

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

An Ordinance Establishing an Account)
Within the General Fund of Columbia)
County Related to the Preservation of)
Certain Survey Corners; Establishing)
Additional Fees for Certain Recordings)
in the Office of the County Clerk; and)
Declaring an Emergency)

ORDINANCE NO. 86-2

WHEREAS, there are approximately 3000 government corners along the Columbia and Nehalem Rivers in Columbia County, Oregon, in addition to government corners located elsewhere throughout the County, and

WHEREAS, the maintenance of government corners is a matter of significance to landowners throughout the County, and the establishment, reestablishment and maintenance of government corners is important to reduce the cost of surveys performed throughout the County and to expedite the Land Data Base System; and

WHEREAS, funds are necessary to enable the County Surveyor to maintain government corners throughout the County and to perform duties contemplated by ORS 209.070(5) and (6);

THE BOARD OF COMMISSIONERS OF COLUMBIA COUNTY, OREGON
ORDAINS AS FOLLOWS:

SECTION I - Title: Public Land Corner Preservation Account.

SECTION II - Authority: Chapter 582, Oregon Laws 1985, Section 5.

SECTION III - Purpose: This ordinance is enacted to establish the Public Land Corner Preservation Account within the General Fund, to be funded with fees charged by the County Clerk at the time of recording any deed, and to provide a source of funds dedicated to pay the expenses incurred or authorized by the County Surveyor in the establishment, reestablishment and maintenance of corners of government surveys under ORS 209.070(5) and (6).

SECTION IV - Fees:

A. The Columbia County Clerk shall collect, in addition to any other fees, a fee of Ten Dollars (\$10.00) for recording any deed. As used in this section, "deed" includes bargain and sale deeds, deeds in lieu of foreclosure, easements, estoppel deeds, executor's deeds, land patents, mineral deeds, quit claim deeds, sheriff's deeds, timber deeds, trustee deeds, vacations and warranty deeds.

B. All 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 Account.

SECTION V - Account Established; Use of Fund Restricted:

A. The Columbia County Treasurer shall establish an account within the General Fund of Columbia County, which shall be known as the Public Land Corner Preservation Account.

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

SECTION VI - Severability:

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.

C. 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.

SECTION VII - Effective Date; Declaration of Emergency:
The Oregon Legislature having enacted House Bill 2549, Chapter 582, Oregon Laws 1985, declaring that measure necessary for the immediate preservation of the public peace, health and safety;

this Board of Commissioners having taken due notice of the condition of government corners in Columbia County, Oregon finds that it is appropriate to declare an emergency to exist and that this ordinance shall become effective February 1, 1986.

DATED this 22nd day of January, 1986.

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

Michael J. Sykes X aye ___ nay
Chairman

John R. Peterson X aye ___ nay
Commissioner

Vacant ___ aye ___ nay
Commissioner

STATE OF OREGON
COLUMBIA COUNTY
RECORDED OR FILED

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Comm.
sl.
BOOK 17 PAGE 0882
RETA C. KERRY, CO. CLK
BY E. Mann DEP.