

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR COLUMBIA COUNTY, OREGON

In the Matter of Forfeiting Certain Access)
Approach Deposits and Transferring them)
from the County Treasurer's Deposit Fund)
to the County Road Fund)
_____)

ORDER NO. 42 - 2010

WHEREAS, since April 3, 1991, the County has been collecting \$500 deposits to secure construction of access approaches on County and public roads and, since November 25, 1998, the applicant was to complete construction within 2 years of issuance, or the applicant would forfeit the deposit; and

WHEREAS, prior to November 9, 2005, the Public Works Director allowed the applicant to deposit an additional \$500 to obtain a certificate of occupancy before the access approach was constructed; and

WHEREAS, on November 9, 2005, the Board of County Commissioners adopted Order No. 72-2005 which required a further deposit of \$1,500 for any request for an extension of the 2-year permit period or for the issuance of a certificate of occupancy prior to the construction of the access approach; and

WHEREAS, those applicants who have not constructed their access approach and whose permits have expired are listed on the document attached hereto as Exhibit A, incorporated herein by this reference, and the deposits are subject to forfeiture; and

WHEREAS, notices of forfeiture of the deposit were mailed on March 9, 2009 to the applicants listed on Exhibit A who had not completed construction within the required 2-year period, or any extension thereof, as reflected on the attached Exhibit A; and

WHEREAS, pursuant to the notice each applicant was given the right to appeal the forfeiture within 30 days from the date of the notice; and

WHEREAS, the applicants listed in Exhibit A did not appeal the forfeiture within the time given.

NOW, THEREFORE, IT IS HEREBY ORDERED that the deposits listed in Exhibit A are hereby forfeited to the County and that the applicants' deposits be transferred from the Treasurer's deposit account to the County Road Fund.

Dated this 21st day of July, 2010.

Approved as to form
By: 
County Counsel's Office

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON
By: 
Anthony Hyde, Chair
By: 
Earl Fisher, Commissioner
By: 
Rita Bernhard, Commissioner

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ROAD DEPT. FORFEITURES FOR BOARD ORDER as of 6-29-10

ACCESS PERMIT NO.	DATE ISSUED	AMOUNT	EXPIRED	NOTICE OF FORFEITURE SENT	ROAD	TAX MAP ID NO.	APPLICANT	ADDRESS
5233	2-28-02	\$500	2-28-04	3-9-09	Heath	7N3W11-B0-00300	Scott, Earl	76658 Heath Road, Rainier, OR
5424	2-13-03	\$500	2-13-05	3-9-09	Tide Creek	6N2W34-00-00900	Louie, David	58628 Louie Ct., St. Helens, OR
5643	6-8-04	\$500	6-8-06	3-9-09	Point Adams	8N4W31-B0-01400	LaPier, Paul	78429 Point Adams Road, Clatskanie, OR
5722	11-10-04	\$1000	11-10-06	3-9-09	Lentz	7N2W31-00-00300	Richardson, James	Post Office Box 121, Rainier, OR
5735	12-13-04	\$500	12-13-06	3-9-09	Skyline Terrace	3N2W11-AC-00600	Henke, Harry	Post Office Box 2321, Gearhart, OR
5740	12-22-04	\$1000	12-22-06	3-9-09	Tide Creek	6N2W28-00-02601	Paul, Patrick & Shirley	30631 Tide Creek Road, Rainier, OR
5741	12-23-04	\$500	12-23-06	3-9-09	Chapman Grange	4N2W19-00-00603	Swenson, Glen	28815 Chapman Grange Road, Scappoose, OR
5745	1-14-05	\$500	1-14-07	3-9-09	Anderson	5N2W32-00-01600	Rotter, Michael	124 Ava Court, St. Helens, OR
5833	6-22-05	\$2000	6-22-07	3-9-09	Olson	7N4W22-00-00402	Hughes, James	74848 Olson Road, Clatskanie, OR
6024	6-1-06	\$500	6-1-08	3-9-09	Keasey	5N4W33-00-00700	Barnes, Christopher & Leslie	18300 Keasey Road, Vernonia, OR
6083	9-18-06	\$500	9-18-08	3-9-09	Timber	4N4W07-C0-01300	McCullough, David	3182 NE 13 th Avenue, Hillsboro, OR