

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

In the Matter of Authorizing Permits to Construct
a Gate in the Right of Way of Johns District Road
(also known as Kallunki Extension and John
District Road), Clatskanie

ORDER No. 45-2021

WHEREAS, pursuant to ORS 368.056, the Board of County Commissioners may authorize the issuance of a permit to a person to allow construction of a gate on a public road under the jurisdiction of the County; and

WHEREAS, in issuing such permit, the Board of County Commissioners may impose any conditions or specifications on the permit it determines to be advisable to preserve the purposes of the public road, and may include a requirement that the person issued the permit shall bear all costs of construction and maintenance of the gate; and

WHEREAS, the Columbia County Road Standards prohibits the placement of any structure in the right-of-way of any County road or public road under County jurisdiction without first obtaining a Construction Permit from the Columbia County Public Works Department; and

WHEREAS, Marc and Holly Lever (also referred to as the “Levers”) are the owners of the property at 20787 Johns District Road (also known as Kallunki Extension Road and John District Road), Clatskanie (Tax Map ID 8423-A0-00200), which is a public road under the jurisdiction of Columbia County; and

WHEREAS, the Levers have requested permission to construct a gate at the end of Johns District Road shown in the area map, attached hereto as Exhibit A and incorporated herein by this reference, to limit access into their property; and

WHEREAS, the portion of Johns District Road that would be gated from the public is surrounded by the Levers’ property and does not provide access to any other property; and

WHEREAS, to ensure that the public has sufficient area to turn around at the gate, the Levers have agreed to dedicate additional right of way and construct a new turnaround to Columbia County standards at the end of Johns District Road, in front of the gate;

WHEREAS, the gate on Johns District Road will require a road a permit in accordance with ORS 368.056;

NOW, THEREFORE, IT IS HEREBY ORDERED as follows:

1. Marc and Holly Lever are authorized to construct and maintain a gate at the location shown on Exhibit A, upon the issuance of a Columbia County Construction Permit by the Columbia County Public Works Department.
2. The above authorization is subject to the following conditions:

- a. Marc and Holly Lever, their assigns, and successors in interest, shall at all times be solely responsible for the maintenance and repair of the permitted gate. The gate shall be kept in good repair.
- b. A lock approved by the local Fire Department shall be used to secure the gates, if the gates are secured. A key shall be provided to the County Public Works Department.
- c. Marc and Holly Lever agree to dedicate sufficient right of way, as determined by the Columbia County Public Works Department to allow for a public turnaround at the gate, as generally depicted in Exhibit A.
- d. Marc and Holly Lever, their assigns and successors in interest, shall remove the gate at their sole expense upon a determination by the Board of County Commissioners that the gate is no longer in the public interest, or immediately upon request of the County Roadmaster if an emergency situation occurs that requires its removal.
- e. Marc and Holly Lever, their assigns and successors in interest, shall follow all applicable provisions of the Columbia County Road Standards, Ordinance No. 96-6, as amended.
- f. Marc and Holly Lever, their assigns and successors in interest, shall provide insurance in an amount to be determined by the County Roadmaster, and shall indemnify, defend, and hold harmless the County, its officers, agents and employees from any claim which might arise on account of the issuance of the Construction Permit, or this Gate Permit. The County Roadmaster shall require a certificate of insurance and additional insured endorsement to be provided.
- g. The Columbia County Roadmaster is authorized to issue a Public Road Construction Permit to Marc and Holly Lever upon their compliance to the Roadmaster's satisfaction with all applicable Columbia County Road Standards.

Dated this 1 day of September, 2021.

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

By: [Signature]
Margaret Magruder, Chair

By: [Signature]
Casey Garrett, Commissioner

By: [Signature]

Approved as to form
By: [Signature]
Office of County Counsel

Henry Heimuller, Commissioner



Map data ©2021, Map data ©2021 20 ft



- EXISTING TURN AROUND HAS 45' x 55' USABLE SPACE
- NEW TURN AROUND CAN GO NORTH FROM COUNTY RD AS MUCH AS NEEDED

20787 John District Rd

 Directions
  Save
  Nearby
  Send to your phone
  Share

-  You visited 2 years ago
-  20787 John District Rd, Clatskanie, OR 97016
-  5V77+J6 Clatskanie, Oregon

Marel & Holly Leber
 20787 JOHN DIST RD.
 CLATSKANIE, OR
 97016