

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

FROM (DEPT/ DIVISION): County Counsel

SUBJECT: North Street Road Vacation

<p>Background: The County received a petition from property owners adjacent to North Street to vacate a portion of the unimproved Public 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. RD2022-03</p>
---	--

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: April 6, 2022

Action taken:

Follow-up:

WE, WADE AYLETT AND DEBORA AYLETT, PETITION THE BOARD OF COUNTY COMMISSIONERS OF UMATILLA COUNTY TO VACATE A PORTION OF NORTH STREET AS DEDICATED ON THE PLAT OF MEADOW VALLEY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

That portion of North Street found in Block 1 Lot 1 and Block 1 Lot 2 as shown on the Plat of Meadow Valley (1910) otherwise described as that portion of North Street that abuts Tax Lot 900 of Assessor's Map 4N 27 25 to the north and Tax Lots 700 and 800 of Assessor's Map 4N 27 36 to the south. See attached drawings.

I

Petitioners are the owners, as shown in the records of Umatilla County, of property abutting the property proposed to be vacated. Those properties are tax lot 900 of Assessor's Map 4N 27 25 and tax lots 700 and 800 of Assessor's Map 5N 27 36. Petitioners are the only persons particularly affected by the proposed vacation of the property. No person uses the property to be vacated in any respect, to include no person uses the property to be vacated as their access in whole or part.

II

No portion of the property proposed to be vacated is situated within the corporate limits of any city.

III

The circumstances that justify granting a vacation of the described property are:

- The roads dedicated to the public on the Plat of Meadow Valley, recorded in 1910, have never been built or used except for the most easterly road running north and south that is known today as Colonel Jordan Road, not proposed to be vacated.
- The portion of North Street that this petition seeks to vacate was never built and has been for many years part of a farming operation that has long occurred on property owned by the petitioners.
- For the past decade, since mining has been approved on adjoining property, the area dedicated as North Street has been mined.
- The proposed road vacation only addresses the part of North Street that abuts the subject properties identified above.

The reason for requesting this vacation is that the subject road segment of North Street has not been developed as a road. Rather Stafford Hansell Road serves this area, and the area proposed to be vacated has been or is proposed to be mined.

We, Wade and Debora Aylett, hereby request that the Board of County Commissioners consider this petition for vacation of public property and that an order be entered vacating the property more particularly described above.

Dated this 14 day of March, 2022.

Wade Aylett
Wade Aylett

3-14-22
DATE

74854 Washington Avenue
Irrigon, Oregon 97844

Debora Aylett
Debora Aylett

3-14-2022
DATE

74854 Washington Avenue
Irrigon, Oregon 97844

CERTIFICATION

On this 14 day of March, 2022, before me, the undersigned, Wade Aylett, 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 Morrow)



Rocio Orozco
NOTARY PUBLIC FOR OREGON

My Commission Expires March 5, 2024

CERTIFICATION

On this ____ day of _____, 2022, before me, the undersigned, Debora Aylett, 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 _____

This map was prepared for Assessment purposes only.



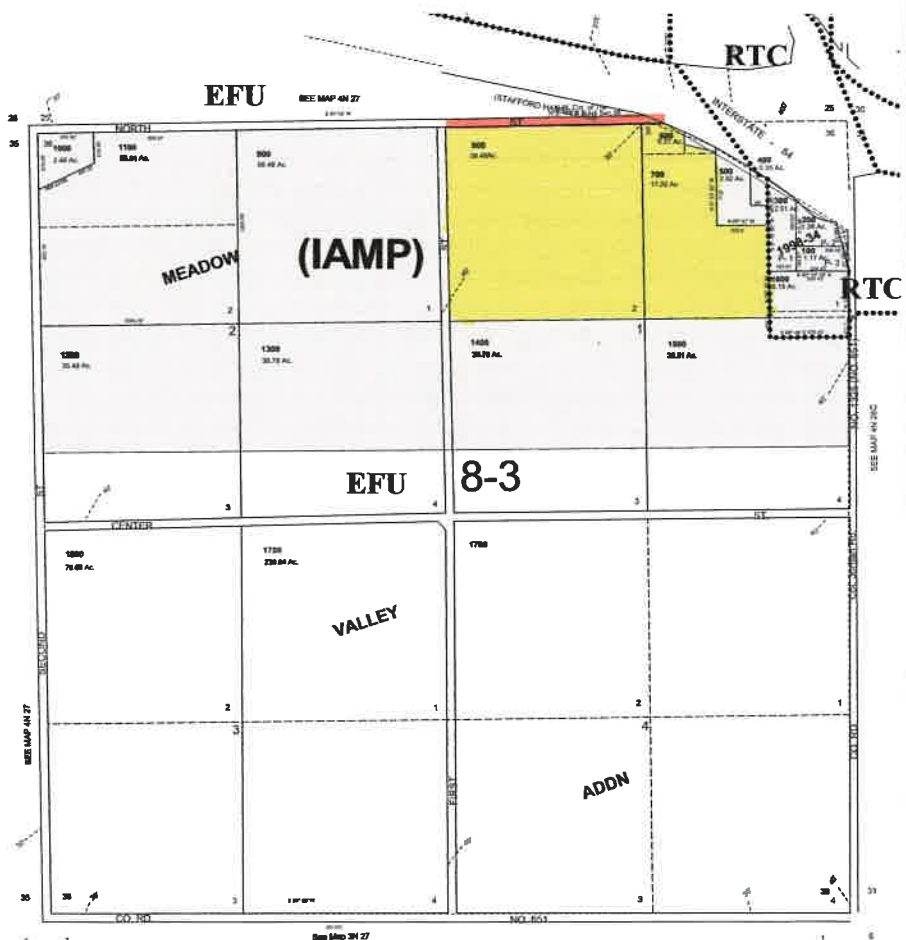
SEC 36 T4N R27E WM UMATILLA COUNTY, OR

SCALE: 1" = 400'

3/19/20

4N 27 36

All in Ordinance Gravel CGW Area
Westland Road Interchange Area Transportation Plan



4N 27 36

This map was prepared for Assessment purposes only.



SEC 25 T4N R27E WM
UMATILLA COUNTY, OR

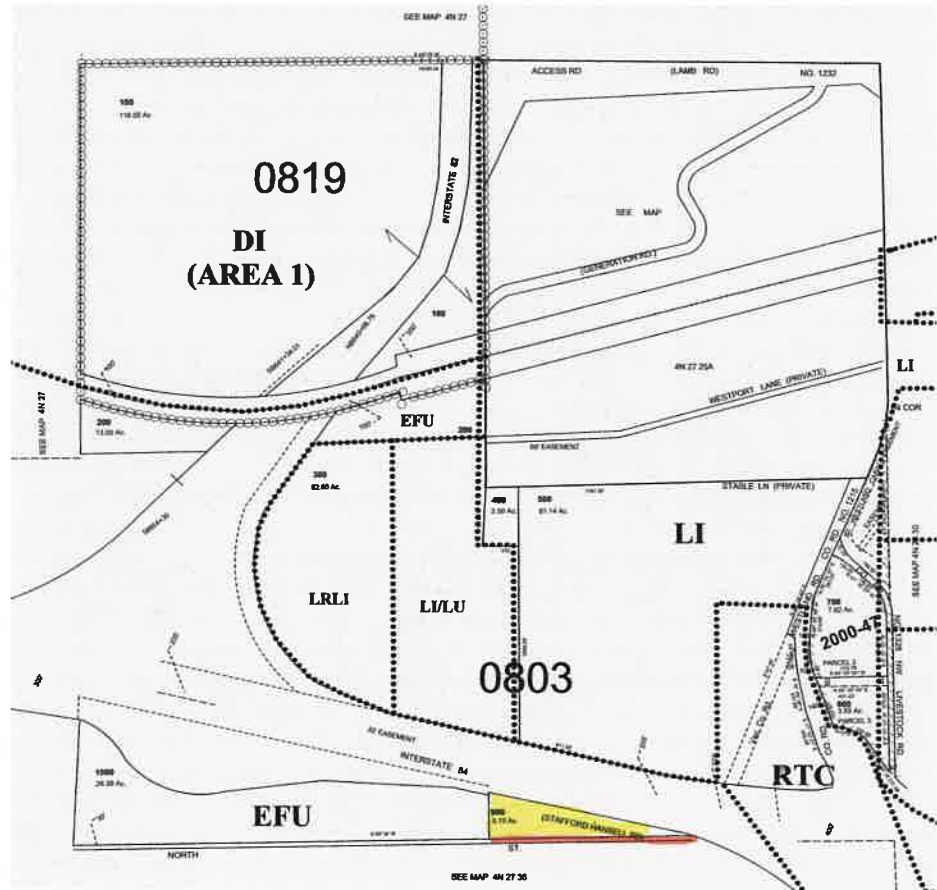
01/09/2020

4N 27 25

AERIAL PHOTO NO. NZ-1P-116-118
2P-27-26 & 2P-36-38

SCALE: 1" = 400'

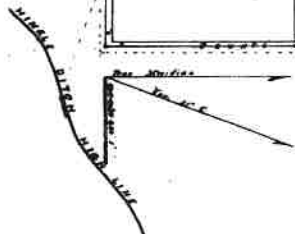
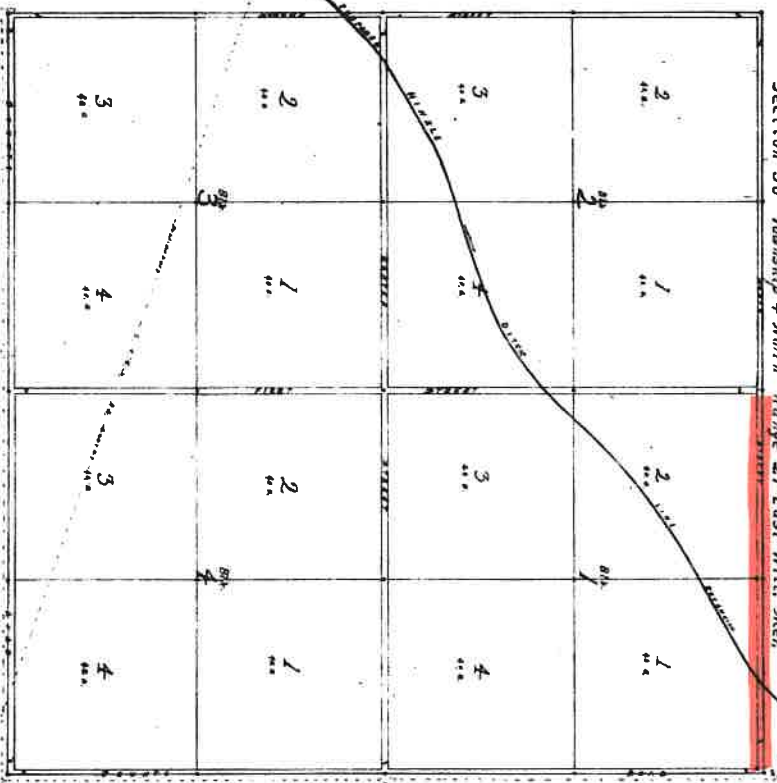
All in Ordinance Gravel Critical Ground Water Area
All in Westland Rd/I-82/I-84 Interchange Area Management Plan



4N2725

PLAT

Section 36 Township 4 North Range 27 East Will. Men



I have the honor to acknowledge the receipt of your letter of the 21st inst. in relation to the proposed plat of the lands in Section 36, Township 4 North, Range 27 East, Willamette County, Oregon, and in reply to advise you that the same has been referred to the Board of Commissioners of the County of Willamette, Oregon, for their consideration. The Board of Commissioners of the County of Willamette, Oregon, has this day considered the same and has resolved to approve the same.

Witness my hand and the seal of the County of Willamette, Oregon, at the City of Medford, Oregon, this 1st day of July, 1907.

By _____
 County Clerk
 Willamette County, Oregon

I have the honor to acknowledge the receipt of your letter of the 21st inst. in relation to the proposed plat of the lands in Section 36, Township 4 North, Range 27 East, Willamette County, Oregon, and in reply to advise you that the same has been referred to the Board of Commissioners of the County of Willamette, Oregon, for their consideration. The Board of Commissioners of the County of Willamette, Oregon, has this day considered the same and has resolved to approve the same.

Witness my hand and the seal of the County of Willamette, Oregon, at the City of Medford, Oregon, this 1st day of July, 1907.

By _____
 Deputy

Umatilla County

Public Works Department

Road Vacation Report

Proposed Vacation of North Street dedicated in the 1910 Meadow Valley partition plat, located on the North side of Block 1 lot 1 and Block 1 lot 2, Section 36, T4N, R27E, W.M., Umatilla County Oregon.

April 6, 2022

Description of Ownership

Property proposed to be vacated consists of a 30 foot right-of-way approximately 1300 feet in length. Wade and Debora Aylett (petitioner) owns all land adjoining the proposed vacation and will regain ownership of the subject property should the vacation be granted.



Property Use

The property is currently being used as an aggregate production facility with access from Stafford Hansell road. The only effected property by this request is owned by the petitioner. The right-of-way has never been developed or used as a public access.

Assessment of public interest

The subject property has never been used for public access or utility purposes. Given the condition of the right-of-way it would be an expensive endeavor to improve to current road standards. There is no practical reason to retain this public right-of-way. Vacation would benefit the public by returning the area in question to the tax roles. Umatilla County public works finds the vacation of this property to be in the public interest and recommends vacation of the property as described on the petition.

THE BOARD OF COMMISSIONERS OF UMATILLA COUNTY

STATE OF OREGON

In the Matter of Vacation of)
North Street, Meadow Valley,) Order No. RD2022-03
an Unimproved Public Road)

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 North Street, an unimproved Public Road, dedicated as part of the Meadow Valley Plat in 1910, located on the North line of Northeast Quarter of Section 36, Township 4 North, Range 27, 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 approximately 1,300 feet 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 a portion of North Street, an unimproved Public Road, 30 feet in width, dedicated as part of the Meadow Valley Plat in 1910, as described below.

2. The following portion of the Public Road identified as North Street is vacated:

Commencing at the Northwest corner of Lot 2, Block 1, Meadow Valley; thence North 30 feet to the North line of Section 36, Township 4 North, Range 27, East of Willamette Meridian; thence East along the said North line to the Northeast corner of said Section 36; thence South 30 feet; thence West along the North lines of Lots 1 and 2, Block 1, Meadow Valley, to the point of beginning. All being in Umatilla County, Oregon. Excepting any portion within the right of way of Interstate 84.

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 6th day of April, 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