

IN THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON

FOR THE COUNTY OF YAMHILL

SITTING FOR THE TRANSACTION OF COUNTY BUSINESS

In the Matter of a Resolution and	)	
Board Order Initiating the Vacation	)	
of a Portion of Bayou Drive near	)	RESOLUTION 14-2-13-1
McMinnville, Oregon;	)	BOARD ORDER
Scheduling a Public Hearing	)	

THE BOARD OF COMMISSIONERS OF YAMHILL COUNTY, OREGON ("the Board") sat for the transaction of county business in formal session on February 13, 2014, commissioners Allen Springer and Kathy George being present. Commissioner Mary P. Stern being excused.

WHEREAS it appears that the vacation of a portion of Bayou Drive (as described herein), a public road located near McMinnville Oregon would be beneficial to the public and to adjacent landowners.

WHEREAS, the vacation of this portion of Bayou Drive will occur at the same time as the acquisition of immediately adjacent property to be used for the newly relocated section of Bayou Drive, thereby ensuring continuous access to and use of Bayou Drive by adjacent landowners.

WHEREAS, access to Highway 99W from Bayou Drive will not be affected by the proposed vacation, acquisition and relocation.

WHEREAS, it appears that the newly relocated portion of Bayou Drive will provide safer ingress and egress to adjacent landowners.

NOW, THEREFORE, IT IS HEREBY RESOLVED, in accordance with ORS 368.326 to 368.366, that proceedings be undertaken to vacate the portion of said road described in Exhibit A, attached hereto and incorporated herein by this reference.

IT IS FURTHER HEREBY ORDERED that the Director, Department of Public Works, examine said road and file a written report pursuant to ORS 368.346(1);

IT IS FURTHER HEREBY ORDERED that following receipt and review of such report a date for conducting a public hearing on the proposed vacation and the proposed acquisition shall be set, and that such hearing be held at 10:00am in Rm 32, Yamhill County Courthouse, McMinnville, Oregon; and

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RESOLUTION 14-2-13-1  
B.O. 14-85

IT IS FURTHER HEREBY ORDERED that notice of the hearing be provided by the Director, Department of Public Works, in accordance with ORS 368.346(3) to the adjacent land owners described in Exhibit B, attached hereto and incorporated herein by this reference.

DONE at McMinnville, Oregon on February 13, 2014.

ATTEST

YAMHILL COUNTY BOARD OF COMMISSIONERS

BRIAN VAN BERGEN  
County Clerk

Not available for signature  
Chair MARY P. STERN

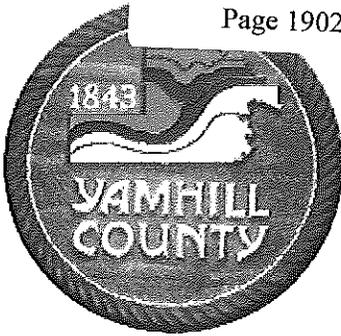
By: Carol Ann White  
Deputy

Allen Springer  
Commissioner and Vice Chair ALLEN SPRINGER

FOR APPROVED BY:  
Christian Boenisch  
Christian Boenisch  
Yamhill County Counsel

Kathy George  
Commissioner KATHY GEORGE

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**Yamhill County**  
**Public Works Department**  
**2060 Lafayette Avenue, McMinnville, OR 97128**  
Ph. 503.434.7515 Fax 503.472.4068 E-mail pubwork@co.yamhill.or.us

John Phelan  
Director

William A. Gille, P.E.  
County Engineer

**Road Officials Report**

February 11, 2014

To: Yamhill County Board of Commissioners  
From: William A. Gille, PE, PLS, County Engineer/Surveyor  
Re: Proposed Road Vacation of a Portion of Bayou Drive

Yamhill County has been made aware of issues concerning the road right of way known as Bayou Drive. Bayou Drive was dedicated in "Bayou Golf Estates subdivision No. 1" filed in 1968.

Numerous concerns about safety and appropriate uses of public right of way were raised by parties on both sides of the issue. A careful review of the facts and numerous communications with concerned citizens and property owners has lead to the formulation of a proposed solution. This solution involves the re-aligning of a portion of Bayou Drive. County Survey #12966, attached, was completed to locate existing right of way, proposed new right of way (13,691 sq. ft.) and proposed right of way to be vacated (25,423 sq. ft.). The proposed new right of way closely aligns with the existing access onto Highway 99W. This was done to preserve the existing access rights onto the highway.

Attached as Exhibit "B" please find the legal description of the original Bayou Drive proposed to be vacated and the companion Exhibit "A" legal description of the proposed new right of way. Both descriptions are in and surrounded by the parking lot of the Bayou Golf Course.

The re-alignment of this road will improve access for both the residents and the customers using the golf course. Improved safety for all users will be a benefit for all of the parties. The proposed re-alignment, vacation and dedication as described in this action, is in the public's best interest.

*Resolution 14-2-13-1 adopted as B.O. 14-85*

*B.O. 14-85*

*Exhibit A*

**BAYOU DRIVE**

**VACATION OF 60' RIGHT OF WAY**

Being a portion of roadway dedicated in Bayou Golf Estates Subdivision No. 1 and lying in Section 31, Township 4 South, Range 4 West, Willamette Meridian in Yamhill County, Oregon, and being only that portion of the below described property described in Book 226, Page 1973 of the Deed and Mortgage Records of Yamhill County, Oregon, and being more particularly described as follows:

A strip of land for dedicated in Bayou Golf Estates Subdivision No. 1 for roadway and utility purposes, this strip of land to be vacated excludes the 40 foot wide strip of land being dedicated in Exhibit A, this strip being 60 feet in width, lying 30 feet on either side of the following described public road centerline:

Beginning at a point shown in County Survey 12966 described as "PT: 4+98.15", this point being where the centerline of the dedicated centerline as described in Exhibit "A" terminates and a point on the original road centerline of Bayou Golf Estates Subdivision No. 1; thence on the original road centerline following along a curve concave to the northeast having a radius of 413.37 feet (chord bearing S83° 53' 27"E chord distance 134.20 feet) a distance of 84.39 feet to the intersection of the South right of way line of the proposed dedicated 40' R/W as described in Exhibit "A" and the True Point of Beginning of this centerline; thence continuing along the same curve 50.40 feet to the point of tangency; thence N86° 46' 03"E 191.44 feet; thence along a curve concave to the northwest having a radius of 123.26 feet (chord bearing N48° 34' 02"E chord distance 152.45 feet) a distance of 164.36 feet more or less to a point on the West right of way line of Oregon Highway 99W, this point being the terminus of the described centerline to be vacated.

The East end of this described right of way at the North and South 30 foot offset lines are to be extended or shortened, respectively, to intercept the West right of way line of Oregon Highway 99W. The West end of this described right of way at the 30 foot offset lines are extended on the South line to intercept the East line of lot 1, Block 1 of Bayou Golf Estates Subdivision No. 1, and the North line to intercept the South line of the Proposed Dedicated 40' R/W as shown on county survey 12966 and described in Exhibit "A".

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*William A. Gille*  
OREGON  
JANUARY 13, 1982  
WILLIAM A. GILLE  
1973

*expires 6/30/2015*

*Exhibit A  
Resolution  
14-2-13-1  
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# Identify Results

2/12/2014

This map was produced using the Yamhill County GIS data. The GIS data is maintained by the county to support its governmental activities. The county is not responsible for map errors, omissions, misuses or misinterpretation.

Tax Lot Number	Account Number	Owner	Situs Address	Billing Agent	Billing Address
R4431 00600	001174634	VALLEY LAND LLC WILLAMETTE	0	WILLAMETTE VALLEY LAND LLC	13140B NE KL
R4432 01200	001174910	JOHN C QUAL PERSONAL RES TRUST COMP	10025 SW BAYOU DR	COMPTON JOHN C QUAL PERSONAL RES TRUST	10025 SW BAY
R4432CC 00300	001175096	ANTONIO & SYLVIE TRUSTEES FOR RODER	9485 SW BAYOU DR	RODER ANTONIO & SYLVIE REVOCABLE TRUST	9485 SW BAY
R4432CC 00400	001175045	JAMES C TRUSTEES FOR ANDERSON	0	ANDERSON M RAE TRUST	9595 SW BAY
R4432CC 00500	001175054	M RAE ANDERSON	9595 SW BAYOU DR	ANDERSON M RAE TRUST	9595 SW BAY
R4432CC 00600	001175063	JOHN C PINARD	0	PINARD JOHN C	9675 SW BAY
R4432CC 00700	001175081	JOHN C PINARD	0	PINARD JOHN C	9675 SW BAY
R4432CC 00800	001175152	JOHN C PINARD	0	PINARD JOHN C	9675 SW BAY
R4432CC 00900	001175161	JOHN PINARD	0	PINARD JOHN	9675 SW BAY
R4432CC 01000	001175170	SEAN K SOSMAN	9745 SW BAYOU DR	SOSMAN JULIE K	9675 SW BAY
R4432CC 01100	001175198	KENNETH G TRUST 1/2 & MIZE	9779 SW BAYOU DR	MIZE MARY H TRUST 1/2	9779 SW BAY
R4432CC 01200	001175205	RANDY W SETTELL	9877 SW BAYOU DR	SETTELL LISAL	9779 SW BAY
R4432CC 01300	001175214	LISA L SETTELL	0	SETTELL LISAL	9877 SW BAY
R4432CC 01400	001175232	ROBIN C CALLANDER	9935 SW BAYOU DR	CALLANDER ROBIN C	9877 SW BAY
R4432CC 01600	001175289	CLAUDIA W MARA	9965 SW BAYOU DR	MARA CLAUDIA W	9877 SW BAY
R4432CC 01700	001175278	JOHN C TRUSTEE COMPTON	0	COMPTON JOHN C QUAL PERSONAL RES TRUST	10025 SW BA
R4432CC 02000	001175303	SUSAN I NISBET	9480 SW BAYOU DR	NISBET SUSAN I	9480 SW BAY
R4432CC 02100	001175312	JONATHAN BUEHLER	9526 SW BAYOU DR	BUEHLER SHARON E	9480 SW BAY
R4432CC 02200	001175321	CHRIS E HOOVER	9550 SW BAYOU DR	HOOVER CHRIS E	9526 SW BAY
R4432CC 02300	001175330	TONIA A SOBER BEEBE	9580 SW BAYOU DR	BEEBE TONIA A SOBER	9550 SW BAY
R4432CC 02400	001175358	RICHARD A GARDNER	9610 SW BAYOU DR	GARDNER VALERIE J	9580 SW BAY
R4432CC 02500	001175367	MARY H & KENNETH G TRUSTEES FOR MIZ	9630 SW BAYOU DR	MIZE MARY H TRUST 1/2	9610 SW BAY
R4432CC 02600	001175376	OLGA M MCCASLIN	9760 SW BAYOU DR	MCCASLIN OLGA M	9779 SW BAY
R4432CC 02700	001175385	JAN W BRYSON	0	BRYSON JAN W	9760 SW BAY
R4432CC 02800	001175401	JAN W BRYSON	9820 SW BAYOU DR	BRYSON JAN W	9820 SW BAY
R4432CC 02900	001175410	FAUSTO A RIOS	9850 SW BAYOU DR	RIOS FAUSTO A	9820 SW BAY
R4432CC 03000	001175429	GEORGE J & CAROLYN J STASTNY	9870 SW BAYOU DR	STASTNY GEORGE J & CAROLYN J	9850 SW BAY
R4432CC 03200	001175447	ROBIN C CALLANDER	0	CALLANDER ROBIN C	9870 SW BAY
R4432CC 03300	001175456	DONALD J & MARTHA A TRUSTEES FOR BE	10000 SW BAYOU DR	BEEBE TRUST	9935 SW BAY
R4432CC 03600	001174938	DEVELOPMENT LLC RIVERSTONE	9670 SW BAYOU DR	RIVERSTONE DEVELOPMENT LLC	10000 SW BA
R4432CD 00900	001175562	INVESTMENT CORPORATION MELDON	9301 SW BAYOU DR	MELDON INVESTMENT CORPORATION	PO BOX 985
R4432CD 01100	001175580	WATER IMPROVEMENT DISTRICT BAYOU	9420 SW BAYOU DR	BAYOU WATER IMPROVEMENT DISTRICT	9301 SW BAY
R4432CD 01200	001175287	BARRY L BENDER	0	BENDER BARRY L	RT 1 BOX 295
R4432CD 01300	001175296	FRANCES K WILLHITE	9460 SW BAYOU DR	WILLHITE FRANCES K	3013 ELM ST
R4432CD 01400	001175018	PROPERTIES LLC KEM	9451 SW BAYOU DR	KEM PROPERTIES LLC	9460 SW BAY
R4432CD 01401	001528958	LESLEY K LEIGHTON	9435 SW BAYOU DR	LEIGHTON LESLEY K	4810 SW 60TH
R5405 00400	001192099	INVESTMENT CORPORATION MELDON	0	MELDON INVESTMENT CORPORATION	9435 SW BAY

37 Records Selected

Resolution 14-2-13-1  
Exhibit B  
B.O. 14-85

Exhibit B