

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR COLUMBIA COUNTY, OREGON

In the Matter of Acquiring Slope Easements and a                     )  
Right-of-Way Easement for Van Street Road                     )  
Improvements                     )                     Resolution No. 71-2006

WHEREAS, Columbia County is in the process of making health and safety improvements to Van Street in the City of Clatskanie to improve access to the Port Westward Industrial Site; and

WHEREAS, certain private property must be acquired for slope easements, and certain property must be acquired for right-of-way, to successfully complete the improvements under the authority of ORS 35.605; and

WHEREAS, the property which must be acquired to successfully complete and maintain said improvements is described in Attachment A; and

WHEREAS, pursuant to ORS 35.610, before the right to acquire such property under ORS 35.605 is exercised, the Board of County Commissioners shall describe the land to be purchased, acquired, entered upon or appropriated, and shall determine that the appropriation of such land is reasonably necessary to protect the full use and enjoyment by the public of the road, street or highway;

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

1. Slope Easements as described in Attachment 1, which is attached hereto, and is incorporated herein by this reference, shall be purchased, acquired, entered upon or appropriated for said project; and
2. An Easement for utility and right-of-way purpose, as described in Attachment 2, which is attached hereto and is incorporated herein by this reference, shall be purchased, acquired, entered upon or appropriated for said project.
3. The purchase, acquisition, or appropriation of such land is reasonably necessary to protect the full use and enjoyment by the public of the road, street or highway.

Dated this 6th day of September, 2006.

Approved as to form

By: Sarah Hanson  
County Counsel

FOR COLUMBIA COUNTY, OREGON

By: Joe Corsuch  
Chair

By: Steve M. Gresham  
Commissioner

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

RESOLUTION NO. 71-2006

ATTACHMENT 1

**PROPOSED SLOPE EASEMENT**

**OLD COLUMBIA RIVER HWY 30**

**ALLEN FOREST PRODUCTS COMPANY INC to COLUMBIA COUNTY**

A Tract of Land for the purpose of a Slope Easement, being a portion of that Parcel of Land described in Deed to Allen Forest Products Company Inc recorded October 2, 1990 in Document 90-5684, Columbia County Deed Records, being situated in the Southeast One Quarter of Section 5, Township 7 North, Range 4 West, Willamette Meridian, Columbia County, Oregon, being more particularly described as follows:

Beginning at a point on the Northerly line of that Parcel of Land described in Deed to Franbea Inc recorded October 2, 1979 in Book 227, Page 324, said Deed Records, as the 47 acre tract recorded in Book 149, Page 324 being S 53° 52' 22" E a distance of 2.51 feet from a 5/8" Iron Rod found and N 17° 17' 30" W a distance of 1713.00 feet from the Southeast Corner of said Section 5 (Calculated using SN 3977); thence along said Northerly line, S 53° 52' 22" E a distance of 5.41 feet; thence leaving said Northerly line, N 82° 41' 15" E a distance of 8.01 feet; thence N 36° 56' 17" E a distance of 49.33 feet to the Southeasterly Right-of-Way line of Old Columbia River Hwy 30 (being 60 feet in width); thence along a 793.94 foot radius curve concave to the northwest through a central angle of 04° 03' 02" (chord bears S 48° 23' 55" W, a distance of 56.12 feet) an arc distance of 56.13 feet to the point of beginning.

The above-described Tract contains 271 SF more or less.

THE BASIS OF BEARINGS OF THIS LEGAL DESCRIPTION IS NAD 83(1998) HOLDING NGS STATION "CLATS".

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*David W. Mills 11-2-04*

OREGON  
JULY 16, 1980  
DAVID W. MILLS  
01915

EXPIRES 12-31-04

**EXHIBIT "A"**

**PROPOSED SLOPE EASEMENT  
OLD COLUMBIA RIVER HWY 30  
KAARHUS to COLUMBIA COUNTY**

A Tract of Land for the purpose of a Slope Easement, being a portion of that Parcel of Land described in Deed to Kay H. Kaarhus recorded November 14, 2003 in Document 03-7748, Columbia County Deed Records, being situated in the Southeast One Quarter of Section 5, Township 7 North, Range 4 West, Willamette Meridian, Columbia County, Oregon, being more particularly described as follows:

Beginning at the intersection of the East Line of said Section 5 with the Southeasterly Right-of-Way line of Old Columbia River Hwy 30 (being 60 feet in width) said beginning point being N 01°10'03" W a distance of 0.59 feet from a one (1") inch iron pipe with a yellow plastic cap stamped "Brady LS 1860", thence along said Right-of-Way line, S 30° 19' 01" W a distance of 24.97 feet to a point of curvature; thence along a 174.63 foot radius curve concave to the southeast through a central angle of 27° 16' 00" chord bears S 16° 41' 01" W a distance of 82.32 feet) an arc distance of 83.11 feet; thence S 03° 03' 01" W a distance of 53.51 feet to a point of curvature; thence along a 234.63 foot radius curve concave to the west through a central angle of 02° 22' 46" (chord bears S 04° 14' 24" W a distance of 9.74 feet) an arc distance of 9.74 feet; thence leaving said Right-of-Way line, S 81° 24' 40" E a distance of 11.83 feet; thence N 27° 06' 22" E a distance of 66.44 feet to the East line of said Section 5; thence along said East line, N 01° 10' 03" W a distance of 106.20 feet to the point of beginning.

The above-described Tract contains 4135 SF more or less.

THE BASIS OF BEARINGS OF THIS LEGAL DESCRIPTION IS NAD 83(1998) HOLDING NGS STATION "CLATS".

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*David W. Mills 11-2-04*

OREGON  
JULY 18, 1980  
DAVID W. MILLS  
01915

EXPIRES 12-31-04

## EXHIBIT "A"

A Tract of Land for the purpose of a Slope Easement, being a portion of that Parcel of Land described in Deed Arthur Lee McIntire, Jr. recorded November 9, 1995 in Document 95-09599, Columbia County Deed Records, being situated in the Southwest One Quarter of Section 4, Township 7 North, Range 4 West, Willamette Meridian, Columbia County, Oregon, being more particularly described as follows:

Beginning at the intersection of the West Line of said Section 4 with the Southeasterly Right-of-Way line of Old Columbia River Hwy 30 (being 60 feet in width) said beginning point being N 01° 10' 03" W a distance of 0.59 feet from a one (1") inch iron pipe with a yellow plastic cap stamped "Brady LS 1860", thence along said West line, S 01° 10' 03" E a distance of 40.51 feet; thence leaving said West line, N 85° 32' 39" E a distance of 40.01 feet; thence N 40° 44' 40" E a distance of 53.46 feet; thence N 19° 44' 11" W a distance of 83.08 feet to the said Right-of-Way line; thence along said Right-of-Way line, S 30° 19' 01" W a distance of 94.19 feet to the point of beginning.

The above-described tract contains 5286 SF more or less.

THE BASIS OF BEARINGS OF THIS LEGAL DESCRIPTION IS NAD 83(1998) HOLDING NGS STATION "CLATS".

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*David W. Mills 7-27-05*

OREGON  
JULY 18, 1980  
DAVID W. MILLS  
01915  
EXPIRES 12-31-04

**EXHIBIT "A"**

**PROPOSED SLOPE EASEMENT  
OLD COLUMBIA RIVER HWY 30  
FRANBEA INC to COLUMBIA COUNTY**

A Tract of Land for the purpose of a Slope Easement, being a portion of that Parcel of Land described in Deed to Franbea Inc recorded October 2, 1979 in Book 227, Page 324, Columbia County Deed Records, being situated in the Southeast One Quarter of Section 5, Township 7 North, Range 4 West, Willamette Meridian, Columbia County, Oregon, being more particularly described as follows:

Beginning at a 5/8" Iron Rod found at the Southwest corner of said Franbea Inc Parcel, being S 50° 35' 52" E a distance of 1669.98 feet from the Southeast Corner of said Section 5 (Calculated using SN 3977), thence along the South line of that Parcel noted in said Franbea Deed, as the 47 acre tract recorded in Book 149, Page 324, S 36° 32' 17" E a distance of 31.04 feet; thence leaving said South line, N 19° 53' 25" E a distance of 20.59 feet; thence N 53° 55' 41" E a distance of 76.58 feet; thence N 39° 52' 26" E a distance of 44.13 feet; thence N 55° 16' 16" E a distance of 79.54 feet; thence N 33° 32' 55" E a distance of 33.85 feet to the Southeasterly Right-of-Way line of Nehalem Avenue as dedicated on the duly recorded Plat of CLATSKANIE JUNCTION; thence along said Right-of-Way line, S 57° 55' 10" W a distance of 115.61 feet to the intersection with the Southeasterly Right-of-Way line of Old Columbia River Hwy 30 (being 60 feet in width); thence along said Right-of-Way line, S 49° 58' 01" W a distance of 132.98 feet to the point of beginning.

The above-described Tract contains 4665 SF more or less.

**TOGETHER WITH** the following described Easement.

Beginning at a point on the Northerly line of that Parcel noted in said Franbea Deed, as the 47 acre tract recorded in Book 149, Page 324 being S 53° 52' 22" E a distance of 2.51 feet from a 5/8" Iron Rod found and N 17° 17' 30" W a distance of 1713.00 feet from the Southeast Corner of said Section 5 (Calculated using SN 3977); thence along said Northerly line, S 53° 52' 22" E a distance of 5.41 feet; thence leaving said Northerly line, S 44° 49' 22" W a distance of 17.30 feet; thence S 06° 31' 27" W a distance of 53.61 feet to POINT A and the Right-of-Way line of Nehalem Avenue as dedicated on the duly recorded Plat of CLATSKANIE JUNCTION; thence along the said Right-of-Way line, N 53° 52' 22" W a distance of 45.55 feet; thence N 58° 07' 23" E a distance of 17.44 feet;

## EXHIBIT "A" (CONT'D)

thence N 44° 54' 53" E a distance of 27.06 feet to the intersection of the said Platted Right-of-Way line of Nehalem Avenue with the Southeasterly Right-of-Way line of Old Columbia River Hwy 30 (being 60 feet in width) ; thence along said Southeasterly Right-of-Way line on a non- tangential curve concave Northwesterly having a 793.94 foot radius thru a central angle of 01° 33' 17" an arc distance of 21.54 feet (chord bears N 51° 12' 04" E a distance of 21.54 feet) to the point of beginning.

The above-described Tract contains 1290 SF more or less.

TOGETHER WITH the following described Easement.

Beginning at above described POINT A, thence along said Right-of-Way line of Nehalem Avenue, S 53° 52' 22" E a distance of 3.75 feet; thence S 57° 55' 10" W a distance of 4.17 feet to the TRUE POINT OF BEGINNING of the described easement; thence continuing along the said Right-of-Way line of Nehalem Avenue, S 57° 55' 10" W a distance of 83.83 feet; thence leaving said Right-of-Way line, N 78° 37' 32" E a distance of 45.15 feet; thence N 36° 55' 25" E a distance of 44.56 feet to the true point of beginning.

The above-described Tract contains 669 SF more or less

THE BASIS OF BEARINGS OF THIS LEGAL DESCRIPTION IS NAD 83(1998) HOLDING NGS STATION "CLATS".

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*David W. Mills 11-2-04*

OREGON  
JULY 16, 1980  
DAVID W. MILLS  
01915  
EXPRESS 1231-01

## ATTACHMENT 2

### BARKHURST, CARNESE & VIUHKOLA to COLUMBIA COUNTY

A Tract of Land situated in the South one half of Section 34, Township 8 North, Range 4 West, Willamette Meridian, Columbia County Oregon, being more particularly described as follows:

Beginning at a point on the Northeasterly Right of Way line of Old Columbia River Hwy 30 (being 60.00 feet in width) which bears N 08° 11' 30" W a distance of 674.41 feet from a found 2 inch Iron Pipe at the South one quarter corner of said Section 34; thence N 04° 15' 01" E a distance of 33.72 feet; thence along a tangential curve concave Easterly having a 100.00 foot radius thru a central angle of 29° 17' 14" an arc distance of 51.12 feet (chord bears N 18° 53' 38" E a distance of 50.56 feet); thence N 33° 32' 15" E a distance of 113.11 feet; thence along a tangential curve concave Southeasterly having a 100.00 foot radius thru a central angle of 11° 36' 19" an arc distance of 20.26 feet (chord bears N 39° 20' 25" E a distance of 20.22 feet); thence along a tangential curve concave Northwesterly having a 140.00 foot radius thru a central angle of 25° 50' 53" an arc distance of 63.16 feet (chord bears N 32° 13' 08" E a distance of 62.62 feet); thence N 19° 17' 41" E a distance of 124.28 feet; thence along a tangential curve concave Easterly having a 260.00 foot radius thru a central angle of 40° 20' 54" an arc distance of 183.09 feet (chord bears N 39° 28' 08" E a distance of 179.33 feet); thence N 59° 38' 35" E a distance of 274.73 feet to the Southwesterly line of that tract of land described in Deed to Columbia County recorded April 5, 1918 in Book 26, Page 136 Columbia County Deed Records; thence along said Southwesterly line, N 88° 25' 25" W a distance of 113.44 feet; thence leaving said Southwesterly line, S 59° 38' 35" W a distance of 178.46 feet; thence along a tangential curve concave southeasterly having a 320.00 foot radius thru a central angle of 40° 20' 54" an arc distance of 225.35 feet (chord bears S 39° 28' 08" W a distance of 220.72 feet); thence S 19° 17' 41" W a distance of 124.28 feet; thence along a tangential curve concave Westerly having a 80.00 foot radius thru a central angle of 109° 54' 40" an arc distance of 153.46 feet (chord bears S 74° 15' 01" W a distance of 130.99 feet); thence N 50° 47' 39" W a distance of 111.96 feet to the said Northeasterly Right of Way line; thence said Right of Way line along a non-tangential curve concave Southwesterly having a 254.69 foot radius thru a central angle of 00° 30' 56" an arc distance of 2.29 feet (chord bears S 42° 38' 13" E a distance of 2.29 feet); thence S 42° 20' 59" E a distance of 89.70 feet; thence along a tangential curve concave Southwesterly having a 309.49 foot radius thru a central angle of 46° 36' 00" an arc

distance of 251.72 feet (chord bears S 19° 02' 59" E a distance of 244.83 feet) to the point of beginning.

The above-described Tract contains 1.15 Acres more or less.

THE BASIS OF BEARINGS OF THIS LEGAL DESCRIPTION IS NAD 83(1998) HOLDING NGS STATION "CLATS".



9-24-04