

AGENDA ITEM FOR ADMINISTRATIVE MEETING ( ) Discussion only  
( X ) Action

FROM (DEPT/ DIVISION): County Counsel

SUBJECT: Canal Road Legalization

<p>Background:</p> <p>A portion of Canal Road does not follow the established course of the road. It is requested that the Board initiate the legalization for this segment of the road, and set a hearing to determine if the road can be legalized at its current location.</p>	<p>Requested Action:</p> <p>Adopt Order No. RD2024-01</p>
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ATTACHMENTS: 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:

Needed at Meeting:

\*\*\*\*\*

Scheduled for meeting on: January 3, 2024

Action taken:

\*\*\*\*\*

Follow-up:

**UMATILLA COUNTY  
PUBLIC WORKS DEPARTMENT**

**ROAD REPORT**  
**COUNTY ROAD NO. 1179**

PROPOSED LEGALIZATION OF A PORTION OF CANAL ROAD, COUNTY  
ROAD NO. 1179

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## **Road Report**

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## Introduction & Background

The Umatilla County Public Works Director has determined that a portion of Canal Road, County Road No. 1179, as travelled, used, and maintained for 10 years or more, does not agree with the existing records, and in some locations, records are missing or lost.

That portion of Canal Road lying between US Highway 395 and a point around 500 feet north of Feedville Road, County Road No. 1000F lacks record acquisition documents. It is believed that these records are missing or lost. The remaining portion of Canal Road proposed for legalization is part of old County Road No. 681 which does not agree with the current road location as traveled for 10 years or more and begins at a point around 500 feet north of aforementioned Feedville road and runs Northerly to a point near the West Quarter Corner of Section 20, Township 4 North, Range 29 East, W.M.

The Public Works Department proposes legalization of Canal Road, as previously described, in preparation for a road improvement project. Legalization will fix the road right-of-way to the current as-travelled road location, correcting the record and allowing future improvements to move forward without delay.

A preliminary survey has been conducted outlining the proposed new right-of-way and has been included in this report for review and consideration.

## History & Current Use

Old County Road No. 681 was Petitioned for on December 23, 1909 at a width of 60 feet. Notice was posted on November 2, 1910. The report of County Road Viewers, Survey, and Field Notes were filed on March 3, 1910 where the route was found practicable and recommended to be established and declared a public highway.

The road began at the Northeast Corner of the Southeast Quarter of the Southeast Quarter of Section 29, Township 4 North, Range 29 East, W.M., and ran northwesterly through Sections 29 and 20 to the west line of Section 20. It then ran north along the section line to the Northwest Corner of Section 17 of said Township and Range, to current County Road No. 1198, East Highland Extension. Only that portion of old County Road No. 681 which runs north along the west line of Sections 17 & 20 is still used and maintained. That portion running northwesterly through Sections 29 and 20 is no longer in use by the general public or the Public Works Department. It is the intent of the Public Works Department to declare this unused portion of old County Road No. 681 void, and the road relocated and legalized in its current location.

That portion of Canal Road where records are missing or lost can clearly be seen in 1956 aerial photo NA-29-46, Umatilla County Survey records, indicating its long time use and maintenance. This, along with Umatilla County Public Works maintenance records provides proof that this portion of Canal Road has been travelled, used, and maintained for 10 years or more.

## Why a Road Legalization is Needed

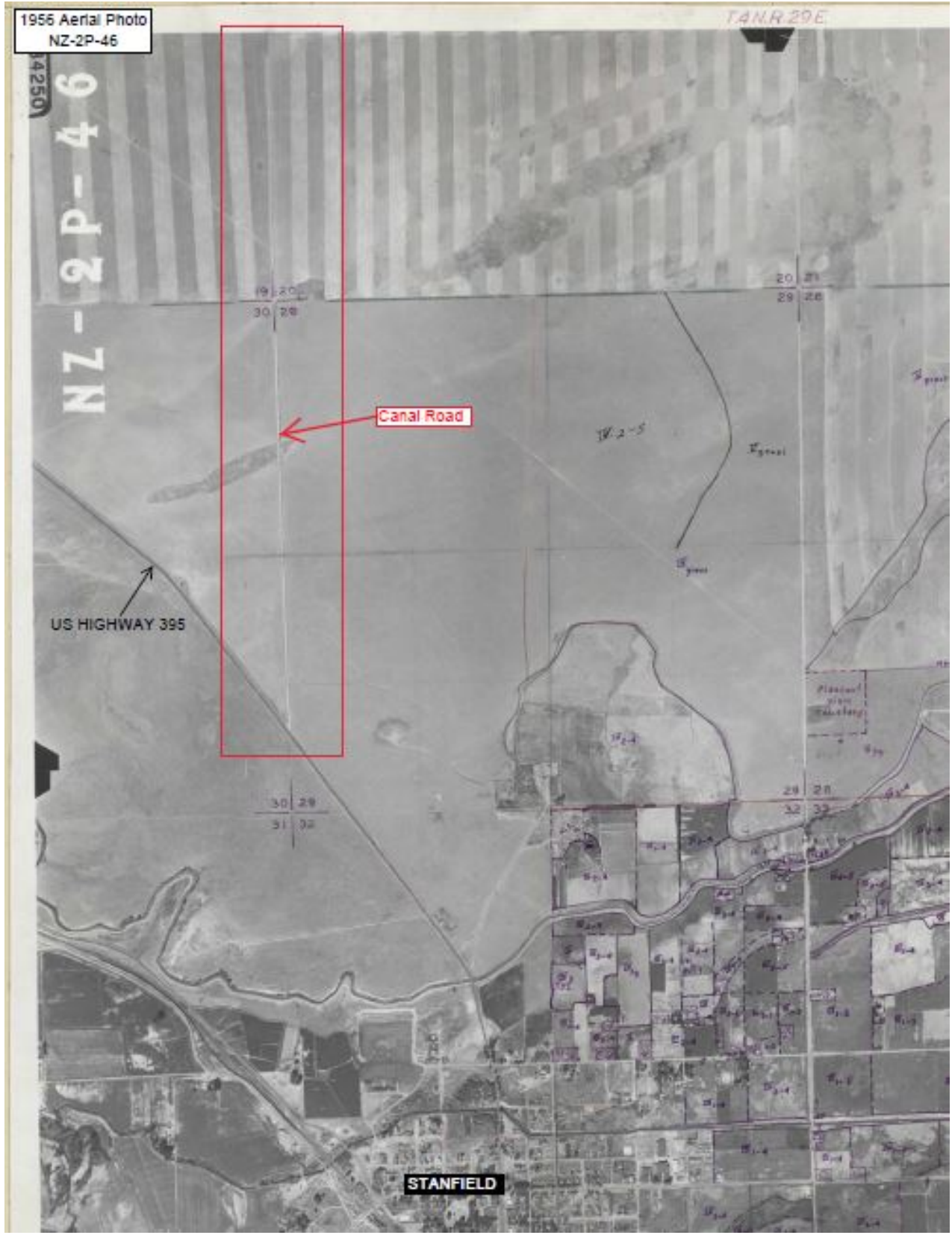
The portion of Canal Road proposed for legalization does not agree with the existing records, and in some locations, records are missing or lost. The road meets requirements outlined in State Statute and is a good candidate for legalization, fixing the right-of-way and voiding any portion of old right-of-way no longer in use. Legalization will fix the right-of-way making improvement projects and the need for additional right-of-way acquisition possible. All of which will be in the best interest of the general public by preserving local access rights and allowing continued use of the road system.

## Impacts to Utilities and Property Owners

The Public Works Department finds no adverse impacts to utilities or property owners at this time. Legalization will correct the record, allowing property owners to maintain access to a public road. A utility locate request was submitted under Ticket #23334866. Field investigation of all marked utilities and measurement to utility structures indicate they will remain within the legalized location of Canal Road, most of which also possess a Utility Permit issued by the Public Works Department.

## Recommendation

The Umatilla County Public Works Department recommends that Canal Road be legalized in the location shown on the preliminary road survey, pursuant to ORS 368-201 to 368-221. The width is recommended to be 60 feet wide, consistent with the width petitioned for on old Road No. 681, and Umatilla County Development Code Standard width for Local Roads and new County Road construction.



E

To the Honorable County Court of the State of Oregon, for Umatilla County.

WE THE UNDERSIGNED, your petitioners, who are freeholders of said Umatilla County, Oregon, and who reside in the road district, or districts where said road is to be laid out, respectfully petition your honorable body to cause to be laid out, located, and established a County Road in said County and State, commencing, running and terminating as follows, to-wit: Commencing at the Northeast corner of the Southeast Quarter of the Southeast Quarter of Section 29, in Township 4 North, Range 29 E. W. M., and running thence North 48° West 6,900 feet to a point on the West line of Section 20, Township 4 North, Range 29 E. W. M., thence North along the section lines 24,440 feet to the Northwest corner of Section 5, in Township 4 North, Range 29 E. W. M.

Said road to be 60 feet wide.

And your petitioners will ever pray.

Dated this 23rd day of Decemr, 1909

NAMES.

NAMES.

Frank Sloan  
J. P. Schneider  
F. O. ...  
M. Means  
E. P. Brown  
Chas. Richards  
W. C. White  
J. A. Mendenhall  
Geo. L. Ward  
C. W. Fenix  
J. E. Bures  
J. D. Wallace  
J. J. ...  
W. T. Reeves

B

# ROAD NOTICE.

TO ALL PERSONS WHOM IT MAY CONCERN:

Notice is hereby given that a petition will be presented to the County Court of the State of Oregon, for Umatilla County, by the Undersigned who are freeholders of said County and State and reside in the road district or districts of the hereinafter described route for a County road, at the February term, 1910, of said County Court, to-wit: On the 2nd day of February, 1910, praying said Court to lay out, locate and establish a County road in said County and State, commencing, running and terminating as follows, to-wit: Beginning

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at the Northeast corner of the Southeast Quarter of the Southeast Quarter of Section 29, in Township 4 North, Range 29 E. W. M., and running thence North 48° West 6,900 feet to a point on the West line of Section 20, Township 4 North, Range 29 E. W. M., thence North along the section line 24,440 feet to the Northwest corner of Section 5, in Township 4 North, Range 29 E. W. M.

Said road to be 60 feet wide.

Dated this 23<sup>rd</sup> day of December, 1909.

NAME

NAME

Frank Sloan  
J. Pelmeier  
J. M. Lewis  
J. H. Brown  
Thos. Richards  
W. I. Reeves

W. L. White  
J. W. Meadernhall  
Geo. L. Ward  
C. W. Kemison  
J. C. Reeves  
J. W. Wallace  
M. S. Duffell



REPORT OF BOARD OF COUNTY ROAD VIEWERS.

In the Matter of Viewing, surveying and laying out county road No. 679

To the Honorable County Court of the State of Oregon for Umatilla county.

We, the undersigned Board of county road viewers, heretofore instructed to view, survey and locate Road No. 679 submit the following report:

Pursuant to an order of the Honorable county court we met at the beginning of said road on the 26th day of February 1910. We called to our aid. W J Stockman, chairman, Sam Williams, chainman; Scott Brown, flagman, J H Saling, marker, who were by the surveyor each duly sworn. We viewed, surveyed and located said Road no. 679 as specified in our order. We find said route practicable and would most respectfully recommend the same be established and declared a public highway of Umatilla county, Oregon. The cost of construction will be the damages to be sustained by property owners by reason of the establishment of said will be nothing.

John W Kimbrell, W J Stockman D F Lavender  
Board of county road viewers of Umatilla county, State of Oregon

Filed March 3, 1910  
Frank Saling, Clerk

FIELD NOTES OF ROAD No. 680

Commencing at the NE corner of the SE 1/4 of SE 1/4 of sec 29 T 4 N R 29 E W M, set post 4 inch square 4 feet long 30 feet east of initial point marked R 680 dug pits and raised mound 4' wide at base 18 inch high. Thence No. 38°30' E 80 00 1 mile set post 4 inch square 4 feet long 30 feet to right marked 1 M dug pits and raised mound 4 feet base 18 inch high. thence N 38°30' E 47.36 chs A 1; thence north 32.64 chs 80 00 1 mile set post 4 inch square 4 feet long 30 feet to right marked 2 M dug pits and raised mound 4 feet wide at base 18 inch high; thence south 80 00 chs 3 mile, set post 4 inches square 4 feet long 30 feet to right marked 3 M dug pits and raised mound 4 feet base 18 inch high thence north 60.50 irrigation ditch E & W 4' wide, thence north 8000 4 miles set post 4 inch square 4 feet long 30 feet to right marked 4 M dug pits and raised mound 4 feet base 18 inch high thence north 240 course to sec 4-5-8 & 9, 28 00 to government feed canal N 80° E set post 4 inch square 4 feet long marked R T 680 dug pits and raised mound 4 ft wide at base 18 inch high.

I hereby certify that the foregoing field notes of Road No. 680 are correct.  
John W Kimbrell, county surveyor of Umatilla county, Oregon.

REPORT OF BOARD OF COUNTY ROAD VIEWERS.

In the Matter of Viewing, surveying and laying out county road. No. 680  
To the Honorable county court of the State of Oregon for Umatilla county.

We, the undersigned board of county road viewers, heretofore instructed to view, survey and locate Road No. 680 submit the following report:

Pursuant to an order of the honorable county court we met at commencement of said road on the 26 day of February 1910, we called to our aid: W J Stockman, chairman; Sam Williams chainman; Scott Brown, flagman, J H Saling, marker who were by the surveyor each duly sworn. We viewed, surveyed and located said Road No. 680 as specified in our order. We find said route practicable and would most respectfully recommend the same be established and declared a public highway of Umatilla county, Oregon. the cost of construction will be nothing. The damages to be sustained by property owners by reason of the establishment of said road will be nothing.

John W Kimbrell, W J Stockman, D F Lavender  
Board of county road viewers of Umatilla county, Oregon

Filed March 3, 1910  
Frank Saling, Clerk

FIELD NOTES OF ROAD No. 681

Commencing at the NE corner of the SE 1/4 of SE 1/4 of Sec 29 T 4 N R 29 E W M set post 4x4 inch 4 ft long marked R 681 in mound 4 ft base 18 inch high, thence N 48° W 80 00 set post 4x4 in 4 ft long marked L m in mound 4 ft base 18 inch high, thence N 48° W 26.06 chs A 1 thence north 53 94 8000 2 miles, set post in mound 4 ft base 18 in high marked " 2 m thence north 6000 /Furnish ditch 4 ft wide SW 80 00 3 miles set post 4x4 inches 4ft long in mound 4 ft base 18 in high marked 3 M thence north 715 intersect commencement of Road No. 6 set post marked R T 681 .

I hereby certify that the foregoing field notes of Road No. 681 as surveyed by me are correct.  
John W Kimbrell, county surveyor

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## REPORT OF BOARD OF BOARD OF COUNTY ROAD VIEWERS.

In the Matter of viewing, surveying and laying out county road No. 681 to the Honorable county court of the State of Oregon, for Umatilla county.

We, the undersigned board of county road viewers, heretofore instructed to view, survey and locate Road No. 681 submit the following report:

Pursuant to an order of the Honorable county court we met at commencing of said road on the 26th day of February 1910. We called to our aid, W J Stockman, chairman; Sam Williams, chairman; Scott Brown, flagman; H J Saling, marker, who were by the surveyor each duly sworn. We viewed, surveyed and located said road No. 681 as specified in our order. We find said route practicable and would most respectfully recommend the same be established and declared as public highway of Umatilla county, Oregon. The cost of construction will be the damages to be sustained by property owners by reason of the establishment of said will be nothing.

J W Kimbrell, W J Stockman, D F Lavender  
Board of county road viewers of Umatilla county, Oregon

Filed March 3, 1910  
Frank Saling, Clerk

## FIELD NOTES OF ROAD No. 682.

Commencing at the NW corner of Sec 18 in T 4 N R 29 E W M set post 4 inch sq 4 feet long 45 feet NE marked R 682 dug pits and raised mound of earth 4 ft base 18 in high, thence south on baseline 80 00 to SW cor sec 18 set post 4 inch sq 4 ft long 30 feet west marked 1 M A 1 dug pits and raised mound 4 ft base 18 in high around post, thence S 48° E 80 00 2 M se post 4 inch sq 4 ft long 30 feet to right marked 2 M dug pits & raised mound 4 ft base 18 inch high thence S 48° E 27.50 R T at point 556 feet north of SW corner of Sec 20 set post 4 inch sq 4 ft long marked R T 682 dug pits and raised mound 4 ft base 18 in high around post. I hereby certify that the foregoing field notes of road No. 682 are correct.

John W Kimbrell, county surveyor for Umatilla county, Ore

## REPORT OF BOARD OF COUNTY ROAD VIEWERS.

In the Matter of viewing, surveying and laying out county road No. 682. To the Honorable County Court of the State of Oregon, for Umatilla county.

We, the undersigned, board of county road viewers, heretofore instructed to view, survey and locate road No. 682 submit the following report;

Pursuant to an order of the Honorable County Court we met at commencement of said road on the 26 day of February 1910. We called to our aid W J Stockman, chairman; Sam Williams, chairman; Scott Brown, flagman, J H Saling, marker, who were by the surveyor each duly sworn. We viewed, surveyed and located said road No. 682 as specified in our order. We find said route practicable and would most respectfully recommend the same be established as a public highway of Umatilla county, Oregon. The cost of construction will be nothing. The property through which said road is located will be less valuable by reason of the establishment in the sum of nothing.

John W Kimbrell, W J Stockman, D F Lavender  
Board of county road viewers of Umatilla county, Oregon

Filed March 3, 1910  
Frank Saling, Clerk

## FIELD NOTES OF ROAD No. 683

Commencing at the NW corner of the SW $\frac{1}{4}$  of SW $\frac{1}{4}$  of Section 33 T 4 N R 29 E W M set post 4x4 inches 4 ft long 30 feet west marked R 683 dug pits N & S and raised mound 4 ft base 18 inch high around post. Thence north 20.00 along road No. 601, thence east along road No. 657 one mile thence east on proposed road No. 683 8.50 chains government reed canal 35 feet wide course NE 40.00 chs center Sec 34 A 1 thence north 30.00 government canal 35 feet wide course east. Thence north 10.00-8000 intersect road No. 657 thence north following road No. 657 4000 chs thence north along proposed road No. 683 2000 set 3 miles post in mound 4 ft base 18 in high thence north 570 government reed canal 35 ft wide course west 2000 the NW cor of NE $\frac{1}{4}$  Sec 27 T 4 N R 29 E W M thence east 6000+200  $\frac{1}{2}$  8000 set 4 mile post thence east 2000 intersect road No. 657 at the NE cor of NW $\frac{1}{4}$  Sec 26. Thence north along road No. 657  $1\frac{1}{2}$  miles to the center of sec 14 T 4 N R 29 E W M thence north on proposed rad No. 683, 2000 set post for 6 mile in mound marked G M thence north 2000 intersect road No. 611 set post Marked R T 683. I hereby certify that the foregoing field notes are correct.

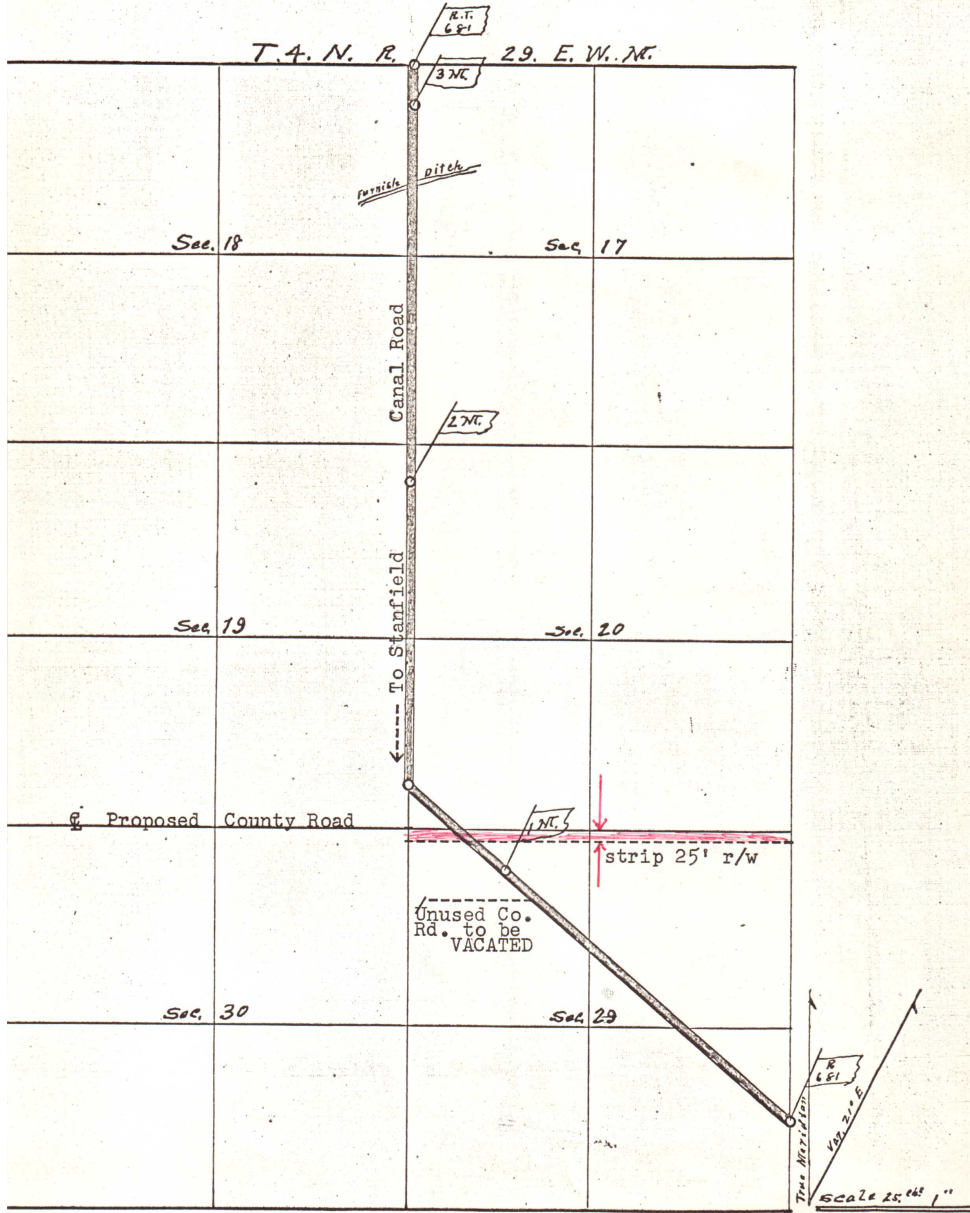
John W Kimbrell, county surveyor

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True COPY of Co.Rd.No. 681, established Mar.3,1910 (except typ.)

PLAT of ROAD No. 681



437

IN THE COUNTY COURT OF THE STATE OF OREGON FOR UMATILLA COUNTY.

1 In the matter of opening §  
 2 County Road No 681, petition- §  
 ed for by Frank Slaon et al § OPENING COUNTY ROAD NO 681.  
 3 Commencing at NE.cor SE $\frac{1}{4}$  SE $\frac{1}{4}$  §  
 Sec 29 Tp 4 N.R.29 E.W.M. §

4 Now on this day this matter coming on regularly to be heard  
 5 upon the report of the Board of County Road Viewers heretofore instr-  
 6 nuted at the February 1910 term of this Court to view, survey, stake  
 7 and report on said proposed road No 681, Commencing at NE corner of  
 8 SE $\frac{1}{4}$  SE $\frac{1}{4}$  Sec 29 Tp 4 N.R. 29 E.W.M. and run thence North 48 degrees  
 9 west, 6,900 feet to a point on the west line of Section 20 Township  
 10 4 N.R. 29 E.W.M., thence north along the section lines 24,440 feet  
 11 to the northwest corner of Section 5 said Tp and range, and to be 60  
 12 feet wide, as a County road for final hearing, the same having been  
 13 publicly read on two different days of the same term of Court to-wit;  
 14 having been publicly read the first time on March ~~3~~ 3rdm, 1910 and  
 15 publicly read the second time on March 4th 1910, and the said Board  
 16 of County Road Viewers having reported favorably and recomended that  
 17 said road be established as a County road, and the plat and field notes  
 18 being on file and certified to by the surveyor appointed to survey  
 19 the same and the Court being satisfied that said road would be of  
 20 sufficient public utility and their being no remonstrance or objections  
 21 on file against said report of against the petition filed herein, is  
 22 is, THEREFORE HEREBY ORDERED that said report of the Board of County  
 23 Road Viewers be approved and the plat and field notes be recorded  
 24 in the record of plats and field notes of Umatilla County and that  
 25 the Road Master be and he is hereby ordered to open said road for  
 26 public use.

27 Dated this 4th day of March, 1910. \_\_\_\_\_  
 28 County Judge  
 29 \_\_\_\_\_  
 County Com  
 30 \_\_\_\_\_  
 County Com,  
 31  
 32

## Property Owners Adjacent to Proposed Legalization

4N29290000200

Windy River, 1000 S Hwy 395 STE A #423, Hermiston, OR 97838

4N29290000100

Loyalta, Inc. C/O Sandy Burley-Treasurer, 11201 S Parkland Ct., Oregon City, OR 97045

4N29300000100

Southgate, LLC., P.O. Box 585, Port Townsend, WA 98368

4N29300000200

Koester Steven R (EST) & Koester Cari L, 1980 NW 11<sup>th</sup> Street, Hermiston, OR 97838

4N29000001700

Windy River, 1000 S Hwy 395 STE A #423, Hermiston, OR 97838

4N29190000100

Windblown Ranch, Inc., 32327 Oregon Trail Road, Echo, OR 97826

4N29000001600

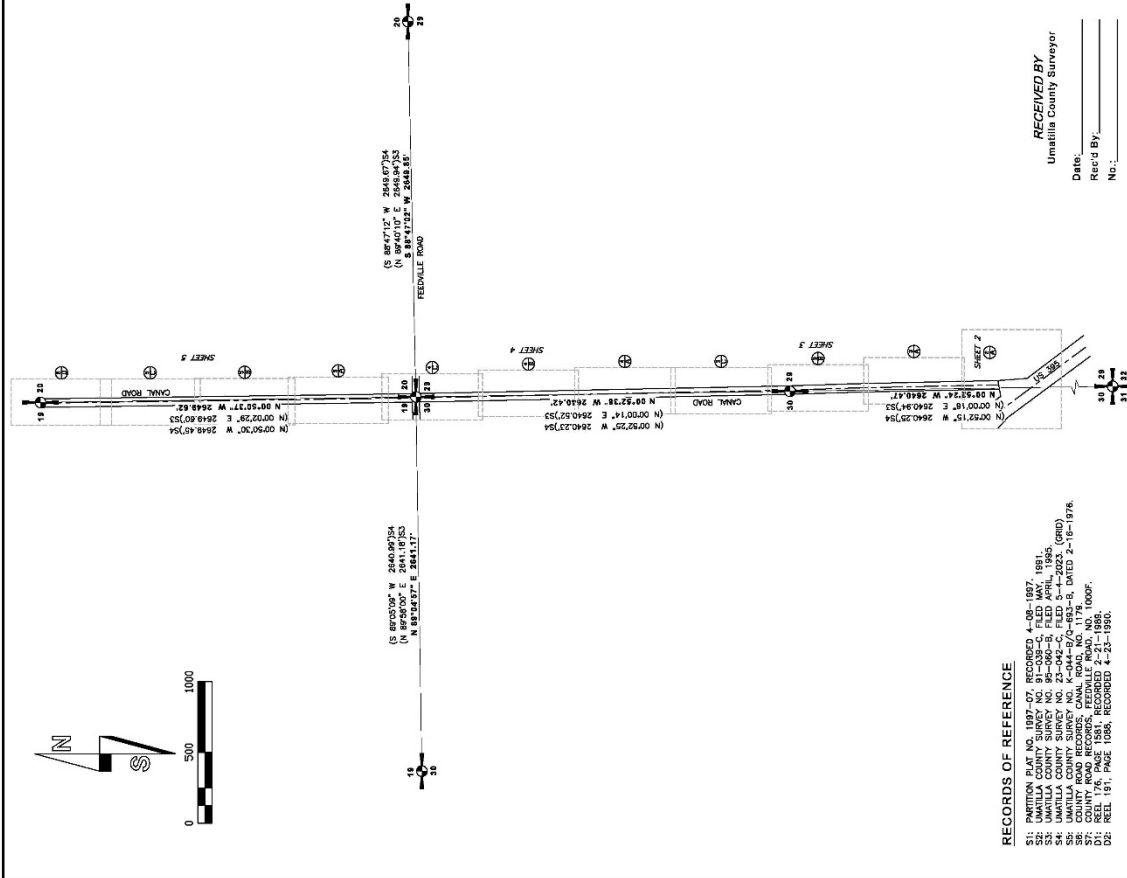
Windblown Solar, LLC., 32327 Oregon Trail Road, Echo, OR 97826

Canal Road Utility Contacts (as listed on utility locate request 23334866)

Charter Communications	800-778-9140
Cascade Natural Gas – Pendleton	541-278-0231
Transcanada GTN System	509-547-8161
Level 3 Now Lumen	577-366-8344
Pacific Power	425-392-6412
CTLQL – Century Link	800-778-9140
City of Stanfield	541-449-3831
Windwave Communications	541-561-3862

# RECORD OF SURVEY FOR THE LEGALIZATION OF CANAL ROAD, COUNTY ROAD NO. 1179

LOCATED IN SECTIONS 19, 20, 29 & 30,  
TOWNSHIP 4 NORTH, RANGE 29 EAST, W.M.,  
UMATILLA COUNTY, OREGON.



## SURVEY NARRATIVE

THIS SURVEY HAS BEEN PREPARED AT THE REQUEST OF THE UMATILLA COUNTY PUBLIC WORKS DEPARTMENT TO SURVEY CANAL ROAD, COUNTY ROAD NO. 1179 IN ANTICIPATION OF LEGALIZATION. EXISTING RECORDS FOR THAT ROAD SHOW A 100' WIDE RIGHT-OF-WAY. THE SURVEY HEREIN DOES NOT AGREE WITH THE LOCATION AS TRAVELED AND MAINTAINED FOR 10 YEARS OR MORE.

THAT PORTION OF CANAL ROAD LYING NORTHERLY OF US HIGHWAY 305 TO A POINT APPROXIMATELY 500 FEET NORTH OF FEEDVALE ROAD, COUNTY ROAD NO. 1000, JACKS RECORD ACQUISITION DOCUMENTS, IT APPEARS THOSE RECORDS DO NOT CORRELATE WITH THE CURRENT ROAD LOCATION AS TRAVELED FOR 10 YEARS OR MORE AND BEGINS AT A POINT APPROXIMATELY 500 FEET NORTH OF A DISCONTINUED FEEDVALE ROAD RANGE 29 EAST, W.M. ROAD NOTES FOR OLD COUNTY ROAD NO. 981 DO NOT SPECIFY THE EXACT POINT AT WHICH THE ROAD BEGINS. THE LOCATION OF THE POINT WHERE THE ROAD BEGINS WAS DETERMINED BY COMPLETING SECTION LINES FROM THE POINT APPROXIMATELY 500 FEET NORTH OF FEEDVALE ROAD TO THE QUARTER CORNER OF SECTION 24, TOWNSHIP 4 NORTH, RANGE 29 EAST, W.M. THE EXACT LOCATION OF THE POINT WHERE THE ROAD BEGINS WAS DETERMINED BY DETERMINING THE LOCATION OF CANAL ROAD AS SHOWN REPRESENTS THE EXTENTS OF THE PROPOSED LEGALIZATION. THE MONUMENTS AS DETERMINED BY THIS SURVEY ARE NEARLY ALL NEW AND WERE PLACED TO MATCH THE EXISTING ROAD LOCATION. AREA SECTIONS LINES FALL WITHIN THE PROPOSED RIGHT-OF-WAY MARGINS 50' LEGAL ACCESS FOR ALL ADJOINING PROPERTIES IS MAINTAINED THROUGHOUT THE CORRIDOR.

US HIGHWAY 305 RIGHT-OF-WAY WAS DETERMINED BY HOLDING THE TWO FOUND 5/4\"/>

A UTILITY LOCATE REQUEST WAS SUBMITTED AS PART OF THIS PROJECT TO ANALYZE UNDERGROUND UTILITY LOCATIONS IN RELATION TO THE PROPOSED RIGHT-OF-WAY MARGINS. THESE UTILITIES LOCATED HAVE BEEN RECORDED AND THE RIGHT-OF-WAY REMAINS WITHIN THE RIGHT-OF-WAY AS PROPOSED. I FIND NO ADVERSE CONDITIONS FOR THE PROPOSED RIGHT-OF-WAY MARGINS OR UTILITY COMPANIES AS A RESULT OF LEGALIZING CANAL ROAD IN THE LOCATION AS PROPOSED.

FEEDVALE ROAD RIGHT-OF-WAY WAS NOT ANALYZED AS PART OF THIS SURVEY. THE APPROXIMATE LOCATION HAS BEEN MAPPED HEREON USING THE EXISTING SECTION LINE LOCATION AS THE CENTER OF RIGHT-OF-WAY. THE RIGHT-OF-WAY IN THIS LOCATION MONUMENTS PLACED AS PART OF THIS SURVEY NEAR THE POINT WHERE THE ROAD BEGINS WAS DETERMINED BY COMPLETING SECTION LINES FROM THE POINT APPROXIMATELY 500 FEET NORTH OF FEEDVALE ROAD TO THE QUARTER CORNER OF SECTION 24, TOWNSHIP 4 NORTH, RANGE 29 EAST, W.M. THE EXACT LOCATION OF THE POINT WHERE THE ROAD BEGINS WAS DETERMINED BY DETERMINING THE LOCATION OF CANAL ROAD AS SHOWN REPRESENTS THE EXTENTS OF THE PROPOSED LEGALIZATION. THE MONUMENTS AS DETERMINED BY THIS SURVEY ARE NEARLY ALL NEW AND WERE PLACED TO MATCH THE EXISTING ROAD LOCATION. AREA SECTIONS LINES FALL WITHIN THE PROPOSED RIGHT-OF-WAY MARGINS 50' LEGAL ACCESS FOR ALL ADJOINING PROPERTIES IS MAINTAINED THROUGHOUT THE CORRIDOR.

THIS SURVEY WAS PERFORMED USING TWO TOPCON THEODOLITES OR ONE THEODOLITE ORIENTED IN ANY MODE. THE BASIS OF BEARING IS THE US HIGHWAY 305 RIGHT OF WAY CENTERLINE PER SURVEY 91-039-C. DISTANCES ARE GROUND, INTERNATIONAL FEET.

## LEGEND

⊕ POINTS BEING 50' SECTION OR QUARTER SECTION CORNER. SEE R3 AND R4 FOR ADDITIONAL INFORMATION.

⊕ SHEET AND DETAIL IDENTIFIER. SEE SHEETS 2-5.

( 254 ) RECORD DATA REFERENCE. SEE TABLE.

**REGISTERED PROFESSIONAL LAND SURVEYOR**  
**FOR REVIEW**  
OREGON  
MATT PATRICK KENNY  
853/445



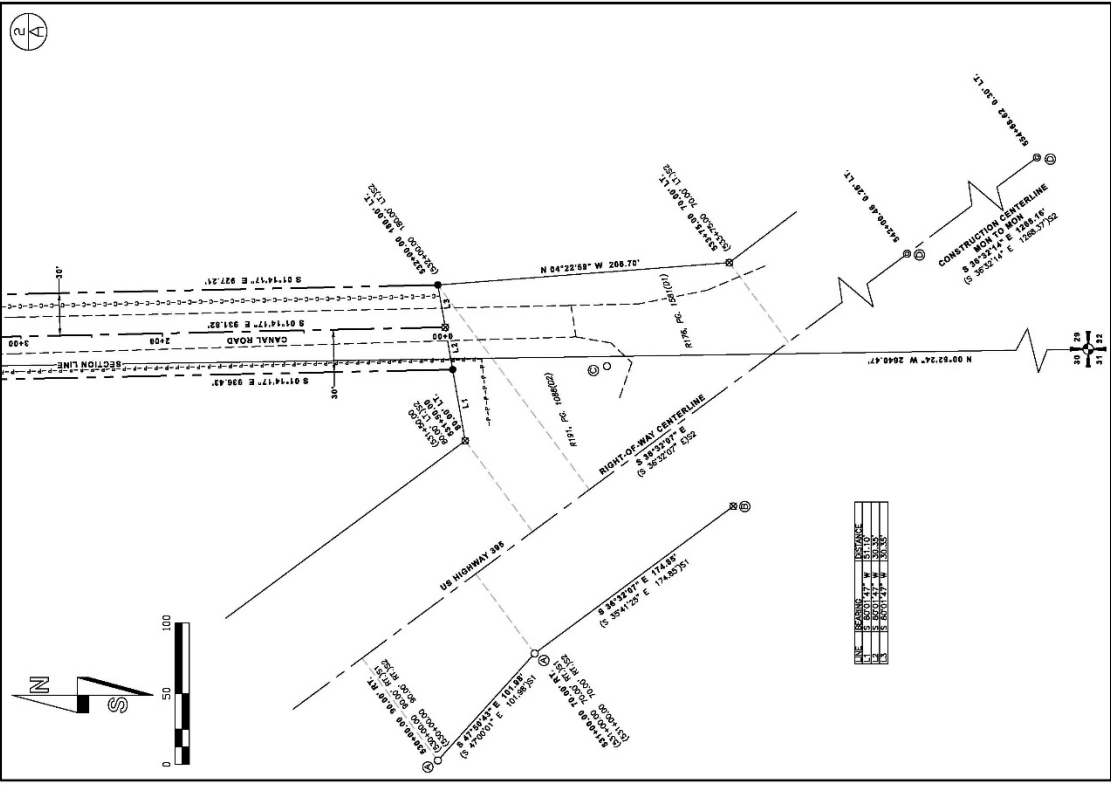
P.O. BOX 447, HEPPNER, OR 97838  
www.kennylandsurveying.com

LEGALIZATION SURVEY FOR A PORTION OF CANAL ROAD, COUNTY ROAD NO. 1179  
LOCATED IN SECTIONS 19, 20, 29 & 30 TOWNSHIP 4 NORTH, RANGE 29 EAST,  
WILMARETTE MERIDIAN, UMATILLA COUNTY, OREGON

CLIENT: UMATILLA COUNTY  
PROJECT: 23-48  
DRG. WPK  
DATE: DEC. 14, 2023  
SHEET 1 OF 5

RECEIVED BY  
Umatilla County Surveyor  
Date: \_\_\_\_\_  
Rec'd BY: \_\_\_\_\_  
No.: \_\_\_\_\_

- RECORDS OF REFERENCE
- S1: PARTITION PLAT NO. 1097-07 RECORDED 4-08-1997.
  - S2: UMATILLA COUNTY SURVEY NO. 91-039-C, FILED MAR. 1991.
  - S3: UMATILLA COUNTY SURVEY NO. 23-042-C, FILED 5-11-2023. (GRID)
  - S4: UMATILLA COUNTY SURVEY NO. 23-042-C, FILED 5-11-2023. (GRID)
  - S5: UMATILLA COUNTY SURVEY NO. 1-044-B/A-893-B, DATED 2-18-1976.
  - S6: COUNTY ROAD RECORDS, FEEDVALE ROAD, NO. 1000F.
  - S7: COUNTY ROAD RECORDS, FEEDVALE ROAD, NO. 1000F.
  - S8: COUNTY ROAD RECORDS, FEEDVALE ROAD, NO. 1000F.
  - D2: REEL 191, PAGE 1056, RECORDED 4-22-1990.



**RECORD OF SURVEY FOR THE LEGALIZATION OF CANAL ROAD, COUNTY ROAD NO. 1179**  
 LOCATED IN SECTIONS 19, 20, 29 & 30,  
 TOWNSHIP 30S, RANGE 29E, EAST, W.M.,  
 UMATILLA COUNTY, OREGON.

**LEGEND**

- FOUND BRASS CAP SECTION OR QUARTER SECTION CORNER. SEE PG AND 1/4 FOR ADDITIONAL INFORMATION.
- FOUND SURVEY MONUMENT AS NOTED.
- SET 2 1/2" X 30" STEEL REBAR WITH PINK PLASTIC CAP, MARKED "KENNY LS 88274".
- ⊙ COMPUTED POSITION, NOTHING FOUND OR SET.
- Ⓜ MONUMENT IDENTIFIER, SEE MONUMENT TABLE FOR DETAILS.
- LEGALIZATION CENTERLINE
- LEGALIZATION RIGHT-OF-WAY LINE
- EDGE OF GRAVEL OR PAVEMENT
- OVERHEAD POWER LINE
- UNDERGROUND COMMUNICATION LINE
- RECORD DATA REFERENCE, SEE TABLE.

**MONUMENT TABLE**

- Ⓜ HELD 5/8" REBAR WITH YELLOW PLASTIC CAP PER PARTITION PLAT 1897-07 (R1).
- Ⓜ HELD TO ESTABLISH HIGHWAY RIGHT-OF-WAY CENTERLINE.
- Ⓜ COMPUTED LOCATION PER R1. FOUND 5/8" REBAR WITH YELLOW PLASTIC CAP PER PARTITION PLAT 2004-28 BEARS SOUTH 29°34'16" WEST, 0.82'.
- Ⓜ FOUND 2/8" REBAR, ORIGIN UNKNOWN, NOT HELD. LOCATED AT US HIGHWAY 385 STATION 532+91.28, 82.75 LT.
- Ⓜ FOUND BRASS DISK IN MONUMENT BOX PER SURVEY 81-039-C (R2). THESE MONUMENTS WERE FOUND TO BE IN THE CORRECT LOCATION AS UTILIZED WITH DATA PER R2 TO VERIFY COMPUTED RIGHT-OF-WAY CENTERLINE ONLY.

**RECORDS OF REFERENCE**

- S1: PARTITION PLAT NO. 1897-07, RECORDED 4-08-1997.
- S2: UMATILLA COUNTY SURVEY NO. 81-039-C, FILED MAR, 1991.
- S3: UMATILLA COUNTY SURVEY NO. 23-142-C, FILED 5-4-2023, (GRD).
- S4: UMATILLA COUNTY SURVEY NO. 23-142-C, FILED 5-4-2023, (GRD).
- S5: COUNTY ROAD RECORDS, CANAL ROAD, R6, DATED 2-16-1976.
- S6: COUNTY ROAD RECORDS, CANAL ROAD, R6, DATED 2-16-1976.
- S7: COUNTY ROAD RECORDS, FEEDVILLE ROAD, NO. 1000F.
- D1: PREL. 191, PAGE 108B, RECORDED 4-23-1980.
- D2: PREL. 191, PAGE 108B, RECORDED 4-23-1980.

**RECEIVED BY**  
 Umatilla County Surveyor  
 Date: \_\_\_\_\_  
 Rec'd By: \_\_\_\_\_  
 No.: \_\_\_\_\_

**KENNY LAND SURVEYING**  
 P.O. BOX 547, HEPPNER, OR 97836  
 www.kennylandsurveying.com

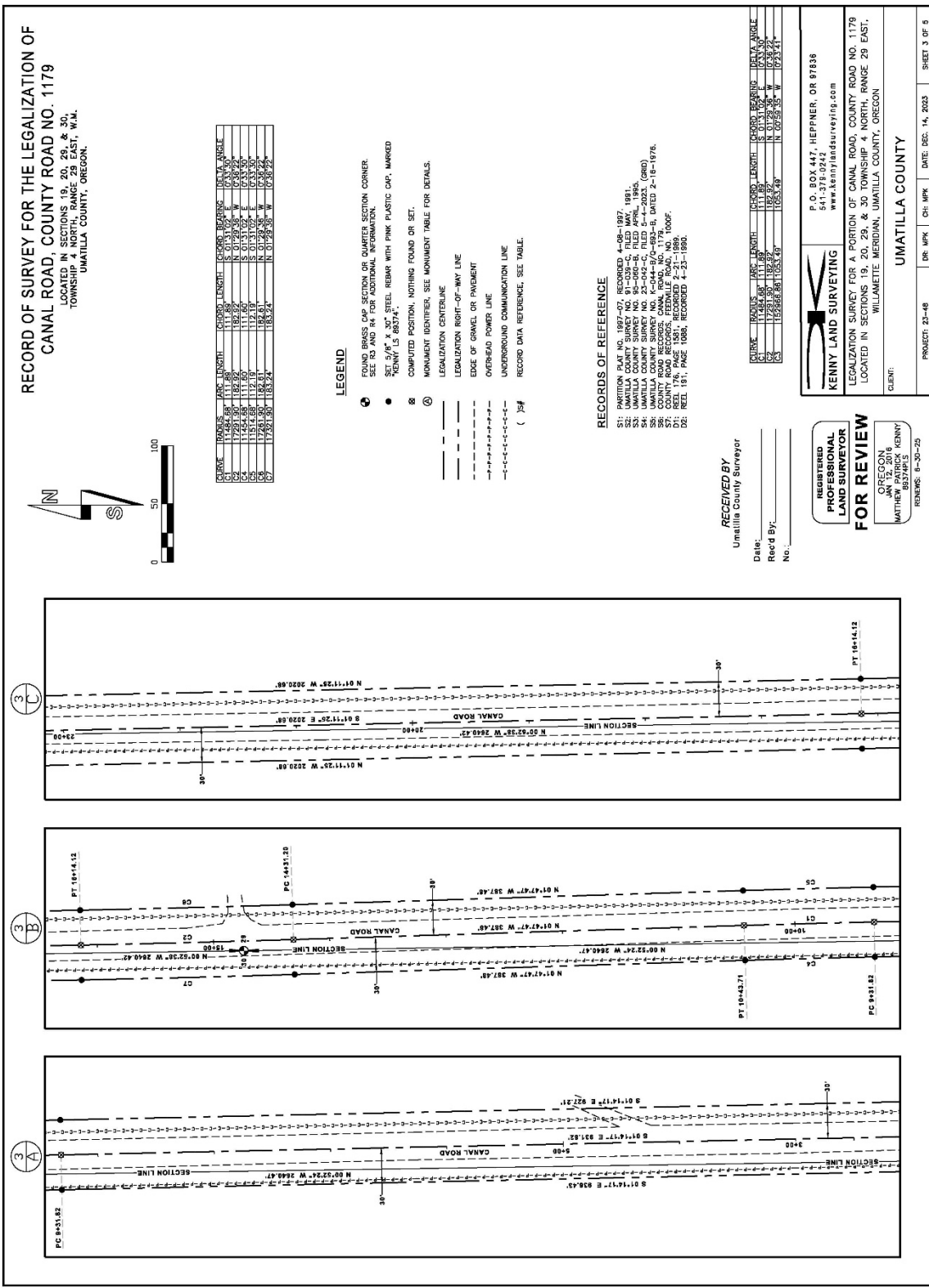
LEGALIZATION SURVEY FOR A PORTION OF CANAL ROAD, COUNTY ROAD NO. 1179  
 LOCATED IN SECTIONS 19, 20, 29, & 30 TOWNSHIP 30 NORTH, RANGE 29 EAST,  
 WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON

CLIENT:  
 UMATILLA COUNTY

PROJECT: 23-48     DR: MKP     CH: MKP     DATE: DEC. 14, 2023     SHEET 2 OF 5

**REGISTERED PROFESSIONAL LAND SURVEYOR**  
**FOR REVIEW**  
 OREGON  
 MATHIEW PATRICK KENNY  
 852/4415  
 LICENSE 6-30-75





**RECORD OF SURVEY FOR THE LEGALIZATION OF  
CANAL ROAD, COUNTY ROAD NO. 1179**  
LOCATED IN SECTIONS 19, 20, 29 & 30,  
TOWNSHIP 4 NORTH, RANGE 29 EAST, W.M.,  
UMATILLA COUNTY, OREGON.

LINE	BEARING	W.	DISTANCE
1	S 89°42'52"	48'	0.0000

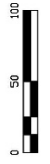
CURVE	BEARING	CHORD	LENGTH	CHORD BEARING	CHORD ANGLE
C1	S 89°42'52"	100.00	100.00	N 01°17'25"	071°13'
C2	S 89°42'52"	100.00	100.00	N 01°17'25"	071°13'
C3	S 89°42'52"	100.00	100.00	N 01°17'25"	071°13'
C4	S 89°42'52"	100.00	100.00	N 01°17'25"	071°13'
C5	S 89°42'52"	100.00	100.00	N 01°17'25"	071°13'
C6	S 89°42'52"	100.00	100.00	N 01°17'25"	071°13'
C7	S 89°42'52"	100.00	100.00	N 01°17'25"	071°13'
C8	S 89°42'52"	100.00	100.00	N 01°17'25"	071°13'
C9	S 89°42'52"	100.00	100.00	N 01°17'25"	071°13'
C10	S 89°42'52"	100.00	100.00	N 01°17'25"	071°13'
C11	S 89°42'52"	100.00	100.00	N 01°17'25"	071°13'
C12	S 89°42'52"	100.00	100.00	N 01°17'25"	071°13'
C13	S 89°42'52"	100.00	100.00	N 01°17'25"	071°13'

**LEGEND**

- FOUND BRASS CAP SECTION OR QUARTER SECTION CORNER. SEE R3 AND R4 FOR ADDITIONAL INFORMATION.
- FOUND 5/8" REBAR WITH YELLOW PLASTIC CAP PER SS.
- SET 5/8" X 30" STEEL REBAR WITH PINK PLASTIC CAP, MARKED "KENNY LS 88374".
- ⊗ COMPUTED POSITION, NOTHING FOUND OR SET.
- ⊙ MONUMENT IDENTIFIER, SEE MONUMENT TABLE FOR DETAILS.
- LEGALIZATION CENTERLINE
- LEGALIZATION RIGHT-OF-WAY LINE
- EDGE OF GRAVEL OR PAVEMENT
- OVERHEAD POWER LINE
- UNDERGROUND COMMUNICATION LINE
- RECORD DATA REFERENCE, SEE TABLE.

**RECORDS OF REFERENCE**

- S1: PARTITION PLAT NO. 1987-07, RECORDED 4-08-1987.
- S2: UMATILLA COUNTY SURVEY NO. 81-088-26, FILED APRIL 1985.
- S3: UMATILLA COUNTY SURVEY NO. 81-088-26, FILED APRIL 1985.
- S4: UMATILLA COUNTY SURVEY NO. 23-042-C, FILED 5-4-2023, (GEO)
- S5: UMATILLA COUNTY SURVEY NO. 23-042-C, FILED 5-4-2023, (GEO)
- S6: COUNTY ROAD RECORDS, CANAL ROAD NO. 1179, DATED 2-16-1976.
- S7: COUNTY ROAD RECORDS, FEDERAL ROAD NO. 1000F.
- S8: COUNTY ROAD RECORDS, FEDERAL ROAD NO. 1000F.
- D1: REEL 1874, PAGE 108B, RECORDED 4-23-1981.



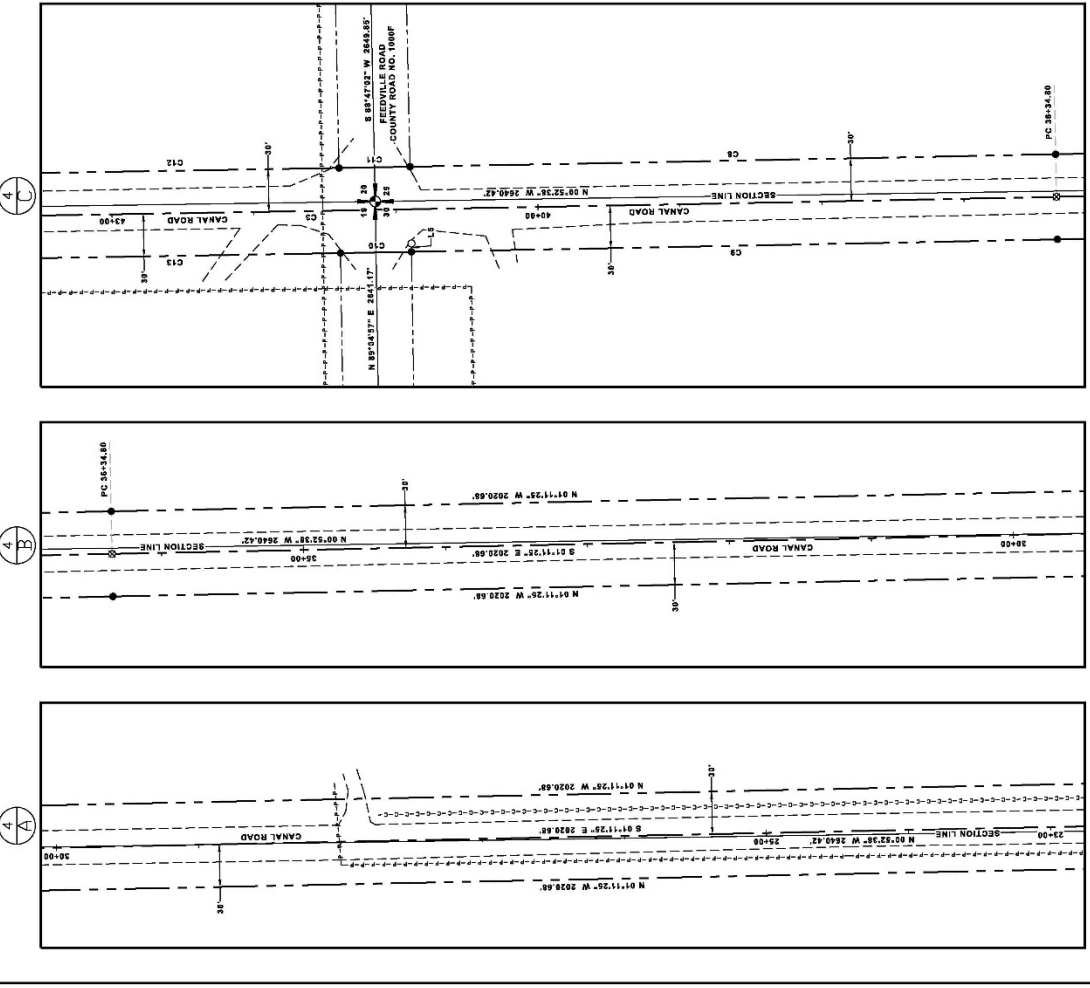
**REGISTERED  
PROFESSIONAL  
LAND SURVEYOR**  
**FOR REVIEW**  
ORIGON  
JAN 12, 2016  
MATTHEW PATRICK KENNY  
RENEWAL: 61-56-25

RECEIVED BY  
Umatilla County Surveyor  
Date: \_\_\_\_\_  
Rec'd By: \_\_\_\_\_  
No.: \_\_\_\_\_

**KENNY LAND SURVEYING**  
P.O. BOX 447, HEPPNER, OR 97836  
541-378-0242  
www.kennylandsurveying.com

LEGALIZATION SURVEY FOR A PORTION OF CANAL ROAD, COUNTY ROAD NO. 1179  
LOCATED IN SECTIONS 19, 20, 29 & 30 TOWNSHIP 4 NORTH, RANGE 29 EAST,  
WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON

CLIENT: **UMATILLA COUNTY**  
PROJECT: 23-46 DR. WPK CR. WPK DATE: DEC. 14, 2023 SHEET 4 OF 9



**RECORD OF SURVEY FOR THE LEGALIZATION OF  
CANAL ROAD, COUNTY ROAD NO. 1179**  
LOCATED IN SECTIONS 19, 20, 29, & 30,  
TOWNSHIP 4 NORTH, RANGE 28 EAST, W.M.,  
UMATILLA COUNTY, OREGON.

LINE	BEARING	DISTANCE
1	N 89°27'18" E	12.78'
2	S 89°27'18" W	12.78'
3	N 00°00'00" E	0.00'
4	S 00°00'00" W	0.00'
5	N 00°00'00" E	0.00'
6	S 00°00'00" W	0.00'
7	N 00°00'00" E	0.00'
8	S 00°00'00" W	0.00'
9	N 00°00'00" E	0.00'
10	S 00°00'00" W	0.00'
11	N 00°00'00" E	0.00'
12	S 00°00'00" W	0.00'
13	N 00°00'00" E	0.00'
14	S 00°00'00" W	0.00'
15	N 00°00'00" E	0.00'
16	S 00°00'00" W	0.00'
17	N 00°00'00" E	0.00'
18	S 00°00'00" W	0.00'
19	N 00°00'00" E	0.00'
20	S 00°00'00" W	0.00'
21	N 00°00'00" E	0.00'
22	S 00°00'00" W	0.00'
23	N 00°00'00" E	0.00'
24	S 00°00'00" W	0.00'
25	N 00°00'00" E	0.00'
26	S 00°00'00" W	0.00'
27	N 00°00'00" E	0.00'
28	S 00°00'00" W	0.00'
29	N 00°00'00" E	0.00'
30	S 00°00'00" W	0.00'
31	N 00°00'00" E	0.00'
32	S 00°00'00" W	0.00'
33	N 00°00'00" E	0.00'
34	S 00°00'00" W	0.00'
35	N 00°00'00" E	0.00'
36	S 00°00'00" W	0.00'
37	N 00°00'00" E	0.00'
38	S 00°00'00" W	0.00'
39	N 00°00'00" E	0.00'
40	S 00°00'00" W	0.00'
41	N 00°00'00" E	0.00'
42	S 00°00'00" W	0.00'
43	N 00°00'00" E	0.00'
44	S 00°00'00" W	0.00'
45	N 00°00'00" E	0.00'
46	S 00°00'00" W	0.00'
47	N 00°00'00" E	0.00'
48	S 00°00'00" W	0.00'
49	N 00°00'00" E	0.00'
50	S 00°00'00" W	0.00'
51	N 00°00'00" E	0.00'
52	S 00°00'00" W	0.00'
53	N 00°00'00" E	0.00'
54	S 00°00'00" W	0.00'
55	N 00°00'00" E	0.00'
56	S 00°00'00" W	0.00'
57	N 00°00'00" E	0.00'
58	S 00°00'00" W	0.00'
59	N 00°00'00" E	0.00'
60	S 00°00'00" W	0.00'
61	N 00°00'00" E	0.00'
62	S 00°00'00" W	0.00'
63	N 00°00'00" E	0.00'
64	S 00°00'00" W	0.00'
65	N 00°00'00" E	0.00'
66	S 00°00'00" W	0.00'
67	N 00°00'00" E	0.00'
68	S 00°00'00" W	0.00'
69	N 00°00'00" E	0.00'
70	S 00°00'00" W	0.00'
71	N 00°00'00" E	0.00'
72	S 00°00'00" W	0.00'
73	N 00°00'00" E	0.00'
74	S 00°00'00" W	0.00'
75	N 00°00'00" E	0.00'
76	S 00°00'00" W	0.00'
77	N 00°00'00" E	0.00'
78	S 00°00'00" W	0.00'
79	N 00°00'00" E	0.00'
80	S 00°00'00" W	0.00'
81	N 00°00'00" E	0.00'
82	S 00°00'00" W	0.00'
83	N 00°00'00" E	0.00'
84	S 00°00'00" W	0.00'
85	N 00°00'00" E	0.00'
86	S 00°00'00" W	0.00'
87	N 00°00'00" E	0.00'
88	S 00°00'00" W	0.00'
89	N 00°00'00" E	0.00'
90	S 00°00'00" W	0.00'
91	N 00°00'00" E	0.00'
92	S 00°00'00" W	0.00'
93	N 00°00'00" E	0.00'
94	S 00°00'00" W	0.00'
95	N 00°00'00" E	0.00'
96	S 00°00'00" W	0.00'
97	N 00°00'00" E	0.00'
98	S 00°00'00" W	0.00'
99	N 00°00'00" E	0.00'
100	S 00°00'00" W	0.00'

**LEGEND**

- FOUND BRASS CAP SECTION OR QUARTER SECTION CORNER. SEE PG AND 14 FOR ADDITIONAL INFORMATION.
- SET 5/8" x 30" STEEL REBAR WITH PINK PLASTIC CAP, MARKED "REBAR" & "SECTION".
- ⊗ COMPUTED POSITION, NOTINGS FOUND OR SET.
- ⊙ MONUMENT IDENTIFIER, SEE MONUMENT TABLE FOR DETAILS.
- LEGALIZATION CENTERLINE
- LEGALIZATION RIGHT-OF-WAY LINE
- EDGE OF GRAVEL OR PAVEMENT
- OVERHEAD POWER LINE
- UNDERGROUND COMMUNICATION LINE
- ( ) RECORD DATA REFERENCE, SEE TABLE.

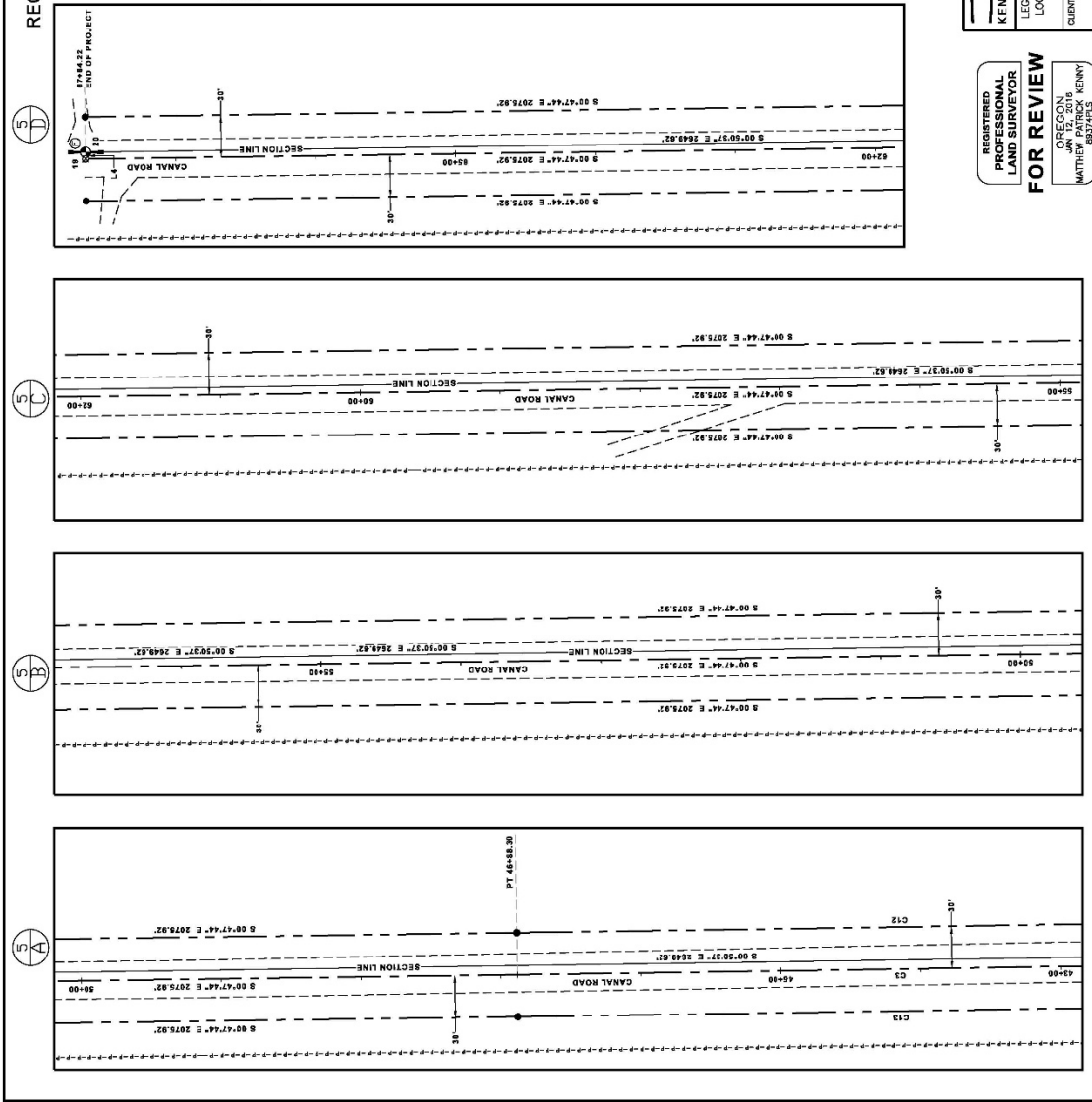
**RECORDS OF REFERENCE**

- S1: PARTITION PLAT NO. 1987-07, RECORDED 4-28-1987.
- S2: UMATILLA COUNTY SURVEY NO. 81-038-5, FILED MAY, 1991.
- S3: UMATILLA COUNTY SURVEY NO. 23-042-0, FILED 5-4-2023, (GRID)
- S4: UMATILLA COUNTY SURVEY NO. 23-042-0, FILED 5-4-2023, (GRID)
- S5: UMATILLA COUNTY SURVEY NO. K-344-B/O-693-B, DATED 2-16-1976.
- S6: UMATILLA COUNTY SURVEY NO. K-344-B/O-693-B, DATED 2-16-1976.
- S7: COUNTY ROAD RECORDS, FEDERALLE ROAD, NO. 1000F.
- S8: COUNTY ROAD RECORDS, FEDERALLE ROAD, NO. 1000F.
- D1: REEL 191, PAGE 108K, RECORDED 4-23-1980.



RECEIVED BY  
Umattilla County Surveyor

Date: \_\_\_\_\_  
Rec'd By: \_\_\_\_\_  
No. \_\_\_\_\_



REGISTERED PROFESSIONAL LAND SURVEYOR  
**FOR REVIEW**  
OREGON  
JAN 17, 2016  
MATTHEW J. KENNY  
68234165  
RENEWALS: 6-30-25

KENNY LAND SURVEYING  
LEGALIZATION SURVEY FOR A PORTION OF CANAL ROAD, COUNTY ROAD NO. 1179  
LOCATED IN SECTIONS 19, 20, 29, & 30 TOWNSHIP 4 NORTH, RANGE 28 EAST,  
WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON  
CLIENT:  
UMATILLA COUNTY

P.O. BOX 447, HEPPNER, OR 97835  
541-379-0242  
www.kennylandsurveying.com  
DATE: DEC. 14, 2023  
DR. MKP  
SHEET 5 OF 5

THE BOARD OF COMMISSIONERS OF UMATILLA COUNTY

STATE OF OREGON

In the Matter of Setting a Hearing                    )  
on the Legalization of Canal Road,                )     ORDER NO. RD2024-01  
County Road No. 1179                                 )

WHEREAS in accordance with ORS 368.206, the Umatilla County Board of Commissioners is initiating the process to legalize a portion of Canal Road, County Road No. 1179, located in Sections 19, 20, 29 and 30, Township 4 North, Range 29 E.W.M.;

WHEREAS the Department of Public Works has found that no records exist for the road as traveled and used for ten (10) years or more and has recommended that the Board of Commissioners legalize the road, and

WHEREAS persons interested or concerned about this proposed legalization may examine any documents concerning this proposed action by contacting the Umatilla County Department of Public Works, 3920 Westgate, Pendleton, Oregon 97801, phone (541)278-5424, Monday through Friday, 8:00 a.m. to 5:00 p.m.

NOW THEREFORE, IT IS ORDERED as follows :

1. A hearing is set for February 21, 2024, at 9:00 a.m. in Room 130 of the Umatilla County Courthouse, 216 S.E. Fourth Street, Pendleton, Oregon, to hear public testimony both for and against the proposed legalization and determine if the above described road shall be legalized in its present location as traveled and used for ten (10) years or more.
2. In accordance with ORS 368.206(1) (c), 368.406, and 368.411, those persons whose property abuts said road legalization shall be notified of this hearing by certified mail at least 30 days before the date of the hearing and notice of the hearing shall be posted in no less than three (3) public places no later than 20 days before the hearing.

DATED this 3<sup>rd</sup> day of January, 2024.

UMATILLA COUNTY BOARD OF COMMISSIONERS

---

John M. Shafer, Chair

---

Celinda A. Timmons, Commissioner

---

Daniel N. Dorran, Commissioner

ATTEST:  
OFFICE OF COUNTY RECORDS

---

Records Officer