

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR COLUMBIA COUNTY, OREGON

In the Matter of Conveying an Easement to )  
 CenturyTel of Oregon, Inc., d.b.a. CenturyTel )  
 for the Use of a Portion of Certain County- )  
 Owned Real Property Known as Tax Account )  
 No. 01-01-3212-032-00801 )

**ORDER NO. 3-2001**

WHEREAS, ORS 271.310 provides that, whenever any political subdivision possesses or controls real property not needed for public use, or whenever the public interest may be furthered, a political subdivision may sell, exchange, convey or lease all or any part of their interest in the property to a governmental body or private individual or corporation; and

WHEREAS, Columbia County owns certain real property which has been assigned Tax Account No. 01-01-3212-032-00801 and is more particularly described as:

Beginning at a point which is South 0°29' West 344.00 feet and South 89°31' East 264.00 feet from the West quarter corner of Section 12, Township 3 North, Range 2 West, Willamette Meridian, Columbia County, Oregon, said point being on the Westerly right of way line of Jobin Lane; thence North 0°29' East a distance of 100.00 feet; thence North 89°31' West a distance of 13.7 feet to the TRUE POINT OF BEGINNING of the parcel herein described, said point being the Northeast corner of Parcel 1 of deed to Starla A. McNutt recorded September 22, 1982 in Book 244, page 380, Deed Records of Columbia County, Oregon; thence North 89°31' West a distance of 160.0 feet; thence North 0°29' East a distance of 10.00 feet; thence North 89°31' West a distance of 13.00 feet to a point which is South 0°29' West 234.00 feet and South 89°31' East 77.30 feet from said West quarter corner; thence North 4°46' East a distance of 40.11 feet; thence South 89°31' East a distance of 165.0 feet to the Southeast corner of deed to Brent K. Balza and Robin F. Loyd, as recorded January 3, 1983, in Book 245, Page 652, Deed Records of Columbia County, Oregon; thence South 0°29' West a distance of 50.00 feet to the true point of beginning, said point being the Northeast corner of said McNutt tract in Book 244, page 380, Deed Records of Columbia County, Oregon.

and

WHEREAS, CenturyTel of Oregon, Inc. ("CenturyTel"), is in the process of replacing aerial telephone communications lines and facilities in connection with upgrading service in the Scappoose, Oregon, area; and

WHEREAS, CenturyTel has requested an easement for an aerial telephone and communications line across the above-described property, a copy of said easement being attached hereto, labeled Exhibit "A" and incorporated herein by this reference; and

WHEREAS, the public interest may be furthered by granting said easement as requested;

NOW, THEREFORE, IT IS HEREBY ORDERED:

- 1) That the Board of County Commissioners for Columbia County grants an easement to CenturyTel for an aerial telephone and communications lines as shown in Exhibit "A" across the County-owned real property described above; and
- 2) That said easement is subject to CenturyTel's compliance with all relevant provisions of the Columbia County Road Standards Ordinance No. 96-6, to include the application and issuance of a construction permit outlined in Section I. D of said ordinance; and
- 3) That said easement is subject to CenturyTel's further compliance with the specifications and requirements imposed by the Public Works Director or his designee, including the required height of the proposed aerial lines and conditions for removal and/or movement of said lines; and
- 4) That, upon delivery of said easement, CenturyTel shall have the document recorded in the office of the Columbia County Clerk and shall forward an executed, recorded copy to the offices of Columbia County Counsel.

DATED this 17th day of January, 2001.

BOARD OF COUNTY COMMISSIONERS  
FOR COLUMBIA COUNTY, OREGON

Approved as to form

By: John K. [Signature]  
Office of County Counsel

By: [Signature]  
Chair

By: not present  
Commissioner

By: [Signature]  
Commissioner

AERIAL TELEPHONE AND COMMUNICATIONS LINE EASEMENT

COLUMBIA COUNTY, a political subdivision of the State of Oregon, ("Grantor") does hereby grant unto CENTURYTEL OREGON, INC., dba CENTURYTEL, its successors and assigns, the right to place and maintain an aerial telephone and communications line over and across the following described property:

Beginning at a point which is South 0°29' West 344.00 feet and South 89°31' East 264.00 feet from the West quarter corner of Section 12, Township 3 North, Range 2 West, Willamette Meridian, Columbia County, Oregon, said point being on the Westerly right of way line of Jobin Lane; thence North 0°29' East a distance of 100.00 feet; thence North 89°31' West a distance of 13.7 feet to the TRUE POINT OF BEGINNING of the parcel herein described, said point being the Northeast corner of Parcel 1 of deed to Starla A. McNutt recorded September 22, 1982 in Book 244, page 380, Deed Records of Columbia County, Oregon; thence North 89°31' West a distance of 160.0 feet; thence North 0°29' East a distance of 10.00 feet; thence North 89°31' West a distance of 13.00 feet to a point which is South 0°29' West 234.00 feet and South 89°31' East 77.30 feet from said West quarter corner; thence North 4°46' East a distance of 40.11 feet; thence South 89°31' East a distance of 165.0 feet to the Southeast corner of deed to Brent K. Balza and Robin F. Loyd, as recorded January 3, 1983, in Book 245, Page 652, Deed Records of Columbia County, Oregon; thence South 0°29' West a distance of 50.00 feet to the true point of beginning, said point being the Northeast corner of said McNutt tract in Book 244, page 380, Deed Records of Columbia County, Oregon.

It is agreed that CENTURYTEL, its successors and assigns, shall have access to said property for the purpose of placing and maintaining said line, and shall be responsible for any damage to said property by reason of placing and/or maintaining said line, provided, however, that CENTURYTEL shall have the right to clear and keep cleared trees or other obstructions which may interfere or threaten to interfere with the placing and maintaining of said line.

It is further agreed that CENTURYTEL shall comply with all requirements set forth in the Board of County Commissioners' No. 3-2001 for this easement to remain in effect.

Dated this \_\_\_ day of January, 2001.

BOARD OF COUNTY COMMISSIONERS  
FOR COLUMBIA COUNTY, OREGON

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

Approved as to form

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

By: \_\_\_\_\_  
Office of County Counsel

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

STATE OF OREGON )  
 ) ss.  
County of Columbia )

The foregoing instrument was acknowledged before me this \_\_\_ day of January, 2001, by \_\_\_\_\_ County Commissioners for Columbia County, a political subdivision of the State of Oregon.

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

ACCEPTED:

CENTURYTEL OF OREGON, INC.,  
dba CENTURYTEL

After recording, return to:

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

Mid-State Consultants  
Post Office Box 808  
Wilsonville, OR 97070