

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR COLUMBIA COUNTY, OREGON

In the Matter of Accepting the Dedication )  
of Additional Right-of-Way Extending the )  
Blaha County Road Extension, Scappoose, )  
Oregon, from John Ryan Neil )  
\_\_\_\_\_ )

ORDER NO. 5 - 2011

WHEREAS, on November 29, 2010, John Ryan Neil delivered to the County for acceptance a Dedication Deed, a copy of which is attached hereto, labeled Exhibit 1 and incorporated herein by this reference; and

WHEREAS, the desire and intent of Mr. Neil is to dedicate as additional right-of-way to the public for road and utility purposes forever a portion of his property commonly referred to as Tax Map ID No. 4N2W12-00-01905 lying at the end of Blaha County Road Extension near Scappoose, Oregon; and

WHEREAS, attached to the Dedication Deed as Exhibits A and B respectively are the legal description and a map of the property being dedicated as additional right-of-way; and

WHEREAS, pursuant to Ordinance No. 2003-1, Dave Hill, Public Works Director, has waived the requirement that a road survey be conducted, said waiver being attached hereto as Exhibit 2 and incorporated herein by this reference;

NOW, THEREFORE, IT IS HEREBY ORDERED as follows:

1. The Dedication Deed from John Ryan Neil is hereby accepted by the County.
2. The addition to the right-of-way of the Blaha County Road Extension near Scappoose, Oregon, as described and depicted on Exhibits A and B to the Dedication Deed, is accepted for public road and utility purposes as a County road.
3. The Dedication Deed and this Order shall be filed with and recorded by the County Clerk.
4. The cartographer for the assessor's office shall include this property in the named right-of-way.

DATED this 12<sup>th</sup> day of January, 2011.

Approved as to form

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

BOARD OF COUNTY COMMISSIONERS  
FOR COLUMBIA COUNTY, OREGON

By: \_\_\_\_\_  
Anthony Hyde, Chair

By: \_\_\_\_\_  
Earl Fisher, Commissioner

By: \_\_\_\_\_  
Henry Heimuller, Commissioner

S:\COUNSEL\ROADS\BLAHA\DEDICATION\MORD ACCEPT.wpd

ORDER NO. 5 - 2011

**GRANTORS' NAME AND ADDRESS:**

John Ryan Neil  
Post Office Box 1121  
St. Helens, OR 97051

EXHIBIT 1

**AFTER RECORDING, RETURN TO GRANTEE:**

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

**DEDICATION DEED**

JOHN RYAN NEIL, the Owner of certain real property situated in Columbia County, Oregon, for good and valuable consideration, does hereby forever dedicate to the public for public road and utility purposes the land which is described and depicted on the documents labeled Exhibit A and B, said exhibits being attached hereto and incorporated herein by this reference.

The property described and depicted on Exhibits A and B 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, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009. 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, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009.

DATED this 29 day of November, 2010.

  
JOHN RYAN NEIL

STATE OF OREGON )  
County of Columbia ) ss.

**ACKNOWLEDGMENT**

The foregoing instrument was acknowledged before me this 29th day of November, 2010, by John Ryan Neil.



  
Notary Public for Oregon  
My Commission Expires: 6-14-2011

**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 JOHN RYAN NEIL for public road and utility purposes forever on behalf of the public. This land is expressly accepted as an extension of an existing County road.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

BOARD OF COUNTY COMMISSIONERS  
FOR COLUMBIA COUNTY, OREGON

By: \_\_\_\_\_  
Anthony Hyde, Chair

By: \_\_\_\_\_  
Earl Fisher, Commissioner

By: \_\_\_\_\_  
Rita Bernhard, Commissioner

EXHIBIT A



**REYNOLDS  
LAND  
SURVEYING,  
INC.**

3299G Stone Road  
Warren, OR 97143  
(503) 397-5516  
Fax (503) 397-5518

**Blaha County Road  
Public Right of Way Dedication**

A portion of the John Ryan Neil tract as described in Parcel 1 of Instrument No. 2010-002767 recorded April 1, 2010 in the Clerks Records of Columbia County, Oregon being situated in the Northeast quarter of the Southwest quarter of Section 12, Township 4 North, Range 2 West, Willamette Meridian, Columbia County, Oregon and being more particularly described as follows:

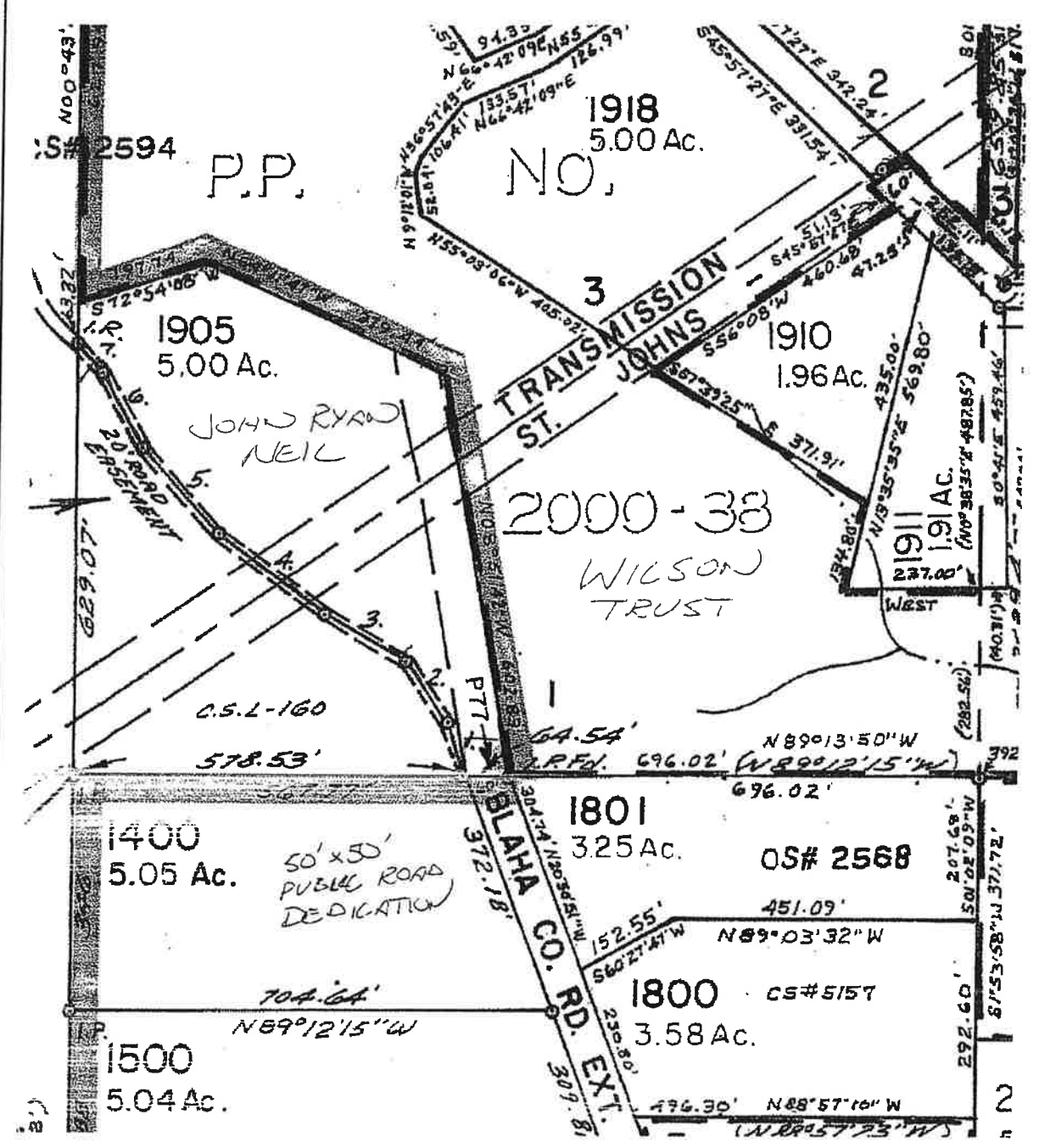
Beginning at the Southeast corner of said John Ryan Neil tract said point also being the most Southerly Southwest corner of Parcel 1 of Partition Plat No. 2000-38 as recorded on December 22, 2000 in the Clerks Records of Columbia County, Oregon; thence North 08°51'42" West, along the East line of said John Ryan Neil tract and along the West line of said Parcel 1 of Partition Plat No. 2000-38, a distance of 50.72 feet; thence North 89°13'50" West a distance of 50.72 feet; thence South 08°51'42" West, parallel with said East line of the John Ryan Neil tract and said West line of Parcel 1, a distance of 50.72 feet to the South line of said John Ryan Neil tract; thence South 89°13'50" East, along the South line of said John Ryan Neil tract, a distance of 50.72 feet to the point of beginning.

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

OREGON  
JULY 26, 1985  
DAVID E. REYNOLDS  
2157

RENEWAL DATE: 12-31-2010

EXHIBIT B



MAR NO. 4212-000

**Columbia County Road Department**

1054 Oregon Street, St. Helens, OR 97051

---

**David Hill, Public Works Director**

---

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

e-mail: [David.Hill@co.columbia.or.us](mailto:David.Hill@co.columbia.or.us)

**to:** Cynthia Zemaitis, County Counsel  
**from:** David Hill, Public Works Director  
**date:** December 8, 2010

**subject:** Blaha Road Extension

Attached is a letter from David Reynolds, surveyor for David Wilson Trust, requesting that the survey requirement for the County to accept right-of-way for the extension of Blaha Road be included as part of the survey and mapping requirement of the Partition Plat of the Wilson Trust property.

The Wilson Trust has obtained property to be dedicated as public right-of-way to satisfy the requirement of 50 foot of frontage of all parcels onto a public road. The Wilson Trust would like to dedicate this property just prior to partition of the Wilson Trust property, and delay the survey requirement of the right-of-way until the Wilson Trust property is partitioned. The partition of the property should happen soon.

Therefore, pursuant to ORS 368.106(2) - (4), I approve of exempting the road right-of-way from the requirement that it be surveyed and monumented until such time that the Wilson Trust property is partitioned. The right-of-way should then be surveyed as part of the partition.

COLUMBIA COUNTY

DEC 09 2010

COUNTY COUNSEL



**REYNOLDS  
LAND  
SURVEYING,  
INC.**

3290C Stone Road  
Warren, OR 97053  
(503) 397-5516  
Fax (503) 397-5518

Dave Hill  
Columbia County Road Master  
1054 Oregon Street  
St. Helens, OR 97051

Re: Survey and mapping for Blaha Road Extension Dedication

Dear Mr. Hill,

I am writing regarding the dedication of public right of way for the extension of Blaha County Road Ext. We are currently work with the David Wilson Trust to partition their property, Tax Map No. 4212-000-01900. The right of way dedication will be over a portion of Tax Map No. 4212-000-01905. It will address the 50' public right of way frontage requirement for new parcels.

As you know, Columbia County Ordinance No. 2003-01 establishes a procedure for exemption from the requirement of a survey upon acquiring property for Public Roads. We are not asking to be exempted from the requirement. We are asking that we be able to include the survey and mapping on the Partition Plat of the Wilson Trust property. This will save duplication of effort in that the monumentation, etc. that would be shown on a separate Record of Survey can be shown on the Partition Plat. The dedication does need to be done first so that the Wilson Trust parcel will have the required frontage.

The ownership information is as follows:

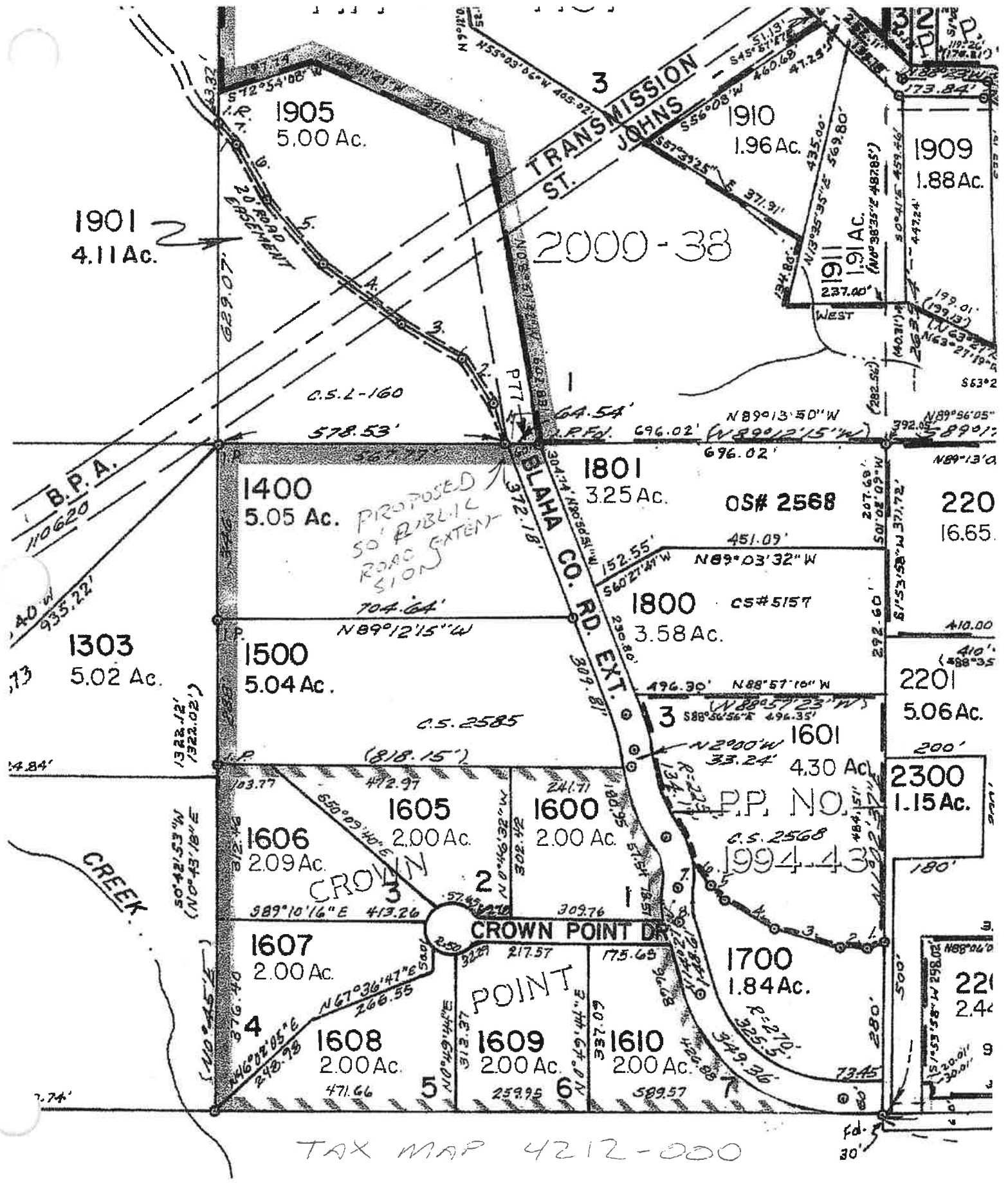
TL 1900  
David Austin Wilson Jr. Et Al Trust  
c/o Doug Wilson  
315 Riverside Drive  
St. Helens, OR 97051

TL 1905  
John Ryan Neil  
PO Box 1121  
St. Helens, OR 97051

Please feel free to contact me with any questions or concerns.

Sincerely,

David Reynolds, PLS



TAX MAP 4212-000