, Grove & Tucker  
105 N. Main  
Milton-Freewater, OR 97862

State of Oregon County of Umatilla	
Instrument received and recorded on	02/17/2022 02:09:00 PM
in the record of instrument code type DE-EAS	
Instrument number	2022-7360543
	\$136.00
Office of County Records	
	
Records Officer P9	

## EASEMENT

### For Access Purposes

1. **PARTIES:**

The parties to this agreement are Jerry R. Nance and Patricia J. Nance, husband and wife, hereafter referred to as Grantors, and Katherine M. Cook and Tom Rietman, also known as Thomas E. Rietmann, individually and as personal representative of the estate of Marie Rietmann, hereafter referred to as Grantees.

2. **BACKGROUND:**

Parties have recently exchanged properties as part of a tax-free property exchange. This easement is conveyed to maintain access rights and historical access to Grantees' property.

3. **PROPERTY:**

Grantors own certain real property described on Exhibit "A"; hereafter referred to as subject property. Grantees own certain real property described on Exhibit B; hereafter referred to as benefited property.

4. **GRANT OF EASEMENT:**

Grantors hereby grant, under the terms of this agreement, a 20-foot easement along a portion of the real property described in Exhibit "A", said easement being more specifically described on Exhibit "C".

5. **PURPOSE OF EASEMENT:**

The above-described easement shall be nonexclusive and perpetual and shall be used only for the purposes of vehicular and pedestrian ingress and egress by Grantees and their invitees for household use of the owners of Exhibit "B". Said roadway and easement cannot be used for any commercial purpose other than for farming purposes. Grantees shall have no right to park, load



or unload any vehicle along the easement, other than under emergency conditions. Use of the easement shall be on regular, continuing, nonexclusive, and nonpriority basis, benefiting the Grantees, their successors, assigns, lessees, mortgagees, invitees and guests.

6. OBLIGATION OF THE PARTIES:

Grantors shall have no obligation whatsoever in connection with the easement or its maintenance. Grantees shall be obligated to maintain the roadway in its present location along said easement solely at Grantees expense.

7. INDEMNIFICATION:

Grantees shall defend, indemnify and hold Grantors harmless from any and all liability, claims, demands, actions, causes of action which may occur as a result of the easement or any activities taking place on the easement other than activities by Grantors.

8. MAINTENANCE AND REPAIR:

If others are granted the use of the easement, Grantees shall, among and between themselves and other users of the easement, divide the responsibilities for maintenance and repair of the easement, and if the parties cannot agree, then said obligations of maintenance and repair shall be controlled by ORS 105.170 et. seq. If Grantors use the above described easement for roadway purposes to Grantor's home and property, Grantors shall have no obligation to pay any portion of the cost of maintaining said easement.

9. SUCCESSORS AND ASSIGNS:

This easement and all rights and obligations contained herein shall run with the land as to all property burdened and benefited by such easement, including any division or partition of such property. The rights, covenants and obligations contained in this agreement shall bind, burden and benefit each party's successors and assigns.

10. MISCELLANEOUS:

In the event any litigation arises under this agreement. the prevailing party shall recover from the losing party, the prevailing party's reasonable attorney fees at trial or on appeal as adjudged by the trial or appellate court. In event either party shall fail to perform its obligations under this agreement, the other party shall be entitled to require such performance by suit for specific performance, or, where appropriate, through injunctive relief. Such remedies shall be in

addition to any other remedies afforded under Oregon law and those rights of cure and reimbursements specifically granted in this easement.

Jerry R Nance  
Jerry R. Nance, Grantor

Patricia J Nance  
Patricia J. Nance, Grantor

Thomas E. Rietmann, individually and as personal representative of the estate of Marie Rietmann, Grantee

Katherine M. Cook, Grantee

STATE OF OREGON, )  
 )ss.  
County of Umatilla. )

January 21, 2022.

Personally appeared the above named Jerry R. Nance, and acknowledged the foregoing instrument to be his voluntary act and deed. Before me.

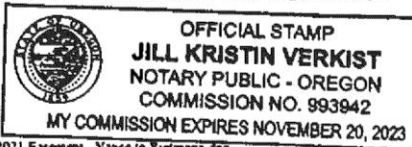
Jill K Verkist  
NOTARY PUBLIC FOR OREGON

STATE OF OREGON, )  
 )ss.  
County of Umatilla. )

January, 2022.

Personally appeared the above named Patricia J. Nance and acknowledged the foregoing instrument to be her voluntary act and deed. Before me.

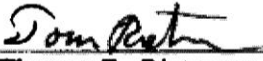
Jill K Verkist  
NOTARY PUBLIC FOR OREGON



addition to any other remedies afforded under Oregon law and those rights of cure and reimbursements specifically granted in this easement.

\_\_\_\_\_  
Jerry R. Nance, Grantor

\_\_\_\_\_  
Patricia J. Nance, Grantor

  
\_\_\_\_\_  
Thomas E. Rietmann, individually and as personal representative of the estate of Marie Rietmann, Grantee

  
\_\_\_\_\_  
Katherine M. Cook, Grantee

STATE OF OREGON,        )  
  )ss.  
County of Umatilla.        )

\_\_\_\_\_, 2022.

Personally appeared the above named Jerry R. Nance, and acknowledged the foregoing instrument to be his voluntary act and deed. Before me.

\_\_\_\_\_  
NOTARY PUBLIC FOR OREGON

STATE OF OREGON,        )  
  )ss.  
County of Umatilla.        )

\_\_\_\_\_, 2022.

Personally appeared the above named Patricia J. Nance and acknowledged the foregoing instrument to be her voluntary act and deed. Before me.

\_\_\_\_\_  
NOTARY PUBLIC FOR OREGON

STATE OF OREGON,        )  
  )ss.  
County of Gilliam        )

February 07, 2022.

Personally appeared the above named Thomas E. Rietmann, individually and as personal representative of the estate of Marie Rietmann and acknowledged the foregoing instrument to be his voluntary act and deed. Before me.

Danielle Hunt  
NOTARY PUBLIC FOR OREGON

STATE OF Oregon,        )  
  )ss.  
County of Gilliam        )

February 07, 2022



Personally appeared the above named Katherine M. Cook and acknowledged the foregoing instrument to be her voluntary act and deed. Before me.

Danielle Hunt  
NOTARY PUBLIC FOR State of Oregon  
My commission expires: April 13, 2025



Exhibit A.  
Description of Revised Tax Lot 100, after exchange

Township 4 North, Range 36, E.W.M.

- Section 27: A tract of land located in the Northwest Quarter of the Southwest Quarter of said Section 27, said tract lies Southerly of the South right-of-way line of State Highway No. 204 and Northerly of the centerline of County Road No. 354 (aka Weston Mountain Market Road) and being more particularly described as beginning at the intersection of the South right-of-way of said Highway and the West line of the Northwest Quarter of the Southwest Quarter of said Section 27; thence Southeasterly along the South right-of-way of said Highway, a distance of 970 feet, more or less, to the intersection of the South right-of-way line of said Highway with the centerline of said County Road; thence Westerly along the centerline of said County Road, a distance of 840 feet, more or less, to the West line of the Northwest Quarter of the Southwest Quarter of said Section 27; thence Northerly along the West line of the Northwest Quarter of the Southwest Quarter of said Section 27 a distance of 440 feet, more or less, to the point of beginning.
- Section 28: Southeast Quarter of the Northeast Quarter.  
East Half of the Southwest Quarter of the Northeast Quarter.  
East Half of the Northeast Quarter of the Southeast Quarter.

Excepting therefrom any portion lying within the County Road and Highway rights-of-ways.

Also excepting therefrom, that portion of the East Half of the Southwest Quarter of the Northeast Quarter and Southeast Quarter of the Northeast Quarter of Section 28, Township 4 North, Range 36 East, W.M., Umatilla County, Oregon, lying South and West of the Southerly right-of-way line of State Highway No. 204.

TOGETHER WITH, a tract of land situated in the Southwest Quarter of the Southwest Quarter and Northwest Quarter of the Southwest Quarter of Section 27, Township 4 North, Range 36 East, W.M., Umatilla County, Oregon, described as:

Commencing at Southwest corner of said Section 27, said Southwest corner being monumented with a 2 1/2 inch brass cap on galvanized iron pipe; thence North 16°19'41" East a distance of 1336.47 feet to a 5/8 inch rebar, the TRUE POINT OF BEGINNING for this description; thence North 45°05'39" East a distance of 186.99 feet to a 5/8 inch rebar; thence North 62°21'40" East a distance of 320.86 feet to a 5/8 inch rebar; thence continuing North 62°21'40" East a distance of 21.64 feet to the centerline of that Umatilla County Road established as County Road No. 354, in Final Order dated March 6, 1891, County Court Records; thence North 82°30'22" West along said centerline a distance of 712 feet, more or less, to the West line of said Section 27; thence Southerly along the West line of said Section 27 a distance of 450 feet, more or less, to a point on the West line of said Section 27 which bears South 77°45'21" West a distance of 306 feet, more or less, from the True Point of Beginning for this description; thence North 77°45'21" East a distance of 306 feet, more or less, to the TRUE POINT OF BEGINNING.

Exhibit B.  
Description Rietmann Property

Tract 1

South Half of the Southwest Quarter of Section 27, Township 4 North, Range 36, East of the Willamette Meridian, Umatilla County, Oregon.

ALSO, beginning at the Northeast corner of the Southeast Quarter of the Southwest Quarter of Section 27; thence North 165 feet, more or less, to the center of County Road No. 354, aka Weston Mt. Market Road; thence Northwesterly along center of said Road 2640 feet, more or less, to a point on the West line of Section 27, said point being 280.5 feet North of the Northwest corner of the of the Southwest Quarter of the Southwest Quarter of Section 27; thence South 280.5 feet to said Northwest corner; thence East 2640 feet, more or less, to the point of beginning;

ALSO Northwest Quarter of the Northeast Quarter; South Half of the Northeast Quarter and Northwest Quarter of Section 34, Township 4 North, Range 36, East of the Willamette Meridian, Umatilla County, Oregon;

SUBJECT to any and all water rights of way, roads and highways.

EXCEPTING THEREFROM, a tract of land situated in the Southwest Quarter of the Southwest Quarter and Northwest Quarter of the Southwest Quarter of Section 27, Township 4 North, Range 36 East, W.M., Umatilla County, Oregon, described as:

Commencing at Southwest corner of said Section 27, said Southwest corner being monumented with a 2 1/2 inch brass cap on galvanized iron pipe; thence North 16°19'41" East a distance of 1336.47 feet to a 5/8 inch rebar, the TRUE POINT OF BEGINNING for this description; thence North 45°05'39" East a distance of 186.99 feet to a 5/8 inch rebar; thence North 62°21'40" East a distance of 320.86 feet to a 5/8 inch rebar; thence continuing North 62°21'40" East a distance of 21.64 feet to the centerline of that Umatilla County Road established as County Road No. 354, in Final Order dated March 6, 1891, County Court Records; thence North 82°30'22" West along said centerline a distance of 712 feet, more or less, to the West line of said Section 27; thence Southerly along the West line of said Section 27 a distance of 450 feet, more or less, to a point on the West line of said Section 27 which bears South 77°45'21" West a distance of 306 feet, more or less, from the True Point of Beginning for this description; thence North 77°45'21" East a distance of 306 feet, more or less, to the TRUE POINT OF BEGINNING.

Tract 2

TOWNSHIP 4 NORTH, RANGE 36, E.W.M.

Section 28: East 20 feet of the Northeast Quarter of the Southwest Quarter. 2400  
East 20 feet of the North Half of the Southeast Quarter of the Southwest Quarter. 2400  
North 30 feet of the East 20 feet of the South Half of the Southeast Quarter of the Southwest Quarter. 2400  
Southeast Quarter of the Southeast Quarter. 2600  
South Half of the Southwest Quarter of the Southeast Quarter. 2700  
Section 33: Northeast Quarter. 2700  
All that portion of the Southeast Quarter lying North of Pine Creek. 2700  
All being East of the Willamette Meridian, Umatilla County, Oregon.

7 - EASEMENT

H. Clients N'Nance, Jerry Boundary Adjustments 2021 Easement Nance to Ruetzmann.doc

### Exhibit C.

A 20-foot strip of land situated in East Half of the Northeast Quarter of the Southeast Quarter of Section 28, Township 4 North, Range 36 East, W.M. Umatilla County Oregon. Said 20-foot strip of land being situated 10.00 feet on each side of the centerline described as follows:

Commencing at Southeast corner of said Section 28, said Southeast corner being monumented with a 2 1/2 inch brass cap on galvanized iron pipe; thence North 03°14'24" East a distance of 1988.88 feet to the TRUE POINT OF BEGINNING for this centerline description, said True Point of Beginning being a point within the right-of-way of State Highway No. 204; thence South 05°11'22" West a distance of 670 feet, more or less, to a point in the North line of the Southeast Quarter of the Southeast Quarter of said Section 28, the TERMINUS POINT for this centerline description.

Side lines of said easement shall be lengthened or shortened to terminate on the South right-of-way line of State Highway No. 204 near the True Point of Beginning and on the North line of the Southeast Quarter of the Southeast Quarter of said Section 28 at the Terminus Point.



THE BOARD OF COMMISSIONERS OF UMATILLA COUNTY

STATE OF OREGON

In the Matter of Vacation of )  
Portion of County Road No. ) Order No. RD2022-04  
635, Former County Road No. )  
354 )

WHEREAS, in accordance with ORS 368.341(1)(c), the Umatilla County Board of Commissioners received and accepted a petition to vacate a portion of County Road No. 635 (Rayborn Canyon Road) formerly County Road No. 354, located in Sections 27 and 28, Township 4 North, Range 36, lying South of Highway 204, which petition had been signed by all of the owners of the property abutting the road, and

WHEREAS, the Public Works Department has prepared a report on the petition, and

WHEREAS, the Director of Public Works, after reviewing the proposed action, has recommended that portion of 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 finds and orders that:

1. It is in the public interest to vacate the portion of County Road No. 635, former County Road No. 354, 60 feet in width, lying South of State Highway No. 204.

2. The portion of County Road No. 635 lying South of State Highway No 204, located in Southwest Quarter of Section 27, and Southeast Quarter of Section 28, Township 4 North, Range 36, is vacated.

3. Ownership of the vacated right of way shall vest as allowed in ORS 368.366(d) in the owner of the land abutting the vacated property by extension of the abutting property boundaries to the center of the vacated property.

DATED this 24<sup>th</sup> day of May, 2022.

UMATILLA COUNTY BOARD OF COMMISSIONERS

---

John M. Shafer, Chair

---

Daniel N. Dorran, Commissioner

---

George L. Murdock, Commissioner

ATTEST:  
OFFICE OF COUNTY RECORDS

---

Records Officer