

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR COLUMBIA COUNTY, OREGON

In the Matter of the Recording of a Statement of Claim )  
Concerning a Mineral Interest Held by Columbia )  
County in Tax Account No. 01-01 3212-014-06500 )  
\_\_\_\_\_ )

**ORDER NO. 11- 2005**

WHEREAS, Columbia County is the holder of the mineral interest within or under that certain property commonly referred to as Tax Account No. 01-01 3212-014-06500, and more particularly described as:

A part of the B.M. Watts Donation Land Claim in Section 12, Township 3 North, Range 2 West of the Willamette Meridian, Columbia County, Oregon, more particularly described as follows:

Beginning at a point where the North line of B.M. Watts Donation Land Claim intersects the middle of the Old Portland St. Helens County Road; thence running North 70° West along the North line of said Donation Land Claim a distance of 655 feet to a rock; thence South 3° West 1500 feet to a rock set in the middle of the said Old Portland St. Helens County Road; thence South 89°30' East along middle of said county road 230 feet; thence North 20°30' East along middle of said road 1343 feet to the place of beginning; subject to the rights of the public in County Roads.

And

WHEREAS, Randall B. Bateman, attorney for Rosedale Development, LLC, under the authority and direction of DeCal Custom Homes and Construction, Inc., has caused to be recorded in the County Clerk deed records an Affidavit of Publication and Notice to Extinguish Dormant Mineral Interest; and

WHEREAS, it is in the public's interest to be recorded with the County Clerk a Statement of Claim, a copy of which is attached hereto as Exhibit A and by this reference incorporated herein, pursuant to ORS 517.180, to protect the County's interests in said mineral interest;

NOW, THEREFORE, IT IS HEREBY ORDERED that the Statement of Claim attached hereto as Exhibit A shall be recorded in the deed records of the Columbia County Clerk without costs.

DATED this 6th day of April, 2005.

BOARD OF COUNTY COMMISSIONERS  
FOR COLUMBIA COUNTY, OREGON

By: \_\_\_\_\_

Approved as to form

By: John K. Byrd  
Office of County Counsel

By: Joe Conroy  
Chair  
Commissioner

By: John M. Richardson  
Commissioner

**AFTER RECORDING RETURN TO:**

Office of County Counsel  
Columbia County Courthouse  
230 Strand, Room 318  
St. Helens, OR 97051

**STATEMENT OF CLAIM**

Pursuant to ORS 517.180, Columbia County, a political subdivision of the State of Oregon, hereby makes this STATEMENT OF CLAIM to the mineral interest more fully described below.

1. By Warranty Deed recorded July 7, 1947, in Book 94, Page 472, in the deed records of Columbia County, Oregon, Portland and Southwestern Railroad Company reserved all rights to the minerals, of any nature whatsoever, within or under the land being conveyed; to enter upon said lands to search for, explore, drill, develop, work, produce, mine and remove the minerals; and such rights of way for roads, railroads, pipelines, etc., as may be reasonably necessary for the exercise of the mineral rights being reserved.

2. Portland and Southwestern Railroad Company is the name of the holder of the mineral interest as that name is shown in the instrument creating the original mineral interest. Portland and Southwestern Railroad Company is no longer in business and no current address can be found.

3. Pursuant to a real estate tax judgment and decree of the Circuit Court of the State of Oregon for the County of Columbia, duly made and entered on the 16<sup>th</sup> day of September, 1954, said mineral interest was sold to Columbia County by sheriff's deed recorded October 3, 1955, in Book 127, Page 38, in the deed records of Columbia County, Oregon.

The legal description of the real property affected by the mineral rights reservations outlined above is:

A part of the B.M. Watts Donation Land Claim in Section 12, Township 3 North, Range 2 West of the Willamette Meridian, Columbia County, Oregon, more particularly described as follows:

Beginning at a point where the North line of B.M. Watts Donation Land Claim intersects the middle of the Old Portland St. Helens County Road; thence running North 70° West along the North line of said Donation Land Claim a distance of 655 feet to a rock; thence South 3° West 1500 feet to a rock set in the middle of the said Old Portland St. Helens County Road; thence South

89°30' East along middle of said county road 230 feet; thence North 20°30' East along middle of said road 1343 feet to the place of beginning; subject to the rights of the public in County Roads.

4. Columbia County, Oregon, c/o Board of County Commissioners, Columbia County Courthouse, 230 Strand, Room 331, St. Helens, OR 97051, is the current holder of the mineral interest in the above-referenced property.

5. It is the intent of Columbia County, by submitting this Statement of Claim to the County Clerk for recording in the County deed records, to protect its mineral rights and related interest in the real property described above.

Dated this \_\_\_\_ day of April, 2005.

BOARD OF COUNTY COMMISSIONERS  
FOR COLUMBIA COUNTY, OREGON

By: \_\_\_\_\_  
Chair

Approved as to form

By: \_\_\_\_\_  
Commissioner

By: \_\_\_\_\_  
Office of County Counsel

By: \_\_\_\_\_  
Commissioner

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