

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR COLUMBIA COUNTY, OREGON

In the Matter of the Proposed Vacation of )  
Fourth Street, Fifth Street and a Portion )  
of Harrison Street in the Greens Point )  
subdivision Near Clatskanie, Oregon )  
)  
[Ramsey Petition] \_\_\_\_\_ )

**ORDER NO. 54-2001**  
(Finalizing Vacation Proceedings)

WHEREAS, pursuant to ORS 368.341(1)(b) the Board of County Commissioners for Columbia County, Oregon adopted Order No. 24-2001 initiating proceedings to vacate certain platted, unused rights-of-way known as Fourth Street, Fifth Street, and a portion of Harrison Street, all within the Greens Point subdivision near Clatskanie, Oregon; and

WHEREAS, the petitioners were subsequently advised that vacation of these platted rights-of-way, as proposed, would effectively deny access to several lots and the Public Works Director would therefore be unable to make an assessment that vacation of these rights-of-way, as proposed, would be in the public interest; and

WHEREAS, the petitioners subsequently met with Dave Hill, Public Works Director, and Lonny Welter, Transportation Planner, to reach an understanding and agreement as to the potential vacation of public rights-of-way within the Greens Point subdivision; and

WHEREAS, by letter dated May 3, 2001, the petitioners amended their petition for vacation to exclude Harrison Street, a copy of said letter being attached hereto as Exhibit A and by this reference incorporated herein; and

WHEREAS, by this amendment, the public rights-of-way now proposed for vacation are described as:

- > Fourth Street, as platted but undeveloped, which lies between Cleveland Street and Harrison Street, Greens Point subdivision; and
- > Fifth Street, as platted but undeveloped, which lies between Cleveland Street/Louis Fluhrer Road and the proposed Green Point Road as shown on the plat of Greens Point subdivision;

and,

WHEREAS, pursuant to ORS 368.351, the Board may make its determination about the vacation of property without holding a hearing if: (1) the County Roadmaster files with the Board a written report that contains his assessment that the vacation would be in the public interest; and (2) the vacation proceedings were initiated by a petition under ORS 368.341 that contains:

"the acknowledged signatures of owners of 100 percent of any private property proposed to be vacated and acknowledged signatures of owners of 100 percent of

property abutting any public property proposed to be vacated. The petition must indicate the owners' approval of the proposed vacation";

and

WHEREAS, the County Roadmaster, Dave Hill, has filed a report with the Board stating his assessment that the vacation, as amended, would be in the public interest, a copy of the Roadmaster's report being attached hereto, labeled Exhibit B and incorporated herein by this reference; and

WHEREAS, a map of the area proposed to be vacated is attached to the report of the County Roadmaster and by this reference incorporated herein; and

WHEREAS, the Board finds that the petition meets the requirements of ORS 368.341 and contains the acknowledged signatures and owners' approval as required by ORS 368.351(2);

NOW, THEREFORE, IT IS HEREBY ORDERED as follows:

1. Vacation of the platted rights-of-way of Fourth and Fifth Streets in the Greens Point subdivision near Clatskanie, Columbia County, Oregon, more particularly described as above and as shown on the map attached to Exhibit B, is in the public interest.

2. The property described as above, and depicted in the map attached to Exhibit B is hereby vacated and shall hereby vest in the abutting property owners as provided in ORS 368.366(1)(d) by extension of said owners' abutting property boundaries to the centerline of the vacated platted road.

3. This vacation is being made with a specific reservation of any existing right-of-way for utility easements.

4. Pursuant to Order No. 96-93, the following costs are due from this vacation and shall be deducted from the \$500.00 deposit paid by petitioners Creighton and Barbara Ramsey:

<u>SERVICE</u>	<u>FEE</u>	<u>SUBTOTAL</u>
Filing Petition by the Clerk	\$28.50	\$ 28.50
Review for Correct Property Description by County Surveyor [if required]	\$30.00 [per parcel]	\$ 00.00
Review by Other County Departments	\$175.00 [per single street or alley (or portion thereof)]	\$175.00
	\$50.00 [each additional street or alley (or portion thereof)]	\$100.00
Hearing (if required)	\$100.00	\$00.00
Recording Final Order by the Clerk	\$26.00 [first page]	\$26.00

	\$5.00 [each additional page x 7 pp.]	\$35.00
Two Certified Copies By the Clerk [one to Assessor, one to Surveyor]	\$3.75 [per copy x 2]	\$ 7.50
	\$00.25 [per page x 16 pp.]	\$4.00
Posting the Approved Road Vacation by County Surveyor	\$45.00 [ per parcel]	\$45.00
	<b>TOTAL OWED</b>	<b>\$421.00</b>

5. The Clerk has already deducted the \$28.50 filing fee from the \$500.00 deposit, leaving a balance of \$471.50 in the trust account. The Clerk is hereby authorized to disburse the remainder of the deposit as follows:

COUNTY CLERK	:	\$ 101.00
COUNTY TREASURER	:	\$ 320.00
BARBARA L. RAMSEY	:	\$ 50.50

**80452 Alston Mayger Road  
Clatskanie, OR 97016**

6. This order shall be recorded with the County Clerk, a copy inserted in the appropriate road jacket, and certified copies of it shall be filed with the County Surveyor and the County Assessor.

DATED this 11th day of July, 2001.

**BOARD OF COUNTY COMMISSIONERS  
FOR COLUMBIA COUNTY, OREGON**

By: not present  
Chair

By: [Signature]  
Commissioner

By: [Signature]  
Commissioner

APPROVED AS TO FORM:

By: [Signature]  
Office of County Counsel

Craigton & Barbara Ramsey  
80457 Alston Mayker Rd  
Clatskanie OR 97016

EXHIBIT A

5-3-01

COLUMBIA COUNTY

MAY 07 2001

COUNTY COUNSEL

Re Petition for Vacation

To whom it may concern

AFTER TALKING TO MR DAVE HILL AND MR TUNNY  
WEBER THE MATTER OF VACATING ALL OF FIFTH  
STREET - ALL OF FOURTH STREET AND TO MAKE  
NO CHANGES ON HARRISON STREET WERE AGREED TO.

IT IS OUR DESIRE TO CHANGE THE  
PETITION TO SHOW THESE CHANGES.

Craigton & Ramsey  
Barbara L Ramsey  
Craigton L. Ramsey  
BARBARA L. RAMSEY

EXHIBIT B



**Columbia County Road Department**

P.O. Box 366, 1004 Oregon Street, St. Helens, OR 97051

**Public Works Director**

Phone (503) 397-5090  
Fax 397-7215

JUN 15 2001

**COUNTY COUNSEL**

**TO:** BOARD OF COUNTY COMMISSIONERS  
c/o County Counsel's Office

**FROM:** Dave Hill

**DATE:** June 12, 01

**REF:** Order No. 24-2001, Proposed Vacation of 4<sup>th</sup> Str., 5<sup>th</sup> Str, and Harrison Str.

**LOCATION:** Greens Point Subdivision, Near Clatskanie, OR

**RECOMMENDATION:** Approve proposed vacation of 4<sup>th</sup> and 5<sup>th</sup> Street.

**DISCUSSION:** The plat of Greens Point Subdivision has created property parcels and streets to provide these parcels with public Right-Of-Way (ROW) access. Street ROW evaluations as follows:

4<sup>th</sup> Street - provides frontage to TL 900, 1100, 600 and 1200. Possible situation with land locking TL 600 and 1200 if other streets are also vacated. Slopes appear to be within limits to be able construct a Public Road.

5<sup>th</sup> Street - provides frontage to TL 1200, 1300, 500 and 1600. It appears to have a garage constructed on it about 150' west from Cleveland Street. The western 200' appears to have slopes in excess of 17%, which prohibits use as Public Road. Possible situation with land locking TL 1300 and 1200 if other streets are also vacated.

Harrison Street - provides frontage to TL 700, 600, 201, 300, 500, 1200, and 1300. Slopes appear to be within limits to be able to construct a Public Road. Possible situation with land locking 600, 1200, and 1300 if other streets are also vacated.

Greens Point Road - provides frontage to TL 1600, 500, 300, 207, and 201, serving 10 homes. There is a private road in the general location of the easement shown on the tax assessors map. Slopes are within limits to be able to construct a public road up to the northern last 200'. The last 200' has slopes in excess of 17% and may be on solid rock, prohibiting the ability to bring it to within limits (12% slopes). The existing road is basically constructed with pit run rock.

The roads proposed to be vacated are undeveloped and are currently used as driveways and lawn area for adjacent properties. I believe that all but the east end of 5<sup>th</sup> street could be developed as public roads to meet our standards. The attached map shows the ownership of the adjacent

properties. It appears that all but two adjacent property owners have signed the petition.

Upon discussions with the petitioners (the Ramsey's), it is agreed that in order to prevent land locking of properties, that Harrison Street will not be vacated, thus is being withdrawn for this vacation petition. The vacating of all of 4<sup>th</sup> Street between Cleveland Street and Harrison Street, and the vacating of 5<sup>th</sup> Street between Cleveland Street and into the Green Point Road easement will be recommended for vacation. With Harrison Street withdrawn from the vacation petition, all adjacent and opposite property owners of the proposed vacated streets (4<sup>th</sup> and 5<sup>th</sup>) have signed the petition.

I feel that it is in the best interests of the public and the local property owners to vacate 4<sup>th</sup> and 5<sup>th</sup> Street as described.

David A. Hill



Creighton L. Karsney (BRILAKA)  
 26 80452 Alston Mayer Rd  
 Chatskanie OR 97016  
 503-728-4529

THIS MAP HA

