

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR COLUMBIA COUNTY, OREGON

In the Matter of the "Public)
Land Corner Preservation Fund")
_____)

ORDINANCE NO. 89-16

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

SECTION 1. TITLE.

This ordinance shall be known as Ordinance No. 89-16.

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 amend the fee schedule for instruments subject to the fee provided by ORS 203.148 and to integrate into a single document the changes made to Ordinance No. 86-2 by Ordinance No. 87-6. The original Ordinance No. 86-2, was enacted to establish the Public Land Corner Preservation Fund to be funded with fees charged by the County Clerk at the time of recording instruments under ORS 205.130(2), and to provide a source of revenue 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).

SECTION 4. PUBLIC LAND CORNER RESTORATION FUND.

- A. The Columbia County Treasurer shall establish a fund, which shall be known as the Public Land Corner Preservation Fund.
- B. Monies 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).

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 Exhibits "A" and "B" which are incorporated herein by this reference. The fees for each individual instrument are listed on Exhibits "A" and "B".
- 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. REPEALER.

Ordinance No. 86-2 and Ordinance No. 87-6 are repealed.

SECTION 8. SAVINGS CLAUSE.

Nothing in this ordinance shall be deemed to invalidate any action taken under Ordinance No. 86-2 or Ordinance No. 87-6 prior to the effective date of this ordinance. To the extent the language and provisions of Ordinance Nos. 86-2 and 87-6 are unchanged by this ordinance, they shall remain in effect as if this repeal and adoption had not occurred.

SECTION 9. 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.

SECTION 10. EMERGENCY CLAUSE.

This ordinance, being immediately necessary for the preservation of the

public peace, health and safety, an emergency is declared to exist and this ordinance shall take effect on January 1, 1990.

DATED this 27th day of December, 1989.

Approved as to form

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

By: [Signature]
Office of County Counsel

By: [Signature]
Chairman

Attest:
By: [Signature]
Recording Secretary

By: [Signature]
Commissioner

First Reading: 12-29-89
Second Reading: 12-29-89
Effective Date: 01-01-90

By: [Signature]
Commissioner

EXHIBIT "A"

INSTRUMENTS

FEEES

| | |
|---|---------|
| 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 the county records as owning or having a claim or interest in land in the county. | \$ 0.00 |

EXHIBIT "B"

| <u>INSTRUMENTS</u> | <u>FEEES</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 |