

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR COLUMBIA COUNTY, OREGON

In the Matter of the Proposed Vacation of )  
a Portion of CF Doan County Road # 47, )  
aka Hammond Road, and a Portion of )  
County Road # P4 7 aka JR Headlee )  
Road, near Rainier, Oregon )  
[Bonnie Burnham Petition] )  
\_\_\_\_\_ )

**ORDER NO. 42 - 2008**  
(Initiating/Finalizing Vacation Proceedings)

WHEREAS, pursuant to ORS 368.341(1) the Board of Commissioners for Columbia County, Oregon, may initiate proceedings to vacate property under ORS 368.326 to 368.366; and

WHEREAS, Bonnie Burnham owns property abutting the public right-of-way proposed to be vacated known as CF Doan County Road # 47 and commonly referred to as Hammond Road near Rainier, Oregon, within Columbia County, Oregon, and on April 22, 2008, filed with the Board a petition requesting the Board vacate a portion of this undeveloped public right-of-way as more fully described below; and

WHEREAS, the Petition is attached hereto, labeled Exhibit 1, and is incorporated herein by this reference; and

WHEREAS, the Petition submitted by Ms. Burnham complies with the petition requirements of ORS 368.341(3); and

WHEREAS, pursuant to ORS 368.351(2), the proceedings for vacation were initiated by a petition that contains the acknowledged signatures of owners of 100 percent of any private property proposed to be vacated and acknowledged signatures of owners of 100 percent of property abutting any public property proposed to be vacated and the petition indicates the owners' approval of the proposed vacation; and

WHEREAS, because the petition meets the signature requirements of ORS 368.351(2), the Board may make a determination about the vacation without holding a hearing if the county road official, i.e., the Roadmaster, files with the Board a written report that contains his assessment that the vacation is in the public interest; and

WHEREAS, the County Roadmaster, Dave Hill, has filed a report dated May 5, 2008, with the Board indicating that it was his assessment that the vacation would be in the public interest if modified, a copy of the Roadmaster's report being attached hereto, labeled Exhibit 2 and incorporated herein by this reference; and

WHEREAS, the report of the County Roadmaster includes a recommendation that the vacation

include that portion of County Road # P47, known as JR Headlee Road, an undeveloped right-of-way near or overlapping County Road # 47, and that the vacation of CF Doan County Road # 47 begin 50 feet to the west of the petitioner's request to insure that the adjacent properties maintain 50 feet of frontage on a public road; and

WHEREAS, the portion of CF Doan County Road # 47 aka Hammond Road as proposed to be vacated by Ms. Burnham and as modified by the Roadmaster is more particularly described as follows:

All that portion of CF Doan County Road # 47 described as follows: beginning at a point on the centerline of said Doan Road, close to the South line of the Northeast quarter of Section 2, Township 6 North, Range 3 West of the Willamette Meridian, Columbia County, Oregon, that is 53.85 feet Southwesterly of the Northwest corner of that parcel described in that certain Correction Quitclaim Deed from David Burnham to Bonnie Burnham recorded in the deed records of the Columbia County Clerk on October 30, 2000, as Instrument No. 00-10626; thence following said Doan Road centerline, Southwesterly to the terminus of said Doan Road. **EXCEPT** therefrom that the portion of said Doan Road described above, that extends Easterly, as measured on said Doan Road centerline, a distance of 50 feet, from it's intersection with the centerline of the currently traveled Apiary County Road. This portion is to remain open as County Road to serve as a turn-out for said Apiary Road.

WHEREAS, the portion of County Road # P47 aka JR Headlee Road as proposed to be vacated by the Roadmaster is more particularly described as follows:

All that portion of County Road # P47 lying within Section 2, Township 6 North, Range 3 West, Willamette Meridian, Columbia County, Oregon.

WHEREAS, a map of that portion of the public rights-of-way proposed to be vacated is attached hereto, labeled Exhibit 3, and incorporated herein by this reference; and

WHEREAS, the Board finds that the petition meets the requirements of ORS 368.341 and contains the acknowledged signatures and owners' approval as required by ORS 368.351(2); and

NOW, THEREFORE, IT IS HEREBY ORDERED as follows:

1. Vacation of that portion of CF Doan County Road # 47 and County Road # P47 aka JR Headlee Road, as more particularly described above and as shown in Exhibit 3, is in the public interest.
2. The property described above and depicted in Exhibit 3 is hereby vacated, and shall hereby vest in the abutting property owners as provided in ORS 368.366(1)(d) by extension of said owners' abutting property boundaries to the centerline of the vacated platted roadways.
3. This vacation is being made with a specific reservation of any existing rights-of-way for utility easements.
4. Pursuant to Order No. 55-2001 and the decision of the Board of County Commissioners, the required fee of \$1,000 for vacations of public rights-of-way was paid by the petitioner and abutting property owners, \$500 deposited directly into the County Road Fund and \$500 into the General Fund, Fees for

Services, Road Vacations, Line Item No. 100-00-00-3255, out of which the following costs shall be paid:

SERVICE	FEE	SUBTOTAL
Filing Petition by the Clerk	\$28.50	\$ 28.50
Review for Correct Property Description by County Surveyor [if required]	\$30.00 [per parcel]	\$ 00.00
Hearing (if required)	\$100.00	\$00.00
Recording Final Order by the Clerk	\$26.00 [first page]	\$26.00
	\$5.00 [each additional page x 26 pp.]	\$130.00
Two Certified Copies by the Clerk [one to Assessor, one to Surveyor]	\$3.75 [per copy x 2]	\$ 7.50
	\$00.25 [per page x 27 pp. x 2]	\$13.50
Posting the Approved Road Vacation by County Surveyor	\$100.00 [ per parcel]	\$100.00
	TOTAL EXPENSES	\$305.50

6. The \$28.50 filing fee has already been paid to the County Clerk. The Treasurer is hereby authorized to disburse the following amounts from the Fees for Services, Road Vacations account as follows:

To County Clerk	:	\$ 177.00
To County Surveyor	:	\$ 100.00


7. This Order shall be recorded with the County Clerk, a copy inserted in the appropriate road jackets, and certified copies shall be filed with the County Surveyor and the County Assessor.

DATED this 28<sup>th</sup> day of June, 2008.

BOARD OF COUNTY COMMISSIONERS  
FOR COLUMBIA COUNTY, OREGON

By:  \_\_\_\_\_

Chair

By:  \_\_\_\_\_

Commissioner

By: not present \_\_\_\_\_

Commissioner

APPROVED AS TO FORM:

By:  \_\_\_\_\_  
Office of County Counsel

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR COLUMBIA COUNTY, OREGON

PV-2008-2

In the Matter of the Vacation of A PORTION  
OF C.F. DOAN COUNTY ROAD )  
Located Near RAINIER )  
Columbia County, Oregon )

PETITION FOR VACATION

I/We, BONNIE BURNHAM, [insert name(s) of all petitioners], who  
reside at 26593 HAMMOND ROAD, RAINIER OR 97048 [insert address],  
503-556-4015 [phone] petition the Board of County Commissioners for the vacation of  
the following property:

1. Description of Property Proposed for Vacation [attach additional sheets if necessary]:

- a. General Description: THE SOUTHERN - MOST END OF C.F. DOAN COUNTY ROAD, SPECIFICALLY THE PORTION LYING BETWEEN TAX LOTS 6302-000-900 AND 6302-000-1902 AND ~~ALSO~~ ALSO THE PORTION CONTAINED WITHIN TAX LOT 6302-000-1800
- b. Legal Description: STARTING AT THE SOUTHWESTERN BORDER OF TAX MAP ID # 6N3W02-00-00800 WHERE IT MEETS C.F. DOAN ROAD AND MOVING IN A SOUTHWESTERLY DIRECTION THROUGH TAX LOT 1902 AND 1800 TO THE POINT WHERE THE RIGHT OF WAY MEETS RAINIER - APIARY MARKET ROAD IN COLUMBIA COUNTY, OREGON

2. Description of Your Property Interest [attach additional sheets if necessary]:

- a. Type of interest you have in any property affected by the proposed vacation:  
OWNER OF TAX LOT 6302 - 000 - 1902

- b. Legal Description of your property:  
SEE ATTACHMENTS "D" + "E"

NOTE: PRIOR TO 8-11-2000, TAX LOT 1902 WAS TWO SEPARATE LOTS, 1901 AND 1902.

COLUMBIA CO. CLERK  
BY [Signature] DEP.

APR 25 8 54 AM '08

3. Creation of Public Interest.

See Exhibit F+G, attached. [Attach copies of deeds, plats, orders or other documentation showing creation of public interest in the property or right-of-way proposed for vacation and present ownership of the parcel].

EXHIBITS "F" + "G" SHOW CREATION OF PUBLIC INTEREST AS WELL AS COUNTY ROAD JACKETS "47" AND "P47"

4. Statement of reasons for vacation [attach additional sheets if necessary]:

ABBUTTING LANDOWNERS WISH TO LIMIT ACCESS TO THEIR PRIVATE PROPERTY. THIS RIGHT OF WAY HAS SERVED NO PUBLIC USE FOR MANY, MANY YEARS

5. Names and addresses of all persons holding any recorded interest in the property proposed to be vacated [attach additional sheets if necessary]:

COLUMBIA COUNTY — RIGHT OF WAY

6. Names and address of all persons owning any improvements constructed on property proposed to be vacated [attach additional sheets if necessary]:

N/A

7. Names and addresses of all persons owning any real property abutting the property proposed to be vacated [attach additional sheets if necessary]:

BONNIE BURHAM  
GREG LLOYD NORMAN & HELEN LOUISE NORMAN  
WILLNA INC. (WILLARD ~~EVANSON~~ EVANSON PRESIDENT)

8. The signature(s), acknowledged before a notary or other person authorized to take acknowledgments of deeds, of at least a) the owners of sixty (60) percent of the land abutting the property proposed to be vacated, or b) sixty (60) percent of the owners of land abutting the property proposed to be vacated, are attached (attach consent forms).

[Note: without the acknowledged signatures of owners of 100 percent of any private property proposed to be vacated and acknowledged signatures of owners of 100 percent of property abutting any public property proposed to be vacated, a hearing will be required].

9. If the petition is for the vacation of property that will be redivided in any manner, a subdivision plan or partitioning plan showing the proposed redivision is attached. <sup>EXHIBIT</sup> C

10. A true and accurate map of the proposed vacation is attached as Exhibit A.

- 11. I verify that I have flagged all corners of the area proposed to be vacated and that the flags are reliably and accurately located and are easily visible.
- 12. The non-refundable vacation fee of \$1,000 is tendered with this petition.
- 13. Signature and Verification(s):

STATE OF OREGON        )  
   ) ss.  
 County of Columbia    )

I/We Bonnie Burnham, am/are the petitioner(s) herein and hereby swear, under penalties of perjury, that the statements made in this petition, and the attachments hereto, are true to the best of my/our knowledge.

Bonnie Burnham 4-17-0  
 (Petitioner's Name) (Date)

\_\_\_\_\_  
 (Co-Petitioner's Name [if any])

\_\_\_\_\_  
 (Co-Petitioner's Name [if any])

Subscribed and sworn to before me this 17 day of April, 2008.



[Signature]  
 Notary Public for Oregon  
 My Commission Expires:  
May 22, 2011

CONSENT OF ABUTTING PROPERTY OWNER(S)

(Each co-owner of abutting property must sign)

1. Name(s) of abutting property owner(s): BONNIE BURNHAM

2. Mailing address of abutting property owner(s): 26593 HAMMOND RD.  
RAINIER, OR 97048

3. Legal description of abutting [YOUR] property (attach additional sheets if necessary; your deed or title report can be attached in lieu of writing legal description):

See ATTACHMENTS "D" + "E"  
NOTE = PRIOR TO 8-11-2000, TAX  
LOT 1902 WAS TWO SEPARATE LOTS,  
1901 AND 1902

Tax Account No. 6302 - 000 - 1902

4. Legal description of property proposed for vacation (attach additional sheets if necessary): STARTING AT THE SOUTHWESTERN BORDER  
OF TAX MAP ID# 6N3W02-00-00800 WHERE  
IT MEETS DOAN ROAD AND MOVING IN A  
SOUTHWESTERLY DIRECTION THROUGH TAX LOT  
1902 AND 1800 TO THE POINT WHERE THE  
RIGHT OF WAY MEETS APIARY MARKET ROAD IN  
COLUMBIA COUNTY, OREGON

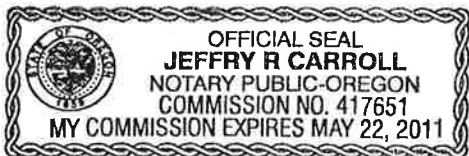
5. I/We am/are the owner(s) of the above-described property abutting the property proposed to be vacated and consent to the proposed vacation.

Bonnie Burnham 4-18-08  
(Property Owner's Signature) Date

\_\_\_\_\_  
(Co-Property Owner's Signature [if any]) Date

STATE OF OREGON )  
) ss.  
County of Columbia )

The foregoing instrument was acknowledged before me this 17 day of April, 2008, by Bonnie Burnham



[Signature]  
Notary Public for Oregon  
My Commission Expires:  
May 22, 2011

CONSENT OF ABUTTING PROPERTY OWNER(S)  
(Each co-owner of abutting property must sign)

- 1. Name(s) of abutting property owner(s): GREG LLOYD NORMAN  
AND HELEN LOUISE NORMAN
- 2. Mailing address of abutting property owner(s): 26587 HAMMOND  
ROAD, RAINIER OR, 97048
- 3. Legal description of abutting [YOUR] property (attach additional sheets if necessary; your deed or title report can be attached in lieu of writing legal description):  
SEE EXHIBIT "H"

Tax Account No. 6302-000-900

- 4. Legal description of property proposed for vacation (attach additional sheets if necessary): STARTING AT THE SOUTHWESTERN BORDER  
OF TAX MAP ID# 6N3W02-00-00800 WHERE  
IT MEETS DOAN ROAD AND MOVING IN A  
SOUTHWESTERLY DIRECTION THROUGH TAX LOT  
1902 AND 1800 TO THE POINT WHERE THE  
RIGHT OF WAY MEETS APIARY MARKET ROAD IN  
COLUMBIA COUNTY, OREGON
- 5. I/We am/are the owner(s) of the above-described property abutting the property proposed to be vacated and consent to the proposed vacation.

[Signature]  
(Property Owner's Signature)

4/21/08  
Date

Helena Norman  
(Co-Property Owner's Signature [if any])

4-21-08  
Date

STATE OF OREGON     )  
                                  ) ss.  
County of Columbia    )

The foregoing instrument was acknowledged before me this 21<sup>st</sup> day of APRIL, 2007, by Greg Lloyd Norman and Helen Louise Norman.



Tina M. Viuhkola  
Notary Public for Oregon  
My Commission Expires: May 24, 2008



CONSENT OF ABUTTING PROPERTY OWNER(S)

(Each co-owner of abutting property must sign)

- 1. Name(s) of abutting property owner(s): WILLNA INC
- 2. Mailing address of abutting property owner(s): 476 N. NEHALEM ST.  
CLATSKANIE OR, 97016
- 3. Legal description of abutting [YOUR] property (attach additional sheets if necessary; your deed or title report can be attached in lieu of writing legal description):  
THE SOUTHWEST QUARTER OF SECTION 2,  
TOWNSHIP 6 NORTH, RANGE 3 WEST,  
WILLAMETTE MERIDIAN, COLUMBIA COUNTY,  
OREGON

Tax Account No. 6302-000-1800

- 4. Legal description of property proposed for vacation (attach additional sheets if necessary): STARTING AT THE SOUTHWESTERN BORDER  
OF TAX MAP ID# 6N3W02-00-00800 WHERE  
IT MEETS DOAN ROAD AND MOVING IN A  
SOUTHWESTERLY DIRECTION THROUGH TAX LOT  
1902 AND 1800 TO THE POINT WHERE THE  
RIGHT OF WAY MEETS APIARY MARKET ROAD IN  
COLUMBIA COUNTY, OREGON
- 5. I/We am/are the owner(s) of the above-described property abutting the property proposed to be vacated and consent to the proposed vacation.

Willard T. Evenson, PRES.  
WILLNA INC  
(Property Owner's Signature)

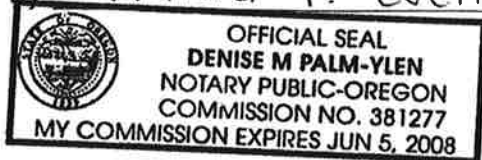
4-22-08  
Date

(Co-Property Owner's Signature [if any])

Date

STATE OF OREGON       )  
  ) ss.  
County of Columbia    )

The foregoing instrument was acknowledged before me this 22<sup>nd</sup> day of April,  
2008 by Willard T. Evenson, President Willna, Inc



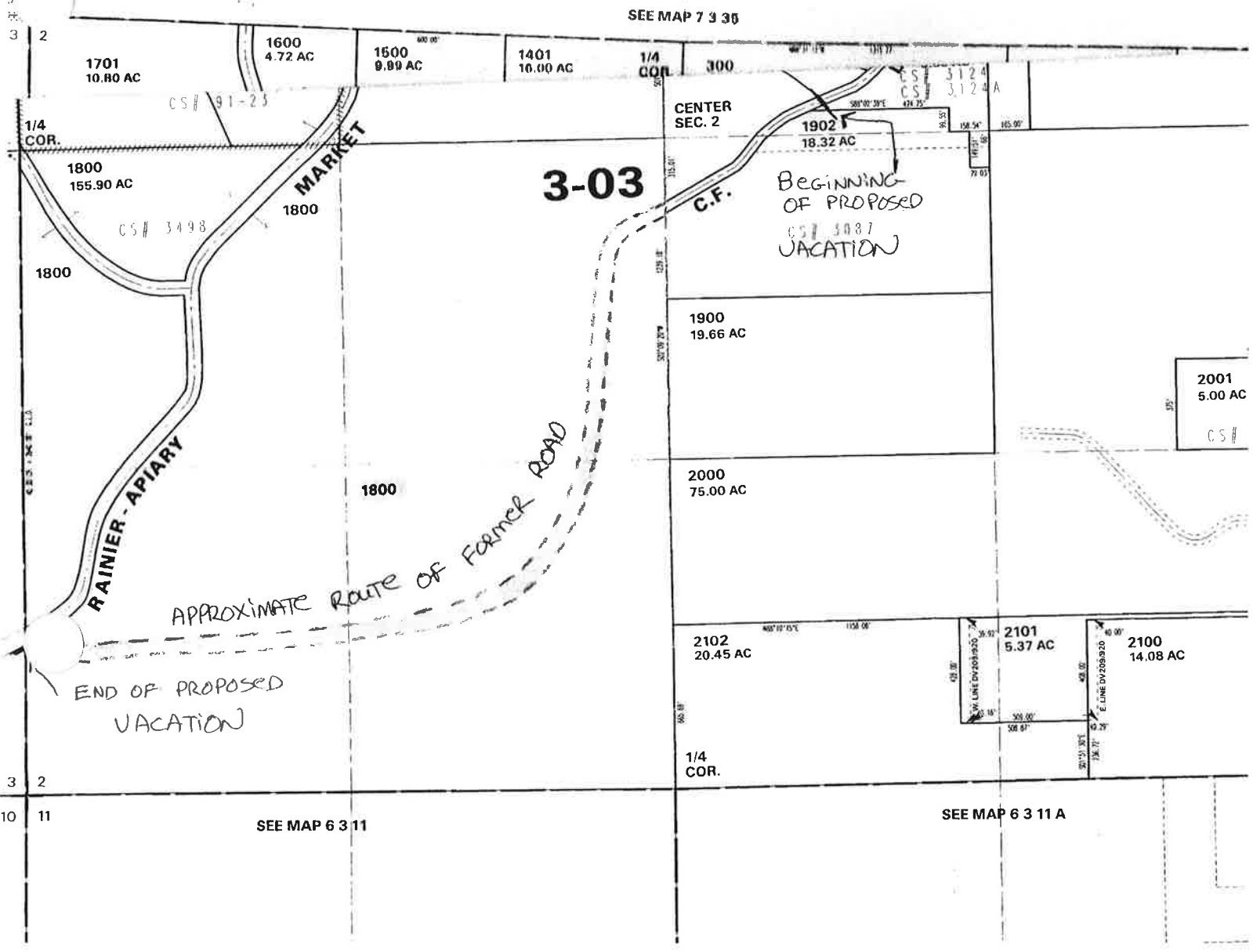
Denise M Palm-Ylen  
Notary Public for Oregon  
My Commission Expires: 06-05-08

ITANT  
Assessment  
Purposes  
LY

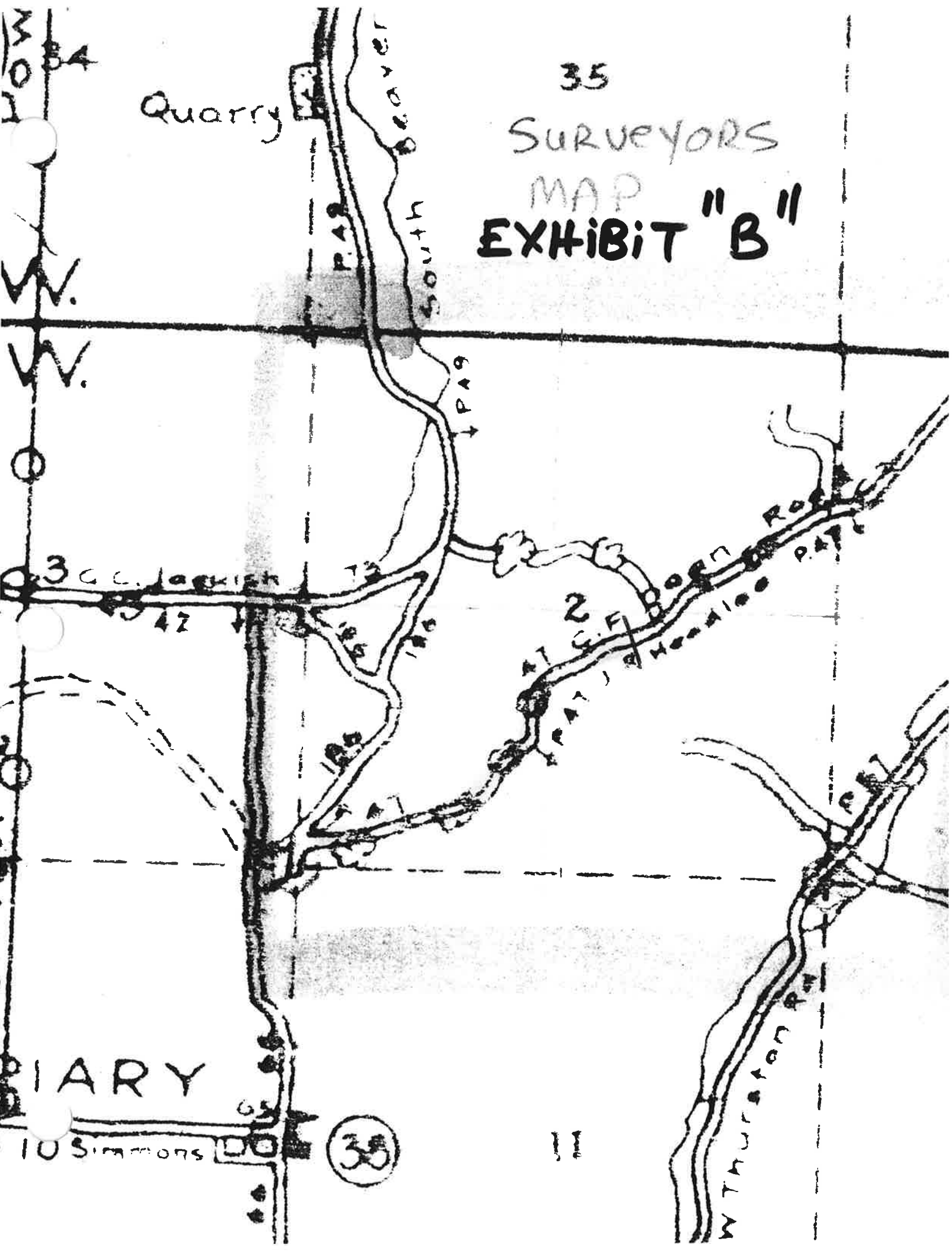
SEC.02 T6N R3W WM  
COLUMBIA COUNTY

Scale 1" = 400'

EXHIBIT  
"A"



35  
SURVEYORS  
MAP  
EXHIBIT "B"



Quarry

South Beaver

P.A.9

P.A.9

3 C.C. Jackson

42

2

AT G.F.

W. Thurston Rd

Hessling Park

PIARY

10 Simmons

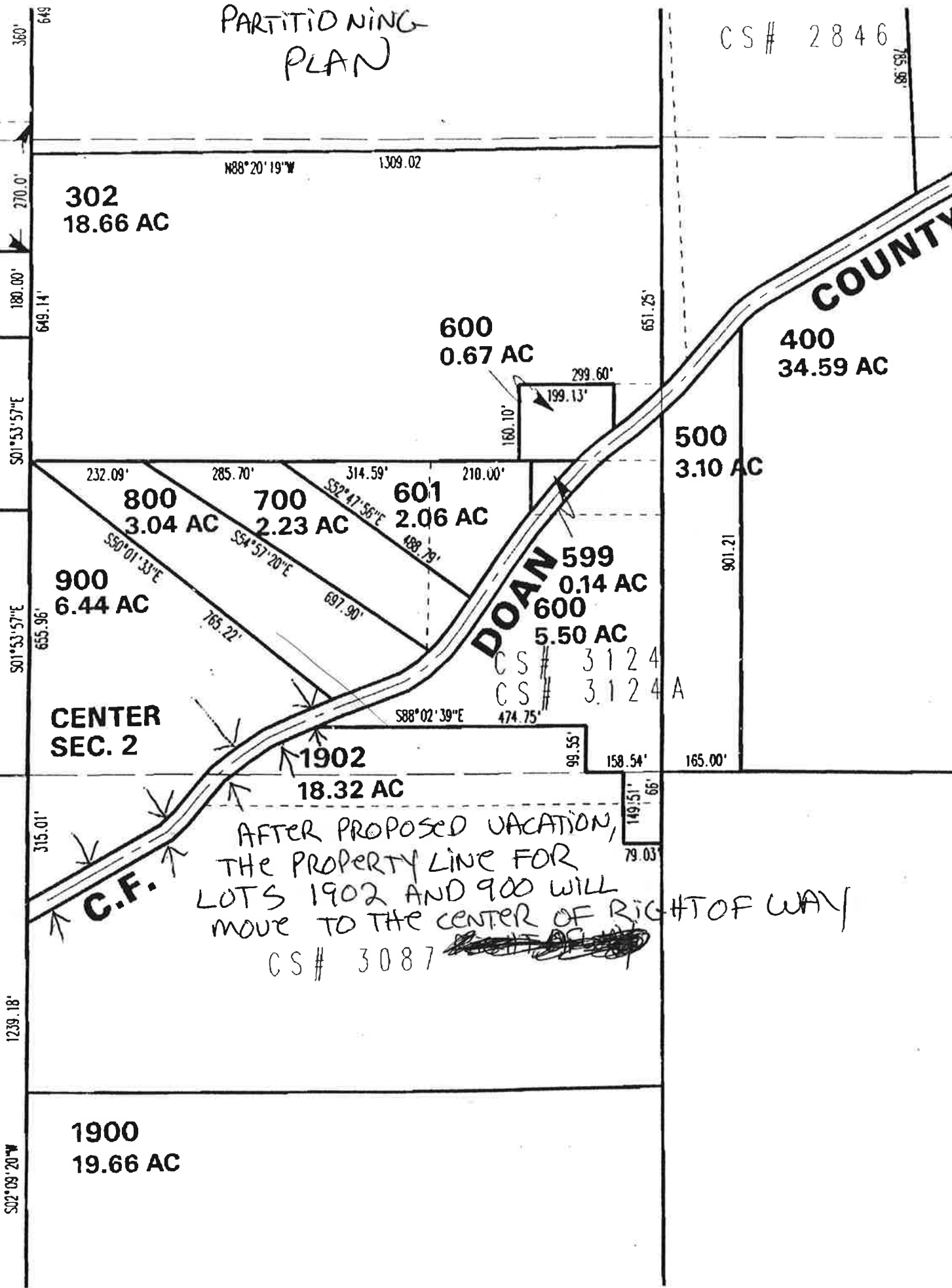
35

W. Thurston Rd

# EXHIBIT "C"

## PARTITIONING PLAN

CS # 2846



13

# EXHIBIT "D"

BOOK 238 PAGE 63

## BARGAIN AND SALE DEED

Dennis Iszler -----

Grantor, Conveys to

Bonnie Culp -----

Grantee, the following described real property situated in Columbia County, Oregon to-wit:

The North 66 feet of even width of the Northwest quarter of Southeast quarter of Section 2, Township 6 North, Range 3 West of the Willamette Meridian, Columbia County, Oregon, lying East of the Easterly right of way line of Doan County Road. EXCEPTING THEREFROM the Northerly 66 feet of even width of the following described tract: Beginning at a 1/2 inch iron pipe at the Northeast corner of the Northwest quarter of Southeast quarter, Section 2, Township 6 North, Range 3 West, Willamette Meridian, Columbia County, Oregon; thence North 88°09'22" West along the East-West centerline of said Section 2 a distance of 79.03 feet to an iron pipe; thence South 1°54' West 149.60 feet to an iron pipe; thence South 88°09'22" East parallel with the East-West centerline of said Section 2 a distance of 79.03 feet, more or less, to the East line of the Northwest quarter of Southeast quarter of said Section 2; thence North 2°25'41" East along the East line of said Section 2 to the point of beginning. ALSO EXCEPTING an easement more particularly described as follows: A nonexclusive 60 foot wide road easement the East centerline of which is described as follows: Beginning at a point in the centerline of Doan County Road that is North 88°09'22" West 663 feet and 130 feet North of the Southeast corner of the Southwest quarter of the Northeast quarter of said Section 2; thence South 790 feet, more or less, to the South line of the North half of the Northwest quarter of the Southeast quarter, Section 2, Township 6 North, Range 3 West, EXCEPT that portion lying in Doan County Road.

The true and actual consideration for this conveyance is exchange of other property.

Dated this 13 day of July 1981.

Dennis Iszler

STATE OF OREGON        )  
                                  ) ss.  
County of Columbia )

Personally appeared the above named Dennis Iszler and acknowledged the foregoing instrument to be his voluntary act and deed.

BEFORE ME: Loraine E. Williams  
Notary Public for Oregon  
My Commission Expires: 6/26/84

BOOK 238 PAGE 64

4327

STATE OF ARIZONA  
COUNTY OF MARICOPA  
RECORDED

JUL 13 9 56 AM '81

BOOK 238 PAGE 63  
REC'D G. KERRY, CO. CLK.

*[Handwritten signature]*

Return to  
Bonnie Burnham  
26593 Hammond Rd.  
Rainier, OR 97048

# EXHIBIT "E"

## QUITCLAIM DEED

A298-10  
R298-04

I hereby certify that the within instrument was received for record and recorded in the County of Columbia, State of Oregon.

07 11 08 00 JUL 17 P 3:07



ELIZABETH HUSER, County Clerk

By: Huser Deputy

Receipt # 23870 of Pages 2

FEES \$ 31.00

THIS QUITCLAIM DEED, Executed this 14th day of JULY, 2000 (year),

by first party, Grantor, DAVID BURNHAM

whose post office address is 29300 HARBOR VIEW DRIVE RAINIER, OR 97048

to second party, Grantee, BONNIE BURNHAM

whose post office address is 26593 HAMMOND ROAD RAINIER, OR 97048

WITNESSETH, That the said first party, for good consideration and for the sum of one Dollar (\$ 1.00 ) paid by the said second party, the receipt whereof is hereby acknowledged; does hereby remise, release and quitclaim unto the said second party forever, all the right, title, interest and claim which the said first party has in and to the following described parcel of land, and improvements and appurtenances there-  
to in the County of COLUMBIA, State of OREGON to wit:  
The North half of the Northwest quarter of the Southeast quarter of section 2, Township 6 North, Range 3 West, Willamette Meridian, Columbia County, Oregon, East of Doan Road, EXCEPTING THEREFROM the following described tracts: Beginning at a 1/2 inch iron pipe at the Northeast corner of the Northwest quarter of Southeast quarter, Section 2, Township 6 North, Range 3 West, Willamette Meridian, Columbia County, Oregon, thence North 88° 09' 22" West along the East-West centerline of said Section 2 a distance of 79.03 feet to an iron pipe; thence South 1° 54' West 149.60 feet to an iron pipe; then South 88° 09' 22" East parallel with the East-West center line of said Section 2, a distance of Southeast quarter of said Section 2; thence North 2° 25' 41" East along the East line of said Section 2 to the point of beginning TOGETHER with a nonexclusive 60 foot wide road easement to the East centerline of which is described as follows: Beginning at a point in the centerline of Doan County Road that is North 88° 09' 22" West 663 feet and 130 feet North of the Southeast corner of the Southwest quarter of Northeast quarter of said Section 2; thence South 200 feet more or less to the North line of the above described tract, EXCEPT that portion lying in Doan County Road

ADAM (1)

Rev 4/99

If your state requires 8 1/2" x 11" forms, cut off the bottom of this page at the dotted line.



IN WITNESS WHEREOF, The said first party has signed and sealed these presents the day and year first above written. Signed, sealed and delivered in presence of:

Tammy M. Driscoll  
Signature of Witness

David Burnham  
Signature of First Party

Tammy M. Driscoll  
Print name of Witness

DAVID BURNHAM  
Print name of First Party

\_\_\_\_\_  
Signature of Witness

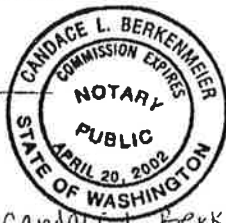
\_\_\_\_\_  
Signature of First Party

\_\_\_\_\_  
Print name of Witness

\_\_\_\_\_  
Print name of First Party

State of Washington )  
County of Cowlitz  
On July 17, 2000 before me, Candace L. Berkenmeier  
appeared David Burnham  
personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.  
WITNESS my hand and official seal.

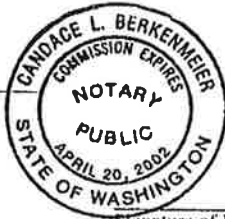
Candace L. Berkenmeier  
Signature of Notary



Affiant Known  Produced ID  
Type of ID ODL # 17101409  
(Seal)

State of Washington )  
County of Cowlitz  
On July 17, 2000 before me, Candace L. Berkenmeier  
appeared David Burnham  
personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.  
WITNESS my hand and official seal.

Candace L. Berkenmeier  
Signature of Notary



Affiant Known  Produced ID  
Type of ID ODL # 17101409  
(Seal)

\_\_\_\_\_  
Signature of Preparer

\_\_\_\_\_  
Print Name of Preparer

\_\_\_\_\_  
Address of Preparer

(2)

If your state requires 8 1/2" x 11" forms, cut off the bottom of this page at the dotted line.



*Dotted*  
Road Number: "47"

# EXHIBIT "F"

Name: Charles Doan Road

Location: Section 36, T.7,R.3..beginning at end of county road on line between section 31, T.7R.2 and section 36..T.7R. 3 to stake on line of Enterprise Road..section 3,T.6R.3.

Petition: 1/9/1890 Commissioner's Journal Book C Pages 288 & 289. ✓

Accepted: 4/10/1890 Commissioner's Journal Book C Pages 317 & 319. ✓

Right of Way: 40' *40' x 40'*

Notes: A portion of # 47 is used as federal aid secondary highway in section 36, T.7,R.3.

Suggest:

# EXHIBIT "G"

Road Number: "P-47"

Name: J. R. Headlee Road

Location: Sections 1 and 2, T.6,R.3.

Petition: May 8, 1913 Commissioner's Journal Book F Page 467. ✓

Accepted: June 5, 1913 Commissioner's Journal Book F Page 476. ✓

Right of Way: 40' ✓

Notes: Change in Rainier - Apiary Road. This road may be unopened at the present time.

Suggest:

# EXHIBIT "H"

**After Recording Return To:**

Key Title Company  
2534 Sykes Rd., Suite C  
PO Box 1271  
St. Helens OR 970518271



Title Order No. 07-24824  
Escrow No. 07-24824

**Send Tax Statements To:**

Greg Lloyd Norman

Tax Account No.

## WARRANTY DEED

(ORS 93.850)

Gregory G. Swanson and Peggy A. Swanson, as tenants by the entirety, Grantor conveys and warrants to Greg Lloyd Norman and Helen Louise Norman, as tenants by the entirety, Grantee, the following described real property free of encumbrances except as specifically set forth herein:

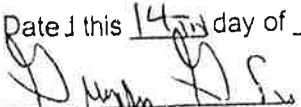
See Exhibit 'A' attached hereto and by reference made a part hereof.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

07-24824

The true consideration for this conveyance is

Date of this 14<sup>th</sup> day of May 2005

  
Gregory G. Swanson

State of OR, County of \_\_\_\_\_

This instrument is acknowledged by Gregory G. Swanson

No. \_\_\_\_\_



EXHIBIT 'A'

Legal Description:

A tract of land in the Southwest quarter of the Northeast quarter and the Northwest quarter of the Southeast quarter of Section 2, Township 6 North, Range 3 West, Willamette Meridian, Columbia County, Oregon, more particularly described as follows:

Beginning at a 5/8" iron rod with a yellow plastic cap marked "KEENON LAND SERVICES, INC." at the intersection of the West line of said Northwest quarter of the Southeast quarter and the Northerly right of way line of Doan County Road; thence North 01°52'36" West 315.01 feet, more or less, to a 5/8 inch iron rod with a yellow plastic cap being the center quarter of Section 2; thence North 01°55'20" West along said Section centerline, 655.96 feet to a 5/8 inch iron rod with a yellow plastic cap at the center South and Center North 1/64 corner; thence South 50°01'33" East 765.22 feet to a 5/8 inch iron rod with a yellow plastic cap marked "KEENON LAND SERVICES, INC." on the North right of way line of Doan County Road; thence Southwesterly along said right of way to the point of beginning.

Subject to:

The rights of the public in and to that portion of the premises herein described lying within the limits of roads, streets and highways.

Easement and maintenance agreement, including the terms and provisions thereof,

Between: Greg Swanson and Greg and Helen Norman  
For: secondary fire break

Recorded: February 20, 2001

Fee No.: 01-01826

In Columbia County, Oregon.

Reservations as provided in addendum B attached

*Greg Swanson*

*Peggy A. Swanson*

This instr  
by Greg

*in*

ADDENDUM TO REAL ESTATE SALE AGREEMENT

The Oregon Real Estate Agency has reviewed this form for compliance with the applicable provisions in ORS 855 and finds that it complies with those provisions.

This is an Addendum to:  Real Estate Sale Agreement  Seller's Counter Offer  Buyer's Counter Offer

Re: Real Estate Sale Agreement No. 653724 Dated 1/29/01 Addendum No. B

Buyer: Greg Lloyd and Helen Louise Norman

Seller: Greg and Peggy Swanson

The real property described as: 93-03-2-6302-000-00900 C. 44 Acres

SELLER AND BUYER HEREBY AGREE THE FOLLOWING SHALL BE A PART OF THE REAL ESTATE SALE AGREEMENT REFERENCED ABOVE.

Buyer to provide Firebreak easement to Benefit TAX LOT

93-03-2-6302-000-00800 and seller to provide

Firebreak easement to Benefit TAX LOT 93-03-2-6302-000-00700

as required for county approval of conditional use permits  
for single family homes.

Buyer Signature [Signature] Date 2/9/01 7:30 AM PM

Buyer Signature \_\_\_\_\_ Date \_\_\_\_\_ AM PM

Seller Signature [Signature] Date 2/9/01 11:30 AM PM

Seller Signature \_\_\_\_\_ Date \_\_\_\_\_ AM PM

Listing Licensee John A. Stennick

Selling Licensee Jelly A. Stennick

Listing Firm Broker Initials/Date [Signature] 12/19/01

Selling Firm Broker Initials/Date [Signature] 12/19/01

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Addendum Page 1 of 1 Pages



## Columbia County Road Department

1054 Oregon Street, St. Helens, OR 97051

David Hill, Public Works Director

Ph: (503) 366-3964 Fax: 397-7215  
 e-mail: [David.Hill@co.columbia.or.us](mailto:David.Hill@co.columbia.or.us)

**to:** Cynthia Zemaitis, County Counsel  
**from:** Dave Hill, Public Works Director  
**date:** May 5, 2008

*Dave*

COLUMBIA COUNTY  
 MAY 12 2008  
 COUNTY COUNSEL

**subject:** Proposed Road Vacation  
 Hammond Road, Petition by Bonnie Burnham

Bonnie Burnham has petitioned the Board of Commissioners to vacate a section of CF Doan County Road #47, commonly known as Hammond Road near Fernhill County Road, as shown on the attached "Exhibit A" and "Exhibit B" provided by the petitioners. The petitioner requests to start the vacation at the southern border of tax lot 6302-000-00800.

I have also provided "Map 1", "Map 2" and "Map 3" that shows a sketch of the approximate location of the subject road right-of-way.

CF Doan County Road #47 was accepted by the County in 1890, and is currently known as Hammond Road. The section of the road in question is currently not in use and traverses across forest land, across property primarily owned by Wilna Inc. of Clatskanie (Evenson).

It appears that all of the abutting property owners have signed the consent form for the road vacation.

The petition for road vacation also mentions County Road #P47 (JR Headlee Road) which may have been a modification of County Road #47, however as I plot County Road #P47 I show it in a little bit different location, as I have shown on Map 2. It is also unclear if County Road #47 overlaps Apiary County Road at the southwest end.

The Land Development Services Office that all tax lots have 50 foot of frontage on a public road, and therefore I recommend that we allow for this provision by starting the road vacation at a distance of 50 feet into tax lot 6302-000-1902, which is owned by the petitioner.

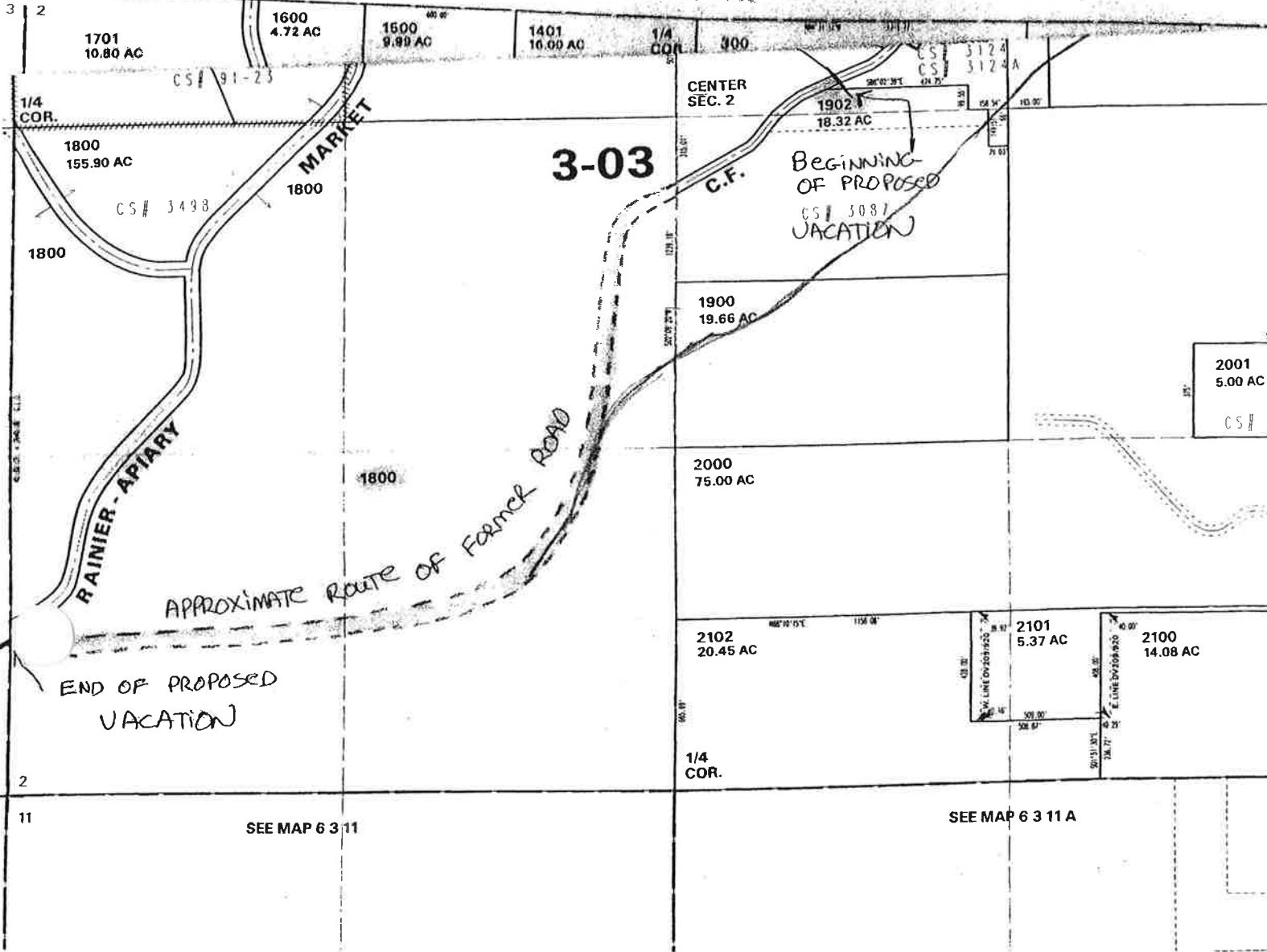
Therefore, in the matter of public interest, I recommend vacating all County Roads #47 and #P47 located within tax lots 6302-000-00900, 01902, and 01800, beginning at a point on the centerline of CL Doan County Road #47 that allows for 50 feet of County Road frontage to tax lot 6302-000-01902, said point being approximately 53.85 feet southwesterly of the northwest corner of tax lot 6302-000-01902, and excluding that portion of the road right-of-ways located within 50 feet of the centerline of the currently traveled Apiary County Road.

SEC.02 T6N R3W WM  
COLUMBIA COUNTY

Scale 1" = 400'

EXHIBIT  
"A"

SEE MAP 7 3 30

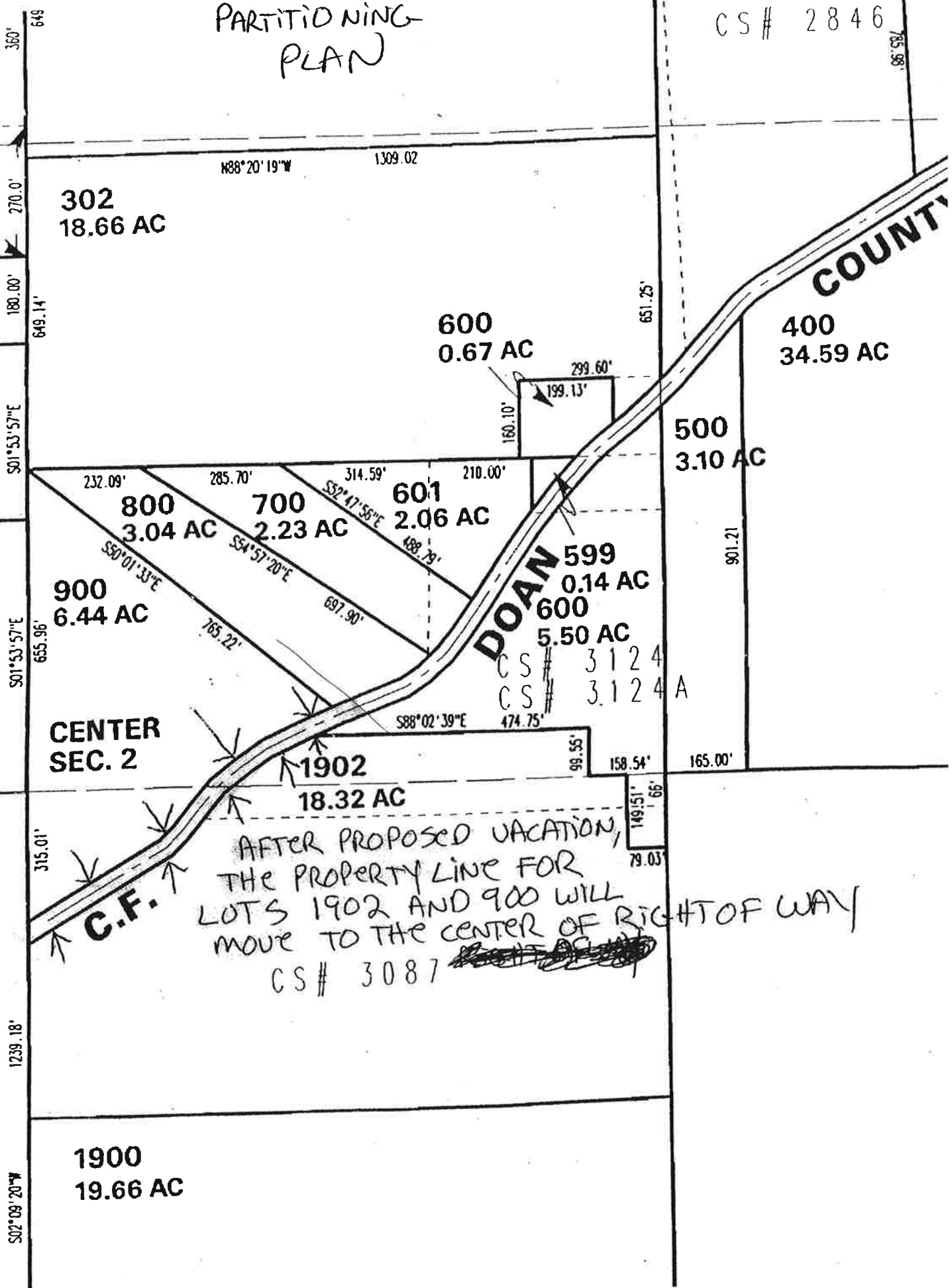


2001  
5.00 AC  
CS#

# EXHIBIT "C"

## PARTITIONING PLAN

CS # 2846



AFTER PROPOSED VACATION,  
THE PROPERTY LINE FOR  
LOTS 1902 AND 900 WILL  
MOVE TO THE CENTER OF RIGHT OF WAY  
CS # 3087 ~~RIGHT OF WAY~~

13



MAP

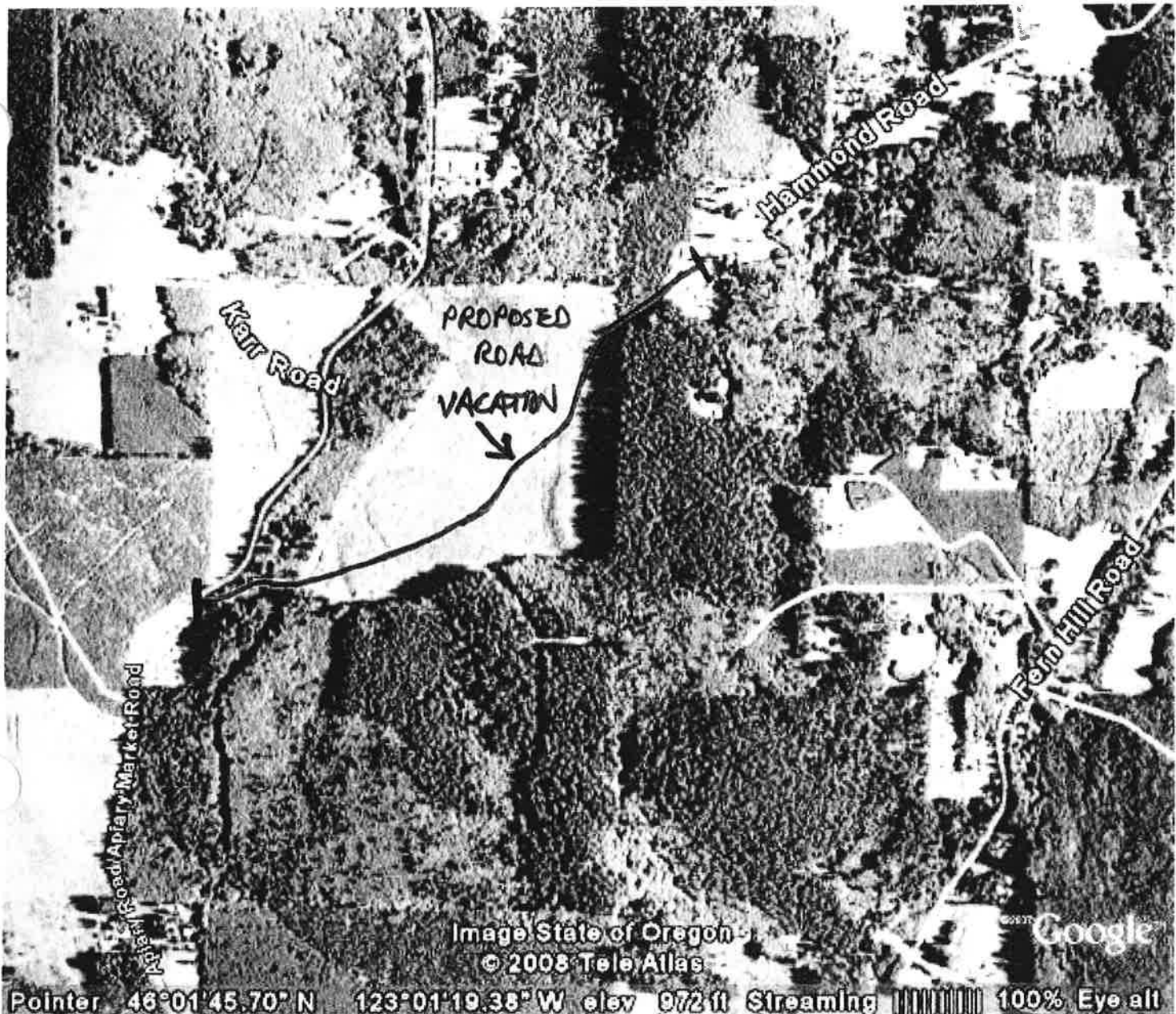


Image State of Oregon  
© 2008 Tele Atlas

Google

Pointer 46°01'45.70" N 123°01'19.38" W elev 972 ft Streaming 100% Eye alt

MAP 2

Send To: ... USGS 2 km NE of Apline, Oregon, United States 01 Jul 1985

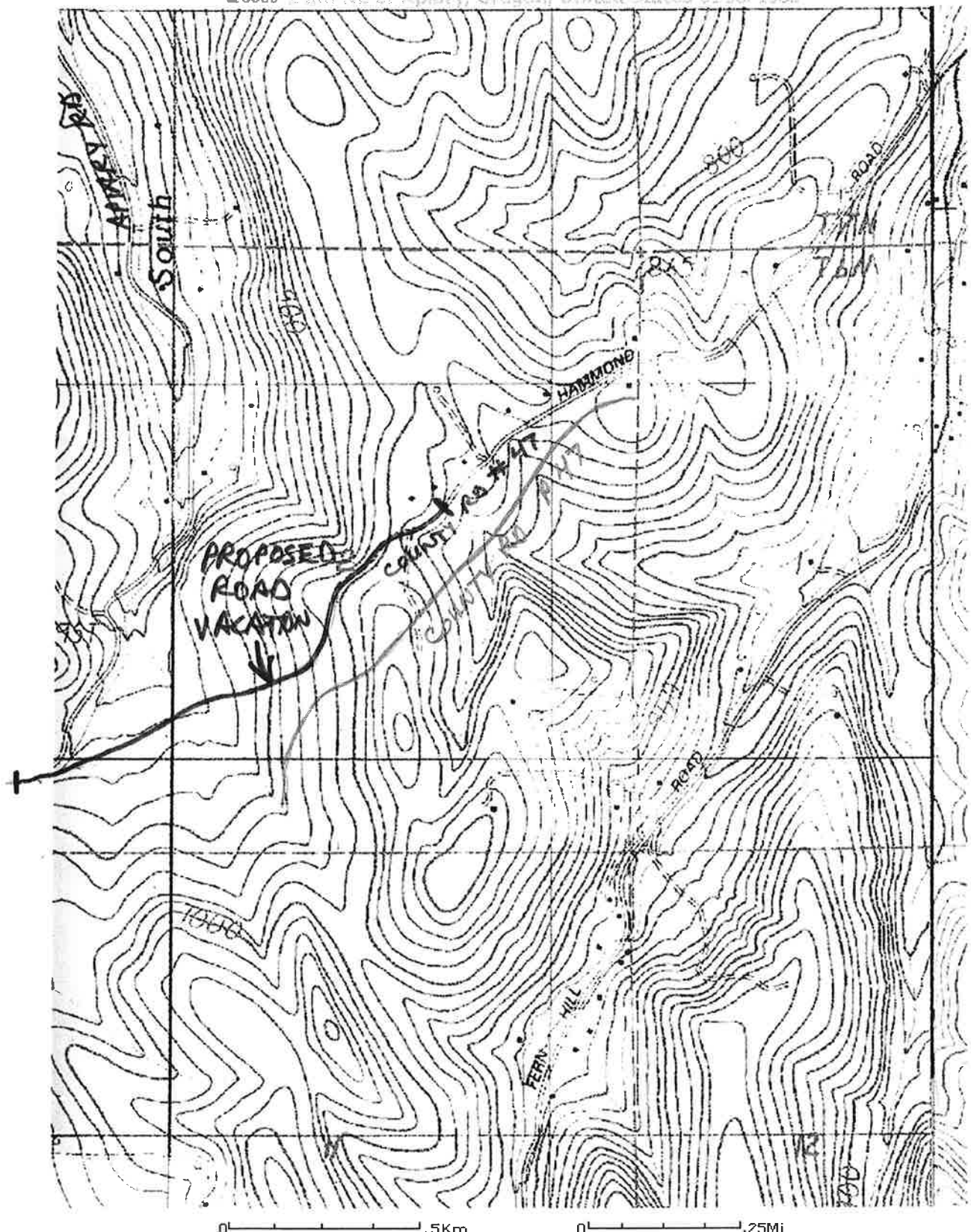
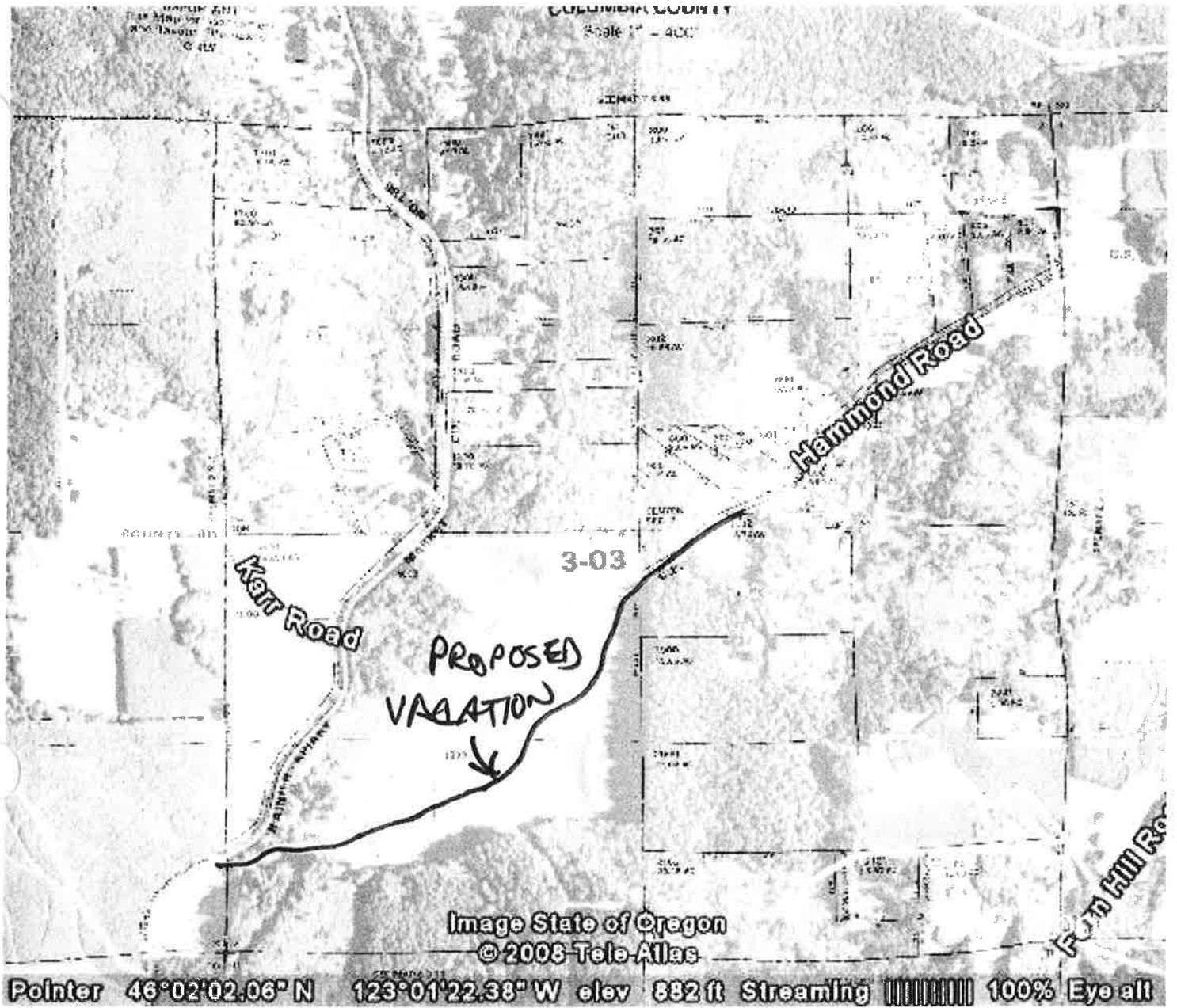


Image courtesy of the U.S. Geological Survey  
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MAP 2

Send To: Internet Base To: TerraServer Change to: 1:17 Feet Size Show: Grid Lines Change to: Landscape  
USGS 2 km NE of Aplary, Oregon, United States 01 Jul 1983

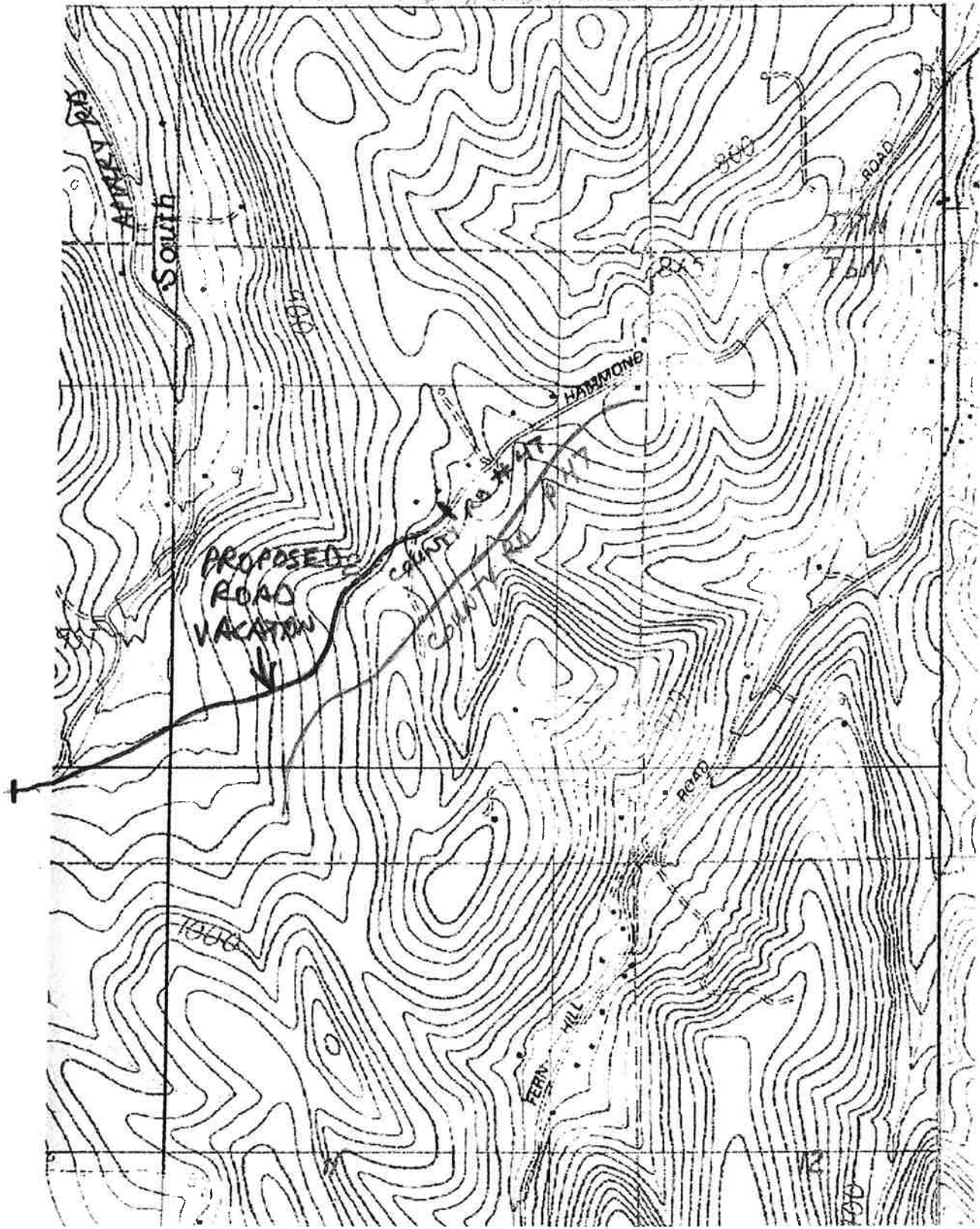


Image courtesy of the U.S. Geological Survey  
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