

CURRY COUNTY BOARD OF COMMISSIONERS

AGENDA ITEM ROUTING SLIP (ARS)

Revision 1-3-2020

SUBMITTING DEPARTMENT: RETURN TO [BOC OFFICE@CO.CURRY.OR.US](mailto:BOC_OFFICE@CO.CURRY.OR.US)

PROPOSED AGENDA ITEM TITLE: HEARING AT 11:00A.M. Final Order Road Vacation of County Lands for Land Swap with State of Oregon, Department of Oregon Parks and Rec

AGENDA DATE: 06-03-2020 **DEPARTMENT:** Counsel **TIME NEEDED:** 10 min

RECOMMENDED AGENDA CATEGORY PUBLIC HEARING

If this is a Presentation, who is doing the Presentation? John Huttli, County Counsel

CONTACT PERSON: John Huttli **TODAY'S DATE:** 05-29-2020

BRIEF BACKGROUND: This Hearing will finalize the road vacation of properties for the land swap in Pacific City, Plat 2, South End of Floras Lake, between County and State per Agreement No. 20744

FILES ATTACHED:

- (1) Order
- (2) Exhibit A and B
- (3)
- (4)
- (5)

INSTRUCTIONS ONCE SIGNED:

- ☐ No Additional Activity Required OR
- ☒ File with County Clerk Name: copies to Clerk/Assessor/Surveyor
- ☐ Send Printed Copy to: Address:
- ☐ Email a Digital Copy to: City/State/Zip:
- ☐ Other Phone:

Note: Most signed documents are filed/recorded with the Clerk per standard process.

BEFORE THE BOARD OF COUNTY COMMISSIONERS
IN AND FOR THE COUNTY OF CURRY, OREGON

An Order Vacating)
 Roads and Alleys)
 Pacific City, Plat 2, South)
 End of Floras Lake, Described)
 As Lands Within T31S, R15W,) **FINAL ORDER NO. _____**
 Section 17, According to)
 Roadmaster Report)

WHEREAS, on June 5, 2019, the Curry County Board of Commissioners approved Resolution No. R2019-16, directing staff to move forward with necessary preparations for real property exchange between Curry County and the Department of Oregon Parks and Recreation. Subsequently, on October 2, 2019, an Order and Exchange Agreement No. 20744 were approved unanimously by the Board of Commissioners. According to Section 4.1.4 of the Agreement, vacation of all platted roads within the designated County Lands would be completed; and

WHEREAS, these specific roads and alleys are owned by Curry County and had never been developed as county roads; and

WHEREAS, on April 1, 2020, the County Director of Operations submitted a petition to the Board of Commissioners to vacate the roads and alleys. The petition was accepted by Resolution No. R2020-10 initiating procedures to vacate the property described in the attached Exhibit “A” and directed the Curry County Road Master to file a report under ORS 368.346(1); and

WHEREAS, the Curry County Road Master submitted his Official report to the Board of Curry County Commissioners at the Board's regular meeting on April 29, 2020, setting a hearing for the Road Vacation, Resolution No. R2020-13; and

WHEREAS, a copy of the Road Master's report is attached as Exhibit "B" to this order; and

WHEREAS, the Road Master’s report reflects that the section of road proposed for vacation is not necessary for the general road system and is not needed to provide legal access to abutting properties; and

WHEREAS, following notice as required by ORS 368.346(3), the Board of Curry County Commissioners held a hearing on the proposed vacation at 11:00A.M. on June 3, 2020 and at this hearing no one objected to the proposed vacation; and

WHEREAS, the Board finds that the vacation is in the public’s interest because Curry County has no plans to develop the roads and alleys and determined them of no value to the County for its general road system; and

NOW, THEREFORE, THE BOARD OF CURRY COUNTY COMMISSIONERS ORDERS AS FOLLOWS:

- 1) The subject property described in Exhibit “A” is hereby vacated in accordance with ORS 368.366(1)(d).
- 2) The cost of the road vacation is \$600.00 which was paid by Curry County, Petitioner, pursuant to ORS 368.356 (2)(c)(d).
- 3) This order shall be recorded with the Curry County Clerk and copies shall be given to the Curry County Surveyor and the Curry County Assessor pursuant to ORS 368.356(3).

DATED this 3rd day of June, 2020.

BOARD OF CURRY COUNTY COMMISSIONERS

Christopher Paasch, Chair

Court Boice, Vice Chair

Sue Gold, Commissioner

State of Oregon)
)ss
County of Curry)

 Subscribed and sworn to before me this ____ day of _____,
by _____

Notary Public
My Commission expires: _____

Approved as to Form:

John HuttI
Curry County Legal Counsel

EXHIBIT "A"

CURRY COUNTY EXCHANGE LOTS AND STREETS

LOTS TO BE TRANSFERRED

TWP	RNG	SEC	TL
31S	15W	17CD	00100
31S	15W	17CD	00200
31S	15W	17CD	00300
31S	15W	17CD	00400
31S	15W	17CD	00500
31S	15W	17CD	00700
31S	15W	17CD	00800
31S	15W	17CD	00900
31S	15W	17CD	01000
31S	15W	17CD	01100
31S	15W	17CD	01200
31S	15W	17CD	01300
31S	15W	17CD	01400
31S	15W	17CD	01500
31S	15W	17CD	01600
31S	15W	17CD	01700
31S	15W	17CD	01800
31S	15W	17DB	03700
31S	15W	17DC	00100
31S	15W	17DC	02200
31S	15W	17DC	02300
31S	15W	17DC	02400
31S	15W	17DC	02500
31S	15W	17DC	05000

STREETS TO BE VACATED
(if dedicated to the public)

STREET	FROM	TO
"O" Ave. ???	Terminus	First Street
Fir	Terminus	Terminus
Floras	"O" Avenue	Terminus
First	"O" Avenue	Terminus
"P" Avenue	Terminus	First Street
"Q" Avenue	Fir Street	First Street
"R" Avenue	Fir Street	First Street

ALLEYS TO BE VACATED
(if dedicated to the public)

PORITION	BLOCK	OF
Entire	119	Pacific City Plat 2
Entire	129	Pacific City Plat 2
Entire	130	Pacific City Plat 2
Entire	140	Pacific City Plat 2
Entire	141	Pacific City Plat 2
Entire	160	Pacific City Plat 2
Entire	161	Pacific City Plat 2
West ½	120	Pacific City Plat 2
West ½	131	Pacific City Plat 2
West ½	142	Pacific City Plat 2
West ½	159	Pacific City Plat 2



Curry County Road Department
28425 Hunter Creek Road
Gold Beach, OR 97444

Richard N. Christensen
Roadmaster

Phone: (541) 247-7097
Fax: (541) 247-7804

April 20, 2020

Roadmaster's Report:

In the matter of the vacation of the streets, alleys and avenues in the area of Pacific City Plat 2 described as follows: That area located south of blocks 108, 109 and the West half of block 110, and West of Easterly lines of the alleys in Blocks 120, 131, 142 and 159 all as depicted on the map labeled Exhibit A, which is attached to this report.

Curry County Consultant Retired Roadmaster Dan Crumley examined the area and observed no evidence of any development whatsoever. That there is no way to get to this property without crossing private property other than by boat on the lake.

The area of Pacific City Plat 2 described above is owned by Curry County. As in the case with most roads, streets, alleys and avenues that were created as a result of the Pacific City Plats this section of Pacific City Plat 2 has never been developed with County Roads.

The lands adjacent to this section are owned by Oregon State Parks and the County with a few undeveloped privately owned parcels. Access to these private parcels will not be compromised by this proposed vacation.

I have contacted Coos Curry Electric Co-Op and Frontier Communications and none of their utilities are located within this area to be vacated.

Curry County has no plans to develop these streets, alleys and avenues. These right of ways are of no value to the County for its General Road System. The Public will benefit from the vacation by the unused land to State Parks Department. I recommend granting this vacation as being in the public interest, with ownership of the vacated streets, alleys and avenues to be vested with the abutting landowners by extension of the existing property lines to the center of the vacated streets, alleys or avenues right of ways.

Sincerely,

Richard Christensen
Curry County Roadmaster

