

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. 143-2007
from Helen Velva Cook)

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 Attachments 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 purposes, 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 24th day of October, 2007.

Approved as to form

By: Sarah Hanson
County Counsel

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

By: [Signature]
Chair

By: _____
Commissioner

By: [Signature]
Commissioner

ATTACHMENT A

TEMPORARY CONSTRUCTION EASEMENT

KNOW ALL MEN BY THESE PRESENTS: That Helen Velva Cook, Grantor (hereinafter referred to as Grantor whether singular or plural) in consideration of the sum of Thirty-Eight Thousand Seven Hundred Twenty-Nine Dollars, \$38,729.00 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 3 day of September, 2007.



Helen Velva Cook

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

SW CORNER of QUINCY DEPOT ROAD & MAYGER – QUINCY ROAD

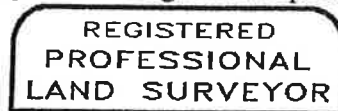
COOK TO COLUMBIA COUNTY

A Tract of land for the purpose of a Construction Easement, being part of that Tract of land described in Deed to Robert H. and Helen Velva Cook recorded August 22, 1961 in Book 146 Page 328, Columbia County deed records, being 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 94.22 feet to the **TRUE POINT OF BEGINNING** of the herein described Easement; thence along a 1031.19 foot radius curve concave to the northeast through a central angle of 01° 18' 24" (chord bears S 57° 01' 45" E, a distance of 23.52 feet) an arc distance of 23.52 feet; thence along a 55.00 foot radius curve concave to the southwest through a central angle of 80° 40' 53" (chord bears S 17° 20' 27" E, a distance of 71.21 feet) an arc distance of 77.45 feet; thence S 23° 00' 00" W a distance of 51.38 feet to the Westerly Right of Way line of Mayger – Quincy road (County Road No.52) as surveyed by the said plat of Quincy Homes; thence N 67° 00' 00" W a distance of 10.00 feet; thence N 23° 00' 00" E a distance of 51.38 feet; thence along a 45.00 foot radius curve concave to the southwest through a central angle of 80° 40' 53" (chord bears N 17° 20' 27" W, a distance of 58.26 feet) an arc distance of 63.37 feet; thence along a 1041.19 foot radius curve concave to the northeast through a central angle of 01° 13' 52" (chord bears N 57° 04' 01" W, a distance of 22.37 feet) an arc distance of 22.37 feet; thence N 25° 48' 09" E a distance of 10.09 feet to the true point of beginning.

The above described tract contains 1447 square feet, more or less.

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



David W. Mills



EXPIRES 12-31-08

PORT WESTWARD ROAD IMPROVEMENTS – PHASE 3

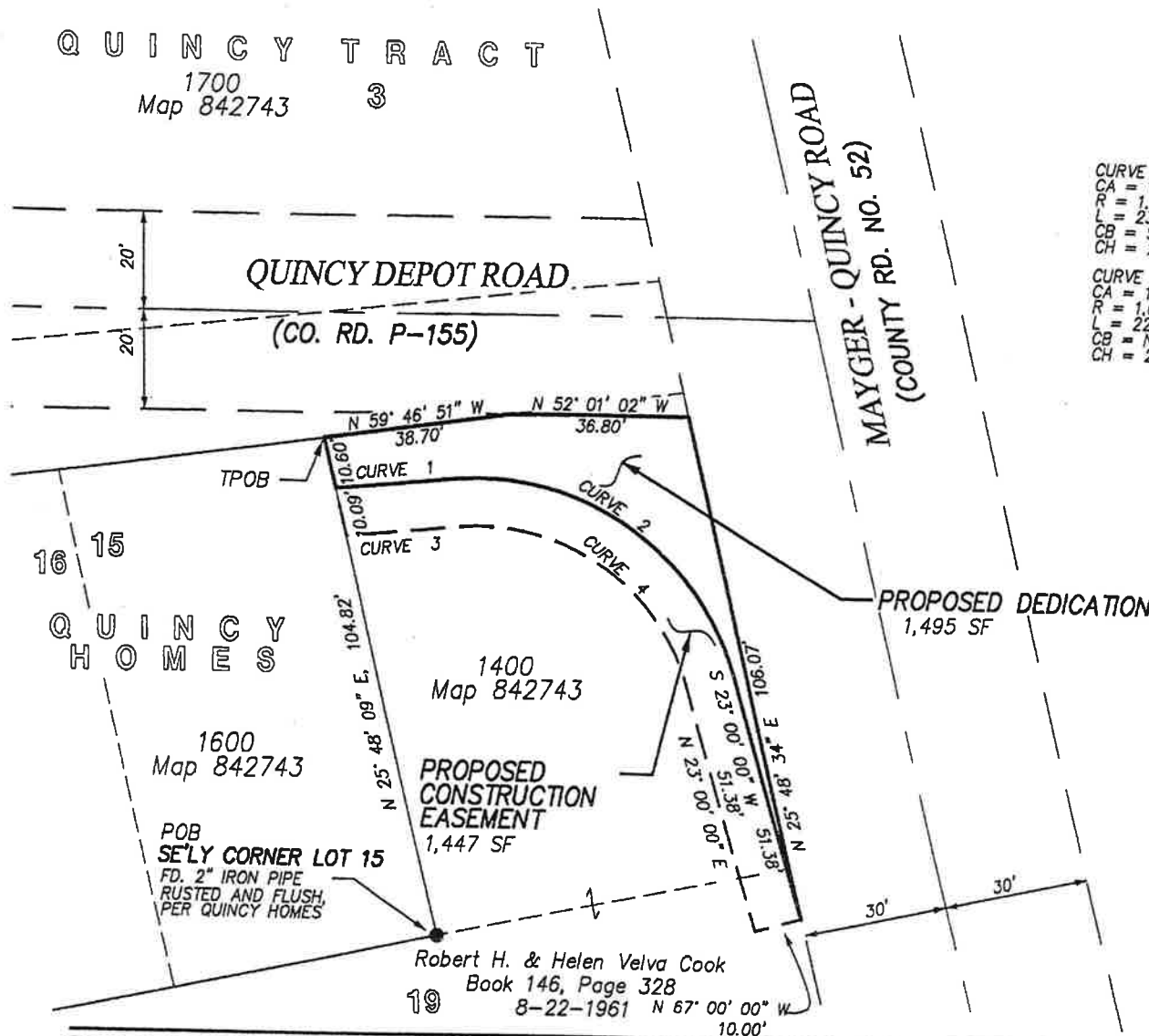
Prepared by: Dave Mills
Esmt Cook R05-09-07.doc

Page 1 of 1

5/9/2007 8:47:00 AM
Rev 2/11/07
Rev 5-09-07

QUINCY TRACT

1700
Map 842743 3



CURVE DATA

CURVE 1 CA = 1° 18' 24" (LT) R = 1,031.19' L = 23.52' CB = S 57° 01' 45" E CH = 23.52'	CURVE 2 CA = 80° 40' 53" (RT) R = 55.00' L = 77.45' CB = S 17° 20' 27" E CH = 71.21'
CURVE 3 CA = 1° 13' 52" (RT) R = 1,041.19' L = 22.37' CB = N 57° 04' 01" W CH = 22.37'	CURVE 4 CA = 80° 40' 53" (LT) R = 45.00' L = 63.37' CB = N 17° 20' 27" W CH = 58.26'



EXHIBIT "B"

REGISTERED
PROFESSIONAL
LAND SURVEYOR

David W. Mills

OREGON
JULY 18, 1980
DAVID W. MILLS
01915
EXPIRES 12-31-08

Signed 5-09-07

DAVE MILLS CONSULTING INC.

PROFESSIONAL LAND SURVEYING SERVICES, OR. & WA.
14315 S.W. Cougar Ridge Dr.
Beaverton, OR 97008
Ph: 503-890-7158
Fax: 503-891-8372
email: d.mills@verizon.net

FILE: PW-pha3 ROW - "COOK Exhibit"
DATE: 2-07-07 Rev 2-11-07, 5-9-07
SCALE: 1" = 30'
SHEET 1 OF 1

PROPOSED DEDICATION

for

PORT WESTWARD STREET IMPROVEMENTS- PHASE 3
S.E.1/4 SECTION 27, T.8N.,R.4W., WM., COLUMBIA CO., OR.

ATTACHMENT B

Return Recorded Document To:
Board of County Commissioners
Columbia County Courthouse
230 Strand, Room 331
St. Helens, Oregon 97051

DEDICATION DEED

I, Helen Velva Cook, the undersigned, am owner of certain property situated in Columbia County, Oregon. I 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 \$1,271.00, stated in terms of dollars.

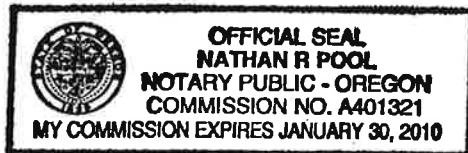
DATED this 3 day of September, 2007.

DEDICATOR:

Helen V. Cook
Helen Velva Cook

STATE OF OREGON)
) ss.
County of Columbia)

THIS INSTRUMENT was acknowledged before me on September 3, 2007, by Helen Velva Cook.



Nathan R. Pool
Notary Public for Oregon
My Commission Expires: 1/30/2010

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 Robert H. Cook and Helen Velva Cook 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:
Robert H. Cook and Helen Velva Cook
19644 Hermo Road
Clatskanie, OR 97016

AFTER RECORDING, RETURN TO:
Board of County Commissioners
Columbia County Courthouse
230 Strand, Room 331
St. Helens, Oregon 97051

DEDICATION DEED

QUINCY TRACT

1700
Map 842743 3

CURVE DATA

CURVE 1 CA = 1' 18' 24" (LT) R = 1,031.19' L = 23.52' CB = S 57' 01' 45" E CH = 23.52'	CURVE 2 CA = 80' 40' 53" (RT) R = 55.00' L = 77.45' CB = S 17' 20' 27" E CH = 71.21'
CURVE 3 CA = 1' 13' 52" (RT) R = 1,041.19' L = 22.37' CB = N 57' 04' 01" W CH = 22.37'	CURVE 4 CA = 80' 40' 53" (LT) R = 45.00' L = 63.37' CB = N 17' 20' 27" W CH = 56.26'

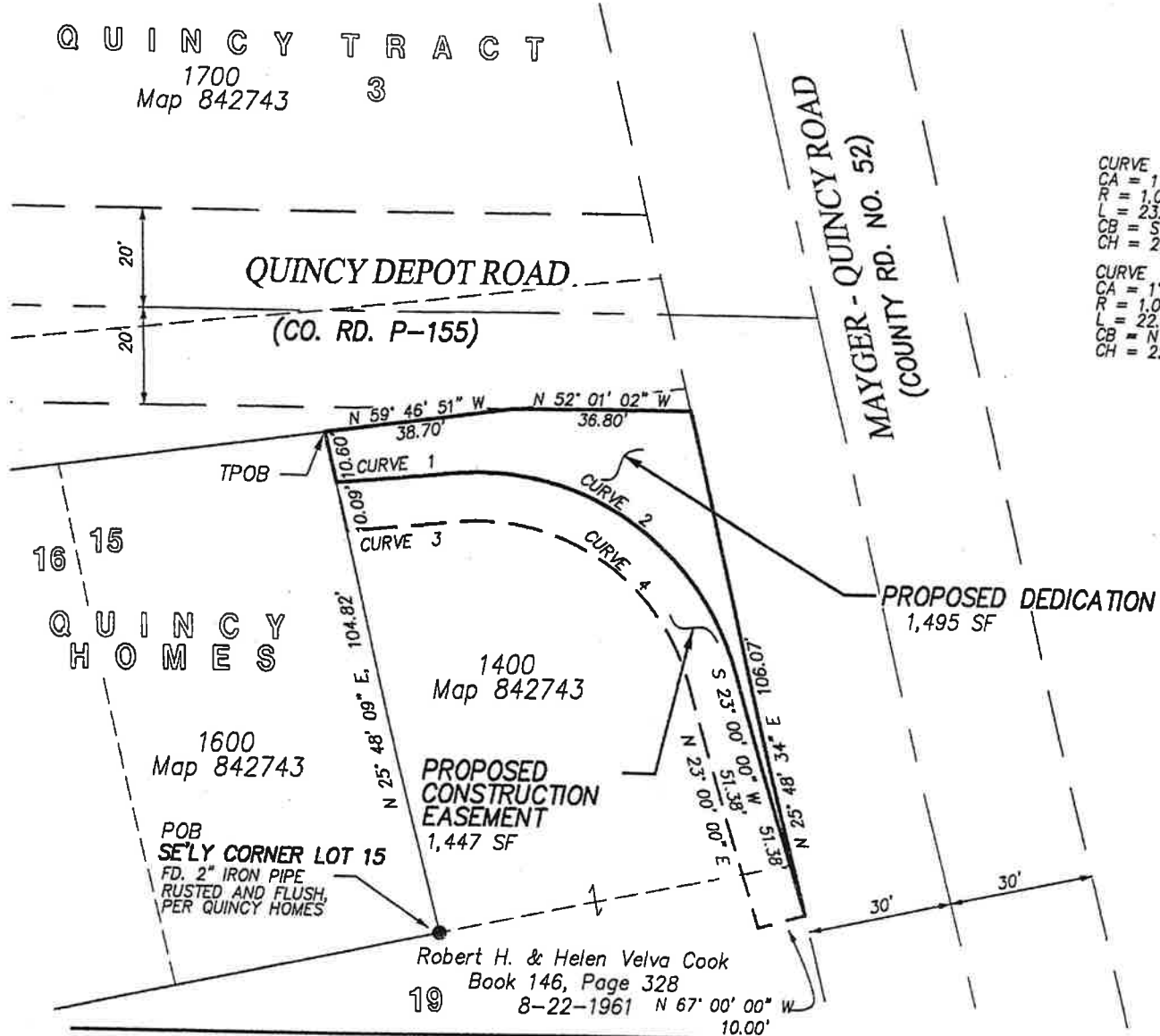


EXHIBIT "B"

REGISTERED
PROFESSIONAL
LAND SURVEYOR

David W. Mills

OREGON
JULY 18, 1980
DAVID W. MILLS
01915

EXPIRES 12-31-08
Signed 5-09-07

Robert H. & Helen Velva Cook
Book 146, Page 328
8-22-1961 N 67° 00' 00" W
10.00'

DAVE MILLS CONSULTING INC.
PROFESSIONAL LAND SURVEYING SERVICES, OR. & WA.
14315 S.W. Cougar Ridge Dr.
Beaverton, OR 97008
Ph: 503-590-7198
Fax: 503-521-8372
email: d.mills@verizon.net

FILE: PW-pha3 ROW - "COOK Exhibit"
DATE: 2-07-07, Rev 2-11-07, 5-9-07
SCALE: 1" = 30'
SHEET 1 OF 1

PROPOSED DEDICATION
for
PORT WESTWARD STREET IMPROVEMENTS- PHASE 3
S.E.1/4 SECTION 27, T.8N.,R.4W., WM., COLUMBIA CO., OR.