

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

In the Matter of Amending)
Ordinance No. 86-2, the)
"Public Land Corner Preservation)
Account".) Ordinance No. 87-6

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

SECTION 1: TITLE.

This Ordinance shall be known as Ordinance No. 87-6.

SECTION 2: AUTHORITY.

This Ordinance is adopted pursuant to ORS 203.035 and Chapter 469, Oregon Laws 1987, Section 1.

SECTION 3: PURPOSE.

This Ordinance is adopted to amend Ordinance No. 86-2, the "Public Land Corner Preservation Account" to reflect the changes in ORS 203.148 made by Chapter 469, Oregon Laws 1987, Section 1.

SECTION 4: AMENDMENT TO SECTION IV.

Section IV of Ordinance No. 86-2, the "Public Land Corner Preservation Account" is amended to read as follows:

"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 Exhibit "A" which is incorporated herein by this reference and, in addition, any other instrument not so listed which, in the opinion of the County Clerk or her deputies, falls within the provisions of ORS 205.130(2). The fees for each individual instrument are listed on Exhibit "A".

"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 Fund."

SECTION 5: ADDITIONAL AMENDMENTS.

a. The phrase "an Account within the General Fund of Columbia County" in the caption of Ordinance No. 86-2 is deleted. The phrase "a Fund" is substituted in its place.

b. The word "Account" in Section 1 of Ordinance No. 86-2 is deleted. The word "Fund" is substituted in its place.

c. The phrase "Account within the General Fund" in Section III of Ordinance No. 86-2 is deleted. The word "Fund" is substituted in its place.

d. The word "Account" in Section V, A. and B. of Ordinance 86-2 is deleted. The word "Fund" is substituted in its place.

SECTION 6: EMERGENCY.

Chapter 469, Oregon Laws 1987 goes into effect September 27, 1987. Therefore, an emergency is declared to exist and Section 5 of this Ordinance shall go into effect on September 27, 1987. But, in order to avoid jeopardizing transactions in progress and in order to give adequate notice of changes made by this ordinance, Section 4 of this ordinance shall go into effect on September 27, 1987.

ADOPTED this 22nd day of September, 1987.

Approved to form:

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

By: [Signature]
Columbia County Counsel

By: [Signature]
Chairman

Attest:

By: [Signature]
Recording Secretary

By: [Signature]
Commissioner

By: [Signature]
Commissioner

First Reading 9/22/87

Second Reading 9/22/87

Effective Date 9/22/87

EXHIBIT "A"

<u>INSTRUMENTS</u>	<u>FEES</u>
Assignments of: Deeds, Mortgages, Contracts affecting title to real property, Certificates of Sale of real property, and Assignments of any interest therein when properly acknowledged or proved.	\$0.00
Certificates of Sale of Real Property under execution or order of court.	\$0.00
Contracts affecting the title to real property.	\$0.00
Death Certificates or certified copies thereof of any person appearing in the county records as owning or having a claim or interest in land in the county.	\$0.00
Deeds of real property as follows:	
Bargain and sale deeds, deeds in lieu of foreclosure, estoppel deeds, executor's deeds, land patents, mineral deeds, quitclaim deeds, sheriff's deeds, timber deeds, trustee deeds, vacations and warranty deeds.	\$10.00
Other deeds as follows:	
Conservator deeds, corrections deeds, dedication deeds, grants, personal representative deeds, survivorship deeds and tax deeds.	\$0.00
Easements	\$10.00
Memoranda of Contracts	\$0.00
Mortgages	\$0.00
Powers of Attorney affecting title to real property.	\$0.00

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;

