

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

In the Matter of Adopting the "Public Land Corner Preservation Fund Ordinance")
ORDINANCE NO. 2006-10)
_____)

The Board of Commissioners for Columbia County, Oregon ordains as follows:

SECTION 1. TITLE.

This ordinance shall be known as Ordinance No. 2006-10. Exhibit "A", which is attached hereto and incorporated herein, shall be known as the "Public Land Corner Preservation Fund Ordinance".

SECTION 2. AUTHORITY.

This ordinance is adopted pursuant to ORS 203.035 and 203.148.

SECTION 3. PURPOSE.

The purpose of this ordinance is to adopt the Public Land Corner Preservation Fund Ordinance which will replace Ordinance No. 89-16.

SECTION 4. ADOPTION.

The Public Land Corner Preservation Fund Ordinance, which is attached hereto, labeled Exhibit "A", and incorporated herein by this reference, is hereby adopted.

SECTION 5. REPEALER.

Ordinance No. 89-16 is repealed. Such repeal shall not reinstate any ordinance, order or resolution repealed by that ordinance.

SECTION 6. SAVINGS CLAUSE.

Nothing in this ordinance shall be deemed to invalidate any action taken under Ordinance No. 89-16 prior to the effective date of this ordinance.

SECTION 7. SEVERABILITY.

If any portion of this ordinance is for any reason held invalid by any court of competent

jurisdiction, such a portion shall be deemed as a separate, distinct, and independent portion and such holdings shall not affect the validity of the remaining portion of this ordinance.

DATED this 6th day of September, 2006.

Attest:

By: *Jan Sunhalgh*
Recording Secretary

First Reading: August 23, 2006

Second Reading: September 6, 2006

Effective Date: December 5, 2006

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

By: *Joe Corsiglia*
Chair

By: *Jeta M. Bernard*
Commissioner

By: _____
Commissioner

Approved as to form

By: *John Knight*
Office of County Counsel

EXHIBIT "A"

PUBLIC LAND CORNER RESTORATION FUND ORDINANCE

SECTION 1. TITLE.

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SECTION 2. AUTHORITY.

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SECTION 3. PURPOSE.

The purpose of this ordinance is to adopt the Public Land Corner Preservation Fund Ordinance which will replace Ordinance No. 89-16.

SECTION 4. PUBLIC LAND CORNER RESTORATION FUND.

A. The Public Land Corner Preservation Fund, which was established by previous ordinances of the County, shall continue in effect under this ordinance..

B. Moneys in the Public Land Corner Preservation Fund shall be used only to pay expenses incurred and authorized by the County Surveyor in the establishment, reestablishment and maintenance of corners of government surveys under ORS 209.070(5) and (6).

C. No payments may be made from the Public Land Corner Preservation Fund without the prior written approval of both the Board of County Commissioners and the County Surveyor.

SECTION 5. FEES.

A. The Columbia County Clerk shall collect, in addition to any other fees, a fee not to exceed ten dollars (\$10.00) for recording all instruments under ORS 205.130(2). These instruments include those instruments listed on the attached Attachments 1 and 2 which are incorporated herein by this reference. The fees for each individual instrument are listed on Attachments 1 and 2.

B. Five (5%) percent of the fees collected under paragraph A of this section shall be retained by the County Clerk for her costs in administering this ordinance.

C. After the administrative fees are deducted as provided by paragraph B of this section, all remaining fees collected under paragraph A of this section shall be deposited with the County Treasurer at least once a month, and shall be credited to the Public Land Corner Preservation Fund.

D. No fee shall be charged the State of Oregon, Columbia County, any commission or board thereof, or the Columbia County Tax Collector, under this section by the County Clerk for filing or recording any instrument executed by or conveying real estate to the State of Oregon, Columbia County, any commission or board thereof, or the Columbia County Tax Collector.

SECTION 6. MISCELLANEOUS.

A. This ordinance does not constitute an order of the Board of County Commissioners to establish or reestablish a particular corner or corners of government surveys, as provided for in ORS 209.070.

B. This ordinance does not authorize the County Surveyor to incur expenses other than those provided for periodically in the adopted budget of Columbia County or otherwise by order of the Board.

SECTION 7. SEVERABILITY.

If any portion of this ordinance is for any reason held invalid by any court of competent jurisdiction, such a portion shall be deemed as a separate, distinct, and independent portion and such holdings shall not affect the validity of the remaining portion of this ordinance.

ATTACHMENT 1

<u>INSTRUMENTS</u>	<u>FEES</u>
Deeds of Real Property as shown on Exhibit "B"	\$10.00
Mortgages of Real Property	\$10.00
Powers of Attorney affecting title to real property	\$ 0.00
Land Sale Contracts, Memoranda of Contracts and Assignments thereof	\$10.00
Certificates of Sale of real property under execution or order of court and Assignments thereof	\$10.00
Easements	\$10.00
Certified Copies of Death Certificates of any person appearing in County records as owning or having a claim or interest in land in the County	\$ 0.00

ATTACHMENT 2

<u>INSTRUMENTS</u>	<u>FEES</u>
(a) Warranty Deeds (General, Special, Statutory)	\$10.00
(b) Bargain and Sale Deeds	\$10.00
(c) Quitclaim Deeds	\$10.00
(d) Trustee's Deeds	\$10.00
(e) Estoppel Deeds	\$10.00
(f) Administrator's Deeds	\$10.00
(g) Deeds of Personal Representative	\$10.00
(h) Gift Deeds	\$10.00
(i) Grant Deeds	\$10.00
(j) Deeds Creating Estate by the Entirety	\$10.00
(k) Executor's Deeds	\$10.00
(l) Guardian Deeds	\$10.00
(m) Sheriff's Deeds	\$10.00
(n) Deeds in Lieu of Foreclosure	\$10.00
(o) Deeds Creating Mineral Rights	\$10.00
(p) Timeshare Deeds	\$10.00
(q) Corporation Deeds	\$10.00
(r) Corporate Warranty Deeds	\$10.00
(s) Corporate Quitclaim Deeds	\$10.00
(t) Corporate Grant Deeds	\$10.00
(u) Deeds for Declaration of Trusts	\$10.00
(v) Correction Deeds and Re-recordings	\$ 0.00