

**BE IT REMEMBERED, that at a regular term of the Union County Board of Commissioners, for the County of Union, sitting for the transaction of County business, begun and held at the Joseph Building Annex in the City of La Grande, in said County and State, on Tuesday of said month and the time fixed by law for holding a regular term of said Court, when were present:**

<b>The Honorable</b>	<b>JOHN J. HOWARD</b>	<b>Chairman</b>
	<b>STEVE MCCLURE</b>	<b>Commissioner</b>
	<b>COLLEEN MACLEOD</b>	<b>Commissioner</b>

**WHEN, on Wednesday, the 9th day of June, 1998 among others the following proceedings were had to-wit:**

<b>IN THE MATTER OF VACATING )</b>	
<b>A PORTION OF ROAD RIGHT-OF- )</b>	<b>COURT ORDER</b>
<b>WAY, TEMPORARY CUL-DE-SAC )</b>	<b>1998-44</b>
<b>AT THE END OF HERITAGE LANE )</b>	<b>(Page 1 of 3)</b>

**WHEREAS, Union County received a petition from Howard Metsker to vacate the following road segment:**

That portion of Union County Road, commonly referred to as a temporary cul-de-sac on the east end of Heritage Lane, situated in the South 1/2 of Section 15, Township 3 South, Range 40 East of the Willamette Meridian, said vacated portion being more particularly described as follows with reference to Heritage Subdivision:

Commencing at a point on the East line of Lot 3 of said Subdivision, said point being North 0 degrees 19' 15" West, a distance of 30.00 feet from the True Southeast corner of said Lot 3, said point also being on the Easterly prolongation of the North line of said Heritage Lane.

Thence; South 89 degrees 31' 21" West, along said prolongation, a distance of 34.88 feet, to the Point of Curvature of the existing 70.00 ft. Radius Cul-de-sac of Heritage Lane,

Thence; Northeasterly along the Northerly right of way line of said Cul-de-sac, a distance of 84.25 feet (Long Chord bears North 25 degrees 47' 13" East, a distance of 79.25 feet to the East line of said Lot 3,

Thence; South 0 degrees 19' 15" East, along said East line, a distance of 71.07 feet, to the Point of Beginning of this description,

Also, Commencing at a point on the West line of Lot 4 of said Subdivision, said point being North 0 degrees 19' 15" West, a distance of 30.00 feet from the True Southwest corner of said Lot 4, said point also being on the Easterly prolongation of the North line of said Heritage Lane.

Thence; North 0 degrees 19' 15" West, along said West line, a distance of 71.07 feet, to the Northerly right-of-way line of an existing Cul-de-sac on said Heritage Lane, said point being the Point of Curvature of a 70,00 ft. Radius curve right,

Thence; Southeasterly along the Northerly right-of-way line of said Cul-de-sac, a distance of 155.74 feet (Long Chord bears South 55 degrees 59' 59" East, a distance of 125.55 feet) to the Easterly prolongation of the North right-of-way line of said Heritage Lane,

Thence; South 89 degrees 31' 21" West, along said prolongation, a distance of 103.69 feet, to the Point of Beginning of this description.

Said vacated portion containing 9,092 square feet (0.209 Acres)

WHEREAS, Howard Metsker owns 100 percent of the property around the site proposed to be vacated;

WHEREAS, the Union County Board of Commissioners approved Heritage Subdivision on May 6, 1998, which extended Heritage Lane about 200 feet further east and required a new 60 foot radius cul-de-sac to be constructed;

WHEREAS, the Union County Board of Commissioners deliberated and potentially made a decision under proceedings identified in ORS 368.351 Vacation without hearing;

NOW THEREFORE, BE IT ORDAINED BY THE UNION COUNTY BOARD OF COMMISSIONERS, STATE OF OREGON:

#### SECTION 1: ROAD VACATION

The following described dedicated road segment is vacated:

That portion of Union County Road, commonly referred to as a temporary cul-de-sac on the east end of Heritage Lane, situated in the South 1/2 of Section 15, Township 3 South, Range 40 East of the Willamette Meridian, said vacated portion being more particularly described as follows with reference to Heritage Subdivision:

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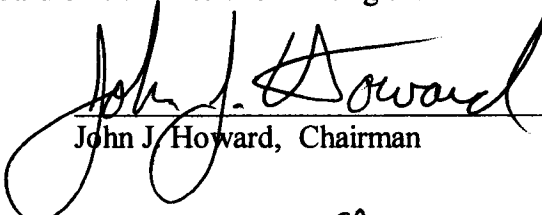
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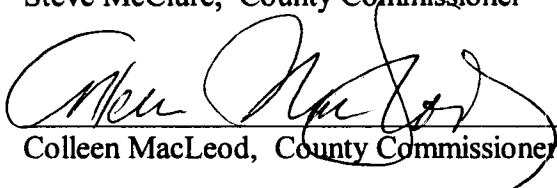
Thence; South 89 degrees 31' 21" West, along said prolongation, a distance of 103.69 feet, to the Point of Beginning of this description.

Said vacated portion containing 9,092 square feet (0.209 Acres)

PASSED AND ADOPTED this 9<sup>th</sup> day of June, 1998 by a vote of the following members of the Union County Board of Commissioners voting therefore.

  
\_\_\_\_\_  
John J. Howard, Chairman

  
\_\_\_\_\_  
Steve McClure, County Commissioner

  
\_\_\_\_\_  
Colleen MacLeod, County Commissioner

RECEIVED

MAY 1 1938

PETITION FOR VACATION

TO THE COUNTY COURT OF UNION COUNTY, OREGON CLERK OF COUNTY  
CLERK'S DEPARTMENT

IN THE MATTER OF THE VACATION OF )

\_\_\_\_\_ )

Vacation of a temporary  
Cul-de-sac on  
Heritage Lane COUNTY, OREGON )

PETITION TO VACATE

I, Howard Metzker

\_\_\_\_\_, petition the County Court of Union County, to vacate Road Right away, more particularly described as follows:

II

Petitioners are the owners, as shown in the records of Union County, of property abutting the property sought to be vacated, (and 100% are the only persons or corporations particularly affected by the proposed vacation of the property\*).

III

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

IV

The particular circumstances that justify granting a vacation of the described property are: (attach extra page if necessary)

HOW PROPERTY IS USED Now vacant land that will become  
Part of Heritage Subdivision Lots 3 & 4

CONDITION OF PROPERTY this vacation will not effect  
Heritage Lane

\* To be included if all property owners petition.

REASONS FOR VACATION Cul-de-sac was temporarily established as development occurred.

V

Names and addresses of all persons holding any recorded interest in the property proposed to be vacated:

Howard Metzker  
69568 Heritage Lane  
Cove, OR 97824

VI

Names and addresses of all persons owning any real property abutting the property proposed to be vacated: (For this purpose, any property on the opposite side of a public roadway from the property proposed to be vacated is also considered to be an abutting property).

Howard Metzker  
69568 Heritage Lane  
Cove, OR 97824 VII

Petitioners request that after the giving of notice as required by law, a hearing be held on this petition before the County Court, and that an order be entered vacating the property more particularly described above.

Dated this 11 day of May, 19 98

PETITIONERS

Howard Metzker  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**LEGAL DESCRIPTION**

Vacated portion of Heritage Lane  
within Lot 3 of Heritage Subdivision

A portion of Heritage Lane as documented on the plat of Heritage Subdivision, as filed in the office of the Union County Clerk, said tract being more particularly described as follows, with reference to said Subdivision plat.

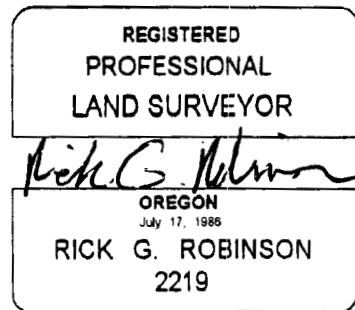
Commencing at a point on the East line of Lot 3 of said Subdivision, said point being North 0°19'15" West, a distance of 30.00 feet from the TRUE Southeast corner of said Lot 3, said point also being on the Easterly prolongation of the North line of said Heritage Lane.

Thence; South 89°31'21" West, along said prolongation, a distance of 34.88 feet, to the Point of Curvature of the existing 70.00 ft. Radius Cul-de-sac of Heritage Lane,

Thence; Northeasterly along the Northerly right of way line of said Cul-de-sac, a distance of 84.25 feet (Long Chord bears North 25°47'13" East, a distance of 79.25 feet) to the East line of said Lot 3,

Thence; South 0°19'15" East, along said East line, a distance of 71.07 feet, to the Point of Beginning of this description,

Said tract containing 1,901 square feet (0.044 Acres)



**LEGAL DESCRIPTION**

Vacated portion of Heritage Lane  
within Lot 3 of Heritage Subdivision

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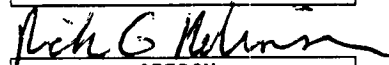
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REGISTERED  
PROFESSIONAL  
LAND SURVEYOR



OREGON  
July 17, 1986  
RICK G. ROBINSON  
2219

Renewal Date December 31, 1998

**LEGAL DESCRIPTION**

Vacated portion of Heritage Lane  
within Lot 4 of Heritage Subdivision

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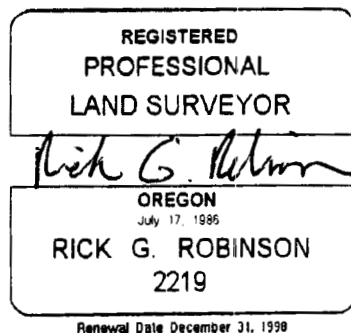
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Thence; South 89°31'21" West, along said prolongation, a distance of 103.69 feet, to the Point of Beginning of this description,

Said tract containing 7,191 square feet (0.165 Acres)





**LEGAL DESCRIPTION**

Vacated portion of Heritage Lane  
within Lot 4 of Heritage Subdivision

A portion of Heritage Lane as documented on the plat of Heritage Subdivision, as filed in the office of the Union County Clerk, said tract being more particularly described as follows, with reference to said Subdivision plat.

Commencing at a point on the West line of Lot 4 of said Subdivision, said point being North 0°19'15" West, a distance of 30.00 feet from the TRUE Southwest corner of said Lot 4, said point also being on the Easterly prolongation of the North line of said Heritage Lane.

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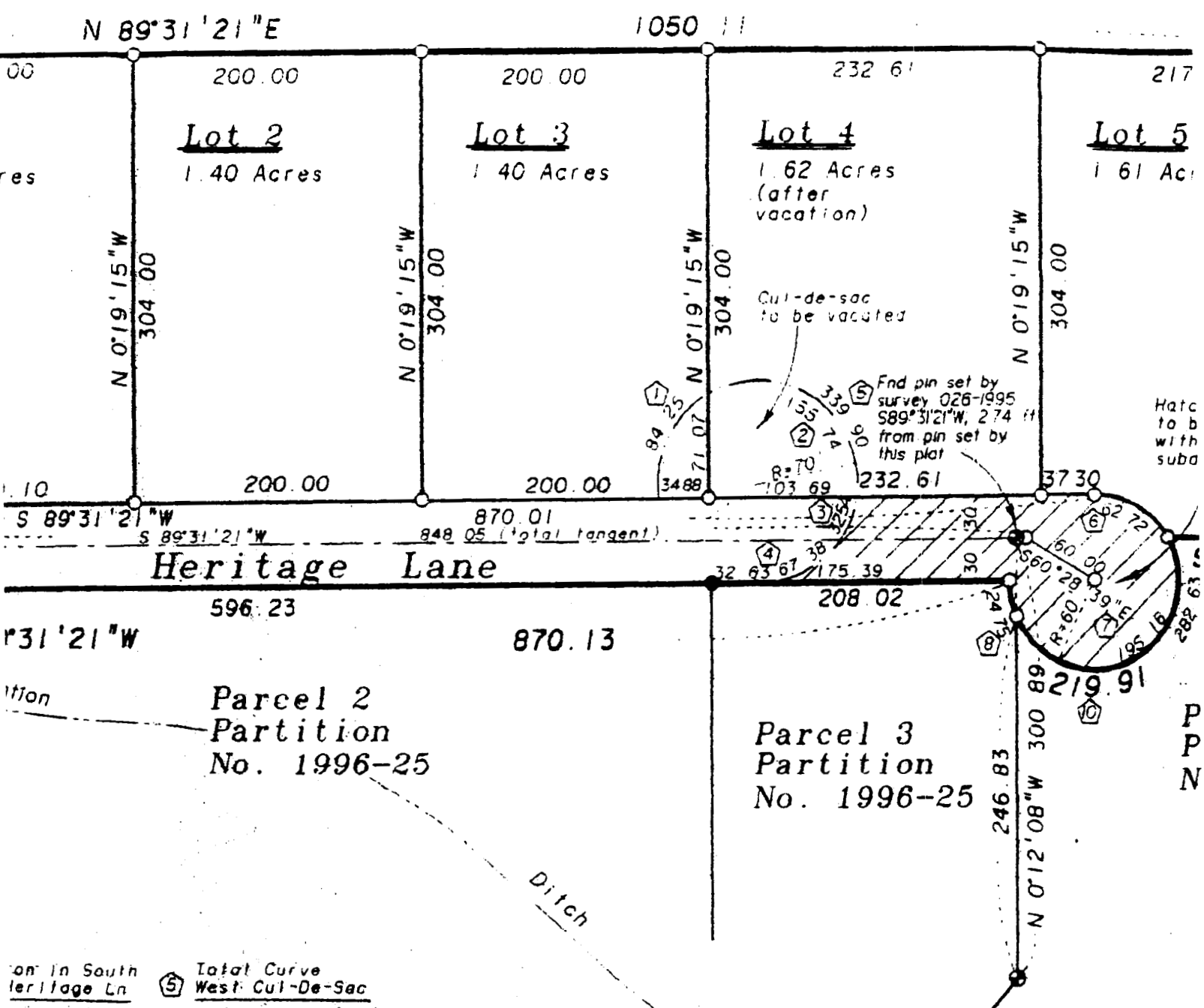
REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*Rick G. Robinson*

OREGON  
July 17, 1986  
RICK G. ROBINSON  
2219

Renewal Date December 31, 1998

Northeast corner  
Parcel 3, Minor  
Partition Number  
1997-03  
(Point of Begin



on In South Heritage Ln	Total Curve West Cul-De-Sac
55°09'00"	Δ = 278°12'48"
70.00'	R = 70.00'
67°38'	L = 339.90'
36°56'	T = 60.62'
64.81'	L.C. = 91.65'
61°56'50"W	S 49°35'03"E

Curve Cul-De-Sac	Portion of Curve on Exterior of S/D
269°53'21"	Δ = 210°00'00"
60.00'	R = 60.00'
282.63'	L = 219.91'
60°12'	T = 223.92'
84.93'	L.C. = 145.91'
44°34'40"E	S 74°31'21"W

**EASEMENTS**

There are two easements for the right to use springs and construct affecting this parcel, which cannot be located by the information in The springs and pipeline rights granted to School District No 15 by 80, page 231 calls specific distances from the aliquot lines of Secti no direction, and the spring and pipeline rights granted to E.F. Robe volume 76, page 351 makes no attempt to describe the location of or spring. The description does call for Water Right Permit No 541 spring, but the watermaster has no record of any right to appropri other than the certificates listed in the Water Right Statement.

**NARRATIVE**



# UNION COUNTY PUBLIC WORKS DEPARTMENT

P.O. Box 1103

La Grande, Oregon 97850

FAX 963-7822

Phone (503) 963-1018

May 12, 1998

Hanley Jenkins, II  
Union County Planning Department  
1001 4th Street, Suite C  
La Grande, OR 97850

Dear Hanley:

It is my understanding that the County Planning Department has approved a Subdivision application that alters the location of a temporary cul-de-sac on Heritage Lane. It has been explained to me by your staff that Heritage Subdivision application extended Heritage Lane about 200 feet further east and terminates in a 60 foot radius right-of-way cul-de-sac.

This being the case, I would recommend that the previously established cul-de-sac, as shown on Heritage Subdivision Plat be vacated back to the adjoining land owner.

If you have any questions or comments, please feel free to contact me.

Sincerely,

Richard A. Comstock  
Director of Public Works