

C. Buisson  
Swinhart  
Spangler  
11-30-94  
91-020

BEFORE THE BOARD OF COMMISSIONERS

FOR LINCOLN COUNTY, OREGON

ORDINANCE # 348

Relating to roads; amending LCC 6.205 and 6.210; and declaring an emergency.

The Lincoln County Board of Commissioners ordains as follows:

**SECTION 1.**

LCC 6.205 is amended to read:

**6.205 Petition for Vacation of Public Road**

A petition for vacation of a public road as provided in ORS chapter 368 shall be accompanied by:

(1) A filing fee paid to the county clerk in an amount set by order of the Board of Commissioners;

(2) An adequate legal description of the portion of the road proposed to be vacated, which has been prepared by a title company, surveyor, attorney or other comparable professional; and

(3) A preliminary title report or plant report that has been prepared by a title and escrow company licensed to transact business in the State of Oregon *[and that relates to the portion of the road proposed to be vacated]* which provides title information including, but not limited to, a list of each person with a recorded interest in any of the following:

- (a) The property proposed to be vacated.
- (b) An improvement constructed on public property.
- (c) Real property abutting public property proposed to be vacated.

NOTE: Matter in boldfaced type in an amended section is new; matter *[italic and bracketed]* is existing ordinance to be omitted; new sections are in boldfaced type.

Lincoln County Legal Counsel  
Lincoln County Courthouse  
225 W. Olive Street  
Newport, Oregon 97365  
Phone: 265-4108

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1 (d) Any holder of an easement, license, or other interest that provides access  
2 to the area to be vacated.

3 **SECTION 2.**

4 LCC 6.210 is amended to read:

5 **6.210 Petition for Vacation or Decrease in Width of County Road**

6 A petition for vacation or decrease in the width of a county road as provided in  
7 ORS chapter 368 shall be accompanied by:

8 (1) A filing fee paid to the county clerk in an amount set by order of the Board  
9 of Commissioners;

10 (2) An adequate legal description of the portion of the road proposed to be  
11 vacated, which has been prepared by a title company, surveyor, attorney or other  
12 comparable professional; and

13 (3) A preliminary title report or plant report that has been prepared by a title and  
14 escrow company licensed to transact business in the State of Oregon [*and that relates to*  
15 *the portion of the road proposed to be vacated*] **which provides title information**  
16 **including, but not limited to, a list of each person with a recorded interest in any of**  
17 **the following:**

18 (a) **The property proposed to be vacated.**

19 (b) **An improvement constructed on public property.**

20 (c) **Real property abutting public property proposed to be vacated.**

21 (d) Any holder of an easement, license, or other interest that provides access  
22 to the area to be vacated.

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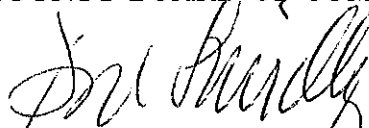
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1                    **SECTION 3.**

2                    This Ordinance being necessary for the immediate preservation of the public  
3 peace, health and safety, an emergency is declared to exist and this Ordinance shall take  
4 effect upon its passage.

5                    DATED this 23rd day of November, 1994.

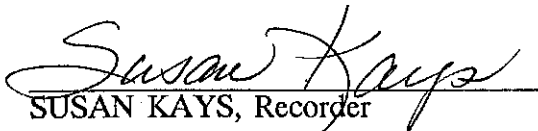
6                    LINCOLN COUNTY BOARD OF COMMISSIONERS

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10                    DON LINDLY, Chair

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12                    \_\_\_\_\_  
13                    JEAN COWAN, Commissioner

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15                    \_\_\_\_\_  
16                    NANCY E. LEONARD, Commissioner

17                    ATTESTED TO:

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19                    \_\_\_\_\_  
20                    SUSAN KAYS, Recorder

21                    APPROVED AS TO FORM:

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23                    \_\_\_\_\_  
24                    WAYNE BELMONT, County Counsel

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