



MARION COUNTY BOARD OF COMMISSIONERS

Board Session Agenda Review Form

Meeting date: November 30, 2016

Department: Public Works Agenda Planning Date: Nov. 23, 2016 Time required: 10 min.

Audio/Visual aids: None

Contact: Mark Riggins Phone: 503-373-4316

Department Head Signature:

TITLE: Consider the dedication of a one foot reserve strip for public road purposes known as Reserve Block A, Ditter Hill Tracts.

Issue, Description & Background: A property owner east of Ditter Hill Tracts has partitioned their property, Partition Plat 2008-067, and is requesting access to Cavalier Lane SE from Ditter Drive SE. To facilitate the requested access, Reserve Block A of Ditter Hill Tracts will need to be dedicated for public road purposes.

Financial Impacts: The financial impact is approximately \$66.00 in recording fees with the Clerk's office.

Impacts to Department & External Agencies: No other Marion County departments or external agencies will be impacted by this action.

Options for Consideration: 1. Dedicate the one-foot reserve strip (Reserve Block A, plat of Ditter Hill Tracts) as public road right-of-way. 2. Deny the request to dedicate the one-foot reserve strip as public road right of way and leave the reserve strip in effect.

Recommendation: Public Works staff recommends the board of commissioners dedicate the one-foot reserve strip (Reserve Block A, plat of Ditter Hill Tracts) as public road right-of-way.

List of attachments: Plat of Ditter Hill Tracts, Partition Plat 2008-067, Aerial Photo, Dedication Deed

Presenter: Mark Riggins

Copies of completed paperwork sent to the following: (Include names and e-mail addresses.)

Copies to: Mark Riggins, mriggins@co.marion.or.us

DITTER HILL TRACTS

SECTIONS 28 AND 29 T. 8S. R. 1W. W.M.

SURVEYORS CERTIFICATE

State of Oregon } ss
 County of Marion }
 I, Floyd L. Siegmund being first duly sworn, depose and say that I have surveyed and marked with proper monuments the land hereon shown as DITTER HILL TRACTS, and which is described as follows: Beginning at the North East corner of the west half of the Daniel Gartman D.L.C. No. 64 in T. 8S. R. 1W. of the Willamette Meridian in Marion County Oregon; A 30' white oak bears south 44° 05' east 149 chains; Thence S. 0° 2' 40" E. along the East line of the west half of said D.L.C. 159.77 feet; Thence north 48° 33' west 796.35 feet; Thence north 48° 33' west 995.48 feet to the west line of said Gartman D.L.C.; Thence north 1° 25' 50" east 170.0 feet to a Marion County Monument at the North West corner of said D.L.C.; Thence north 89° 57' 20" East 2428.64 feet to the place of beginning and containing 55.06 acres of land; The initial corner is a 36 section of 2 galvanized iron pipe set 6 below the surface of the ground.

Subscribed and sworn to before me a Notary Public for Oregon this 27th day of April 1970.
 My Commission expires Nov. 29, 1970

State of Oregon } ss
 County of Marion }
 I, H.F. Domagala, County Assessor and Pat Mc Carthy, Henry C. Harrison and Harry Carson Jr. Commissioners for said County and State do hereby approve the within plat and dedication which are in due and legal form.

County Assessor
 County Commissioner
 County Commissioner
 County Commissioner

The within plat is hereby approved
 County Surveyor
 Chairman, Marion County Planning Commission

DEDICATION

KNOW ALL MEN BY THESE PRESENTS

That we the Federal Land Bank of Spokane mortgagee, Louis J. Ditter and Louise A. Ditter husband and wife being the owners of the land described in the Surveyors Certificate herein made and desiring to dispose of the same in lots, have caused the same to be surveyed and plotted. The name to be known as Ditter Hill Tracts. We hereby dedicate to the public use forever the streets and roads as shown on the within plat and we hereby certify that all taxes levied on said land have been fully paid.

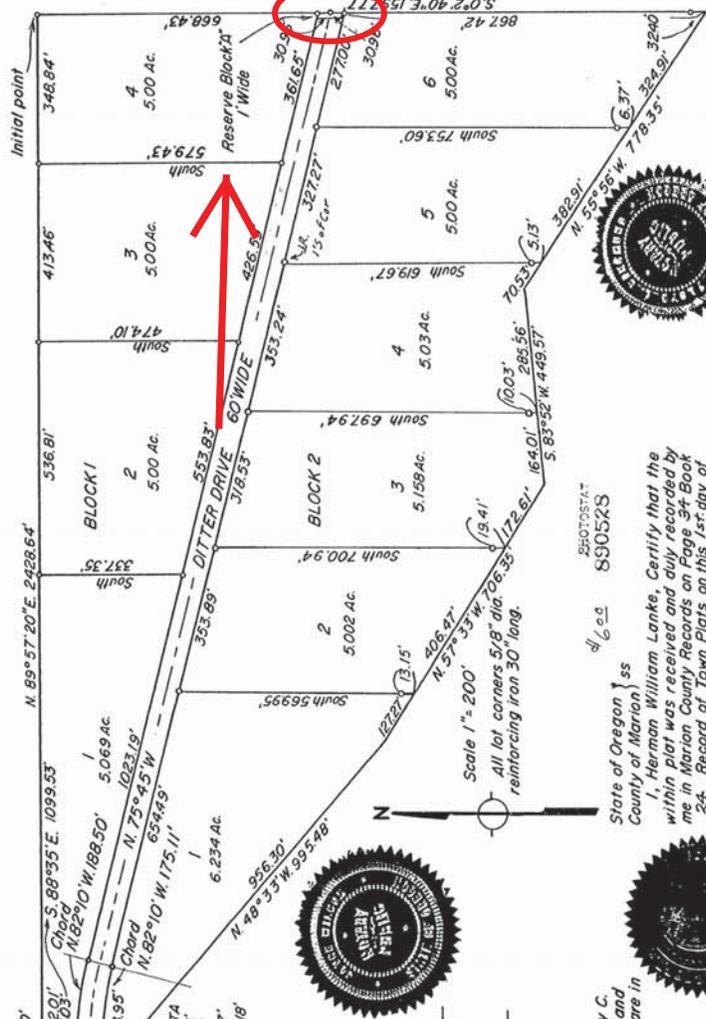
In witness, we hereunto set our hands and seals this 27th day April 1970 and 30th day of April 1970 The Federal Land Bank of Spokane
 Louis J. Ditter Asst. Vice President
 Louise A. Ditter Asst. Vice President

State of Oregon } ss
 County of Marion }
 Be it remembered that on this 27th day of April 1970 before me, the undersigned, a Notary Public for said County and State personally appeared the within named Louis J. Ditter and Louise A. Ditter known to me to be the identical individuals described in and who executed the within instrument and acknowledged to me that they executed the same freely and voluntarily.
 IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last written above.

Notary Public for Oregon
 My Commission expires June 18, 1972

State of Washington } ss
 County of Spokane }
 On this 30th day of April 1970, before me a Notary Public in and for the above named county and state personally appeared Wayne Harris to me known to be the Assistant Vice President of the Corporation that executed the within and foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated he was authorized to execute said instrument and that the seal affixed is the corporate seal of said corporation.
 IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

Notary Public, residing at Spokane
 State of Oregon } ss
 County of Marion }
 I, Herman William Lanke, County Recorder do hereby certify that the within plat was received and duly recorded by me in Marion County Records on Page 34 Book 246-Record of Town Plats on this 1st day of June 1970 at 8:40 A.M.



PARTITION PLAT NO. 2008-067

for Jason J. Pask
 Lot 2, Block 2, THE RANCH
 in the SW 1/4 of Section 28, T 8 S, R 1 W, W.M.
 Marion County, Oregon
 March 22, 2007

SURVEYOR'S CERTIFICATE

I, John P. Gorman, hereby certify that I, in accordance with Oregon Revised Statutes and local standard practice, have surveyed and marked with proper monuments the land represented on this plat which is described as:
 Lot 2, Block 2, THE RANCH, as recorded in Volume 32, Page 16, Book of Town Plats for Marion County, Oregon

NARRATIVE

The purpose of this survey is to partition the land described in the Surveyor's Certificate as approved by the Marion County Planning Director (Partitioning Case No. 06-35).
 Bearings are based on found monuments (4) and (5). The base bearing is from the plat of THE RANCH.
 Monuments of record were found at all corners of the subject parcel and control the boundaries of the subject parcel. The curved part of the subject parcel boundary on Valerie Lane is defined by (1), (7) and (8).

ARC TABLE

DELTA	RADIUS	LENGTH	CHORD
A1 127° 21' 59"	15.00'	33.34'	563°30'0"E 26.80' (S1) (2) 563°36'40"E 26.83' (2)
A2 68° 25' 24"	45.00'	53.74'	567°31'42"E 50.60'

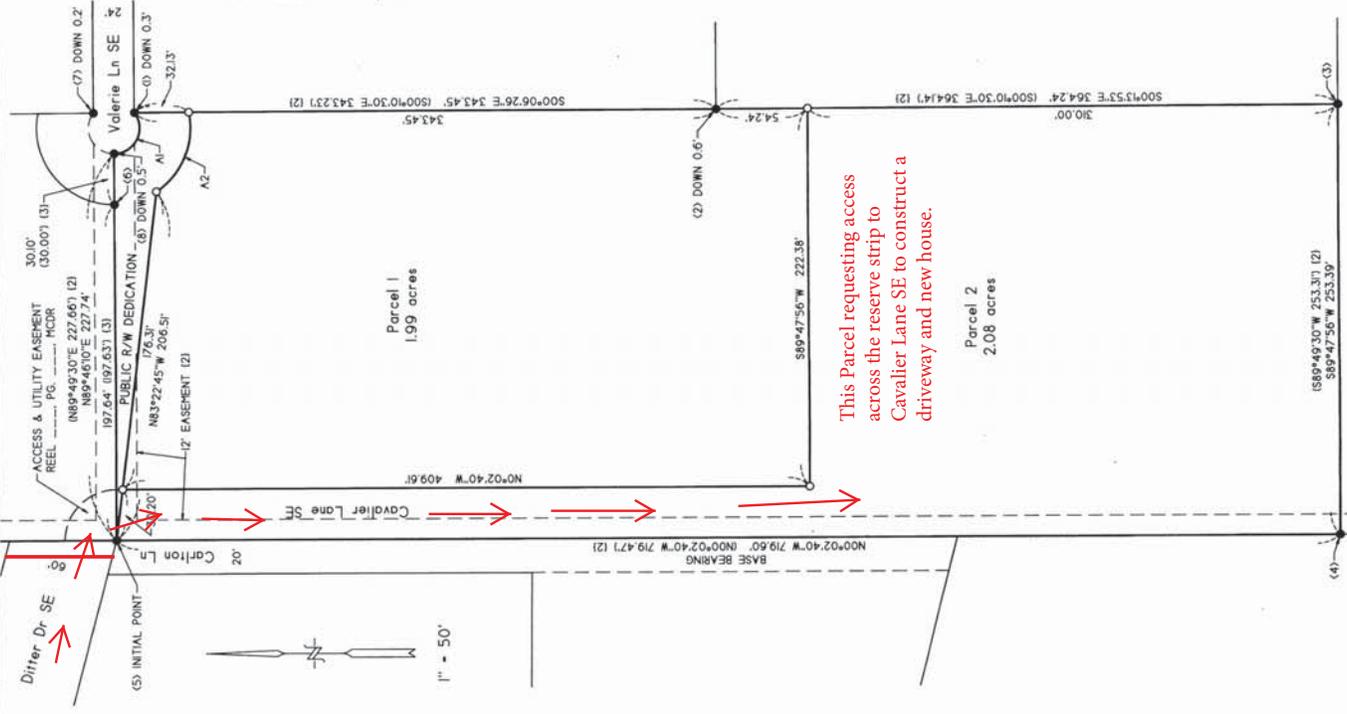
LEGEND

- : Monument found in good condition at surface, unless otherwise noted
- : 5/8" x30" rebar with YPC stamped "GORMAN SURVEY LS 228", set at surface, unless otherwise noted
- () : Dimension of record
- [] : Dimension calculated from record
- { } : Map record reference
- < > : Monument Table reference
- MCDR : Marion County Deed Records
- MCSR : Marion County Surveyor's Reference No.
- YPC : Yellow Plastic Cap

REGISTERED PROFESSIONAL LAND SURVEYOR
 JOHN P. GORMAN
 OREGON
 No. 228
 RENEWAL DATE : 7/01/2007

MONUMENT TABLE
 (1) (2) (3) (4) (7) (8) : 1/2" rebar (2)
 (5) : 5/8" rebar (1)
 (6) : 5/8" rebar & YPC stamped "ANDREWS RLS 1626" (3)

GORMAN LAND SURVEYING
 353 SW Division Street
 Sublimity, Oregon 97385
 503-769-2567



This Parcel requesting access across the reserve strip to Cavalier Lane SE to construct a driveway and new house.

DECLARATION

I, Jason J. Pask, owner of the land described in the Surveyor's Certificate, state that I have caused said land to be surveyed and partitioned as shown on this plat.

Jason J. Pask
 Notary Signature

State of Oregon } S.S.
 County of Marion }

Before me on this 29 day of November, 2007, appeared Jason J. Pask, who acknowledged to me that he executed the above instrument by his signature thereon.

Anne E. Hillig
 Notary Public, Oregon
 Commission No. 383784
 My commission expires: August 19, 2008

An affidavit of consent, appurtenant to the Trust Deed recorded in Reel 2950, Page 43, Marion County Deed Records, has been recorded in Reel 2986, Page 301, said Deed Records.

APPROVALS

Stefano Anderson
 Marion County Planning Director
 Partition Case No. 06-35
 Date: 8/15/2008

Mark Kigin
 Marion County Surveyor
 Date: 8/13/2008

Richard K. Krutzer by Juana M. Serna
 Marion County Assessor
 Date: 3/20/2008

Taxes and assessments on the property described in the Surveyor's Certificate have been paid in full to: 6/30/09

Richard K. Krutzer
 Marion County Tax Collector

APPROVAL AND ACCEPTANCE OF DEDICATION
 Date: 8-20-08

RECORDING STATEMENT
 State of Oregon } S.S.
 County of Marion }

I hereby certify that the attached Partition No. 2008-67 was received for recording on the 21st day of August, 2008, at 8:35 AM o'clock A.M., and recorded in the Book of Partition Plats. It is recorded in Marion County Deed Records at Reel 2986, Page 302.

Bill Burgess, Marion County Clerk
 By: Quay Melby
 Deputy County Clerk

Survey Graphic Index

Help Survey Home Comments

Results

Tasks

- Search for Surveys
- Search for Tax Maps
- Search for Roads
- Show Me Everything
- Search for Attributes
- Print Map

Map Contents

Search for Surveys

Check items to return in your search:

Clear All Select All

Item	Data	Image
Surveys	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
GLO Points	<input type="checkbox"/>	<input type="checkbox"/>
Marion County Control	<input type="checkbox"/>	<input type="checkbox"/>
ODOT	<input type="checkbox"/>	<input type="checkbox"/>
NGS	<input type="checkbox"/>	<input type="checkbox"/>
Field Notes	<input type="checkbox"/>	<input type="checkbox"/>

Search By Location:

Survey, Plat, or Sub #

Address

Zip Code * for best results enter address and zip code

Subdivision

Road Name

Surveyor Name

Recorded Date Range to

GLO Location

Sheet ID

Taxlot ID

Township

Range

Reserve Strip

0 34 68 136 204 272 Feet
 Disclaimer Scale= 1 : 1668
 N=438180.316, E=7599331.507



RECORDING COVER SHEET

THIS COVER SHEET HAS BEEN PREPARED BY THE PERSON PRESENTING THE ATTACHED INSTRUMENT FOR RECORDING (ORS 205.234). ANY ERRORS IN THIS COVER SHEET DO NOT AFFECT THE TRANSACTIONS CONTAINED WITHIN THE DOCUMENT.

A. Names of the Transactions described in the attached instrument:

Dedication of Right of Way

B. Names of First Parties: **Marion County, a political subdivision of the State of Oregon**

Names of Second Parties: **Marion County, a political subdivision of the State of Oregon**

C. Consideration Paid: (if applicable): **None**

D. Lien or Satisfaction Amount: (if applicable): **N/A**

E. Until a change is requested, all tax statements shall be sent to the following address:

Exempt, Public Property
(Roadway Purposes)

F. Name and address of person authorized to receive the instrument after recording:

Mark Riggins, County Surveyor
Marion County Department of Public Works
5155 Silverton Road NE
Salem, Oregon 97305

RIGHT-OF-WAY DEDICATION

Marion County ("Grantor"), hereby dedicates a perpetual right-of-way for street purposes on, over, and under the following described property, and forever dedicates for use as a public street all of the following described real property situated in Marion County, Oregon:

Reserve Block A, as recorded in Marion County deed records, Volume 684, Page 154 and shown on Ditter Hill Tracts, recorded in Volume 24, Page 34, Town Plats, Marion County, Oregon Clerk's Office.

Grantor warrants that (1) Grantor has marketable title to the property, (2) Marion County may peaceably enjoy the rights and benefits of this dedication, (3) there are no other interests in property that conflict with Marion County's intended use of this dedication, (4) the dedicated property is free of encumbrances except those of which Grantor has notified Marion County, and (5) Grantor has the unrestricted right to dedicate the property without additional consent or permission.

True and actual consideration for this transfer is no money, but for other valuable consideration.

The following is the notice as required by Oregon law: "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 RIGHTS 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 93.040."

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This section intentionally left blank.

Grantor:
MARION COUNTY
BOARD OF COMMISSIONERS

CHAIR

COMMISSIONER

COMMISSIONER

STATE OF OREGON) ss.
County of Marion)

This instrument was acknowledged before me on this _____ day of January 2016, by
_____ as **Chair** for Marion County Board of Commissioners

By _____
Notary Public of Oregon
My Commission Expires: _____

STATE OF OREGON) ss.
County of Marion)

This instrument was acknowledged before me on this _____ day of January 2016, by
_____ as **Commissioner** for Marion County Board of Commissioners

By _____
Notary Public of Oregon
My Commission Expires: _____

STATE OF OREGON) ss.
County of Marion)

This instrument was acknowledged before me on this _____ day of January 2016, by
_____ as **Commissioner** for Marion County Board of Commissioners

By _____
Notary Public of Oregon
My Commission Expires: _____