

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR COLUMBIA COUNTY, OREGON

In the Matter of Transferring Certain Access)
Approach Deposits from the County Treasurer's)
Deposit Fund to the County Road Fund)
_____)

ORDER NO. 20 - 2006

WHEREAS, since April 3, 1991, the County has been collecting \$500.00 deposits to secure construction of access approaches on County and public roads; and

WHEREAS, for permits issued between April 3, 1991, and November 25, 1998, the applicant was to complete construction within 30 days of issuance, or the applicant would forfeit the deposit; and

WHEREAS, for permits issued after November 25, 1998, the applicant was to complete construction within 2 years of issuance, or the applicant would forfeit the deposit; and

WHEREAS, those permits which have expired are listed on the document attached hereto as Exhibit A, incorporated herein by this reference, and the deposits are subject to forfeiture; and

WHEREAS, notices were mailed to applicants who have not completed construction within the required 30-day or 2-year period on October 12, 2005, as reflected in the attached Exhibit B; and

WHEREAS, pursuant to the notice, each applicant was given the right to appeal the forfeiture within 30 days from the notice; and

WHEREAS, the applicants listed in Exhibit A did not appeal the forfeiture within the time given for appeal.

NOW THEREFORE, IT IS HEREBY ORDERED that the deposits listed in Exhibit A are hereby forfeited to the County and that the funds be transferred from the Treasurer's Deposit Account to the County Road Fund.

Dated this 5th day of April, 2006.

Approved as to form

By: John K. H. W.
County Counsel's Office

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

By: Joe Conroy
Chair

By: Not Present
Commissioner

By: _____
Commissioner

EXHIBIT A

FORFEIT						
5517	2003 - 2	18-Aug-03	\$500	Beardsley, John	74479 Columbia River Hwy Rainier, OR 97048	7230-000-01600
5247	98 - 10	21-May-02	\$500	Berg, Nick	10828 Fishhawk Rd. Birkenfeld, OR 97016	6500-000-03900
5234	98 - 10	02-Apr-02	\$500	Birdzell, Jeff	Post Office Box 222 Columbia City, OR 97018	5226-000-01302
5429	98 - 10	28-Apr-03	\$1,000	Dews, Ryan & Amy	Post Office Box 1101 600 E Columbia Riv Hwy St. Helens, OR 97051	7316-030-00400
5502	2003 - 2	15-Jul-03	\$500	Dingman, William	Post Office Box 904, Scappoose, OR 97056	6234-000-00300
4588	98 - 10	03-Dec-98	\$500	Rider, Rhonda / Fowler, Tim	74879 Lost Creek Road Clatskanie, OR 97016 73026 Elk Creek Road Clatskanie, OR 97016	7334-000-01000
5453	98 - 10	23-May-03	\$500	Schultz, George	Post Office Box 491, Clatskanie, OR 97016	7510-000-00507

EXHIBIT B

COLUMBIA COUNTY PUBLIC WORKS DEPARTMENT

AFFIDAVIT OF MAILING

STATE OF OREGON)
) ss.
County of Columbia)

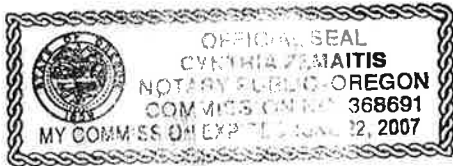
I, DAVE HILL, being first duly sworn, hereby depose and say the following is true as I verily believe.

- 1) I am the Public Works Director for Columbia County, Oregon.
- 2) I mailed the attached Notice of Deposit Forfeiture to the persons shown on the attached list on the 12 day of October, 2005, by first class mail postage pre-paid, pursuant to the ordinance noted on the attached list.

Dated this 30 day of December, 2005.

By: David A Hill
Dave Hill

Subscribed and sworn to before me this 30 day of December, 2005.



Cynthia Zemaitis
Notary Public of Oregon



COLUMBIA COUNTY, OREGON

Public Works Department

1054 Oregon Street, St. Helens, Oregon 97051

Tel: (503) 397-5090, Fax: (503) 397-7215

Web Page Address: www.co.columbia.or.us

David A. Hill, Director Public Works and Parks

NOTICE OF DEPOSIT FORFEITURE

October 12, 2005

Dear Permit Holder:

On the above-stated date, Columbia County issued you an Access Approach Permit for the construction of an access approach at the above stated property. Pursuant to Columbia County Ordinance No. 98-10, as amended, you were required to complete the construction of the permitted access approach in conformance with the Ordinance and as approved by the Public Works Director within 2 years from the date of issuance. Our records indicate that the access approach has not been completed as required. Therefore, the Access Approach Permit Deposit is hereby forfeited.

Pursuant to Ordinance No. 98-10, as amended, the County may, after the expiration of 30 days following the transmittal of a written notice, at your expense, construct or remove the access approach, or reconstruct, repair, or maintain the access approach. Forfeiture of the Permit Deposit does not relieve you of your obligation to complete the Access Approach.

You have the right to appeal the forfeiture. To appeal the forfeiture, you must file a written notice of appeal within 30 days from the date of this Notice. The written appeal must be in the format approved by the Board of County Commissioners. Appeal forms are available at the Columbia County Road Department, 1054 Oregon Street, St. Helens, Oregon 97051 and at the Board of County Commissioners' office, Room 331, Columbia County Courthouse, 230 Strand, St. Helens, Oregon 97051. Forms are also available on the Columbia County website at www.co.columbia.or.us. The written appeal must be received by the Board of County Commissioners within the 30-day period. Upon receipt of a timely written appeal, the Board of County Commissioners will schedule a hearing and you will be notified of the hearing date. At the conclusion of the hearing, the Board of County Commissioners must affirm the forfeiture if you failed to comply with all of the terms of the permit within the specified time period unless you requested an extension of the permit in a timely manner.

If you have questions or comments regarding this notice, please contact the Columbia County Road Department at 503.366.5090.

David Hill, Public Works Director

For use for access permits issued after November 25, 1998

ACCESS APPROACH DEPOSITS - 2005

NOTICES OF DEPOSIT FORFEITURE

PERMIT #	ISSUED UNDER ORDINANCE NO.	DATE PAID	DEPOSIT AMOUNT	NAME	ADDRESS	TAX ACC'T NO.
5451	98 - 10	03-Jun-03	\$500	Armstrong, John & Jolanta ✓	13882 Keasey Road, Vernonia, OR 97064	5500-000-07300
5517	2003 - 2	18-Aug-03	\$500	Beardsley, John ✓	74479 Columbia River Hwy Rainier, OR 97048	7230-000-01600
5247	98 - 10	21-May-02	\$500	Berg, Nick ✓	10828 Fishhawk Rd. Birkenfeld, OR 97016	6500-000-03900
4922	98 - 10	12-Jun-00	\$500	Bickford, Charles ✓	2335 N. Marine, Slip 1 Portland, OR 97217	5205-000-00500
5234	98 - 10	02-Apr-02	\$500	Birdzell, Jeff ✓	Post Office Box 222 Columbia City, OR 97018	5226-000-01302
5308	98 - 10	31-Jul-02	\$500	Collier, Mark ✓	63962 Holbrook Road Rainier, OR 97048	6221-010-00400
5429	98 - 10	28-Apr-03	\$1,000	Dews, Ryan & Amy ✓	Post Office Box 1101 St. Helens, OR 97051	7316-030-00400
5502	2003 - 2	15-Jul-03	\$500	Dingman, William ✓	Post Office Box 904, Scappoose, OR 97056	6234-000-00300
4512	91 - 4	15-Jul-98	\$500	William A. Dombrowsky, Jr. ✓	73205 Lost Creek Road Clatskanie, OR 97016	^7319-000-00902?
4954	98 - 10	23-Apr-03	\$500	Robert Morey ✓	c/o Dow Bros., 1536 SW Highland Parkway, Portland, OR 97221	5534-000-00100
5089	98 - 10	14-Jun-01	\$500	Godsey, Gary & Cindy ✓	70850 Neer City Road Rainier, Or 97048	6211-011-00100
5335	98 - 10	08-Apr-03	\$500	Grace Baptist Church	105 Forest Park Drive St. Helens, OR 97051	4107-013-00103
5184	98 - 10	06-Dec-01	\$500	Mahar, Tim ✓	10279 Field Crest Drive Birkenfeld, OR	6506-024-00700
4588	98 - 10	03-Dec-98	\$500	Rider, Rhonda / Fowler, Tim ✓	74879 Lost Creek Road Clatskanie, Oregon 97016 73026 Elk Creek Road Clatskanie, Oregon 97016	7334-000-01000
5453	98 - 10	23-May-03	\$500	Schultz, George ✓	Post Office Box 491, Clatskanie, OR 97016	7510-000-00507
5457	98 - 10	23-May-03	\$500	Simental, Randall ✓	Post Office Box 687 Scappoose, OR 97056	3201-033-01300