

IN THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY
STATE OF OREGON

FILE NO. 3982

IN THE MATTER OF SETTING A PUBLIC HEARING)
ON THE PROPOSED VACATION OF A PORTION OF)
AN UN-NAMED PUBLIC ROAD IN BLOCK 2 OF THE)
PLAT OF LAKE VIEW AS PLATTED AND RECORDED)
IN BOOK 10, PAGE 6, LANE COUNTY, OREGON PLAT)
RECORDS (16-07-19-11))

RESOLUTION,
NOTICE OF HEARING,
AND ORDER
NO.

98-2-11-14

THIS MATTER now coming before the Board of County Commissioners of Lane County, Oregon, upon a petition received by the Lane County Surveyor's Office requesting that a portion of a 30 foot wide un-named public road in the Plat of Lake View be vacated, and since two landowners in the vicinity have expressed objections to the proposed vacation, it is prudent that these proposed road vacation proceedings occur with a public hearing so that the landowners may have an opportunity to comment on the proposed vacation; and

WHEREAS, the Director of the Department of Public Works has provided a written report, as required by O.R.S. 368.346, attached hereto, marked Exhibit "A" and made a part hereof by this Order; and

WHEREAS, the portion of road has not been used as road access, and no landowner will be deprived of legal access to their land by this proposed road vacation; and

WHEREAS, various public and private agencies have been notified of the proposed vacation and no objection has been received; now, therefore, it is hereby

RESOLVED, that in accordance with ORS Chapter 368.341, proceedings be undertaken to consider vacating said portion of road which is 30 feet in width and runs adjacent to Lots 2,3,6,7, and 10 of Block 2 of the Plat of Lake View as platted and recorded in Book 10, Page 6, Lane County, Oregon Plat Records; and, it is hereby

ORDERED, that April 1, 1998, be set as the date for conducting a Public Hearing of the proposed vacation and that said hearing be held at 1:30 P.M. in Harris Hall at the Lane County Courthouse, 125 East 8th Avenue, Eugene, Oregon, 97401; and it is further

FILED

FEB 13 1998

COUNTY CLERK
BY *M. Bulding*

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ORDERED, that the Director of the Department of Public Works, pursuant to ORS Chapter 368.346, cause the Lane County Surveyor to examine the portion of road proposed to be vacated and that the Director provide a written Final Report of his findings, which are to be incorporated into the Final Order; and it is further

ORDERED, that notice of the public hearing be provided by service, posting and publication in accordance with ORS Chapter 368.401 to 368.426.

Inquiries regarding this vacation may be directed to K. Robert Ezell, Lane County Surveyor, Public Service Building, 125 East 8th Avenue, Eugene, Oregon, 97401, telephone (541) 682-4195.

DATED this 11th day of February, 1998



Chair
LANE COUNTY BOARD OF COMMISSIONERS

APPROVED TO FORM

Date 2-3-98 county


OFFICE OF LEGAL COUNSEL

EXHIBIT "A"

IN THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY
STATE OF OREGON

FILE NO. 3982

IN THE MATTER OF SETTING A PUBLIC HEARING)
ON THE PROPOSED VACATION OF A PORTION)
OF AN UN-NAMED PUBLIC ROAD IN BLOCK 2 OF)
THE PLAT OF LAKE VIEW AS PLATTED AND)
RECORDED IN BOOK 10 , PAGE 6, LANE COUNTY,)
OREGON PLAT RECORDS (16-07-19-11))

PRELIMINARY
DIRECTOR'S REPORT

The Plat of Lake View was platted in 1928 and recorded in Book 10, Page 6, of the Lane County, Oregon Plat Records. The portion of road proposed for vacation has not been opened for public travel. Its right-of-way is 30 feet wide and runs adjacent to Lots 2,3,6,7, and 10 of Block 2 of said plat.

The portion of road is not a necessary part of the transportation system and the Lane County Department of Public Works is not required to maintain it. The primary petitioner has stated that the terrain is unsuitable for a road, and that they are unable to develop their property due to the location of their domestic well there is insufficient area to place drain fields for septic systems. The primary petitioner would like to vacate the road so that they may make improvements to their property and meet building requirements.

Two landowners in the area of the proposed vacation notified the County Surveyor that they were opposed to the public road vacation, consequently it was determined that a public hearing should be held to consider the proposed road vacation.

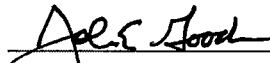
Various public and private agencies were notified of the proposed vacation and either had no objection or did not respond.

There are no known utilities within the area proposed for vacation. No person will be denied legal access to their property by the proposed vacation. The portion of road does not connect with any other public right-of-way at its northerly terminus.

It is recommended that the Resolution be approved and a date be set for conducting a public hearing by the Board of County Commissioners.

A final directors report will be submitted prior to the time of public hearing.

DATED this 27th day of JANUARY, 1998.



John E. Goodson, Director
Department of Public Works

