

07/17/2019

JUL 17 2019

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY, OREGON

PATRICIA K. HITT, COUNTY CLERK

IN THE MATTER OF THE VACATION OF A)
PLATTED PUBLIC ROADWAY IN THE)
BOGGS ORCHARD TRACTS SUBDIVISION)
IN SECTION 1, TOWNSHIP 28 SOUTH, RANGE)
6 WEST, W.M., DOUGLAS COUNTY, OREGON)

ORDER GRANTING VACATION OF
PROPERTY UPON PERFORMANCE
OR FULFILLMENT OF
CONDITIONS

This matter comes before the Board of Commissioners upon a petition of Douglas Forest Protective Association and Joseph B. Leininger and The Code Family Partnership, L.P. for vacation of that portion of dedicated road right-of-way 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 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 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 petitioners Douglas Forest Protective Association and Joseph B. Leininger and The Code Family Partnership, L.P., by extension of their respective property boundaries to the center of the vacation pursuant to ORS 368.366. The vacated property vesting in each petitioner will attach to their abutting property and will not become a separate parcel.

FILED

Date: 7/23/2019 By: SC

This survey consists of:

Map: V 4 Pg 76

Narrative: CS 67/43-12

Corner Rpt: 5 pgs

FOR


DOUGLAS COUNTY
SURVEYOR


*Grantor Douglas County *
*Grantee Douglas Forest Protective Association *
*Consideration \$0 *
*All Tax Statements TO Douglas Forest Protective Association *
* 1758 NE Airport Rd *
* Roseburg, OR 97470 *
*After Recording Return TO Douglas Forest Protective Association *
* 1758 NE Airport Rd *
* Roseburg, OR 97470 *

C.S. FILE 67/43-12
A

Dated this 17th day of July 2019.

BOARD OF COUNTY COMMISSIONERS
OF DOUGLAS COUNTY, OREGON

By 
Chair

By 
Commissioner

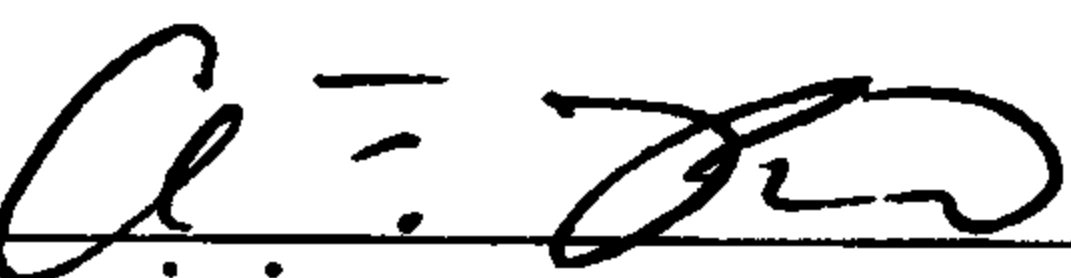
By 
Commissioner

Exhibit "A"

A parcel of land in the SW¼ of Section 1, Township 28 South, Range 6 West, W.M., Douglas County, Oregon being more particularly described as follows:

All that dedicated roadway, lying between Lots 21, 22, 23, and 24 of the Boggs Orchard Tract Subdivision in Volume 4, Page 76 of the Subdivision Records of Douglas County Oregon and lying easterly of the southerly extension of the westerly line of Lot 24 of said Boggs Orchard Tract Subdivision.

C.S. FILE 67/43-12
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PUBLIC WORKS DEPARTMENT

Administrative Services
1036 SE Douglas, Room 220 • Roseburg, Oregon 97470 • (541) 440-4208

DIVISIONS

Engineering and Construction
1036 SE Douglas, Room 304
Roseburg, Oregon 97470
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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 16, 2019

MEMORANDUM

TO: Board of Commissioners

FROM: Scott Adams, Director of Public Works *SA*

REFERENCE: The Board of Commissioners has Requested a Report Pursuant to ORS 368.346 on the Proposed Vacation of a Portion of Platted Road Right-of-Way Lying in Boggs Orchard Tracts Subdivision in Section 1, Township 28 South, Range 6 West, W.M., Douglas County, Oregon

This process has been initiated by petition of Douglas Forest Protective Association and Joseph B. Leininger and The Code Family Partnership, L.P., who are the owners of the properties adjacent to the proposed vacation. In accordance with the Board of Commissioners request, the following information is submitted:

1. The property to be vacated is owned by Douglas County as recorded in Boggs Orchard Tracts Subdivision in Volume 4, Page 76, 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 petitioner Douglas Forest Protective Association and Joseph B. Leininger and The Code Family Partnership, L.P. That portion

C.S. FILE

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of vacated property vesting in each petitioner will attach to their abutting property and will not become a separate parcel.

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 without any further acts.



Scott Adams, P.E.
Director of Public Works

Date: 7/16/2019

SAA/JH