

1 IN THE COUNTY COURT OF THE STATE OF OREGON
2 FOR UMATILLA COUNTY

3 In the Matter of the Vacation)
4 of Certain Streets and Alleys) ORDER VACATING STREETS & ALLEYS
5 in Stafford's Addition to the)
6 City of Athena, Umatilla County,)
7 Oregon.)

8 THIS MATTER COMING ON TO BE HEARD before the Hon. D. R.
9 COOK, County Judge, and the County Commissioners for Umatilla County,
10 sitting assembled as the County Court for said County, upon the petition of
11 JOHN MERLE MATHWICH and AMIEL O. SCHUBERT for an order of the
12 Court vacating certain described streets and alleys, to wit:

13 3d Street between Sherman and Harrison Streets;
14 that portion of Harrison Street lying between 3d
15 and 5th Streets, and the alley dividing the North
16 and South halves of Blocks 2 and 1, all in Stafford's
17 Addition to the Town, Now City of Athena, Umatilla
18 County, Oregon;

19 AND IT APPEARING TO THE COURT that the said petitioners are the owners
20 in fee of all land adjoining and abutting upon the streets and alleys hereinabove
21 described, and

22 IT APPEARING that although the plat of Stafford's Addition to the
23 City of Athena was filed that said addition was never accepted by or made a
24 part of the City of Athena, and that therefore said property is within the
25 jurisdiction of the County Court, and

26 IT APPEARING that the said dedicated streets and alleys have never
27 been open to the public but have been held continuously by the petitioners and
28 their predecessors in interest as their own personal property, under claim
29 of right, for more than 20 continuous years and that no portion thereof has been
30 claimed or used by the public during said period, and

31 IT APPEARING from the affidavit on file herein that notices of the
32 pendency of this hearing and of the filing of the petition herein were duly
33 posted in three prominent places on said premises on the 12th day of October,
34 1960, notifying any and all persons objecting to the said proposed vacation
35 to file such objections with the said County Court within 30 days from date of
36 such posting and that the said 30 days have elapsed and no such objections

1 have been filed, and

2 IT FURTHER APPEARING that there is no need or requirement that
3 said streets and alleys remain dedicated to public use,

4 IT IS HEREBY ORDERED that the said streets and alleys described
5 in the petition, to wit:

6 3d Street between Sherman and Harrison
7 Streets; that portion of Harrison Street
8 lying between 3d and 5th streets, and the
9 Alley dividing the North and South Halves
10 of Blocks 1 and 2, all in Stafford's Addition
11 to the Town, now City of Athena, Umatilla
12 County, Oregon;

13 be and the same are hereby vacated and released from dedication to public
14 use and the County Surveyor is hereby directed to note said vacation upon
15 the official plat of said Stafford's Addition.

16 Done and dated this 5 day of December, 1960.

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18 COUNTY JUDGE

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20 COUNTY COMMISSIONER

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22 COUNTY COMMISSIONER

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