

**After recording, return to:**

Board of County Commissioners  
Columbia County Courthouse  
230 Strand, Room 331  
St. Helens, OR 97051

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR COLUMBIA COUNTY, OREGON

In the Matter of the Proposed Vacation of )  
a Portion of County Road D aka West Lane )  
Road in Scappoose, Oregon. )  
[Brian Rosenthal] )  
\_\_\_\_\_ )

**ORDER NO. 5 - 2010**  
(Initiating/Finalizing Vacation Proceedings)

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, West Lane Road near its intersection with East Columbia, Scappoose, was recently reconfigured, leaving a portion of County Road D / West Lane an abandoned right-of-way; and

WHEREAS, on January 6, 2010, Brian Rosenthal, who owns property abutting the abandoned public right-of-way, filed with the Board a Petition requesting that the Board vacate that portion of County Road D aka West Lane Road which had been abandoned; and

WHEREAS, this portion of County Road D aka West Lane is under County jurisdiction but lying within the Scappoose city limits; and

WHEREAS, the Petition is attached hereto, labeled Exhibit 1, and is incorporated herein by this reference; and

WHEREAS, pursuant to ORS 368.361, the petition was forwarded to the City of Scappoose for comments on the proposed vacation; and

WHEREAS, on January 14, 2010, Brian Varricchione, City Planner for the City of Scappoose advised that he did not anticipate any objection from the City Council to the proposed vacation as long as the newly-reconfigured portion of West Lane maintained a width of 66 feet and a public utility easement was maintained over that portion to be vacated; and

WHEREAS, pursuant to ORS 368.351, the proceedings for vacation were initiated by a petition that contains the acknowledged signatures of owners of 100 percent of the land abutting the property proposed

to be vacated and acknowledged signatures of 100 percent of the owners of property abutting any public property proposed to be vacated and the Petition indicates the owners' approval of the proposed vacation; and

WHEREAS, because the Petition meets the signature requirements of ORS 368.351, the Board may make a determination about the vacation without holding a hearing if the county road official, i.e., the Roadmaster, files with the Board a written report that contains his assessment that the vacation is in the public interest; and

WHEREAS, the County Roadmaster, Dave Hill, has filed a report dated February 22, 2010, with the Board indicating that he has determined that the proposed vacation of the portion of County Road D (West Lane Road) would be in the public interest with a slight adjustment to ensure that the reconfigured portion of West Lane Road remains at a width of 66 feet and with the reservation of a public utility easement; and

WHEREAS, a copy of the Roadmaster's report is attached hereto, labeled Exhibit 2, and incorporated herein by this reference; and

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

WHEREAS, on February 2, 2010, Mr. Rosenthal submitted a revised legal description to alleviate any encroachment of that portion to be vacated upon the 66 foot width of the reconfigured West Lane Road, said revised legal description and survey being attached hereto as Exhibit 3 and incorporated herein by this reference; and

WHEREAS, the Board finds that the petition, as amended, meets the requirements of ORS 368.341 and contains the acknowledged signatures and owners' approval as required by ORS 368.351; and

WHEREAS, pursuant to ORS 368.361, the City of Scappoose, by resolution or order, must concur in these findings;

NOW, THEREFORE, IT IS HEREBY ORDERED as follows:

1. Vacation of that portion of County Road D aka West Lane Road as more particularly described and shown in Exhibit 3 is in the public interest.
2. Upon the receipt of a resolution or order approved by the City of Scappoose concurring in these findings, which such order or resolution shall be recorded in the County deed records without costs, the property described and depicted in Exhibit 3 is hereby vacated, and shall hereby vest in the abutting property owners as provided in ORS 368.366(1).
3. This vacation is being made with a specific reservation of any existing rights-of-way for utility easements.
4. Pursuant to Order No. 55-2001 and the decision of the Board of County Commissioners, the required fee of \$1,000 for vacations of public rights-of-way was paid by the petitioner; \$500 was deposited directly into the County Road Fund and \$500 into the General Fund, Fees for Services, Road Vacations, Line Item No. 100-00-00-3255, out of which the following costs shall be paid:

SERVICE	FEE	SUBTOTAL
Filing Petition by the Clerk	\$28.50	\$ 28.50
Review for Correct Property Description by County Surveyor [if required]	\$30.00 [per parcel]	\$ 00.00
Hearing (if required)	\$100.00	\$00.00
Recording Final Order by the Clerk	\$46.00 [first page]	\$46.00
	\$5.00 [each additional page x 45 pp.]	\$225.00
Two Certified Copies by the Clerk [one to Assessor, one to Surveyor]	\$3.75 [per copy x 2]	\$ 7.50
	\$00.25 [per page x 46 pp. x 2]	\$23.90
Posting the Approved Road Vacation by County Surveyor	\$100.00 [ per parcel]	\$100.00
	TOTAL EXPENSES	\$430.90

5. The \$28.50 filing fee has already been paid to the County Clerk. The Treasurer is hereby authorized to disburse the following amounts from the Fees for Services, Road Vacations account as follows:

To County Clerk	:	\$ 302.40
To County Surveyor	:	\$ 100.00

6. This Order shall be recorded with the County Clerk without costs, a copy inserted in the appropriate road jacket, and certified copies shall be filed with the County Surveyor and the County Assessor.

DATED this 17<sup>th</sup> day of March, 2010.

BOARD OF COUNTY COMMISSIONERS  
FOR COLUMBIA COUNTY, OREGON

By: \_\_\_\_\_  
Chair

By: \_\_\_\_\_  
Commissioner

By: \_\_\_\_\_  
Commissioner

APPROVED AS TO FORM:

By: \_\_\_\_\_  
Office of County Counsel

S:\COUNSEL\ROADS\WEST LANE\VACATION\ORD INITIAT & FINAL.wpd

EXHIBIT 1

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR COLUMBIA COUNTY, OREGON

Jenal  
Jan 21 9:03 AM '10  
COLUMBIA CO. CLERK  
BY Janal DEP.

In the Matter of the Vacation of See )  
Exhibit 1 )  
Located Near West Lane Rd + E Columbia )  
Columbia County, Oregon )

PETITION FOR VACATION

PV 2010-1

I/We, Brian Rosenthal, [insert name(s) of all petitioners], who  
reside at P.O. BOX 963 Scappoose OR 97056 [insert address],  
503-914-9005 [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: Land on West Lane between E Columbia and Prairie no longer in use due to West Lane being moved.
  - b. Legal Description: see Exhibit 1

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:  
owner
  - b. Legal Description of your property:  
see Exhibit A

3. Creation of Public Interest.

See Exhibit see Exhibits 2-7, 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].

*note deeds ect are attached to consent of abutting property owners*

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

*Land no longer being used due to realignment of West Lane. This has created a maintenance issue.*

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

*see Exhibits - ~~1-6~~ 2-7  
BR*

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

*none*

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

*see attached statements of Tax Account  
total of six parties*

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.

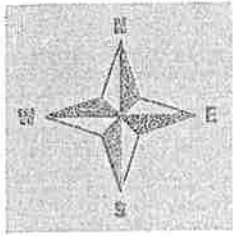
10. A true and accurate map of the proposed vacation is attached as Exhibit Br.











**REYNOLDS  
LAND  
SURVEYING,  
INC.**

32990 Stone Road  
Warren, OR 97053  
(503) 397-5516  
Fax (503) 397-5518

**Exhibit 1**

November 11, 2009

**West Lane Road - Proposed Road Vacation**

A tract of land in the Northeast quarter of Section 12, Township 3 North, Range 2 West, Willamette Meridian, Columbia County, Oregon being a portion of West Lane County Road D and also being all the most Southerly "Street Dedication" as depicted Sheet 4 of the Subdivision Plat of "Harmony Park" as recorded on December 29, 2005 in Plat Book 6 on Page 74 , Instrument No. 2005-17632, Clerk's Records of Columbia County, Oregon said tract of land being more particularly described as follows:

Beginning at the Southwest corner of Lot 7, Block C of the Subdivision Plat of "Hudkins Subdivision" as recorded on June 8, 1954 in Plat Book 2, Page 105, Clerk's Records of Columbia County, Oregon; thence North  $64^{\circ}13'30''$  West, along the Westerly extension of the South line of said Lot 7, Block C to the Westerly right of way line of said West Lane County Road D; thence Northerly, along said Westerly right of way line to the most Southerly point of said Southerly "Street Dedication" of "Harmony Park" , said point also being on the Easterly right of way line of the new "West Lane" road dedication as depicted on said Sheet 4 of "Harmony Park"; thence North  $03^{\circ}35'05''$  West, along said Easterly right of way line of the new "West Lane" road dedication, a distance of 4.74 feet to the beginning of Curve "C9" as depicted on said Sheet 4 of "Harmony Park"; thence Northerly, along the arc of said Curve "C9" and the Northerly prolongation of said Curve "C9" to a point on the West line of Lot 6, of said Block C of said "Hudkins Subdivision"; thence Southerly, along the West line of said Block C of "Hudkins Subdivision" to the point of beginning.

09070R LD1

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

OREGON  
JULY 26, 1985  
DAVID E. REYNOLDS  
2157

RENEWAL DATE: 12-31-2010

le

Exhibit 2

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

- 1. Name(s) of abutting property owner(s): Douglas D. Boyer and Alice F Boyer
- 2. Mailing address of abutting property owner(s): 33759 NE Hart Ct, Scappoose, OR 97056
- 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): Lot 29, Harmony Park, Columbia County, Oregon

Tax Account No. 28522

- 4. Legal description of property proposed for vacation (attach additional sheets if necessary): See Exhibit 1

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)

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

12/15/09  
Date

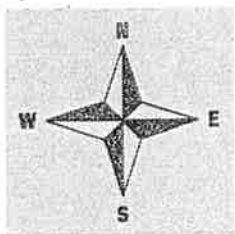
12/15/09  
Date

STATE OF OREGON     )  
                                  ) ss.  
County of Columbia    )

The foregoing instrument was acknowledged before me this 15<sup>th</sup> day of December, 2009, by ALICE BOYER AND DOUG BOYER



[Signature]  
Notary Public for Oregon  
My Commission Expires: 10/3/12



**REYNOLDS  
LAND  
SURVEYING,  
INC.**

32990 Stone Road  
Warren, OR 97053  
(503) 397-5516  
Fax (503) 397-5518

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November 11, 2009

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09070R LD1

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

OREGON  
JULY 26, 1985  
DAVID E. REYNOLDS  
2157

RENEWAL DATE: 12-31-2010

8

**Statement of Tax Account**

**COLUMBIA COUNTY TAX COLLECTOR  
230 STRAND STREET  
ST. HELENS, OR 97051  
(503) 397-0060**

1/6/2010 11:38:29 AM

BOYER DOUGLAS D & ALICE F  
33759 NE HART CT  
SCAPPOOSE, OR 97056

<b>Tax Account #</b> 28522	<b>Lender</b> Wells Fargo Real Estate Tax Services, LLC
<b>Account Status</b> Active	<b>Loan #</b> 39220671
<b>Roll Type</b> Real Property	<b>Property ID</b> 0101 3N2W12-AD-06528
<b>Situs Address</b> 33759 NE HART CT , SCAPPOOSE, OR -	<b>Interest To</b> Jan 15, 2010

**Tax Summary**

<b>Tax Year</b>	<b>Tax Type</b>	<b>Total Due</b>	<b>Current Due</b>	<b>Interest Due</b>	<b>Discount Available</b>	<b>Original Due</b>	<b>Due Date</b>
2009	ADVALOREM	0.00	0.00	0.00	0.00	3,501.97	Nov 15, 2009
2008	ADVALOREM	0.00	0.00	0.00	0.00	3,087.99	Nov 15, 2008
2007	ADVALOREM	0.00	0.00	0.00	0.00	815.25	Nov 15, 2007
2006	ADVALOREM	0.00	0.00	0.00	0.00	779.69	Nov 15, 2006
<b>Total</b>		<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>		

9

COLUMBIA COUNTY, OREGON 2007-010647  
DEED-D 08/16/2007 01:10:23 PM  
Cnt=1 Stn=8 HUSERB  
\$10.00 \$11.00 \$10.00 Total:\$31.00



After recording return to:  
Douglas D. Boyer and Alice F. Boyer  
33759 NE Hart Court  
Scappoose, OR 97056

Until a change is requested all tax statements  
shall be sent to the following address:  
Douglas D. Boyer and Alice F. Boyer  
33759 NE Hart Court  
Scappoose, OR 97056

File No.: 7034-1017598 (GJM)  
Date: August 10, 2007

THIS SPACE



I, Elizabeth E. Huser, County Clerk for Columbia County, Oregon  
certify that the instrument identified herein was recorded in the Clerk  
records.

Elizabeth E. Huser - County Clerk

COLUMBIA COUNTY TITLE 07/00300

### STATUTORY WARRANTY DEED

**Buena Vista Custom Homes, Inc, an Oregon Corporation, in fee simple estate, Grantor, conveys and warrants to Douglas D. Boyer and Alice F. Boyer , Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:**

**Lot 29, HARMONY PARK, Columbia County, Oregon.**

**Subject to:**

1. Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.
2. The **2007-08** Taxes, a lien not yet payable.

The true consideration for this conveyance is **\$349,042.00.** (Here comply with requirements of ORS 93.030)

APN:

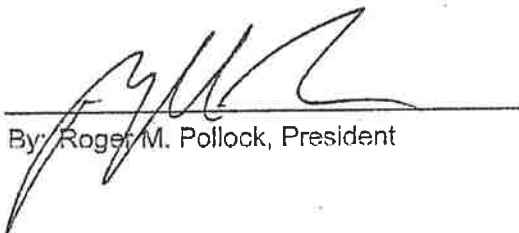
Statutory Warranty Deed  
- continued

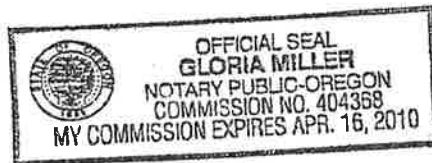
File No.: 7034-1017598 (GJM)  
Date: 08/10/2007

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. 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 APPROVED USES, 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 197.352.

Dated this 15<sup>th</sup> day of August, 2007.

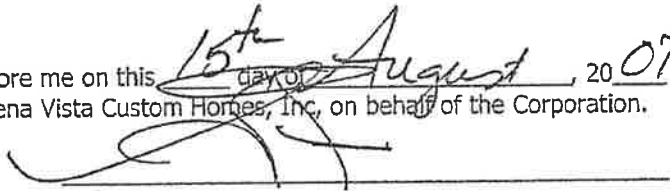
Buena Vista Custom Homes, Inc, an Oregon Corporation

  
By: Roger M. Pollock, President



STATE OF Oregon )  
 )ss.  
County of Clackamas )

This instrument was acknowledged before me on this 15<sup>th</sup> day of August, 2007 by Roger M. Pollock as President of Buena Vista Custom Homes, Inc, on behalf of the Corporation.



Gloria Miller  
Notary Public for Oregon  
My commission expires: 4/16/2010

11

Exhibit 3

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

- 1. Name(s) of abutting property owner(s): Brian H. Rosenthal as Trustee of the Rosenthal Revocable Living Trust
- 2. Mailing address of abutting property owner(s): P.O. Box 963 Scappoose, OR 97056
- 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 Exhibit A

Tax Account No. ~~2952~~ 3444

- 4. Legal description of property proposed for vacation (attach additional sheets if necessary): See Exhibit 1

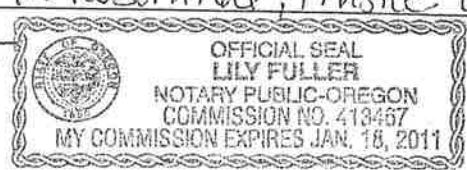
5. I/We am/are the owner(s) of the above-described property abutting the property proposed to be vacated and consent to the proposed vacation.

Brian H Rosenthal Trustee 11/13/09  
(Property Owner's Signature) Date

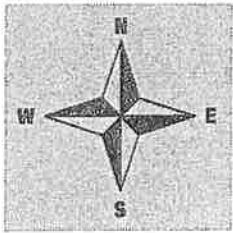
\_\_\_\_\_  
(Co-Property Owner's Signature [if any]) Date

STATE OF OREGON )  
County of Columbia ) ss.

The foregoing instrument was acknowledged before me this 13<sup>th</sup> day of November 2009, by Brian H. Rosenthal, trustee of the Brian Rosenthal Revocable Living Trust



Lily Fuller  
Notary Public for Oregon  
My Commission Expires: Jan 18 2011



**REYNOLDS  
LAND  
SURVEYING,  
INC.**

32990 Stone Road  
Warren, OR 97053  
(503) 397-5516  
Fax (503) 397-5518

**Exhibit 1**

November 11, 2009

**West Lane Road - Proposed Road Vacation**

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09070R LD1

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

OREGON  
JULY 26, 1985  
DAVID E. REYNOLDS  
2157

RENEWAL DATE: 12-31-2010



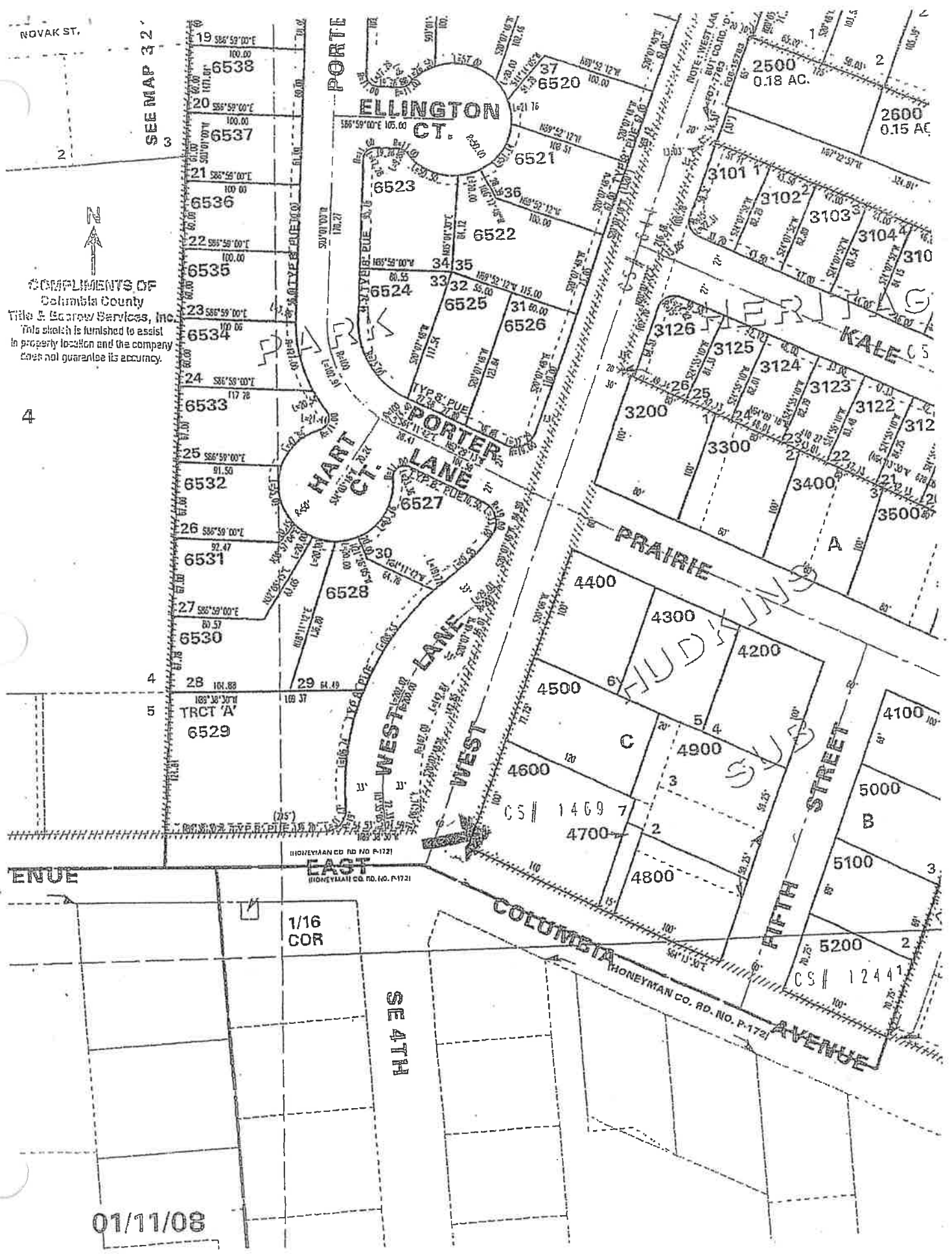
NOVAK ST.

SEE MAP 32



COMPLIMENTS OF  
Columbia County  
Title & Survey Services, Inc.  
This sketch is furnished to assist  
in property location and the company  
does not guarantee its accuracy.

4



01/11/08

14

# Statement of Tax Account

COLUMBIA COUNTY TAX COLLECTOR  
230 STRAND STREET  
ST. HELENS, OR 97051  
(503) 397-0060

1/6/2010 11:39:26 AM

ROSENTHAL REVOCABLE LIVING TRUST  
PO BOX 963  
SCAPPOOSE, OR 97056

<b>Tax Account #</b> 3444	<b>Lender</b>
<b>Account Status</b> Active	<b>Loan #</b>
<b>Roll Type</b> Real Property	<b>Property ID</b> 0101 3N2W12-AD-04600
<b>Situs Address</b> 33795 HONEYMAN , SCAPPOOSE, -	<b>Interest To</b> Jan 15, 2010

## Tax Summary

Tax Year	Tax Type	Total Due	Current Due	Interest Due	Discount Available	Original Due	Due Date
2009	ADVALOREM	0.00	0.00	0.00	0.00	1,235.03	Nov 15, 2009
2008	ADVALOREM	0.00	0.00	0.00	0.00	1,115.79	Nov 15, 2008
2007	ADVALOREM	0.00	0.00	0.00	0.00	1,084.27	Nov 15, 2007
2006	ADVALOREM	0.00	0.00	0.00	0.00	1,067.93	Nov 15, 2006
2005	ADVALOREM	0.00	0.00	0.00	0.00	1,041.73	Nov 15, 2005
2004	ADVALOREM	0.00	0.00	0.00	0.00	972.36	Nov 15, 2004
2004	FEE	0.00	0.00	0.00	0.00	545.50	Nov 15, 2004
2003	ADVALOREM	0.00	0.00	0.00	0.00	947.72	Nov 15, 2003
2002	ADVALOREM	0.00	0.00	0.00	0.00	970.67	Nov 15, 2002
2001	ADVALOREM	0.00	0.00	0.00	0.00	863.39	Nov 15, 2001
<b>Total</b>		0.00	0.00	0.00	0.00		

Exhibit 4

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

- 1. Name(s) of abutting property owner(s): Matthew Garrett  
and Stacy Garrett, husband and wife
- 2. Mailing address of abutting property owner(s): P.O. Box 1257  
Scappoose, OR 97056
- 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):  
Tract "A", Harmony Park Subdivision

Tax Account No. 28523

- 4. Legal description of property proposed for vacation (attach additional sheets if necessary): SEE Exhibit 1

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.

Matthew Garrett 11/14/09  
(Property Owner's Signature) Date

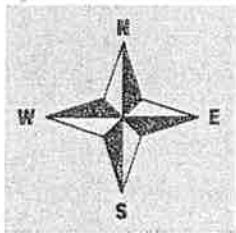
Stacy Garrett 11-14-09  
(Co-Property Owner's Signature [if any]) Date

STATE OF OREGON     )  
  ) ss.  
County of Columbia    )

The foregoing instrument was acknowledged before me this 14 day of November, 2009, by Matthew R. Garrett and Stacy L. Garrett



Will Clarke  
Notary Public for Oregon  
My Commission Expires: 9-4-2011



**REYNOLDS  
LAND  
SURVEYING,  
INC.**

32990 Stone Road  
Warren, OR 97053  
(503) 397-5516  
Fax (503) 397-5518

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November 11, 2009

West Lane Road - Proposed Road Vacation

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Beginning at the Southwest corner of Lot 7, Block C of the Subdivision Plat of "Hudkins Subdivision" as recorded on June 8, 1954 in Plat Book 2, Page 105, Clerk's Records of Columbia County, Oregon; thence North 64°13'30" West, along the Westerly extension of the South line of said Lot 7, Block C to the Westerly right of way line of said West Lane County Road D; thence Northerly, along said Westerly right of way line to the most Southerly point of said Southerly "Street Dedication" of "Harmony Park", said point also being on the Easterly right of way line of the new "West Lane" road dedication as depicted on said Sheet 4 of "Harmony Park"; thence North 03°35'05" West, along said Easterly right of way line of the new "West Lane" road dedication, a distance of 4.74 feet to the beginning of Curve "C9" as depicted on said Sheet 4 of "Harmony Park"; thence Northerly, along the arc of said Curve "C9" and the Northerly prolongation of said Curve "C9" to a point on the West line of Lot 6, of said Block C of said "Hudkins Subdivision"; thence Southerly, along the West line of said Block C of "Hudkins Subdivision" to the point of beginning.

09070R LD1

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*David E. Reynolds*  
OREGON  
JULY 26, 1985  
DAVID E. REYNOLDS  
2157

RENEWAL DATE: 12-31-2010

# Statement of Tax Account

## COLUMBIA COUNTY TAX COLLECTOR

10/12/2009 3:02:24 PM

GARRETT MATTHEW & STACY  
 PO BOX 1257  
 SCAPPOOSE, OR 97056

<b>Tax Account #</b> 28523	<b>Lender</b>
<b>Account Status</b> ACTIVE	<b>Loan #</b>
<b>Roll Type</b> REAL PROPERTY	<b>Property ID</b> 0101 3N2W12-AD-06529
<b>Situs Address</b> No situs address for this account	<b>Interest To</b> 10/15/2009

### Tax Summary

Tax Year	Tax Type	Total Due	Current Due	Interest Due	Discount Available	Original Due	Due Date
2009	ADVALOREM	1,841.89	1,898.86	0.00	56.97	1,898.86	11/15/2009
2008	ADVALOREM	0.00	0.00	0.00	0.00	1,674.43	11/15/2008
2007	ADVALOREM	0.00	0.00	0.00	0.00	1,675.90	11/15/2007
2006	ADVALOREM	0.00	0.00	0.00	0.00	1,602.56	11/15/2006
<b>Total</b>		1,841.89	1,898.86	0.00	56.97		



COLUMBIA COUNTY, OREGON 2007-013250  
 DEED-D  
 Cnt=1 Sin=8 HUSERB 10/18/2007 02:09:19 PM  
 \$10.00 \$11.00 \$10.00 Total:\$31.00



I, Elizabeth E. Huser, County Clerk for Columbia County, Oregon  
 certify that the instrument identified herein was recorded in the Clerk  
 records.

Elizabeth E. Huser - County Clerk

After recording return to:  
 Matthew Garrett  
 PO Box 1257  
 Scappoose, OR 97056

Until a change is requested, all tax statements shall be sent  
 to the following address:  
 Matthew Garrett  
 PO Box 1257  
 Scappoose, OR 97056

**STATUTORY WARRANTY DEED**

DeCal Oregon, Inc.; Grantor, conveys and warrants to Matthew Garrett and Stacy Garrett, husband  
 and wife ~~as to an undivided 1/2 interest and Ross Liberty as to an undivided 1/2 interest as tenants in~~  
~~common~~, Grantee, the following described real property free of encumbrances except as specifically  
 set forth herein: Tract "A", HARMONY PARK SUBDIVISION, recorded December 29, 2005  
 as Instrument No. 2005-17632, Columbia County, Oregon Records.

Tax Account No. 28523


This property is free of encumbrances, EXCEPT:  
 SEE EXHIBIT "A" WITH EXCEPTIONS  
 The true consideration for this conveyance is \$150,000.00

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE  
 TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY UNDER ORS 197.352. THIS  
 INSTRUMENT WILL 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 APPROVED USES AND 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 197.352.

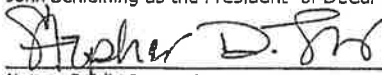
Dated 30<sup>th</sup> day of September, 2007

DeCal Oregon, Inc.

  
 BY John Schleining  
 ITS President

STATE OF OREGON  
 COUNTY OF Clackamas

The foregoing instrument was acknowledged before me this 30<sup>th</sup> day of September, 2007 by  
 John Schleining as the President of DeCal Oregon, Inc. on its behalf.

  
 Notary Public State of Oregon  
 My commission expires: 4-27-10



Order No. 89g0006256

COLUMBIA COUNTY TITLE 07-00825

CURRENT EXCEPTIONS:

6. The rights of the public in and to that portion of the premises herein described lying within the limits of streets, roads and highways.
7. Mineral Reservations as contained in deed, including any implied easement for ingress and egress above and below the surface of the land, created by the reservation  
Recorded: July 7, 1947  
Deed Book: 94 Page: 472  
  
Said mineral reservations are now held of record by Columbia County pursuant to sheriff's deed recorded October 3, 1955 in Book 127, Page 38, Deed Records of Columbia County, Oregon.  
  
Affidavit of Publication, including the terms and provisions thereof,  
Recorded: March 31, 2005  
Instrument No.: 2005-004324  
  
Statement of Claim, including the terms and provisions thereof,  
Recorded: April 8, 2005
8. Restrictive Covenant to Waive Remonstrance, including the terms and provisions thereof,  
Pertaining to: Noise impacts and similar impacts from aggregate extraction site  
Recorded: December 29, 2005  
Instrument No.: 2005-017633
9. Restrictive Covenant to Waive Remonstrance, including the terms and provisions thereof,  
Pertaining to: Noise impacts and similar impacts from airport operations  
Recorded: December 29, 2005  
Instrument No.: 2005-017634
10. Conditions and Restrictions on the face of the recorded plat as follows:
  - A. There shall be no direct motor vehicle access to or from Crown Zellerbach Road from Lots 1-9 and no direct motor vehicle access to or from West Lane from Lots 1, 29, 30, 31, 35-38, 45, 46 and 57, unless authorized by the governing body having jurisdiction over said road.
11. Easement as shown on the recorded plat/partition,  
For: Public Utilities  
Affects: 8 feet in width along street frontage.
12. Taxes for the fiscal year 2007-08 are due but not yet payable.  
Account No.: 28523  
Property ID No.: 0101 3N2W12-AD-06529

Exhibit 5

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

1. Name(s) of abutting property owner(s): Robert M Lalande and Jay L Lalande, husband and wife

2. Mailing address of abutting property owner(s): 33812 Praise Scappoose, OR 97056

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):  
Lot 6, Block C, Hudkins Subdivision, Columbia County, Oregon

Tax Account No. 3442

4. Legal description of property proposed for vacation (attach additional sheets if necessary): See Exhibit 1

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.

Robert M. Lalande  
(Property Owner's Signature)

11/13/09  
Date

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

11/13/09  
Date

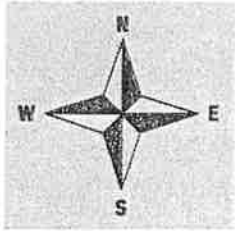
STATE OF OREGON )  
) ss.  
County of Columbia )

The foregoing instrument was acknowledged before me this 13<sup>th</sup> day of November, 2009, by Robert M. Lalande & Jay L. Lalande



Lily Fuller  
Notary Public for Oregon  
My Commission Expires: Jan 18 2011





**REYNOLDS  
LAND  
SURVEYING,  
INC.**

32990 Stone Road  
Warren, OR 97053  
(503) 397-5516  
Fax (503) 397-5518

Exhibit 1

November 11, 2009

West Lane Road - Proposed Road Vacation

A tract of land in the Northeast quarter of Section 12, Township 3 North, Range 2 West, Willamette Meridian, Columbia County, Oregon being a portion of West Lane County Road D and also being all the most Southerly "Street Dedication" as depicted Sheet 4 of the Subdivision Plat of "Harmony Park" as recorded on December 29, 2005 in Plat Book 6 on Page 74, Instrument No. 2005-17632, Clerk's Records of Columbia County, Oregon said tract of land being more particularly described as follows:

Beginning at the Southwest corner of Lot 7, Block C of the Subdivision Plat of "Hudkins Subdivision" as recorded on June 8, 1954 in Plat Book 2, Page 105, Clerk's Records of Columbia County, Oregon; thence North 64°13'30" West, along the Westerly extension of the South line of said Lot 7, Block C to the Westerly right of way line of said West Lane County Road D; thence Northerly, along said Westerly right of way line to the most Southerly point of said Southerly "Street Dedication" of "Harmony Park", said point also being on the Easterly right of way line of the new "West Lane" road dedication as depicted on said Sheet 4 of "Harmony Park"; thence North 03°35'05" West, along said Easterly right of way line of the new "West Lane" road dedication, a distance of 4.74 feet to the beginning of Curve "C9" as depicted on said Sheet 4 of "Harmony Park"; thence Northerly, along the arc of said Curve "C9" and the Northerly prolongation of said Curve "C9" to a point on the West line of Lot 6, of said Block C of said "Hudkins Subdivision"; thence Southerly, along the West line of said Block C of "Hudkins Subdivision" to the point of beginning.

09070R LD1

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

OREGON  
JULY 26, 1985  
DAVID E. REYNOLDS  
2157

RENEWAL DATE: 12-31-2010

KNOW ALL MEN BY THESE PRESENTS, That W. Skiles and Carol Skiles,  
 husband and wife, hereinafter called the grantor,  
 in consideration of Ten and No/100 Dollars,  
 and other valuable considerations  
 to grantor paid by Robert M. Lalande and Joy L. Lalande, husband and wife  
 hereinafter called the grantees,  
 does hereby grant, bargain, sell and convey unto the said grantor and grantee's heirs and assigns, that  
 certain real property, with the tenements, hereditaments and appurtenances thereto belonging or apper-  
 taining, situated in the State of Oregon and the county therein named below, described as follows, to-wit:

Lot 6, Block C, Hudkins Subdivision, Columbia County, Oregon.



*Book 154 Page 542*  
*W. Skiles*

To Have and to Hold the above described and granted premises unto the said grantee and grantee's  
 heirs and assigns forever.  
 And said grantor hereby covenants to and with said grantee and grantee's heirs and assigns, that  
 grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances

and that grantor will and  
 grantor's heirs, executors and administrators shall warrant and forever defend the above granted premises  
 and every part and parcel thereof against the lawful claims and demands of all persons whomsoever.  
 In construing this deed and where the context so requires, the singular includes the plural  
 WITNESS grantor's hand and seal this 26<sup>th</sup> day of March, 1964.

*W. Skiles* (SEAL)  
*Carol Skiles* (SEAL)  
 (SEAL)  
 (SEAL)

STATE OF OREGON, County of Columbia ) ss: March 26, 1964  
 Personally appeared the above named W. Skiles and Carol Skiles

and acknowledged the foregoing instrument to be Their voluntary act and deed.

Before me:  
*Barbara Bonifant-Dyer*  
 Notary Public for Oregon  
 My commission expires April 2, 1964

WARRANTY DEED

W. Skiles et ux  
 TO  
Robert M. Lalande et ux  
 AFTER RECORDING RETURN TO  
Columbia River Real Estate  
Scappoose Oregon

(DON'T USE THIS  
 SPACE; RESERVED  
 FOR RECORDING  
 LABEL IN COURTS  
 WHERE  
 USED)

STATE OF OREGON ) ss.  
 County of \_\_\_\_\_  
 I certify that the within instru-  
 ment was received for record on the  
 day of \_\_\_\_\_ 19  
 at \_\_\_\_\_ o'clock \_\_\_\_\_ M., and recorded  
 in Book \_\_\_\_\_ on page \_\_\_\_\_  
 Record of Deeds of said County.  
 Witness my hand and seal of  
 County affixed.

County Clerk—Recorder.  
 By \_\_\_\_\_  
 Deputy.

643

# Statement of Tax Account

## COLUMBIA COUNTY TAX COLLECTOR

10/12/2009 3:00:11 PM

LALANDE ROBERT M & JOY L  
 33812 PRAIRIE  
 SCAPPOOSE, OR 97056

<b>Tax Account #</b> 3442	<b>Lender</b>
<b>Account Status</b> ACTIVE	<b>Loan #</b>
<b>Roll Type</b> REAL PROPERTY	<b>Property ID</b> 0101 3N2W12-AD-04400
<b>Situs Address</b> 33812 PRAIRIE ST NE, SCAPPOOSE, OR	<b>Interest To</b> 10/15/2009

### Tax Summary

Tax Year	Tax Type	Total Due	Current Due	Interest Due	Discount Available	Original Due	Due Date
2009	ADVALOREM	2,317.02	2,388.68	0.00	71.66	2,388.68	11/15/2009
2008	ADVALOREM	0.00	0.00	0.00	0.00	2,106.21	11/15/2008
2007	ADVALOREM	0.00	0.00	0.00	0.00	2,108.06	11/15/2007
2006	ADVALOREM	0.00	0.00	0.00	0.00	2,016.06	11/15/2006
2005	ADVALOREM	0.00	0.00	0.00	0.00	1,966.32	11/15/2005
2004	ADVALOREM	0.00	0.00	0.00	0.00	1,835.20	11/15/2004
2003	ADVALOREM	0.00	0.00	0.00	0.00	1,788.47	11/15/2003
2002	ADVALOREM	0.00	0.00	0.00	0.00	1,831.73	11/15/2002
2001	ADVALOREM	0.00	0.00	0.00	0.00	1,629.11	11/15/2001
<b>Total</b>		2,317.02	2,388.68	0.00	71.66		

24

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

Exhibit 6

1. Name(s) of abutting property owner(s): Joshua R Carter
2. Mailing address of abutting property owner(s): 52536 West Lane Rd  
Scappoose, OR 97056
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): The westerly  
120 feet of the Northerly 77.75 feet  
of even width of Lot 7, Bloc C,  
Hudkins Subdivision, in the city of Scappoose,  
County of Columbia and State of Oregon

Tax Account No. 3443

4. Legal description of property proposed for vacation (attach additional sheets if necessary): SEE Exhibit 1

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] 11-13-09  
(Property Owner's Signature) Date

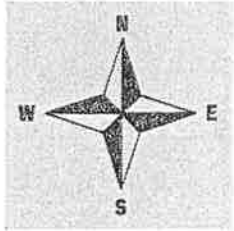
\_\_\_\_\_  
(Co-Property Owner's Signature [if any]) Date

STATE OF OREGON )  
County of Columbia ) ss.

The foregoing instrument was acknowledged before me this 13<sup>th</sup> day of November, 2009, by Joshua R. Carter



Lily Fuller  
Notary Public for Oregon  
My Commission Expires: Jan 18 2011



**REYNOLDS  
LAND  
SURVEYING,  
INC.**

32990 Stone Road  
Warren, OR 97053  
(503) 397-5516  
Fax (503) 397-5518

Exhibit 1

November 11, 2009

West Lane Road - Proposed Road Vacation

A tract of land in the Northeast quarter of Section 12, Township 3 North, Range 2 West, Willamette Meridian, Columbia County, Oregon being a portion of West Lane County Road D and also being all the most Southerly "Street Dedication" as depicted Sheet 4 of the Subdivision Plat of "Harmony Park" as recorded on December 29, 2005 in Plat Book 6 on Page 74, Instrument No. 2005-17632, Clerk's Records of Columbia County, Oregon said tract of land being more particularly described as follows:

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09070R LD1

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*David E. Reynolds*  
OREGON  
JULY 26, 1985  
DAVID E. REYNOLDS  
2157

RENEWAL DATE: 12-31-2010

*26*

COLUMBIA COUNTY, OREGON 2004-011366  
DEED-D  
Cnt=1 SIn=8 HUSERB 08/31/2004 03:43:48 PM  
\$10.00 \$11.00 \$10.00 Total:\$31.00



00008284200400113660020025

I, Elizabeth E. Huser, County Clerk for Columbia County, Oregon  
certify that the instrument identified herein was recorded in the Clerk  
records.

Elizabeth E. Huser - County Clerk



After Recording Return To:  
Joshua R. Carter  
52536 West Lane Road  
Scappoose OR 97056

Send Tax Statements To:  
Joshua R. Carter  
52536 West Lane Road  
Scappoose OR 97056

Title Order No. 07-46968  
Escrow No. 07-46968  
Tax Account No. 01-01-2-3212-  
014-04500

WARRANTY DEED  
(ORS 93.850)

Frostina Bell and Darrell Bell, as tenants by the entirety, Grantor, conveys and warrants to  
Joshua R. Carter, an estate in fee simple, Grantee, the following described real property free  
of encumbrances except as specifically set forth herein:

See Exhibit 'A' attached hereto and by reference made a part hereof.

THIS INSTRUMENT WILL 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 APPROVED USES AND TO DETERMINE ANY  
LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS  
30.930.

The true consideration for this conveyance is \$160,000.00.

Dated this 27 day of August, 2004.

Frostina Bell  
Frostina Bell

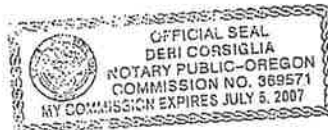
Darrell Bell  
Darrell Bell

State of OR, County of Columbia )ss.

This instrument was acknowledged before me on Aug 27, 2004  
by Frostina Bell and Darrell Bell.

Debi Coughlin  
Notary Public

My commission expires: 7/5/07



7-46968

27

**EXHIBIT 'A'**

Legal Description:

The Westerly 120 feet of the Northerly 77.75 feet of even width of Lot 7, Block C, HUDKINS SUBDIVISION, in the City of Scappoose, County of Columbia and State of Oregon.

Subject to:

Taxes for the fiscal year 2004-2005, a lien in an amount to be determined, but not yet payable.

Covenants, conditions and restrictions, but omitting covenant or restriction based on race, color, religion, sex, handicap, familial status or national origin, unless and only to the extent that said covenant (A) is exempt under Chapter 42, Section 3607 of the United States code or (B) relates to handicap but does not discriminate against handicapped persons, imposed by instrument, including the terms and provisions thereof,

Recorded: July 21, 1954  
Book: L Page: 153  
in Columbia County, Oregon.

# Statement of Tax Account

## COLUMBIA COUNTY TAX COLLECTOR

10/12/2009 3:00:40 PM

CARTER JOSHUA R  
52536 WEST LANE RD  
SCAPPOOSE, OR 97056

<b>Tax Account #</b> 3443	<b>Lender</b> Provident Funding
<b>Account Status</b> ACTIVE	<b>Loan #</b> 102301719050072
<b>Roll Type</b> REAL PROPERTY	<b>Property ID</b> 0101 3N2W12-AD-04500
<b>Situs Address</b> 52536 WEST LANE RD, SCAPPOOSE, OR	<b>Interest To</b> 10/15/2009

### Tax Summary

Tax Year	Tax Type	Total Due	Current Due	Interest Due	Discount Available	Original Due	Due Date
2009	ADVALOREM	2,400.97	2,475.23	0.00	74.26	2,475.23	11/15/2009
2008	ADVALOREM	0.00	0.00	0.00	0.00	2,182.59	11/15/2008
2007	ADVALOREM	0.00	0.00	0.00	0.00	2,184.44	11/15/2007
2006	ADVALOREM	0.00	0.00	0.00	0.00	2,088.86	11/15/2006
2005	ADVALOREM	0.00	0.00	0.00	0.00	2,037.49	11/15/2005
2004	ADVALOREM	0.00	0.00	0.00	0.00	1,901.69	11/15/2004
2003	ADVALOREM	0.00	0.00	0.00	0.00	1,853.29	11/15/2003
2002	ADVALOREM	0.00	0.00	0.00	0.00	1,898.12	11/15/2002
2001	ADVALOREM	0.00	0.00	0.00	0.00	1,688.21	11/15/2001
<b>Total</b>		2,400.97	2,475.23	0.00	74.26		



Exhibit 7

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

1. Name(s) of abutting property owner(s): David Harrington

2. Mailing address of abutting property owner(s): 52601 NE Porter  
Scappoose, OR 97056

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): Lot 30  
Harmony Park in the city of Scappoose,  
County of Columbia and State of Oregon

Tax Account No. 28521

4. Legal description of property proposed for vacation (attach additional sheets if necessary): See Exhibit 1

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) 1/4/10  
Date

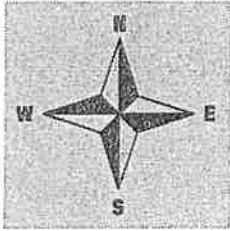
\_\_\_\_\_  
(Co-Property Owner's Signature [if any]) Date

STATE OF OREGON )  
 ) ss.  
County of Columbia )

The foregoing instrument was acknowledged before me this 4 day of January, 2011, by David Harrington



(Signature)  
Notary Public for Oregon  
My Commission Expires: Jan 18 2011



**REYNOLDS  
LAND  
SURVEYING,  
INC.**

32990 Stone Road  
Warren, OR 97053  
(503) 397-5516  
Fax (503) 397-5518

**Exhibit 1**

November 11, 2009

**West Lane Road - Proposed Road Vacation**

A tract of land in the Northeast quarter of Section 12, Township 3 North, Range 2 West, Willamette Meridian, Columbia County, Oregon being a portion of West Lane County Road D and also being all the most Southerly "Street Dedication" as depicted Sheet 4 of the Subdivision Plat of "Harmony Park" as recorded on December 29, 2005 in Plat Book 6 on Page 74 , Instrument No. 2005-17632, Clerk's Records of Columbia County, Oregon said tract of land being more particularly described as follows:

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09070R LD1

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*David E. Reynolds*  
OREGON  
JULY 26, 1985  
DAVID E. REYNOLDS  
2157

RENEWAL DATE: 12-31-2010

5  
22  
26

RECORDING REQUESTED BY:  
Fidelity National Title Company of Oregon

COLUMBIA COUNTY, OREGON 2008-008791  
DEED-D  
Cnt=1 Pgs=1 HUSERB 09/11/2008 12:53:47 PM  
\$5.00 \$11.00 \$10.00 Total:\$26.00

GRANTOR'S NAME:  
Robert Bramel



GRANTEE'S NAME:  
David J. Harrington

I, Elizabeth E. Huser, County Clerk for Columbia County, Oregon  
certify that the instrument identified herein was recorded in the Clerk  
records.  
Elizabeth E. Huser - County Clerk

SEND TAX STATEMENTS TO:  
David J. Harrington  
32850 Mountain View Drive 52601 NE Porter  
Scappoose, OR 97056

AFTER RECORDING RETURN TO:  
David J. Harrington  
32850 Mountain View Drive 52601 NE Porter  
Scappoose, OR 97056

Escrow No: 20080011857-FTPOR09

SPACE ABOVE THIS LINE FOR RECORDER'S USE

**WARRANTY DEED - STATUTORY FORM**  
(INDIVIDUAL or CORPORATION)

Recorded By  
First American Title Insurance Company of Oregon  
No. 12760591-1D

Robert Bramel

Grantor, conveys and warrants to

David J. Harrington

Grantee, the following described real property free of encumbrances except as specifically set forth herein:

Lot 30, Harmony Park, in the City of Scappoose, County of Columbia and State of Oregon.

ENCUMBRANCES: 2008-09 property taxes a lien not yet due or payable. Covenants, conditions, restrictions and easements of record.

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 consideration for this conveyance is \$286,000.00.

Dated September 8, 2008; if a corporate grantor, it has caused its name to be signed by order of its board of directors.

*Robert Bramel*  
Robert Bramel

State of OREGON  
COUNTY of Washington

This instrument was acknowledged before me on 9/8, 2008  
by Robert Bramel.

*Kellie S. Dotter*  
Kellie S. Dotter, Notary Public - State of Oregon  
My commission expires: 12/20/08



# Statement of Tax Account

COLUMBIA COUNTY TAX COLLECTOR  
230 STRAND STREET  
ST. HELENS, OR 97051  
(503) 397-0060

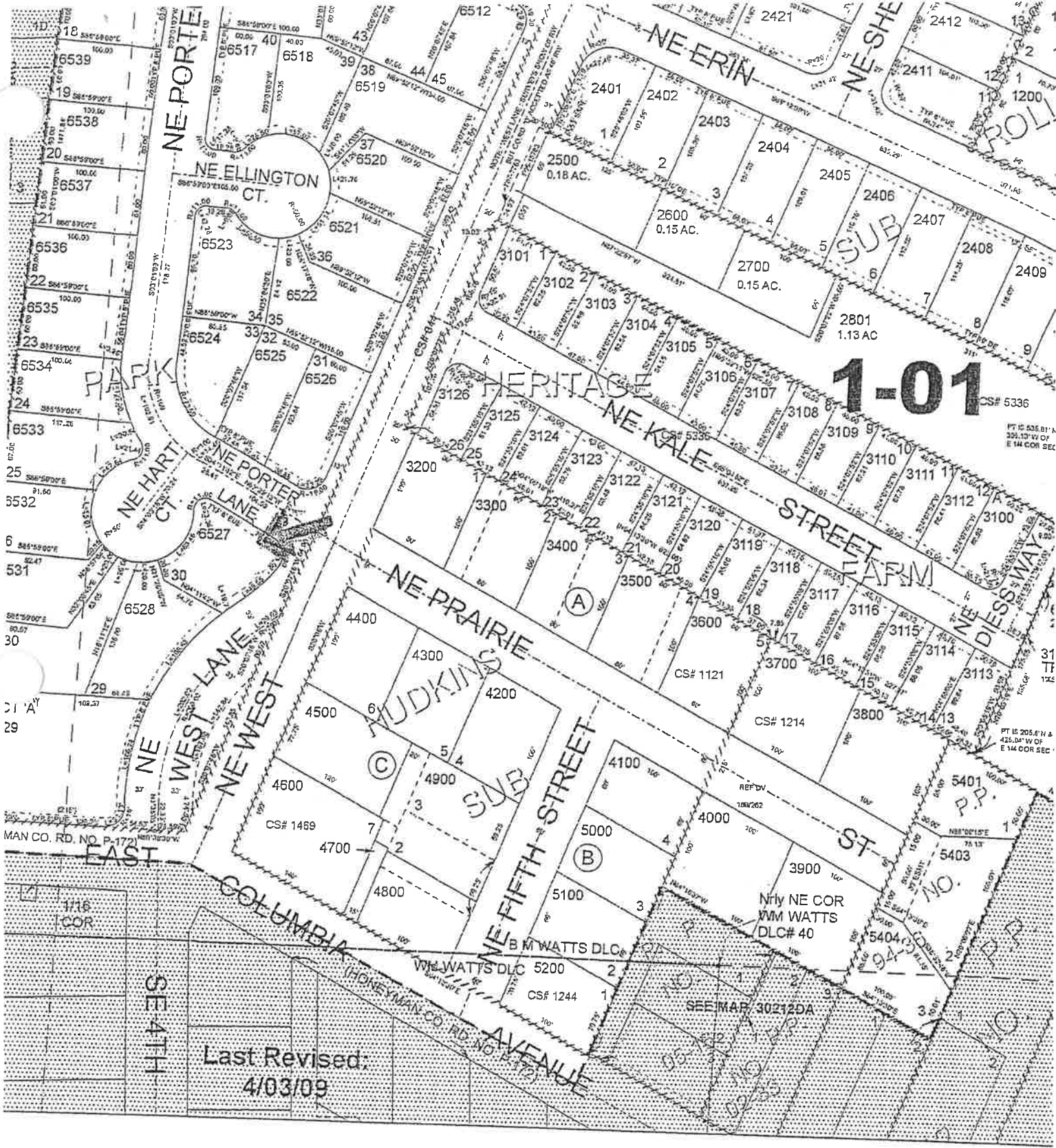
12/29/2009 10:03:09 AM

HARRINGTON DAVID  
52601 NE PORTER  
SCAPPOOSE, OR 97056

<b>Tax Account #</b>	28521	<b>Lender</b>	BANK OF AMERICA - COMMERCIAL LOAN
<b>Account Status</b>	Active	<b>Loan #</b>	185949936
<b>Roll Type</b>	Real Property	<b>Property ID</b>	0101 3N2W12-AD-06527
<b>Situs Address</b>	52601 NE PORTER LN , SCAPPOOSE, OR -	<b>Interest To</b>	Jan 15, 2010

## Tax Summary

Tax Year	Tax Type	Total Due	Current Due	Interest Due	Discount Available	Original Due	Due Date
2009	ADVALOREM	0.00	0.00	0.00	0.00	2,775.44	Nov 15, 2009
2008	ADVALOREM	0.00	0.00	0.00	0.00	2,447.31	Nov 15, 2008
2007	ADVALOREM	0.00	0.00	0.00	0.00	799.35	Nov 15, 2007
2006	ADVALOREM	0.00	0.00	0.00	0.00	764.49	Nov 15, 2006
<b>Total</b>		0.00	0.00	0.00	0.00		



**1-01**

Last Revised:  
4/03/09



**COMPLIMENTS OF**  
Columbia County  
**Title & Escrow Services, Inc.**  
This sketch is furnished to assist  
in property location and  
does not constitute a warranty

34



**Columbia County Road Department**  
1054 Oregon Street, St. Helens, OR 97051

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David Hill, Public Works Director

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Ph: (503) 397-5090 Fax: 397-7215

**to:** Board of County Commissioners  
**via:** Cynthia Zemaitis, County Counsel  
**from:** David Hill, Public Works Director  
**date:** February 22, 2010

COLUMBIA COUNTY  
FEB 22 2010  
COUNTY COUNSEL

**reference:** Proposed Vacation of a portion of West Lane Road (Rosenthal).

Brian Rosenthal has petitioned the Board of County Commissioners to vacate a portion of West Lane Road that is southeasterly of the new West Lane Road that was dedicated as part of the subdivision plat of Harmony Park.

The road right-of-way proposed for vacation is a portion County Road D, which is described in Commissioner Journal A (year 1871) pages 186-187 .

Apparently the adjacent property owners have consented to the petition, and the City of Scappoose will also consent provided that the right-of-way in this section remains at 66 feet.

This section of County Road D proposed to be vacated is undeveloped and is not being used for road purposes. One section of the area has been somewhat landscaped, and another section has been untouched since the old roadway was obliterated. A new roadway has been constructed to City Standards in the new right-of-way that was dedicated as part of the Harmony Park Subdivision, and this is the "new" West Lane Road. This new roadway was constructed to make the intersection with Columbia Avenue / 5th Street a better aligned 4-way intersection.

There is likely to be existing utilities within the area proposed to be vacated, and therefore I recommend that an easement for utilities be reserved in this area proposed to be vacated.

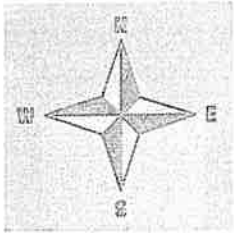
The petitioner states the reason for the proposed vacation as "Land no longer being used due to realignment of West Lane. This has created a maintenance issue." The adjacent landowners are reluctant to landscape the area if it remains to be road right-of-way. By vacating the land, the adjacent property owners will likely landscape and take care of the area.

The initial area proposed to be vacated included everything outside of the new dedication. This created an awkward protrusion at the intersection so I asked that the description be rewritten to eliminate this protrusion (see attachments). The new description allows for 66 feet of right-of-way throughout this area for West Lane Road.

Rosenthal, 2/22/10

Therefore, in the matter of public interest, **I recommend that this vacation be approved according to the revised description written by Reynolds Land Surveying, Inc. dated February 2, 2010, while reserving an easement for utilities throughout this entire area proposed to be vacated.**

Dave Hill



**REYNOLDS  
LAND  
SURVEYING,  
INC.**

32990 Stone Road  
Warren, OR 97053  
(503) 397-5516  
Fax (503) 397-5518

**Exhibit 1**

February 2, 2010

**West Lane Road - Proposed Road Vacation - Revised**

A tract of land in the Northeast quarter of Section 12, Township 3 North, Range 2 West, Willamette Meridian, Columbia County, Oregon being a portion of West Lane County Road D and also being all of the most Southerly "Street Dedication" as depicted Sheet 4 of the Subdivision Plat of "Harmony Park" as recorded on December 29, 2005 in Plat Book 6 on Page 74 , Instrument No. 2005-17632, Clerk's Records of Columbia County, Oregon, said tract of land being more particularly described as follows:

Beginning at the most Southerly corner of said Southerly "Street Dedication", said point being at the intersection of the Easterly right of way line of the "West Lane" road dedication as depicted on said Sheet 4 of "Harmony Park" and the Westerly right of way line of said West Lane County Road D; thence North 03°35'05" West, along said Easterly right of way line of the new "West Lane" road dedication, a distance of 4.74 feet to the beginning of Curve "C9" as depicted on said Sheet 4 of "Harmony Park"; thence Northerly, along the arc of said Curve "C9" and the Northerly prolongation of said Curve "C9" to a point on the West line of Lot 6, of Block C of "Hudkins Subdivision" as recorded on June 8, 1954 in Plat Book 2, Page 105, Clerk's Records of Columbia County, Oregon; thence Southerly, along the West line of said Block C of "Hudkins Subdivision" to the Southwest corner thereof; thence Northwesterly, along the Westerly extension of the South line of said Block C of "Hudkins Subdivision" to a point that is South 03°35'05" East from the point of beginning; thence North 03°35'05" West a distance of 15.55 feet to the point of beginning.

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

OREGON  
JULY 26, 1885  
DAVID E. REYNOLDS  
2157

RENEWAL DATE: 12-31-2010



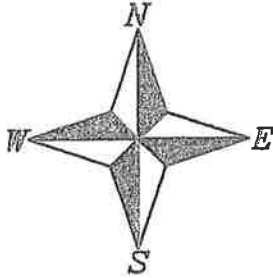
Proposed Road Vacation  
 Situated In The N.E. 1/4  
 Section 12, T.3N., R.2W., W.M.  
 City of Scappoose  
 Columbia County, Oregon  
 February 1, 2010

Reynolds  
 Land Surveying, Inc.  
 32990 Stone Road  
 Warren, Oregon 97053  
 (503) 397-5516

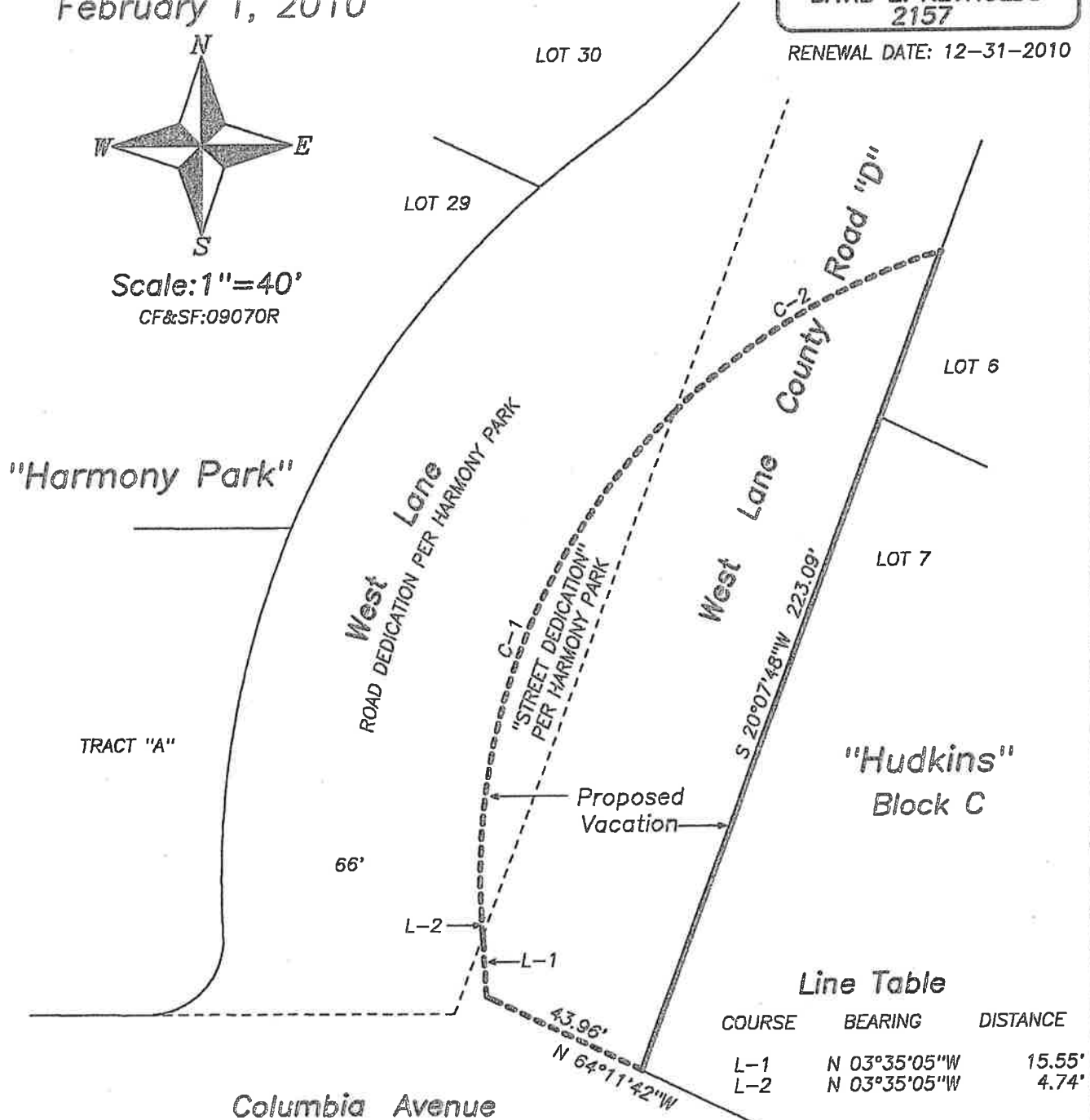
REGISTERED  
 PROFESSIONAL  
 LAND SURVEYOR

*David E. Reynolds*  
 OREGON  
 JULY 26, 1985  
 DAVID E. REYNOLDS  
 2157

RENEWAL DATE: 12-31-2010



Scale: 1"=40'  
 CF&SF:09070R



Line Table

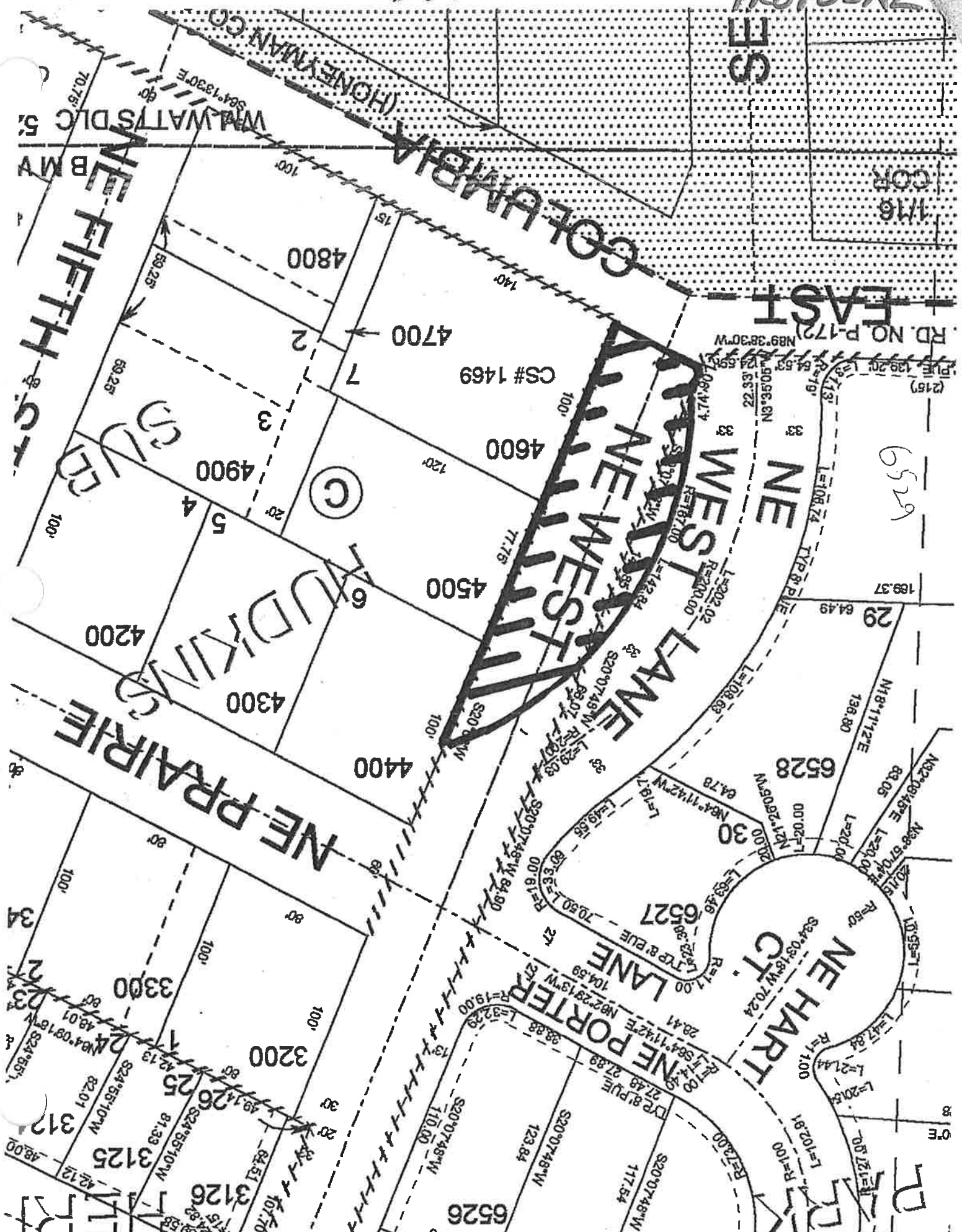
COURSE	BEARING	DISTANCE
L-1	N 03°35'05"W	15.55'
L-2	N 03°35'05"W	4.74'

Curve Table

CURVE	RADIUS	TANGENT	LENGTH	DELTA	CHORD	CH.BEARING
C-1	167.00'	76.12'	142.84'	49°00'22"	138.52'	N 20°55'06"E
C-2	167.00'	40.86'	80.15'	27°29'51"	79.38'	N 59°10'13"E

Exhibit B

ORIGINAL PROPOSAL



WALWATTS DIC 5

(HONEYMAN CO)

CS

1/16

EAST

RD. NO. P-172

CS # 1469

6529

C

NE

WEST WEST

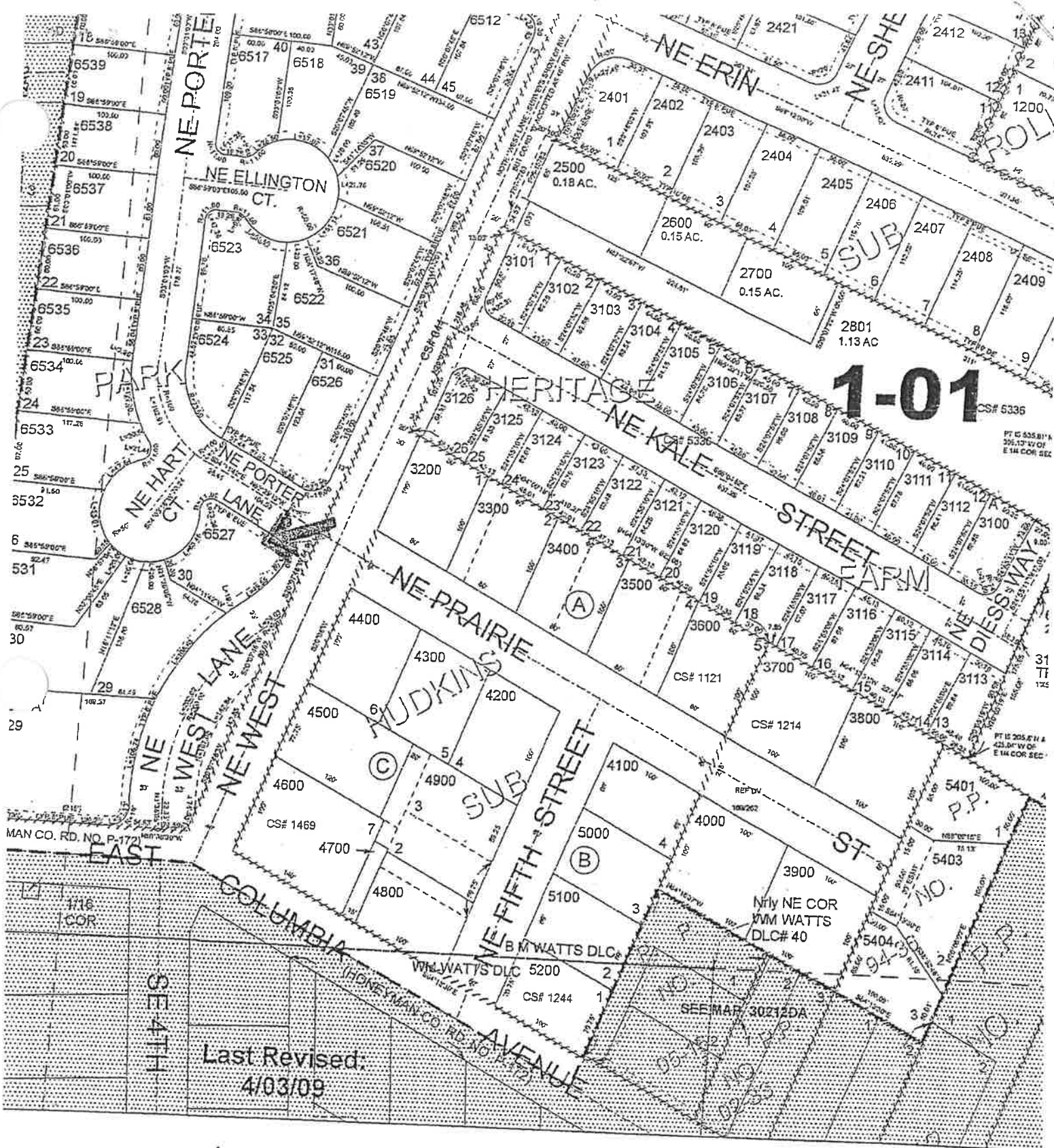
NE PRAIRIE

NE HART CT

NE PORTER LANE

6526

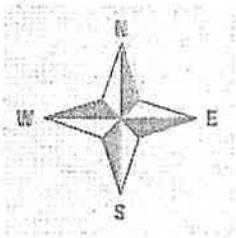
OF



Last Revised:  
4/03/09



COMPLIMENTS OF  
Columbia County  
Title & Escrow Services, Inc.  
This sketch is furnished to assist  
in property location and  
does not gur...



**REYNOLDS  
LAND  
SURVEYING,  
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32990 Stone Road

Warren, OR 97053

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## Exhibit 1

February 2, 2010

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REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

OREGON  
JULY 26, 1885  
DAVID E. REYNOLDS  
2157

RENEWAL DATE: 12-31-2010

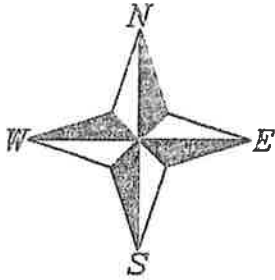
Proposed Road Vacation  
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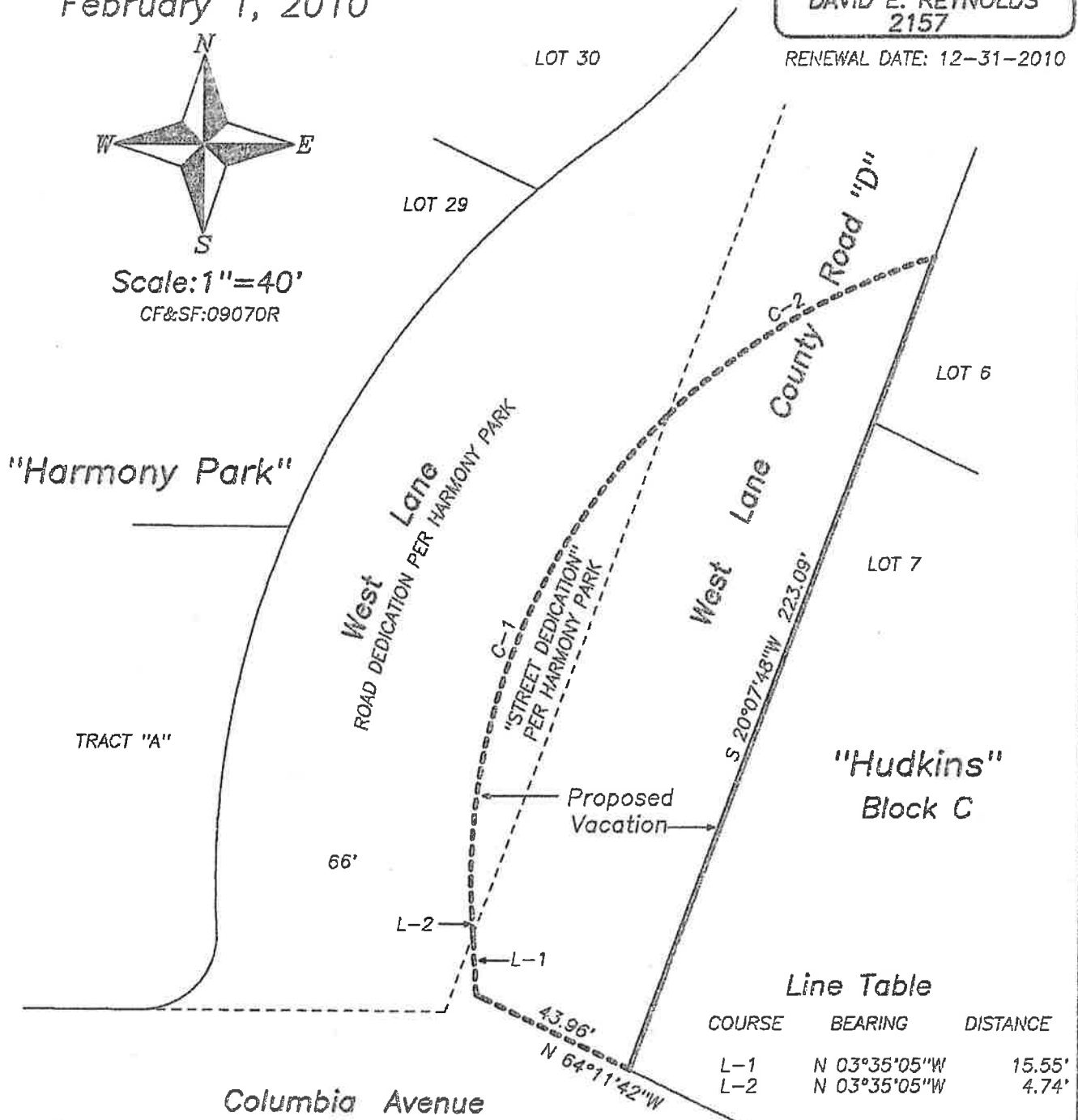
REGISTERED  
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