

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

In the Matter of Acquiring a Permanent Drainage and Slope)
Easement from the Estate of Franciene Urban for the) Resolution No. 157-2007
Bridge Replacement on Chapman Grange Road)

WHEREAS, Columbia County is in the process of replacing the bridge on Chapman Grange Road, Bridge No. 22; and

WHEREAS, certain property must be acquired for a Permanent Drainage and Slope Easement 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 1; 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 Permanent Drainage and Slope Easement, as described and depicted in Attachment 1, which is attached hereto and incorporated herein by this reference, shall be purchased, acquired, entered upon or appropriated for said project.
2. The easement authorized by this Resolution shall be recorded with the County Clerk.
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 19th day of December, 2007.

Approved as to form

By: [Signature]
County Counsel

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

By: [Signature]
Chair

By: _____
Commissioner

By: [Signature]
Commissioner

Grantor: Dan Molony, Personal Representative of the Estate of Franciene Urban, Deceased	State of Oregon
Grantee: Columbia County 1054 Oregon Street St. Helens, Oregon 97051 After Recording Return to: Columbia County Road Dept. 1054 Oregon Street St. Helens, Oregon 97051	Accepted by Columbia County
Until a change is requested, all taxes shall be sent to: No Change	<hr/> <hr/>
County File No.:	Project: Columbia County OTIA III Bridges

PERMANENT DRAINAGE and SLOPE EASEMENT

(Individual Grantor)

KNOW ALL PERSONS BY THESE PRESENTS, THAT Dan Molony, the duly appointed, qualified and acting Personal Representative of the Estate of Franciene Urban, Deceased, (Grantor), hereby grants, bargains, sells and conveys to Columbia County, a political subdivision of the State of Oregon, its heirs, successors and assigns, (Grantee), a permanent easement for the construction, reconstruction, upgrade, replacement, repair, maintenance, and inspection of slopes, drainage facilities, and related appurtenances, in, under, upon, and across Grantor's real property located in Columbia County, State of Oregon, and more particularly described as follows:

A parcel of land described in Exhibits "A" and "B" attached hereto and by this reference made a part of this document.

Grantee shall have the right to enter upon this real property for the purposes described in this document. Grantee may remove trees, shrubs, brush, paving or other materials within the easement area whenever necessary to accomplish these purposes. Grantee shall repair any damage to the property caused by Grantee's use of the property for these purposes.

Grantor, Grantor's heirs, successors, assigns or representatives, shall not construct or maintain any building or other structures upon the above described real property without prior written approval from the Columbia County Road Department. In addition, Grantor, Grantor's heirs, successors, assigns or representatives shall not alter the configuration of the material forming the slope, including alteration by addition or removal of material, without prior written approval from the Columbia County Road Department.

This easement does not obligate the public or Grantee to replace landscaping, fencing, shrubs or trees that may be placed within the easement area in the future, and which interfere with Grantee's use of the easement area for the purposes described in this document.

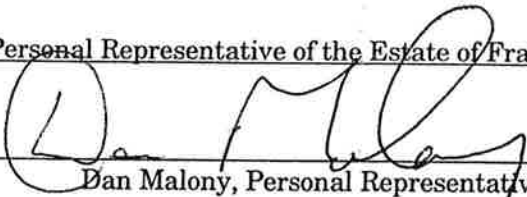
Grantor hereby covenants to and with Grantee, its successors and assigns, that Grantor is the owner of the property which is free from all encumbrances except for easements, conditions and restrictions of record and will warrant and defend the rights herein granted from all lawful claims whatsoever, except as stated in this document.

The true consideration for this conveyance is **Three Hundred And No/100 Dollars (\$300.00)**.

Statutory Land Use Disclaimer and Measure 37 Disclosure: The property described in this instrument may not be within a fire protection district protecting structures. The property is subject to land use laws and regulations, which, in farm and forest zones, may not authorize construction or siting of a residence and that limit lawsuits against farming or forest practices as defined in ORS 30.930 in all zones. Before signing or accepting this instrument, the person transferring the property interest should inquire about the person's rights, if any, under ORS 197.352. Before signing or accepting this instrument, the person acquiring the property interest to the property should check with the appropriate city or county planning department to verify approved uses, the existence of fire protection for structures and the rights of neighboring property owners, if any under ORS 197.352.

In witness whereof, the above named Grantor has hereunto set Grantor's hand to this document on this 10/1/07 day of OCTOBER, 2007.

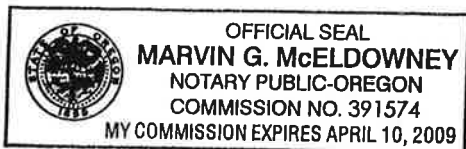
Personal Representative of the Estate of Francine Urban, Deceased




Dan Malony, Personal Representative

STATE OF OREGON)
County of COLUMBIA) ss.

This instrument was signed and attested before me this 10/1/07 day of OCTOBER, 2007,
by Dan Molony, Personal Representative of the Estate of Francine Urban, Deceased.





Notary Public for State of Oregon
My Commission Expires: 4-10-09



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

PROPOSED DRAINAGE & SLOPE EASEMENT
EAST SIDE of CHAPMAN GRANGE ROAD
URBAN TO COLUMBIA COUNTY

A tract of land for the purpose of a Drainage & Slope Easement, being part of that Tract of land described in Deed to Franciene Urban dated April 15, 1959 in Book 139, Page 240, Columbia County deed records being situated in the Northeast one quarter of Section 19, Township 4 North, Range 2 West, Willamette Meridian, Columbia County, Oregon, being more particularly described as follows:

Beginning at a 2-1/2 inch iron pipe found at the Northeast Corner of Section 19; thence along the Northerly line of said Section 19, S 89° 38' 40" W a distance of 888.10 feet to the centerline of Chapman Grange Road (P-288); thence along said centerline, S 29° 19' 08" W a distance of 152.83 feet; thence leaving said centerline, S 60° 40' 52" E a distance of 20.00 feet to the Easterly Right of Way line of said Chapman Grange Road which is the **TRUE POINT OF BEGINNING** of the herein described Drainage & Slope Easement; thence along said Easterly Right of Way line, S 29° 19' 08" W a distance of 37.29 feet; thence S 23° 21' 06" W a distance of 52.83 feet; thence leaving said Right of Way Line, S 64° 00' 00" E a distance of 10.00 feet; thence N 26° 00' 00" E a distance of 90.00 feet; thence N 64° 00' 00" W a distance of 10.28 feet to the true point of beginning.

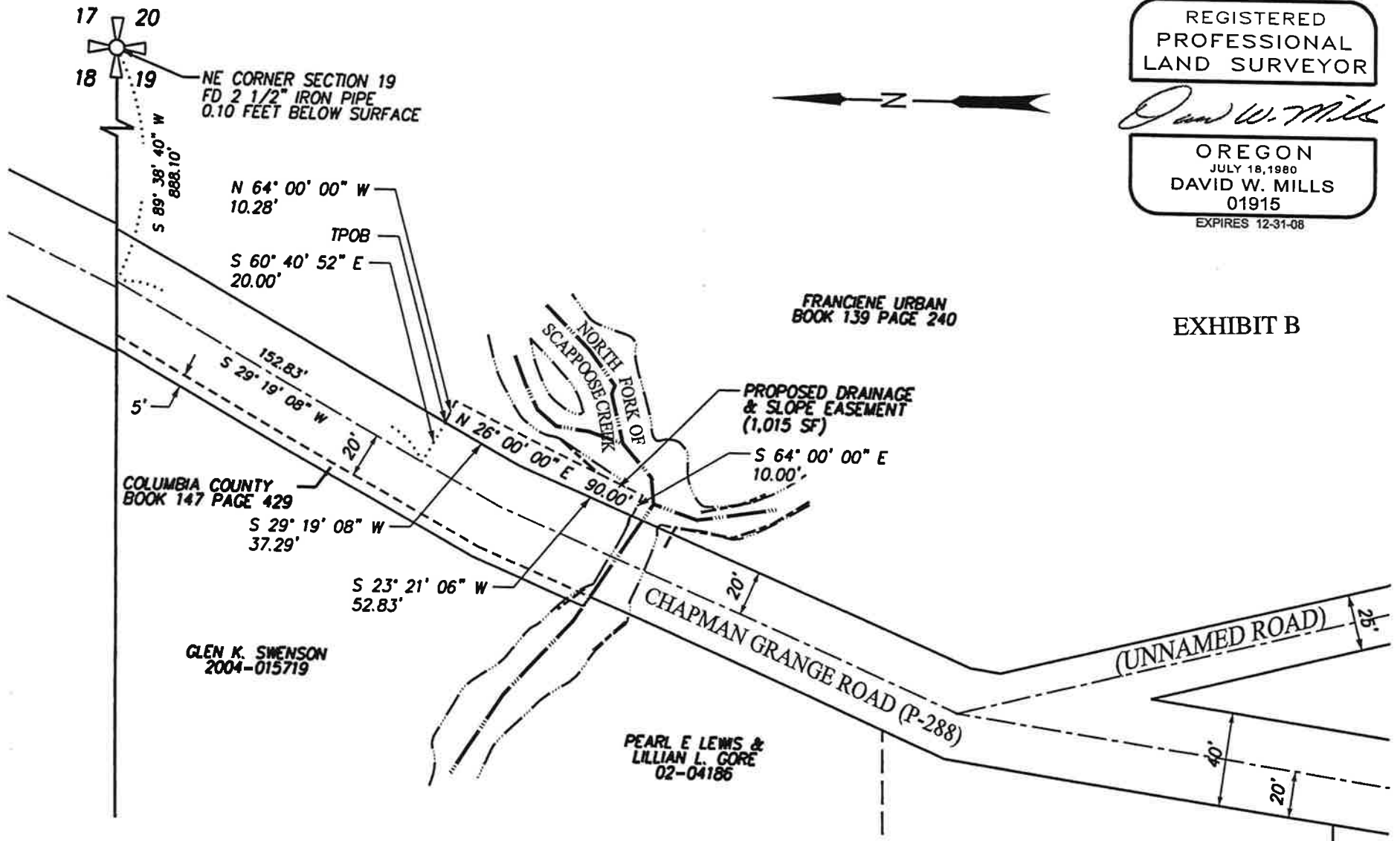
The above described tract contains 1,015 square feet, more or less.

THE BASIS OF BEARINGS IS OREGON STATE COORDINATE SYSTEM, NORTH ZONE, NAD 83 (CORS96).



David W. Mills





REGISTERED
PROFESSIONAL
LAND SURVEYOR

David W. Mills

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

EXHIBIT B

DAVE MILLS CONSULTING INC.
PROFESSIONAL LAND SURVEYING SERVICES, OR. & WA.
14315 S.W. Cougar Ridge Dr.
Beaverton, OR 97008
Ph: 503-590-7158
Fax: 503-521-8372
email: d.mills@verizon.net

FILE: B22 ROW - "ESMT URBAN EXHIBIT"
DATE: REV: 6-19-07
SCALE: 1" = 60'
SHEET 1 OF 1

PROPOSED DRAINAGE & SLOPE EASEMENT
for
BRIDGE 22 - NORTH FORK SCAPPOOSE CREEK
NE 1/4 SEC 19 T.4N. R.2W. W.M.