

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

In the Matter of Exercising an Option to Purchase)
Right-of-Way Easements and Temporary)
Construction Permits in Connection with)
Improvements to Rockcrest and West Rainier)
Dike Roads in Rainier, Oregon)
[Stennick, Peters and Engel Property])

ORDER NO. 85-00

WHEREAS, Columbia County has embarked upon a program to improve Rockcrest and West Rainier Dike Roads in connection with the construction of, and to provide access to and from, the United States Gypsum plant; and

WHEREAS, said improvements require acquisition of easements across certain privately- owned property and permission from the property owners for ingress and egress over, across and upon certain other portions of that property during construction; and

WHEREAS, the respective owners of the effected property have agreed to convey the needed easements to the County and to grant Temporary Construction Permits in exchange for certain consideration; and

WHEREAS, the Board of County Commissioners has determined that exercising an option to purchase said easements and permission to move over, across or upon said privately-owned property during construction of the improvements will be in the best interests of the County; and

WHEREAS, by Resolution No. 80-00, the Board determined that certain land should be purchased, acquired, entered upon or appropriated for said project, and that said purchase, acquisition or appropriation was reasonably necessary to protect the full use and enjoyment by the public of the subject roads.

NOW, THEREFORE, it is hereby ordered as follows:

1) Columbia County exercises its option to purchase easements from William E. Stennick, Trustee of the William E. Stennick and Mary E. Stennick Revocable Living Trust, Gary L. and Eva Sharlene Peters, and Michael E. and Kathryn R. Engel, said easements being described in the Right-of-Way Dedication deeds attached hereto, labeled Attachments 1, 3 and 5, respectively, and incorporated herein by this reference.

2) Columbia County also exercises its option to purchase the rights to temporary ingress and egress over, across and upon the property owned by William E. Stennick, Trustee of the William E. Stennick and Mary E. Stennick Revocable Living Trust, and Gary L. and Eva Sharlene Peters, during all phases of construction of the improvements to Rockcrest and West Rainier Dike Roads, said rights being more fully described in the Temporary Construction Permits attached hereto, labeled Attachments 2 and 4, and incorporated herein by this reference.

3) In consideration for the granting of said easements and Temporary Construction Permits, the Board of County Commissioners directs the County Public Works Director to coordinate the payment of

the following amounts to the grantors of said easements and permits. The Accounting Department is directed to issue a check to the grantors of the easements upon the request of the Public Works Director.

To **William E. Stennick, as Trustee of the William E. Stennick and Mary E. Stennick Revocable Living Trust**, 29348 Dike Road, Rainier, Oregon, the sum of Three Thousand Six Hundred Twenty-three Dollars (\$3,623) for the granting of an easement, and the sum of One Thousand Eight Hundred Seventy-seven Dollars (\$1,877) for the granting of a Temporary Construction Permit. **Total: \$5,500.**

To **Gary L. Peters and Eva Sharlene Peters**, 245 Valley View Drive, Medford, OR 97504, the sum of Two Hundred Fifty Dollars (\$250) for the granting of an easement, and the sum of Fifty Dollars (\$50) for the granting of a Temporary Construction Permit. **Total: \$300.**

To **Michael E. and Kathryn R. Engel**, Post Office Box 192, Clatskanie, OR 97051, the sum of Four Thousand Dollars (\$4,000) for the granting of an easement. **Total: \$4,000.**

4) Said payments are to be made in accordance with all reporting requirements, rules and regulations of the Internal Revenue Service.

5) Columbia County accepts the easements offered by the grantors, as described in Attachments 1, 3 and 5, and dedicates said easements for public road and utility purposes;

6) The Right-of-Way Dedication deeds, the Temporary Construction Permits and this Order shall be recorded in the deed records of the Columbia County Clerk without costs.

DATED this 13th day of September, 2000.

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

By: Jack R. Peterson
Chair

By: John M. Grishard
Commissioner

By: [Signature]
Commissioner

Approved as to Form:

By: Sarah T. [Signature]
Office of County Counsel

S:\ECONDEV\US GYPSUM\ROW DEDICATION ORD.wpd

ATTACHMENT 1

After recording, return document
and mail tax statements to:

Columbia County Surveyor's Office
1004 Oregon Street
St. Helens, OR 97051

RIGHT-OF-WAY DEDICATION

For the consideration stated below, **William E. Stennick, Trustee of the William E. Stennick and Mary E. Stennick Revocable Living Trust, dated the 9th date of February, 1993,** (Grantor) grants, bargains, sells and conveys to Columbia County, A Governmental Subdivision of the State of Oregon, its successors and assigns, a perpetual right-of-way for street purposes, in upon and across the following described real property situated in Columbia County, Oregon:

That portion of Unit A West Rainier, situated in Section 17, Township 7 North, Range 2 West of the Willamette Meridian, described as follows:

Beginning at the intersection of the Northwestern right-of-way line of Second Street and the Southerly right-of-way line of Dike Road (Water Street);

Thence S32° 27' 28" W on said Northwestern right-of-way line, a distance of 40.04 feet;

Thence N12° 51' 02" W a distance of 56.93 feet to said Southerly right-of-way line;

Thence S57° 32' 45" E, on said Southerly right-of-way line, a distance of 40.47 feet to the point of beginning;

Containing 810 square feet more or less

The dollar consideration paid for this transfer is **THREE THOUSAND SIX HUNDRED TWENTY THREE AND NO/100 DOLLARS (\$3,623.00)**. However, the actual consideration includes other property or value given or promised.

Grantor has executed this instrument this 2nd day of August, 2000.
If a corporate grantor, it has caused its name to be signed by a duly authorized officer.

RIGHT-OF-WAY DEDICATION/ - Page 1

After recording, return to County Counsel

The William E. Stennick and Mary E. Stennick Revocable Living Trust dated the 9th date of February, 1993

by W.E. Stennick
William E. Stennick, Trustee

STATE OF OREGON)
)ss
COUNTY OF COLUMBIA)

On this 2 day of August, 2000, before me, the undersigned, a Notary Public in and for the State of Oregon, duly commissioned and sworn, personally appeared William E. Stennick, to me proven on the basis of satisfactory evidence to be the trustee of The William E. Stennick and Mary E. Stennick Revocable Living Trust dated the 9th date of February, 1993, and acknowledged the said instrument as his free and voluntary act and deed.

Witness my hand and official seal hereto affixed the day and year first above written.



Nathan R. Pool
Notary Public for Oregon
My Commission Expires 1/30/2002

ACCEPTED BY COLUMBIA COUNTY

on _____
Date

by _____
Name, Title

STATE OF OREGON)
)ss
COUNTY OF COLUMBIA)

SUBSCRIBED AND SWORN to before me this ____ day of _____, 2000 by _____, as _____ of Columbia County, a governmental division of the State of Oregon and on behalf of said government.

Notary Public for Oregon
My Commission Expires _____

Parcel

EXHIBIT "A"

RIGHT OF WAY

LOCATED IN SECTION 17, TOWNSHIP 7 NORTH, RANGE 2 WEST,
WILLAMETTE MERIDIAN, COLUMBIA COUNTY, OREGON

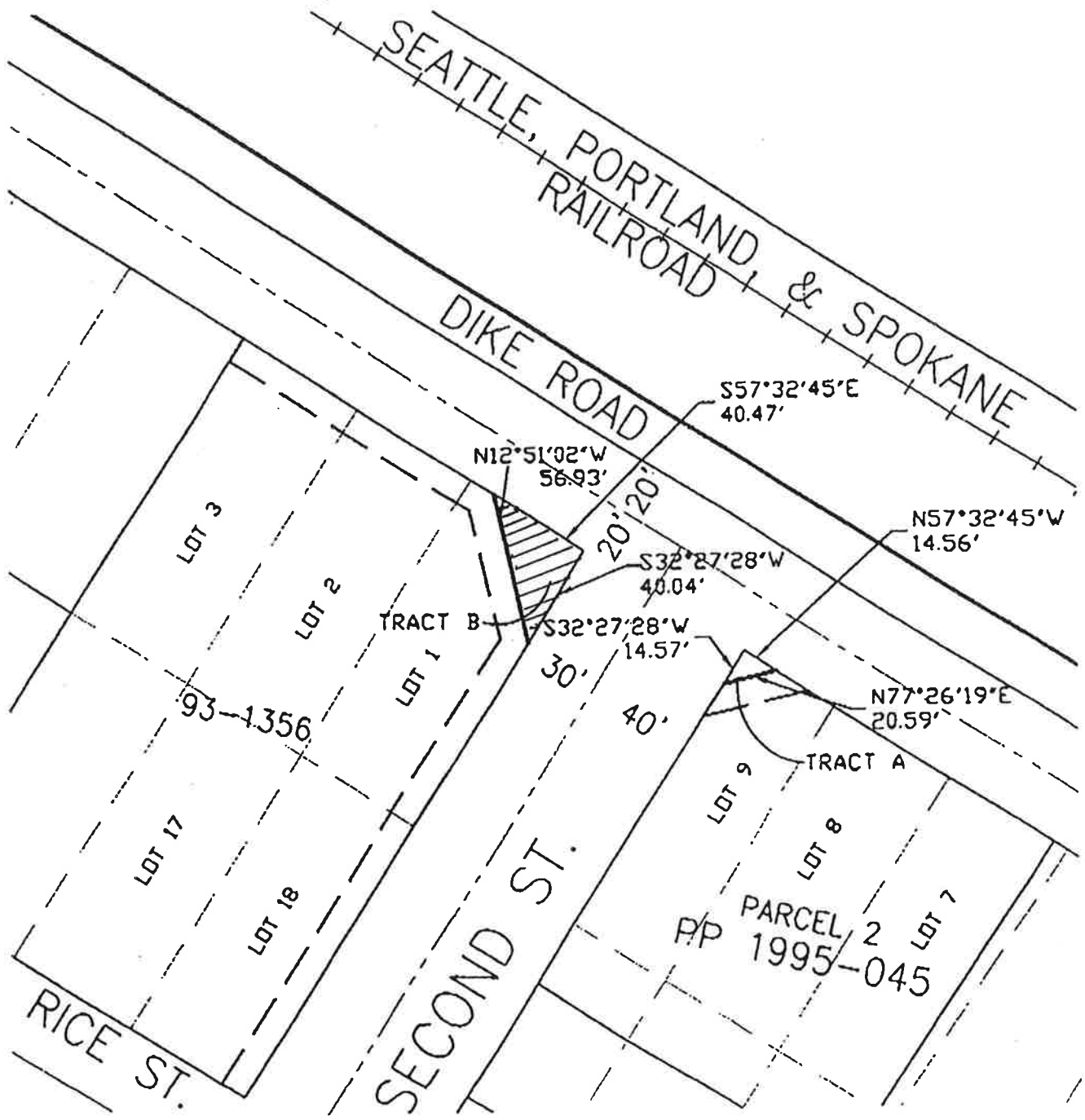
REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 19, 1994
ANTHONY C. BENTHIN
2655

EXPIRES 12/31/01

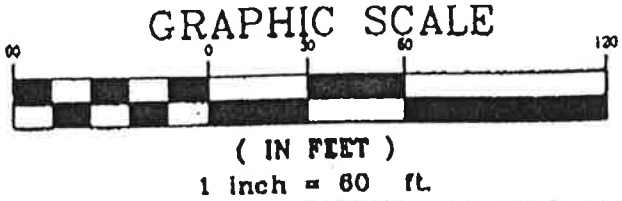
PREPARED FOR:

ENTRANCO
8910 SW GEMINI DRIVE
BEAVERTON, OREGON 97008



ENGINEERING · PLANNING · SURVEYING · FORESTRY
LICENSED IN OR, WA & AK
18981 SW 84TH AVENUE
TUALATIN, OR 97062

PHONE: (503) 882-5887 FAX: (503) 882-8431



ATTACHMENT 2

TEMPORARY CONSTRUCTION PERMIT

THE GRANTOR, William E. Stennick, Trustee of the William E. Stennick and Mary E. Stennick Revocable Living Trust, dated the 9th date of February, 1993, as his Separate Estate for and in consideration of valuable considerations as set out in part below, does hereby grant to COLUMBIA COUNTY, A Governmental Subdivision of the State of Oregon, a Temporary Construction Permit for the purpose of ingress and egress over, across, and upon the following described real property situated in Columbia County, Oregon:

A strip of land situated in Section 17, Township 7 North, Range 2 West, of the Willamette Meridian, Columbia County, Oregon, described as follows:

Beginning at the Northerly corner of Lot 3, Block 3, Unit "A" West Rainier;

Thence S57° 32' 45" E on the Southwesterly right-of-way line of Dike Road, a distance of 150.00 feet to the Easterly corner of Lot 1, Block 3, Unit "A" West Rainier;

Thence S32° 27' 28" W on the Westerly right-of-way line of Second Street a distance of 238.98 feet to the Northerly right-of-way line of Rice Street;

Thence N57° 32' 45" W on the Northerly right-of-way line of Rice Street, a distance of 10.00 feet;

Thence N32° 27' 28" E parallel with the Westerly right-of-way line of Second Street a distance of 194.76 feet;

Thence N12° 51' 02" W a distance of 48.65 feet

Thence N 57° 32' 45" W parallel with the Southwesterly right-of-way line of Dike Road a distanced of 105.42 feet;

Thence N32° 27' 28" E a distance of 10.00 feet to the point of beginning.

EXCEPTING therefrom the following described property:

That portion of Unit A West Rainier, situated in Section 17, Township 7 North, Range 2 West of the Willamette Meridian, described as follows:

Beginning at the intersection of the Northwesterly right-of-way line of Second Street and the Southerly right-of-way line of Dike Road (Water Street);

Thence S32° 27' 28" W on said Northwesterly right-of-way line, a distance of 40.04 feet;

Thence N12° 51' 02" W a distance of 56.93 feet to said Southerly right-of-way line;

Thence S57° 32' 45" E, on said Southerly right-of-way line, a distance of 40.47 feet to the point of beginning;

Containing 3,571 square feet, more or less.

DESCRIPTION OF CONSTRUCTION PERMITTED: All that work related to the construction project, also any damage done to the Grantor's property shall be restored to an equal or better condition than now exists.

NOTE: It is hereby understood and agreed this permit and agreement shall terminate at two (2) years from the date of signing, or no later than the completion of the construction project.

CONSIDERATION: The true consideration for this permit is ONE THOUSAND EIGHT HUNDRED SEVENTY SEVEN and no/100dollars (\$1,877.00).

DATED this 2nd day of August, 2000.

The William E. Stennick and Mary E. Stennick Revocable Living Trust,
dated the 9th date of February, 1993,



William E. Stennick, Trustee

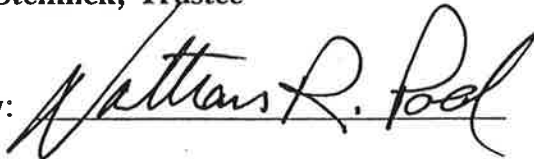
Witnessed by: 

EXHIBIT "A"

RIGHT OF WAY

LOCATED IN SECTION 17, TOWNSHIP 7 NORTH, RANGE 2 WEST,
WILLAMETTE MERIDIAN, COLUMBIA COUNTY, OREGON

PREPARED FOR:

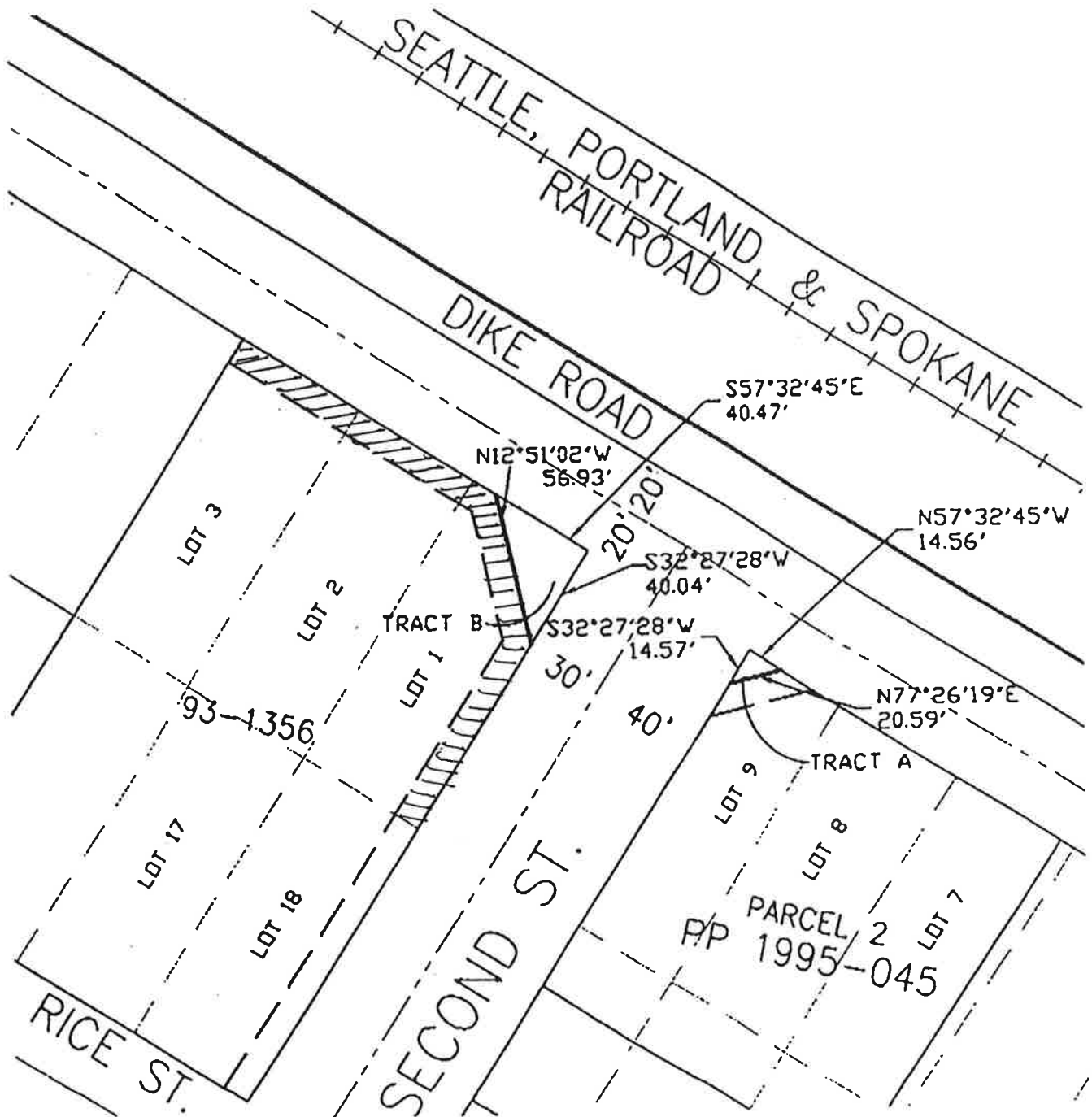
ENTRANCO
8910 SW GEMINI DRIVE
BEAVERTON, OREGON 97008

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Anthony C. Benthin

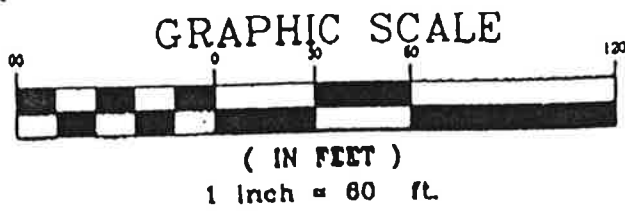
OREGON
JULY 19, 1994
ANTHONY C. BENTHIN
2655

EXPIRES 12/31/01



ENGINEERING • PLANNING • SURVEYING • FORESTRY
LICENSED IN OR, WA & AK
18961 SW 84TH AVENUE
TUALATIN, OR 97062

PHONE: (503) 882-5887 FAX: (503) 882-8431



ATTACHMENT 3

After recording, return document
and mail tax statements to:

Columbia County Surveyor's Office
1004 Oregon Street
St. Helens, OR 97051

RIGHT-OF-WAY DEDICATION

For the consideration stated below, **Gary L. Peters and Eva Sharlene Peters** (Grantor) grants, bargains, sells and conveys to Columbia County, A Governmental Subdivision of the State of Oregon, its successors and assigns, a perpetual right-of-way for street purposes, in upon and across the following described real property situated in Columbia County, Oregon:

That portion of Parcel 2 of PP #1995-045, situated in Section 17, Township 7 North, Range 2 West of Willamette Meridian, described as follows:

Beginning at the intersection of the Southeasterly right-of-way line of Second Street and the Southerly right-of-way line of Dike Road (Water Street), said point being the Northerly corner of Parcel 2:

Thence S32° 27' 28" W on said Southeasterly right-of-way line, a distance of 14.57 feet;

Thence N77° 26' 19" E a distance of 20.59 feet to the Southerly right-of-way line of Dike Road;

Thence N57° 32' 45" W, on said Southerly right-of-way line, a distance of 14.56 feet to the point of beginning.

Containing 110 square feet, more or less.

The dollar consideration paid for this transfer is **\$250.00**. However, the actual consideration includes other property or value given or promised.

Grantor has executed this instrument this 17th day of July, 2000.
If a corporate grantor, it has caused its name to be signed by a duly authorized officer.

RIGHT-OF-WAY DEDICATION/ - Page 1

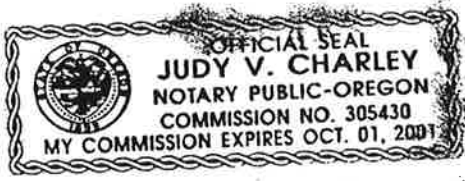
After recording, return to County Counsel

by *Gary L. Peters*
Gary L. Peters
by *Eva Sharlene Peters*
Eva Sharlene Peters

STATE OF OREGON)
COUNTY OF JACKSON)ss
COLUMBIA)

On this 17th day of July, 2000, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named **Gary L. Peters and Eva Sharlene Peters** who on the basis of satisfactory evidence are known to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same freely and voluntarily for the purposes therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year last above written.



Judy V. Charley
Notary Public for Oregon
My Commission Expires: 10/01/01

ACCEPTED BY COLUMBIA COUNTY

on _____
Date

by _____
Name, Title

STATE OF OREGON)
COUNTY OF COLUMBIA)

SUBSCRIBED AND SWORN to before me this ___ day of _____, 2000 by _____, as _____ of Columbia County, a governmental division of the State of Oregon and on behalf of said government.

Notary Public for Oregon
My Commission Expires _____

EXHIBIT "A"

RIGHT OF WAY

LOCATED IN SECTION 17, TOWNSHIP 7 NORTH, RANGE 2 WEST,
WILLAMETTE MERIDIAN, COLUMBIA COUNTY, OREGON

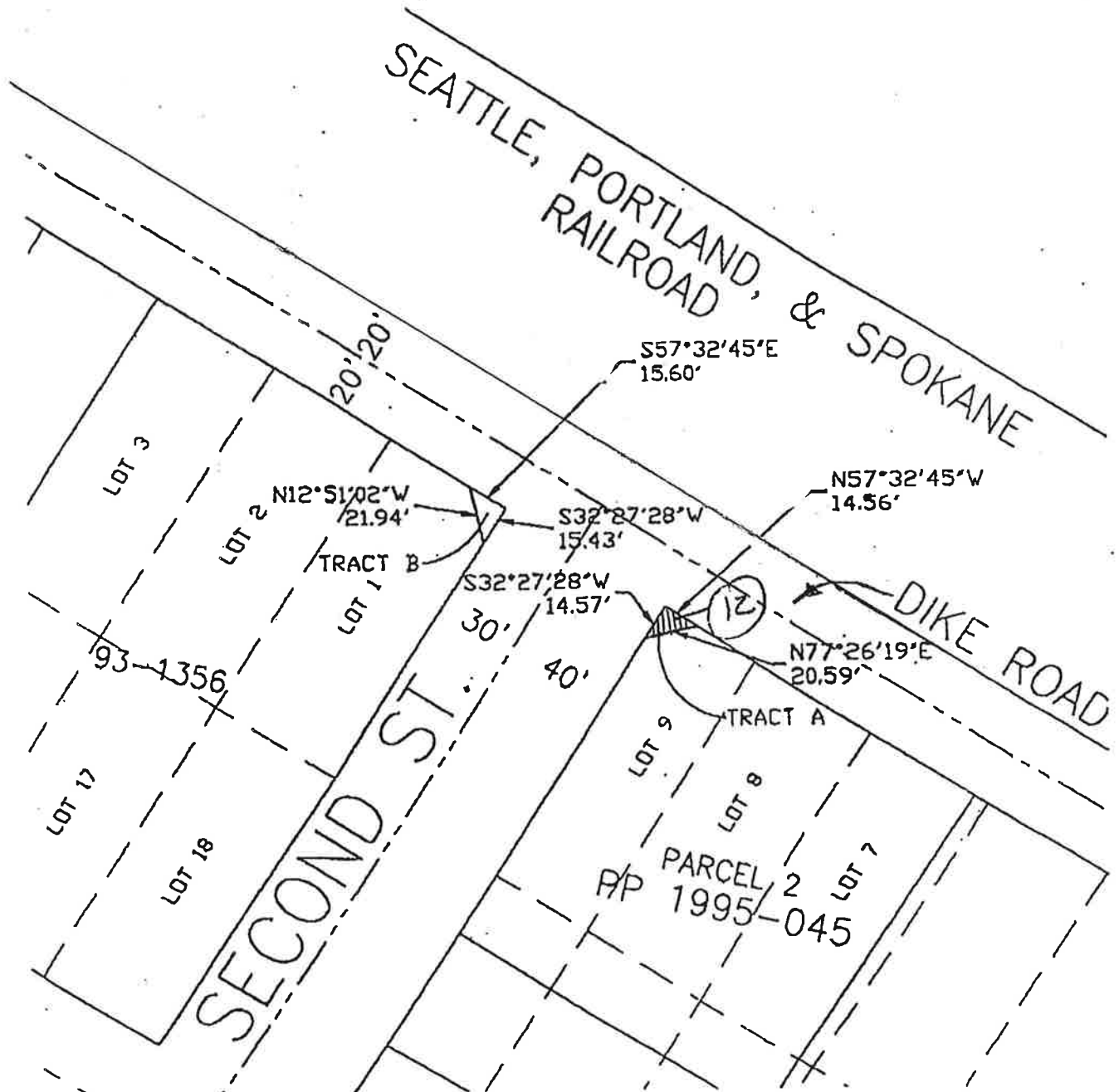
REGISTERED
PROFESSIONAL
LAND SURVEYOR

PREPARED FOR:

ENTRANCO
8910 SW GEMINI DRIVE
BEAVERTON, OREGON 97008

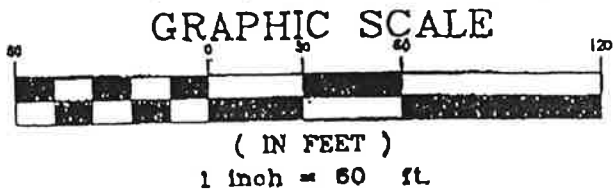
OREGON
JULY 19, 1984
ANTHONY C. BENTHIN
2655

EXPIRES 12/31/01



ENGINEERING • PLANNING • SURVEYING • FORESTRY
LICENSED IN OR, WA, AK
18961 SW 84TH AVENUE
TUALATIN, OR. 97062

ENGINEERING & PLANNING PHONE (503) 838-0807 FAX (503) 838-0802



TEMPORARY CONSTRUCTION PERMIT

THE GRANTOR(S), **Gary L. Peters and Eva Sharlene Peters**, as their Separate Estate, for and in consideration of valuable considerations as set out in part below, does hereby grant to COLUMBIA COUNTY, A Governmental Subdivision of the State of Oregon, a Temporary Construction Permit for the purpose of ingress and egress over, across, and upon the following described real property situated in Columbia County, Oregon:

A portion of land situated in Section 17, Township 7 North, Range 2 West of the Willamette Meridian, Columbia County, described as follows:

Beginning at the intersection of the Southeasterly right-of-way line of Second Street and the Southerly right-of-way line of Dike Road (Water Street);

Thence S32° 27' 28" W on said Southeasterly right-of-way line a distance of 28.71 feet;

Thence N77° 27' 19"E a distance of 40.59 feet;

Thence N57° 32' 45" W a distance of 28.70 feet to the point of beginning.

EXCEPTING therefrom the following described property:

That portion of Parcel 2 of PP #1995-045, situated in Section 17, Township 7 North, Range 2 West of Willamette Meridian, described as follows:

Beginning at the intersection of the Southeasterly right-of-way line of Second Street and the Southerly right-of-way line of Dike Road (Water Street), said point being the Northerly corner of Parcel 2:

Thence S32° 27' 28" W on said Southeasterly right-of-way line, a distance of 14.57 feet;

Thence N77° 26' 19" E a distance of 20.59 feet to the Southerly right-of-way line of Dike Road;

Thence N57° 32' 45" W, on said Southerly right-of-way line, a distance of 14.56 feet to the point of beginning.

Containing 300 square feet more or less.

DESCRIPTION OF CONSTRUCTION PERMITTED: All that work related to the construction project, also any damage done to the Grantor's property shall be restored to an equal or better condition than now exists.

After recording, return to County Counsel

NOTE: It is hereby understood and agreed this permit and agreement shall terminate at two (2) years from the date of signing, or no later than the completion of the construction project.

CONSIDERATION: The true consideration for this permit is FIFTY AND NO/100 DOLLARS (\$50.00).

DATED this 17 day of JULY, 2000.

Gary L. Peters | Eva Sharlene Peters

Witnessed by: Louise Danner

EXHIBIT "A"

TEMPORARY CONSTRUCTION PERMIT
LOCATED IN SECTION 17, TOWNSHIP 7 NORTH, RANGE 2 WEST,
WILLAMETTE MERIDIAN, COLUMBIA COUNTY, OREGON

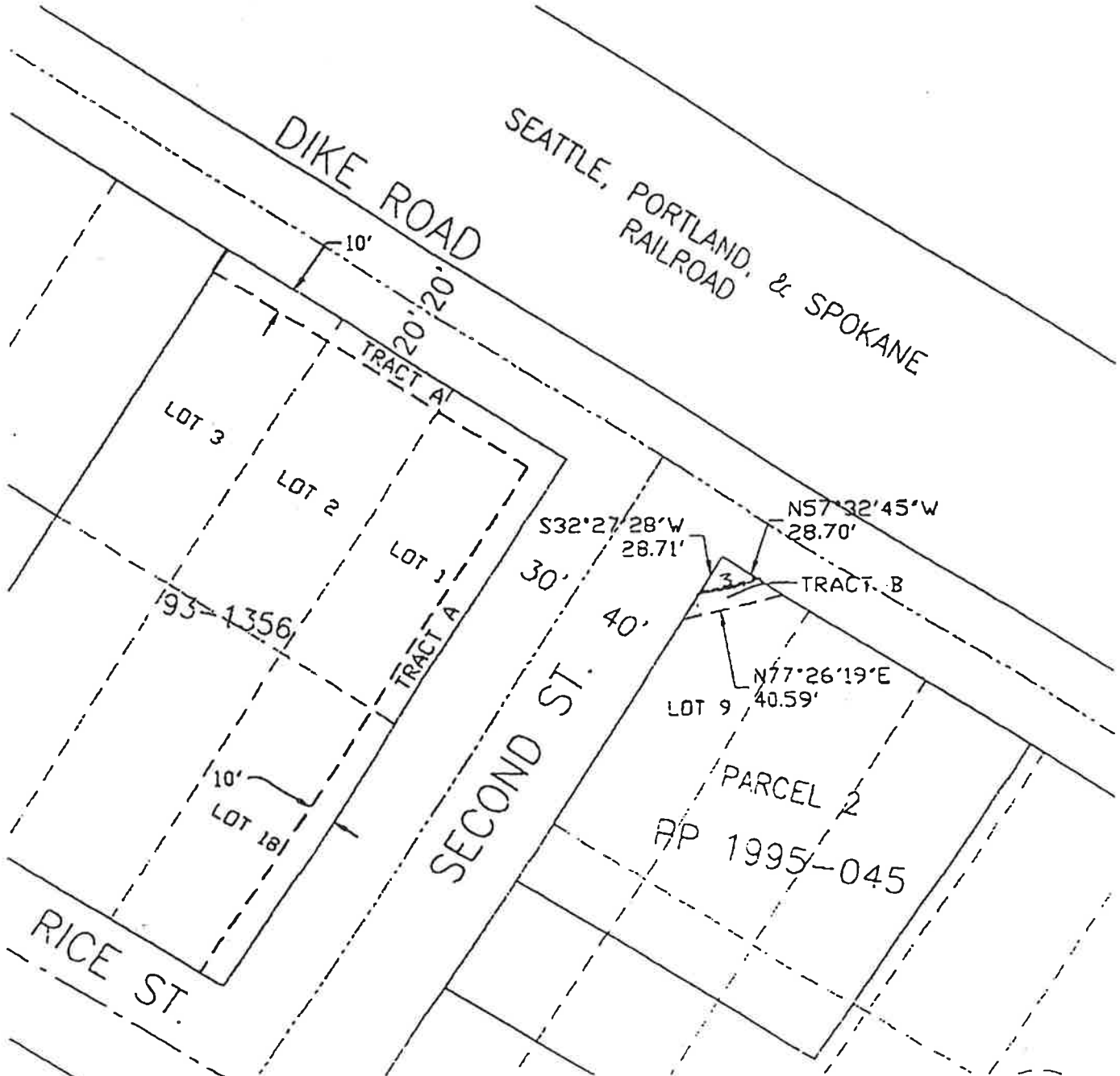
REGISTERED
PROFESSIONAL
LAND SURVEYOR

PREPARED FOR:

ENTRANCO
8910 SW GEMINI DRIVE
BEAVERTON, OREGON 97008

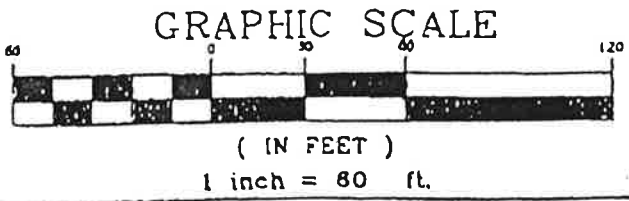
OREGON
JULY 19, 1996
ANTHONY C. BENTHIN
2655

EXPIRES 12/31/01



ENGINEERING • PLANNING • SURVEYING • FORESTRY
LICENSED IN OR, WA & AK
10861 SW BATH AVENUE
TUALATH, OR. 97062

PHONE (503) 682-5307 FAX (503) 682-4021



ATTACHMENT 5

After recording, return document
and mail tax statements to:

Columbia County Surveyor's Office
1004 Oregon Street
St. Helens, OR 97051

RIGHT-OF-WAY DEDICATION

For the consideration stated below, **Michael E. Engel and Kathryn R. Engel** (Grantors) grants, bargains, sells and conveys to Columbia County, A Governmental Subdivision of the State of Oregon, its successors and assigns, a perpetual right-of-way for street purposes, in upon and across the following described real property situated in Columbia County, Oregon:


A strip of land situated in Section 7, Township 7 North, Range 2 West, of the Willamette Meridian, Columbia County, Oregon, described as follows:

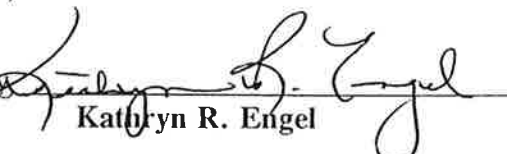
The Northeasterly 20 feet of even width of Tracts 1 and 2, West Rainier, recorded November 3, 1983 in Book 12 Page 624, deed records, Columbia county, Oregon, being measured perpendicular to the Northeasterly line thereof.

Containing 4,000 square feet, more or less.

The dollar consideration paid for this transfer is **FOUR THOUSAND AND NO/100 DOLLARS (\$4,000.00)**. However, the actual consideration includes other property or value given or promised.

Grantor has executed this instrument this 27th day of JULY, 2000.
If a corporate grantor, it has caused its name to be signed by a duly authorized officer.

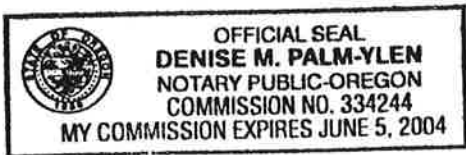
by 
Michael E. Engel

by 
Kathryn R. Engel

STATE OF OREGON)
)ss
COUNTY OF COLUMBIA)

On this 27th day of JULY, 2000, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named **Michael E. Engel and Kathryn R. Engel** who on the basis of satisfactory evidence are known to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same freely and voluntarily for the purposes therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year last above written.



Denise M Palm-Ylen
Notary Public for Oregon
My Commission Expires: ~~6-5-2001~~ 6-5-2004

ACCEPTED BY COLUMBIA COUNTY

on _____
Date

by _____
Name, Title

STATE OF OREGON)
)ss
COUNTY OF COLUMBIA)

SUBSCRIBED AND SWORN to before me this ____ day of _____, 2000 by _____, as _____ of Columbia County, a governmental division of the State of Oregon and on behalf of said government.

Notary Public for Oregon
My Commission Expires _____

EXHIBIT "A"

RIGHT-OF-WAY

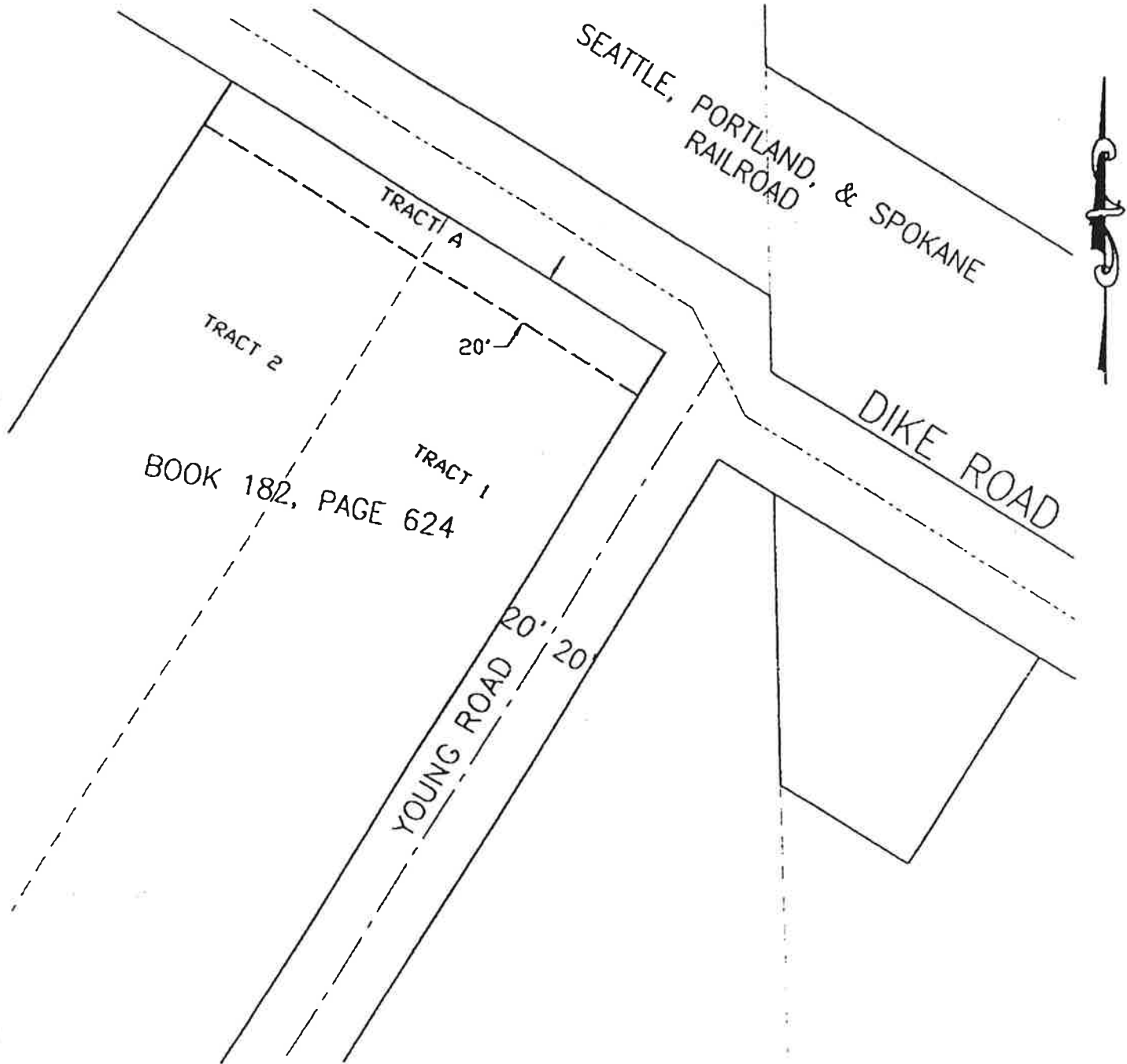
LOCATED IN SECTION 7, TOWNSHIP 7 NORTH, RANGE 2 WEST,
WILLAMETTE MERIDIAN, COLUMBIA COUNTY, OREGON

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 19, 1994
ANTHONY C. BENTHIN
2655
EXPIRES 12/31/01

PREPARED FOR:

ENTRANCO
8910 SW GEMINI DRIVE
BEAVERTON, OREGON 97008



ENGINEERING · PLANNING · SURVEYING · FORESTRY
LICENSED IN OR, WA & AK
18961 SW 84TH AVENUE
TUMALATUM, OR. 97062



PHONE: (503) 692-5887 FAX: (503) 692-6431

