

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

In the Matter of Acquiring Permanent Right
of Way and Temporary Construction
Easements Necessary to Replace the
Bridge over the East Fork Nehalem River
and Realign the Roadway in the Vicinity of
Mile Post 2 of the Scappoose-Vernonia
Highway in Vernonia, Oregon

RESOLUTION NO. 69-2023

WHEREAS, Columbia County intends to improve Scappoose-Vernonia Highway by replacing a bridge over the East Fork Nehalem River and realigning the roadway. This work is to take place in the vicinity of Mile Post 2.0 of the highway in Vernonia, Oregon.

WHEREAS to successfully complete the improvements certain private property must be acquired for permanent right of way and temporary construction easements, under the authority of ORS 35.605; and

WHEREAS, the property which must be acquired to successfully complete and maintain said improvements is described in the proposed easements which are attached hereto as Exhibit A; and

WHEREAS, pursuant to ORS 35.610, before the right to acquire such property under ORS 35.605 is exercised, the Board of County Commissioners shall describe the land to be purchased, acquired, entered upon or appropriated, and shall determine that the appropriation of such land is reasonably necessary to protect the full use and enjoyment by the public of the road, street or highway; and

NOW, THEREFORE, THE BOARD OF COUNTY COMMISSIONERS
RESOLVES AS FOLLOWS:

1. The easements attached as Exhibit 1, and incorporated herein by this reference, shall be purchased, acquired, entered upon or appropriated for said project; and
2. The acquisition of the above easement is necessary to protect the public's full use and enjoyment of the road and shall increase the public's safety when using the road.

(Continued on Following Page)

3. The easements described in Exhibit 1 shall be recorded in the deed records of the Columbia County Clerk without costs.


DATED this 13 day of December, 202.

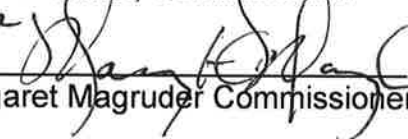
BOARD OF COUNTY
COMMISSIONERS FOR COLUMBIA
COUNTY, OREGON

Approved as to form:

By: 
Office of County Counsel

By: 
Casey Garrett, Chair

By: 
Kelly Jo Smith, Commissioner

By: 
Margaret Magruder Commissioner

GRANTOR NAME AND ADDRESS:

Robert M. Curl
PO Box 160
North Plains, OR 97133

AFTER RECORDING, RETURN TO GRANTEE:

Columbia County
Office of County Counsel
230 Strand, Room 20
St. Helens, OR 97051

PERMANENT RIGHT OF WAY EASEMENT

FOR GOOD AND VALUABLE CONSIDERATION in the amount of Five Hundred Fifty Four Dollars (\$554.00), Robert M. Curl, hereinafter Grantor, for themselves and for their successors and assigns, do hereby convey and grant unto **COLUMBIA COUNTY**, a political subdivision of the State of Oregon, hereinafter Grantee and its successors and assigns a perpetual easement, appurtenant to the Grantees property and upon, though, over, under and across that part of Grantor's property described and depicted on Exhibit A and B attached hereto and by this reference incorporated herein, hereinafter "the Easement Site". This easement is for the purpose of the construction, installation, operation, maintenance, repair, replacement and use of the Nehalem bridge and includes the right of ingress and egress for such purposes.

Grantee's rights in the Easement Site described above includes the right to have Grantee's officers, agents, employees, successors, assigns, contractors, and subcontractors, and their equipment upon the Easement Site for the purposes described above.

IT IS UNDERSTOOD that the easement rights herein granted shall become effective on the date last signed below and shall run with the land and continue in full force and effect until Grantee formally vacates the Easement.

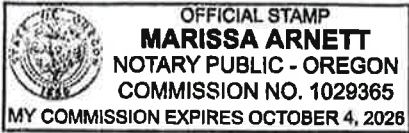
IT IS ALSO UNDERSTOOD that all right, title and interest in and to the Easement Site which may be used and enjoyed without interfering with the rights conveyed by this Easement are reserved to Grantor; provided, however, that Grantor shall not locate any structures which may cause damage to or interfere with the Easement Site; or develop, landscape, or beautify any easement area in any way which would unreasonably or materially increase the costs to Grantee of the construction, installation, operation, maintenance, repair, or replacement of the bridge.

IN WITNESS THEREOF, Grantors have signed this document this 14 day of November, 2023.

By: 
Robert M. Curl

STATE OF OREGON)
) ss.
County of Columbia)

The foregoing instrument was acknowledged before me this 14 day of November, 2023, by Robert M. Curl upon whose authority and on whose behalf this instrument is signed.




Notary Public for Oregon

ACCEPTANCE:

COLUMBIA COUNTY, OREGON

This is to certify that the interest in real property conveyed herein to the County of Columbia, a political subdivision of the State of Oregon, is hereby accepted by the undersigned, Casey Garrett, Kellie Jo Smith and Margaret Magruder, Board of Commissioners of Columbia County, Oregon, and the Grantee consents to the conditions thereof.

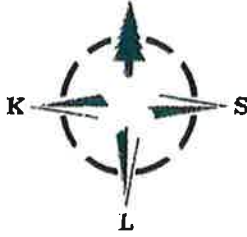
Dated this ____ day of _____, 2023.

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

By: _____
Casey Garret, Chair

By: _____
Kellie Jo Smith, Commissioner

By: _____
Margaret Magruder, Commissioner



KLS Surveying Inc.

1224 Alder Street
Vernonia, OR 97064

Phone: (503) 429-6115

Fax: (866) 297-1402

Email: don@klsurveying.com

Exhibit A

A portion of that tract of land conveyed to Robert M. Curl in deed recorded as Instrument No. 2014-005762, Columbia County Deed Records lying in the Southeast quarter of Section 26, Township 5 North, Range 4 West of the Willamette Meridian, Columbia County, Oregon being more particularly described as follows:

- Beginning at the intersection of the Westerly right of way line of Scappoose Pittsburg Highway and the South line of said Section 26 located North 89°45'43" West 1.20 feet from the Southeast corner of said Section 26;
- thence North 89°45'43" West along said South line 19.17 feet;
- thence North 30°31'34" West 74.14 feet to a point on said Westerly right of way line;
- thence South 41°37'11" East along said Westerly right of way line 85.62 feet to the point of beginning.

Containing 0.01 acres more or less.

The basis of bearings is Oregon Coordinate Reference System, Columbia River West Zone, NAD83 (2011) EPOCH 2010.00.

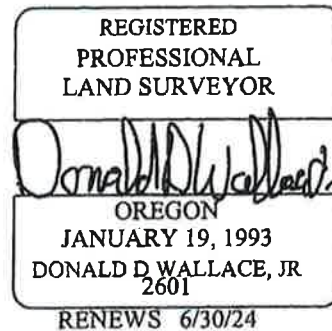
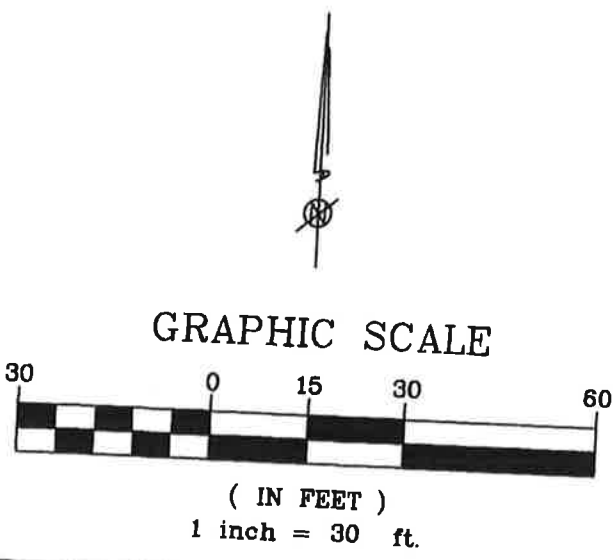
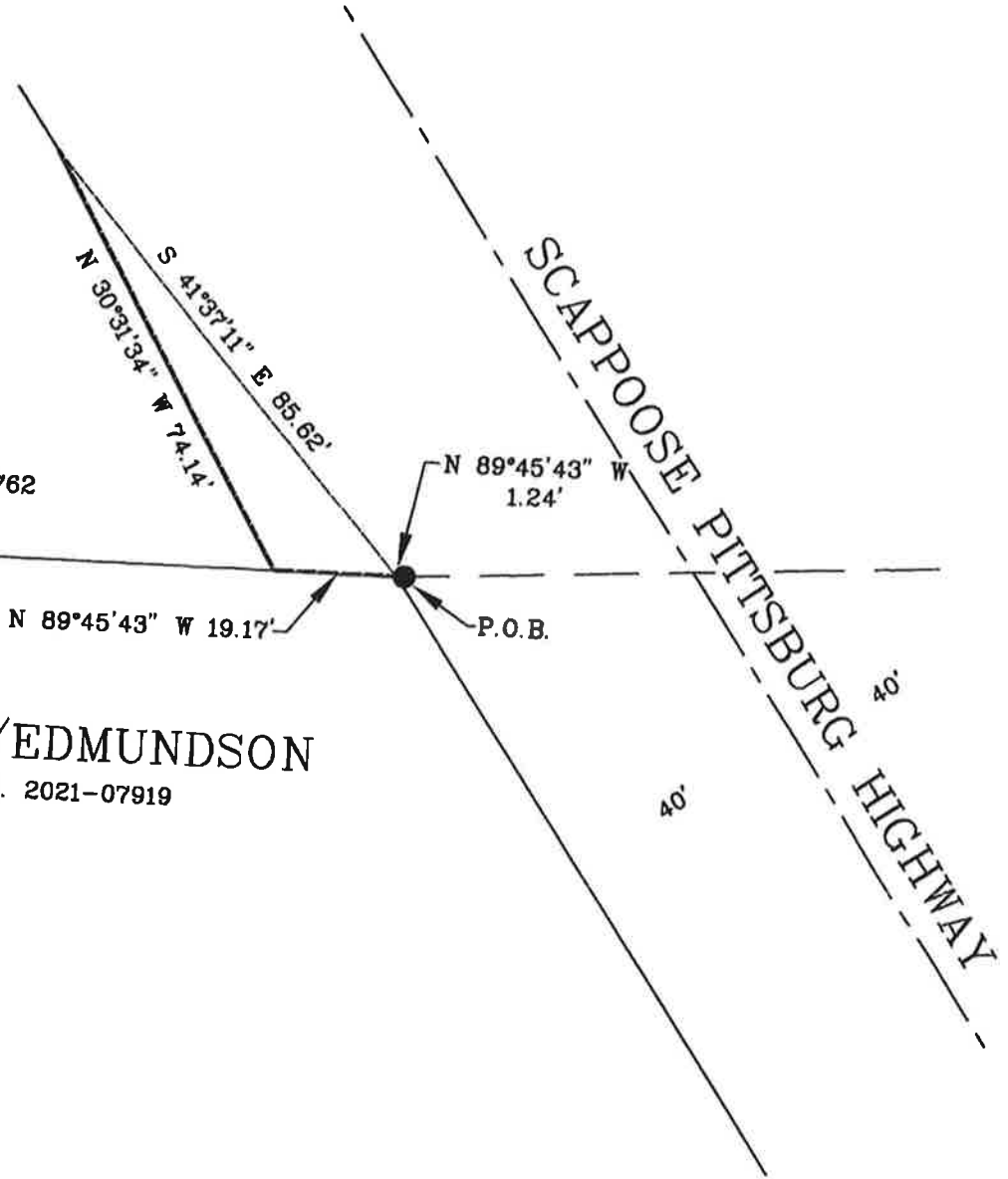


EXHIBIT B
IN THE SE 1/4 OF SECTION 26,
T5N, R4W, W.M.
COLUMBIA COUNTY, OREGON
SCALE 1" = 30' FEBRUARY 27, 2023

CURL
INSTRUMENT NO. 2014-005762

HENDERSON/EDMUNDSON
INSTRUMENT NO. 2021-07919



<p>REGISTERED PROFESSIONAL LAND SURVEYOR</p> <p><i>Donald D Wallace Jr</i></p> <p>OREGON JANUARY 19, 1993 DONALD D WALLACE JR 2601 RENEWS 6/30/24</p>	<p>K.L.S. SURVEYING INC. 1224 ALDER STREET VERNONIA, OR 97154</p>
---	--

GRANTOR'S NAME AND ADDRESS:

Robert M. Curl
PO Box 160
North Plains, OR 97133

AFTER RECORDING, RETURN TO GRANTEE:

Columbia County
Office of County Counsel
230 Strand, Room 20
St. Helens, OR 97051

TEMPORARY CONSTRUCTION EASEMENT

FOR GOOD AND VALUABLE CONSIDERATION in the amount of One Hundred Ninety Six Dollars (\$196.00), Robert M. Curl, hereinafter Grantor, do hereby grant unto **COLUMBIA COUNTY**, a political subdivision of the State of Oregon, hereinafter Grantee, its officers, agents, employees, successors, assigns, contractors, and subcontractors, a temporary easement in, upon, through, over, under and across the property described and depicted on Exhibit G and H attached hereto and by this reference incorporated herein, hereinafter "the Easement Site", which is situated in said County.

This grant of temporary right to use and occupy is given for the purpose of permitting Columbia County, its officers, agents, employees, successors, assigns, contractors, and subcontractors, to use the Easement Site for constructing improvements along Nehalem Bridge. In connection therewith, Grantee may remove any trees, shrubs or other materials necessary or convenient to accomplish said purposes. The Grantors also grant to the Grantee, its officers, agents, employees, successors, assigns, contractors, and subcontractors the right to use construction equipment at the Easement Site.

IT IS UNDERSTOOD that the easement rights herein granted shall become effective on the date last signed below and shall terminate three (3) years from said date, or when construction on the property is completed, whichever is earlier.

IT IS ALSO UNDERSTOOD that the easement herein granted does not convey any right or interest in the Easement Site except as stated herein, nor prevents Grantors from the use of said Easement Site, provided, however, that such use does not interfere with the rights herein granted.

In addition, the Grantee, its successors, assigns, agents, contractors, and employees agree to the following conditions of entry:

- 1) **INDEMNIFICATION.** Subject to the limitations and conditions of the Oregon Constitution and ORS 30.260 to 30.300, the Grantee agrees to indemnify Grantor from all claims made for injury to person or property caused by Grantee's negligence during the actual use by Grantee of the property for any of the above-described purposes.
- 2) **DAMAGE TO PROPERTY.** Grantee shall exercise care to avoid damaging the Easement Site in any manner not consistent with the purpose for which this easement is issued.
- 3) **COOPERATION WITH GRANTOR.** Grantee shall at all times cooperate with Grantor and comply with reasonable requests not inconsistent with the purpose for which this easement is granted.
- 3) **CLEANUP.** Upon completion of the project, Grantee shall clean the easement site of all rubbish, excess material, and equipment.

4) ACCEPTANCE. All parts of the easement site shall be left in acceptable condition.

IN WITNESS THEREOF, Grantors have signed this document this 14 day of November, 2023.

By: 
Robert M. Curl

STATE OF OREGON)
) ss.
County of Columbia)

The foregoing instrument was acknowledged before me this 14 day of November, 2023 by Robert M. Curl upon whose authority and on whose behalf this instrument is signed.



Notary Public for Oregon

ACCEPTANCE:

COLUMBIA COUNTY, OREGON

This is to certify that the interest in real property conveyed herein to the County of Columbia, a political subdivision of the State of Oregon, is hereby accepted by the undersigned, Casey Garrett, Kellie Jo Smith and Margaret Magruder, Board of Commissioners of Columbia County, Oregon, and the Grantee consents to the conditions thereof.

Dated this ____ day of _____, 2023.

**BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON**

By: _____
Casey Garrett, Chair

By: _____
Kellie Jo Smith, Commissioner

By: _____
Margaret Magruder, Commissioner



KLS Surveying Inc.

1224 Alder Street
Vernonia, OR 97064

Phone: (503) 429-6115

Fax: (866) 297-1402

Email: don@klssurveying.com

Exhibit G

A portion of that tract of land conveyed to Robert M. Curl in deed recorded as Instrument No. 2021-006146, Columbia County Deed Records lying in the Northwest quarter of Section 36, Township 5 North, Range 4 West of the Willamette Meridian, Columbia County, Oregon being more particularly described as follows:

- Beginning at the intersection of the Easterly right of way line of Scappoose Pittsburg Highway and the North line of said Section 36 located North $86^{\circ}41'36''$ East 92.74 feet from the Northwest corner of said Section 36;
- thence South $34^{\circ}54'45''$ East along said right of way line 111.29 feet to the true point of beginning;
- thence North $55^{\circ}05'15''$ East 82.23 feet;
- thence South $34^{\circ}54'45''$ East 158.49 feet;
- thence South $55^{\circ}05'15''$ West 85.37 feet to said right of way line;
- thence Northwesterly along said right of way line to the true point of beginning.

Containing 0.30 acres more or less.

The basis of bearings is Oregon Coordinate Reference System, Columbia River West Zone, NAD83 (2011) EPOCH 2010.00.

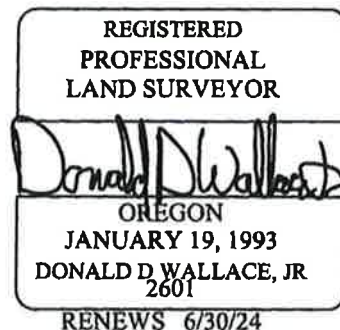
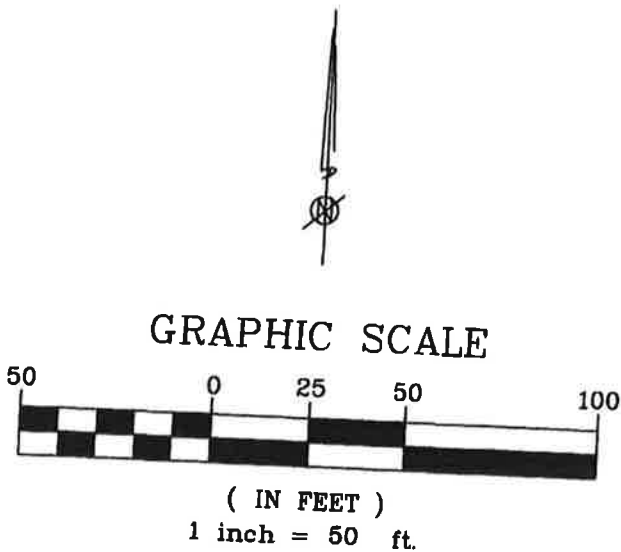
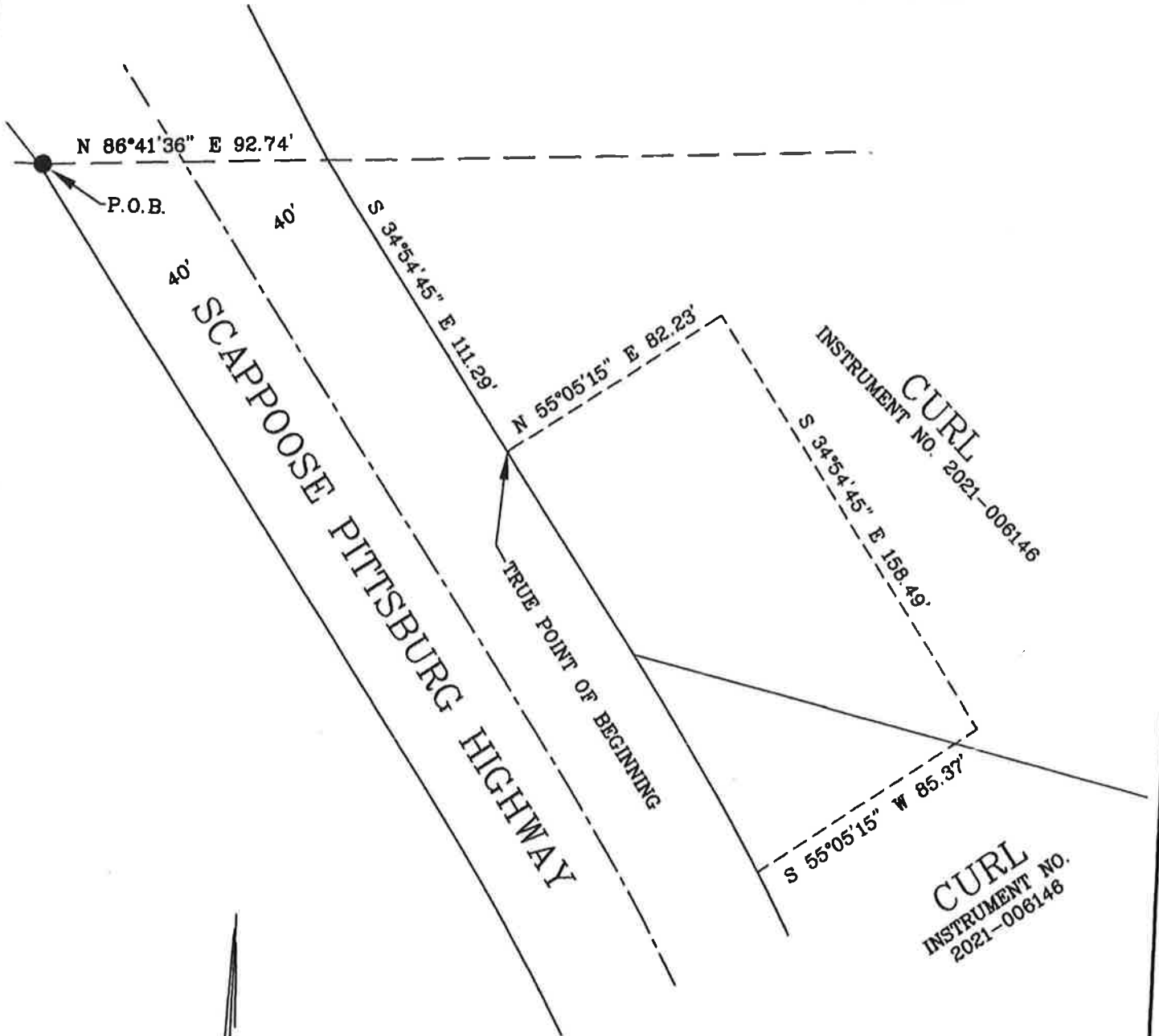


EXHIBIT H
IN THE NW 1/4 OF SECTION 36,
T5N, R4W, W.M.
COLUMBIA COUNTY, OREGON
SCALE 1" = 50' FEBRUARY 27, 2023



<p>REGISTERED PROFESSIONAL LAND SURVEYOR</p> <p><i>Donald D Wallace</i></p> <p>OREGON JANUARY 19, 1993 DONALD D WALLACE JR 2601 RENEWS 6/30/24</p>	<p>K.L.S. SURVEYING INC. 1224 ALDER STREET VERNONIA, OR 97154</p>
--	--

GRANTOR NAME AND ADDRESS:
Caleb Henderson
Jerren Rae Edmundson
21046 Scappoose Vernonia Highway
Scappoose, OR 97056

AFTER RECORDING, RETURN TO GRANTEE:
Columbia County
Office of County Counsel
230 Strand, Room 20
St. Helens, OR 97051

PERMANENT RIGHT OF WAY EASEMENT


FOR GOOD AND VALUABLE CONSIDERATION in the amount of Seven Thousand Fifty Nine Dollars (\$7,059.00), Caleb Henderson and Jerren Rae Edmundson, hereinafter Grantors, for themselves and for their successors and assigns, do hereby convey and grant unto **COLUMBIA COUNTY**, a political subdivision of the State of Oregon, hereinafter Grantee and its successors and assigns a perpetual easement, appurtenant to the Grantees property and upon, though, over, under and across that part of Grantor's property described and depicted on Exhibits C and D attached hereto and by this reference incorporated herein, hereinafter "the Easement Site". This easement is for the purpose of the construction, installation, operation, maintenance, repair, replacement and use of the Nehalem bridge and includes the right of ingress and egress for such purposes.

Grantee's rights in the Easement Site described above includes the right to have Grantee's officers, agents, employees, successors, assigns, contractors, and subcontractors, and their equipment upon the Easement Site for the purposes described above.

IT IS UNDERSTOOD that the easement rights herein granted shall become effective on the date last signed below and shall run with the land and continue in full force and effect until Grantee formally vacates the Easement.

IT IS ALSO UNDERSTOOD that all right, title and interest in and to the Easement Site which may be used and enjoyed without interfering with the rights conveyed by this Easement are reserved to Grantor; provided, however, that Grantor shall not locate any structures which may cause damage to or interfere with the Easement Site; or develop, landscape, or beautify any easement area in any way which would unreasonably or materially increase the costs to Grantee of the construction, installation, operation, maintenance, repair, or replacement of the bridge.

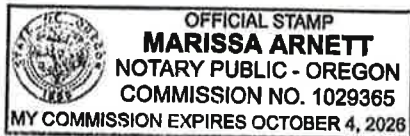
IN WITNESS THEREOF, Grantors have signed this document this 13 day of November, 2023.


By: 
Caleb Henderson

By: 
Jerren Rae Edmundson

STATE OF OREGON)
) ss.
County of Columbia)

The foregoing instrument was acknowledged before me this 13 day of November, 2023, by Caleb Henderson and Jerren Rae Edmundson upon whose authority and on whose behalf this instrument is signed.




Notary Public for Oregon

ACCEPTANCE:

COLUMBIA COUNTY, OREGON

This is to certify that the interest in real property conveyed herein to the County of Columbia, a political subdivision of the State of Oregon, is hereby accepted by the undersigned, Casey Garrett, Kellie Jo Smith and Margaret Magruder, Board of Commissioners of Columbia County, Oregon, and the Grantee consents to the conditions thereof.

Dated this ____ day of _____, 2023.

**BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON**

By: _____
Casey Garret, Chair

By: _____
Kellie Jo Smith, Commissioner

By: _____
Margaret Magruder, Commissioner



KLS Surveying Inc.

1224 Alder Street
Vernonia, OR 97064

Phone: (503) 429-6115

Fax: (866) 297-1402

Email: don@klssurveying.com

Exhibit C

A portion of that tract of land conveyed to Caleb Henderson & Rae Edmundson in deed recorded as Instrument No. 2021-07919, Columbia County Deed Records lying in the Northeast quarter of Section 35 & the Northwest quarter of Section 36, Township 5 North, Range 4 West of the Willamette Meridian, Columbia County, Oregon being more particularly described as follows:

- Beginning at the intersection of the Westerly right of way line of Scappoose Pittsburg Highway and the North line of said Section 35 located North $89^{\circ}45'43''$ West 1.20 feet from the Northeast corner of said Section 35;
- thence North $89^{\circ}45'43''$ West along said North line 19.17 feet;
- thence South $30^{\circ}31'34''$ East 307.39 feet;
- thence 342.08 feet along the arc of a non-tangent curve to the right having a radius of 1012.08 feet and a central angle of $19^{\circ}21'57''$ having a chord bearing of South $17^{\circ}46'57''$ East and a long chord of 340.45 feet;
- thence South $8^{\circ}05'58''$ East 109.44 feet to the Westerly right of way line of said Scappoose Pittsburg Highway;
- thence Northwesterly along said right of way line to the point of beginning.

Containing 0.45 acres more or less.

The basis of bearings is Oregon Coordinate Reference System, Columbia River West Zone, NAD83 (2011) EPOCH 2010.00.

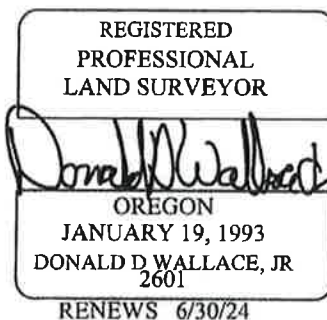
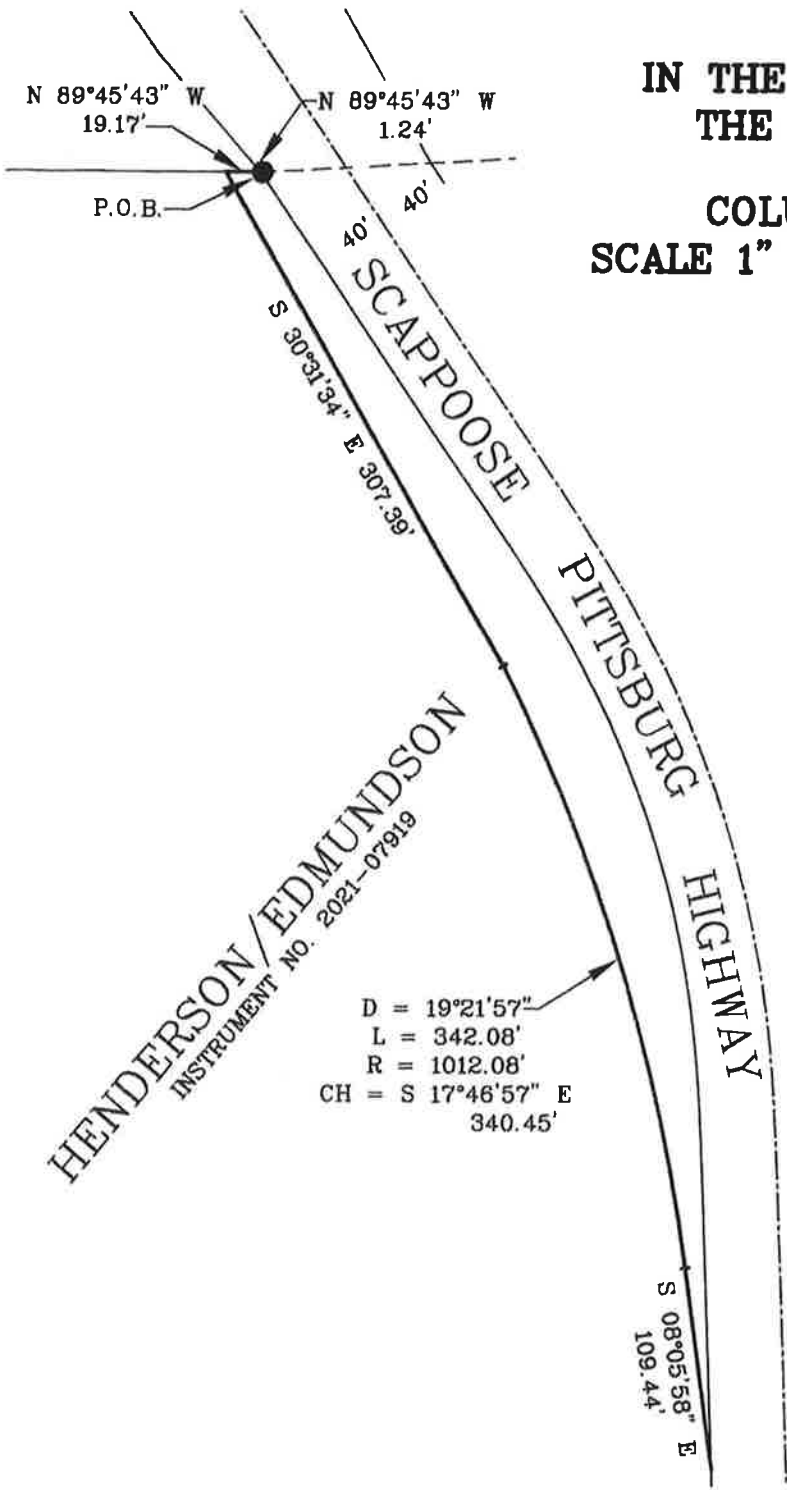
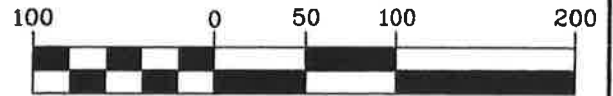


EXHIBIT D
IN THE NE 1/4 OF SECTION 35 &
THE NW 1/4 OF SECTION 36,
T5N, R4W, W.M.
COLUMBIA COUNTY, OREGON
SCALE 1" = 100' FEBRUARY 27, 2023



GRAPHIC SCALE



(IN FEET)
 1 inch = 100 ft.

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

Donald D Wallace Jr

OREGON
 JANUARY 19, 1993
 DONALD D WALLACE JR
 2601

RENEWS 6/30/24



K.L.S. SURVEYING INC.
 1224 ALDER STREET
 VERNONIA, OR 97064
 (503)429-6115

GRANTOR NAME AND ADDRESS:

Robert M. Curl
PO Box 160
North Plains, OR 97133

AFTER RECORDING, RETURN TO GRANTEE:

Columbia County
Office of County Counsel
230 Strand, Room 20
St. Helens, OR 97051

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IN WITNESS THEREOF, Grantors have signed this document this 14 day of November, 2023.

By: 
Robert M. Curl

STATE OF OREGON)
) ss.
County of Columbia)

The foregoing instrument was acknowledged before me this 14 day of November, 2023, by Robert M. Curl upon whose authority and on whose behalf this instrument is signed.




Notary Public for Oregon

ACCEPTANCE:

COLUMBIA COUNTY, OREGON

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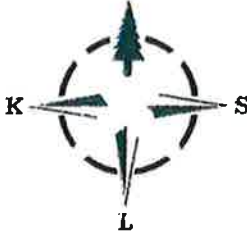
Dated this ____ day of _____, 2023.

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

By: _____
Casey Garret, Chair

By: _____
Kellie Jo Smith, Commissioner

By: _____
Margaret Magruder, Commissioner



KLS Surveying Inc.

1224 Alder Street
Vernonia, OR 97064

Phone: (503) 429-6115

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Exhibit A

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Containing 0.01 acres more or less.

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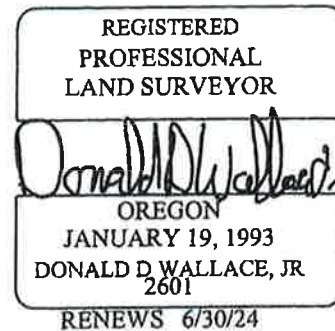
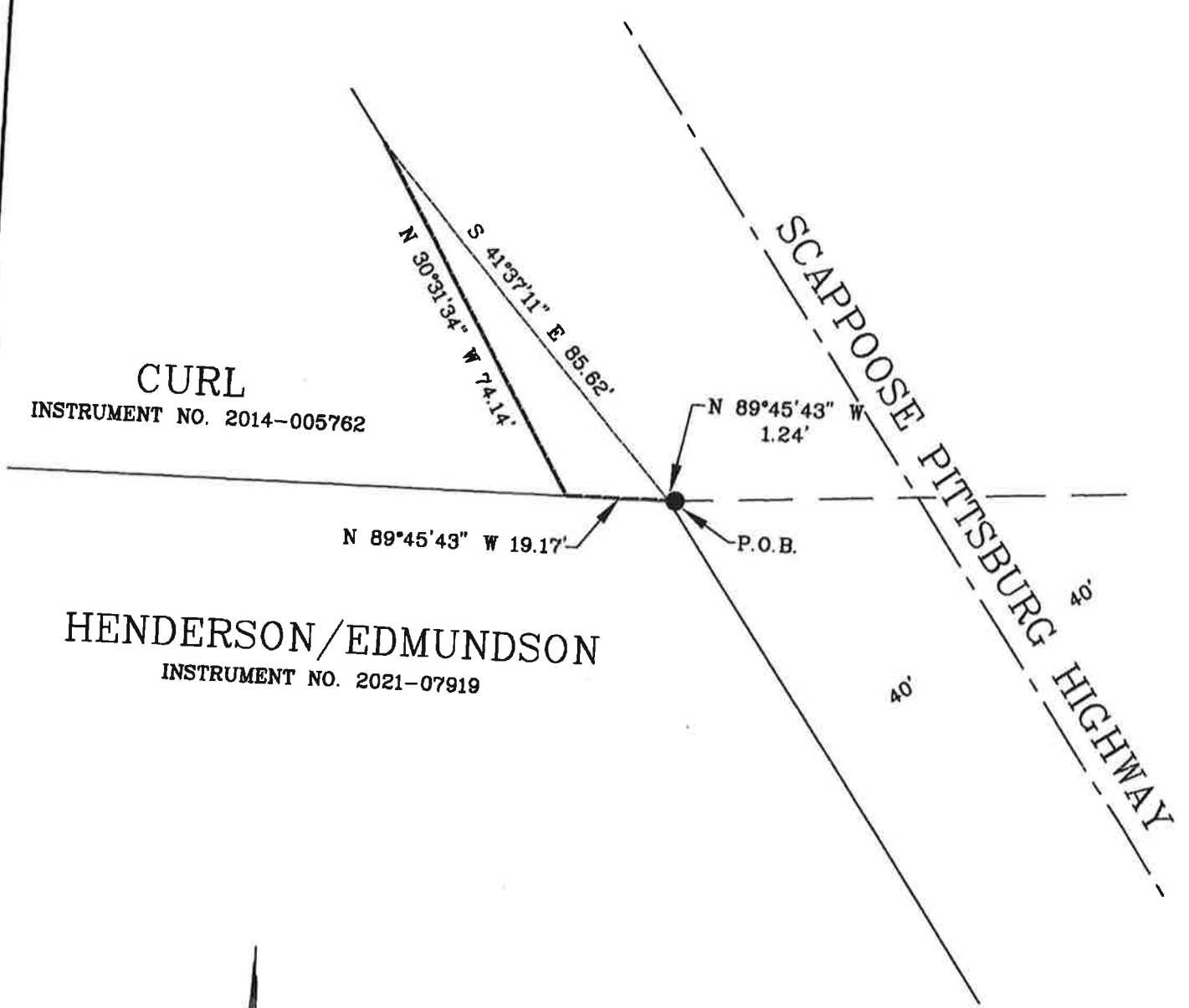


EXHIBIT B
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T5N, R4W, W.M.
COLUMBIA COUNTY, OREGON
SCALE 1" = 30' FEBRUARY 27, 2023

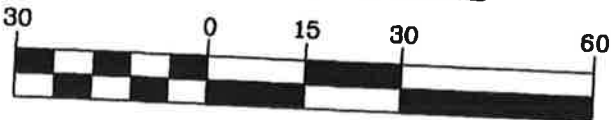


CURL
INSTRUMENT NO. 2014-005762

HENDERSON/EDMUNDSON
INSTRUMENT NO. 2021-07919



GRAPHIC SCALE



(IN FEET)
1 inch = 30 ft.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Donald D Wallace Jr

OREGON
JANUARY 19, 1993
DONALD D WALLACE JR
2601
RENEWS 6/30/24

K.L.S. SURVEYING INC.
1224 ALDER STREET
VERNONIA, OR 97154

GRANTOR'S NAME AND ADDRESS:

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4) ACCEPTANCE. All parts of the easement site shall be left in acceptable condition.

IN WITNESS THEREOF, Grantors have signed this document this 14 day of November 2023.

By: [Signature]
Robert M. Curl

STATE OF OREGON)
) ss.
County of Columbia)

The foregoing instrument was acknowledged before me this 14 day of November, 2023 by Robert M. Curl upon whose authority and on whose behalf this instrument is signed.

[Signature]
Notary Public for Oregon

ACCEPTANCE:

COLUMBIA COUNTY, OREGON

This is to certify that the interest in real property conveyed herein to the County of Columbia, a political subdivision of the State of Oregon, is hereby accepted by the undersigned, Casey Garrett, Kellie Jo Smith and Margaret Magruder, Board of Commissioners of Columbia County, Oregon, and the Grantee consents to the conditions thereof.

Dated this ____ day of _____, 2023.

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

By: _____
Casey Garrett, Chair

By: _____
Kellie Jo Smith, Commissioner

By: _____
Margaret Magruder, Commissioner



KLS Surveying Inc.

1224 Alder Street
 Vernonia, OR 97064

Phone: (503) 429-6115
 Fax: (866) 297-1402
 Email: don@klsurveying.com

Exhibit G

A portion of that tract of land conveyed to Robert M. Curl in deed recorded as Instrument No. 2021-006146, Columbia County Deed Records lying in the Northwest quarter of Section 36, Township 5 North, Range 4 West of the Willamette Meridian, Columbia County, Oregon being more particularly described as follows:

- Beginning at the intersection of the Easterly right of way line of Scappoose Pittsburg Highway and the North line of said Section 36 located North 86°41'36" East 92.74 feet from the Northwest corner of said Section 36;
- thence South 34°54'45" East along said right of way line 111.29 feet to the true point of beginning;
- thence North 55°05'15" East 82.23 feet;
- thence South 34°54'45" East 158.49 feet;
- thence South 55°05'15" West 85.37 feet to said right of way line;
- thence Northwesterly along said right of way line to the true point of beginning.

Containing 0.30 acres more or less.

The basis of bearings is Oregon Coordinate Reference System, Columbia River West Zone, NAD83 (2011) EPOCH 2010.00.

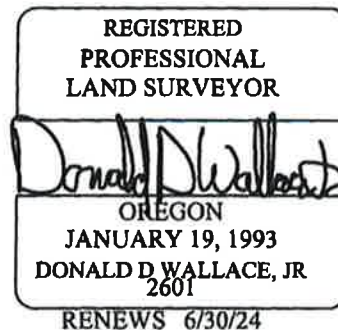
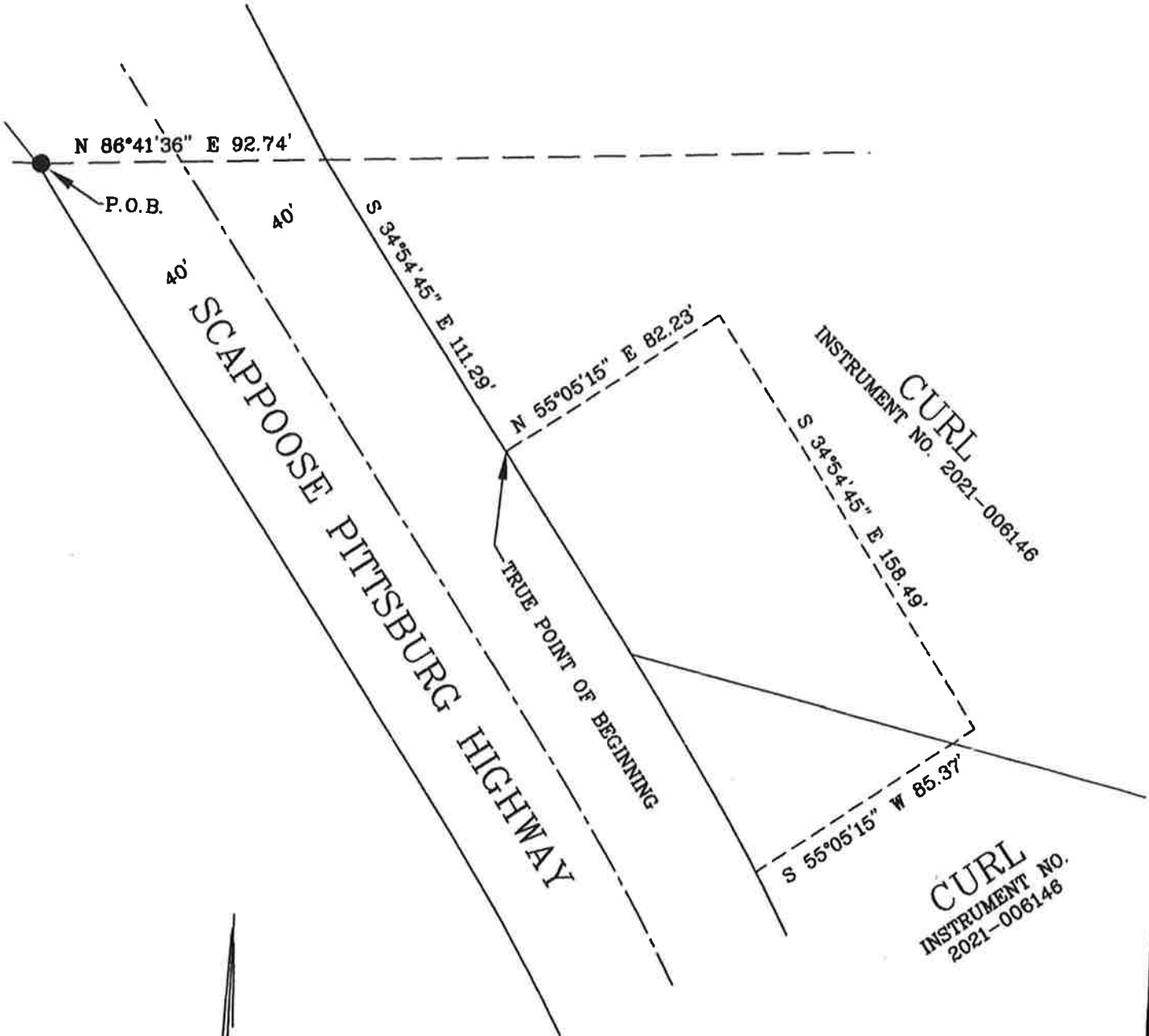
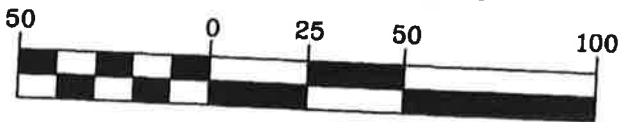


EXHIBIT H
IN THE NW 1/4 OF SECTION 36,
T5N, R4W, W.M.
COLUMBIA COUNTY, OREGON
SCALE 1" = 50' FEBRUARY 27, 2023



GRAPHIC SCALE



(IN FEET)
1 inch = 50 ft.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Donald D Wallace

OREGON
JANUARY 19, 1993
DONALD D WALLACE JR
2601
RENEWS 6/30/24

K.L.S. SURVEYING INC.
1224 ALDER STREET
VERNONIA, OR 97154

COUNTY'S OBLIGATION AGREEMENT

Name:	Robert M. Curl	File:	02	Date:	11/3/2023
Situs:	21111-21046 Scappoose Vernonia Highway, Scappoose, OR 97056	Project:	E. Nehalem Bridge Replacement		

Columbia County agrees to the following:

Replace barbed wire fence in the easement areas if impacted by the project.

It is understood and agreed that the County's performance of this agreement shall be a portion of the consideration for the concurrent real property transaction evidenced by deed or easement document(s) between Grantor and the County. This agreement shall not be effective or binding until Grantor receives notice from the County accepting the conveyance of the real property interests.

Columbia County:

Grantor:



 Michael Russell,
 Public Works Director

11/6/23
 Date



 Robert M. Curl

11/14/2023
 Date

GRANTOR NAME AND ADDRESS:

Caleb Henderson
Jerren Rae Edmundson
21046 Scappoose Vernonia Highway
Scappoose, OR 97056

AFTER RECORDING, RETURN TO GRANTEE:

Columbia County
Office of County Counsel
230 Strand, Room 20
St. Helens, OR 97051

PERMANENT RIGHT OF WAY EASEMENT

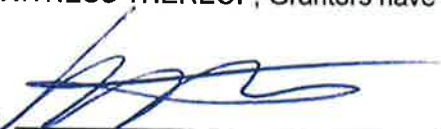
FOR GOOD AND VALUABLE CONSIDERATION in the amount of Seven Thousand Fifty Nine Dollars (\$7,059.00), Caleb Henderson and Jerren Rae Edmundson, hereinafter Grantors, for themselves and for their successors and assigns, do hereby convey and grant unto **COLUMBIA COUNTY**, a political subdivision of the State of Oregon, hereinafter Grantee and its successors and assigns a perpetual easement, appurtenant to the Grantees property and upon, though, over, under and across that part of Grantor's property described and depicted on Exhibits C and D attached hereto and by this reference incorporated herein, hereinafter "the Easement Site". This easement is for the purpose of the construction, installation, operation, maintenance, repair, replacement and use of the Nehalem bridge and includes the right of ingress and egress for such purposes.

Grantee's rights in the Easement Site described above includes the right to have Grantee's officers, agents, employees, successors, assigns, contractors, and subcontractors, and their equipment upon the Easement Site for the purposes described above.

IT IS UNDERSTOOD that the easement rights herein granted shall become effective on the date last signed below and shall run with the land and continue in full force and effect until Grantee formally vacates the Easement.

IT IS ALSO UNDERSTOOD that all right, title and interest in and to the Easement Site which may be used and enjoyed without interfering with the rights conveyed by this Easement are reserved to Grantor; provided, however, that Grantor shall not locate any structures which may cause damage to or interfere with the Easement Site; or develop, landscape, or beautify any easement area in any way which would unreasonably or materially increase the costs to Grantee of the construction, installation, operation, maintenance, repair, or replacement of the bridge.

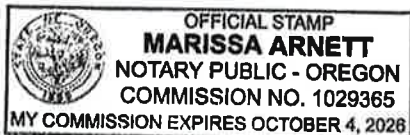
IN WITNESS THEREOF, Grantors have signed this document this 13 day of November, 2023.


By: 
Caleb Henderson

By: 
Jerren Rae Edmundson

STATE OF OREGON)
) ss.
County of Columbia)

The foregoing instrument was acknowledged before me this 13 day of November, 2023, by Caleb Henderson and Jerren Rae Edmundson upon whose authority and on whose behalf this instrument is signed.




Notary Public for Oregon

ACCEPTANCE:

COLUMBIA COUNTY, OREGON

This is to certify that the interest in real property conveyed herein to the County of Columbia, a political subdivision of the State of Oregon, is hereby accepted by the undersigned, Casey Garrett, Kellie Jo Smith and Margaret Magruder, Board of Commissioners of Columbia County, Oregon, and the Grantee consents to the conditions thereof.

Dated this ____ day of _____, 2023.

**BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON**

By: _____
Casey Garret, Chair

By: _____
Kellie Jo Smith, Commissioner

By: _____
Margaret Magruder, Commissioner



KLS Surveying Inc.

1224 Alder Street
 Vernonia, OR 97064

Phone: (503) 429-6115

Fax: (866) 297-1402

Email: don@klssurveying.com

Exhibit C

A portion of that tract of land conveyed to Caleb Henderson & Rae Edmundson in deed recorded as Instrument No. 2021-07919, Columbia County Deed Records lying in the Northeast quarter of Section 35 & the Northwest quarter of Section 36, Township 5 North, Range 4 West of the Willamette Meridian, Columbia County, Oregon being more particularly described as follows:

- Beginning at the intersection of the Westerly right of way line of Scappoose Pittsburg Highway and the North line of said Section 35 located North 89°45'43" West 1.20 feet from the Northeast corner of said Section 35;
- thence North 89°45'43" West along said North line 19.17 feet;
- thence South 30°31'34" East 307.39 feet;
- thence 342.08 feet along the arc of a non-tangent curve to the right having a radius of 1012.08 feet and a central angle of 19°21'57" having a chord bearing of South 17°46'57" East and a long chord of 340.45 feet;
- thence South 8°05'58" East 109.44 feet to the Westerly right of way line of said Scappoose Pittsburg Highway;
- thence Northwesterly along said right of way line to the point of beginning.

Containing 0.45 acres more or less.

The basis of bearings is Oregon Coordinate Reference System, Columbia River West Zone, NAD83 (2011) EPOCH 2010.00.

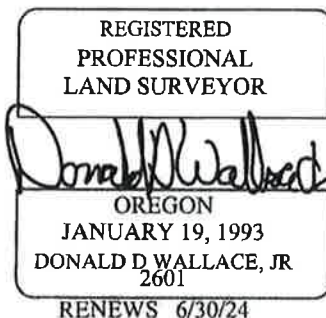
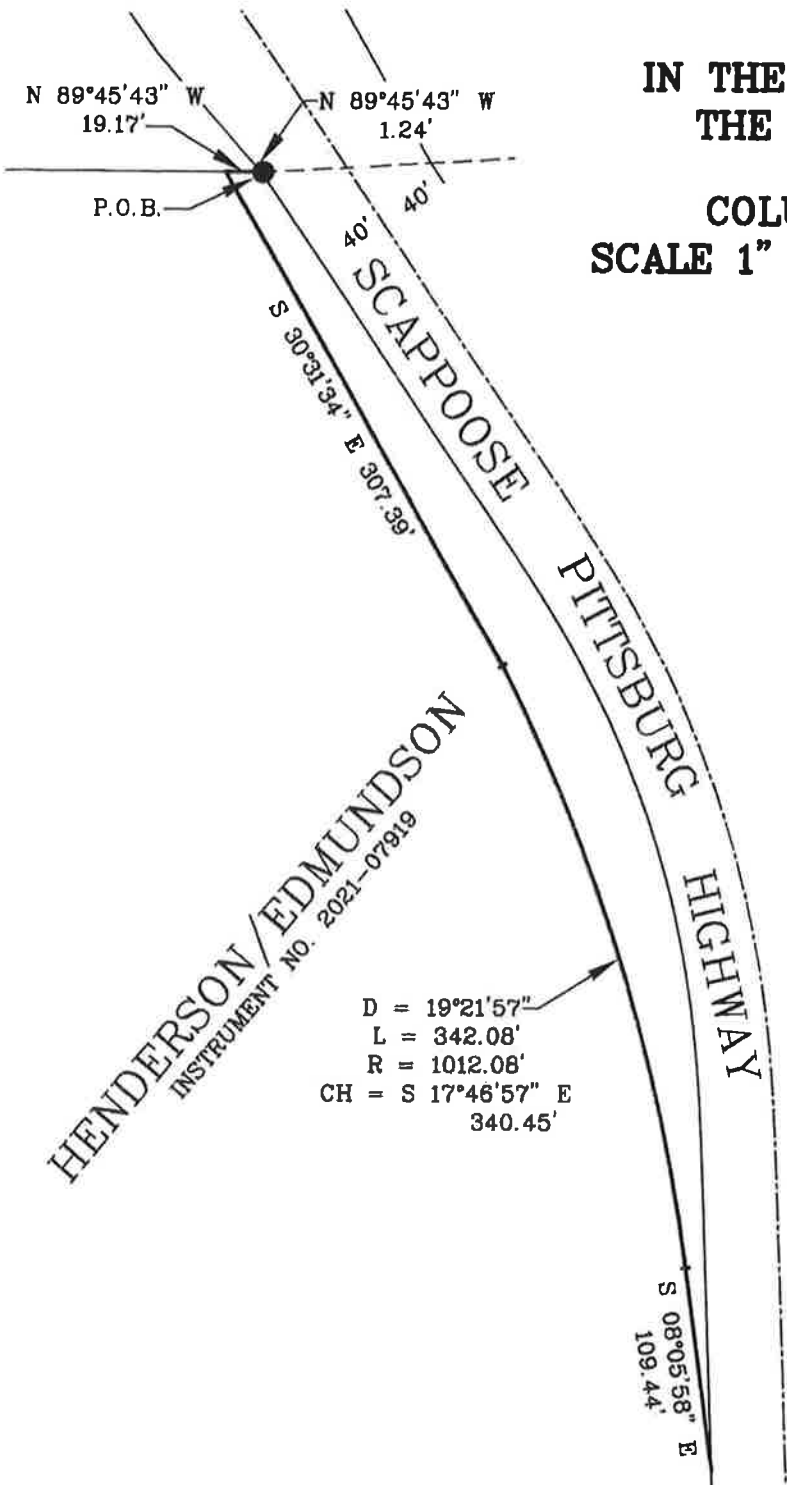
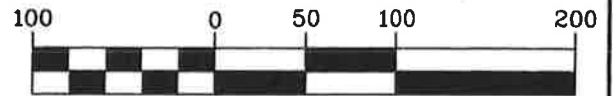


EXHIBIT D
IN THE NE 1/4 OF SECTION 35 &
THE NW 1/4 OF SECTION 36,
T5N, R4W, W.M.
COLUMBIA COUNTY, OREGON
SCALE 1" = 100' FEBRUARY 27, 2023



GRAPHIC SCALE



(IN FEET)
1 inch = 100 ft.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Donald D Wallace Jr

OREGON
JANUARY 19, 1993
DONALD D WALLACE JR
2601
RENEWS 6/30/24

K.L.S. SURVEYING INC.
1224 ALDER STREET
VERNONIA, OR 97064
(503)429-6115

GRANTOR'S NAME AND ADDRESS:

Caleb Henderson
 Jerren Rae Edmundson
 21046 Scappoose Vernonia Highway
 Scappoose, OR 97056

AFTER RECORDING, RETURN TO GRANTEE:

Columbia County
 Office of County Counsel
 230 Strand, Room 20
 St. Helens, OR 97051

TEMPORARY CONSTRUCTION EASEMENT

FOR GOOD AND VALUABLE CONSIDERATION in the amount of One Hundred Forty One Dollars (\$141.00), Caleb Henderson and Jerren Rae Edmundson, hereinafter Grantors, do hereby grant unto **COLUMBIA COUNTY**, a political subdivision of the State of Oregon, hereinafter Grantee, its officers, agents, employees, successors, assigns, contractors, and subcontractors, a temporary easement in, upon, through, over, under and across the property described and depicted on Exhibits E and F attached hereto and by this reference incorporated herein, hereinafter "the Easement Site", which is situated in said County.

This grant of temporary right to use and occupy is given for the purpose of permitting Columbia County, its officers, agents, employees, successors, assigns, contractors, and subcontractors, to use the Easement Site for constructing improvements along Nehalem Bridge. In connection therewith, Grantee may remove any trees, shrubs or other materials necessary or convenient to accomplish said purposes. The Grantors also grant to the Grantee, its officers, agents, employees, successors, assigns, contractors, and subcontractors the right to use construction equipment at the Easement Site.

IT IS UNDERSTOOD that the easement rights herein granted shall become effective on the date last signed below and shall terminate three (3) years from said date, or when construction on the property is completed, whichever is earlier.

IT IS ALSO UNDERSTOOD that the easement herein granted does not convey any right or interest in the Easement Site except as stated herein, nor prevents Grantors from the use of said Easement Site, provided, however, that such use does not interfere with the rights herein granted.

In addition, the Grantee, its successors, assigns, agents, contractors, and employees agree to the following conditions of entry:

- 1) **INDEMNIFICATION.** Subject to the limitations and conditions of the Oregon Constitution and ORS 30.260 to 30.300, the Grantee agrees to indemnify Grantor from all claims made for injury to person or property caused by Grantee's negligence during the actual use by Grantee of the property for any of the above-described purposes.
- 2) **DAMAGE TO PROPERTY.** Grantee shall exercise care to avoid damaging the Easement Site in any manner not consistent with the purpose for which this easement is issued.
- 3) **COOPERATION WITH GRANTOR.** Grantee shall at all times cooperate with Grantor and comply with reasonable requests not inconsistent with the purpose for which this easement is granted.
- 3) **CLEANUP.** Upon completion of the project, Grantee shall clean the easement site of all rubbish, excess material, and equipment.

4) ACCEPTANCE. All parts of the easement site shall be left in acceptable condition.

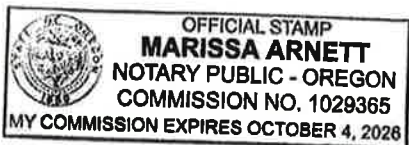
IN WITNESS THEREOF, Grantors have signed this document this 13 day of November, 2023.

By: [Signature]
Caleb Henderson

By: [Signature]
Jerren Rae Edmundson

STATE OF OREGON)
) ss.
County of Columbia)

The foregoing instrument was acknowledged before me this 13 day of November, 2023, by Caleb Henderson and Jerren Rae Edmundson upon whose authority and on whose behalf this instrument is signed.



[Signature]
Notary Public for Oregon

ACCEPTANCE:

COLUMBIA COUNTY, OREGON

This is to certify that the interest in real property conveyed herein to the County of Columbia, a political subdivision of the State of Oregon, is hereby accepted by the undersigned, Casey Garrett, Kellie Jo Smith and Margaret Magruder, Board of Commissioners of Columbia County, Oregon, and the Grantee consents to the conditions thereof.

Dated this _____ day of _____, 2023.

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

By: _____
Casey Garrett, Chair

By: _____
Kellie Jo Smith, Commissioner

By: _____
Margaret Magruder, Commissioner



KLS Surveying Inc.

1224 Alder Street
Vernonia, OR 97064

Phone: (503) 429-6115

Fax: (866) 297-1402

Email: don@klssurveying.com

Exhibit E

A portion of that tract of land conveyed to Caleb Henderson & Rae Edmundson in deed recorded as Instrument No. 2021-07919, Columbia County Deed Records lying in the Northeast quarter of Section 35 & the Northwest quarter of Section 36, Township 5 North, Range 4 West of the Willamette Meridian, Columbia County, Oregon being more particularly described as follows:

- Beginning at the intersection of the Westerly right of way line of Scappoose Pittsburg Highway and the North line of said Section 35 located North $89^{\circ}45'43''$ West 1.20 feet from the Northeast corner of said Section 35;
- thence North $89^{\circ}45'43''$ West along said North line 19.17 feet;
- thence South $30^{\circ}21'34''$ East 140.79 feet to the true point of beginning;
- thence South $59^{\circ}28'26''$ West 20.00 feet;
- thence South $30^{\circ}31'34''$ East 140.61 feet
- thence North $59^{\circ}28'26''$ East 20.00 feet;
- thence North $30^{\circ}31'34''$ West 140.61 feet to the true point of beginning.

Containing 0.06 acres more or less.

The basis of bearings is Oregon Coordinate Reference System, Columbia River West Zone, NAD83 (2011) EPOCH 2010.00.

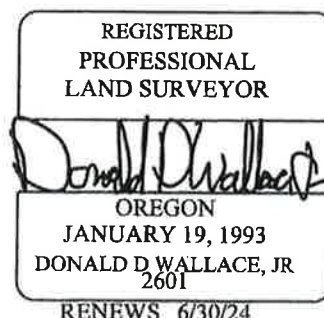
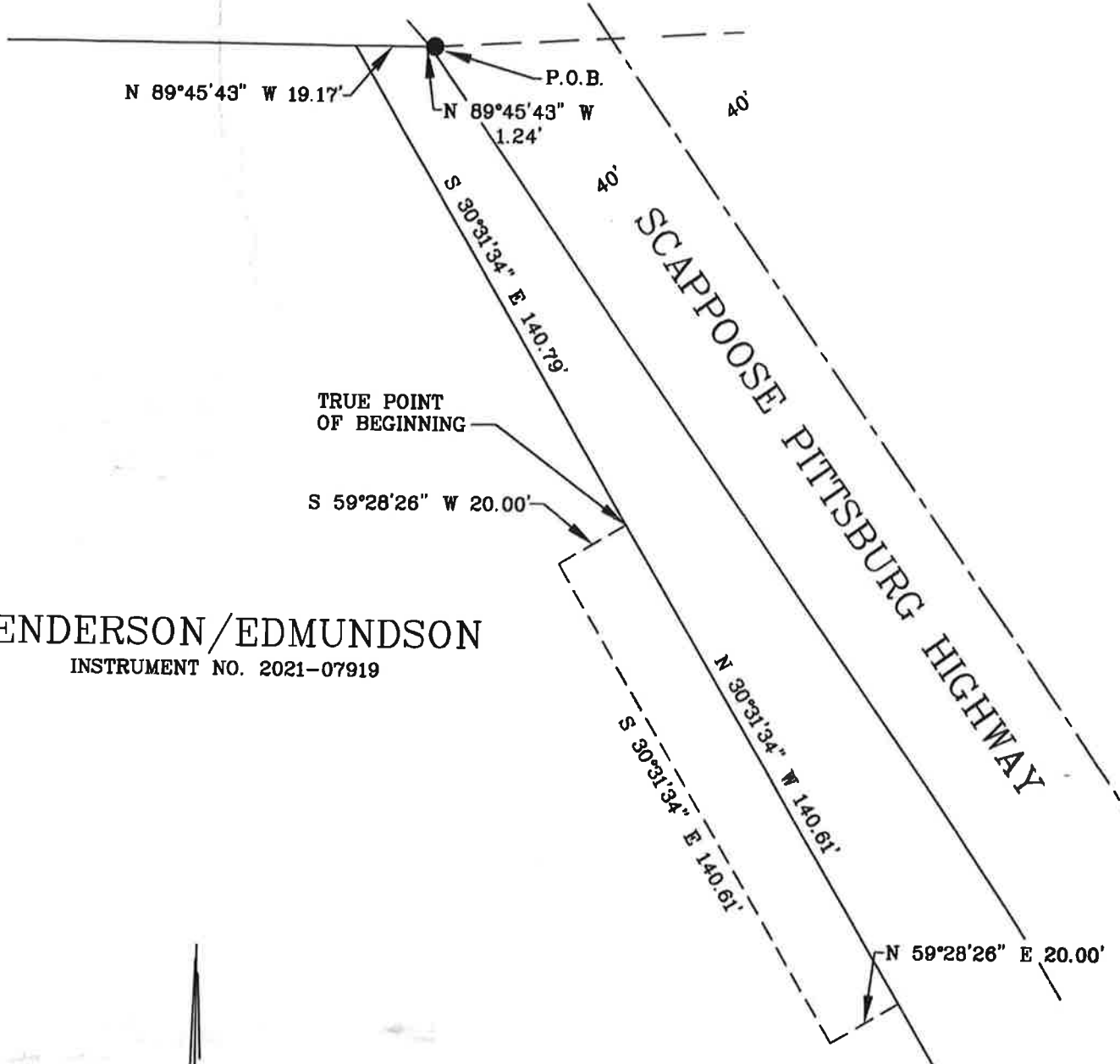


EXHIBIT F
IN THE NW 1/4 OF SECTION 36,
T5N, R4W, W.M.
COLUMBIA COUNTY, OREGON
SCALE 1" = 40' FEBRUARY 27, 2023



HENDERSON/EDMUNDSON
INSTRUMENT NO. 2021-07919



GRAPHIC SCALE



(IN FEET)
1 inch = 40 ft.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Donald D Wallace Jr

OREGON
JANUARY 19, 1993
DONALD D WALLACE JR
2601

RENEWS 6/30/24



K.L.S. SURVEYING INC.
1224 ALDER STREET
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(503)429-6115