

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 Wednesday of said month and the time fixed by law for holding a regular term of said Court, when were present:

The Honorable	STEVE MCCLURE	Chairman
	COLLEEN MACLEOD	Commissioner
	JOHN LAMOREAU	Commissioner

WHEN, on Wednesday, the 28th day of June, 2006, among others the following proceedings were had to-wit:

IN THE MATTER OF DENYING )	COURT ORDER
A ROAD VACATION REQUEST FOR)	2006-22
A PORTION OF PHILBERG ROAD )	

WHEREAS, Union County received a Petition For Vacation on March 13, 2006 from adjacent landowners to vacate a portion of Philberg Road extending from the south side of the Indian Creek Bridge south to the north Grande Ronde River bank;

WHEREAS, Union County gave newspaper notice on April 28 and May 9, 2006 and gave individual adjacent landowner notice for a public hearing by the Board of Commissioners on May 17, 2006;

WHEREAS, the Board of Commissioners held a public hearing on May 17, 2006, accepted testimony in support and opposition and scheduled a site tour;

WHEREAS, Commissioners MacLeod and McClure toured the proposed road vacation segment on May 22 and met with several interested parties;

WHEREAS, the written record remained open until June 21, 2006 until the Board of Commissioners deliberated to make a decision on the request;

WHEREAS, ORS 368.356(1) states in part- "... a county governing body shall determine whether vacation of the property is in the public interest and shall enter an order or resolution granting or denying the vacation of the property...";

WHEREAS, the Board of Commissioners received substantial written and oral opposition testimony because this road segment is used for multiple public recreation activities and access to other property owned by Oregon Dept. of Transportation also used for public recreational purposes;

WHEREAS, the Oregon Highway Commission passed Abandonment and Retention Resolution No. 363 on March 14, 1963 transferring all right, title and interest for Philberg Road from Ore. Hwy 82 south to Highway Engineer's Station 1042+70 (Old Route);


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

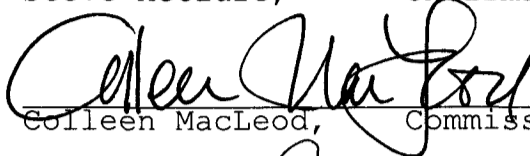
SECTION 1: DENY VACATION REQUEST


The March 13, 2006 Petition For Vacation for a portion of Philberg Road is denied because the vacation is not in the

interest of the public due to substantial public opposition from recreational users.

PASSED AND ADOPTED this 28<sup>th</sup> day of June, 2006 by a vote of the following members of the Board of Commissioners voting therefore.

  
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Steve McClure, Chairman

  
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Colleen MacLeod, Commissioner

  
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John Lamoreau, Commissioner