

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

In the Matter of the Petition by OIT and Scott Parker)
to Name a Private Access Easement off of West) ORDER NO. 47-2017
Lane Road near Scappoose, Oregon, "Charles T.)
Parker Way")

WHEREAS, on June 14, 2017, the Columbia County Board of Commissioners considered the petition to name a Private Access Easement, which was created through a 2-Parcel Minor Partition (MP 17-09) approved by Land Development Services on May 19, 2017; and

WHEREAS, the Board is authorized to name a private access easement if citizens so request, and Director of the County's Office of Land Development Services determines that circumstances exist where it would serve the public and be beneficial to the County; and

WHEREAS, on May 10, 2017, the Oregon Institute of Technology ("OIT") and Scott Parker referred to as "the applicants" filed a petition to name a Private Access Easement off of West Lane Road, near Scappoose, Oregon, "Charles T. Parker Way"; and

WHEREAS, the petition meets criteria set forth in Section 1, Overview of Road Standards, Ordinance 81-6, as amended, specifically Subsection IV (B) regarding access improvements required for Partitions; and

WHEREAS, as described in the staff report, attached hereto as Exhibit A and incorporated herein by this reference, the Land Development Services Director finds that it would serve the public and be beneficial to the County for the private access easement to be named; and

WHEREAS, Land Development Staff, the County Roadmaster, City of Scappoose, Columbia River Fire and Rescue, Columbia 9-1-1 and relevant agencies have reviewed the applicants' choice of name and find no conflicting existing road names and recommend this choice;

NOW, THEREFORE, IT IS HEREBY ORDERED that the Private Access Easement intended to serve properties associated with current Tax Map ID Nos. 5201-0DO-00606 and 5201-0DO-00605 shall be named "Charles T. Parker Way."

Dated this 21st day of June, 2017

Approved as to Form

By: 

Office of County Counsel

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

By: 

Henry Heimuller, Chair

By: 

Margaret Magruder, Commissioner


By: 

Alex Tardif, Commissioner

BOARD COMMUNICATION

FROM THE LAND DEVELOPMENT SERVICES DEPARTMENT
MEETING DATE: June 14, 2017 Regular Meeting

TO: BOARD OF COUNTY COMMISSIONERS

FROM: Todd Dugdale, Director, Columbia County Land Development Services 

SUBJECT: ROAD NAMING
Naming of a Private Access Easement off West Lane Road near Scappoose by Applicants the Oregon Institute of Technology (OIT) and Scott T. Parker

DATE: June 7, 2017

SUMMARY:

The Oregon Institute of Technology (OIT) and Scott T. Parker have applied for the naming of an existing Private Access Easement intended to become a permanent roadway that is located off West Lane Road as shown on the attached maps. Scott T. Parker is the only property owner with frontage on this Access Easement; he has signed and submitted the attached application to name it "Charles T. Parker Way"

Land Development Services has approved Scott Parker's 2-Parcel Minor Partition (MP 17-09) on 5/19/17. Condition 2 of Final Partition Approval requires this private access easement to be developed from the intersection with West Lane Road to the end of the easement or to the limits of the partitioned property (whichever is less) to the Private Road Standards in Section IV (B) of the County Road Standards Ordinance, proportional to the maximum build-out of this area. The property owner intends to dedicate this Access Easement as a public right-of-way that will serve all authorized heavy industrial development in this area that has been reclaimed (from surface mining) and located within the City of Scappoose's Urban Growth Boundary.

All agencies who were notified had no issues with this new name but did encourage the applicant to shorten it to "Parker Way" "Charles Parker Way" or "C.T. Parker Way" to reduce potentially delaying emergency responders.

FINDING:

The submitted application for the naming of "Charles T. Parker Way" meets criteria set forth in Section IV of Ordinance 81-6 as amended; specifically Subsection IV1 (B.3) regarding the Overview of Road Standards for Partitions.

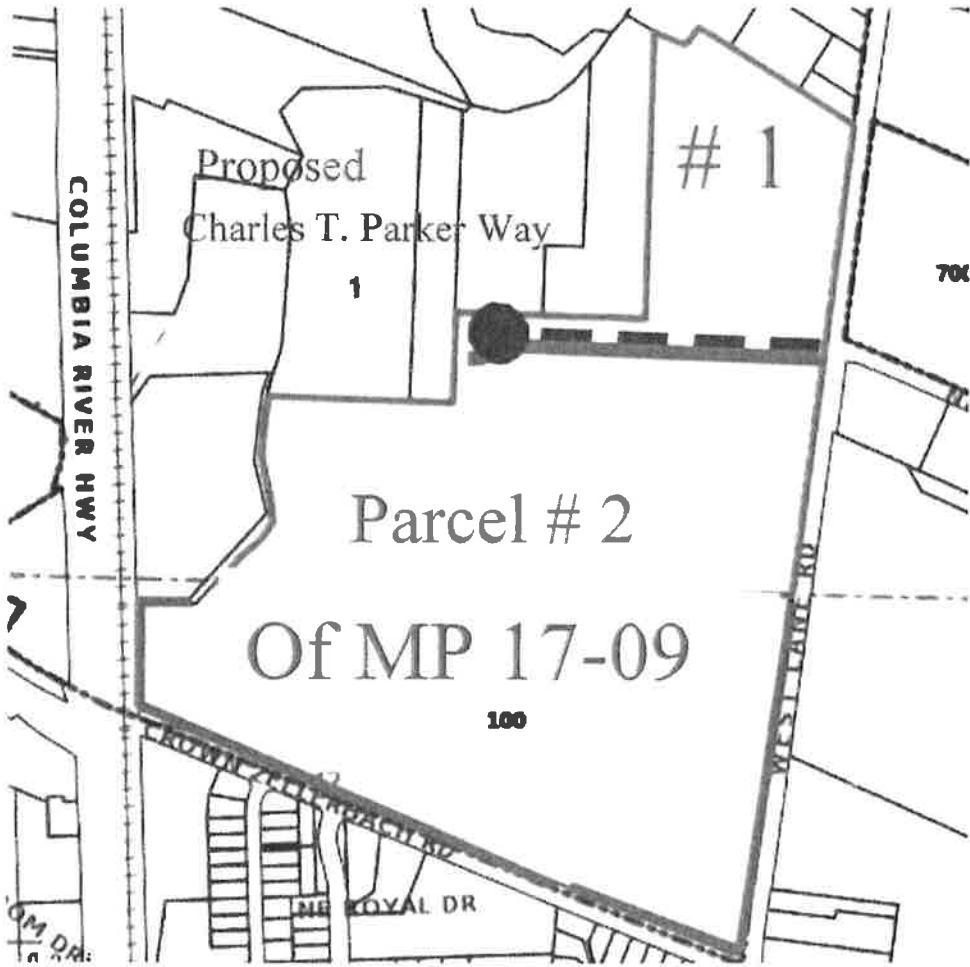
Land Development Staff, the County Road Master, Columbia River Fire & Rescue, City of Scappoose, Scappoose Post Office, County Cartographer, and Columbia 9-1-1 all support the "Charles T. Parker Way" and find no conflicting road names with the applicants' choice.

RECOMMENDATION:

Staff recommends approval for the private access intended to become a public roadway to be named "Charles T. Parker Way."

ATTACHMENTS:

1. Application to Name a Road & Maps
2. Referral And Acknowledgments
3. Draft Board Order



LDS File
17-09

cc:
for MP

ROAD 15

COLUMBIA COUNTY
LAND DEVELOPMENT SERVICES

Columbia County Courthouse ♦ St. Helens, Oregon 97051 ♦ (503) 397-1501 ♦ Fax: (503) 366-3902

APPLICATION TO NAME / RENAME A ROAD

Fee: \$198.00 (702)

Applicant Name Oregon Tech	Date of Application 4-25-17
Mailing Address 27500 SW Parkway Ave	Applicant Signature <i>Tina Chen</i>
City, Zip Wilsonville, OR 97070	Phone Number 615-517-4843

Township, Range, Section(s): Scappoose 3201-040-00602

General Location: See attached easement agreement and map. off West Lane Rd

Current Road Name: (If any)

Proposed Names: 1st Choice: Charles T. Parker Way
 (Please list three) 2nd Choice:
 3rd Choice:

Reason for Name Change: New road.

Affected Properties: (Attached additional page if necessary)

Owner Name (Print) Scott Parker	Address PO Box AF, Scappoose, OR 97056
Signature <i>Scott Parker</i>	Tax Account # Tax Lot 602 of Assessor Map 03N02W01D
Owner Name (Print)	Address
Signature	Tax Account #
Owner Name (Print)	Address
Signature	Tax Account #
Owner Name (Print)	Address
Signature	Tax Account #

Applicant: Please return completed application to Land Development Services.

For Office Use Only

Date Rec'd 5-16-17 Receipt # 20047 Check # 2530 Staff Member *ve*

THIS SIDE FOR OFFICIAL USE ONLY

REFERRAL AND ACKNOWLEDGMENT

Road 15

- To:
- City of Scappoose (if inside UGB)
 - Columbia 911
 - County Roadmaster
 - Fire District (Name: ERT Scappoose)
 - Post Office (City: Scappoose)
 - Cartography

Planner: Des J

Date Mailed: 5-10-17

Reply by: 5-26-17

This Application to Name/Rename a Road is being referred to you for your information and comment. Your recommendation and suggestions will be used by the County Planning Department and/or the Columbia County Board of Commissioners in arriving at a decision. Your prompt reply will help us to process this application and will ensure the inclusion of your recommendations in the decision making process. Please comment below.

1. _____ We have reviewed the enclosed application and have no objection to its approval as submitted. We recommend Choice # _____.
2. _____ Please see our comments below.
3. _____ We are considering the proposal further, and will have comments to you by _____.
4. _____ Our board must meet to consider this; we will return their comments to you by _____.
5. _____ Please contact our office so we may discuss this.
6. _____ We recommend denial of the application, for the reasons below:

COMMENTS: _____

Signed: _____

Title: _____ Date: _____

Agency: Please return completed Referral and Acknowledgment to Land Development Services.

After recording return to:

Miller Nash Graham & Dunn LLP
Attn: Jonathon L. Goodling
111 S.W. Fifth Avenue, Suite 3400
Portland, Oregon 97204

ACCESS EASEMENT

THIS ACCESS EASEMENT (this "Easement") is made into as of this 15th day of November, 2016 (the "Effective Date"), by and between SCOTT T. PARKER, an individual ("Parker"), and THE STATE OF OREGON, acting by and through the State Board of Trustees of the Oregon Institute of Technology, an Oregon public university ("OIT"). Grantor and OIT are collectively referred to as "Parties" or individual as a "Party."

Recitals

A. Parker is the owner of the real property in Columbia County, Oregon, with the address of 33485 E. Crown Zellerbach Road, County of Columbia, and State of Oregon, (the "Parker Property").

B. OIT is owner of the real property and improvements located on it at 33619 E. Crown Zellerbach Road, County of Columbia, and State of Oregon, and more particularly described on Exhibit A attached hereto (the "OIT Property").

C. OIT desires to have pedestrian and vehicular access to and from the OIT Property and West Lane Road, a public road of the County of Columbia, Oregon, which access would be located on a portion of the Parker Property.

D. Parker desires to donate an access easement to OIT over the access area contained on the Parker Property (the "Access Area"), as described and depicted on Exhibit B attached hereto, on the terms described herein.

NOW, THEREFORE, in consideration of the above recitals and for certain other valuable consideration, the parties agree as follows:

Agreement

1. Grant and Acceptance of Easement. Parker hereby grants, bargains, assigns, conveys, and transfers to OIT, a perpetual access easement on, over, and across the Access Area, solely for purposes of (a) constructing, maintaining, repairing, and replacing a temporary gravel roadway over the Easement Area (the "Temporary Road"), (b) constructing, maintaining, repairing, and replacing a permanent roadway over the Easement Area (the

"Permanent Road") to be dedicated to the City of Scappoose, Oregon (the "City"), or the County of Columbia, Oregon (the "County"), in connection with the development of the OIT Property, and (c) ingress and egress to and from the OIT Property and West Lane Road by trucks, vehicles, equipment, and pedestrians. OIT hereby accepts the donation of the easement, subject to the terms stated below.

2. Maintenance. OIT shall maintain the Access Area in a good, clean, and safe condition, and as necessary repair and replace the Temporary Road and Permanent Road; provided, however, that Parker shall promptly repair, at Parker's sole cost and expense, any damage, caused by Parker, to the Access Area, Temporary Road, and Permanent Road.

3. Restrictions and Obligations.

(a) OIT shall:

(i) Use the Access Area in accordance with all applicable laws, ordinances, rules, regulations, and standards of all governmental agencies or entities; and

(ii) Pay when due all claims for labor and materials furnished, or alleged to have been furnished, to, for, or on behalf of such owner in connection with any work on the Access Area.

(b) Parker shall not construct any building or other improvement, store any property, or take any other action that blocks, obstructs, or interferes with flow or passage of vehicular or pedestrian traffic throughout the Access Area; provided that Parker may cross the Access Area from time to time with vehicles, so long as such crossing does not unreasonably interfere with the use of the Access Area by OIT.

4. Dedication as Public Road. OIT agrees to take such action as may be necessary to dedicate to the City or County the Access Area as a public road. Upon written request from OIT, Parker shall cooperate and take any steps necessary to make the dedication of the Permanent Road to the City or the County, including granting fee title to the Access Area to OIT. Such cooperation shall include, if required by the City or the County, cooperating with OIT to complete a boundary line adjustment proceeding or to partition or replat the Parker Property and the OIT Property to reconfigure the OIT Property into a "flag lot" with access to West Lane Road. In the event a boundary line adjustment proceeding, partition, or replat is required, the cost thereof shall be paid by OIT.

5. Notices. Any notice under this Easement shall be given in writing and shall be effective when actually delivered or shall be deemed to have been delivered three days after such notice is mailed by certified or registered mail, with postage prepaid, to the address set forth below, or such other address as either party may specify in a written notice to the other party.

To OIT: Oregon Institute of Technology
3201 Campus Drive
Klamath Falls, Oregon
Attention: Jay Kenton
E-mail address: jay.kenton@oit.edu

With a copy to: Jonathon L. Goodling
Miller Nash Graham & Dunn LLP
111 S.W. Fifth Avenue, Suite 3400
Portland, Oregon 97204
E-mail address: jonathon.goodling@millernash.com

To Parker: Scott Parker

E-mail address: _____

With a copy to: Irving W. Potter
Josselson & Potter
Ste 131-A
9400 S.W. Beaverton-Hillsdale Highway
Beaverton, Oregon 97005
E-mail address: irving@jprlaw.com

6. Miscellaneous.

(a) Recording. This Easement may be recorded by any Party in the real property records of Columbia County, Oregon.

(b) Enforceability by Third Parties. This Easement is expressly not intended for the benefit of any third party and is expressly not enforceable by any third party.

(c) Governing Law. This Easement shall be governed by and construed in accordance with the laws of the State of Oregon.

(d) Attorney Fees. In the event that any party brings an action to enforce its rights hereunder, including, but not limited to, at trial, on any appeal, or while enforcing its rights in any bankruptcy proceeding, the prevailing party in such action shall be entitled to receive all costs and reasonable attorney fees in addition to any damages to which it is due by reason of such action.

(e) Entire Agreement. This Easement contains the entire agreement and understanding of the parties with respect to the Access Area, and all prior agreements, representations or understandings, written or oral, with respect to the subject matter hereof are hereby superseded.

(f) Severability. If any provision of this Easement is determined by a court of competent jurisdiction to be invalid or otherwise unenforceable, all remaining provisions of the Easement shall remain in full force and effect.

(g) Effect of Easement. This Easement, and the access easement created hereunder, runs with the land and shall be binding upon, and inure to the benefit of, the parties hereto and their respective heirs, personal representatives, successors, and assigns and future owners of the Parker Property and the OIT Property.

(h) Modification and Amendment. No amendment, modification, or termination of this Easement shall be effective until the written instrument setting forth its terms has been executed and acknowledged by OIT and Parker.

(i) Warranty of Title. Parker represents and warrants to OIT that it has marketable fee title to the Parker Property, subject to no encumbrances that will unreasonably interfere with use of the Access Area by OIT and its successors and assigns, other than a trust deed in favor of St. Helens Community Federal Credit Union.


(j) Reservation in Deeds. The easements and covenants set forth in this Easement shall be deemed reserved or granted in a deed to any portion of the Parker Property, notwithstanding that such deed fails to reference this Easement or such reservation or grant.

(k) Counterparts. This Easement may be executed in one or more counterparts, which when taken together, shall constitute one and the same original.

IN WITNESS WHEREOF, the parties entered into and executed this Easement as of the date first written above.

PARKER

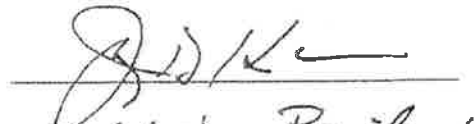
OREGON INSTITUTE OF
TECHNOLOGY



Scott T. Parker

Date: 11/3/16

By:



Title: Interim President

Date:

11-15-16

State of OREGON

County of Columbia

The foregoing instrument was acknowledged before me this 3rd day of November 2016, by Scott Parker.

Donna M Cardoza

Notary Public -- State of Oregon

My commission expires: June 26, 2020

(complete line above if notarial stamp does not include expiration date of commission)



State of OREGON

County of KLAMATH

The foregoing instrument was acknowledged before me this 15th day of NOVEMBER, 2016, by JAY D. KENTON as INTERIM PRESIDENT of the Oregon Institute of Technology, an Oregon public university.

SANDRA FOX

Notary Public -- State of Oregon

My commission expires: 02 FEB 2019

(complete line above if notarial stamp does not include expiration date of commission)



Exhibit A

Description of OIT Property

Parcels 1 and 2 of Partition Plat 2014-9, a Re-Plat of Parcel 2, Partition Plat 2007-10, recorded November 20, 2014 as Fee Number 2014-007728, in Columbia County, Oregon.

Together with a 50 foot wide easement as disclosed on the face of the Plat as Easement "A" over Parcel 3 of Partition 3 of Partition Plat No. 2007-10.

Together with an easement for ingress and egress over that property as described in Amended Easement and Maintenance Agreement, recorded May 13, 2003, as Instrument No. 03-07337, Records of Columbia County, Oregon.

Together with an easement for ingress and egress as set forth in Easement and Maintenance Agreement recorded April 25, 2007 as Instrument No. 2007-005570 and also disclosed as Easement B on the face of Partition Plat 2007-10.

Exhibit B

Description and Depiction of Easement Area

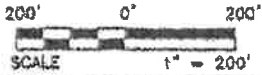
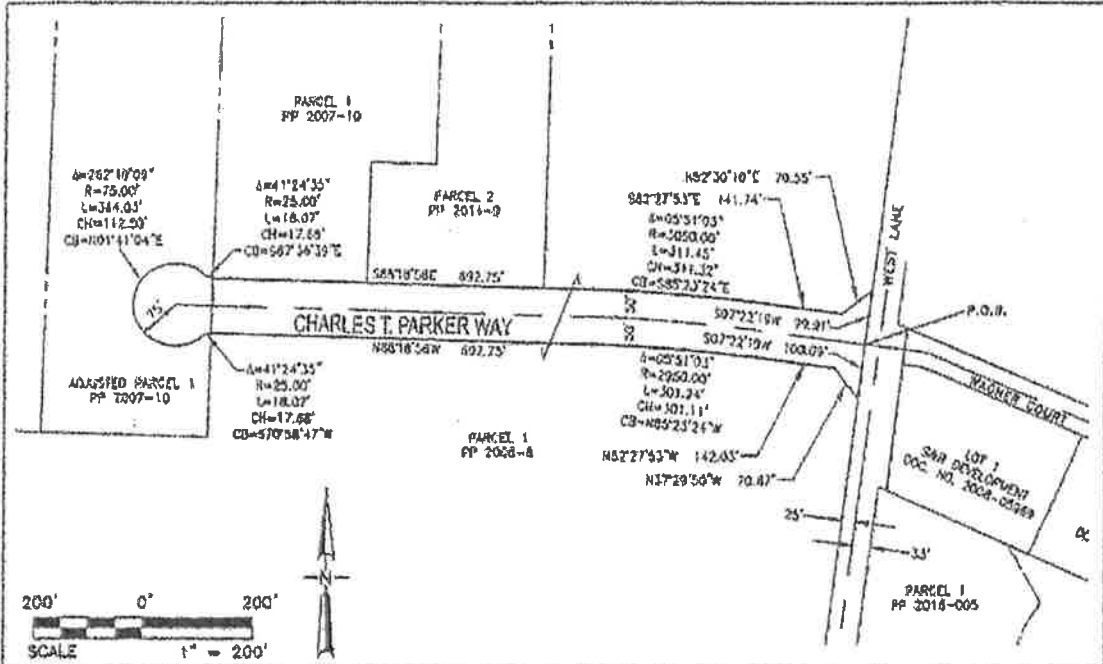
Real property being a portion of Parcel 1 of Partition Plat No. 2008-08; a portion of Parcel 1 of Partition Plat No. 2007-10; and a portion of Parcel 2 of Partition Plat No. 2003-19, Columbia County plat records, lying in the Southwest quarter and the Southeast quarter of Section 1, Township 3 North, Range 2 West, Willamette Meridian, City of Scappoose, Columbia County, Oregon, more particularly described as follow:

Beginning at the intersection of the west right of way line of West Lane, being 25.00 feet from the centerline of said road as shown on Partition Plat No. 2008-08, and the westerly extension of the centerline of Wagner Court as shown on Partition Plat 2016-005, Columbia County plat records; thence along said west right of way line South 07°22'19" West a distance of 100.09 feet; thence leaving said right of way line North 37°39'50" West a distance of 70.87 feet; thence North 82°27'53" West a distance of 142.03 feet to a point of curvature with a 2950.00 foot radius curve; thence along said curve to the left, through a central angle of 05°51'03", an arc distance of 301.24 feet (chord bears North 85°23'24" West a distance of 301.11 feet); thence North 88°18'56" West a distance of 692.75 feet to a point of curvature with a 25.00 foot radius curve; thence along said curve to the left, through a central angle of 41°24'35", an arc distance of 18.07 feet (chord bears South 78°58'47" West a distance of 17.68 feet) to a point of reverse curvature with a 75.00 foot radius curve; thence along said curve to the right, through a central angle of 262°49'09", an arc distance of 344.03 feet (chord bears North 01°41'04" East a distance of 112.50 feet) to a point of reverse curvature with a 25.00 foot radius curve to the left; thence along said curve to the left, through a central angle of 41°24'35", an arc distance of 18.07 feet (chord bears South 67°36'39" East a distance of 17.68 feet) to the Southwest corner of Parcel 1 of Partition Plat 2014-9, Columbia County plat records; thence along the south line of said Parcel 1 and the south line of Parcel 2 of said Partition Plat 2014-9 South 88°18'56" East a distance of 692.75 feet to a point of curvature with a 3050.00 foot radius curve; thence along said curve to the right, through a central angle of 05°51'03", an arc distance of 311.45 feet (chord bears South 85°23'24" East a distance of 311.32 feet); thence South 82°27'53" East a distance of 141.74 feet; thence North 52°30'10" East a distance of 70.55 feet to a point on said west right of way line; thence along said west right of way line South 07°22'19" West a distance of 99.91 feet to the Point of Beginning.

Containing 139,009 square feet more or less.

Subject to easements and restrictions of record.





18881
 JULY 10-31-2016
 Calculations
 MOR 10-31-2016
 DPK/AN
 JULY 10-31-2016
 Checked By Date



EXHIBIT
PRELIMINARY CHARLES T. PARKER WAY
 SE 1/4 SEC. 1, T. 3N, R. 2W, W.M.
 COLUMBIA COUNTY OREGON

18153
 Project No.
 S181830190.dwg
 File No.
2 OF 2
 Sheet No.

Partition Plat No. 2007-8
 For Scappoose Sand & Gravel
 A Replat/Property Line Adjustment of Parcel 3
 Partition Plat No. 2007-10
 In The S.E. 1/4 Of Section 1
 And The N.E. 1/4 Of Section 12
 Township 3 North, Range 2 West, W.M.
 Columbia County, Oregon
 January 23, 2008

A-954
 Sheet 1 of 2

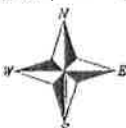
Line Table

COURSE	BEARING	DISTANCE
L-1	N 03°47'28"W	67.21'
L-2	S 59°10'32"E	38.10'
L-3	N 03°47'28"W	364.33'
L-4	N 88°25'47"E	167.64'
L-5	S 30°53'00"E	216.32'
L-6	N 49°02'31"E	78.24'
L-7	N 31°12'39"E	63.20'
L-8	N 08°19'23"W	69.44'
L-9	N 13°56'24"W	114.20'
L-10	N 02°11'22"E	119.41'
L-11	N 07°15'56"E	72.94'

Legend

- Denotes 5/8"x30" iron rod with yellow plastic cap marked "REYNOLDS LAND SURVEYING, INC" set.
- Denotes monument as noted on P.P.2007-10.
- ⊗ Denotes 5/8" iron rod with yellow plastic cap marked "HANER ROSS & SPORSEEN per P.P. No. 2003-19 as noted on P.P.2007-10.
- ⊙ Denotes 5/8" iron rod with yellow plastic cap marked "CAMPBELL OR PLS 788 per C.S. No. 4544 as noted on P.P.2007-10.
- Denotes 5/8" iron rod with yellow plastic cap marked "WRG DESIGN INC per C.S. No. 5328 as noted on P.P.2007-10.
- ⊙ Denotes 5/8" iron rod with YPC cap marked "REYNOLDS LAND SURVEYING, INC" as noted on P.P.2007-10.
- Denotes 1/4"x1 1/2" Mag Nail with 1 1/2" brass washer stamped "REYNOLDS LS 2157" as noted on P.P.2007-10.
- C.S. NO. Denotes Columbia County Record Survey No.
- P.P. NO. Denotes Columbia County Clerks Partition Plat No.
- YPC Denotes yellow plastic cap.
- [] Denotes record data per C.S. No. 969 (Wagner, Feb. 1957).
- [] Denotes record data per C.S. No. 3555 (Brady, Oct. 1986).
- [] Denotes record data per C.S. No. 4544 (Campbell, Oct. 1988).
- [] Denotes record data per P.P. No. 2003-19 (Haner, Ross & Sporseen, July 2003).
- [] Denotes record data per C.S. No. 4421 (Daway, Feb. 1988).
- [] Denotes record data per C.S. No. 5129 (Daway, Mar. 2004).
- [] Denotes record data per C.S. No. 5328 (WRG Design, Inc., Sept. 2005).
- [] Denotes record data per "Awa Business Center", Bk.7, Pg.5 (OTAK, Mar. 2006).
- [] Denotes record data per P.P. No. 2004-25 (Daway, July 2004).

REGISTERED PROFESSIONAL LAND SURVEYOR
 DAVID E. REYNOLDS
 2157
 RENEWAL DATE: 12-31-2008



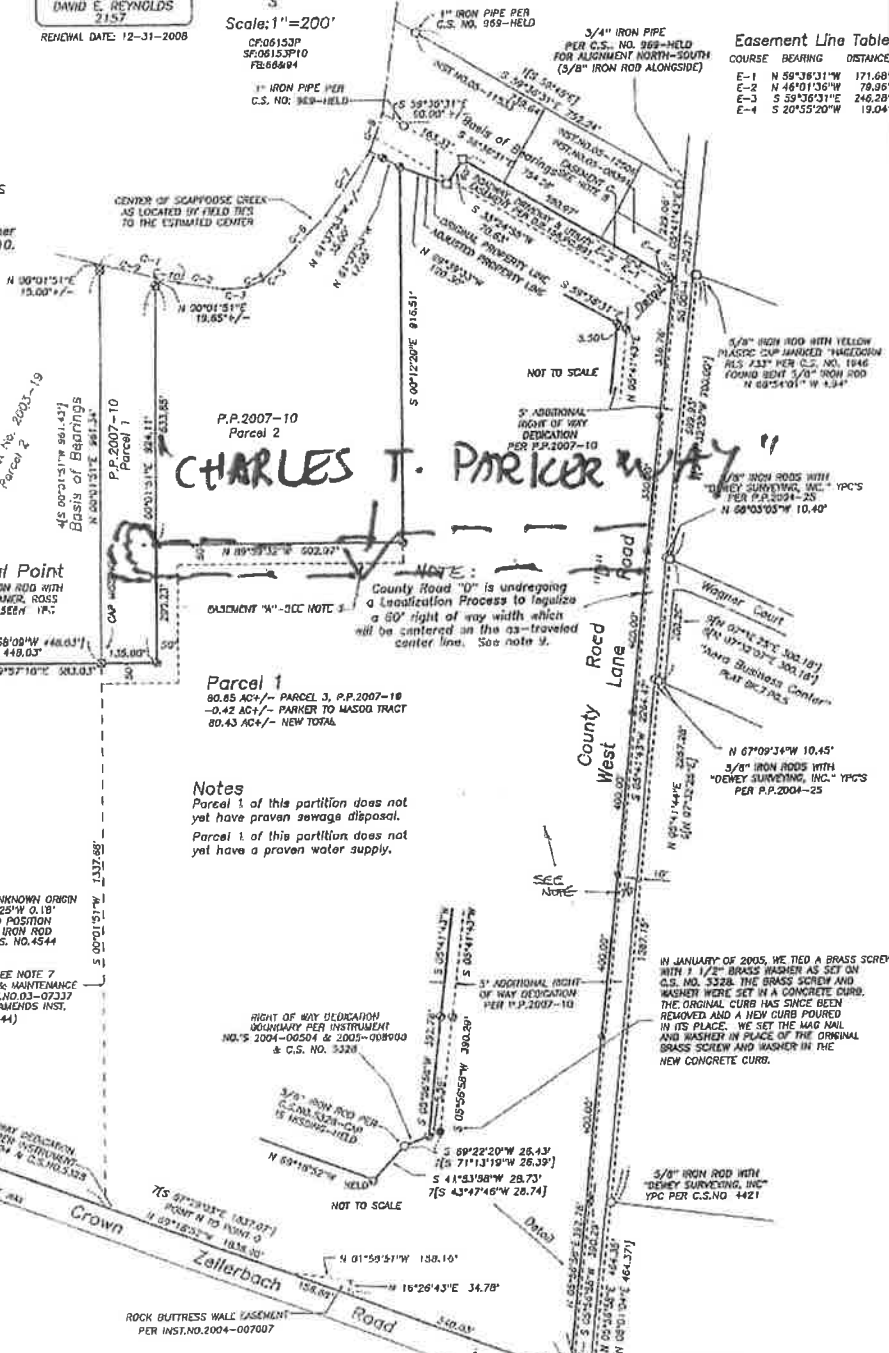
Reynolds Land Surveying, Inc.
 32990 Stana Road
 Warren, Oregon 97053
 (503) 397-5516

Center of Scappoose Creek

COURSE	BEARING	DISTANCE
C-1	S 76°23'00"E	192.00' +/-
C-2	S 81°54'00"E	110.00' +/-
C-3	N 06°18'00"E	50.00' +/-
C-4	N 07°25'00"E	42.00' +/-
C-5	N 48°07'00"E	56.00' +/-
C-6	N 43°25'00"E	155.00' +/-
C-7	N 35°18'30"E	198.38' +/-
C-8	N 18°56'12"E	36.34' +/-
C-9	S 76°23'00"E	138.89' +/-
C-10	S 78°23'00"E	58.12' +/-

Easement Line Table

COURSE	BEARING	DISTANCE
E-1	N 58°38'31"W	171.68'
E-2	N 46°10'36"W	78.95'
E-3	S 59°36'31"E	246.28'
E-4	S 20°55'20"W	19.04'

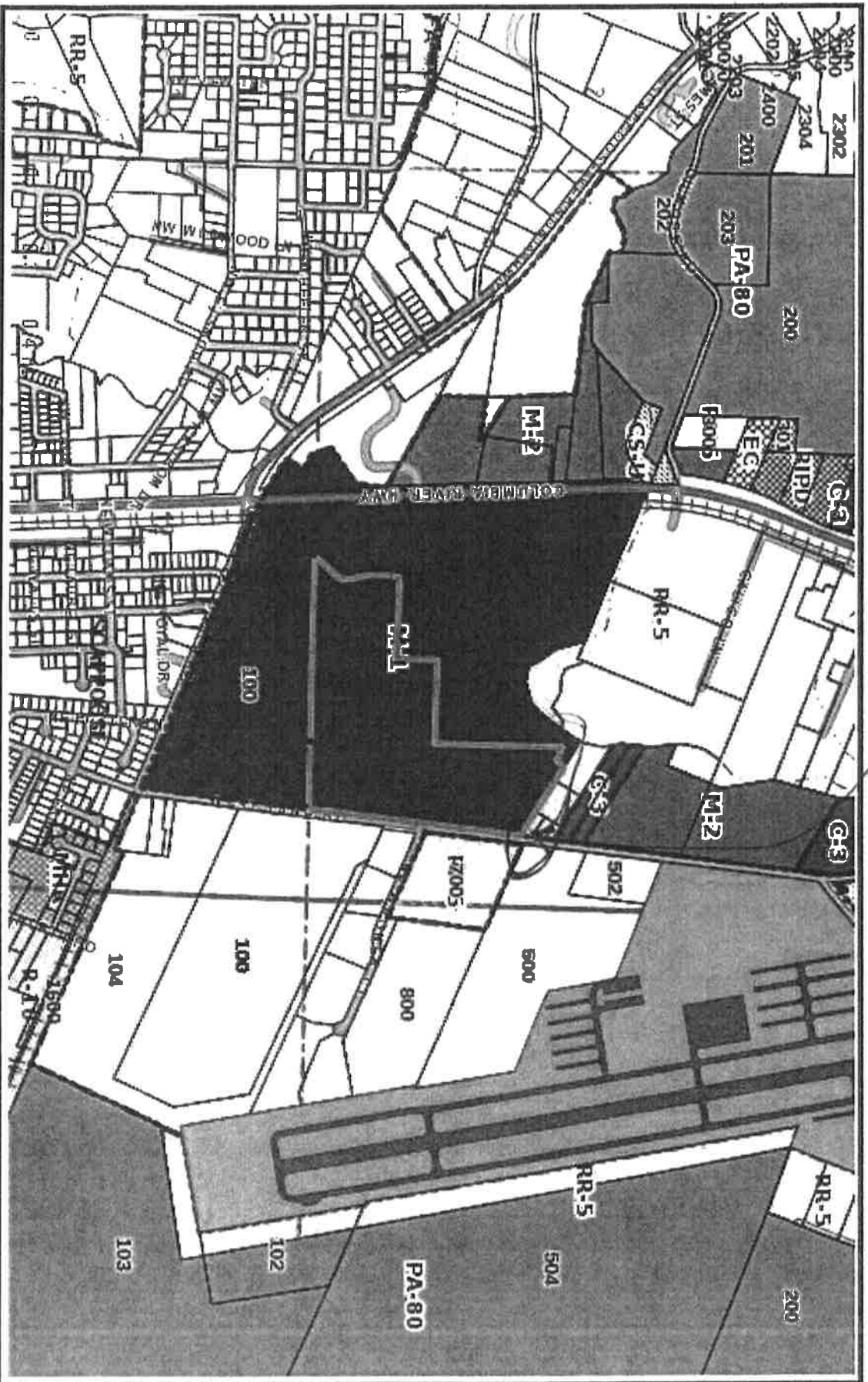


Notes
 Parcel 1 of this partition does not yet have proven sewage disposal.
 Parcel 1 of this partition does not yet have a proven water supply.

Curve Table

CURVE	RADIUS	LENGTH	DELTA	CHORD	CH BEARING
NON-TANGENT C-1	328.12'	152.96'	16°35'40"	152.43'	N 77°36'38"W
		7[152.97']	7[16°35'45"E]	7[152.44']	7[S 75°46'55"E]

Zoning Map



Columbia County



Columbia County Web Maps

Disclaimer: This map was produced using Columbia County GIS data. The GIS data is maintained by the County to support its governmental activities and is subject to change without notice. This map should not be used for survey or engineering purposes. Columbia County assumes no responsibility with regard to the selection, performance or use of information on this map.

GeoInfo

Printed 02/08/20*

CHARLES T. PARKER WAY



Tax Maps 3N2W 1D0 602 & 3N2W1200 100