

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR COLUMBIA COUNTY, OREGON

In the Matter of Acquiring a Temporary Construction Easement)
and a Right-of-Way Easement for Hermo Road Improvements) Resolution No. **133** -2007
from Martin and Deborah Greeley)

WHEREAS, Columbia County is in the process of making health and safety improvements to Hermo Road to improve access to the Port Westward Industrial Site; and

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

WHEREAS, certain property must be acquired for a Temporary Construction Easement; and

WHEREAS, the property which must be acquired to successfully complete and maintain said improvements is described in Attachment A and B; 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. A Temporary Construction Easement as described in Attachment A, 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 B, 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 29th day of August, 2007.

Approved as to form

By: Sarah Hanson
County Counsel

FOR COLUMBIA COUNTY, OREGON

By: [Signature]

Chair

By: _____

Commissioner

By: [Signature]

Commissioner

RESOLUTION NO. 133-2007

ATTACHMENT A

TEMPORARY CONSTRUCTION EASEMENT

KNOW ALL MEN BY THESE PRESENTS: Martin Greeley and Deborah Greeley, as tenants by the entirety (hereinafter referred to as Grantor whether singular or plural) in consideration of the sum of (Five Thousand Sixty-Eight and No/100 Dollars), (\$5,068.00) and other good and valuable consideration, does hereby grant, license and permit to Columbia County, its successors and assigns (hereinafter referred to as Grantee) a temporary construction easement and right-of-way to use, occupy and crossover the real property located in the County of Columbia and State of Oregon that is bounded and described as follows, to-wit:

See Exhibit "A" attached hereto and incorporated by reference and made part of this document as though fully incorporated herein.

And generally shown on:

See Exhibit "B" attached hereto and incorporated by reference and made part of this document as though fully incorporated herein.

For the purpose of using the same as a means of ingress and egress for the construction of roads, streets and utilities, including cut and fill slopes, over, across and upon the real property described herein, adjacent to or in the near vicinity of the above described real property for transporting equipment, personnel, supplies and materials that may be necessary or expedient for the construction of said improvements and further to store machinery, equipment, supplies, materials, dirt, rocks or earth thereon, as may be necessary or expedient in connection with the construction of said street or utility.

That within a reasonable time after completion of said construction the Grantee promises and agrees to replace and restore as nearly as practicable the surface of the above described real property to its condition as it was immediately prior to the date hereof.

That this easement, grant, license and permit shall terminate upon the completion of the construction of the street or utility above mentioned or one year from the date of signing, whichever is later. The completion of construction shall include restoration of the premises upon which the street or utility is constructed, and the premises above described.

DATED this 29th day of July, 2007.

Martin O. Greeley
Martin Greeley

Deborah M. Greeley
Deborah Greeley

EXHIBIT "A"



14315 SW Cougar Ridge Dr.
Beaverton, Oregon 97008
Ph: 503-590-7158
Fax: 503-521-8372
Email: d.mills@verizon.net

PROPOSED CONSTRUCTION EASEMENT SOUTHERLY SIDE of QUINCY DEPOT ROAD GREELEY TO COLUMBIA COUNTY

A Tract of land being part of that Tract of land described in Deed to Martin Greeley and Deborah Greeley recorded August 22, 2005 in Fee No. 2005-011282, Columbia County deed records, being a portion of lots 15, 16 and 17 of the duly recorded plat of Quincy Homes, situated in the Southeast one quarter of Section 27, Township 8 North, Range 4 West, Willamette Meridian, Columbia County, Oregon, being more particularly described as follows:

Beginning at a 2 inch iron pipe found at the Southeasterly corner of Lot 15 of the duly recorded Plat of Quincy Homes; thence along the Southeasterly line of said Lot 15, N 25° 48' 09" E, a distance of 90.37 feet to the **TRUE POINT OF BEGINNING** of the herein described Easement; thence along a 1034.84 foot radius curve concave to the northeast through a central angle of 5° 47' 19" (chord bears N 53° 30' 33" W, a distance of 104.51 feet) an arc distance of 104.55 feet; thence N 50° 36' 56" W, a distance of 18.79 feet to the Northerly line of said lot 17; thence along said Northerly line N 59° 46' 51" W, a distance of 45.47 feet to the Westerly line of said lot 17; thence along said Westerly line S 42° 08' 31" W, a distance of 7.77 feet; thence S 50° 36' 56" E, a distance of 15.07 feet; thence S 59° 46' 51" E, a distance of 31.39 feet; thence S 50° 36' 56" E, a distance of 17.99 feet to a point of curvature; thence along a 1044.84 foot radius curve concave to the northeast through a central angle of 5° 51' 49" (chord bears S 53° 32' 49" E, a distance of 106.88 feet) an arc distance of 106.93 feet to the Southeasterly line of said lot 15; thence N 25° 48' 09" E, a distance of 10.09 feet to the true point of beginning.

The above described tract contains 1,684 square feet, more or less.

The Basis of Bearings of this Legal Description is NAD 83(1998), holding NGS Station "CLATS".

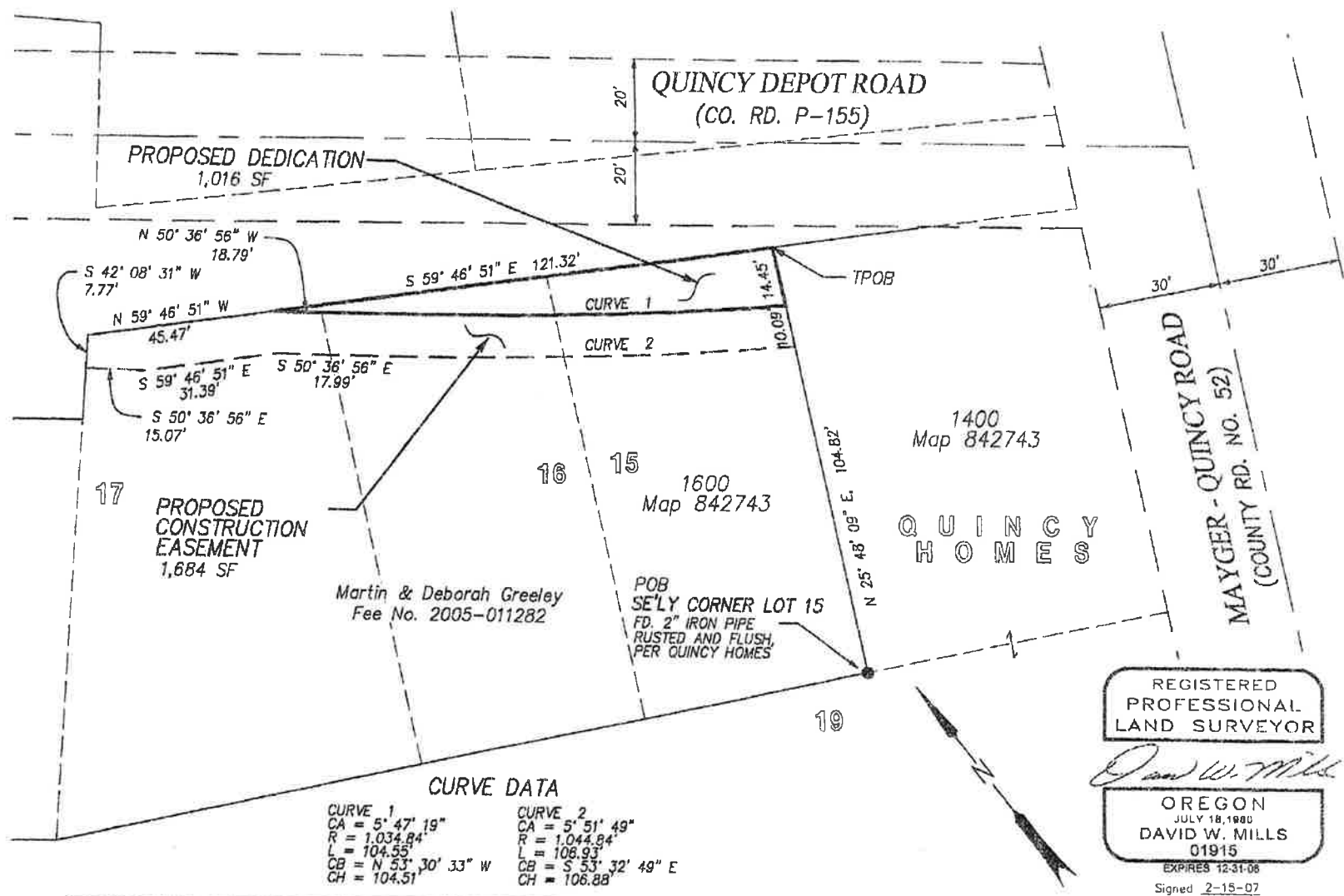


PORT WESTWARD ROAD IMPROVEMENTS - PHASE 3

Prepared by: Dave Mills
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ATTACHMENT B

Return Recorded Document To:

Board of County Commissioners
Columbia County Courthouse
230 Strand, Room 331
St. Helens, Oregon 97051

DEDICATION DEED

WE, Martin Greeley and Deborah Greeley, as tenants by the entirety, the undersigned, are owners of certain property situated in Columbia County, Oregon. We hereby forever dedicate to Columbia County, on behalf of the public, for public road and utility purposes the following land, which is described in an attached document, labeled Exhibit "A", said Exhibit being attached hereto and incorporated herein by this reference and generally shown on Exhibit "B".

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT TO BE IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

The true and actual consideration for this conveyance is \$2,032.00, stated in terms of dollars.

DATED this 27 day of July, 2007.

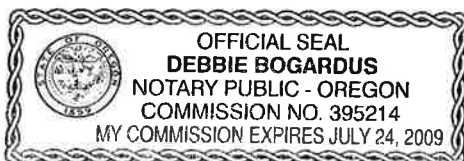
DEDICATORS:

Martin Greeley
Martin Greeley

Deborah Greeley
Deborah Greeley

STATE OF OREGON)
) ss.
County of Columbia)

THIS INSTRUMENT was acknowledged before me on July 27, 2007,
by Martin Greeley and Deborah Greeley.



Debbie Bogardus
Notary Public for Oregon
My Commission Expires: 7/24/09

DEDICATION DEED

ACCEPTANCE

Columbia County, a political subdivision of the State of Oregon, by and through its Board of County Commissioners, hereby accepts the above dedication of land from Martin Greeley and Deborah Greeley for public road and utility purposes forever on behalf of the public.

DATED this _____ day of _____, 2007.

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

By: _____
Anthony Hyde, Commissioner

By: _____
Joe Corsiglia, Commissioner

By: _____
Rita Bernhard, Commissioner

STATE OF OREGON)
) ss.
County of Columbia)

THIS INSTRUMENT was acknowledged before me on _____, 2007,
by Anthony Hyde, Joe Corsiglia and Rita Bernhard, Commissioners of Columbia County, Oregon,
on behalf of whom this instrument was executed.

Notary Public for Oregon
My Commission Expires: _____

GRANTOR'S NAME AND ADDRESS:

Martin Greeley and Deborah Greeley
19634 Hermo Road
Clatskanie, OR 97016

AFTER RECORDING, RETURN TO:

Board of County Commissioners
Columbia County Courthouse
230 Strand, Room 331
St. Helens, Oregon 97051

EXHIBIT "A"



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Beaverton, Oregon 97008
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PROPOSED DEDICATION
SOUTHERLY SIDE of QUINCY DEPOT ROAD

GREELEY TO COLUMBIA COUNTY

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Beginning at a 2 inch iron pipe found at the Southeasterly corner of Lot 15 of said Plat of Quincy Homes; thence along the Southeasterly line of said Lot 15, N 25° 48' 09" E, a distance of 104.82 feet to the **TRUE POINT OF BEGINNING** of the herein described Tract; thence S 25° 48' 09" W, a distance of 14.45 feet; thence along a 1034.84 foot radius curve concave to the northeast through a central angle of 5° 47' 19" (chord bears N 53° 30' 33" W, a distance of 104.51 feet) an arc distance of 104.55 feet; thence N 50° 36' 56" W, a distance of 18.79 feet to the Northerly line of lot 17 said Quincy Homes; thence along the Northerly line of lots 17, 16 and 15 of said Quincy Homes S 59° 46' 36" E, a distance of 121.32 feet to the true point of beginning.

The above described tract contains 1,016 square feet, more or less.

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



Prepared by: Dave Mills
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PORT WESTWARD ROAD IMPROVEMENTS - PHASE 3

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