

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR COLUMBIA COUNTY, OREGON

In the Matter of the Proposed Vacation of a )  
Portion of An Unidentified Road or )  
Alleyway Lying Adjacent to the Neer )  
City Subdivision, Goble, Oregon )  
)  
[Godsey Petition] \_\_\_\_\_ )

**ORDER NO. 45-01**  
(Initiating Vacation Proceedings)

WHEREAS, pursuant to ORS 368.341(1), the Board of Commissioners for Columbia County, Oregon, (hereinafter referred to as the Board) may initiate proceedings to vacate property under ORS 368.326 to 368.366; and

WHEREAS, Gerald R. and Cindy K. Godsey own property abutting a portion of an unidentified road or alleyway lying adjacent to the plat of Neer City near Goble, Oregon, which is proposed to be vacated, and have filed with the Board a petition requesting that the Board vacate said unidentified road or alleyway; and

WHEREAS, a copy of such petition is attached hereto, labeled Exhibit A, and is incorporated herein by this reference; and

WHEREAS, Mr. and Mrs. Godsey seek vacation of this unidentified road or alleyway lying between property owned by them to assist in meeting fire break standards outlined in the Columbia County Zoning Ordinance in conjunction with an application for a conditional use permit; and

WHEREAS, that portion of the unidentified road or alleyway proposed to be vacated is generally described as lying between properties commonly described as Tax Account Nos. 6202-000-01300 and 6211-011-00100 on the west, and Tax Account Nos. 6212-022-00801 and 6212-022-00900 on the east, all of said property being owned by Mr. and Mrs. Godsey, which is more particularly described as:

A tract of land beginning at the Northeast corner of Section 11, Township 6 North, Range 2 West, Willamette Meridian, Columbia County, Oregon, then running West 16 feet; thence South approximately 297.7 feet; thence East 16 feet; thence North approximately 297.7 feet, more or less, to the place of beginning;

and

WHEREAS, maps further identifying that portion of the unidentified road or alleyway proposed to be vacated are attached as Exhibit B and are incorporated herein by this reference; and

WHEREAS, pursuant to ORS 368.351(2), the proceedings for vacation were initiated by a petition that contains the acknowledged signatures of owners of 100 percent of any private property proposed to be vacated and acknowledged signatures of owners of 100 percent of property abutting the public property proposed to be vacated and the petition indicates such owners' approval of the proposed vacation; and

WHEREAS, the petition submitted by Mr. and Mrs. Godsey complies with the petition requirements of ORS 368.341(3); and

WHEREAS, because the petition, with the attached approval of Columbia County, meets the signature requirements of ORS 368.351(2), the Board may make a determination about the vacation without holding a hearing if the county road official, i.e., the Public Works Director, files with the Board, a written report that contains an assessment that the vacation is in the public interest;

NOW, THEREFORE, IT IS HEREBY ORDERED as follows:

1. The Board hereby initiates proceedings to vacate that portion of an unidentified road or alleyway which lies between properties commonly described as Tax Account Nos. 6202-000-01300 and 6211-011-00100 on the west, and Tax Account Nos. 6212-022-00801 and 6212-022-00900 on the east, and runs approximately 297.7 feet in a northerly-southerly direction.

2. The Public Works Director is directed to prepare and file with the Board of County Commissioners a written report which contains an assessment of whether the proposed vacation is in the public interest.

DATED this 9th day of May, 2001.

BOARD OF COUNTY COMMISSIONERS  
FOR COLUMBIA COUNTY, OREGON

By: [Signature]  
Chair

By: [Signature]  
Commissioner

By: [Signature]  
Commissioner

APPROVED AS TO FORM:

By: [Signature]  
Office of County Counsel

EXHIBIT A

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR COLUMBIA COUNTY, OREGON

STATE OF OREGON  
COLUMBIA COUNTY  
RECORDED OFFICE

01 MAY -7 PM 2:53

BOOK \_\_\_\_\_ PAGE \_\_\_\_\_  
ELIZABETH HUSER, CO. CLERK

In the Matter of the Vacation )  
of Certain Property Located )  
in Columbia County, Oregon )

INSTRUMENT  
NO. PV 2001-03  
PETITION FOR VACATION

BY Gaura DEF

I, (we) Gerald R. + Cindy K. Godsey, petition the Board  
(Petitioner's or Petitioners' Name(s))

of County Commissioners for the vacation of the following property:

A. Description of property proposed for vacation (attach additional sheets if necessary):

1. General Description:

*The 16' (sixteen foot) by 282.25' (two hundred eighty two and one quarter foot) alley between our two lots and our 1.85 ac.*

2. Legal Description:

*Sixteen (16') by (282') two hundred eighty two foot alley abutting all of lots seven (7) and (6) six in block (1) one, in the town of Neer City, and all of Parcel number 100 in the NE corner of Sec. 11, Township 6 N., Range 2 W, of the Willamette meridian. Col. Co, Oregon.*

B. Petitioner's(s') property interest(s) in area proposed for vacation (attach additional sheets if necessary):

1. Type of property interest:

*We own all of the property on both sides of the alley.*

2. Legal Description of property:

*Parcel number 100 beginning at a point 44 ft. S. and 16 ft. W. of the N.E. corner of Sec. 11, Township 6 N., Range 2 W, of the Willamette meridian, Col. Co., Oregon; thence running West 16 rods, thence South 20 rods, thence East 16 rods, thence North 20 rods to the place of beginning.*

Also have a property interest in:

All of Lots Six (6) Seven (7) and (8) Eight  
in Block one (1) in the Town of New City,  
as the same appears of record and on file  
in the office of the County Clerk of  
Columbia County, Oregon.

C. Statement of reasons for vacation (attach additional sheets if necessary): *Would like to have all of are property abutting. So we can include it in the fire safety zone.*

D. Names and addresses of all persons holding any recorded interest in the property proposed to be vacated (attach additional sheets if necessary):

*Public Road.*

E. Names and address of all persons owning any improvements constructed on property proposed to be vacated (attach additional sheets if necessary):

*No Improvements.*

F. Names and addresses of all persons owning any real property abutting the property proposed to be vacated (attach additional sheets if necessary):

*Gerald R. + Cindy K Godsey - 70850 Neer City Rd. Rainier*

G. The signature(s), acknowledged before a notary or other person authorized to take acknowledgements of deeds, of either 1) owners of sixty (60) percent of the land abutting the property proposed to be vacated or 2) sixty (60) percent of the owners of land abutting the property proposed to be vacated are attached (attach signature sheets).

H. If the petition is for the vacation of property that will be redivided in any manner, a subdivision plan or partitioning plan showing the proposed redivision is attached.

I. A true and accurate map of the proposed vacation is attached.

J. I verify that I have flagged all corners of the area proposed to be vacated and that the flags are reliably and accurately located and are easily visible.

K. The deposit of \$500.00 is attached.

L. Signature and Verification(s):

STATE OF OREGON )  
 ) ss.  
County of Columbia )

I, (we) Gerald R. & Cindy K. Godsey, am (are) the  
(Petitioner's or Petitioners' Name(s))

petitioner(s) herein and hereby swear, under penalties of perjury, that the statements made in this petition, and the attachments hereto, are true to the best of my (our) knowledge.

Gerald R. Godsey 4-30-01  
(Petitioner's Name) (Date)

Cindy K. Godsey  
(Co-Petitioner's Name (if any))

\_\_\_\_\_  
(Co-Petitioner's Name (if any))

Subscribed and sworn to before me this 30th day of April 192001.  
*SM*

Sarah J. Matson  
Notary Public for Oregon  
My Commission Expires: Aug 1, 2003





SIGNATURE SHEETS OF ABUTTING PROPERTY OWNER(S)  
(Each co-owner of abutting property must sign)

- Name of Abutting Property Owner(s): Gerald R. Sr. & Cindy K. Godsey
- Mailing Address of Abutting Property Owner(s): 70850 Neer City Rd. Rainier, OR 97048
- Legal Description of Abutting Property (attach additional sheets if necessary): Beginning at a point 44 feet South and 16 feet West of the North east corner of Section 11, Township 6 North, Range 2 West of the Willamette Meridian, Columbia County, Oregon; thence running West 16 rods; thence South 20 rods; thence East 16 . Tax Lot No. 100
- Legal Description of Property Proposed for Vacation (attach additional sheets if necessary): A tract of land beginning at the Northeast Corner of Section 11, Township 6 North, Range 2 West of the Willamette Meridian, Columbia County, Oregon; thence running West 16 feet; thence South 297 feet; thence East 16 feet; thence North 297 feet to the place of beginning.
- I (we) am (are) the owner(s) of the above-described property abutting the property proposed to be vacated and consent to the proposed vacation.

Gerald R. Godsey 4-30-01  
(Property Owner's Signature) Date

Cindy K. Godsey 4-30-01  
(Co-Property Owner's Sig. (if any)) Date

STATE OF OREGON )  
 ) ss.  
County of Columbia )

The foregoing instrument was acknowledged before me this 30th day of April, 2001 by Gerald Godsey and Cindy Godsey



Sarah J. Matson  
Notary Public for Oregon  
My Commission Expires: Aug 1, 2003



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beginning.

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 (Each co-owner of abutting property must sign)

1. Name of Abutting Property Owner(s): Gerald R. Sr. & Cindy K. Godsey
2. Mailing Address of Abutting Property Owner(s): 70850 Neer City Rd. Rainier, OR 97048
3. Legal Description of Abutting Property (attach additional sheets if necessary): All of Lots Seven (7) and Eight (8) in block one (1), in the town of Neer City, as the same appears of record and on file in the office of the County Clerk of Columbia County, Oregon.  
 Tax Lot No. 900
4. Legal Description of Property Proposed for Vacation (attach additional sheets if necessary): A tract of land beginning at the Northeast Corner of Section 11, Township 6 North, Range 2 West of the Willamette Meridian, Columbia County, Oregon; thence running West 16 feet; thence South 297 feet; thence East 16 feet; thence North 297 feet to the place of beginning.
5. I (we) am (are) the owner(s) of the above-described property abutting the property proposed to be vacated and consent to the proposed vacation.

Gerald R. Godsey 4-30-01  
 (Property Owner's Signature) Date  
Cindy K. Godsey 4-30-01  
 (Co-Property Owner's Sig. (if any)) Date

STATE OF OREGON )  
 ) ss.  
 County of Columbia )

The foregoing instrument was acknowledged before me this 30th day of April, 19 2001 by Gerald Godsey and Cindy Godsey  
SM



Sarah J. Matson  
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(Each co-owner of abutting property must sign)

1. Name of Abutting Property Owner(s): Gerald R. Sr. & Cindy K. Godsey
2. Mailing Address of Abutting Property Owner(s): 70850 Neer City Rd. Rainier, OR 97048
3. Legal Description of Abutting Property (attach additional sheets if necessary): All of Lot Six (6) in Block one (1) in the Town of Neer City, as the same appears of record and on file in the office of the County Clerk of Columbia County, Oregon.  
Tax Lot No. 801
4. Legal Description of Property Proposed for Vacation (attach additional sheets if necessary): A tract of land beginning at the Northeast Corner of Section 11, Township 6 North, Range 2 West of the Willamette meridian, Columbia County, Oregon; thence running West 16 feet; thence South 297 feet; thence East 16 feet; thence North 297 feet to the place of beginning.
5. I (we) am (are) the owner(s) of the above-described property abutting the property proposed to be vacated and consent to the proposed vacation.

Gerald R. Godsey 4-30-01  
(Property Owner's Signature) Date  
Cindy K. Godsey 4-30-01  
(Co-Property Owner's Sig. (if any)) Date

STATE OF OREGON )  
 ) ss.  
County of Columbia )

The foregoing instrument was acknowledged before me this 30th day of April, 2001 by Gerald Godsey and Cindy Godsey



Sarah J. Matson  
Notary Public for Oregon  
My Commission Expires: Aug 1, 2003

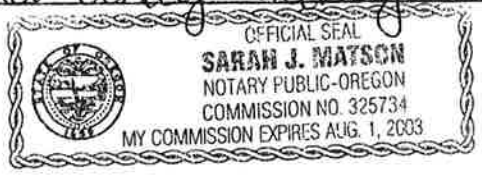
**SIGNATURE SHEETS OF ABUTTING PROPERTY OWNER(S)**  
 (Each co-owner of abutting property must sign)

1. Name of Abutting Property Owner(s): Gerald R. Sr. & Cindy K. Godsey
2. Mailing Address of Abutting Property Owner(s): 70850 Neer City Rd. Rainier, OR 97048
3. Legal Description of Abutting Property (attach additional sheets if necessary): A tract of land in the Ns 1/4 of the Ns 1/4 of Section 11, Township 6 North, Range 2 West of the Willamette Meridian, beginning at the Northeast Corner of Section 11, in said township and Range, Thence South 44 feet along the Tax Lot No. 300
4. Legal Description of Property Proposed for Vacation (attach additional sheets if necessary): A tract of land beginning at the Northeast Corner of Section 11, Township 6 North Range, 2 West of the Willamette Meridian, Columbia County, Oregon; thence running West 16 feet; thence South 297 feet; thence East 16 feet; thence North 297 feet to the place of beginning.
5. I (we) am (are) the owner(s) of the above-described property abutting the property proposed to be vacated and consent to the proposed vacation.

<u>Gerald R. Godsey</u> (Property Owner's Signature)	<u>4-30-01</u> Date
<u>Cindy K. Godsey</u> (Co-Property Owner's Sig. (if any))	<u>4-30-01</u> Date

STATE OF OREGON            )  
   ) ss.  
 County of Columbia        )

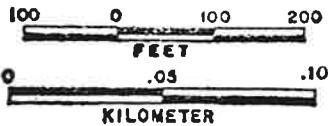
The foregoing instrument was acknowledged before me this 30th day of April, 19 2001 by Gerald Godsey and Cindy Godsey



Sarah J. Matson  
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line between Sections 11 and 12 of said township and Range, then West 510.9' more or less to the west line of Neer City Cemetery, Thence North along the west line of said Cemetery 44 feet to the Common Section line between Sections 11 and #2 of said Township and Range, Thence East Along said Common Section Line 510.9' feet more or less to the place of beginning.

SC. 1:2400



SEE MAP 6 2 2

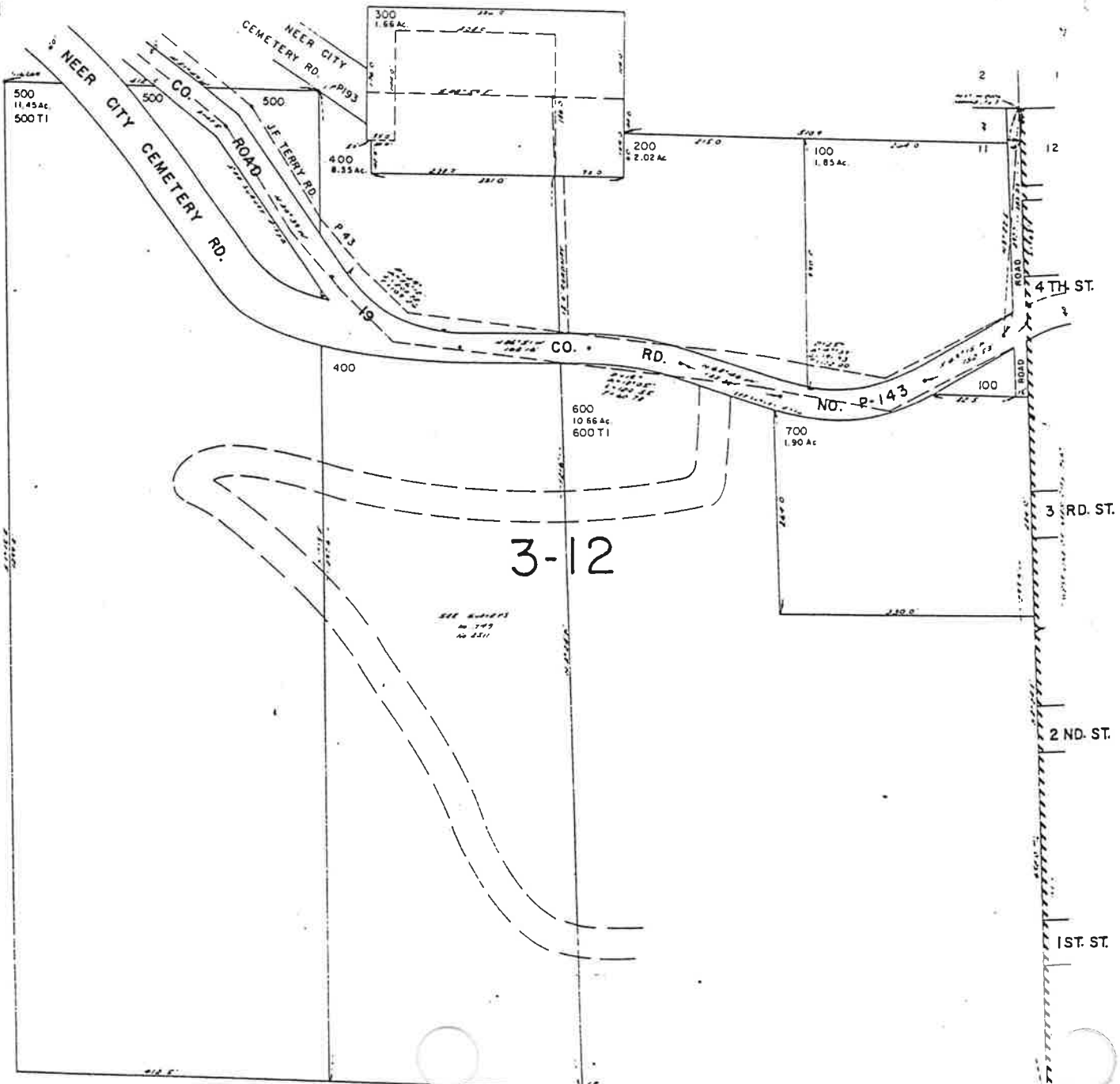


EXHIBIT B

*landed*

NW1/4 SEC. 12 T.6N R.2W WM.

COLUMBIA COUNTY

THIS MAP HAS BEEN PREPARED FOR ASSESSMENT PURPOSES ONLY  
Scale: 1" = 100' Current Revision Date: 6/2/22

SEE MAP 6 2 1

6 2 12 2 2

NEER CITY.

SCALE 1:2400



CS# 2634

CS# 7634 A



SEE MAP 6 2 12 2 1

6.2.12.2.