

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

In the Matter of Dedicating Property owned by)
Columbia County as Additional Right-of-Way)
for Public Road and Utility Purposes)
)
[Gable County Road No. 40 near)
St. Helens, Oregon])
_____)

ORDER NO. 27 - 2009

WHEREAS, on January 10, 1966, Columbia County purchased property commonly referred to as Tax Map ID No. 4N1W07-BB-00400 for use as the County fairgrounds (hereinafter the "fairgrounds"); and

WHEREAS, on May 14, 2008, Columbia County, by and through its Board of Commissioners, entered into a Purchase and Sale Agreement with the Columbia River People's Utility District for a portion of the fairgrounds, said parcel being 150' x 581' and bordered on the east by Tax Lot 500 and on the south by Gable Road; and

WHEREAS, pursuant to said Purchase and Sale Agreement, the County applied for a partition and zone change, both being approved with conditions by the Columbia County Planning Commission Final Orders. MP 09-07 and ZC 09-01, respectively; and

WHEREAS, a condition of the partition is that 10 feet of additional right-of-way adjacent to Gable Road be dedicated for public road and utility purposes on the south end of the fairgrounds before a final plat is accepted for approval; and

WHEREAS, Gable Road is a County Road within the County's jurisdiction; and

WHEREAS, the description of the additional right-of-way proposed to be dedicated is described on Exhibit A, attached hereto and by this reference incorporated herein; and

WHEREAS, the Board of County Commissioners finds that it is in the public interest to dedicate and accept the portion of county-owned property described on the attached Exhibit A for road and utility purposes;

NOW, THEREFORE, IT IS HEREBY ORDERED as follows:

1. The Board of County Commissioners, on behalf of Columbia County, hereby dedicates the property described on Exhibit A as additional right-of-way along Gable Road for public road and utility purposes and shall execute a Dedication Deed, a copy of which is attached hereto and labeled Exhibit B, to accomplish this dedication.

2. The Board of County Commissioners, on behalf of Columbia County, hereby accepts the property described on Exhibit A as additional right-of-way along Gable County Road No. 40 for public road and utility purposes as described.

3. The Dedication Deed and this Order shall be filed with and recorded by the County Clerk in Deed Records without costs.

DATED this 27th day of May, 2009.

COMMISSIONERS

Approved as to form:

By: Suzanne Hanson

Office of County Counsel

BOARD OF COUNTY

FOR COLUMBIA COUNTY, OREGON

By: Jeta M. Bernhard

Chair

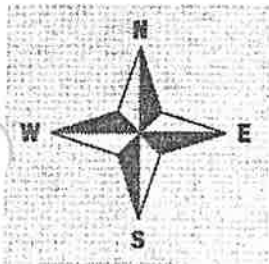
By: [Signature]

Commissioner

By: [Signature]

Commissioner

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**REYNOLDS
LAND
SURVEYING,
INC.**

EXHIBIT A

32990 Stone Road

Warren, OR 97053

(503) 397-5518

Fax (503) 397-5518

May 13, 2009

Legal Description

10' Additional Right of Way Dedication
To C.N. Gable County Road No. 40

A 10.00 foot wide strip of land for an Additional Right of Way dedication to C.N. Gable County Road No. 40 over a portion of the Northwest quarter of the Northwest quarter of Section 7, Township 4 North, Range 1 West, Willamette Meridian, Columbia County, Oregon being more particularly described as follows:

Beginning at the Southwest corner of Parcel 1 of Partition Plat No. 1995-43, recorded on October 20, 1995 as Instrument No. 95-08942 in the Clerk's Records of Columbia County, Oregon, said point being on the Northerly right of way line of C.N. Gable County Road No. 40; thence North 88°29'50" West, along said Northerly right of way line, a distance of 476.43 feet to a point on the West line of said Northwest quarter of the Northwest quarter of said Section 7; thence North 01°12'53" East, along the West line of said Northwest quarter of the Northwest quarter of said Section 7, a distance of 10.00 feet; thence South 88°29'50" East, parallel with said Northerly right of way line, a distance of 476.37 feet to a point on the West line of said Parcel 1 of Partition Plat No. 1995-43; thence South 00°52'06" West, along said West line of Parcel 1 of Partition Plat No. 1995-43, a distance of 10.00 feet to the point of beginning.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 26, 1985
DAVID E. REYNOLDS
2157

GRANTORS' NAME AND ADDRESS:

Port of St. Helens
Post Office Box 598
St. Helens, OR 97051

EXHIBIT B

AFTER RECORDING, RETURN TO GRANTEE:

Office of County Counsel
Columbia County Courthouse
230 Strand, Room 318
St. Helens, OR 97051

DEDICATION DEED

COLUMBIA COUNTY, a political subdivision of the State of Oregon, Owners of certain real property situated in Columbia County, Oregon, does hereby forever dedicate to the public for public road and utility purposes the land which is described on the document labeled Exhibit A, said exhibit being attached hereto and incorporated herein by this reference.

The property described on Exhibit A is to be dedicated for use for public road and utility purposes only.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT 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 THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007.

The true and actual consideration for this conveyance is \$0.00, stated in terms of dollars.

DATED this _____ day of _____, 2009.

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

By: _____
Chair

By: _____
Commissioner

By: _____
Commissioner

STATE OF OREGON }
County of Columbia } ss.

ACKNOWLEDGMENT

The foregoing instrument was acknowledged before me this ____ day of _____, 2009, by Rita Bernhard, Anthony Hyde and Earl Fisher, Board of County Commissioners, upon whose authority and on whose behalf this instrument is signed.

Notary Public for Oregon
My Commission Expires: _____

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 Columbia County for public road and utility purposes forever on behalf of the public.

DATED this _____ day of _____, 20__.

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

By: _____
Chair

By: _____
Commissioner

By: _____
Commissioner