

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

**PASSED**

FILE NO. 4037

IN THE MATTER OF THE VACATION OF A 160 FOOT )  
PORTION OF FIR STREET AT NOTI LOOP ROAD AND )  
ALSO THE PUBLIC ALLEY IN BLOCK 3 BOTH BEING IN )  
THE PLAT OF PORTOLA, AS PLATTED AND RECORDED )  
IN BOOK 4, PAGE 105, LANE COUNTY, OREGON PLAT )  
RECORDS, WITHOUT A PUBLIC HEARING AND )  
ADOPTING FINDINGS OF FACT (17-06-29-3) )

ORDER NO.  
00-11-29-9

WHEREAS, this matter now coming before the Board upon a petition received by the Surveyor's Office of the Lane County Department of Public Works requesting, under authority of ORS Chapter 368.341, the vacation of the alley that lies within Block 3 of the Plat of Portola and the portion of Fir Street that runs between said alley, if extended, and Noti Loop. Said portions of right-of-way proposed to be vacated are more particularly described as follows:

All of the 20-foot wide alley in Block 3 of the Plat of Portola, as platted and recorded in Book 4, Page 105, Lane County, Oregon Plat Records, lying between the northwesterly margin of Fir Street and the westerly boundary of the Plat of Portola.

ALSO, all of the 60-foot wide portion of Fir Street being approximately 160 feet in length between the southwesterly margin of Noti Loop and a line between the most northerly corner of Lot 25, Block 4, and the most easterly corner of Lot 13, Block 3, all within the Plat of Portola, as platted and recorded in Book 4, Page 105, Lane County, Oregon Plat records, and being located in the Southwest One-quarter (SW ¼) of Section 29, Township 17 South, Range 6 West of the Willamette Meridian.

WHEREAS, the petition complies with the provisions of ORS 368.351 in that the petitioners, who are the landowners of 100% of the property abutting the proposed vacation, request that the vacation be approved as proposed; and

WHEREAS, ORS Chapter 368.351 provides for the vacation of public roads and right-of-ways without a public hearing; and

WHEREAS, U.S. West Communications, Emerald Peoples Utility District, Northwest Natural Gas, Lane Rural Fire and Rescue, and various other agencies including Transportation Planning and Lane County Planning sections of the Lane County Department of Public Works, and abutting landowners were notified by mail regarding the proposed vacation and either had no objection or did not respond to the referral; and

WHEREAS, the petition states that there are underground phone lines and overhead powerlines in the area of the proposed vacation and an easement will be reserved for maintaining the existing utilities; and

**WHEREAS**, no property will be denied legal vehicle access by this vacation; and

**WHEREAS**, the petitioners have paid a vacation fee of \$550 and will pay recording fees upon final approval of the vacation; and

**WHEREAS**, the Director of the Department of Public Works has provided a written report in support of the proposed vacation, as required by ORS 368.351, marked as Exhibit "A", attached hereto and made a part hereof, by this Order; and

**WHEREAS**, all statutory procedures under ORS 368.351 necessary for this vacation have been complied with; and

**WHEREAS**, the Board is of the opinion that approving the vacation as petitioned for is in the best interest of the public; now, therefore, it is hereby


**ORDERED**, that the above described portion of Fir Street and the alley in Block 3 of the Plat of Portola is hereby vacated; and it is further

**ORDERED**, that a utility easement is hereby reserved for repair and maintenance of any existing utilities within the vacated right-of-way; and it is further

**ORDERED**, that in support of this action, the Board hereby adopts the Findings of Fact, marked as Exhibit "B", attached hereto and made a part hereof by this Order; and it is further

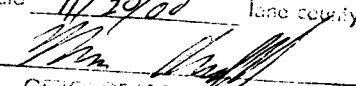
**ORDERED**, that this Order be entered into the Lane County Board of Commissioners Journal of Administration, and be further recorded in the Lane County, Oregon Deed Records.

**DATED** this 29th day of November, 2000.



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Chair  
LANE COUNTY BOARD OF COMMISSIONERS

Attachment: Attachment "A" - Vicinity Map

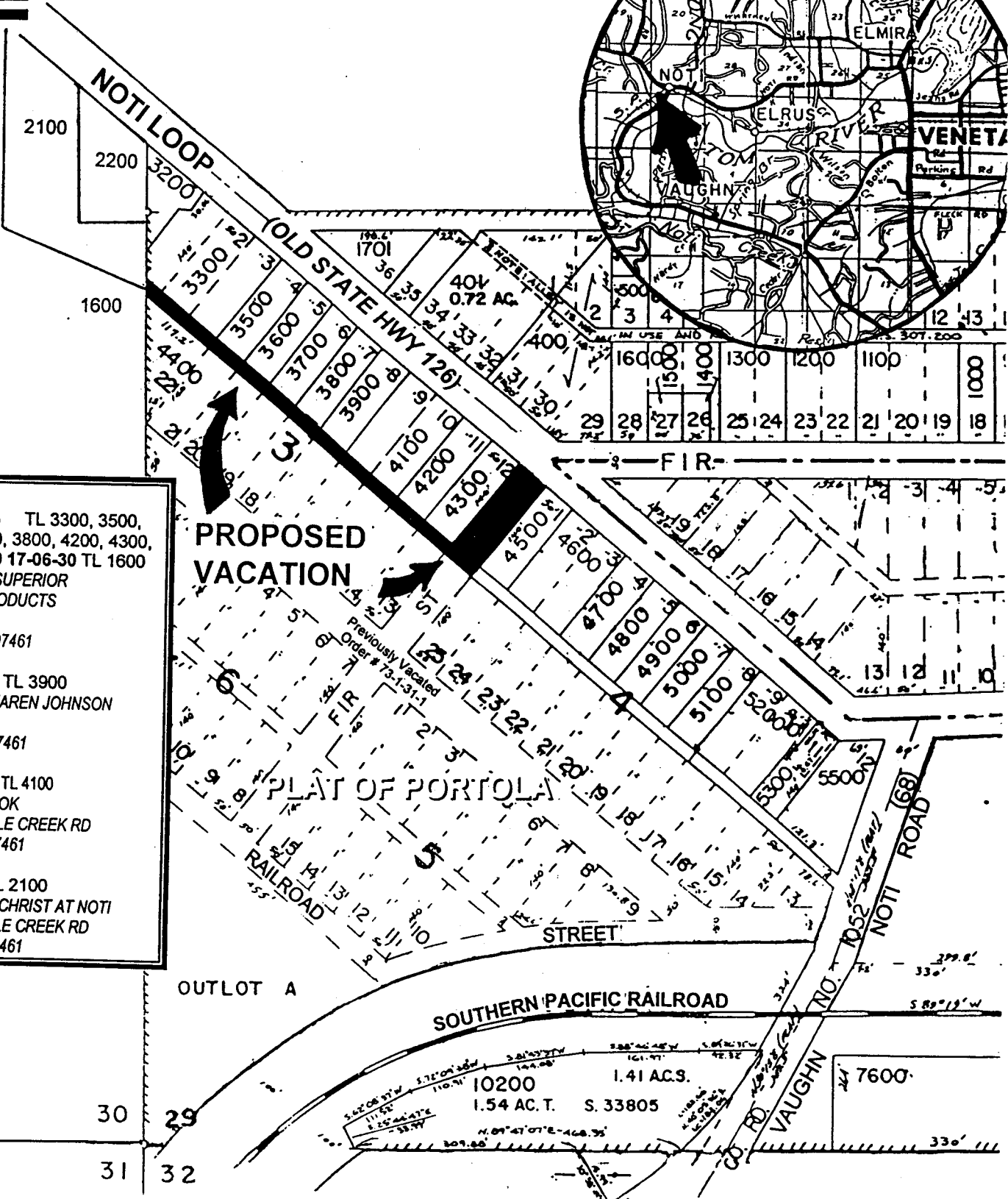
APPROVED AS TO FORM  
Date 11/29/00 Lane County  
  
OFFICE OF LEGAL COUNSEL

ATTACHMENT "A"

SW ¼ Sec. 29 T. 17S. R. 6W. W.M.

LANE COUNTY

NO SCALE



- 17-06-29-3 TL 3300, 3500, 3600, 3700, 3800, 4200, 4300, 4400, 4500 17-06-30 TL 1600  
SWANSON-SUPERIOR  
FOREST PRODUCTS  
PO BOX 459  
NOTI, OR 97461
- 17-06-29-3 TL 3900  
ROBERT & KAREN JOHNSON  
PO BOX 417  
NOTI, OR 97461
- 17-06-29-3 TL 4100  
DALTA L. COOK  
89505 POODLE CREEK RD  
NOTI, OR 97461
- 17-06-30 TL 2100  
CHURCH OF CHRIST AT NOTI  
89043 POODLE CREEK RD  
NOTI, OR 97461

**PROPOSED VACATION**

PLAT OF PORTOLA

SOUTHERN PACIFIC RAILROAD

10200  
1.54 AC.T. S. 33805

7600