



BOARD OF COMMISSIONERS

AGENDA REQUEST & STAFF REPORT

MEETING DATE: October 5, 2022

SUBJECT: PUBLIC HEARING - Consideration of Order No. 2022-042, Vacating a Portion of Fryrear Road

RECOMMENDED MOTION:

Move approval of Order No. 2022-042.

BACKGROUND AND POLICY IMPLICATIONS:

Deschutes County Road Department has received a petition to vacate an unused portion of the public right of way for Fryrear Road (also identified as "W.F. Fryrear Road" and "the Fryrear Road" in certain public records). Chief Petitioner for the proposed vacation is Eric H. Vetterlein, General Partner, on behalf of Desert Springs Ranch Limited Partnership, owner of Tax Lots 2800 and 2801 on Assessor's Map 15-11-00.

The subject right of way, which is described and depicted in proposed Order No. 2022-042, Exhibits "A" and "B", was established on March 14, 1921 by Deschutes County order recorded as Deschutes County Commissioners Journal Volume 1, Pages 341 and 342, which established a 60-foot wide right of way.

The subject right of way exists across land owned by Desert Springs Ranch Limited Partnership, and portions of the right of way abut federal land managed by the Bureau of Land Management, Prineville District (BLM). No road improvements, utilities, or other improvements existing within the proposed vacation area. The as-constructed Fryrear Road exists to the east of the proposed vacation area across BLM-managed federal lands within a separate right of way granted under BLM Grant No. OR 51362, issued circa December 7, 1995. The BLM is not a petitioner for the proposed vacation.

A public hearing will be held to allow interested parties to provide testimony regarding the proposed vacation. Upon conclusion of the public hearing, the Board of Commissioners will be asked to consider adoption of Order No. 2022-042, which would vacate the subject right of way, vesting it with the rightful owners holding title according to law pursuant to ORS 368.366(1)(c).

BUDGET IMPACTS:

None.

ATTENDANCE:

Cody Smith, County Engineer/Assistant Director, Road Department