

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR COLUMBIA COUNTY, OREGON

In the Matter of the Proposed Vacation of a)
Portion of County Road # 3 and County Road)
44 near Vernonia, Oregon) **ORDER NO. 21 - 2007**
) (Initiating Road Vacation)
)
[Dan & DeLinda Baer and Columbia County, Petitioners])

WHEREAS, pursuant to ORS 368.341(1) the Board of Commissioners for Columbia County, Oregon may initiate proceedings to vacate property under ORS 368.326 to 368.366; and

WHEREAS, Dan and DeLinda Baer, husband and wife, have filed with the Board a petition to vacate a portion of County Road # 44 located at the end of Claude E. Hillsbery Road P-180 (aka Woods Road) near Vernonia, Oregon, which runs through their property, the petition being attached hereto as Exhibit A and incorporated herein by this reference; and

WHEREAS, the reason for this road vacation is that this portion of County Road # 44 is an undeveloped right-of-way not used as a thoroughfare and the Baers desire to make better use of the property owned by them to either side of this portion of County Road # 44; and

WHEREAS, the petition submitted by the Baers complies with the Petition requirements of ORS 368.341(3); and

WHEREAS, the portion of the road proposed to be vacated by the Baers is generally described as lying between the center line of the unnamed creek near the end of Claude E. Hillsbery Road P-180 (aka Woods Road) and the intersection of the County road with the East line of the southwest quarter of the northwest quarter of Section 27, Township 5 North, Range 4 West of the Willamette Meridian, Columbia County, Oregon; and

WHEREAS, ORS 368.346 requires the County Roadmaster to prepare and file with the Board a written report containing a description of the ownership and uses of the property proposed to be vacated and an assessment by the County Roadmaster of whether the vacation would be in the public interest; and

WHEREAS, the report of the County Roadmaster finds that the vacation of County Road #44 as proposed by the Baers is in the public interest, and further recommends that the vacation of County Road # 44 be extended to include County Road # 3 and County Road # 44 (a relocation of County Road # 3) from the Baers' proposed vacation northeasterly to the Nehalem River; and

WHEREAS, a copy of the report of the County Roadmaster with attached maps is attached hereto as Exhibit B and by this reference incorporated herein; and

WHEREAS, the portion of the roadways now proposed for vacation by the Baers and the County Roadmaster is generally described as:

All of County Road # 3 and County Road # 44 (prescriptive road as traveled

and the dedicated road as described in the records of the County Clerk) located in Sections 22, 23, and 27 of Township 5 North, Range 4 West, Willamette Meridian, beginning at the centerline of the unnamed creek as proposed in the petition at the southerly end, and extending to the west bank of the Nehalem River at the northerly end.

And more specifically described as follows:

Beginning at the intersection of the center of County Road # 44 as traveled and an unnamed creek, said point being South 76°35'12" West 1008.68 feet from the Northeast corner of the Northwest one-quarter of the Southwest one-quarter of Section 27, Township 5 North, Range 4 West, Willamette Meridian, Columbia County, Oregon; thence easterly and northeasterly along the center of the County Roads in Sections 22, 23 and 27, Township 5 North, Range 4 West, Willamette Meridian, to the ordinary high water mark on the west bank of the Nehalem River.

WHEREAS, the acknowledged consent of abutting property owner, Timothy Pippino, is attached to the petition submitted by the Baers and the acknowledged consents of abutting property owners John Hancock Life Insurance and Longview Fibre Company are attached hereto as Exhibits C and D, respectively, and by this reference incorporated herein; and

WHEREAS, the duly acknowledged consent of abutting property owners Timothy K. Gurton and Arlene M. Gurton and Weyerhaeuser Company have not been received and, therefore, one hundred percent (100%) of the abutting property owners have not petitioned to vacate the road; and

WHEREAS, ORS 368.346 requires a time and place for a hearing be established to consider whether the proposed vacation is in the public interest when the acknowledged consents of 100% of abutting property owners have not been received;

NOW, THEREFORE, IT IS HEREBY ORDERED, as follows:

1. The Board hereby initiates vacation proceedings for that portion of County Road # 3 and County Road # 44 near Vernonia, Oregon, as described above and on Exhibit B, and as shown on attachments to Exhibit B.

2. The Board of County Commissioners will hold a public hearing on March 21, 2007, at or after 10:00 a.m. in the Commissioners' Meeting Room, Room 308, Columbia County Courthouse, St. Helens, Oregon, to consider whether the proposed vacation is in the public interest.

4. Notice of the hearing shall be provided under ORS 368.401 to 368.426 by posting and publication, and by service on each person with a recorded interest in any of the following:

- (a) The property proposed to be vacated;
- (b) Any improvement constructed on public property proposed to be vacated; and
- (c) Real property abutting public property proposed to be vacated.

5. During or before the hearing, any person may file information with the Board that controverts any matter presented to the Board in the proceeding or that alleges any new matter relevant to the proceeding.

DATED this 21st day of February, 2007.

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

Approved as to form

By: [Signature]
Office of County Counsel

By: [Signature]
Chair

By: [Signature]
Commissioner

By: [Signature]
Commissioner

S:\COUNSEL\ROADS\COUNTY RD 44\ORD INITIATE W HRG.wpd

EXHIBIT A

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR COLUMBIA COUNTY, OREGON COLUMBIA COUNTY

MAY 24 2006

In the Matter of the Vacation of a Portion)
of C.R. #44)
Located Near Vernon, Oregon)
Columbia County, Oregon)

COUNTY COUNSEL

PETITION FOR VACATION

PV 2006-1

I/We, Dan Baer / Delinda J. Baer, [insert name(s) of all petitioners], who
reside at 19130 Woods Road, [insert address],
503 429-6339 [phone] petition the Board of County Commissioners for the vacation of
the following property:

1. Description of Property Proposed for Vacation [attach additional sheets if necessary]:

a. General Description: County Road #44 Crossing Tr
5427-000-00500

b. Legal Description:
SEE Exhibit A

2. Description of Your Property Interest [attach additional sheets if necessary]:

a. Type of interest you have in any property affected by the proposed vacation:
I own the property the road crosses.

b. Legal Description of your property:
SEE Exhibit B

MAY 26 11 09 AM '06
COLUMBIA CO. CLERK
BY [Signature] DEP.

3. Creation of Public Interest.

See Exhibit C, attached. [Attach copies of deeds, plats, orders or other documentation showing creation of public interest in the property or right-of-way proposed for vacation and present ownership of the parcel].

4. Statement of reasons for vacation [attach additional sheets if necessary]:

The Road is not built and not needed for Public Access.

5. Names and addresses of all persons holding any recorded interest in the property proposed to be vacated [attach additional sheets if necessary]:

1. Daniel J Baer & Delinda J Baer - 19130 Woods Road, Vernonia, OR
2. Timothy M. Poppino - 19025 Woods Road, Vernonia, OR 97064

6. Names and address of all persons owning any improvements constructed on property proposed to be vacated [attach additional sheets if necessary]:

NA

7. Names and addresses of all persons owning any real property abutting the property proposed to be vacated [attach additional sheets if necessary]:

- TL 500 - 1. Daniel J & Delinda J. Baer - 19130 Woods Road Vernonia, OR 97064
- TL 501 - 2. Timothy M. Poppino - 19025 Woods Road, Vernonia, OR 97064
- TL-100 3. John Hancock Mutual Life Ins. Co. - 1499 SE Tech Center place, Vancouver #250 WA 98683
- TL 502 4. Arlene M. & Timothy K. Gurton - P.O. Box 40877 Eugene, OR 97404

8. The signature(s), acknowledged before a notary or other person authorized to take acknowledgments of deeds, of at least a) the owners of sixty (60) percent of the land abutting the property proposed to be vacated, or b) sixty (60) percent of the owners of land abutting the property proposed to be vacated, are attached (attach consent forms).

[Note: without the acknowledged signatures of owners of 100 percent of any private property proposed to be vacated and acknowledged signatures of owners of 100 percent of property abutting any public property proposed to be vacated, a hearing will be required].

9. If the petition is for the vacation of property that will be redivided in any manner, a subdivision plan or partitioning plan showing the proposed redivision is attached.

NA

10. A true and accurate map of the proposed vacation is attached as Exhibit A & D

EXHIBIT A

JOHN HANCOCK
TAX LOT 100

SECTION 27 VACATION OF
CITY ROAD NO. 44
THE WEST 1/2 OF
SECTION 27, T5N, R4W, W.M.,
COLUMBIA COUNTY, OREGON
DATE = 200' DEC. 27, 2005

28 27

WEST-CENTER
1/64 CORNER

POPPINO
TAX LOT 501

DESCRIPTION OF VACATION:

AT THE INTERSECTION OF THE CENTER OF
CITY ROAD NO. 44 AND AN UNNAMED CREEK, SAID POINT
IS 15'12" W 1008.68 FEET FROM THE NORTHEAST
CORNER OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4
SECTION 27, T5N, R4W, W.M., COLUMBIA COUNTY, OREGON;
THENCE NORTHERLY AND NORTHEASTERLY ALONG THE
CENTERLINE OF SAID COUNTY ROAD NO. 44, 1230 FEET MORE OR
LESS TO THE INTERSECTION WITH THE EAST LINE OF THE
NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION
WHEREAT BEGIN THE TERMINUS THEREOF.

CENTERLINE OF
CREEK, POB

WOODS ROAD
C.R. NO. P-180

GURTON
TAX LOT 502

AND

MENT FOUND PER CS NO. 3621

MENT FOUND PER CS NO. 3562

D SURVEY NO.

**K.L.S.
SURVEYING
INC.**

1224 ALDER ST.
TACUMENONIA, OR 97064
(503) 429-6115

JOB No. 05-210
PROJECT No. 05-210
DRAWN BY: SND
FIELD: SND/TBM
EQUIPMENT: GTS300/TDS48
REVISED: 11/10/05

Exhibit B

EXHIBIT "A"

Parcel 1: Beginning at a point on the East line of the Northwest quarter of the Southwest quarter of Section 27, Township 5 North, Range 4 West of the Willamette Meridian, Columbia County, Oregon that is South $0^{\circ}04'44''$ West 477.99 feet from the Northeast corner of said Northwest quarter of the Southwest quarter; thence South $0^{\circ}04'44''$ West along said East line a distance of 750.16 feet to the Northeast corner of the Henry E. Parker and Florence Parker tract as described in Deed Book 163, page 157; thence North $88^{\circ}02'09''$ West along the North line of said Parker tract a distance of 204.70 feet to the center line of a creek; thence along said center line North $44^{\circ}29'$ West a distance of 234.33 feet; thence North $1^{\circ}12'$ East a distance of 155.49 feet; thence North $26^{\circ}13'$ West a distance of 265.04 feet; thence North $14^{\circ}31'$ West a distance of 187.30 feet; thence North $74^{\circ}07'$ West a distance of 270.71 feet; thence North $62^{\circ}34'$ West a distance of 147.60 feet; thence North $20^{\circ}53'$ West a distance of 76.63 feet to the Southerly right of way line of County Road No. 3; thence along said right of way line South $74^{\circ}44'54''$ East a distance of 76.56 feet; thence North $36^{\circ}36'$ East a distance of 97.76 feet; thence North $16^{\circ}01'$ West a distance of 77.71 feet; thence North $12^{\circ}31'$ East a distance of 101.55 feet; thence North $63^{\circ}05'$ East a distance of 84.84 feet; thence leaving said right of way line South $1^{\circ}08'53''$ West a distance of 332.44 feet; thence South $80^{\circ}29'12''$ East a distance of 271.30 feet; thence South $36^{\circ}49'35''$ East a distance of 88.81 feet; thence South $86^{\circ}25'56''$ East a distance of 427.31 feet to the point of beginning.

Parcel 2: Beginning at the Northeast corner of the Northwest quarter of the Southwest quarter of Section 27, Township 5 North, Range 4 West of the Willamette Meridian, Columbia County, Oregon; thence North $0^{\circ}04'44''$ East, along the Northerly extension of the East line of said Northwest quarter of the Southwest quarter a distance of 462.00 feet to the Northeast corner of the Albert Everett Wood tract as described in Deed Book 57 at page 207; thence at right angles North $89^{\circ}55'16''$ West, along the North line of said Woods tract a distance of 660.00 feet to the Northwest corner thereof; thence at right angles South $0^{\circ}04'44''$ West, along the West line of said Woods tract a distance of 357.42 feet to the Northerly right of way line of County Road #3; thence South $63^{\circ}05'$ West, along said Northerly right of way line a distance of 89.76 feet; thence South $1^{\circ}08'53''$ West a distance of 400.42 feet; thence South $80^{\circ}29'12''$ East a distance of 271.30 feet, thence South $36^{\circ}49'35''$ East a distance of 88.81 feet; thence South $86^{\circ}25'56''$ East a distance of 427.31 feet to said East line of the Northwest quarter of the Southwest quarter of said Section 27; thence North $0^{\circ}04'44''$ East, along said East line a distance of 477.99 feet to the point of beginning. EXCEPTING portion lying within the County Road.

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27.62

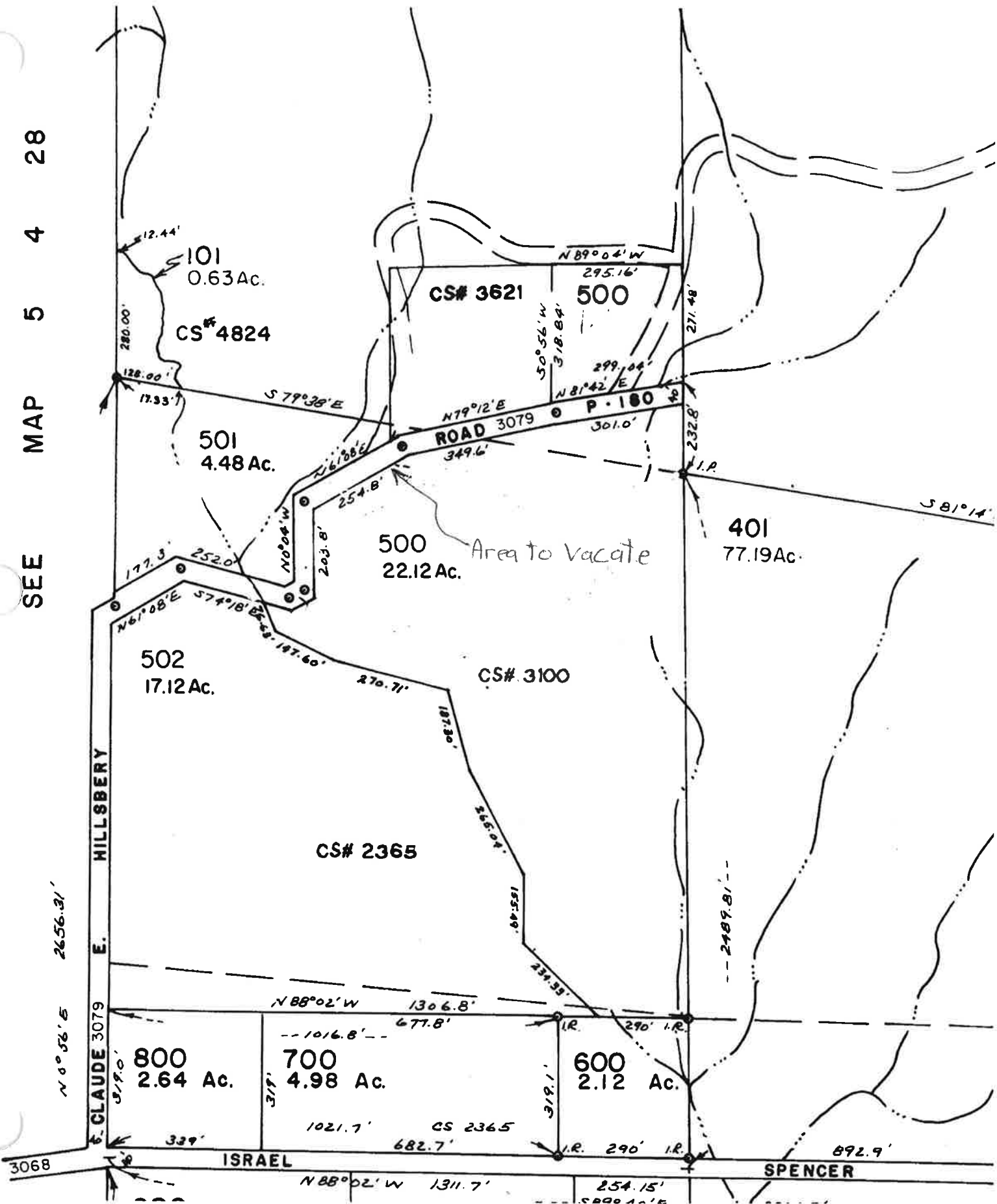
12.02

EXHIBIT C

LEAD NO 44

Exhibit D

SEE MAP 5 4 28



CONSENT OF ABUTTING PROPERTY OWNER(S)

(Each co-owner of abutting property must sign)

- 1. Name(s) of abutting property owner(s): DANIEL & DELINA BAER
- 2. Mailing address of abutting property owner(s): 19130 WOODS ROAD
VERNONIA, OR 97064
- 3. Legal description of abutting [YOUR] property (attach additional sheets if necessary; your deed or title report can be attached in lieu of writing legal description):
SEE ATTACHED SHEET

Tax Account No. 05 04 27000 500

- 4. Legal description of property proposed for vacation (attach additional sheets if necessary): SEE ATTACHED MAP

5. I/We am/are the owner(s) of the above-described property abutting the property proposed to be vacated and consent to the proposed vacation.

[Signature]
(Property Owner's Signature)

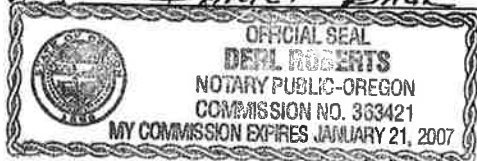
1/17/2006
Date

[Signature]
(Co-Property Owner's Signature [if any])

1/17/2006
Date

STATE OF OREGON)
) ss.
County of Columbia)

The foregoing instrument was acknowledged before me this 17th day of January 2006,
2006 by Daniel Baer



[Signature]
Notary Public for Oregon
My Commission Expires: 1-21-07

EXHIBIT "A"

Parcel 1: Beginning at a point on the East line of the Northwest quarter of the Southwest quarter of Section 27, Township 5 North, Range 4 West of the Willamette Meridian, Columbia County, Oregon that is South $0^{\circ}04'44''$ West 477.99 feet from the Northeast corner of said Northwest quarter of the Southwest quarter; thence South $0^{\circ}04'44''$ West along said East line a distance of 750.16 feet to the Northeast corner of the Henry E. Parker and Florence Parker tract as described in Deed Book 163, page 157; thence North $88^{\circ}02'09''$ West along the North line of said Parker tract a distance of 204.70 feet to the center line of a creek; thence along said center line North $44^{\circ}29'$ West a distance of 234.33 feet; thence North $1^{\circ}12'$ East a distance of 155.49 feet; thence North $26^{\circ}13'$ West a distance of 265.04 feet; thence North $14^{\circ}31'$ West a distance of 187.30 feet; thence North $74^{\circ}07'$ West a distance of 270.71 feet; thence North $62^{\circ}34'$ West a distance of 147.60 feet; thence North $20^{\circ}53'$ West a distance of 76.63 feet to the Southerly right of way line of County Road No. 3; thence along said right of way line South $74^{\circ}44'54''$ East a distance of 76.56 feet; thence North $36^{\circ}36'$ East a distance of 97.76 feet; thence North $16^{\circ}01'$ West a distance of 77.71 feet; thence North $12^{\circ}31'$ East a distance of 101.55 feet; thence North $63^{\circ}05'$ East a distance of 84.84 feet; thence leaving said right of way line South $1^{\circ}08'53''$ West a distance of 332.44 feet; thence South $80^{\circ}29'12''$ East a distance of 271.30 feet; thence South $36^{\circ}49'35''$ East a distance of 88.81 feet; thence South $86^{\circ}25'56''$ East a distance of 427.31 feet to the point of beginning.

Parcel 2: Beginning at the Northeast corner of the Northwest quarter of the Southwest quarter of Section 27, Township 5 North, Range 4 West of the Willamette Meridian, Columbia County, Oregon; thence North $0^{\circ}04'44''$ East, along the Northerly extension of the East line of said Northwest quarter of the Southwest quarter a distance of 462.00 feet to the Northeast corner of the Albert Everett Wood tract as described in Deed Book 57 at page 207; thence at right angles North $89^{\circ}55'16''$ West, along the North line of said Woods tract a distance of 660.00 feet to the Northwest corner thereof; thence at right angles South $0^{\circ}04'44''$ West, along the West line of said Woods tract a distance of 357.42 feet to the Northerly right of way line of County Road #3; thence South $63^{\circ}05'$ West, along said Northerly right of way line a distance of 89.76 feet; thence South $1^{\circ}08'53''$ West a distance of 400.42 feet; thence South $80^{\circ}29'12''$ East a distance of 271.30 feet, thence South $36^{\circ}49'35''$ East a distance of 88.81 feet; thence South $86^{\circ}25'56''$ East a distance of 427.31 feet to said East line of the Northwest quarter of the Southwest quarter of said Section 27; thence North $0^{\circ}04'44''$ East, along said East line a distance of 477.99 feet to the point of beginning. EXCEPTING portion lying within the County Road.

CONSENT OF ABUTTING PROPERTY OWNER(S)
(Each co-owner of abutting property must sign)

1. Name(s) of abutting property owner(s): TIMOTHY POPPINO
2. Mailing address of abutting property owner(s): 19025 WOODS ROAD
VERNONIA, OR 97064
3. Legal description of abutting [YOUR] property (attach additional sheets if necessary; your deed or title report can be attached in lieu of writing legal description):
SEE ATTACHED SHEET

Tax Account No. 05 04 27 000 00501

4. Legal description of property proposed for vacation (attach additional sheets if necessary): SEE ATTACHED MAP

5. I/We am/are the owner(s) of the above-described property abutting the property proposed to be vacated and consent to the proposed vacation.

[Signature]
(Property Owner's Signature)

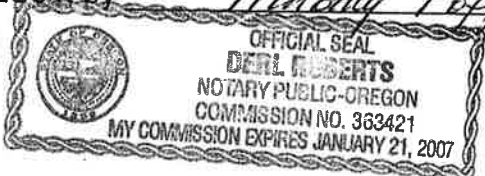
1/17/06
Date

(Co-Property Owner's Signature [if any])

Date

STATE OF OREGON)
) ss.
County of Columbia)

The foregoing instrument was acknowledged before me this 17th day of January 2006,
2006 by Timothy Poppino



[Signature]
Notary Public for Oregon
My Commission Expires: 1-21-07

EXHIBIT "A"

LEGAL DESCRIPTION

Beginning at the Northeast corner of the Northwest quarter of the Southwest quarter of Section 27, Township 5 North, Range 4 West of the Willamette Meridian, Columbia County, Oregon; thence North 79 degrees 28'51" West, along the North line of said Northwest quarter of the Southwest quarter 671.11 feet to the true point of beginning of the parcel herein described; thence continuing North 79 degrees 28'51" West along said North line a distance of 635.78 feet to the Northwest quarter of said Northwest quarter of the Southwest quarter; thence South 0 degree 56' West, along the West line of said Northwest quarter of the Southwest quarter a distance of 478.53 feet to the Northerly right of way line of County Road No. 3; thence along said right of way line North 60 degrees 08'34" East a distance of 156.06 feet; thence South 74 degrees 44'54" East a distance of 258.31 feet; thence North 36 degrees 36' East a distance of 27.14 feet; thence North 16 degrees 01' West a distance of 63.31 feet; thence North 12 degrees 31' East a distance of 145.13 feet; thence North 63 degrees 05' East a distance of 234.91 feet; thence leaving said right of way line North 0 degree 04'44" East a distance of 17.03 feet to the true point of beginning.

3-905

CONSENT OF ABUTTING PROPERTY OWNER(S)
(Each co-owner of abutting property must sign)

1. Name(s) of abutting property owner(s): JOHN HANCOCK LIFE INSURANCE COMPANY

2. Mailing address of abutting property owner(s): 17700 SE MILL PLAIN BLVD. SUITE 180, VANCOUVER, WASHINGTON 98683

3. Legal description of abutting [YOUR] property (attach additional sheets if necessary; your deed or title report can be attached in lieu of writing legal description):
PLEASE SEE ATTACHED

Tax Account No. 5427-000-00100
5427-000-00200

4. Legal description of property proposed for vacation (attach additional sheets if necessary):
PLEASE SEE ATTACHED. JOHN HANCOCK LIFE INSURANCE COMPANY WILL REMAIN AN EASEMENT OVER VACATED ROAD

5. I/We am/are the owner(s) of the above-described property abutting the property proposed to be vacated and consent to the proposed vacation.

John W. Davis 5-01-06
(Property Owner's Signature) ADMINISTRATIVE MGR Date

(Co-Property Owner's Signature [if any]) Date

WASHINGTON
STATE OF OREGON)
CLARK) ss.
County of Columbia)

The foregoing instrument was acknowledged before me this 1st day of May, 2006 by JOHN W. DAVIS

Notary Public
State of Washington
PAMELA S. JORDAN-WOOD
Commission Expires 3-11-07

Pamela S. Jordan-Wood
Notary Public for Oregon Washington
My Commission Expires: 3-11-07

ABUTTING OWNER'S PROPERTY
JOHN HANCOCK LIFE INSURANCE COMPANY

LYING AND BEING LOCATED IN THE UNINCORPORATED AREA, COUNTY OF COLUMBIA,
STATE OF OREGON; ALL THAT CERTAIN PARCEL OR TRACT OF LAND KNOWN AS:

PARCEL 1:

THOSE PORTIONS OF THE N1/2 AND SE1/4 AS DESCRIBED IN BOOK 78 AT PAGE 229, BOOK 84 AT PAGE 495, AND BOOK 129 AT PAGE 267, EXCEPT THAT PORTION SOLD TO PRPICH IN INSTRUMENT RECORDED SEPTEMBER 5, 1945, IN BOOK 78, PAGE 229, APRIL 5, 1946 IN BOOK 84 PAGE 495 AND JULY 3, 1956 IN BOOK 129 PAGE 267 OF SECTION 27, TOWNSHIP 5 NORTH, RANGE 4 WEST OF THE WILLAMETTE MERIDIAN, COLUMBIA COUNTY, OREGON.

PARCEL 2:

THOSE PORTIONS OF THE W1/2 OF THE E1/2 AND THE SE1/4SW1/4 AS DESCRIBED IN INSTRUMENTS RECORDED SEPTEMBER 5, 1945 IN BOOK 78 PAGE 229; ALSO THOSE PORTIONS OF THE NW1/4 OF THE SW1/4 AND W1/2W1/2NW1/4 AS DESCRIBED IN INSTRUMENT RECORDED APRIL 5, 1946 IN BOOK 84, PAGE 495 OF SECTION 26 TOWNSHIP 5 NORTH, RANGE 4 WEST OF THE WILLAMETTE MERIDIAN, COLUMBIA COUNTY, OREGON.

PROPERTY TO BE VACATED

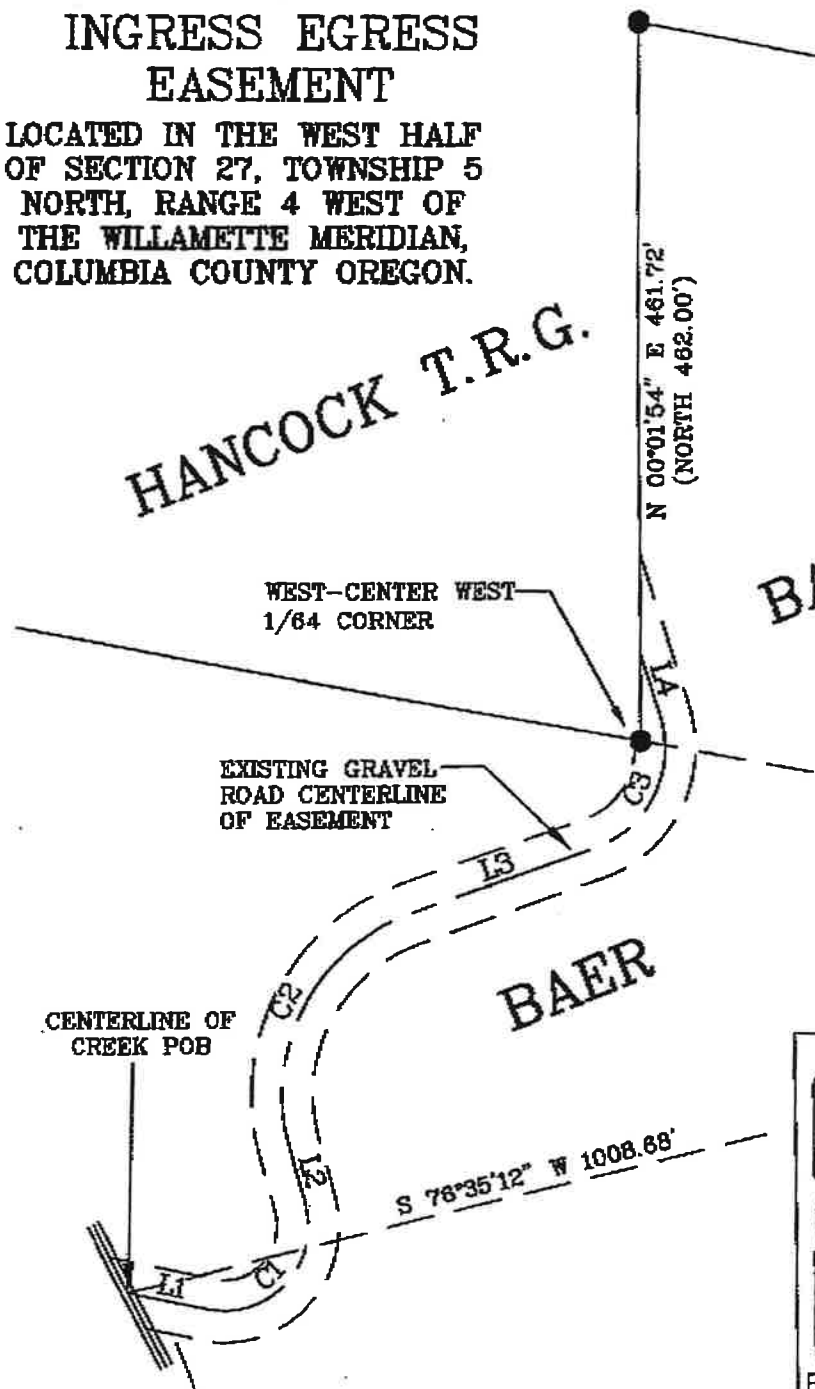
A 30 foot wide strip of land in the West half of Section 27, Township 5 North, Range 4 West of the Willamette Meridian, Columbia County, Oregon the centerline of which is more particularly described as follows:

Beginning at the intersection of the center of County Road No. 44 and an unnamed creek, said point being $S76^{\circ}35'12''W$ 1008.68 feet from the Northeast corner of the Northwest one-quarter of the Southwest one-quarter of Section 27, T5N R4W, W.M., Columbia County, Oregon; thence $S78^{\circ}21'00''E$ 53.89 feet; thence 110.27 feet along the arc of a curve to the left having a radius of 54.16 feet, a delta of $116^{\circ}38'31''$ and a chord which bears $N43^{\circ}19'45''E$ 92.19 feet; thence $N14^{\circ}59'31''W$ 39.89 feet; thence 184.36 feet along the arc of a curve to the right having a radius of 122.85 feet, a delta of $85^{\circ}58'48''$ and a chord which bears $N27^{\circ}59'54''E$ 167.54 feet; thence $N70^{\circ}59'18''E$ 127.16 feet; thence 107.05 feet along the arc of a curve to the left having a radius of 68.73 feet, a delta of $89^{\circ}14'19''$ and a chord which bears $N26^{\circ}22'08''E$ 96.56 feet; thence $N18^{\circ}15'01''W$ 40.66 feet more or less to the West line of that tract of land conveyed to Daniel J. Baer and Delinda J. Baer as described in Clerks Instrument No. 01-09570, Columbia County Deed Records.

**EXHIBIT A
INGRESS EGRESS
EASEMENT**

LOCATED IN THE WEST HALF
OF SECTION 27, TOWNSHIP 5
NORTH, RANGE 4 WEST OF
THE WILLAMETTE MERIDIAN,
COLUMBIA COUNTY OREGON.

HANCOCK T.R.G.



CURVE TABLE

CURVE	DELTA	LENGTH	RADIUS	BEARING	CHORD
C1	116°38'31"	110.27	54.18	N 43°19'45" E	92.19
C2	85°58'48"	184.36	122.85	S 27°58'54" W	167.54
C3	89°14'19"	107.05	68.73	N 26°22'08" E	96.56

LINE TABLE

LINE	LENGTH	BEARING
L1	53.89	S 78°21'00" E
L2	39.89	N 14°59'31" W
L3	127.18	N 70°58'18" E
L4	40.66	N 18°15'01" W

LEGEND

- = MONUMENT FOUND PER CS NO. 3621
- ⊗ = MONUMENT FOUND PER CS NO. 3562
- () = RECORD SURVEY DATA PER CS NO. 3621
- CS NO. = RECORD SURVEY NO.

N 79°33'44" W 657.32'
(N 79°33'44" W 657.80')
BASIS OF BEARINGS
PER CS NO. 3621



EXHIBIT C-2

REGISTERED PROFESSIONAL LAND SURVEYOR <i>Donald D. Wallace Jr.</i> OREGON JANUARY 19, 1993 DONALD D. WALLACE JR. 2601 RENEWAL DATE 6/30/06	K.L.S. SURVEYING INC. 1224 ALDER ST. VERNONIA, OR 97064 (503) 429-6115	SCALE 1" = 120'
		JOB No. 05-210
		PROJECT No. 05-210
		DRAWN BY: SND
		FIELD: SND/TBM
EQUIPMENT: GTS300/TDS48		
REVISED: 11/10/05		

EXHIBIT B



Columbia County Road Department

1054 Oregon Street, St. Helens, OR 97051

Dave Hill, Public Works Director

Ph: (503) 366-3964 Fax: 397-7215

e-mail: hilld@co.columbia.or.us

COLUMBIA COUNTY

JUN 30 2006

COUNTY COUNSEL

to: Board of County Commissioners
via: Cynthia Zemalis, Office of County Counsel
from: Dave Hill, Public Works Director
date: June 23, 2006

subject: Road Vacation, County Road #44, Petition by Baer

Dan and Delinda Baer have petitioned the Board of Commissioners to vacate a section of County Road #44 at the end of Woods Road near Vernonia, as shown on the attached maps. We have researched the records and we feel confident that either County Road #3 or County Road #44 (a relocation of County Road #3) exists in the vicinity as shown on the attached USGS topo maps. At Highway 47 near Pittsburg, I found old bridge pilings at the end of an old road grade that I believe to be the original county road in this area. I have also attached the original survey map of County Road #44 prepared in 1889, and the recent survey prepared by KLS Surveying of the area proposed to be vacated. County Road #44 was originally located from the Washington County line near Highway 47, through Vernonia, Pittsburg, and Mist to the Clatsop County line west of Birkenfeld.

The Baer's currently live at the end of what is commonly known as Woods County Road. The road ends at their residence. The land beyond the Baer residence has been recently cleared by a dozer and in a wet condition it is impassible by motor vehicles. The land would be used as farm land for either timber production or pasture. There is evidence of an old road grade (dirt road only) beyond the Baer property and on John Hancock property that I assume is the old County Road but this is not confirmed.

I have attached the Assessor's maps and I have indicated on the maps the location where I believe to be the old County Road. I have also indicated the landowners between the area proposed to be vacated and the Nehalem River near Pittsburg. Those landowners are John Hancock, Stimson, and Longview Fibre. (John Hancock Co. has signed the consent for the proposed vacation and they will apparently retain an easement across this vacated area to access some of their property.)

I recommend that the County initiate vacation of all of County Road #3 and #44 between the Nehalem River and the area proposed to be vacated, which is a much longer section of County Road to be vacated than what is asked for by the Baers. There are adequate timber harvest roads in this area and there is no need to use this right-of-way for any other purpose. Highway 47 is

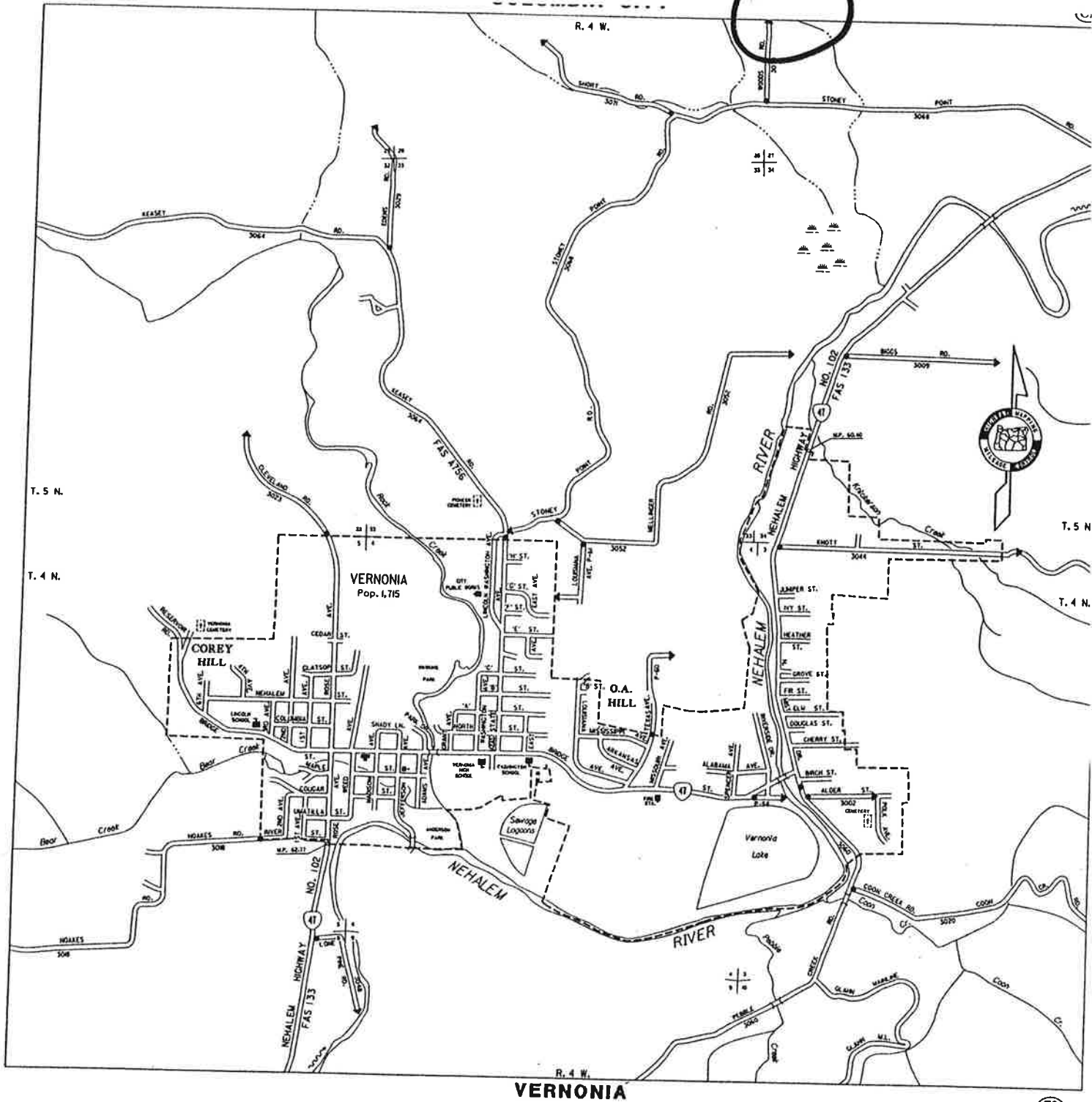
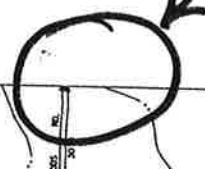
located just east of the Nehalem River, and there may be reason to keep access to the river, so I would not recommend vacating beyond the west bank of the Nehalem River.

Therefore, in the matter of public interest, I recommend vacating all of County Road #3 and County Road #44 (prescriptive road as traveled and the dedicated road as described in the records of the County Clerk) located in Sections 22, 23, and 27 of Township 5 North Range 4 West, WM., beginning at the centerline of the unnamed creek as proposed in the petition at the southerly end, and extending to the west bank of the Nehalem River at the northerly end, more specifically described as follows:

Beginning at the intersection of the center of County Road as traveled and an unnamed creek, said point being $S76^{\circ}35'12''W$ 1008.68 feet from the Northeast corner of the Northwest one-quarter of the Southwest one-quarter of Section 27, T5N R4W, WM, Columbia County, Oregon; thence easterly and northeasterly along the center of the County Roads in Sections 22, 23, and 27 to the ordinary high water mark on the west bank of the Nehalem River.

In order to accomplish this I recommend that the County send a copy of this report to John Hancock, Stimson, and Longview Fibre and ask that they sign the consent to the vacation.

SUBJECT AREA



VICINITY MAP

Send To Printer Back To TerraServer Change to 11x17 Print Size Show Grid Lines Change to Landscape

USGS 3 km NE of Vernonia, Oregon, United States 01 Jul 1979

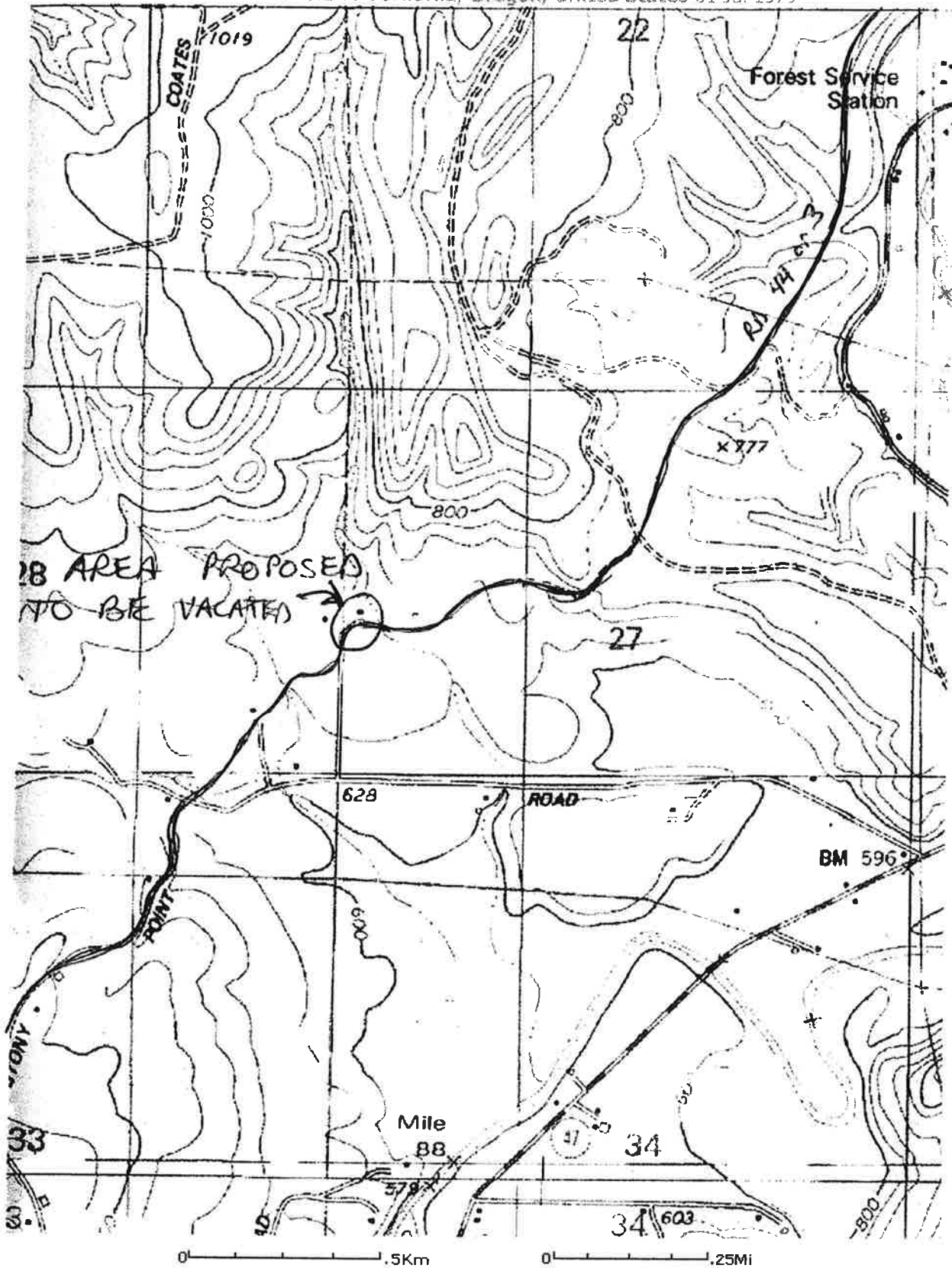


Image courtesy of the U.S. Geological Survey
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Send To Printer

Back To TerraServer

Change to 11x17 Print Size

Show Grid Lines

Change to Landscape

USGS Pittsburg, Oregon, United States 01 Jul 1979

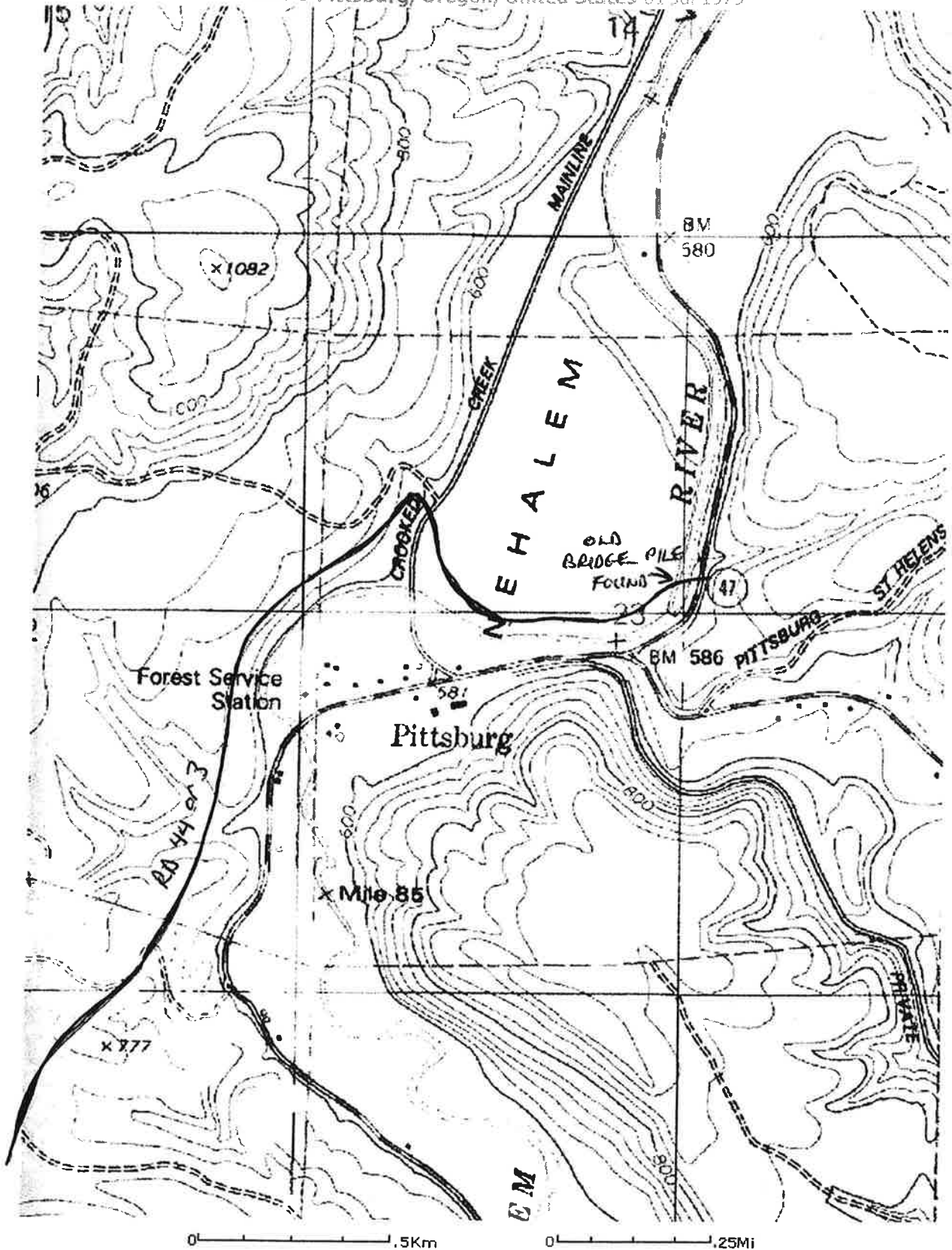


Image courtesy of the U.S. Geological Survey

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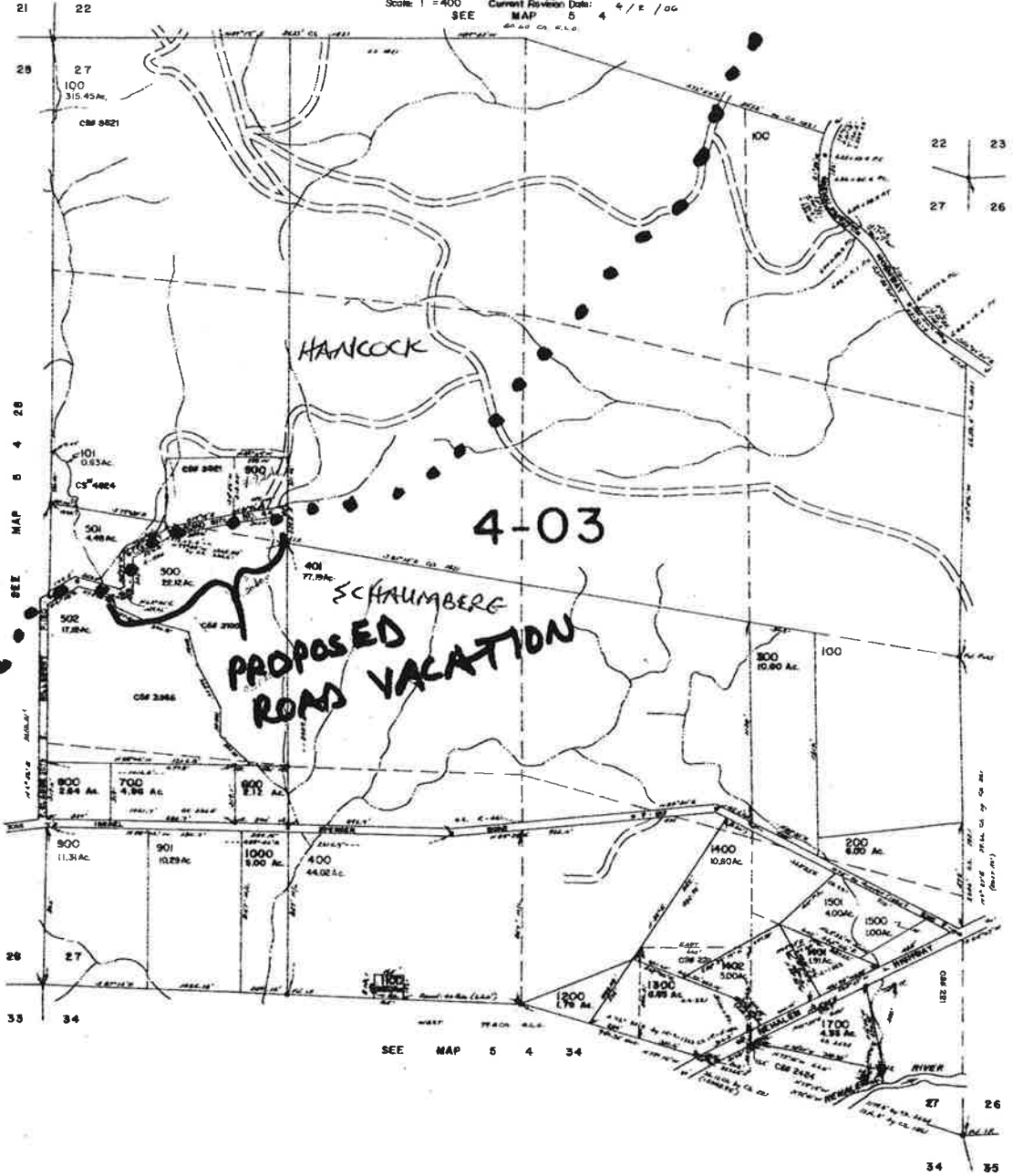
COLUMBIA COUNTY

THIS MAP HAS BEEN PREPARED FOR ASSESSMENT PURPOSES ONLY

Scale: 1" = 400' Current Revision Date: 4/2/06

SEE MAP 5 4 28

CS# 0021
CS# 0002

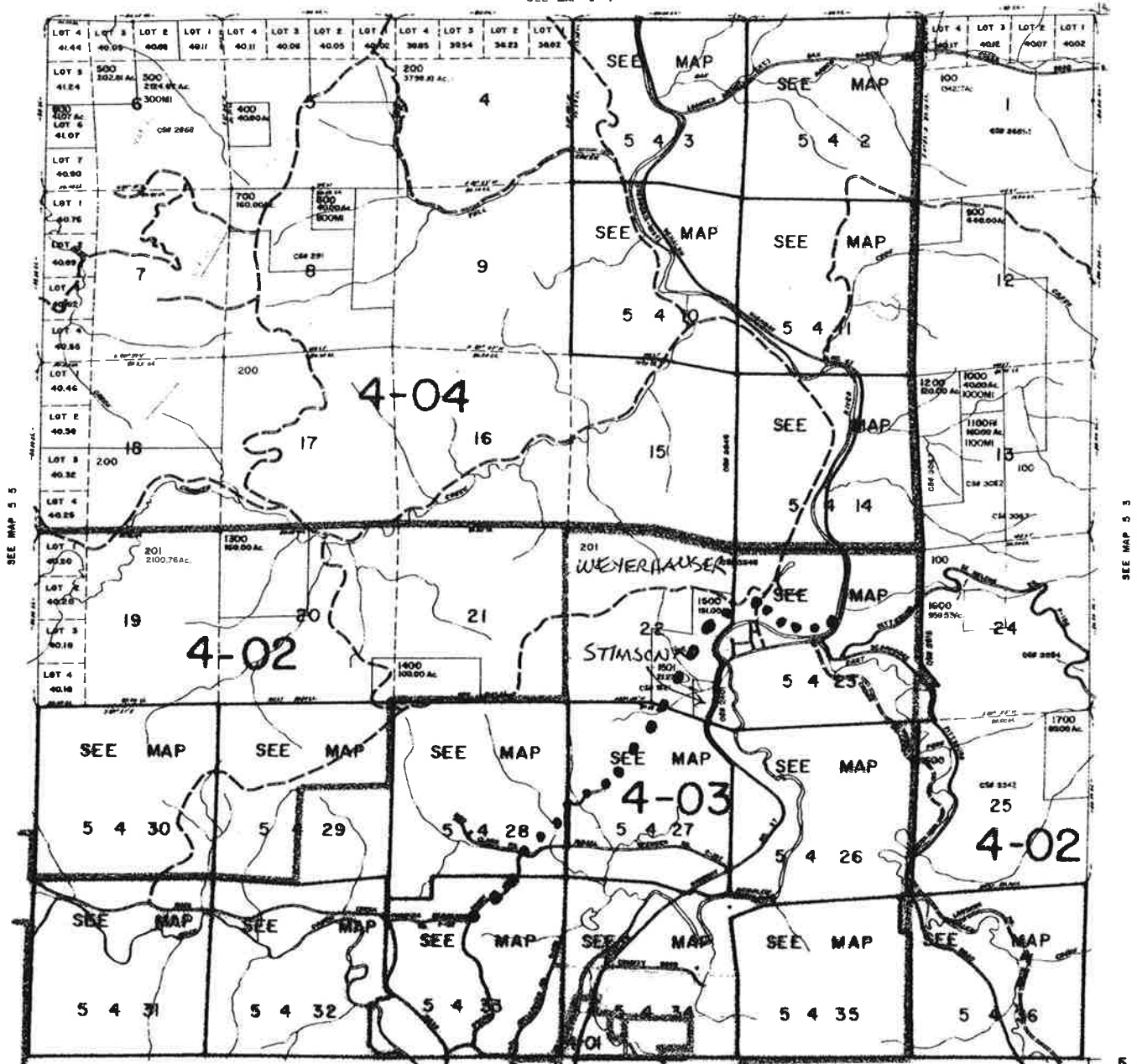


SEE MAP 5 4 28

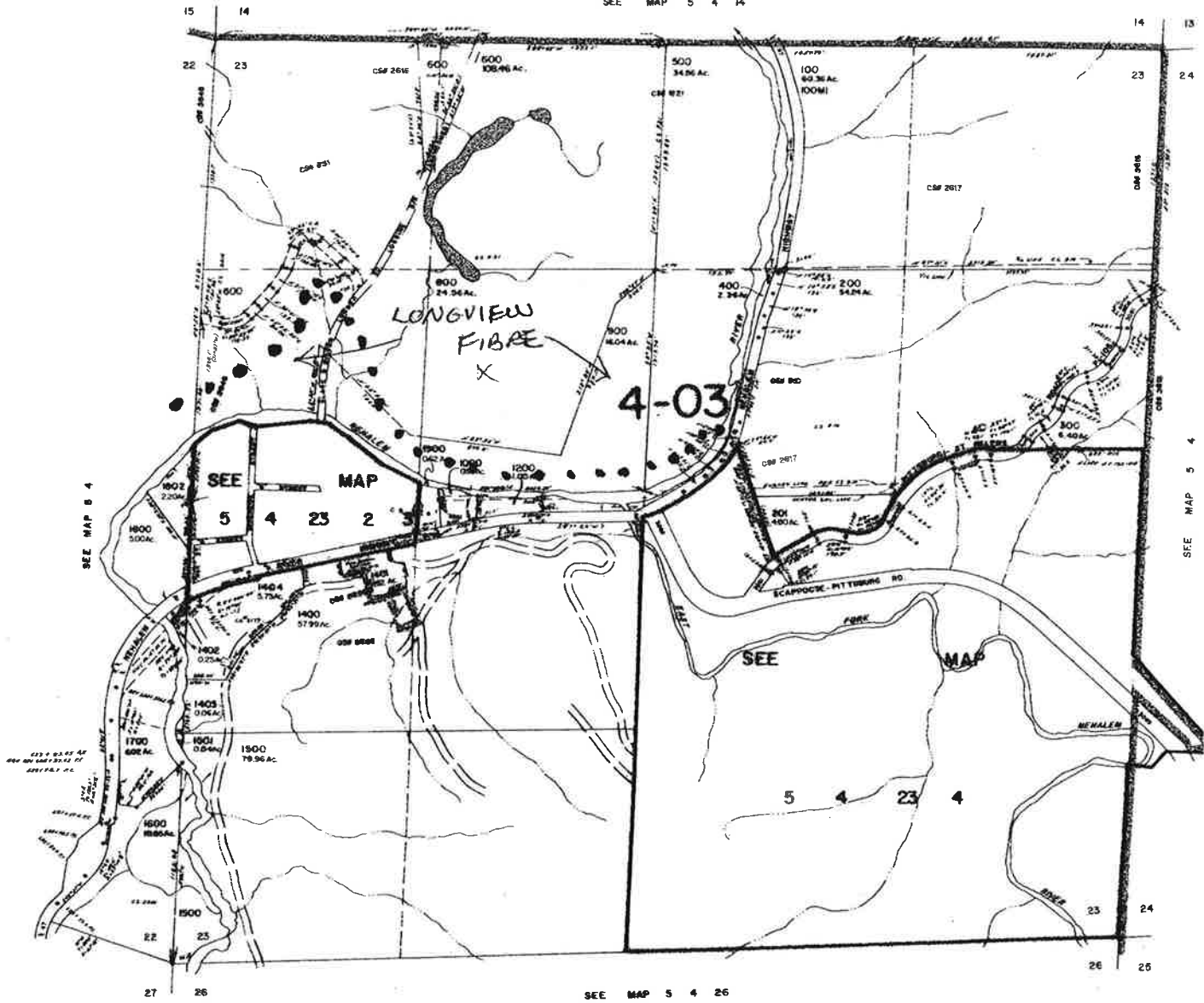
SEE MAP 5 4 34

SEE MAP 5 4 28

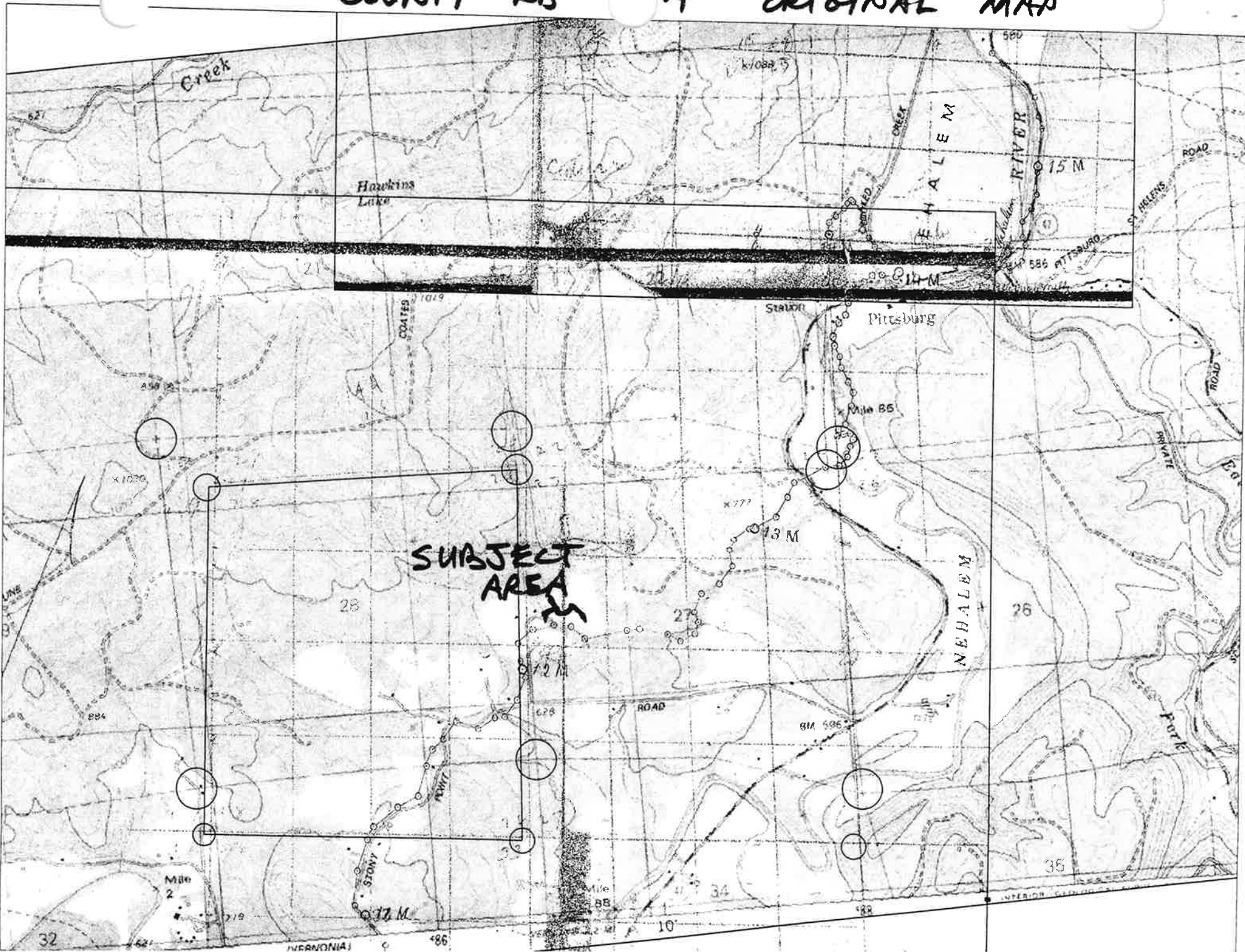
SEE MAP 6 4



ANCELLED
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1100
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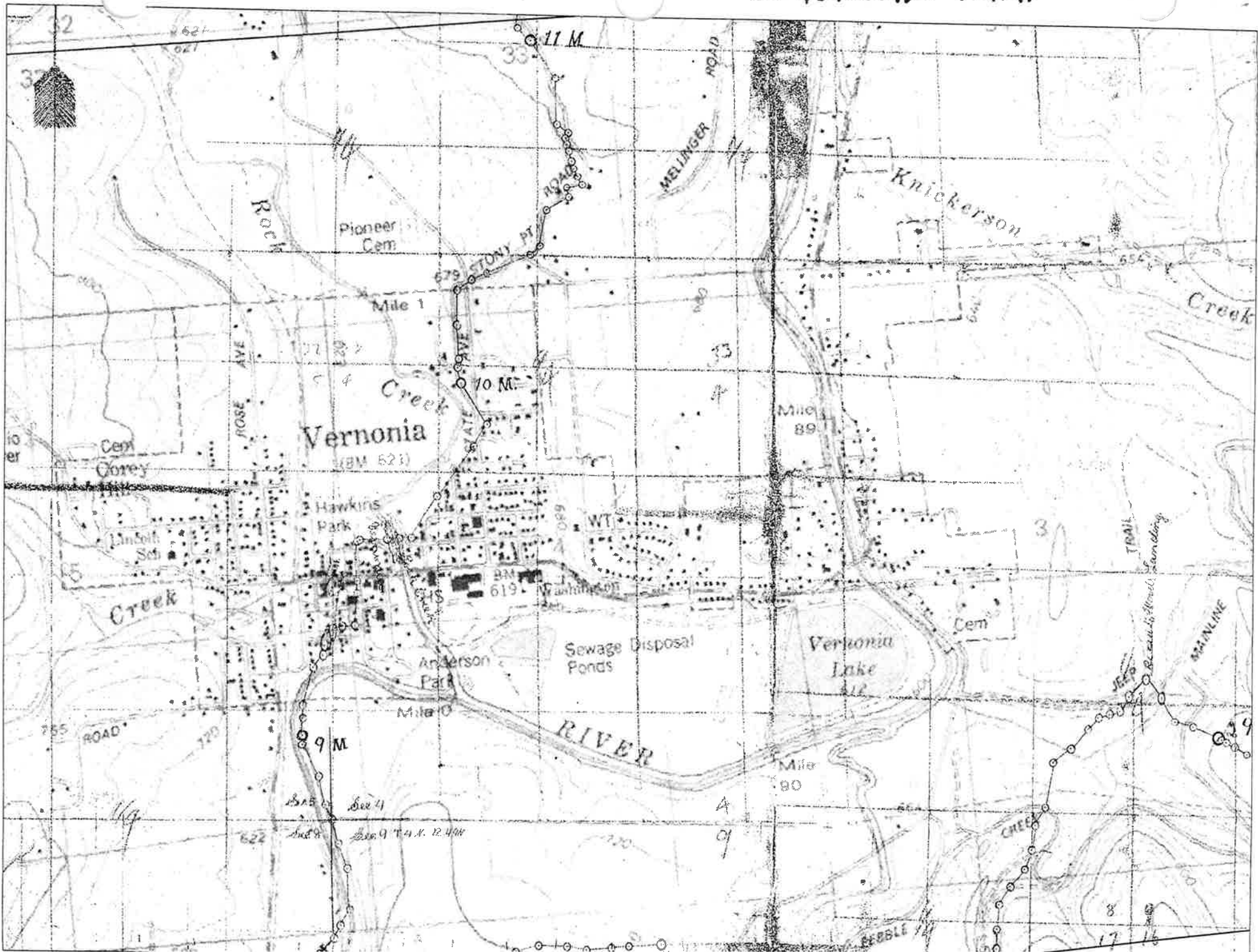


COUNTY RD 514 ORIGINAL MAP

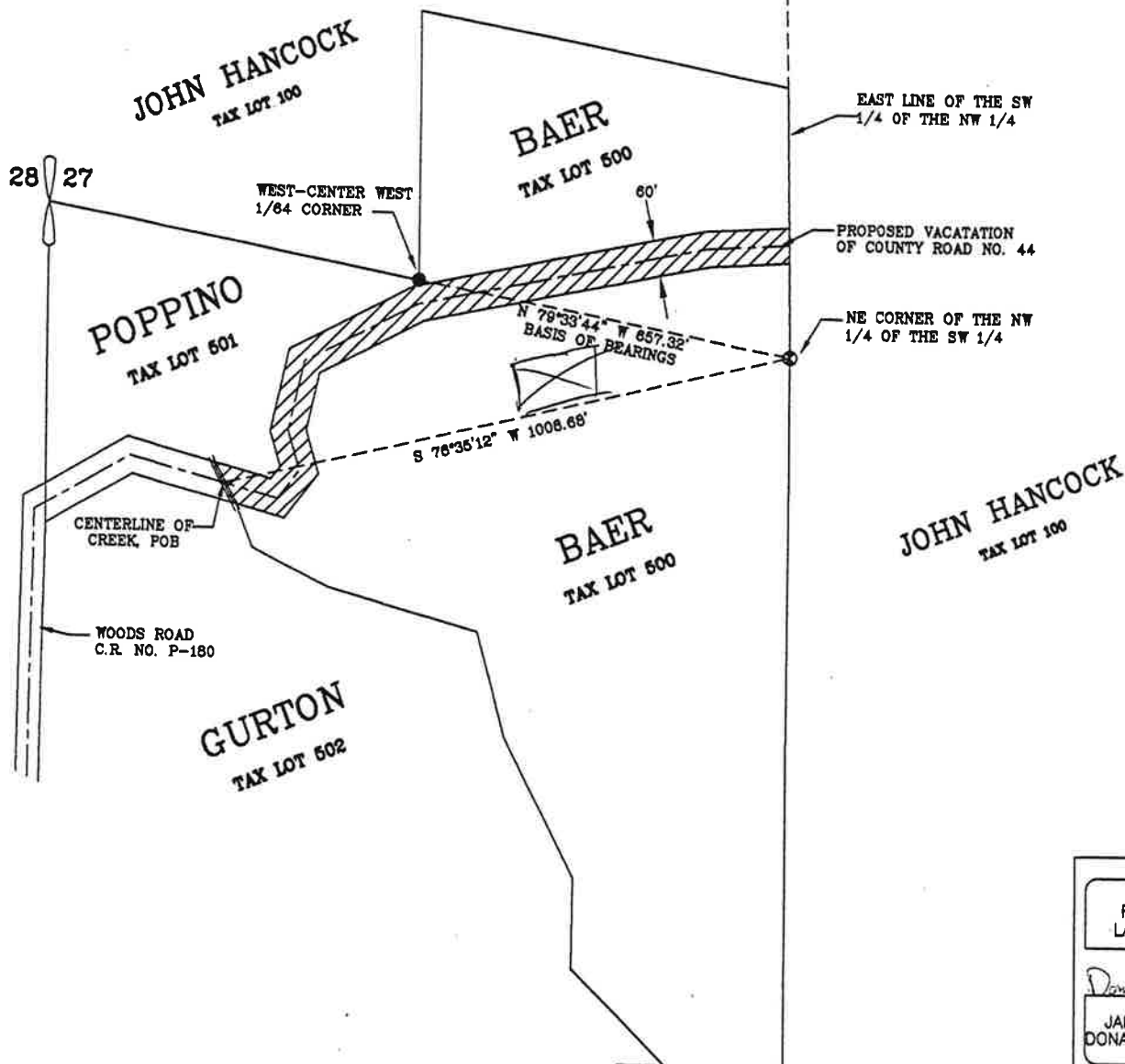


COUNTY RD #2

ORIGINAL MAP



PROPOSED VATACTION OF
 COUNTY ROAD NO. 44
 IN THE WEST 1/2 OF
 SECTION 27, T5N, R4W, W.M.,
 COLUMBIA COUNTY, OREGON
 SCALE 1" = 200' DEC. 27, 2005



LEGAL DESCRIPTION OF VACATION:
 BEGINNING AT THE INTERSECTION OF THE CENTER OF COUNTY ROAD NO. 44 AND AN UNNAMED CREEK, SAID POINT BEING S 76°35'12" W 1008.68 FEET FROM THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 27, T5N, R4W, W.M., COLUMBIA COUNTY, OREGON; THENCE EASTERLY AND NORTHEASTERLY ALONG THE CENTER OF SAID COUNTY ROAD NO. 44, 1230 FEET MORE OR LESS TO THE INTERSECTION WITH THE EAST LINE OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 27, SAID POINT BEGIN THE TERMINUS THEREOF.

LEGEND

- = MONUMENT FOUND PER CS NO. 3621
- = MONUMENT FOUND PER CS NO. 3562
- CS NO. = RECORD SURVEY NO.

REGISTERED PROFESSIONAL LAND SURVEYOR <i>Donald D. Wallace Jr.</i> OREGON JANUARY 19, 1993 DONALD D. WALLACE JR. 2601 RENEWAL DATE 6/30/06	K.L.S. SURVEYING INC. 1224 ALDER ST. VERNONIA, OR 97064 (503) 429-6115	JOB No. 05-210
		PROJECT No. 05-210
		DRAWN BY: SND
		FIELD: SND/TBM
		EQUIPMENT: GTS300/TDS48
		REVISED: 11/10/05

**EXHIBIT A
INGRESS EGRESS
EASEMENT**

LOCATED IN THE WEST HALF
OF SECTION 27, TOWNSHIP 5
NORTH, RANGE 4 WEST OF
THE WILLAMETTE MERIDIAN,
COLUMBIA COUNTY OREGON.

CURVE TABLE					
CURVE	DELTA	LENGTH	RADIUS	BEARING	CHORD
C1	118°38'31"	110.27	54.18	N 43°19'45" E	92.19
C2	85°58'48"	184.36	122.85	S 27°59'54" W	187.54
C3	89°14'19"	107.05	68.73	N 28°22'08" E	96.56

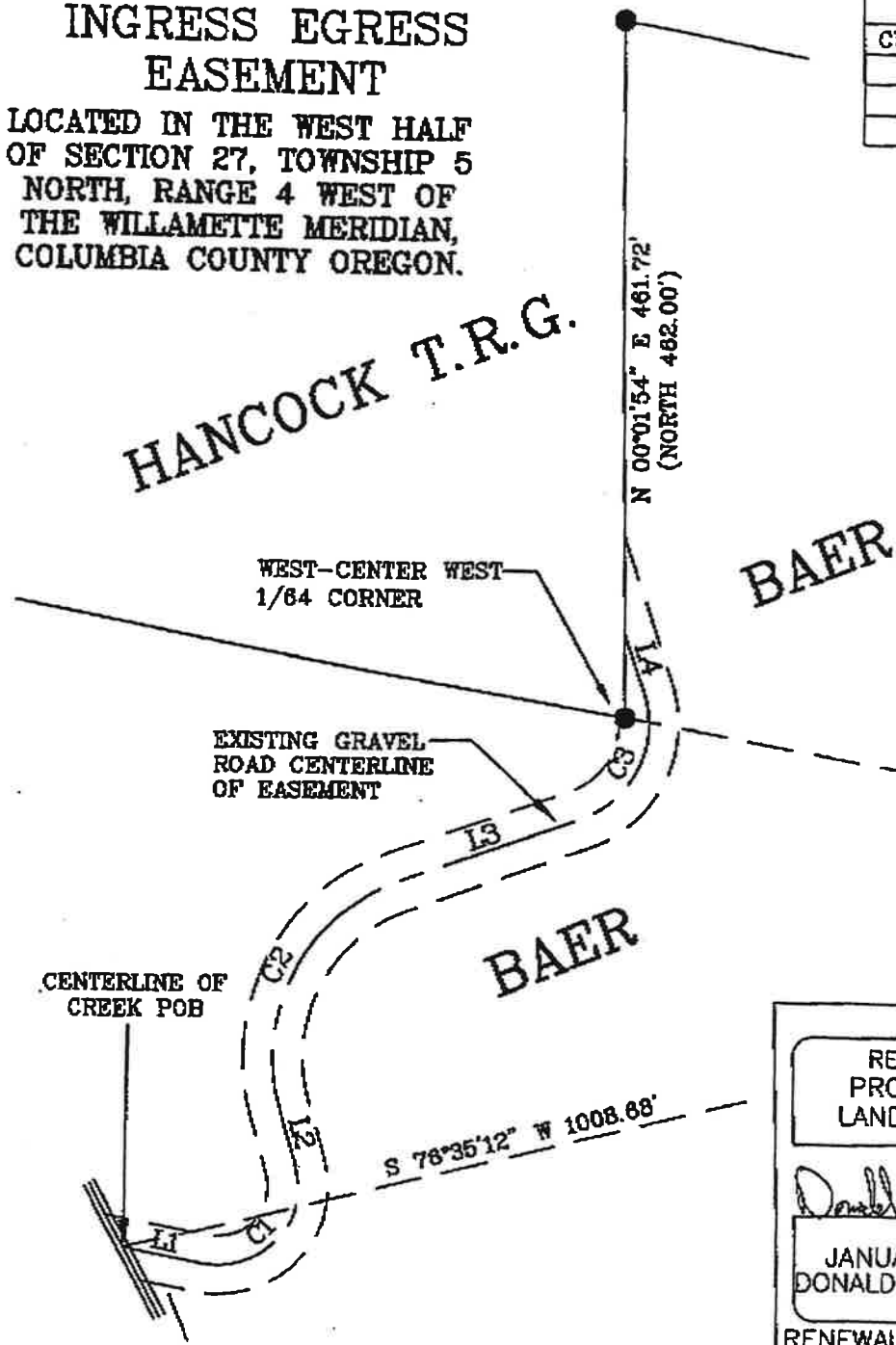
LINE TABLE		
LINE	LENGTH	BEARING
L1	53.89	S 78°21'00" E
L2	39.89	N 14°59'31" W
L3	127.18	N 70°59'18" E
L4	40.66	N 18°15'01" W

LEGEND

- = MONUMENT FOUND PER CS NO. 3621
- ⊙ = MONUMENT FOUND PER CS NO. 3562
- () = RECORD SURVEY DATA PER CS NO. 3621
- CS NO. = RECORD SURVEY NO.

MAP OF EASEMENT
FOR SOUTH HANCOCK

EXHIBIT C-2



REGISTERED
PROFESSIONAL
LAND SURVEYOR

Donald D. Wallace Jr.

OREGON
JANUARY 19, 1993
DONALD D. WALLACE JR.
2601
RENEWAL DATE 6/30/06

**K.L.S.
SURVEYING
INC.**

1224 ALDER ST.
VERNONIA, OR 97064
(503) 429-6115

SCALE
1" = 120'

JOB No. 05-210
PROJECT No. 05-210
DRAWN BY: SND
FIELD: SND/TBM
EQUIPMENT: GTS300/TDS48
REVISED: 11/10/05

DESCRIPTION OF EASEMENT FOR HANCOCK

PROPERTY TO BE VACATED

A 30 foot wide strip of land in the West half of Section 27, Township 5 North, Range 4 West of the Willamette Meridian, Columbia County, Oregon the centerline of which is more particularly described as follows:

Beginning at the intersection of the center of County Road No. 44 and an unnamed creek, said point being S76°35'12"W 1008.68 feet from the Northeast corner of the Northwest one-quarter of the Southwest one-quarter of Section 27, T5N R4W, W.M., Columbia County, Oregon; thence S78°21'00"E 53.89 feet; thence 110.27 feet along the arc of a curve to the left having a radius of 54.16 feet, a delta of 116°38'31" and a chord which bears N43°19'45"E 92.19 feet; thence N14°59'31"W 39.89 feet; thence 184.36 feet along the arc of a curve to the right having a radius of 122.85 feet, a delta of 85°58'48" and a chord which bears N27°59'54"E 167.54 feet; thence N70°59'18"E 127.16 feet; thence 107.05 feet along the arc of a curve to the left having a radius of 68.73 feet, a delta of 89°14'19" and a chord which bears N26°22'08"E 96.56 feet; thence N18°15'01"W 40.66 feet more or less to the West line of that tract of land conveyed to Daniel J. Baer and Delinda J. Baer as described in Clerks Instrument No. 01-09570, Columbia County Deed Records.

1 - EXHIBIT C-1

PDX/034840/108586/MAS/1390441.1

EXHIBIT C

CONSENT OF ABUTTING PROPERTY OWNER(S) – County Road 44

1. Name(s) of abutting property owner(s): **John Hancock Life Insurance Company.**
2. Mailing address of abutting property owner(s): **17700 SE Mill Plain Blvd.
Suite 180
Vancouver, WA 98683.**
3. Legal description of abutting [YOUR] property (attach additional sheets if necessary; your deed or title report can be attached in lieu of writing legal description):

Please see attached Exhibit A.

**Tax Account No. 5427-000-00100
5427-000-00200**

4. Legal description of property proposed for vacation (attach additional sheets if necessary):

Beginning at the intersection of the center of County Road as traveled and an unnamed creek, said point being south 76o35'12" West 1008.68 feet from the Northeast corner of the Northwest one-quarter of the Southwest one-quarter of Section 27, Township 5 North, Range 4 West, Willamette Meridian, Columbia County, Oregon; thence easterly and northeasterly along the center of the County Roads in Sections 22, 23, and 27 to the ordinary high water mark on the west bank of the Nehalem River.

5. We are the owner of the above-described property abutting the property proposed to be vacated and consent to the proposed vacation.

JOHN HANCOCK LIFE INSURANCE
COMPANY

By: Hancock Natural Resource Group, Inc.
its investment manager

By: 

Tim Cayen

Its: _____
Vice President

Date: _____
November 27, 2006

COMMONWEALTH OF MASSACHUSETTS)

) ss.

COUNTY OF SUFFOLK)

On this 27th day of November, 2006, before me Diane Marie Sullivan, a Notary Public of said State, personally appeared Tim Cayen, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person who executed the within instrument as Vice President of Hancock Natural Resource Group, Inc., the investment manager of John Hancock Life Insurance Company, a Massachusetts corporation, and that for and on behalf of the said Hancock Natural Resource Group, Inc., in its capacity as such investment manager, as and for the act and deed of said John Hancock Life Insurance Company, s/he signed, sealed and delivered the above and foregoing Consent.



Diane Marie Sullivan

Notary Public

Name: Diane Marie Sullivan

(Print or Type)

My Commission Expires:

EXHIBIT A
(JOHN HANCOCK LIFE INSURANCE COMPANY - WILARK)

LYING AND BEING LOCATED IN THE UNINCORPORATED AREA, COUNTY OF COLUMBIA,
STATE OF OREGON; ALL THAT CERTAIN PARCEL OR TRACT OF LAND KNOWN AS:

PARCEL 1:

THOSE PORTIONS OF THE N1/2 AND SE1/4 AS DESCRIBED IN BOOK 78 AT PAGE 229, BOOK 84
AT PAGE 495, AND BOOK 129 AT PAGE 267, EXCEPT THAT PORTION SOLD TO PRPICH IN
INSTRUMENT RECORDED SEPTEMBER 5, 1945, IN BOOK 78, PAGE 229, APRIL 5, 1946 IN BOOK
84 PAGE 495 AND JULY 3, 1956 IN BOOK 129 PAGE 267 OF SECTION 27, TOWNSHIP 5 NORTH,
RANGE 4 WEST OF THE WILLAMETTE MERIDIAN, COLUMBIA COUNTY, OREGON.

PARCEL 2:

THOSE PORTIONS OF THE W1/2 OF THE E1/2 AND THE SE1/4SW1/4 AS DESCRIBED IN
INSTRUMENTS RECORDED SEPTEMBER 5, 1945 IN BOOK 78 PAGE 229; ALSO THOSE PORTIONS
OF THE NW1/4 OF THE SW1/4 AND W1/2W1/2NW1/4 AS DESCRIBED IN INSTRUMENT
RECORDED APRIL 5, 1946 IN BOOK 84, PAGE 495 OF SECTION 26 TOWNSHIP 5 NORTH, RANGE 4
WEST OF THE WILLAMETTE MERIDIAN, COLUMBIA COUNTY, OREGON.

EXHIBIT D

CONSENT OF ABUTTING PROPERTY OWNER(S) – COUNTY ROAD NO. 44
(Each co-owner of abutting property must sign)

- 1. Name(s) of abutting property owner(s): LONGVIEW FIBRE COMPANY
- 2. Mailing address of abutting property owner(s): P.O. Box 667
LONGVIEW, WA 98632
- 3. Legal description of abutting [YOUR] property (attach additional sheets if necessary; your deed or title report can be attached in lieu of writing legal description):
Attached

Tax Account No. {
 5423000-00500
 5423000-00600
 5423000-00800
 5423000-00900

- 4. Legal description of property proposed for vacation (attach additional sheets if necessary):

Beginning at the intersection of the center of County Road as traveled and an unnamed creek, said point being South 76°35'12" West 1008.68 feet from the Northeast corner of the Northwest one-quarter of the Southwest one-quarter of Section 27, Township 5 North, Range 4 West, Willamette Meridian, Columbia County, Oregon; thence easterly and northeasterly along the center of the County Roads in Sections 22, 23, and 27 to the ordinary high water mark on the west bank of the Nehalem River.

- 5. I/We am/are the owner(s) of the above-described property abutting the property proposed to be vacated and consent to the proposed vacation.

Blake S. Rowe 12/28/06
 (Property Owner's Signature) SR VP - Timber Date
 Longview Fibre Company

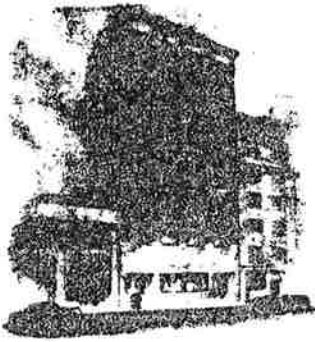
 (Co-Property Owner's Signature [if any]) Date

STATE OF Washington) ss.
 County of Cowlitz)

The foregoing instrument was acknowledged before me this 28th day of December, 2006, by Blake S. Rowe, Senior Vice President



Cynthia Ann Thomas
 Notary Public for Oregon
 My Commission Expires: 9-13-10



TITLE AND TRUST BUILDING

Title and Trust COMPANY

321 S. W. FOURTH AVENUE
Phone: ATwater 1101
PORTLAND 4, OREGON

98-12-182

\$ 10,000.00

Premium \$ 63.00

No. D-31217

Policy of Title Insurance

TITLE AND TRUST COMPANY, a corporation, (incorporated under the laws of the State of Oregon), hereinafter called the Company, for a valuable consideration paid for this policy of title insurance.

Does Hereby Insure

-----LONGVIEW FIBRE COMPANY,
a Delaware corporation-----

together with the persons and corporations included in the definition of "the insured" as set forth in the stipulations of this policy, against loss or damage not exceeding TEN THOUSAND -----dollars,

which the insured shall sustain by reason of:

1. Title to the land described in Schedule A being vested, at the date hereof, otherwise than as herein stated; or
2. Unmarketability, at the date hereof, of the title to said land of any vestee named herein, unless such unmarketability exists because of defects, liens, encumbrances, or other matters shown or referred to in Schedule B; or
3. Any defect in, or lien or encumbrance on, said title existing at the date hereof, not shown or referred to in Schedule B; or
4. Any defect in the execution of any mortgage or deed of trust shown in Schedule B securing an indebtedness, the owner of which is insured by this policy, but only insofar as such defect affects the lien or charge of such mortgage or deed of trust upon said land; or
5. Priority, at the date hereof, over any such mortgage or deed of trust, of any lien or encumbrance upon said land, except as shown in Schedule B such mortgage or deed of trust being shown in the order of its priority.

all subject, however, to SCHEDULES A and B, and the STIPULATIONS herein, all of which schedules and stipulations are hereby made a part of this policy.

In witness whereof, TITLE AND TRUST COMPANY has caused its corporate name and seal to be hereunto affixed by its duly authorized officers, the day and hour set forth in SCHEDULE A hereof.

TITLE AND TRUST COMPANY

By

President

Attest:

Assistant Secretary.

SCHEDULE A

On January 9, 1957 at 8:00 o'clock, A.M., the title to the land described in this Schedule is vested in: LONGVIEW FIBRE COMPANY, a Delaware corporation, in the fee simple estate. -----

Description of the tract of land the title to which is insured by this policy:

Parcel 1: Beginning at the one-quarter corner common to Sections 13 and 14 Township 5 North Range 4 West, Willamette Meridian, Columbia County, Oregon, thence North 678.7 feet; thence North 78°45' West 1045.5 feet; thence South 73°51' West 300.2 feet; thence North 300 feet; thence North 77°00' West 950 feet, more or less, to the centerline of the Nehalem River and the point of beginning of the following described tract; thence from said point of beginning Northerly along the centerline of said river to the North line of Section 14, Township 5 North, Range 4 West, thence West along said Section line to a point which is 1006.0 feet West of the quarter corner common to Sections 11 and 14, Township 5 North, Range 4 West, and being the Northeast corner of Parcel 2 as described in deed to Longview Fibre Company, recorded August 15, 1949 in Book 104, page 580, deeds; thence along said Longview Fibre Company tract South 38°02' East 1294.1 feet; thence South 5°00' East 1826.6 feet; thence South 24°05' West 627.0 feet; thence South 37°42' West 1619.4 feet to a point on the East line of the Southwest quarter of Southwest quarter 620 feet North of the Southeast corner of Southwest quarter of Southwest quarter of Section 14; thence South 620 feet to said corner; thence East along the South line of Section 14 to the quarter corner between Section 14 and Section 23, Township 5 North, Range 4 West; thence South along the East line of the Northeast quarter of Northwest quarter of Section 23 South 1° 04' West 1345.7 feet to the Southeast corner of said Northeast quarter of Northwest quarter; thence South 48° 47' West 306.5 feet; thence South 18°00' West 950.0 feet; thence North 83°36' West 874.0 feet; thence North 45°52' West 764.5 feet; thence South 3°25' West 405 feet, more or less to the center line of the Nehalem River; thence Easterly and Northerly down the center of the Nehalem River to the true point of beginning. Excepting therefrom the following: Commencing at a point 300.0 feet South 89°37' West of the quarter corner common to Sections 11 and 14, thence South 89°37' West for a dis-

SCHEDULE A continued

tance of 587.2 feet, more or less, to the middle of the Nehalem River; thence following the meanders of the middle of the Nehalem River in a Southeasterly and then North-easterly direction to the point of commencement.

Parcel 2: That part of the Northeast quarter of Section 14, Township 5 North, Range 4 West, Willamette Meridian, Columbia County, Oregon, described as follows: Beginning at the quarter corner common to Sections 13 and 14, thence North 678.7 feet; thence North $78^{\circ}45'$ West for a distance of 1045.5 feet; thence South $73^{\circ}51'$ West for a distance of 300.2 feet; thence North for a distance of 300.0 feet; thence North 77° West for a distance of 950.0 feet, more or less, to the centerline of the Nehalem River; thence Northerly along the centerline of said River to the North line of Section 14, Township 5 North, Range 4 West; thence East along the Section line to the Northeast corner of said Section 14; thence South along the Section line to the point of beginning.

Parcel 3: All the right, title and interest in and to that certain easement granted to James C. Moran and Gladys Moran by Crown Zellerbach Corporation by instrument recorded August 5, 1948, in Book J, page 211, Miscellaneous Records of Columbia County, Oregon.

Parcel 4: A permanent easement for forestry, forest protection, logging and lumbering purposes over an existing roadway 15 feet on each side of the following described centerline:

Beginning at a point which is 678.7 feet North, 1045.5 feet North $78^{\circ}45'$ West, 300.2 feet South $73^{\circ}51'$ West and 285.0' North of the quarter corner between Sections 13 and 14 of Township 5 North Range 4 West, Willamette Meridian, Columbia County, Oregon, thence North $77^{\circ}55'$ West for a distance of 295.5 feet; thence on a 12° curve to the left through an angle of $23^{\circ}59'$ for a distance of 200.0 feet; thence South $78^{\circ}06'$ West, for a distance of 162.1 feet; thence on a 80° curve to the right through an angle of $109^{\circ}11'$ for a distance of 136.5 feet to a point on the Nehalem Highway.-----

SCHEDULE B

This policy does not insure against loss by reason of the matters shown or referred to in this Schedule except to the extent that the owner of any mortgage or deed of trust is expressly insured in Paragraphs numbered 4 and 5 on page 1 of this policy.

1. Easements, liens or incumbrances, including material or labor liens, which are not shown by the public records; mining claims; reservations in patents; water rights, claims or title to waters.

2. Rights or claims of persons in possession, or claiming to be in possession, not shown of record; any state of facts which an accurate survey and inspection of said land would show.

3. Assessments which are not shown as existing liens by the public records; taxes not yet payable; pending proceedings for vacating, opening or changing of streets or highways preceding entry of the ordinance or order therefor.

4. Any laws, governmental acts or regulations, including but not limited to zoning ordinances, restricting, regulating or prohibiting the occupancy, use or enjoyment of the land or any improvement thereon, or limiting the height of improvements, or prohibiting a reduction in the dimensions or area, or separation in ownership, of any lot or parcel of land; or the effect of any violation of any such restrictions, regulations or prohibitions.

5. Rights of the public in roads and highways, if any. ✓

6. A portion of the above premises is listed in reforestation, and is therefore subject to yield permits and yield taxes, and to all other rules and regulations of the State of Oregon, regarding reforested areas. ✓

7. Coal, oil, gas, salt, and minerals and rights as reserved in deed from The Clark and Wilson Lumber Company of Delaware to James C. Moran and Gladys Moran, recorded July 2, 1946, in Book 86, page 582, deed records. ✓

Note: Said rights are not followed out in this policy.

8. Exception contained in deed from The Clark and Wilson Lumber Company of Delaware to James C. Moran et ux, recorded July 2, 1946, in Book 86, page 582, of Deed Records, as follows: "Excepting therefrom that certain mainline railroad right of way 20 feet each side of the center line of the grade (now converted to a truck or logging road) as located and established by The Clark and Wilson Lumber Company, and/or its predecessors or assigns and as it now exists." ✓

Note: An interest in said right of way is covered in Parcel 3 above. ✓

9. Easement for water pipe line granted by J. C. and Gladys Moran to State of Oregon, by instrument recorded June 20, 1946, in Book 86, page 371, deed records. ✓

10. Reservations and conditions in instrument from Crown Zellerbach Corporation to James C. Moran et ux recorded August 5, 1946, in Book J, page 211, Miscellaneous Records. (Affects Parcel 3.) ----- ✓

OK
CHD

A/c 98-12-44

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KNOW ALL MEN BY THESE PRESENTS that we, James C. Moran and
Hedys Moran, husband and wife, of Columbia County, State of Oregon,
in consideration of the sum of FIVE THOUSAND ONE HUNDRED (\$5,100.00)
Dollars to us paid by the Longview Fibre Company, a corporation,
have bargained and sold and by these presents do grant, bargain, sell
and convey to the said Longview Fibre Company, its successors and
assigns, the following bounded and described real property, situated
in the County of Columbia and State of Oregon, to-wit:

Parcel 1: A parcel of land located in the east one-half of Section 14, Township 5 North, Range 4 West, Willamette Meridian, Columbia County, Oregon, more particularly described as follows, to-wit:

Beginning at a point on the section line between Sections 14 and 25 of Township 5 North, Range 4 West at a point which is 2227.0 feet west of the Section corner common to Sections 13, 14, 23 and 24 and 684.5 feet east of the quarter section corner common to sections 14 and 25; thence North 44° 56' East for a distance of 443.8 feet; thence North 29° 50' East for a distance of 1501.5 feet; thence North 45° 34' East for a distance of 469.3 feet; thence South 58° 48' East for a distance of 595.5 feet; thence North 54° 52' East for a distance of 234.8 feet; thence North 25° 55' West for a distance of 241.6 feet; thence North 4° 02' East for a distance of 168.5 feet; thence North 58° 34' West for a distance of 521.2 feet; thence North 9° 43' West for a distance of 536.5 feet; thence North 19° 07' West for a distance of 765.9 feet; thence North 73° 51' West for a distance of 300.2 feet; thence South 78° 45' East for a distance of 1045.5 feet; thence South for a distance of 678.7 feet to the quarter corner common to Sections 15 and 14;

Thence South 1° 56' West along the section line between 13 and 14 for a distance of 2634.1 feet to the section corner common to Sections 13, 14, 23 and 24; thence West 2227.0 feet to the point of beginning, and excepting therefrom the Southeast quarter of the Southeast quarter of Section 14, Township 5 North, Range 4 West.

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Parcel 2: A parcel of land located in the East half of the West half of Section 14, Township 5 North, Range 4 West, Willamette Meridian, Columbia County, Oregon, more particularly described as follows:

That portion of the East half of the West half of Section 14, Township 5 North, Range 4 West, lying westerly of the following described line: Beginning at a point on the East line of the Southwest quarter of the Southwest quarter of Section 14 at a distance of 620.0 feet, north of the southeast corner of the southwest quarter of the southwest quarter of Section 14; thence North 57° 42' East for a distance of 1618.4 feet; thence North 24° 05' East for a distance of 627.0 feet; thence North 5° 00' West for a distance of 1826.6 feet; thence North 38° 02' West for a distance of 1284.1 feet, more or less to a point on the North line of Section 14, said point being 1006.0 feet west of the quarter corner common to Sections 11 and 14, Township 5 North, Range 4 West.

Parcel 3: That portion of the South half of the Northwest quarter of Section 23, Township 5 North, Range 4 West of the Willamette Meridian, Columbia County, Oregon, lying north of a line particularly described as follows:

Beginning at the Northeast corner of the Southeast quarter of the Northwest quarter, thence South 48° 47' West for a distance of 306.5 feet; thence South 18° West for a distance of 850.0 feet; thence North 85° 36' West for a distance of 874.0 feet; thence North 45° 52' West for a distance of 764.5 feet; thence South 5° 25' West for a distance of 405.0 feet, more or less to the center line of the Nehalem River; thence westerly along the center line of said Nehalem River to a point on the West line of Section 23, Township 5 North, Range 4 West of the Willamette Meridian, Columbia County, Oregon.

Parcel 4: The northeast quarter of the northwest quarter of Section 23, Township 5 North, Range 4 West, Willamette Meridian, Columbia County, Oregon.

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Parcel 5: A parcel of land in the northwest quarter of the northwest quarter of Section 23, Township 5 North, Range 4 West of the Willamette Meridian, Columbia County, Oregon, more particularly described as follows:

Beginning at a point on the section line between Sections 14 and 25 which is 1195.5 feet east of the section corner corner to Sections 14, 15, 22 and 23 of Township 5 North, Range 4 West of the Willamette Meridian; thence North $5^{\circ} 50'$ East to a point on the westerly boundary of the forty foot right of way referred to in the description of the tract in said Section 23 conveyed by deed from James G. Moran et al. to Longview Fibre Company, recorded April 9, 1948, in Book 90, page 189 of Deed Records; thence northeasterly along the westerly boundary of said right of way to the east boundary of the northwest quarter of the northwest quarter of Section 23; thence northeasterly along east boundary of the northwest quarter of the northwest quarter of Section 23 to the northeast corner of said northwest quarter of the northwest quarter; thence west 136.6 feet to the point of beginning.

Parcel 6: A parcel of land located in the northwest quarter of the northwest quarter of Section 25, Township 5 North, Range 4 West of the Willamette Meridian, Columbia County, Oregon, more particularly described as follows:

That portion of the Northwest quarter of the Northwest quarter of Section 25 lying east of the easterly boundary of the forty foot right of way referred to in the description of the tract in said Section 25 conveyed by deed from James G. Moran et al. to Longview Fibre Company recorded April 9, 1948, in Book 90, page 189 of Deed Records.

Parcel 7: The West half of the northwest quarter and northwest quarter of the southwest quarter of Section 13, Township 5 North, Range 4 West, Willamette Meridian, Columbia County, Oregon.

1 Which said lands are conveyed subject to the following
2 exceptions:

3 1. Conditions contained in deed from The Clark and Wilson
4 Lumber Company of Delaware to James C. Moran and Gladys Moran
5 recorded July 2, 1946, in Book 86 at Page 582, Deed Records of
6 Columbia County, Oregon.

7 2. Coal, oil, gas, salt and minerals and rights as reserved in
8 deed from The Clark and Wilson Lumber Company of Delaware to James
9 C. Moran and Gladys Moran, recorded July 2, 1946, in Book 86 at Page
10 582, Deed Records of Columbia County, Oregon.

11 3. Easement for water pipe line granted by James C. Moran and
12 Gladys Moran to the State of Oregon by instrument recorded June 20,
13 1946, in Book 86 at Page 571, Deed Records of Columbia County, Oregon.

14 4. All existing and established county and CCC roads.

15 5. Mineral and mineral rights reserved or excepted in deed
16 from Columbia County, Oregon, to James C. Moran and Gladys Moran
17 recorded April 5, 1946, in Book 84 at Page 501, Deed Records of
18 Columbia County, Oregon.

19 6. Right, title and interest, if any, of Crown Zellerbach
20 Corporation as contained in that certain deed from The Clark and
21 Wilson Lumber Company of Delaware recorded July 16, 1946, in Book 87
22 at Page 191, Deed Records of Columbia County, Oregon.

23 7. Right, title and interest of the State of Oregon arising,
24 acquired and existing under and by virtue of the Reforestation
25 Act of said State acquired by and arising out of compliance with
26 said Act on the part of the grantors herein and their predecessors
27 in interest.

28 Together with all and singular the tenements, hereditaments and
29 appurtenances thereunto belonging or in anywise appertaining, and
30 also all our right, estate, title and interest in and to the same,
31 including dower and claim of dower.

32 TO HAVE AND TO HOLD the above described and granted premises
33 unto the said the Longview Fibre Company, its successors and assigns
34 forever.

35 And the grantors above named do covenant to and with the
36 above named grantee, its successors and assigns, that they are
37 lawfully seized in fee simple of the above granted premises; that
38 the same are free from all incumbrances and that they will and their
39 heirs, executors and administrators shall warrant and forever defend
40 the above granted premises, and every part and parcel thereof,
41 against the lawful claims and demands of all persons whomsoever.

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STATE OF OREGON } ss.
Columbia County

I certify that the within instrument of writing was received for record on the 15th day of August 1949 at 2:15 o'clock P. M.; recorded on page 580 in Book 104 Records of Deed of said County.

Witness my hand and seal of County affixed.

C. W. Wickman
County Clerk.
By Marie Bonny Deputy

Plaintiff:
Longman & Co.
Longman, West
Attorneys: A. H. Brantley

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