

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR COLUMBIA COUNTY, OREGON

In the Matter of Accepting Consent to the Use of an )  
Easement Over Property Owned by the State of Oregon )  
In Connection with Improvements to Rockcrest and West )  
Rainier Dike Roads in Rainier, Oregon )  
[ODOT Property/Rainier Water Improvement Co. ] )

**ORDER NO. 32-01**

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 the use of an easement across certain property owned by the State of Oregon for roadway purposes; and

WHEREAS, the Rainier Water Improvement Company, as the holder of said easement, has consented to Columbia County's use of the easement for roadway purposes; and

WHEREAS, the Board of County Commissioners determined in Resolution No. 80-00 that the use of easements is necessary to protect the full use and enjoyment by the public of West Rainier and Dike Roads;

NOW, THEREFORE, it is hereby ordered as follows:

1) Columbia County accepts the Consent to use of an Easement from Rainier Water Improvement Company, as described in the Consent to Use of Easement which is attached hereto, labeled Attachment 1, and is incorporated herein by this reference.

2) The Chair of the Board of County Commissioners is authorized to sign the Consent to Use of Easement to accept such easement on behalf of the County.

3) The Consent to Use of Easement, described in Attachment 1, shall be recorded in the deed records of the Columbia County Clerk without costs.

DATED this 28th day of March, 2001.

BOARD OF COUNTY COMMISSIONERS  
FOR COLUMBIA COUNTY, OREGON

Approved as to Form:

By: Sarah Tugan  
Office of the County Counsel

By: [Signature]  
Chair

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

By: [Signature]  
Commissioner

**ORDER NO. 32-01**

[Accepting Rockcrest/Dike Road Easement Consent]

ATTACHMENT 1

CONSENT TO USE OF EASEMENT

**Rainier Water Improvement Company**., a municipal corporation as the easement holder, hereby consents to the common use of a portion of its "Dike Easement" over property owned by The State of Oregon, hereinafter referred to as the GRANTOR, by Columbia County, hereinafter COUNTY, for roadway purposes.

The easement is located across the southerly portion of property owned by the Grantor and is described on the attached Exhibit "A" and is required to complete the construction of a county road. The rules under which the common use of the easement will be used by the COUNTY follows;

1. The COUNTY will repair or restore the drainage ditch which presently exists along the southerly edge of the easement area..
2. The COUNTY will hold the GRANTOR harmless from any claims by the COUNTY's agents, representatives, employees, contractors and sub-contractors, agents and from claims made by the public in general for damages, injury or death which may occur as a result of the activities of the COUNTY.
3. The dike on which the easement is located will be protected from damage due to construction of the roadway.

**The Rainier Water Improvement Company**

By John Sanders Chairman RWIC  
Name and Title

STATE OF OREGON, County of Columbia

February 05, 2001. Personally appeared John Sanders, who being sworn, stated that he is the Chairman for the **Rainier Water Improvement Company** and that this document was voluntarily signed on behalf of the **Rainier Water Improvement Company** authority delegated to him. Before me:



Gina M. Viuhkola  
Notary Public for Oregon

My Commission expires May 24, 2004

RETURN THIS DOCUMENT TO:  
Columbia County Surveyor's Office  
1004 Oregon Street  
St. Helens, OR 97051

Accepted for Columbia County by:

\_\_\_\_\_  
\_\_\_\_\_  
Name, Title

RIGHT OF WAY DEDICATION

A portion of Section 7, Township 7 North, Range 2 West, of the Willamette Meridian, described as follows:

Beginning at Station 23+00 of Dike Road (Water Street) at a point which bears South  $57^{\circ}32'45''$  East along the right of way centerline of Dike Road a distance of 277.47 feet and North  $32^{\circ}27'15''$  East 20.00 feet from the right of way centerline intersection of Barton Road;

Thence parallel with the centerline of Dike Road South  $57^{\circ}32'45''$  East a distance of 1976.28 feet to a  $5/8''$  iron rod with yellow, plastic cap stamped "AKS ENGR";

Thence North  $36^{\circ}52'55''$  East a distance of 2.01 feet to a  $5/8''$  iron rod with yellow, plastic cap stamped "AKS ENGR";

Thence parallel with the centerline of Dike Road North  $57^{\circ}32'45''$  West a distance of 1826.44 feet to a  $5/8''$  iron rod with yellow, plastic cap stamped "AKS ENGR";

Thence North  $56^{\circ}08'39''$  West a distance of 150.05 feet to a  $5/8''$  iron rod with yellow, plastic cap stamped "AKS ENGR";

Thence South  $32^{\circ}26'54''$  West a distance of 5.67 feet to the point of beginning.

Containing 4,228 square feet (0.10 acres) more or less.

RIGHT OF WAY DEDICATION

A portion of Section 7 and 8, Township 7 North, Range 2 West, of the Willamette Meridian, described as follows:

Beginning at Station 79+50 of Dike Road (Water Street) at a point which bears North  $57^{\circ}32'45''$  West along the right of way centerline of Dike Road a distance of 21.65 feet and North  $32^{\circ}27'15''$  East 20.00 feet from the right of way centerline intersection of Fourth Street;

Thence North  $52^{\circ}33'50''$  West a distance of 149.14 feet to a  $5/8''$  iron rod with yellow, plastic cap stamped "AKS ENGR";

Thence North  $57^{\circ}30'47''$  West a distance of 85.81 feet to a  $5/8''$  iron rod with yellow, plastic cap stamped "AKS ENGR";

Thence North  $57^{\circ}32'45''$  West a distance of 145.61 feet to a  $5/8''$  iron rod with yellow, plastic cap stamped "AKS ENGR";

Thence North  $60^{\circ}52'39''$  West a distance of 19.93 feet to a  $5/8''$  iron rod with yellow, plastic cap stamped "AKS ENGR";

Thence North  $58^{\circ}58'06''$  West a distance of 50.05 feet to a  $5/8''$  iron rod with yellow, plastic cap stamped "AKS ENGR";

Thence North  $60^{\circ}46'28''$  West a distance of 50.08 feet to a  $5/8''$  iron rod with yellow, plastic cap stamped "AKS ENGR";

Thence North  $59^{\circ}14'50''$  West a distance of 50.02 feet to a  $5/8''$  iron rod with yellow, plastic cap stamped "AKS ENGR";

Thence North  $59^{\circ}31'57''$  West a distance of 50.03 feet to a  $5/8''$  iron rod with yellow, plastic cap stamped "AKS ENGR";

Thence North  $59^{\circ}19'53''$  West a distance of 50.02 feet to a  $5/8''$  iron rod with yellow, plastic cap stamped "AKS ENGR";

Thence parallel with the centerline of Dike Road North  $57^{\circ}32'45''$  West a distance of 650.00 feet to a  $5/8''$  iron rod with yellow, plastic cap stamped "AKS ENGR";

Thence South  $32^{\circ}27'15''$  West a distance of 1.00 feet to a  $5/8''$  iron rod with yellow, plastic cap stamped "AKS ENGR";

EXHIBIT "A-3"

Thence parallel with the centerline of Dike Road North  $57^{\circ}32'45''$  West a distance of 2127.69 feet to a  $5/8''$  iron rod with yellow, plastic cap stamped "AKS ENGR";

Thence South  $00^{\circ}44'32''$  West a distance of 2.39 feet to a  $5/8''$  iron rod with yellow, plastic cap stamped "AKS ENGR";

Thence parallel with the centerline of Dike Road South  $57^{\circ}32'45''$  East a distance of 3426.31 feet to the point of beginning.

Containing 12,253 square feet (0.28 acres) more or less.

**RIGHT OF WAY DEDICATION**

A portion of Section 8 and 17, Township 7 North, Range 2 West, of the Willamette Meridian, described as follows:

Beginning at Station 91+15 of Dike Road (Water Street) at a point which bears South  $57^{\circ}32'45''$  East along the right of way centerline of Dike Road a distance of 122.04 feet and North  $32^{\circ}27'15''$  East 20.00 feet from the right of way centerline intersection of Second Street;

Thence North  $51^{\circ}28'54''$  West a distance of 115.16 feet to a  $5/8''$  iron rod with yellow, plastic cap stamped "AKS ENGR";

Thence North  $57^{\circ}32'55''$  West a distance of 91.48 feet to a  $5/8''$  iron rod with yellow, plastic cap stamped "AKS ENGR";

Thence North  $65^{\circ}19'20''$  West a distance of 75.10 feet to a  $5/8''$  iron rod with yellow, plastic cap stamped "AKS ENGR";

Thence parallel with the centerline of Dike Road North  $57^{\circ}32'45''$  West a distance of 612.18 feet to a  $5/8''$  iron rod with yellow, plastic cap stamped "AKS ENGR";

Thence South  $32^{\circ}27'15''$  West a distance of 2.00 feet to a  $5/8''$  iron rod with yellow, plastic cap stamped "AKS ENGR";

Thence parallel with the centerline of Dike Road South  $57^{\circ}32'45''$  East a distance of 892.59 feet to the point of beginning.

Containing 3,561 square feet (0.08 acres) more or less.

EXHIBIT "A-5"

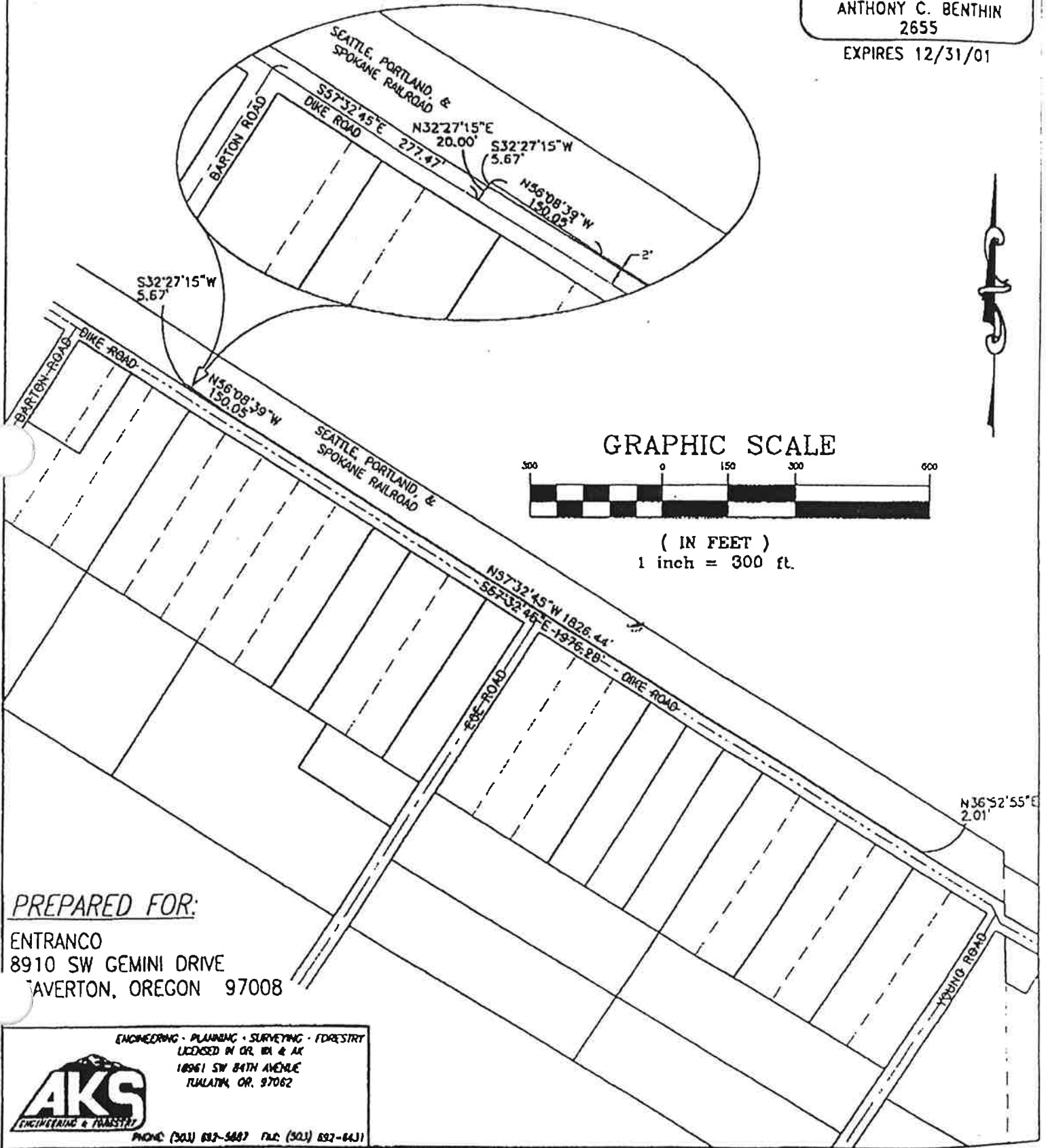
REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*Anthony C. Benthin*

OREGON  
JULY 18, 1894  
ANTHONY C. BENTHIN  
2655

EXPIRES 12/31/01

RIGHT OF WAY DEDICATION  
LOCATED IN SECTION 7, TOWNSHIP 7 NORTH, RANGE 2 WEST,  
WILLAMETTE MERIDIAN, COLUMBIA COUNTY, OREGON



PREPARED FOR:

ENTRANCO  
8910 SW GEMINI DRIVE  
TAVERTON, OREGON 97008

ENGINEERING • PLANNING • SURVEYING • FORESTRY  
LICENSED IN OR, WA & AK  
18261 SW 84TH AVENUE  
TUALATIN, OR. 97062

**AKS**  
ENGINEERING & SURVEYING

PHONE: (503) 832-5487 FAX: (503) 832-6431

EXHIBIT "A-6"

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

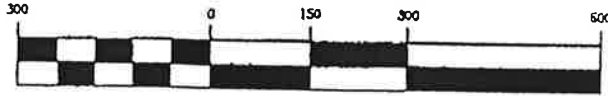
*Anthony C. Benthin*

OREGON  
JULY 19, 1994  
ANTHONY C. BENTHIN  
2655

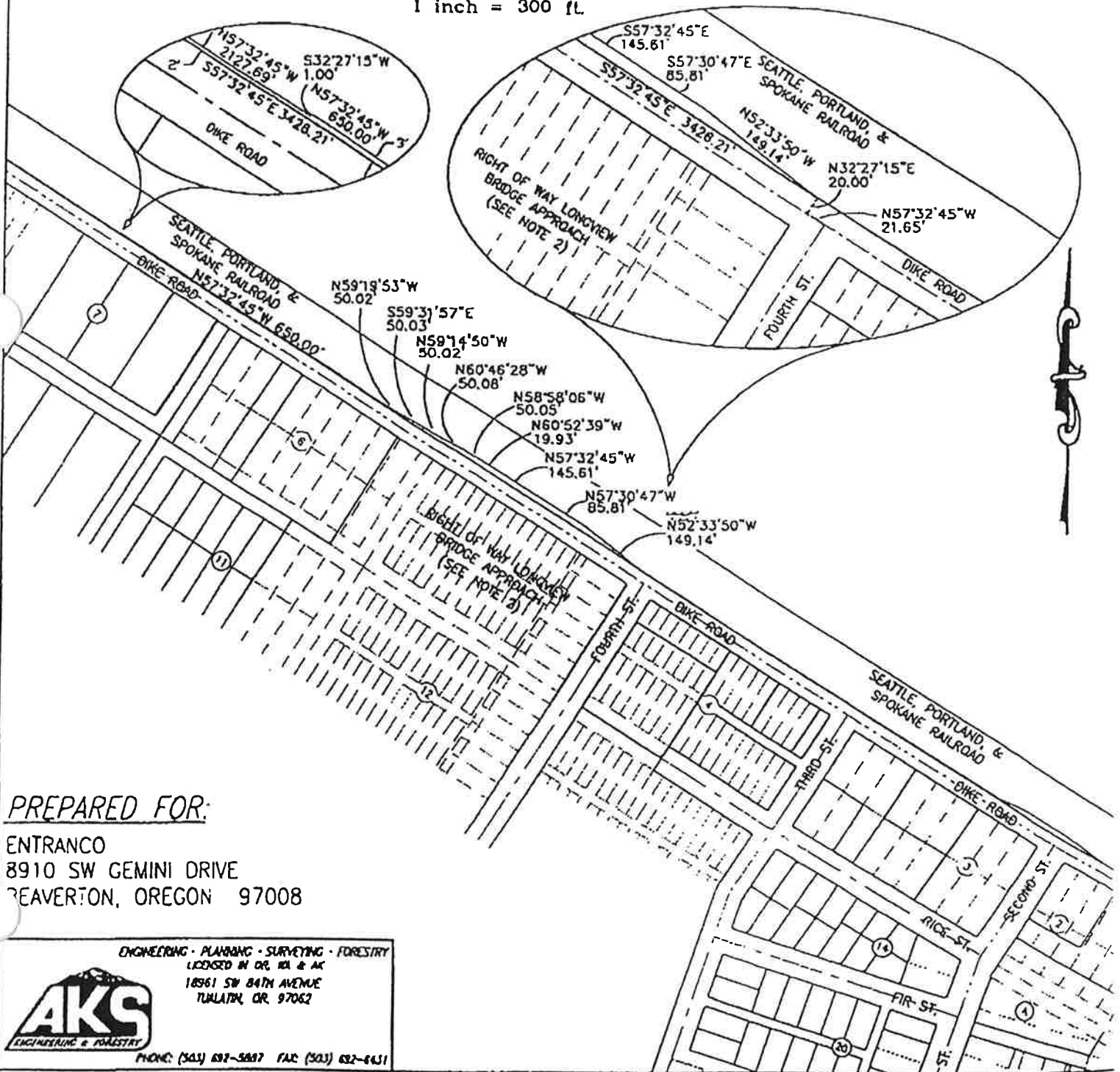
EXPIRES 12/31/01

RIGHT OF WAY DEDICATION  
LOCATED IN SECTION 7 AND 8, TOWNSHIP 7 NORTH, RANGE 2 WEST,  
WILLAMETTE MERIDIAN, COLUMBIA COUNTY, OREGON

GRAPHIC SCALE



( IN FEET )  
1 inch = 300 ft.



PREPARED FOR:

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8910 SW GEMINI DRIVE  
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EXHIBIT "A-7"

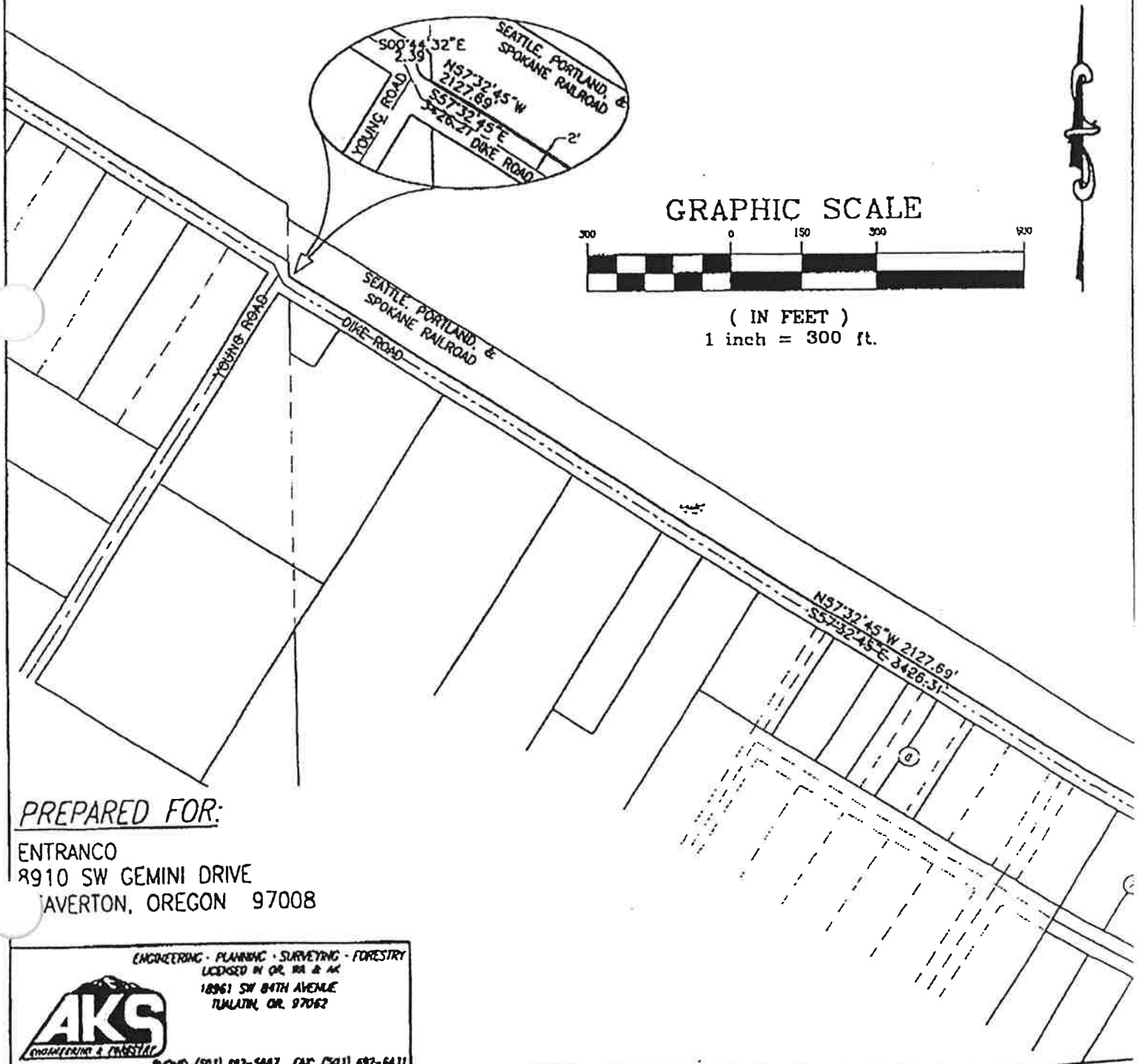
REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

RIGHT OF WAY DEDICATION  
LOCATED IN SECTION 7 AND 8, TOWNSHIP 7 NORTH, RANGE 2 WEST,  
WILLAMETTE MERIDIAN, COLUMBIA COUNTY, OREGON

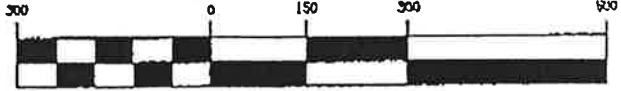
*Anthony C. Benthin*

OREGON  
JULY 19, 1994  
ANTHONY C. BENTHIN  
2655

EXPIRES 12/31/01



GRAPHIC SCALE



( IN FEET )  
1 inch = 300 ft.

PREPARED FOR:

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EXHIBIT "A-8"

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

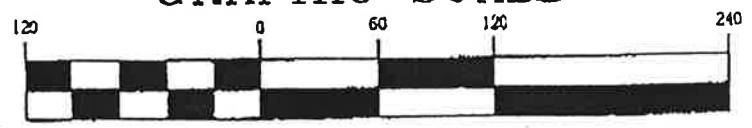
*Anthony C. Benthin*

OREGON  
JULY 10, 1984  
ANTHONY C. BENTHIN  
2655

EXPIRES 12/31/01

RIGHT OF WAY DEDICATION  
LOCATED IN SECTION 8 AND 17, TOWNSHIP 7 NORTH, RANGE 2 WEST,  
WILLAMETTE MERIDIAN, COLUMBIA COUNTY, OREGON

GRAPHIC SCALE



( IN FEET )  
1 inch = 120 ft.

S32°27'15"W  
2.00'

SEATTLE, PORTLAND, &  
SPOKANE RAILROAD

N57°32'45"W 612.18'  
S57°32'45"E 892.59'

THIRD ST.

DIKE ROAD

N65°19'20"W 75.10'  
N57°32'55"W 91.48'  
N51°28'54"W 115.16'

N32°27'15"E  
20.00'

SECOND ST.

RICE ST.

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