

Dated this _____ day of _____, 2024.

BOARD OF COUNTY COMMISSIONERS
OF DESCHUTES COUNTY, OREGON

PATTI ADAIR, Chair

ATTEST:

ANTHONY DEBONE, Vice Chair

Recording Secretary

PHIL CHANG, Commissioner

Sun Country Engineering & Surveying, Inc.
920 SE Armour Drive Bend, OR 97702 (541)382-8882

ROAD VACATION LEGAL DESCRIPTION

ALL OF JAQUA ROAD, AS SHOWN ON PARTITION PLAT 1991-54, FILED AS SURVEY CS04829, DESCHUTES COUNTY SURVEY RECORDS, AND RECORDED AS DOCUMENT NO. 1991-24941, ON AUGUST 26, 1991, DESCHUTES COUNTY OFFICIAL RECORDS, SAID PARTITION PLAT LYING IN SECTIONS 26, 27, 34 AND 35, TOWNSHIP 15 SOUTH, RANGE 11 EAST OF THE WILLAMETTE MERIDIAN, DESCHUTES COUNTY, OREGON, AND SAID ROAD LYING IN THE SOUTHEAST ONE-QUARTER OF SAID SECTION 27 AND THE NORTHEAST ONE-QUARTER OF SAID SECTION 34.



WORK ORDER # 10243
October 5, 2023

Exhibit 5 (Revid)
Page 1 of 2

ROAD VACATION EXHIBIT

JAUQA ROAD AS DEDICATED ON PARTITION PLAT 1991-54
LOCATED IN THE SE 1/4 OF SECTION 27 AND THE NE 1/4 OF SECTION 34
TOWNSHIP 15 SOUTH, RANGE 11 EAST, WILLAMETTE MERIDIAN, DESCHUTES COUNTY, OREGON

SECTION 27
SECTION 26

PREPARED BY:
SUN COUNTRY ENGINEERING
& SURVEYING, INC.
920 SE ARMOUR RD
BEND, OR 97702
(541) 382-8882

(TAX LOT 5901
MAP 151100)
PARCEL 3
PP 1991-54

JAUQA ROAD
60' R/W AS
DEDICATED ON
PARTITION PLAT
1991-54

(TAX LOT 5900
MAP 151100)
PARCEL 2
PP 1991-54

JAUQA ROAD
60' R/W AS
DEDICATED ON
PARTITION PLAT
1991-54

SECTION 27
SECTION 34

SECTION 26
SECTION 35

(TAX LOT 5902
MAP 151100)
PARCEL 1
PP 1991-54

SCALE: 1"=800'



0 800

WO# 10243

DATE: 8/19/23

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Daniel T. Burton
OREGON
JANUARY 15, 1987
DANIEL T. BURTON
2248

RENEWS 12/31/23

Exhibit 4

PETITION FOR VACATION OF A PUBLIC ROAD

TO: THE DESCHUTES COUNTY BOARD OF COMMISSIONERS



We, the undersigned (holding recorded interest or abutting the proposed property or owning improvements constructed on the proposed property for vacation), respectfully request the following described road be vacated.

Description of road to be vacated: Public Segment of Sage Ranch Road also known as
Jaqua Road and related right of way

Located in T 15 S, R 11E, Secs. 26, 27, 34, 35, Deschutes County.


Reason for road vacation request: Parcel Consolidation resulting in no need for public road, public interest
in wildlife habitat and open space conservation

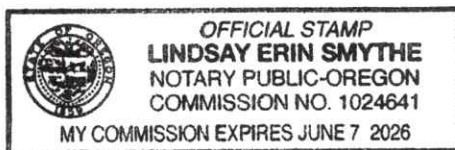
DATED this _____ day of _____, 20²³.

PRINT NAME	SIGNATURE	ADDRESS	CITY	STATE	ZIP
<u>Sage Dorsey</u>		<u>67200 Sage Ranch Rd.</u>	<u>Bend, OR</u>	<u>OR</u>	<u>97703</u>
<u>Lynne Dorsey</u>		<u>67200 Sage Ranch Rd.</u>	<u>Bend, OR</u>	<u>OR</u>	<u>97703</u>
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

STATE OF OREGON)
) ss.
County of DESCHUTES)

On this 26TH day of SEPTEMBER, in the year 2023, before me, a Notary Public, personally appeared SAGE DORSEY personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is(are) subscribed to this instrument, and acknowledged that he (she, they) executed it.

WITNESS my hand and official seal

Notary Public for Oregon.
My Commission expires: JUNE 7, 2026



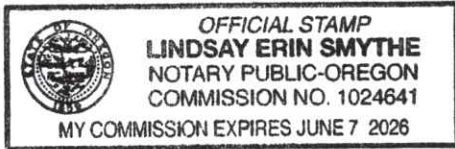
STATE OF OREGON)
) ss.
County of DESCHUTES)

On this 26TH day of SEPTEMBER, in the year 2023, before me, a Notary Public, personally appeared LYNNE DORSEY personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is(are) subscribed to this instrument, and acknowledged that he (she, they) executed it.

WITNESS my hand and official seal

Lindsay Erin Smythe
Notary Public for Oregon.

My Commission expires: JUNE 7, 2026



I CERTIFY THAT THIS IS THE TRUE AND ORIGINAL PETITION CIRCULATED BY ME.

[Signature]
SIGNATURE

67200 Sage Ranch Rd
ADDRESS

TELEPHONE: 541-629-1467



ROAD DEPARTMENT

MEMORANDUM

TO: Board of County Commissioners

FROM: Cody Smith, County Engineer/Assistant Road Department Director

DATE: January 2, 2024

SUBJECT: **Road Official's Report
Vacation of a Portion of Sage Ranch Road in Sections 27 and 34, Township 15S, Range 11E,
W.M.**

Background:

Deschutes County Road Department has received a petition to vacate the public road portion of Sage Ranch Road in Sections 27 and 34 of Township 15S, Range 11E, W.M. The Petitioners are Sage and Lynne Dorsey, the owners of Tax Lot 5900 on Assessor's Map 15-11-00, which comprises all of the abutting or underlying property to the subject right of way.

The subject portion of Sage Ranch Road is a local access road that is not maintained by Deschutes County. The subject right of way, which is 60 feet wide and approximately 0.56 mile in length, was dedicated to the public with Partition Plat 1991-54 to provide public road frontage for the three parcels created by that plat; Partition Plat 1991-54 identifies the subject road segment as "Jaqua Road". In 2023, the Petitioners consolidated the three parcels created by Partition Plat 1991-54 into a single parcel by property line adjustment (Land Use File No. 247-23-000062-LL). The southerly 0.4 mile of the subject right of way contains road improvements consisting of aggregate surfacing. Road Department staff understand that the road improvements were funded and constructed by current and/or previous owners of the underlying properties and that the improvements were not funded by the County. Overhead power utilities owned by Central Electric Cooperative exist within portions of the subject right of way.

Sage Ranch Road begins at its intersection with Fryrear Road. As the road proceeds east, the westerly segment of the road (approximately 128 feet in length) crosses Tax Lot 1200 on Assessor's Map 15-11-28C; Road Department records indicate that this segment of the road is not a public road. Continuing east, Sage Ranch Road crosses Bureau of Land Management (BLM)-administered federal lands (approximately 1.32 miles in length) within a BLM private access grant (OR 043973, Doresey Access Road). East of the BLM road segment

is the proposed vacation area where the road crosses Tax Lot 5900 on Assessor's Map 15-11-00. Tax Lot 5900 is completely surrounded by BLM-administered federal lands, and the subject portion of Sage Ranch Road that is proposed for vacation only serves to provide vehicular travel within Tax Lot 5900.

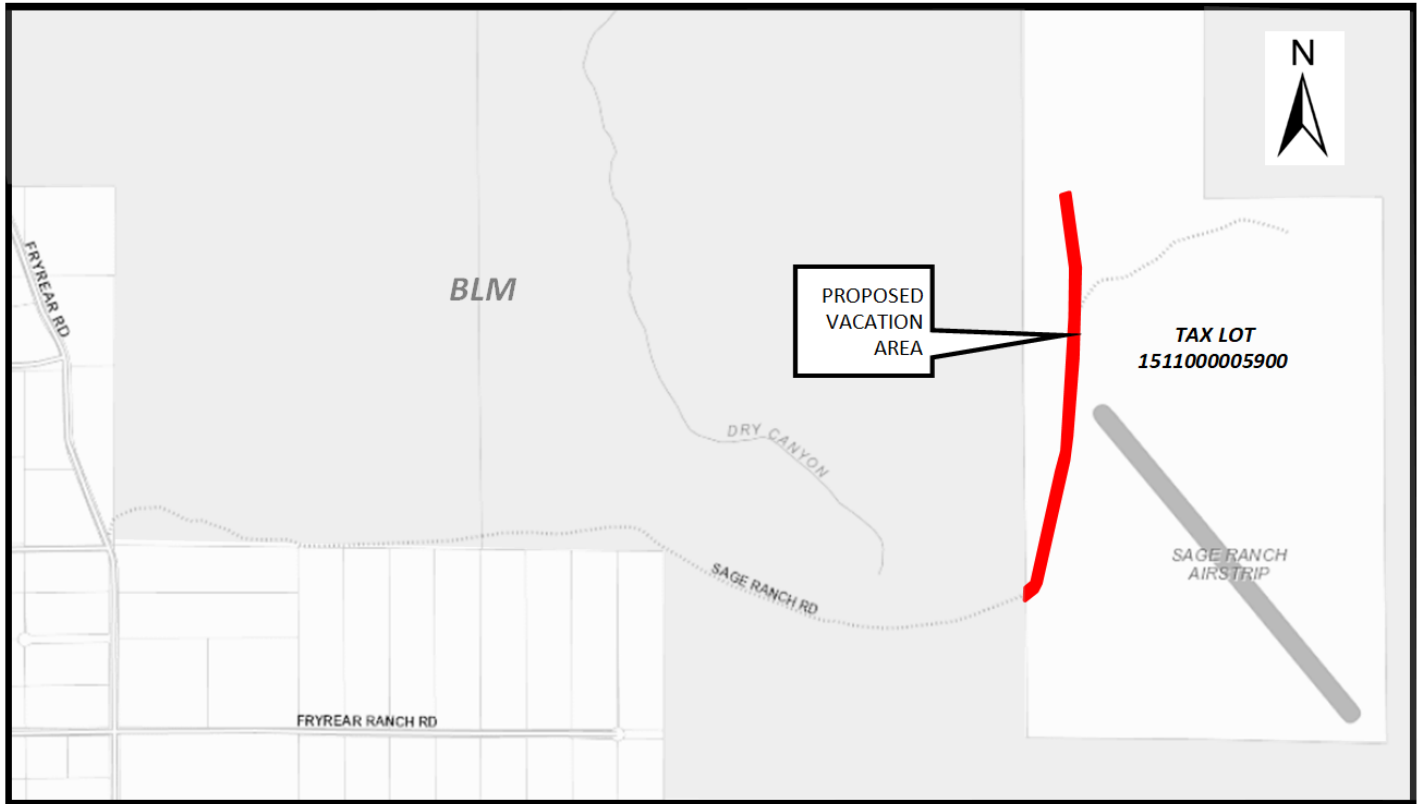


Figure – Location Map - Proposed Vacation Area (NTS)

The Petitioners provided the following reasons for the proposed vacation:

Parcel Consolidation resulting in no need for public road, public interest in wildlife habitat and open space conservation.

Road Department staff concur that the aforementioned parcel consolidation does relinquish the need for a public road right of way within the proposed vacation area. Road Department staff will not address the statement regarding public interest in wildlife habitat and open space conservation as it is not indicative of a necessity to vacate the public's interest in a property. The Petitioners included an eight-page burden of proof statement with the submitted petition; the burden of proof statement will be included in the Board of County Commissioner's meeting materials for consideration.

The Petitioners submitted completed service provider consent forms from those providers serving within or adjacent to the proposed vacation area; those service providers and their responses are listed below:

- Central Electric Cooperative
 - Representative: Parneli Perkins, Land and ROW Specialist
 - Service provider does have existing facilities within the area proposed for vacation

- **Service provider consents to the proposed vacation but requests that an easement for utilities be granted within the proposed vacation area.** Service provider emailed Road Department staff on December 20, 2023 indicating that their easement concerns had been addressed.

Findings:

Based upon the submitted petition materials, responses to service provider notices, and the Road Department's research of the subject right of way, the Road Department makes the following findings:

- The proposed vacation area was dedicated to the public by plat declaration with Partition Plat 1991-54 (ORS 368.326).
- No owners of a recorded property right would potentially be deprived of access necessary for the exercise of that property right with the proposed vacation (ORS 368.331).
- The Petitioners, who represent the owners of more than sixty (60) percent of property abutting the subject right of way, have submitted complete petitions and submitted the required fee (ORS 368.341(1)(c); ORS 368.341(3); ORS 368.341(4); ORS368.351).
- As the petition for vacation includes acknowledged signatures of owners of 100 percent of property abutting the proposed vacation area, the vacation proceedings are not subject to a public hearing (ORS 368.351).
- The subject right of way does not appear to be necessary for current or future public use.

Recommendation:

Based on the above findings, the Road Department has determined that the proposed vacation is in the public interest. The Road Department recommends that the Board of County Commissioners approve the proposed vacation with adoption of Order No. 2024-002 subject to a condition that the vacated property shall vest with the rightful owner or owners holding title according to law in accordance with ORS 368.366(1)(c).

This report is made pursuant to ORS 368.326 through 368.366, concerning the vacation of county property.