

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR COLUMBIA COUNTY, OREGON

In the Matter of Dedicating Property Owned  
by Columbia County for Public Road and  
Utility Purposes

ORDER NO. 44-2018

(River Front Road, Clatskanie)

WHEREAS, Columbia County acquired certain property, commonly referred to as Tax Map ID No. 8N4W31-BO-00600 and Tax Account No. 27570 (hereinafter, "Property"), through foreclosure proceedings in 1965; and

WHEREAS, the County has received an offer to purchase the Property from the adjoining landowner; and

WHEREAS, a portion of the property has been used as a private access road, commonly known as River Front Road, which provides access to several properties, and the County has determined that it would be in the public interest to dedicate the access road as a public road before selling the Property; and

WHEREAS, the portion of the Property to be dedicated is legally described in the proposed Dedication Deed, attached hereto as Exhibit 1 and incorporated herein by this reference; and

WHEREAS, ORS 275.090 grants the County the power to grant easements and rights-of-way over, through, and across any such lands acquired on foreclosure of tax liens; and

WHEREAS, Ordinance No. 2003-1 was enacted to supersede ORS 368.106(2)-(4) in certain circumstances and to establish a procedure for the exemption of dedications of certain property from the requirements of a survey and/or monumentation; and

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

NOW, THEREFORE, THE BOARD OF COUNTY COMMISSIONERS HEREBY ORDERS, as follows:

1. The Board of County Commissioners, on behalf of Columbia County, hereby dedicates the portion of the Property commonly known as River Front Road and described in


Exhibit 1 as a Local Access Road for public road and utility purposes, and authorizes Board Chair Margaret Magruder to execute the Dedication Deed shown in Exhibit 1.

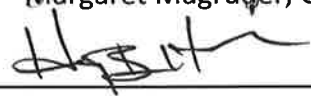
2. Columbia County hereby accepts the above-described property as a Local Access Road for public road and utility purposes.

3. This Order and the Dedication Deed shall be filed with and recorded by the County Clerk in Deed Records without cost.

DATED this 17<sup>th</sup> day of October, 2018.

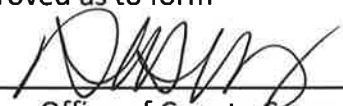
BOARD OF COUNTY COMMISSIONERS FOR  
COLUMBIA COUNTY, OREGON

By:   
Margaret Magruder, Chair

By:   
Henry Heimuller, Commissioner

By:   
Alex Tardif, Commissioner

Approved as to form

By:   
Office of County Counsel

**DEDICATION DEED**


**COLUMBIA COUNTY**, a political subdivision of the State of Oregon, Owner of certain real property situated in Columbia County, Oregon, as described in Exhibit A and depicted in Exhibit B, does hereby forever dedicate to the public for public road and utility purposes only a strip of land 50 feet in width, being 25 feet along either side of the centerline of the access road, commonly known as River Front Road, that falls within said real property described in Exhibit A and depicted in Exhibit B. Exhibits A and B are attached hereto and incorporated herein by this reference.

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, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. 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, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010".

The true and actual consideration for this conveyance is \$0.00, stated in terms of dollars.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

BOARD OF COUNTY COMMISSIONERS  
FOR COLUMBIA COUNTY, OREGON

By:   
Margaret Magruder, Chair

STATE OF OREGON            )  
  ) ss.  
County of Columbia        )

**ACKNOWLEDGMENT**

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2018, by Margaret Magruder, as Chair of the Board of County Commissioners, upon whose authority and on whose behalf this instrument is signed.

\_\_\_\_\_  
Notary Public for Oregon

**ACCEPTANCE**

BOARD OF COUNTY COMMISSIONERS  
FOR COLUMBIA COUNTY, OREGON

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

Margaret Magruder, Chair

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

Henry Heimuller, Commissioner

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

Alex Tardif, Commissioner

Approved as to form

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

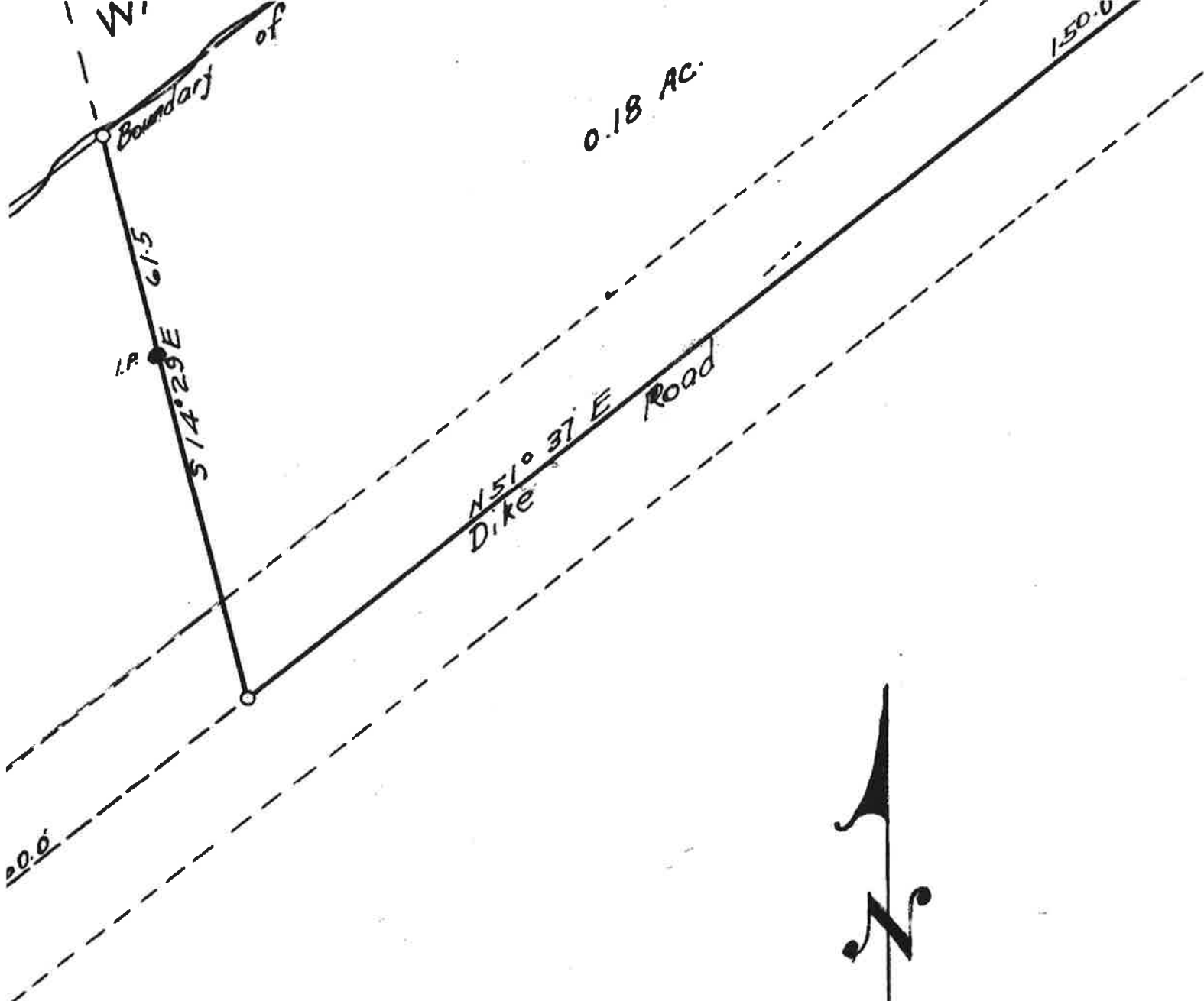
Office of County Counsel

## EXHIBIT A

A portion of Lot 11 of the Midland Drainage District, as recorded in Plat book 1 page 38, Columbia County records, located in the Northwest  $\frac{1}{4}$  of section 31, Township 8 North, Range 4 West, W.M., being more particularly described as follows:

Beginning at a point that is N14°29'W 379.20' and N51°37'E 60.00 feet from the Southwest corner of said Lot 11; thence N51°37'E a distance of 150.00 feet; thence N14°29'W a distance of 20.97 feet; thence N70°24'W a distance of 43.71 feet; thence S51°37'W a distance of 110.40 feet; thence S14°29'E a distance of 61.50 feet to the point of beginning, containing 0.18 acres more or less. **TOGETHER WITH,** that land lying between the above described parcel and Wallace Slough.

Note: This description is based on County Survey No. 1762



RED PROFF



October 9, 2018

RE: Dedication of land for road use – Tax Lot 27570 on River Front Road

To whom it may concern,

Pursuant to Ordinance 2003-01, I, as Director of the Road Department, approve an exemption for the real property to be surveyed and monumented for this instance.

In this case, as we begin to address the lack of dedicated right-of-way along this road and several others, the requirement to survey and monument will be onerous for the Department. We will rely on existing recorded surveys of the diking district dikes performed by others.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mike Russell", is written over a horizontal blue line.

Mike Russell, Director  
Columbia County Road Department