

AUG - 4 2010

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY, OREGON
BARBARA E. NIELSEN, COUNTY CLERK

IN THE MATTER OF THE VACATION)	
OF A PORTION OF A DEDICATED)	ORDER GRANTING VACATION OF
ROADWAY IN THE FIRST ADDITION)	PROPERTY UPON PERFORMANCE OR
TO EDEN ORCHARDS IN SECTION 2,)	FULFILLMENT OF CONDITIONS
TOWNSHIP 27 SOUTH, RANGE 7 WEST,)	
W.M., DOUGLAS COUNTY, OREGON)	

This matter comes before the Board of Commissioners upon petition of Maria M. Egbert for vacation of a portion of a dedicated road in the First Addition to Eden Orchards described in the attached Exhibit "A" :

All of the owners of 100% of the property abutting the property proposed to be vacated signed the petition and approved the vacation.

The Board of Commissioners entered a preliminary order dated January 27, 2010, approving vacation of the property described above without a hearing subject to the following conditions:

An assessment of special benefits for the value of the property to be vacated in the sum of \$500.00 shall be paid to Douglas County Public Works Department by petitioner Maria M. Egbert prior to the Board of County Commissioners authorizing vacation of the property and vesting title in the petitioner.

The County Road Official has notified the Board of Commissioners that all conditions stated above have been performed or fulfilled within the time allowed.

NOW, THEREFORE, IT IS HEREBY ORDERED that the property described in this order

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1*****
*Grantor DOUGLAS COUNTY *
*Grantee MARIA M. EGBERT *
*Consideration *
*All Tax Statements To MARIA M. EGBERT *
* *
* *
*After Recording Return To PUBLIC WORKS *
*

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DOUGLAS COUNTY OFFICIAL RECORDS 2010-012622
BARBARA E. NIELSEN, COUNTY CLERK



NO FEE

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08/05/2010 08:05:01 AM

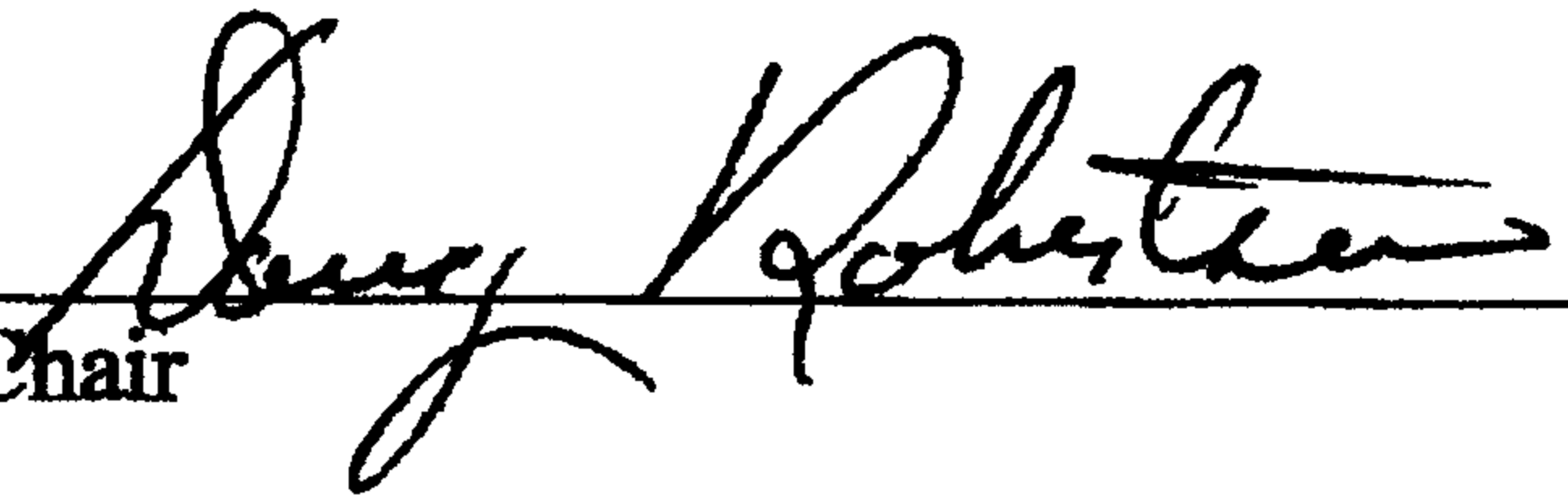
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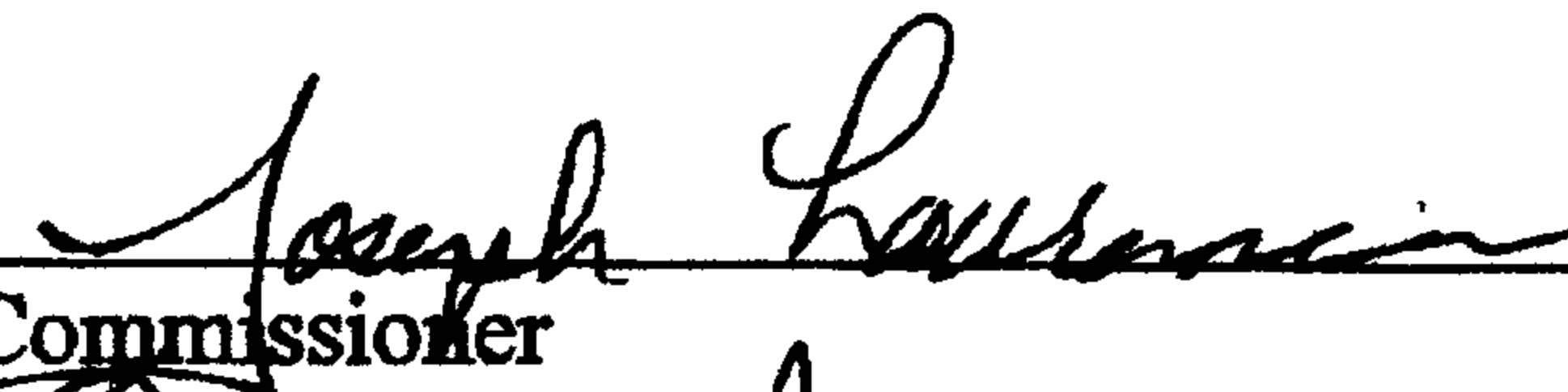
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This is a no fee document

is vacated, except that any existing utilities or owners of drainage facilities located within said property will have unrestricted access to service, maintain, upgrade or replace their facilities. Title to the vacated property will vest in the petitioner, pursuant to ORS 368.366. That portion of vacated property vesting in the petitioner will attach to her abutting property and will not become a separate parcel.

Dated this 4th day of August 2010.

BOARD OF COUNTY COMMISSIONERS
OF DOUGLAS COUNTY, OREGON

By 
Chair

By 
Commissioner

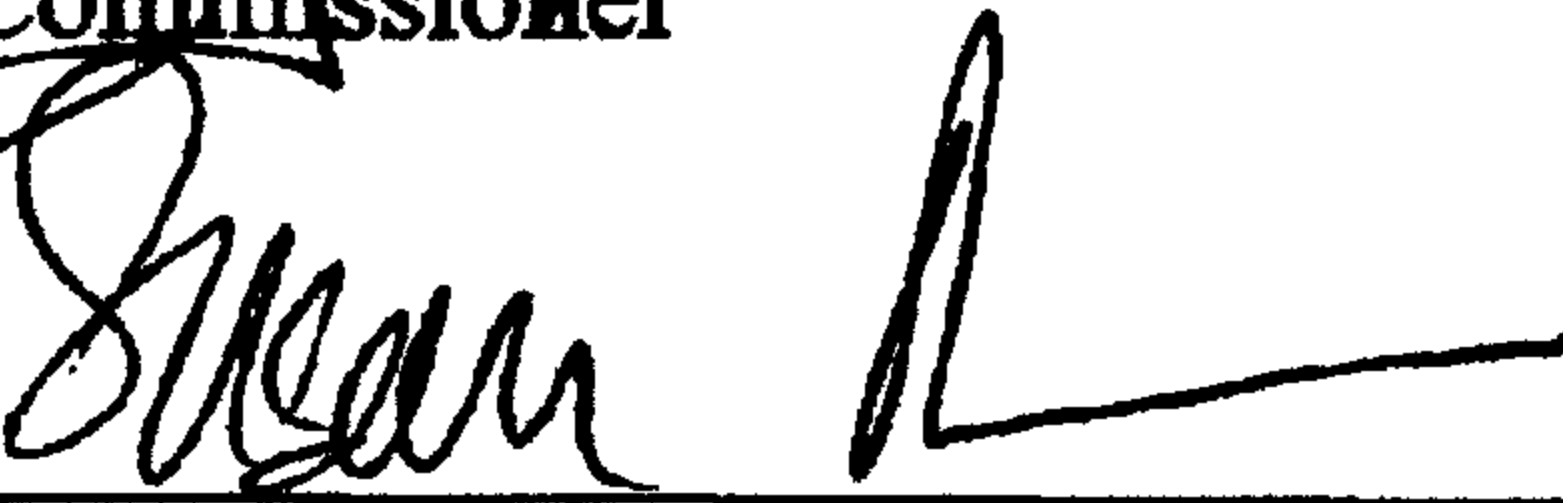
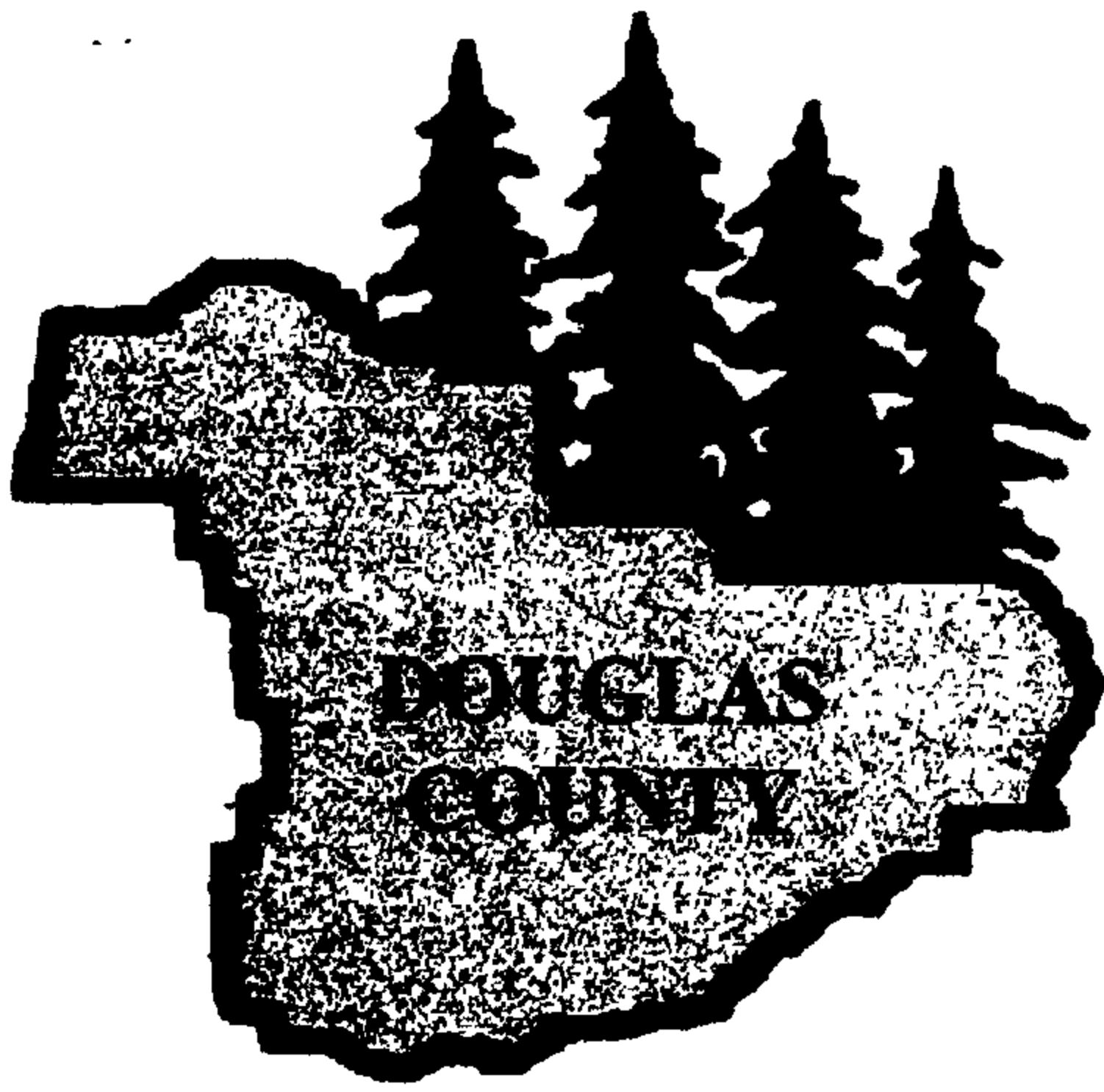
By 
Commissioner

Exhibit "A"

A parcel of land in the SW¼ of Section 2, Township 27 South, Range 7 West, W.M., Douglas County, Oregon and being a portion of a dedicated road in the First Addition to Eden Orchards in Volume 4 Page 66, Subdivision Records of Douglas County, Oregon and being described as follows:

All that portion of the above described property lying between Lot 5 and Lots 28 and 29 of the said First Addition to Eden Orchards and extending 107.02 feet easterly and 19.39 feet westerly of the Northwest corner of said Lot 28. Said portion of dedicated road being bounded to the North and South by that property described in Volume 953, Page 345 Deed Records of Douglas County, Oregon.



PUBLIC WORKS DEPARTMENT

Administration
1036 SE Douglas, Room 219 • Roseburg, Oregon 97470 • (541) 440-4208

DIVISIONS

Administrative Services
1036 SE Douglas, Room 220
Roseburg, Oregon 97470
(541) 440-4526

Engineering and Construction
1036 SE Douglas, Room 304
Roseburg, Oregon 97470
(541) 440-4481

Natural Resources
1036 SE Douglas, Room 306
Roseburg, Oregon 97470
(541) 440-4255

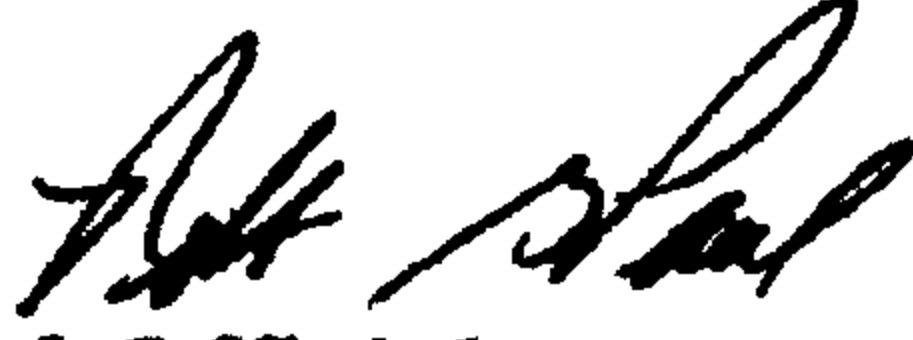
Operations and Maintenance
433 Rifle Range Road
Roseburg, Oregon 97470
(541) 440-4268

Work Crew
1036 SE Douglas, Room 213
Roseburg, Oregon 97470
(541) 957-2072

July 8, 2010

MEMORANDUM

TO: Board of Commissioners

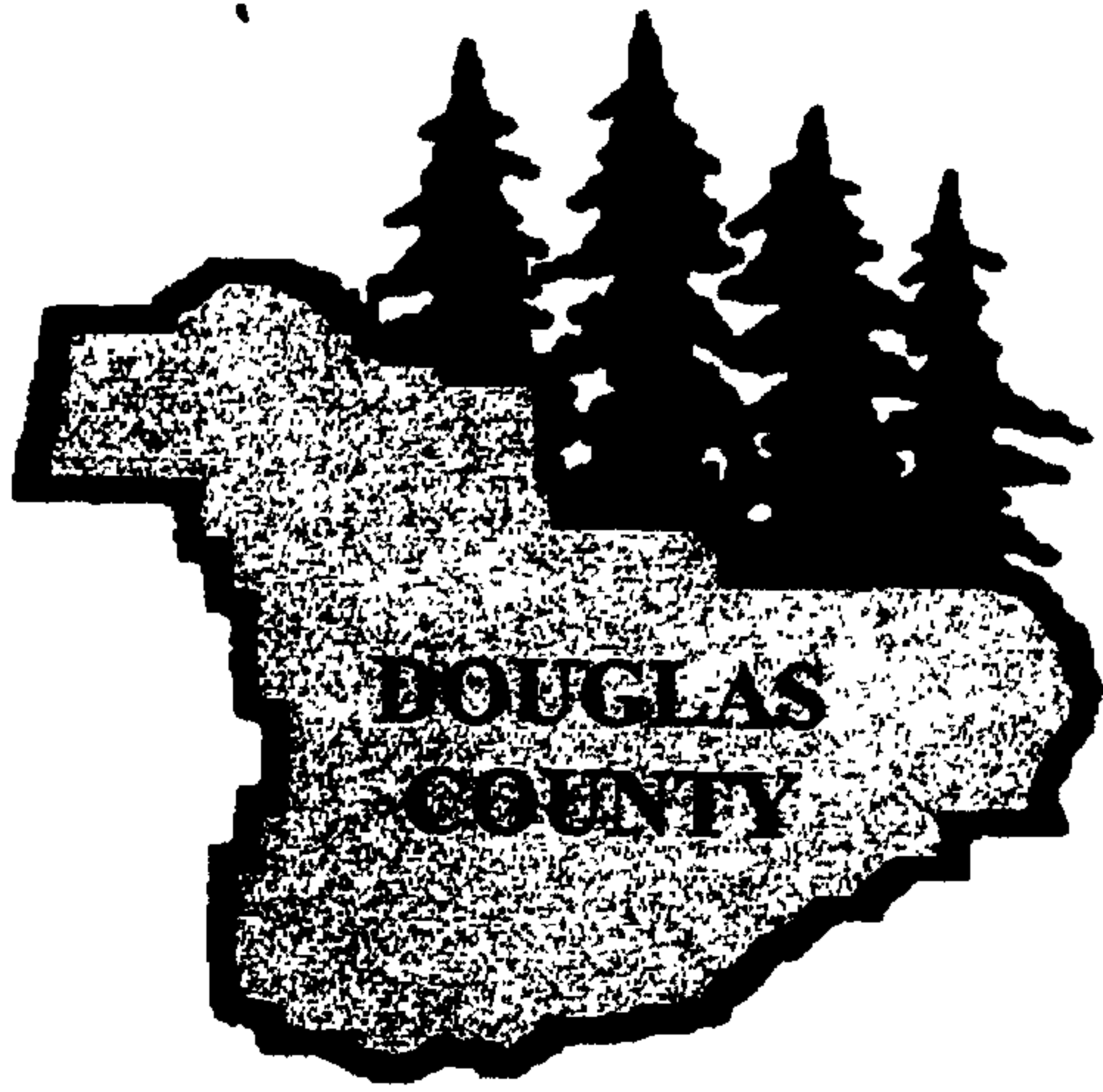
FROM: Robb Paul 
County Road Official

REFERENCE: Performance or Fulfillment of Conditions for Vacation of a Portion of a Dedicated Road in the First Addition to Eden Orchards in Section 2, Township 27 South, Range 7 West, W.M., Douglas County, Oregon

This is to notify you that all conditions as set forth in the Preliminary Order Approving Vacation of Property Without Hearing, dated January 27th, 2010, as referenced above have been fulfilled and a Final Order Granting Vacation can now be processed.

RGP/cb

Doerner.mem



PUBLIC WORKS DEPARTMENT

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(541) 440-4268

Work Crew
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Roseburg, Oregon 97470
(541) 957-2072

December 14, 2009

MEMORANDUM

TO: Board of County Commissioners

FROM: Robb Paul 
County Road Official

REFERENCE: The Board of County Commissioners has Requested a Report Pursuant to ORS 368.346 on the Proposed Vacation of a Portion of a Dedicated Road in the First Addition to Eden Orchards in Section 2, Township 27 South, Range 7 West, W.M., Douglas County, Oregon

This process has been initiated by petition of Maria M. Egbert, who is owner of the property adjacent to the proposed vacation. In accordance with the Board of County Commissioners request, the following information is submitted:

1. The property to be vacated is owned by Douglas County as recorded in the First Addition to Eden Orchards in Volume 4, Page 66, Subdivision Records of Douglas County, Oregon and is currently unused.
2. The vacation would not deprive an owner of a recorded property right of access necessary for the exercise of that property right.
3. The property is not necessary for public use and it is my assessment the vacation would be in the public interest, except that any existing utilities or owners of drainage facilities located within the portion of right-of-way proposed for vacation will have unrestricted access to service and maintain their facilities.
4. Douglas County will not incur costs for the proposed vacation that are in excess of the cost covered by the petition filing fee.
5. The property to be vacated should vest in the petitioner Maria M. Egbert. That portion of vacated property vesting in the petitioner will attach to her abutting property and will not become a separate parcel.

Recycled Paper

C.S. File No 67/34-4e

6. The petition contains the acknowledged signatures of all of the owners of 100% of the property abutting the property proposed to be vacated. All such owners approve of the proposed vacation.
7. I recommend that the order vacating property be conditioned upon performance of the following acts by the following persons:

An assessment of special benefits for the value of the property to be vacated in the sum of \$500.00 shall be paid to Douglas County Public Works Department by petitioner Maria M. Egbert prior to the Board of County Commissioners authorizing vacation of the property and vesting title in the petitioner.



Robert G. Paul, P.E., P.L.S.
County Road Official

Date: 12/04/09

RGP/cb

Doerner.rep

C.S. File No 67/34-4F

BEFORE THE BOARD OF COMMISSIONERS OF DOUGLAS COUNTY, OREGON

IN THE MATTER OF THE VACATION)
OF A PORTION OF A DEDICATED)
ROADWAY IN THE FIRST ADDITION) PETITION
TO EDEN ORCHARDS IN SECTION 2,)
TOWNSHIP 27 SOUTH, RANGE 7 WEST,))
W.M., DOUGLAS COUNTY, OREGON)

Petitioner Maria M. Egbert hereby requests the Board of Commissioners of Douglas County, Oregon, to vacate that portion of a dedicated road in the First Addition to Eden Orchards described in Exhibit "A" attached to this petition and incorporated herein.

Petitioner requests vacation of the unused dedicated road right-of-way as it is not necessary for road use, it has never been constructed, it bisects the petitioners property and the vacation would be a benefit to the public.

Douglas County is the only entity with any recorded interest in the property proposed to be vacated.

There are no improvements constructed on the proposed vacation.

Petitioner is the owner of 100% of the property abutting the proposed vacation and approves of the vacation.

The name and address of persons owning real property adjacent to the proposed vacation or owning any improvements constructed on the proposed vacation are:

Maria M. Egbert
3104 Southside Expy
Klamath Falls, Oregon 97603

Petitioner requests the Board of Commissioners to vacate the excess right-of-way without hearing pursuant to ORS 368.351.

Petitioner requests that the vacated property be vested in the petitioner, pursuant to ORS 368.366.

STATE OF OREGON)

Maria M Egbert

Maria M. Egbert

RECEIVED

NOV 16 2009

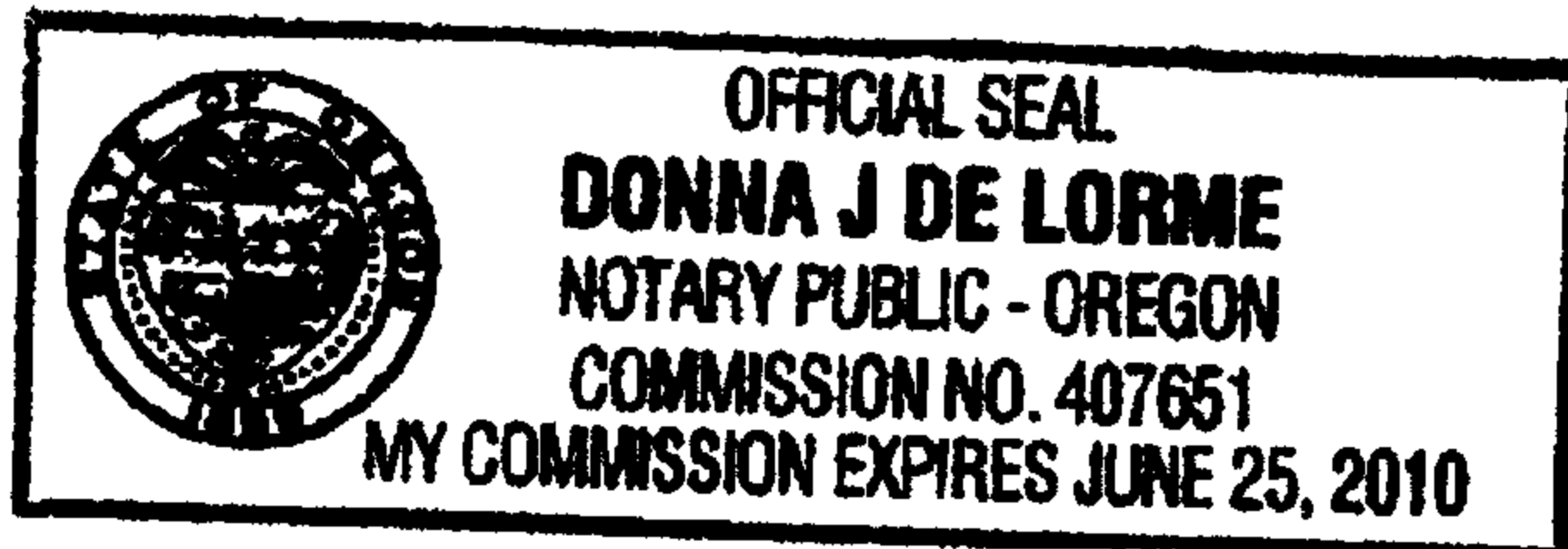
DOUGLAS COUNTY
BOARD OF COMMISSIONERS

C.S. File No 67/34-4G

COUNTY OF DOUGLAS)
)ss.

3104 Southside Expy
Klamath Falls, Oregon 97603

Personally appeared, Maria M. Egbert, on 10/24/09 and acknowledged the foregoing instrument to be her voluntary act and deed.



Donna J. De Lorme

Notary Public for Oregon

My Commission expires: 6/25/2010

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END OF DOCUMENT