

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

In the Matter of Closing County-)
Owned and County-Leased Lands at)
Prescott Beach and Laurel Beach)
to Overnight Use)
_____)
ORDINANCE NO. 89-10

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

SECTION 1. AUTHORITY.

This ordinance is adopted pursuant to ORS 203.035.

SECTION 2. TITLE.

This ordinance shall be known as Ordinance No. 89-10.

SECTION 3. PURPOSE.

The purpose of this ordinance is to close county-owned and county-leased lands at the areas known as Prescott Beach and Laurel Beach to overnight use.

SECTION 4. DEFINITION.

For the purposes of this ordinance, Prescott Beach means those county-owned and/or county-leased lands described in Exhibit "A", which is attached hereto and incorporated herein by this reference, and as shown by Exhibit "B", which is also attached hereto and incorporated herein by this reference. Laurel Beach means the county-owned access road and parking lot described in Exhibit "C", which is attached hereto and incorporated herein by this reference, and as shown by Exhibit "D", which is also attached hereto and incorporated herein by this reference.

SECTION 5. PROHIBITED USE OF PRESCOTT BEACH.

Except as specifically permitted by a "person in charge" as defined below, no person shall enter or remain, or allow their property or property under their control to enter or remain, on Prescott Beach between the hours of 10:00 p.m. and 5:00 a.m. each day.

SECTION 6. PROHIBITED USE OF LAUREL BEACH.

Except as specifically permitted by a "person in charge" as defined below, no person shall enter or remain, or allow their property or property under their control to enter or remain, on Laurel Beach after sunset and before sunrise.

SECTION 7. ENFORCEMENT.

Any on-duty Oregon State Police Officer, the Columbia County Sheriff, any of his deputies, the Columbia County Parks Maintenance Superintendent and any Columbia County Commissioner are designated as "persons in charge" within the meaning of ORS 164.205(5) (1989 Replacement Part) for the purpose of supervising county-owned and/or county leased lands at Prescott Beach and Laurel Beach. Any of such "persons in charge" shall have authority to direct any person who is in violation of this ordinance to leave Prescott Beach or Laurel Beach.

SECTION 8. PENALTIES.

A person shall be considered a trespasser: 1) who enters or remains on Prescott Beach or Laurel Beach during the hours such lands are closed under the terms of this ordinance; or 2) who fails to leave Prescott Beach or Laurel Beach when so directed by a "person in charge".

Trespassers are subject to prosecution under the provisions of ORS 164.245, Criminal Trespass in the Second Degree.

SECTION 9. POSTING OF NOTICES.

By October 1, 1989, the County Roadmaster/Public Works Director shall post signs in conspicuous places on the county's property limits at Prescott Beach and Laurel Beach. Such signs shall declare that Prescott Beach is closed for use between the hours of 10:00 p.m. and 5:00 a.m., Laurel Beach is closed after sunset and before sunrise, and that trespassers shall be prosecuted.

SECTION 10. PARKING.

- a) This section is adopted pursuant to ORS 98.810 to 98.818.
- b) No person, without the express permission of a "person in charge", shall leave or park any vehicle at the Laurel Beach parking lot after sunset and before sunrise.
- c) By October 1, 1989 the County Roadmaster/Public Works Director shall post signs at the Laurel Beach parking lot, prohibiting parking after sunset and before sunrise.
- d) Violation of this section may be handled as provided in ORS 98.812 or as provided by ORS 811.555.

SECTION 11. REPEALER.

Ordinance No. 85-4 and 85-4 Amended are repealed.

SECTION 12. SEVERABILITY.

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

SECTION 13. EMERGENCY.

This ordinance being immediately necessary to maintain the public health, safety and welfare, an emergency is declared to exist and this ordinance takes effect on October 1, 1989.

REGULARLY PASSED AND ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS FOR COLUMBIA COUNTY, OREGON THIS 20th DAY OF September, 1989.

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

Attest:

Cherie Maylan
Recording Secretary

First Reading: 09-20-89
Second Reading: 09-20-89
Effective Date: 09-20-89

Approved as to form

By: J. L. K. W.
Office of County Counsel

By: J. L. R. Peterson
Chairman

By: May W. Dillard
Commissioner

By: Michael J. J. J.
Commissioner

EXHIBIT "A"

PRESCOTT BEACH

That certain parcel of land situated in Section 26, Township 7 North, Range 2 West of the Willamette Meridian, Columbia County, Oregon. Commencing at a point which is North 89°38' West 105.0 feet from the East Quarter corner of Section 35, Township 7 North, Range 2 West, Willamette Meridian, Columbia County, Oregon; thence North 0°10' East a distance of 324.5 feet; thence South 89°38' East a distance of 105.0 feet; thence North 0°10' East a distance of 140.5 feet; thence North 56°15' East a distance of 502.33 feet to the original low water line of the Columbia River; thence along said original low water line of said Columbia River as follows: North 8°11' West a distance of 298.2 feet; thence North 20°09' West a distance of 746.5 feet; thence North 56°14' West a distance of 275.4 feet; thence North 5°00' East a distance of 115.6 feet; thence North 0°23' East a distance of 84.8 feet; thence North 39°18' West a distance of 139.0 feet; thence North 13°35' West a distance of 160.0 feet; thence North 2°59' West a distance of 245.65 feet; thence North 9°26' West a distance of 269.0 feet; thence North 45°35' East a distance of 98.2 feet; thence North 14°35' West a distance of 200.00 feet; thence North 28°00' West a distance of 6.92 feet to the North line of Lot No. 4, Section 26, Township 7 North, Range 2 West, Willamette Meridian; thence North 28°00' West a distance of 393.08 feet; thence North 36°31' West a distance of 200.00 feet; thence North 28°54' West a distance of 600.00 feet; thence North 35°23' West a distance of 83.61 feet to a point due East of the South end of the Spokane, Portland and Seattle Railway Trestle No. 1 and the TRUE POINT OF BEGINNING of the parcel herein described; thence East to the low water mark of the Columbia River; thence Northwesterly along the low water mark of the Columbia River to the mouth of Carr Slough; thence Westerly to the East boundary line of the Spokane, Portland and Seattle Railway; thence Southerly along the East boundary line of the Spokane, Portland and Seattle Railway to a point on the South end of Spokane, Portland and Seattle Railway Trestle No. 1; thence East 912.39 feet to the true point of beginning.

EXHIBIT "A"

1: That certain parcel of land situated in Sections 26, 35 and 36, Township 7 North, Range 2 West of the Willamette Meridian, Columbia County, Oregon, beginning at a point which is North 89°38' West 105.0 feet from the East quarter corner of Section 35, Township 7 North, Range 2 West, Willamette Meridian, Columbia County, Oregon; thence North 0°10' East a distance of 324.5 feet; thence South 89°38' East a distance of 105.0 feet; thence North 0°10' East a distance of 140.5 feet; thence North 56°15' East a distance of 502.33 feet to the original low water line of the Columbia River; thence along said original low water line of said Columbia River as follows: North 8°11' West a distance of 298.2 feet; thence North 20°09' West a distance of 746.5 feet; thence North 56°14' West a distance of 275.4 feet; thence North 5°00' East a distance of 115.6 feet; thence North 0°23' East a distance of 84.8 feet; thence North 39°18' West a distance of 139.0 feet; thence North 13°35' West a distance of 160.0 feet; thence North 2°59' West a distance of 245.65 feet; thence North 9°26' West a distance of 269.0 feet; thence North 45°35' East a distance of 98.2 feet; thence North 14°35' West a distance of 200.00 feet; thence North 28°00' West a distance of 6.92 feet to the North line of Lot No. 4, Section 26, Township 7 North, Range 2 West, Willamette Meridian; thence North 28°00' West a distance of 393.08 feet; thence North 36°31' West a distance of 200.00 feet; thence North 28°54' West a distance of 600.00 feet; thence North 35°23' West a distance of 83.61 feet to a point due East of the South end of the Spokane, Portland and Seattle Railway Trestle No. 1; thence West a distance of 912.39 feet to the East right of way line of said Spokane, Portland and Seattle Railway; thence along said East right of way line of said railroad as follows: South 6°43'30" East a distance of 110.68 feet; thence South 11°57' East 95.95 feet; South 15°25'30" East 96.94 feet; South 19°21' East 96.59 feet; South 23°16' East 96.57 feet; South 27°19'30" East 96.48 feet; South 30°45' East 96.99 feet; South 33°10' East 97.89 feet; South 34°51'30" East 98.50 feet; South 35°28' East 99.21 feet; South 35°46' East 1100.0 feet; South 35°18' East 100.4 feet; South 34°14' East 100.93 feet; South 32°16' East 101.73 feet; South 29°17' East 102.61 feet; South 25°33'30" East 103.27 feet; South 21°59' East 103.11 feet; South 17°46' East 103.70 feet; South 14°02'30" East 103.24 feet; South 9°33' East 103.94 feet; South 5°55' East 103.14 feet; South 1°51' East 103.55 feet; South 2°21' West 103.67 feet; South 6°18'30" West 103.44 feet; South 9°39' West 102.94 feet; South 12°47'30" West 102.72 feet; South 14°34' West 101.52 feet; South 15°58' West 101.63 feet; South 16°27' West 842.58 feet; thence leaving said East right of way line of said railroad South 89°38' East a distance of 639.56 feet to the point of beginning. EXCEPT: Beginning at a point marked with a 2 inch iron pipe that is North 0°11' East a distance of 324.5 feet from the West quarter section corner of Section 36, Township 7 North, Range 2 West of the Willamette Meridian, Columbia County, Oregon; thence North 0°11' East 140.5 feet; thence North 56°15' East 502.39 feet to the original low water line of the Columbia River; thence along said original low water line North 8°11' West 287.23 feet; thence leaving said original low water line South 81°57' West 165.83 feet; thence North 37°54' West 72.9 feet; thence North 84°03' West 98.4 feet; thence North 10°36' West 43.36 feet; thence North 57°49' East 54.78 feet; thence North 26°34' East 62.89 feet; thence North 28°04' West 60.4 feet; thence North 40°05' West 102.9 feet; thence North 69°28' West 102.0 feet; thence South 73°07' West 20.51 feet; thence South 89°53' West 81.52 feet; thence South 89°53' West 81.52 feet; thence South 89°53' West 81.52 feet to the South 1/2 section corner of Section 36, Township 7 North, Range 2 West of the Willamette Meridian, Columbia County, Oregon; thence North 0°11' East 140.5 feet to the point of beginning. Witness my hand and the seal of said County, this 1st day of July, 1907.

Parcel
Range
in

COLUMBIA COUNTY

THIS MAP HAS BEEN PREPARED FOR ASSESSMENT PURPOSES ONLY
Scale: 1" = 400' Current Revision Date: 01/21/88

EXHIBIT "B"

8 INDEX

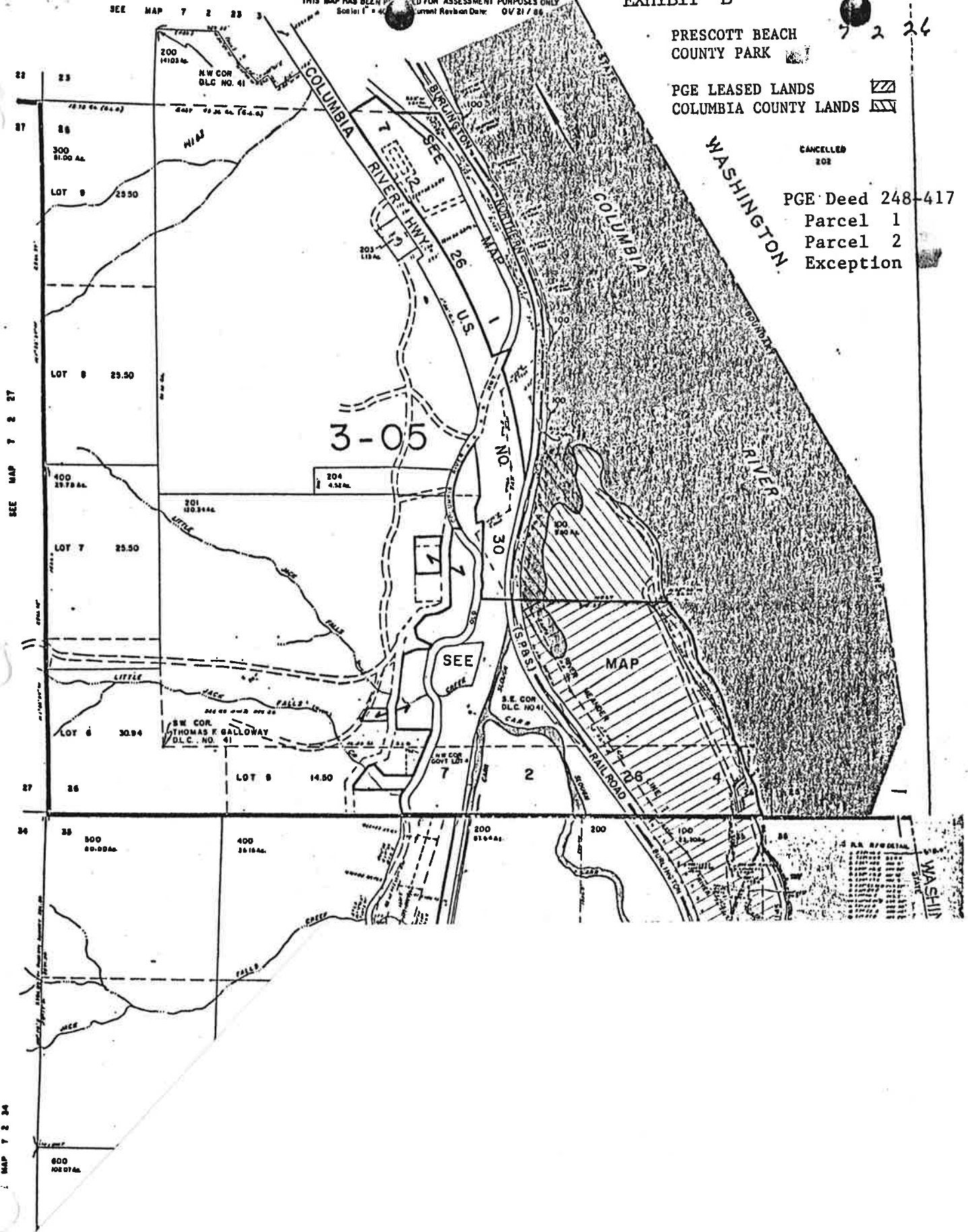
PRESCOTT BEACH
COUNTY PARK

7 2 26

PGE LEASED LANDS 
COLUMBIA COUNTY LANDS 

CANCELLED
202

PGE Deed 248-417
Parcel 1
Parcel 2
Exception



MAP 7 2 34

EXHIBIT "C"

LAUREL BEACH ROAD AND PARKING LOT

ROAD

A strip of land 50 feet wide in Section 23, Township 7 North, Range 2 West, W.M, beginning at intersection of Westerly right of way line of Spokane, Portland, and Seattle Railway with Southerly boundary line of the Thayer property as described in Book 67, Page 75 Columbia County deed records, said line being also the Northerly boundary of the Backus tract as described in Book J Page 467 Columbia County deed records; thence Northerly along said Westerly railway right of way line on a circular curve to the right for a distance the long of which is North 27°58' West 268.19 feet; thence South 64°23' West 136.69 feet to the true point of beginning, thence South 67°13' West 52.64 feet thence North 67°58' West 69.91 feet; thence North 28°55' West 266.55 feet; thence North 43°07' West 228.74 feet; thence North 27°08' West 284.26 feet to the Southeasterly right of way line of County Road P-228; thence Northeasterly along said right of way line 50.96 feet; thence South 27°08' East 287.13 feet; thence South 43°07' East 227.94 feet; thence South 28°55' East 255.06 feet; thence South 67°58' East 63.45 feet; thence South 40°59' East 28.43 feet to the true point of beginning.

PARKING

Beginning at the intersection of the Westerly right of way line of the Spokane, Portland and Seattle Railway with the Southerly boundary line of the Thayer property as described in deed recorded in Book 67 Page 75 Columbia County deed records, said line being also the Northerly boundary of the Backus tract as described in Book J Page 467 Columbia County deed records; thence Northerly along westerly right of way line on a circular curve to the right for a distance the long chord of which is North 27°58' West 268.19 feet; thence South 64°23' West 136.69 feet; thence South 67°13' West 52.64 feet; thence South 40°59' East 249.91 feet, more or less to the above mentioned Southerly boundary line of the Thayer property; thence Easterly along said property line 137.28 feet to the beginning point being an irregular pentagon inclosing approximately 0.93 A.

SW 1/4 SEC 25
COLUMBIA COUNTY

SCALE 1:12500

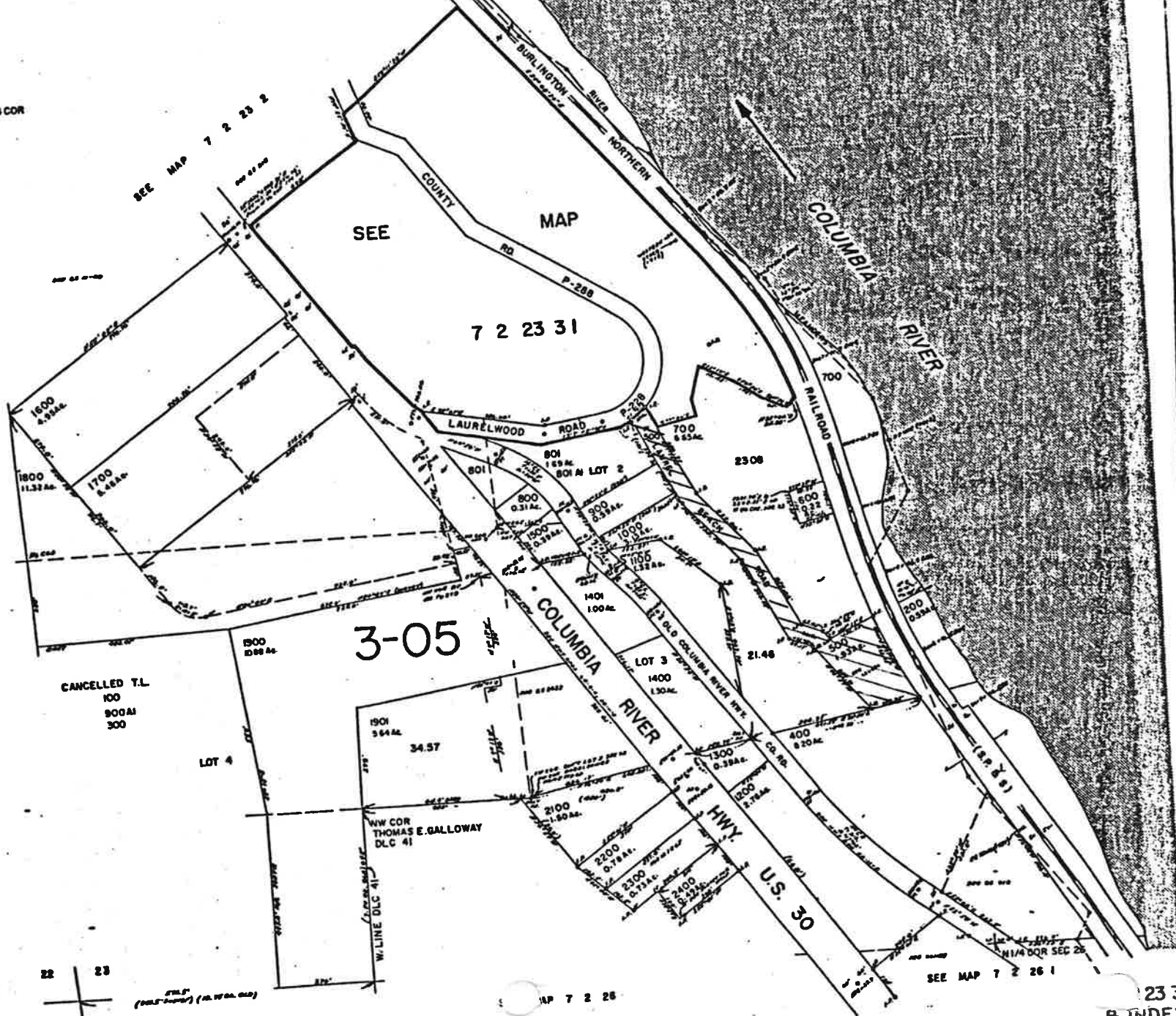


W 1/4 COR

SEE MAP 7 2 23 2

EXHIBIT "D"

SEE MAP 7 2 22



7 2 23 31

3-05

CANCELLED T.L.
100
900 AL
300

LOT 4

WW COR
THOMAS E. GALLOWAY
DLC 41

W. LINE DLC 41

U.S. 30

SEE MAP 7 2 26 1

22 23
27 28

PLAT 3-05 (M. W. G. 1912)

MAP 7 2 28

23 3
B INDEX