

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR COLUMBIA COUNTY, OREGON

In the Matter of Dedicating Property owned by )  
Columbia County as Additional Right-of-Way )  
for Public Road and Utility Purposes )  
[Beaver Homes Road near Rainier, Oregon] )  
\_\_\_\_\_ )

**ORDER NO. 18-2001**

WHEREAS, Columbia County acquired a strip of land commonly referred to as Tax Account No. 6215-013-00600 by foreclosure in 1975; and

WHEREAS, that portion of platted Columbia Road lying between properties commonly referred to as Tax Account No. 6215-013-00300 and Tax Account No. 6215-013-00600 was recently vacated by Board Order No. 94-2000, increasing the taxable size of Tax Account No. 6215-013-00600 from 0.10 acres to 0.24 acres; and

WHEREAS, at the regular meeting of the Board of Commissioners held October 4, 2000, Garrett and Teri Bates, owners of Tax Lot 6215-013-00300, came before the Board requesting approval to purchase the county-owned property known as Tax Account No. 6215-013-00600; and

WHEREAS, at said meeting, Lonny Welter, Transportation Planner, indicated that the Road Department would have no objection to the sale of Tax Account No. 6215-013-00600 after the dedication of 20 feet of said property as additional public right-of-way for public road and utility purposes along Beaver Homes Road near Rainier, Oregon; and

WHEREAS, the County road engineer, by memo dated December 20, 2001, a copy of which is attached as Exhibit "A" and incorporated herein by this reference, subsequently requested that 30 feet of additional right-of-way be dedicated for public road and utility purposes; and

WHEREAS, the description of the additional right-of-way, which shall increase the right-of-way of Beaver Homes Road as described, is as follows:

A tract of land in Section 15, Township 6 North, Range 2 West, Willamette Meridian, Columbia County, Oregon, containing a portion of that real property described in Columbia County Deed Book 156, page 223, and portions of the Holbrook Avenue and Columbia Road rights-of-way as per the plat of Beaver Homes, Section 2, on file and of record in the Clerk's office of Columbia County, Oregon, more particularly described as follows:

Commencing at the point of intersection of the southerly right-of-way line of Columbia Road with the westerly right-of-way line of Holbrook Avenue, also said point is the northeast corner of Tract Seventeen of the said Beaver Homes Subdivision; thence North 13 degrees 14 minutes East 19 feet to the True Point

of Beginning; thence North 83 degrees 34 minutes West 190 feet to a point on the westerly right-of-way of Roadrucka Avenue; thence South 13 degrees 14 minutes West 30 feet along said Roadrucka right-of-way line to the intersection with the northerly right-of-way line of the road as described in Deed Book 20, page 383; thence South 83 degrees 34 minutes East 190 feet along said road right-of-way line to the intersection with the westerly right-of-way line of the said Holbrook Avenue; thence South 83 degrees 34 minutes East 20.48 feet to the centerline of the said Holbrook Avenue; thence South 82 degrees 53 minutes East 93.80 feet to a point on the westerly right-of-way line of a new 60' wide road as described in Deed Book 187, page 334; thence, leaving said right-of-way, North 58 degrees 36 minutes 58 seconds West 56.41 feet; thence North 76 degrees 46 minutes West 60' to the True Point of Beginning.;

and

WHEREAS, the Board of County Commissioners finds that it is in the public interest to dedicate and accept the above-described portion of county-owned property for road and utility purposes;

NOW, THEREFORE, IT IS HEREBY ORDERED as follows:

1. The Board of County Commissioners, on behalf of Columbia County, hereby dedicates the above-described property as additional right-of-way along Beaver Homes Road for public road and utility purposes as described and authorizes Rita Bernhard, Chair, to execute a Dedication Deed, a copy of which is attached hereto and labeled Exhibit "B", to accomplish this dedication.

2. The Board of County Commissioners, on behalf of Columbia County, hereby accepts the above-described property as additional right-of-way along Beaver Homes Road for public road and utility purposes.

3. The Dedication Deed and this Order shall be filed with and recorded by the County Clerk in Deed Records without costs.

DATED this 7th day of February, 2001.

BOARD OF COUNTY COMMISSIONERS  
FOR COLUMBIA COUNTY, OREGON

By: Rita M. Bernhard  
Chair

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

By: Joe Corvick  
Commissioner

Approved as to form:

By: Sarah Tyson  
Office of County Counsel

EXHIBIT A



**Columbia County Road Department**  
P.O. Box 366, 1004 Oregon Street, St. Helens, OR 97051

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**Roger Kauble, PE, PLS**  
**County Engineer**

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Phone (503) 397-5090  
Fax 397-7215

**INTEROFFICE MEMORANDUM**

**TO:** Cynthia Zemaitis  
**FROM:** Roger Kauble *Roger Kauble*  
**DATE:** December 20, 2000  
**RE:** Dedication, Additional ROW off Beaver Homes Road  
**SUBJECT:** Revised Right of Way Description – Bates

Enclosed is a revised road right of way description for dedication – Bates purchase. We have made a closer inspection of the site and the deeds and have adjusted the right of way description accordingly. We are requesting a width of 30 feet as we believe more area may be necessary in the future for road slopes and public utilities.

DEDICATION DEED

COLUMBIA COUNTY, a political subdivision of the State of Oregon and the Owner of certain property situated in Columbia County, Oregon, does hereby forever dedicate to the public for road and utility purposes the following land, which is described as being within 50 feet of the centerline of Beaver Homes Road in the Rainier, Oregon, area, and being further described as follows:

A tract of land in Section 15, Township 6 North, Range 2 West, Willamette Meridian, Columbia County, Oregon, containing a portion of that real property described in Columbia County Deed Book 156, page 223, and portions of the Holbrook Avenue and Columbia Road rights-of-way as per the plat of Beaver Homes, Section 2, on file and of record in the Clerk's office of Columbia County, Oregon, more particularly described as follows:

Commencing at the point of intersection of the southerly right-of-way line of Columbia Road with the westerly right-of-way line of Holbrook Avenue, also said point is the northeast corner of Tract Seventeen of the said Beaver Homes Subdivision; thence North 13 degrees 14 minutes East 19 feet to the True Point of Beginning; thence North 83 degrees 34 minutes West 190 feet to a point on the westerly right-of-way of Roadrucka Avenue; thence South 13 degrees 14 minutes West 30 feet along said Roadrucka right-of-way line to the intersection with the northerly right-of-way line of the road as described in Deed Book 20, page 383; thence South 83 degrees 34 minutes East 190 feet along said road right-of-way line to the intersection with the westerly right-of-way line of the said Holbrook Avenue; thence South 83 degrees 34 minutes East 20.48 feet to the centerline of the said Holbrook Avenue; thence South 82 degrees 53 minutes East 93.80 feet to a point on the westerly right-of-way line of a new 60' wide road as described in Deed Book 187, page 334; thence, leaving said right-of-way, North 58 degrees 36 minutes 58 seconds West 56.41 feet; thence North 76 degrees 46 minutes West 60' to the True Point of Beginning.

The above described property is to be dedicated for use for public road and utility purposes only.

THIS INSTRUMENT WILL 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 APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

The true and actual consideration for this conveyance is \$ -0-, stated in terms of dollars.

DATED this \_\_\_\_ day of February, 2001.

COLUMBIA COUNTY, OREGON

By: \_\_\_\_\_  
Rita Bernhard, Chair, Board of Commissioners,  
on behalf of Columbia County

STATE OF OREGON )  
 ) ss.  
County of Columbia )

ACKNOWLEDGMENT

THIS INSTRUMENT was acknowledged before me on the \_\_\_\_ day of February, 2001, by Rita Bernhard representing Columbia County.

\_\_\_\_\_  
Notary Public for Oregon  
My Commission Expires: \_\_\_\_\_

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 Columbia County for public road purposes forever on behalf of the public.

DATED this \_\_\_\_\_ day of February, 2001.

BOARD OF COUNTY COMMISSIONERS  
FOR COLUMBIA COUNTY, OREGON

By: \_\_\_\_\_  
Chair  
By: \_\_\_\_\_  
Commissioner  
By: \_\_\_\_\_  
Commissioner

**Grantor's Name and Address:**  
Columbia County  
Courthouse  
St. Helens, OR 97051

**After Recording Return to:**  
OFFICE OF COUNTY COUNSEL  
ROOM 318, COURTHOUSE  
ST. HELENS, OREGON 97051

I hereby certify that the within instrument was received for record and recorded in the County of Columbia, State of Oregon.

0 1200 '01 FEB -8 P3:57



ELIZABETH HUSER, County Clerk

By: *[Signature]* Deputy

Receipt #      # of Pages 5

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