

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

In the Matter of Determining the)
Boundaries of the Proposed)
McNulty Water People's Utility) ORDER NO. 63-02
District)
_____)

WHEREAS, the Board of County Commissioners for Columbia County, Oregon, held a hearing on Wednesday, September 18, 2002, at 6:00 p.m. in the Commissioners' Meeting Room, Room 308 of the Columbia County Courthouse, in St. Helens, Oregon; and

WHEREAS, the purpose of the hearing was to receive testimony about, and determine the boundaries of, the proposed McNulty Water People's Utility District; and

WHEREAS, notice of the hearing was published in the August 31, 2002, and September 7, 2002, issues of *The Chronicle*, a paper of general circulation within the proposed district; and

WHEREAS, the question of whether the proposed district should be formed will be on the ballot of the November 5, 2002, election; and

WHEREAS, the area(s) proposed to be included in the proposed district, as shown on the electors' petitions which were filed with the Columbia County Clerk, includes the territory within the current service boundaries of the McNulty Water Association; and

WHEREAS, all interested persons were invited and allowed to appear and be heard; and

WHEREAS, testimony was received from the following individuals regarding the proposed boundaries:

Leslie Roberts, attorney for the petitioners, who stated the intent was essentially to convert the existing body, the McNulty Water Association, into a people's utility district;

Fred Bolton, engineer for the McNulty Water Association, who discussed the history and development of the facilities of the water association, showed where they were located with respect to a map, and what the future plans were for growth of the system;

John Borden, engineer, surveyor and water examiner for the McNulty Water Association, who explained that the proposed boundaries of the district as shown in Exhibit 5 included property outside the current service territory, but included in the water association's master plan for future growth;

Richard Louie, Chair of the Board of Directors of the McNulty Water Association, who explained that, because of the fixed costs of the system, it was important that the boundaries include all of the current service territory and additional property if possible;

Skip Baker, City Planner, and Randy Peterson, City Councilor, both on behalf of the City of St. Helens, who presented a memorandum raising several questions for the Board of Commissioners to consider in determining the boundaries of the proposed district;

May Mowrey, citizen, who requested information on the hearing process; and

Kimberly Holcomb, on behalf of the Port of St. Helens, who asked that the Port's appearance and participation be noted on the record, and whose request was granted; and

WHEREAS, the following exhibits were introduced and received in the initial public hearing:

Exhibit 1 - Description of Proposed McNulty Water PUD Boundary, June 20, 2002, provided by petitioners;

Exhibit 2 - Report on the Proposed McNulty Water People's Utility District by the Oregon Office of Energy, September 3, 2002;

Exhibit 3 - Master Water Plan of the McNulty Water Association, January, 1998;

Exhibit 4 - Water Management and Conservation Plan of the McNulty Water Association, September, 2000;

Exhibit 5 - McNulty Water People's Utility District Zoning Map showing proposed boundaries in magenta;

Exhibit 6 - McNulty Water Association Water Service Boundary Map showing residence locations of signators of electors' petitions; and

Exhibit 7 - Memorandum from Skip Baker, on behalf of the City of St. Helens, listing concerns and questions regarding the proposed boundaries; and

WHEREAS, upon questioning from the Board, petitioners stated the boundaries of the proposed district, as shown in Exhibit 1 and Exhibit 5 were different than the boundaries proposed on the electors' petitions; they include lands outside the "Water Service Boundary" shown in Exhibit A submitted with the PUD petition; and

WHEREAS, ORS 261.161(3) doesn't allow additional lands to be included in the boundaries fixed by the Board lying outside the

boundaries described in the electors' petitions unless the owners of that land request inclusion in writing before the boundary hearing is completed; and

WHEREAS, the petitioners requested additional time to obtain written requests for inclusion in the district from property owners outside the originally petitioned boundaries and to present a new map and description; no one objected to the continuance; and

WHEREAS, the Board continued the hearing to September 25, 2002, at or after 10:00 a.m., with any additional testimony to be limited to any written requests for inclusion from owners of property located outside the originally petitioned boundaries; and

WHEREAS, on September 25, 2002, after 10:00 a.m., the Board reopened the hearing on the proposed boundaries; and

WHEREAS, testimony was received from the following individuals regarding the proposed boundaries:

Leslie Roberts, who presented a new map and description for the proposed district, and who presented additional written requests from owners of property requesting inclusion within the proposed district; Ms. Roberts also stated the boundaries proposed for the district as shown on Exhibit 5 were withdrawn; and

John Borden, who showed where the additional properties proposed for inclusion within the district were located; and

WHEREAS, the following additional exhibits were introduced and received in the reopened public hearing:

Exhibit 8 - McNulty Water People's Utility District Proposed Boundary Map based on the "Water Service Boundary" shown in Exhibit A submitted with the PUD petition;

Exhibit 9 - Description of Proposed McNulty Water PUD Boundary, September 25, 2002, provided by petitioners;

Exhibit 10 - written request for inclusion from the owners of the following property located outside the originally petitioned boundaries:

Tax Account No.:
4211-000-01700 (32400 Stone Road, Warren, Oregon); and

Exhibit 11 - written requests for inclusion from the owners of the following 17 properties located outside the originally petitioned boundaries; and

Tax Account Nos.:

4106-044-00900 (on Easy Street, St. Helens, Oregon)
4106-044-01300 (34981 Bachelor Flat Road, St. Helens, Oregon)
4106-044-01200 (34945 Bachelor Flat Road, St. Helens, Oregon)
4108-023-01500 (58692 Dogwood Lane, St. Helens, Oregon)
4105-033-01900 (2894 Columbia Boulevard, St. Helens, Oregon)
4106-044-00800 (59133 Easy Street, St. Helens, Oregon)
5225-000-01608 (61341 Dart Creek Road, St. Helens, Oregon)
5225-000-01607 (61341 Dart Creek Road, St. Helens, Oregon)
5225-000-01601 (61341 Dart Creek Road, St. Helens, Oregon)
4108-023-00500 (58740 Dogwood Lane, St. Helens, Oregon)
5235-000-00901 (60997 Luttrell Lane, St. Helens, Oregon)
5235-000-00801 (60936 Luttrell Lane, St. Helens, Oregon)
5225-000-03201 (33750 Luttrell Farms Drive, St. Helens, Oregon)
5130-000-02502 (61107 Robinette Road, St. Helens, Oregon)
4105-033-01802 (61090 Robinette Road, St. Helens, Oregon)
4108-023-00600 (58710 Dogwood Lane, St. Helens, Oregon)
4107-012-03300 (34663 Bachelor Flat Road, St. Helens, Oregon);
and

WHEREAS, no objection was made to inclusion of the 18 additional properties listed in Exhibits 10 and 11 to the boundaries of the proposed district; and

WHEREAS, the Board asked the petitioners if they would provide a new description and map which would include the additional 18 properties in addition to the originally petitioned boundaries; petitioners said they would; and

WHEREAS, there being no further testimony, the hearing was closed; and

WHEREAS, the Board then voted to tentatively approve the boundaries of the proposed district as shown on Exhibit 8 and described on Exhibit 9, with the additional 18 properties listed on Exhibits 10 and 11, subject to receipt of a new description and map as requested; and

WHEREAS, on October 2, 2002, petitioners presented the Board with a new description and map of the proposed district which include the additional 18 properties listed in Exhibits 10 and 11 in addition to the originally petitioned boundaries as shown in Exhibit 8 and described in Exhibit 9; the new description is attached hereto, labeled Exhibit "A", and is incorporated herein by this reference; the new map is labeled Exhibit "B", and is incorporated herein by this reference;

NOW, THEREFORE, BASED ON THE RECORD OF THE HEARING held on September 18, 2002, and continued to September 25, 2002, the Board makes the following findings:

1. Determining the boundaries of the proposed district must

be done expeditiously to allow the November 5, 2002, election to move forward as scheduled.

2. Including the current service territory of the McNulty Water Association within the boundaries of the proposed district is consistent with the petitioners' intent to simply convert the current association into a people's utility district. No evidence was provided that such conversion would have a significant impact on present or future land use.

3. Absent objection from interested parties, and upon the request of the property owners, the Board finds no reason not to include the additional 18 properties listed in Exhibits 10 and 11.

4. Regardless of the outcome of the November 5, 2002, election, the current water association or the people's utility district, if approved, will be required to discuss with the City of St. Helens how water service will be provided in the future both inside the City, and outside, but inside the City's urban growth boundary.

5. The Board has been presented with no information that suggests that determining the boundaries of the proposed district would affect the discussion of how water service would be provided.

6. While the City of St. Helens has questioned whether creation of a people's utility district is a land use action, it has not identified any comprehensive plan provision as applicable to, or argued that any comprehensive plan provision is an approval standard for, the decision whether to establish boundaries for a people's utility district.

7. The fact the City may own land within the proposed district and does not wish it to be included in the district is not relevant. The statutory criteria does not require property owner consent for land to be included in a proposed district, unless it is outside the boundaries of the district as described in the electors' petition.

8. The City has questioned whether establishing the boundaries of the proposed district would create a taking of the investment of the City and its water users. City has failed to explain why establishing boundaries would constitute a taking and, absent such explanation, the Board concludes it is not a taking.

9. The City has asked whether the boundaries were being established for the purpose of limiting the ability of the City to meet its growth needs by changing the availability of buildable lands within the urban growth area. The petitioners have said the proposed boundaries include the current McNulty Water Association service territory plus 18 additional properties. The City has

failed to explain why converting the Association to a district would limit the ability of the City to meet its growth needs by changing the availability of buildable land within the urban growth area. Absent such explanation, the Board concludes it would not change the availability of buildable lands or limit the City's ability to meet its growth needs.

NOW, THEREFORE, IT IS HEREBY ORDERED as follows:

The Board of County Commissioners determines the boundaries of the proposed McNulty Water People's Utility District, the question of formation of which will be considered at the November 5, 2002, election, shall be as described in Exhibit "A", which is attached hereto and incorporated herein by this reference, and as shown in Exhibit "B", which is attached hereto and incorporated herein by this reference. In case of conflict between Exhibit "A" and Exhibit "B", the description in Exhibit "A" shall control.

DATED this 2nd day of October, 2002.

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

By: _____
Chair

By: _____
Commissioner

By: _____
Commissioner

Approved as to form

By: _____
Office of County Counsel

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DESCRIPTION OF MCNULTY WATER PUD BOUNDARY
September 27, 2002

The following is the legal description of the boundary of the McNulty Water People's Utility District (PUD) in Columbia County, State of Oregon:

(Notes: The tax lots are cited as they are encountered beginning at the west quarter corner of Section 13, Township 4 North Range 2 West, Willamette Meridian, then proceeding in a clockwise direction. Tax lots were obtained from maps current as of May 20, 2002. Names of streets and other features are quoted from the source tax lot maps. Boundaries (lines) are cited for tax lots inside the proposed Water PUD except when noted "(external)." When noted (external), the tax lot is outside the proposed Water PUD but the cited line(s) forms a part of the proposed Water PUD boundary.)

Township 4 North Range 2 West Tax Lots

Section 13

Beginning at the west quarter corner of Section 13, Township 4 North Range 2 West, Willamette Meridian

- 4213-000-00700 – The west line
- 4213-000-00500 – The west line
- 4213-000-00400 – The west and north lines

A line crossing E. N. Stone Rd. No. P-94 from the northeast corner of tax lot 4213-000-00400 to the westerly corner of tax lot 4213-000-00200

- 4213-000-00200 – The northwesterly, west and north lines
- 4213-000-00202 – The north line

Section 12

- 4212-000-01607 – The west line
- 4212-000-01606 – The west line
- 4212-000-01500 – The west line
- 4212-000-01400 – The west and north lines

A line crossing Blaha Co. Rd. Ext. from the northeast corner of tax lot 4212-000-01400 to the south-southwest corner of tax lot 4212-000-01900

- 4212-000-01900 – The south-southwesterly, west and north lines
- 4212-000-01917 – The north line
- 4212-000-01904 – The north line
- 4212-000-01916 – The north line

4212-010-01600 – The west line and the north line beginning at the northwest corner of tax lot 4121-010-01600 and ending at the south-southwest corner of tax lot 4212-010-01300

4212-010-01300 – The westerly lines ending at their intersection with a southerly corner of tax lot 4212-010-01000

4212-010-01000 – That portion of the southerly line from said intersection to the north-southwest corner of tax lot 4212-010-01000 and the west line

4212-010-00500 – The west line

Section 1

4201-000-02900 – The south line

4201-000-02700 – The south line

A line crossing Kappler Road No. 158 from the southwest corner of tax lot 4201-000-02700 to the southeast corner of tax lot 4202-000-04200

Section 2

4202-000-04200 – The south and west lines

A line crossing Cater Road P-166 from the northwest corner of tax lot 4202-000-04200 to the southwest corner of tax lot 4202-000-04100

4202-000-04100 – The west line

A line crossing Brooks Road No. P-89 from the northwest corner of tax lot 4202-000-04100 to the southwest corner of tax lot 4202-000-02302

4202-000-02302 – (external) The south, east, northeast and northerly lines

4202-000-02301 – The west line

4202-000-02300 – The west line

4202-000-02601 – The west line

4202-000-02200 – The west line and that portion of the north line from the northwest corner of tax lot 4202-000-02200 to its intersection with the southwest corner of tax lot 4202-000-02000

4202-000-02000 – The west line

4202-000-01900 – That portion of the south line beginning at its intersection with the northwest corner of tax lot 4202-000-02000 and ending at the southwest corner of tax lot 4202-000-01900

4202-000-01805 – The most southerly line

4202-000-01804 – The south and the westerly lines ending at the southwest corner of tax lot 4202-000-01802

4202-000-01802 – The west lines

A line crossing Kappler Branch Co. Rd. No. 158 from the northwest corner of tax lot 4202-000-01802 to the southwest corner of tax lot 4202-000-01500

4202-000-01500 – The west and north lines

4202-000-01600 – That portion of the north line from the northwest corner of tax lot 4202-000-01600 to its intersection with the southeast corner of tax lot 4202-000-00203

4202-000-00203 – (external) The east, north and west lines

4202-000-00200 – That portion of the south line beginning at its intersection with the southwest corner of tax lot 4202-000-00203 and ending at the west-southwest corner of tax lot 4202-000-00200, the west line and the most northerly line ending at its intersection with tax lot 4202-000-00202

4202-000-00202 – (external) The west, south and easterly lines ending at their intersection with the northwest corner of tax lot 4202-000-00100

4202-000-00100 – That portion of the north line beginning at its intersection with the northeast corner of tax lot 4202-000-00202 and ending at its intersection with Crosby Rd.- P-42

A line crossing Crosby Rd. – P-42 from its right-of-way intersection with the north line of tax lot 4202-000-00100 to its intersection with the southwesterly corner of tax lot 5235-000-03100

Township 5 North Range 2 West Tax Lots

Section 35

5235-000-03100 – The westerly lines

5235-000-03000 – The westerly lines

5235-000-02900 – The westerly lines

5235-000-00500 – The southerly lines beginning at their intersection with the northwest corner of tax lot 5235-000-02900 and ending at the southwest corner of tax lot 5235-000-00500 and the westerly lines

5235-014-01200 – The west and northwesterly lines

A line crossing Pittsburgh-St. Helens Market Road from the north corner of tax lot 5235-014-01200 to the west-southwest corner of tax lot 5235-000-00307

5235-000-00307 – The west line

5235-000-00303 – The west line

5235-000-00201 – The west line

5235-000-00200 – The west line and that portion of the north line beginning at the northwest corner of tax lot 5235-000-00200 and ending at the southwest corner of tax lot 5226-000-01600

Section 26

5226-000-01600 – The west line

5226-000-01301 – The westerly, north and northeasterly lines
5226-000-01700 – The north line beginning at the northwest corner of tax lot 5226-000-01700 and ending at its intersection with the southwest corner of tax lot 5226-000-01502
5226-000-01502 – The west line
5226-000-01501 – The westerly lines, the north line and the easterly lines ending at their intersection with the northwest corner of tax lot 5226-000-01510
5226-000-01510 – (external) The west and south lines

A line crossing C.C. Barger Co. Road – P-35 from the southeast corner of tax lot 5226-000-01510 to the west-southwesterly corner of tax lot 5225-000-01900

Section 25

5225-000-01900 – The westerly and northerly lines
5225-000-01800 – (external) The west, south and easterly lines

A line crossing A.E. Gensman Road – P-109 from the east-northeast corner of tax lot 5225-000-01800 to the northwest corner of tax lot 5225-000-01600

5225-000-01600 – The northerly and east lines
5225-000-01601 – The easterly lines and south line ending at the southeast corner of tax lot 5225-000-01608

A line crossing Dart Creek Road from the southeast corner of tax lot 5225-000-01608 to the northeast corner of tax lot 5225-000-01606

5225-000-01606 – (external) The northerly line and the south line
5225-000-03300 – (external) The west line beginning at its intersection with the northeast corner of tax lot 5225-000-01606, the south line, and the east line ending at its intersection with the northwest corner of tax lot 5225-000-03400
5225-000-03400 – The northerly lines
5225-000-03402 – The most northerly line

Township 5 North Range 1 West Tax Lots

Section 30

5130-000-02500 – The westerly portion of the most northerly line

A line crossing Robinette County Road No. – P-136 from the west-northeast corner of tax lot 5130-000-02500 to the northwest corner of tax lot 5130-000-02502

5130-000-02502 – The north line
5130-000-02504 – (external) The west, south, and east lines
5130-000-02500 – (second call) The easterly portion of the most northerly line

5130-000-02501 – (external) That portion of the west line beginning at its intersection with the east-northeast corner of tax lot 5130-000-02500 and ending at the southwest corner of tax lot 5130-000-02501 and the south line

Section 31

5131-000-00500 – The east line beginning at the northeast corner of 5131-000-00500 and ending at the northwest corner of tax lot 5131-000-00401

5131-000-00401 – The north and east lines

5131-000-01200 – The east line and the south line ending at its intersection with the northeast corner of tax lot 5131-000-01600

5131-000-01600 – The east line

A line crossing A. Hankey County Rd. from the southeast corner of tax lot 5131-000-01600 to the northwest corner of tax lot 5131-000-02500

5131-000-02500 – The northerly lines

5131-040-00403 – The northeasterly lines

5131-040-00601 – The northeasterly line

5131-040-00600 – The northerly lines

5131-040-00400 – The northerly lines and the easterly lines beginning at the northeasterly corner of tax lot 5131-040-00400 and ending at the intersection with the northeasterly corner of tax lot 5131-040-00900

5131-040-00900 – The east line

Township 4 North Range 1 West Tax Lots

Section 6

4106-010-00200 – That portion of the north line beginning at its intersection with the southeast corner of tax lot 5131-040-00900 and ending at the northeast corner of tax lot 4106-010-00200

4106-010-00106 – The north line

4106-010-00100 – The north line and that portion of the east line beginning at the northeast corner of tax lot 4106-010-00100 and ending at its intersection with the northwest corner of tax lot 4105-022-00901

Section 5

4105-022-00901 – The north line

4105-022-00904 – The north line

4105-022-00900 – The north line

4105-022-00902 – The north and east lines

4105-022-01000 – The most easterly line beginning at the northeast corner of tax lot 4105-022-01000 and the southeasterly lines ending at the intersection of the most southeasterly line with tax lot 4105-022-01101

4105-022-01101 – The most easterly line of tax lot 4105-022-01101 beginning at its intersection with tax lot 4105-022-01000 and the southerly portions of tax lot 4105-022-01101 including the access road from Pittsburg Road

4105-022-01200 – (external) That portion of the northerly line beginning at the west-southwesterly corner of tax lot 4105-022-01101 and ending at the northwesterly corner of tax lot 4105-022-01200 and the westerly line

A line crossing the Pittsburg-St. Helens Road from the south corner of tax lot 4105-022-01200 to the northeast corner of tax lot 4105-000-01001

4105-000-01001 – (external) The northerly line

4105-000-00900 – (external) The northerly line

4105-000-01002 – (external) The most northerly line

4105-023-00100 – (external) The northerly line ending at the point of curvature

A line crossing Oak Ridge Street from the point of curvature on the northerly line of tax lot 4105-023-00100 to the point of tangency on the northerly line of tax lot 4106-014-04000

Section 6 (second call)

4106-014-04000 – (external) The northerly line from the point of tangency to the northwesterly corner

4106-014-03900 – That portion of the easterly line beginning at its intersection with the northwesterly corner of tax lot 4106-014-04000 and ending at the southeasterly corner of tax lot 4106-014-03900, the southerly line and that portion of the westerly line beginning at the southwesterly corner of tax lot 4106-014-03900 and ending at its intersection with the southeasterly corner of tax lot 4106-014-00600

4106-014-00600 – The southerly line

A line crossing Barr Avenue from the southwesterly corner of tax lot 4106-014-00600 to the southeasterly corner of tax lot 4106-014-02200

4106-014-02200 – The southerly line

4106-014-02300 – That portion of the easterly line beginning at its intersection with the southwesterly corner of tax lot 4106-014-02200 and ending at the southeasterly corner of tax lot 4106-014-02300 and all of the southerly lines

4106-014-02400 – The southerly line

4106-014-02500 – (external) The westerly line

4106-040-00604 – That portion of the easterly line beginning at its intersection with the southwesterly corner of tax lot 4106-014-02500 and ending at the southeasterly corner of tax lot 4106-040-00604, the south line and that portion of the westerly line beginning at the southwesterly corner of tax lot 4106-040-00604 and ending at its intersection with the southeasterly corner of tax lot 4106-041-05500

4106-041-05500 – The southerly and westerly lines

A line crossing Meadow View Drive from the northwesterly corner of tax lot 4106-041-05500 to the southeasterly corner of tax lot 4106-041-05700

4106-041-05700 – The southerly and westerly lines

4106-014-02800 – That portion of the westerly line beginning at the southwesterly corner of tax lot 4106-014-02800 and ending at its intersection with the southeasterly corner of tax lot 4106-040-00607

4106-040-00607 – The southerly line

4106-040-00601 – That portion of the easterly line beginning at its intersection with the southwesterly corner of tax lot 4106-040-00607 and ending at the southeasterly corner of tax lot 4106-040-00601, the southerly line and that portion of the westerly line beginning at the southwesterly corner of tax lot 4106-040-00601 and ending at its intersection with the southeasterly corner of tax lot 4106-040-00613

4106-040-00613 – The southerly line

4106-040-00800 – That portion of the easterly line beginning at its intersection with the southwesterly corner of tax lot 4106-040-00613 and ending at the southeasterly corner of tax lot 4106-040-00800, the southerly line and that portion of the westerly line beginning at the southwesterly corner of tax lot 4106-040-00800 and ending at its intersection with the southeasterly corner of tax lot 4106-040-01102

4106-040-01102 – The southerly line

4106-040-01200 – That portion of the easterly line beginning at its intersection with the southwest corner of tax lot 4106-040-01102 and ending at the southeast corner of tax lot 4106-040-0120 and the southerly line

4106-040-01300 – The southerly line

A line crossing Woodcreek Drive from the southwesterly corner of tax lot 4106-040-01300 to the northeasterly corner of tax lot 4106-030-00101

4106-030-00101 – The east line

4106-030-00501 – The east line

4106-030-00600 – The east line

4106-030-00700 – The east line

A line crossing Sykes County Road No. P-214 from the southeasterly corner of tax lot 4106-030-00700 to the northeast corner of tax lot 4106-040-03100

4106-040-03100 – The east line and that portion of the south line beginning at the southeast corner of tax lot 4106-040-03100 and ending at its intersection with the northwest corner of tax lot 4107-012-03100

Section 7

4107-012-03100 – (external) The west line and the most southerly line

4107-012-03300 – The west and north lines

4107-012-03200 – (external) The easterly line

4107-012-03100 – (external) (second call) The most easterly lines ending at their intersection with the southwest corner of tax lot 4107-011-00500
4107-011-00500 – (external) The southerly and north lines

Section 6 (third call)

4106-044-00900 – The west line from its intersection with the northwest corner of tax lot 4107-011-00500 to its intersection with the southwest corner of tax lot 4106-044-00800
4106-044-00800 – The west and north lines
4106-044-00900 – (second call) The north line from its intersection with the northeast corner of tax lot 4106-044-00800 and the easterly lines to their intersection with the southwest corner of tax lot 4106-044-01100
4106-044-01100 – (external) The south line from its intersection with the southeast corner of tax lot 4106-044-00900 to its intersection with the southwest corner of tax lot 4106-044-01200
4106-044-01200 – The westerly and northerly lines
4106-044-01300 – That portion of the west line beginning from its intersection with the northeast corner of tax lot 4106-044-01200 and ending at the northwest corner of tax lot 4106-044-01300, the north line and that portion of the east line beginning at the northeast corner of tax lot 4106-044-01300 and ending at its intersection with the southwest corner of tax lot 4105-033-01803

Section 5 (second call)

4105-033-01803 – (external) The south line ending at its intersection with its point-of-curvature

A line crossing Whitetail Avenue from the point-of-curvature on the south line of tax lot 4105-033-01803 to the point-of-curvature on the south line of tax lot 4105-033-01802

4105-033-01802 – The westerly lines beginning with their intersection with the point-of-curvature on the south line, the northwesterly and the north lines
4105-033-01900 – That portion of the west line beginning at its intersection with the northeast corner of tax lot 4105-033-01802 and ending at the northwest corner of tax lot 4105-033-01900, the north, northeasterly and southeasterly lines

A line crossing C.N. Gable (Bachelor Flat) Road from the southeasterly corner of tax lot 4105-033-01900 to the northeast corner of tax lot 4108-000-00601

Section 8

4108-000-00601 – (external) The north line

A line crossing Parkwood Drive from the point of curvature on the north line of tax lot 4108-000-00601 to the point of tangency on the north line of tax lot 4108-000-00625

4108-000-00625 – (external) The north line
4108-000-00626 – (external) The north line

Section 7 (second call)

4107-011-00201 – That portion of the east line beginning at its intersection with the extended north line of tax lot 4108-000-00626 and ending at the southeast corner of tax lot 4107-011-00201
4107-011-00200 – The east line coincident with the east line of Section 7
4107-011-01000 – The east line
4107-011-01100 – The east line
4107-011-02100 – The east line
4107-011-02300 – The east line
4107-014-00100 – The east line from its intersection with the southeast corner of tax lot 4107-011-02300 to the extended southerly line of tax lot 4108-000-00672

Section 8 (second call)

4108-000-00672 – (external) The southerly lines from said extended point to the southeast corner of tax lot 4108-000-00672
4108-000-00671 – (external) The southerly line
4108-000-00667 – (external) The southerly line

A line crossing Parkwood Drive from the point of curvature on the southerly line of tax lot 4108-000-00667 to the point of tangency on the southerly line of tax lot 4108-000-00666

4108-000-00666 – (external) The southerly lines

A line crossing Dogwood Lane from the southeast corner of tax lot 4108-000-00666 to the southwest corner of tax lot 4108-023-01600

4108-023-01600 – The west line
4108-023-01500 – The west line
4108-023-00600 – The west line
4108-023-00500 – The west, north and easterly lines
4108-023-00600 – (second call) The easterly line
4108-023-01500 – (second call) The easterly line
4108-023-01600 – (second call) That portion of the easterly line beginning at the northeast corner of tax lot 4108-023-01600 and ending at its easterly point of curvature

A line crossing Maple Street from the easterly point of curvature on the easterly line of tax lot 4108-023-01600 to the west - northerly corner of tax lot 4108-023-02100

4108-023-02100 – The northerly line to its intersection with the northwesterly corner of tax lot 4108-023-02201

4108-023-02201 – The northerly lines to their intersection with tax lot 4108-023-02200
4108-023-02200 – The northerly lines
4108-023-02202 – The northerly lines
4108-024-01401 – The northerly lines
4108-024-01300 – That portion of the westerly line beginning at its intersection with the northeasterly corner of tax lot 4108-024-01401 and ending at the northwesterly corner of tax lot 4108-024-01300, the northerly lines and the easterly line ending at its intersection with the northwesterly corner of tax lot 4108-024-01100
4108-024-01100 – The northerly lines beginning at the intersection with tax lot 4108-024-01300 and ending at the intersection with tax lot 4108-024-01000
4108-024-01000 – The westerly lines beginning at the intersection with tax lot 4108-024-01100, the northerly lines and that portion of the easterly line beginning at the northeasterly corner of tax lot 4108-024-01000 and ending at its intersection with the northerly corner of Kavanagh Ave.

A line crossing Kavanagh Ave. from its most northerly corner to the northwest corner of tax lot 4108-013-01200

4108-013-01200 – The northerly and easterly lines
4108-013-01300 – The easterly line
4108-013-01600 – That portion of the northerly line beginning at its intersection with the southeasterly corner of tax lot 4108-013-01300 and ending at the northeasterly corner of tax lot 4108-013-01600 and the easterly line
4108-013-01800 – The northerly line

A line crossing the Columbia River Highway along the extended northerly line of 4108-013-01800 to its intersection with the easterly right-of-way boundary of the Columbia River Highway

A line coincident with the easterly boundary of the Columbia River Highway to its intersection with the extended southwesterly line of tax lot 4108-034-01500

A line crossing the Burlington Northern (S.P.& S.) Railroad from said intersection of the extended southwesterly line of tax lot 4108-034-01500 to the westerly corner of tax lot 4108-034-01500

4108-034-01500 – (external) The southwesterly and southeasterly lines

A line crossing a road from the northeasterly corner of tax lot 4108-034-01500 to the northwesterly corner of tax lot 4108-034-01600

4108-034-01600 – The northeasterly line
4108-034-02500 – The northeasterly and southeasterly lines
4108-034-02400 – The southeasterly line
4108-034-02300 – The southeasterly line
4108-034-02200 – The southeasterly line

Section 17

4117-020-00200 – The southeasterly line

A line crossing the Millard County Road No. 58 from the southeasterly corner of tax lot 4117-020-00200 to the easterly corner of tax lot 4117-020-00300

4117-020-00300 – (external) The northeasterly line

A line crossing the Burlington Northern (S.P. & S.) Railroad from the north corner of tax lot 4117-020-00300 along the extension of the northeasterly line of tax lot 4117-020-00300 to its intersection with the easterly right-of-way boundary of the Columbia River Highway

A line coincident with the easterly boundary of the Columbia River Highway from its intersection with the extended northeasterly line of tax lot 4117-020-00300 to its intersection with the extended southerly line of tax lot 4117-032-02600

A line crossing the Columbia River Highway from its intersection with the extended southerly line of tax lot 4117-032-02600 to the southeast corner of tax lot 4117-032-02600

4117-032-02600 – The southerly line

4117-032-02500 – The southerly line

4117-032-02400 – The southerly line

4117-032-02200 – That portion of the southerly line beginning at the southeasterly corner of tax lot 4117-032-02200 and ending at its intersection with the northeasterly corner of tax lot 4118-040-00400

Section 18

4118-040-00400 – The easterly line

4118-040-00700 – The easterly line

4118-040-00900 – The easterly and southerly lines

A line crossing Morse County Road No. P-95 from the southwesterly corner of tax lot 4118-040-00900 to the southeasterly corner of tax lot 4118-040-01000

4118-040-01000 – The southerly and westerly lines

4118-040-00600 – The westerly line and the most northerly line

4118-010-02700 – The northwesterly line

A line crossing Alexandria Dr. from the northerly corner of tax lot 4118-010-02700 to the westerly corner of tax lot 4118-010-02601

4118-010-02601 – The most northwesterly line
4118-010-02400 – That portion of the southwesterly line beginning at its intersection with the most northwesterly line of tax lot 4118-010-02601 to the southwesterly corner of tax lot 4118-010-02400
4118-010-01901 – The west-southwesterly line and the westerly line
4118-010-00600 – (external) The southeasterly and easterly lines

A line crossing the road extension P-46 to Morse Road from the northeast corner of tax lot 4118-010-00600 to the northeast corner of said road extension, an intersection with the west line of tax lot 4118-010-00302

4118-010-00302 – The west line from its intersection with the northeast corner of road extension P-46 to the north corner of tax lot 4118-010-00302
4118-010-00200 – The west line
4118-010-00100 – That portion of the west line beginning at the southwest corner of tax lot 4118-010-00100 to its intersection with the southeast corner of tax lot 4107-040-02600

Section 7 (third call)

4107-040-02600 – The south line
4107-000-00200 – That portion of the east line from its intersection with the southwest corner of tax lot 4107-040-02600 to the southeast corner of tax lot 4107-000-00200 and the south line
4107-000-00700 – The south line
4107-000-00600 – The south line and that portion of the west line from the southwest corner of tax lot 4107-000-00600 to its intersection with the southeast corner of tax lot 4118-020-00300

Section 18 (second call)

4118-020-00300 – The most southerly line
4118-020-00400 – That portion of the south line beginning at the southeast corner of tax lot 4118-020-00400 and ending at its intersection with the northeast corner of tax lot 4118-020-00500
4118-020-00500 – The easterly lines
4118-020-00601 – That portion of the north line beginning at its intersection with the southeast corner of tax lot 4118-020-00500 and ending at the northeast corner of tax lot 4118-020-00601 and the easterly and south lines

A line crossing Wm. Resimins Co. Rd. No. 174 (Bachelor Flat) from the southwest corner of tax lot 4118-020-00601 to the south-southwesterly corner of tax lot 4213-010-01800

Township 4 North Range 2 West Tax Lots (second call)

Section 13 (second call)

- 4213-010-01800 – The south lines
- 4213-010-01700 – The south and westerly lines
- 4213-010-01600 – The westerly line
- 4213-010-00500 – The south lines starting at the northwest corner of tax lot 4213-010-01600 and ending at its intersection with the east line of tax lot 4213-010-00906
- 4213-010-00906 – That portion of the easterly line beginning at its intersection with the southwest corner of tax lot 4213-010-00500 and ending at the southeast corner of tax lot 4213-010-00906 and the south line
- 4213-010-00905 – The south line
- 4213-010-00901 – The south line
- 4213-010-01000 – That portion of the east line beginning at its intersection with the southwest corner of tax lot 4213-010-00901 and ending at the southeast corner of tax lot 4213-010-01000 and the southerly lines
- 4213-000-00101 – That portion of the east line beginning at its intersection with the southwest corner of tax lot 4213-010-01000 and ending at the southeast corner of tax lot 4213-000-00101
- 4213-000-00102 – The east line and that portion of the south line beginning at the southeast corner of tax lot 4213-000-00102 and ending at its intersection with the northeast corner of tax lot 4213-000-01300
- 4213-000-01300 – The east lines and the south line
- 4213-000-01002 – The most easterly line
- 4213-000-01000 – The east and south lines
- 4213-000-00900 – The south and west lines

A line crossing E.N. Stone Road No. P-94 from the northwest corner of tax lot 4213-000-00900 to the southeast corner of tax lot 4213-000-00803

- 4213-000-00803 – The south line
- 4213-000-00802 – That portion of the east line beginning at its intersection with the southwest corner of tax lot 4213-000-00803 to the southeast corner of tax lot 4213-000-00802 and the south line
- 4213-000-00801 – The south line
- 4213-000-00700 – (second call) The south line ending at the Point of Beginning, the west quarter corner of Section 13, Township 4 North Range 2 West, Willamette Meridian

In addition, the following two (2) Islands:

Island 1 in Section 35, Township 5 North, Range 2 West, Willamette Meridian:

- 5235-000-00801 – Beginning at the northwest corner of tax lot 5235-000-00801, the north, east, southeasterly and south lines and the west line beginning at the southwest

corner of tax lot 5235-000-00801 and ending at its intersection with the southeast corner
of tax lot 5235-000-00901

5235-000-00901 – The south, west and north lines ending at the point of beginning

Island 2 in Section 11, Township 4 North, Range 2 West, Willamette Meridian:

4211-000-01700 – Beginning at the southwest corner of tax lot 4211-000-01700, the
westerly, northerly, easterly, southwesterly and south lines ending at the point of
beginning