

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR COLUMBIA COUNTY, OREGON

In the Matter of Conveying Certain Real Property on)
Apiary Road to Clinton F. and Donna S. Hendershot)
and Accepting Certain Real Property from Clinton F.)
and Donna S. Hendershot)
_____)

ORDER NO. 12 - 2011

WHEREAS, pursuant to ORS 271.310, a political subdivision may exchange or convey its interest in real property to a private individual if the real property is not needed for public use or if the public interest may be furthered by such conveyance; and

WHEREAS, Columbia County is the owner of certain real property referred to as Tax Map ID No. 7N3W34-00-01500 and Tax Account No. 29326 which is located on Apiary Road outside of Rainier, Oregon, and commonly known as the Apiary Pit and is more particularly described as:

That part of Tracts 98 and 103, Dellean Acres No. 3, described as follows:

Beginning at a point which is the quarter corner between Sections 34 and 35, Township 7 North, Range 3 West of the Willamette Meridian; thence Southeasterly along the center line of the county road for a distance of 600 feet; thence Northwesterly to a point on the east and west center line of said Section 34 to a point which is 600 feet West of the point of beginning; thence 600 feet East on the said center line of Section 34 to the point of beginning, EXCEPTING therefrom that portion within the County road right-of-way.

and

WHEREAS, Clinton F. And Donna S. Hendershot own certain real property which is adjacent to the County property described above referred to as Tax Map ID No. 7N3W34-00-00500 and Tax Account No. 19018 and more particularly described as:

Beginning at the Southeast corner of the South half of the Northeast quarter of Section 34, Township 7 North, Range 3 West of the Willamette Meridian, Columbia County, Oregon; thence West along the South line of said South half of the Northeast quarter 1320 feet; thence North parallel with the East line of the South half of the Northeast quarter 475 feet; thence East parallel with the South line of said South half of the Northeast quarter 1320 feet to the East line of said South half of the Northeast quarter; thence South along the East line of the South half of the Northeast quarter 475 feet to the POINT OF BEGINNING.

EXCEPT that portion lying in the Rainier-Apiary Market Road.

and

WHEREAS, it came to the attention of the County that a portion of the Hendershots' house and fence line had encroached upon the real property owned by Columbia County; and

WHEREAS, County staff worked with the Hendershots to reach an amicable solution whereby the County and the Hendershots agreed to exchange a like amount of property (the "Exchange Properties") through property line adjustments; and

WHEREAS, on July 7, 2010, the Board of County Commissioners (the "Board") directed the Public Works Director to move forward with the required property line adjustments of the Exchange Properties; and

WHEREAS, the Exchange Properties have been surveyed and monumented and the property line adjustments have been completed; and

WHEREAS, the legal description for the property to be conveyed by Columbia County to the Hendershots is attached hereto as Exhibit A; the legal description for the property to be conveyed by the Hendershots to Columbia County is attached hereto as Exhibit B; and a copy of the survey is attached hereto as Exhibit C; all said Exhibits being incorporated herein by this reference; and

WHEREAS, the parties wish to convey the Exchange Properties each to the other.

NOW, THEREFORE, IT IS HEREBY ORDERED as follows:

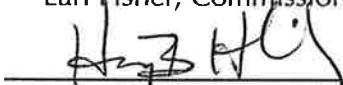
1. The Board finds that the aforementioned exchange of property will further the public interested by allowing greater use of Apiary Road.
2. The Board shall execute a quitclaim deed conveying a portion of Tax Map ID No. 7N3W34-00-01500 and Tax Account No. 29326 as described on the attached Exhibit A to Clinton F. Hendershot and Donna S. Hendershot.
2. The Board shall approve the conveyance of a portion of Tax Map ID No. 7N3W34-00-00500 and Tax Account No. 19018 from Clinton F. and Donna S. Hendershot as described on the attached Exhibit B to Columbia County upon execution of a quitclaim deed from the Hendershots to the County.
3. The quitclaim deeds conveying the Exchange Properties shall be recorded in the Clerk's deed records without costs.

DATED this 9th day of March, 2011.

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

By: 
Anthony Hyde, Chair

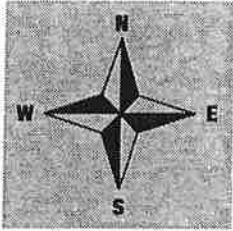
By: 
Earl Fisher, Commissioner

By: 
Henry Heimuller, Commissioner

Approved as to form:

By: 
Office of County Counsel

S:\COUNSEL\LANDS\7N3W34 - 00 - 01500\ORD CONVEY ACCEPT.wpd



**REYNOLDS
LAND
SURVEYING,
INC.**

EXHIBIT A

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

January 10, 2011

Legal Description
Property Line Adjustment
Columbia County to Hendershot

A tract of land situated in the Southeast quarter of Section 34, Township 7 North, Range 3 West, Willamette Meridian, Columbia County, Oregon being more particularly described as follows:

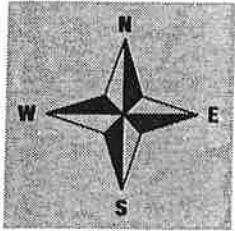
Beginning at the East quarter corner of said Section 34; thence South 87°52'50" West, a distance of 34.37 feet to the **true point of beginning** of the following described tract; thence continuing South 87°52'50" West a distance of 505.37 feet to the Southwesterly line of the tract of land excepted from the Longview Fibre Company tract as described in Deed Book 99, Page 282, Clerks Records of Columbia County, Oregon; thence North 51°20'53" West, along said Southwesterly line, a distance of 118.35 feet to the North line of said Southeast quarter of Section 34; thence South 84°43'06" East, along said North line, a distance of 564.71 feet; thence along the arc of a 658.11 foot radius curve (the long chord bears South 10°00'13" East 4.59 feet) for an arc distance of 4.59 feet to the true point of beginning.

The above described tract of land is part of a property line adjustment between the tract of land described in Deed Book 188, Page 324 and the tract of land excepted in Deed Book 99, Page 282. No additional parcels are being created as a result of this property line adjustment.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 26, 1985
DAVID E. REYNOLDS
2157

RENEWAL DATE: 12-31-2012



**REYNOLDS
LAND
SURVEYING,
INC.**

EXHIBIT B

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

January 10, 2011

Legal Description
Property Line Adjustment
Hendershot to Columbia County

A tract of land situated in the Northeast quarter of Section 34, Township 7 North, Range 3 West, Willamette Meridian, Columbia County, Oregon being more particularly described as follows:

Beginning at the East quarter corner of said Section 34; thence North $84^{\circ}43'06''$ West, along the South line of said Northeast quarter of Section 34, a distance of 9.36 feet to the Westerly right of way line of the Rainier Apiary Road No. P-49 and the true point of beginning of the following described tract; thence along said Westerly right of way line, along the arc 633.11 foot radius curve to the right (the long chord bears North $04^{\circ}36'16''$ West 130.61 feet) for an arc distance of 130.84 feet; thence North $01^{\circ}15'32''$ East a distance of 348.36 feet to the Northeast corner of the Clinton F. Hendershot and Donna S. Hendershot tract as described in Deed Book 188, Page 324, Clerks Records of Columbia County, Oregon; thence North $84^{\circ}43'06''$ West, along the North line of said Hendershot tract, a distance of 25.06 feet; thence South $01^{\circ}15'32''$ West a distance of 350.09 feet; thence along the arc of a 658.11 foot radius curve to the left (the long chord bears South $04^{\circ}14'38''$ East 127.53 feet) for an arc distance of 127.73 feet to a point on said South line of the Northeast quarter of Section 34; thence North $87^{\circ}52'50''$ East, along said South line, a distance of 25.26 feet to the true point of beginning.

The above described tract of land is part of a property line adjustment between the tract of land described in Deed Book 188, Page 324 and the Westerly right of way line of Rainier Apiary Road. No additional parcels are being created as a result of this property line adjustment.

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