

**ORDINANCE NO. 837**

**AN ORDINANCE VACATING A 1-FOOT PORTION OF THE UTILITY EASEMENT ON ALL LOTS WITHIN THE SCAPPOOSE HEIGHTS NO. 2 SUBDIVISION WITHIN THE CITY LIMITS OF SCAPPOOSE, OREGON AND DECLARING AN EMERGENCY**

**THE SCAPPOOSE CITY COUNCIL FINDS AS FOLLOWS:**

**WHEREAS**, the City Council of Scappoose has initiated a vacation proceeding as authorized by ORS 271.130; and

**WHEREAS**, notice was published in the South County Spotlight newspaper on December 26, 2014 and January 2, 2015 and posted at three locations near the proposed vacations; and

**WHEREAS**, the Scappoose City Council conducted a public hearing on January 5, 2015 to consider the vacation and any written objections or remonstrances; and

**WHEREAS**, the City Council considered whether the property value of the abutting properties would be substantially affected; and

**WHEREAS**, the City Council has considered whether the public interest will be prejudiced by the proposed vacation.

**NOW, THEREFORE, THE CITY OF SCAPPOOSE ORDAINS AS FOLLOWS:**

Section 1. The following described portion of a utility easement within the City of Scappoose, County of Columbia, State of Oregon, is hereby vacated:

A 1-foot portion of a 6-foot side lot utility easement encumbering the side lot lines of each lot in the Scappoose Heights No. 2 subdivision.

Section 2. The Council finds that the consent of the owners of the affected area has been obtained, notice has been duly given, and the public interest will not be prejudiced.

Section 3. Subject to the above provisions, the City Recorder is hereby directed to file for recording with the County of Columbia, State of Oregon, a certified copy of this ordinance and a map of said utility easement (Exhibit A) so vacated. The City Recorder is also directed to file a copy of this ordinance and a map with the Surveyor and the Assessor of Columbia County.


Section 4. The City Council has determined that no evidence was submitted into the record indicating that the property value of the abutting properties would be substantially affected.

Section 5. This Ordinance being necessary for the immediate preservation of the peace, health and safety of the residents of the City of Scappoose, an emergency is declared and this Ordinance shall take effect immediately upon adoption.

Adopted this 5<sup>th</sup> day of January, 2015.

**CITY OF SCAPPOOSE, OREGON**

  
\_\_\_\_\_  
Scott Burge, Mayor

Attest:   
\_\_\_\_\_  
Susan M. Reeves, MMC  
City Recorder



# SCAPPOOSE

*Oregon*

## CITY OF SCAPPOOSE LIEN CERTIFICATE

**STATE OF OREGON)  
COUNTY OF COLUMBIA)**

I, SUSAN M REEVES, do hereby certify that I am the duly qualified City Recorder of the City of Scappoose, a municipal corporation in Columbia County, State of Oregon.

OWNER: Various owners of the real property described by Scappoose Heights No. 2 Subdivision Plat recorded on September 7, 1977.  
 ADDRESS: City of Scappoose, Columbia County, OR  
 TAX LOT: All lots located in Scappoose Heights No. 2 Subdivision  
 MAP PAGE: Columbia County Map 3211AA

I, hereby certify that my examination has revealed that there are no City liens, in favor or said City of Scappoose against the above described property except:

ACCOUNT: n/a

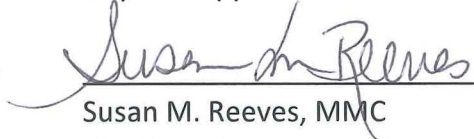
SEWER: none  
 WATER: none  
 PARKS: none  
 ASSESSMENTS: none

**To verify liens at closing, call 503-543-7146  
 New written request required after 120 days from date below.**

No liability is assumed either by the City of Scappoose, or undersigned officer arising from the issuance of this certificate.

IN WITNESS WHEREOF, I have hereunto set my hand officially and hereto affix the seal of the said City of Scappoose on this December 22, 2014.

City of Scappoose

  
 \_\_\_\_\_  
 Susan M. Reeves, MMC  
 City Recorder

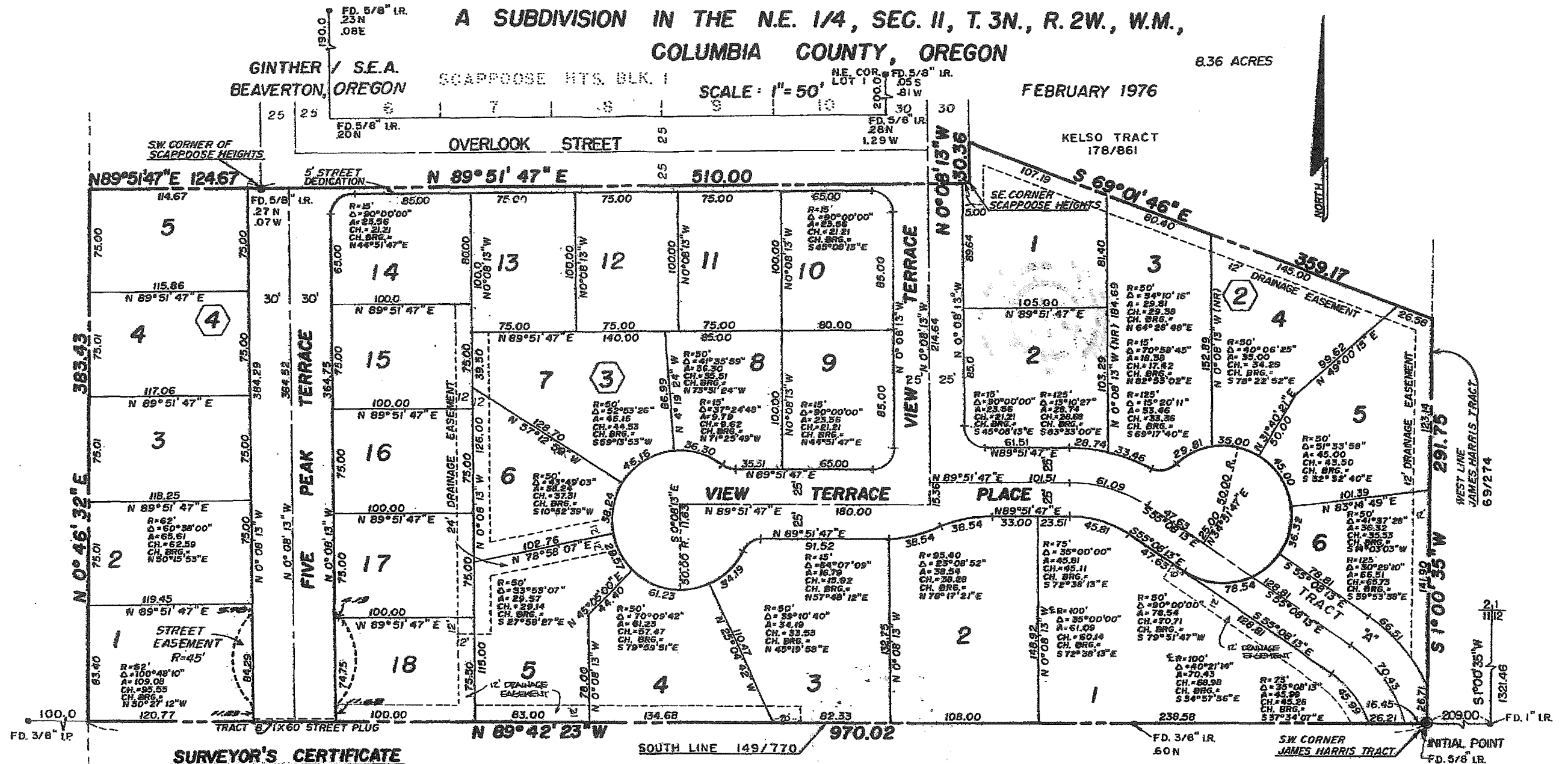
# SCAPPOOSE HEIGHTS NO. 2

A SUBDIVISION IN THE N.E. 1/4, SEC. II, T. 3N., R. 2W., W.M.,  
COLUMBIA COUNTY, OREGON

8.36 ACRES

SCALE: 1" = 50'

FEBRUARY 1976



**SURVEYOR'S CERTIFICATE**

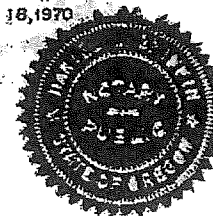
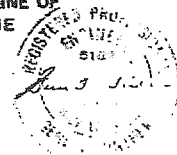
I GENE T. GINTHER RE., BEING FIRST DULY SWORN, DEPOSE AND SAY THAT I HAVE CORRECTLY SURVEYED AND MARKED WITH PROPER MONUMENTS THE LAND REPRESENTED ON THE ATTACHED MAP OF SCAPPOOSE HEIGHTS NO. 2 THAT FOR THE INITIAL POINT OF SAID PLAT I SET A 2" X 36" IRON PIPE 6" BELOW THE SURFACE OF THE GROUND, SAID PIPE BEING S 1° 00' 35" W 1321.46 FEET, AND N 89° 42' 23" W, 209.00 FEET FROM THE NORTHEAST CORNER OF SECTION II, T. 3N., R. 2W., W.M., COLUMBIA COUNTY, OREGON; SAID INITIAL POINT BEING ALSO THE SOUTHWEST CORNER OF TRACT DESCRIBED IN DEED TO JAMES HARRIS ET UX RECORDED APRIL 20, 1942 IN BOOK 70, PAGE 94, DEED RECORDS COLUMBIA COUNTY, OREGON; THENCE NORTH 89° 42' 23" WEST 970.02 FEET; THENCE N 0° 46' 32" E, 383.43 FEET; THENCE N 89° 51' 47" E 124.67 FEET TO THE S.W. CORNER OF SCAPPOOSE HEIGHTS, AS FILED IN BOOK 3, PAGE 26, RECORD OF PLATS, COLUMBIA COUNTY, OREGON; THENCE N 89° 51' 47" E ALONG THE SOUTH LINE OF SAID SCAPPOOSE HEIGHTS, 510.0 FEET TO THE S.E. CORNER THEREOF; THENCE N 0° 08' 13" W ALONG THE EAST LINE OF SAID SCAPPOOSE HEIGHTS 30.36 FEET TO THE SOUTHWEST CORNER OF TRACT DESCRIBED IN DEED TO JOHN GLENN KELSO ET UX, RECORDED SEPTEMBER 18, 1970 IN BOOK 178, PAGE 861, DEED RECORDS OF COLUMBIA COUNTY, OREGON; THENCE S 69° 01' 46" E ALONG THE SOUTHERLY LINE OF SAID KELSO TRACT, 359.17 FEET TO THE WEST LINE OF SAID HARRIS TRACT; THENCE S 1° 00' 35" W ALONG THE WEST LINE OF SAID HARRIS TRACT 291.75 FEET TO THE INITIAL POINT.

SUBSCRIBED AND SWORN BEFORE ME THIS 4th DAY OF May, 1976

NOTARY PUBLIC FOR THE STATE OF OREGON  
MY COMMISSION EXPIRES May 19 1977

**NOTES:**

- 1) 5/8" X 30" I.R. SET AT ALL LOT CORNERS
- 2) ALL LOT LINES ARE RADIAL TO CURVES UNLESS SHOWN (NR)
- 3) A 6' EASEMENT EXISTS ON ALL SIDE LOT LINES AND A 12' EASEMENT ON ALL REAR LOT LINES FOR DRAINAGE AND UTILITIES, UNLESS OTHERWISE SHOWN.
- 4) TRACT "A" IS TO BE DEDICATED RIGHT OF WAY BUT UNIMPROVED.



**DEDICATION**

SCAPPOOSE HEIGHTS NO. 2

**APPROVALS**

KNOW ALL MEN BY THESE PRESENT THAT HOLGER A. SANDBERG, HAZEL F. SANDBERG, AUGUSTINE L. CALCAGNO AND LORRAINE M. POPE, DO HEREBY MAKE ESTABLISH AND DECLARE THE ANNEXED MAP OF SCAPPOOSE HEIGHTS NO. 2, AS DESCRIBED IN THE ACCOMPANYING SURVEYOR'S CERTIFICATE, TO BE A TRUE AND CORRECT MAP THEREOF, ALL LOTS BEING OF THE DIMENSIONS SET FORTH AND ALL STREETS AND EASEMENTS OF THE WIDTHS HEREON SET FORTH, AND WE DO DEDICATE TO THE USE OF THE PUBLIC WAYS FOREVER, ALL STREETS AND EASEMENTS AS SHOWN ON SAID MAP.

*Augustine L. Calcagno Lorraine M. Pope*

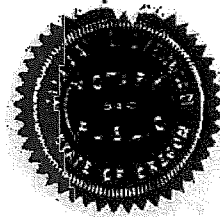
*Holger A. Sandberg Hazel F. Sandberg*  
HOLGER A. SANDBERG HAZEL F. SANDBERG

**ACKNOWLEDGEMENT**

STATE OF OREGON  
COUNTY OF WASHINGTON s.s.  
THIS CERTIFIES THAT ON THIS 8 DAY OF JUNE, 1977  
BEFORE ME A NOTARY PUBLIC IN AND FOR SAID STATE  
AND COUNTY, PERSONALLY APPEARED HOLGER A. SANDBERG, HAZEL F. SANDBERG, LORRAINE  
M. POPE & AUGUSTINE L. CALCAGNO, WHO, BEING FIRST DULY SWORN,  
DID SAY THAT THEY ARE THE SAME PERSONS NAMED  
AND DESCRIBED IN THE ABOVE INSTRUMENT AND THIS,  
THEIR CERTIFICATE THERETO, AND THAT THEIR SIGNATURES  
AFFIXED THERETO ARE THEIR OWN FREE ACT AND DEED.

SUBSCRIBED AND SWORN TO BEFORE ME THIS 8 DAY  
OF JUNE, 1977

*William C. Spindler*  
NOTARY PUBLIC FOR THE STATE OF OREGON  
MY COMMISSION EXPIRES: Oct 21 1978



APPROVED September 7, 1977  
BY Robert M. Hunt  
COLUMBIA CO. BOARD OF COMMISSIONERS, CHAIRMAN  
Charles Horn P. J. Ahlborn  
COMMISSIONER COMMISSIONER  
APPROVED \_\_\_\_\_, 1977  
BY \_\_\_\_\_  
APPROVED August 2, 1977  
BY Richard K. Butler  
MAYOR  
APPROVED August 3, 1977  
BY James R. Hudson  
PLANNING COMMISSION, CHAIRMAN  
APPROVED Richard J. Spill, 1977  
BY Richard L. Stewart  
COLUMBIA CO. SHERIFF  
APPROVED 6 Sept 1977, 1977  
BY Maxwell  
COLUMBIA CO. ASSESSOR  
APPROVED September 6, 1977  
BY PLM Dunn  
COLUMBIA COUNTY SURVEYOR

STATE OF OREGON  
COUNTY OF COLUMBIA  
I, Roy A. Nelson, County Clerk of the above  
named County and State, and Clerk of the  
County Court, do hereby certify that the  
forgoing copy of a plat has been by me com-  
pared with the original and that such original  
plat is the same as appears of record in my  
office and in my care and custody.  
IN TESTIMONY WHEREOF, I have hereunto set my  
hand and affixed the seal of said Court, this  
7th day of September 1977.

Roy A. Nelson, County Clerk  
By W. J. Vetter Deputy

ATTEST September 7, 1977  
BY Roy A. Nelson  
COLUMBIA COUNTY CLERK, COLUMBIA CO.  
Roy A. Calcagno Hauer, Deputy  
COUNTY CLERK # 6851  
STATE OF OREGON  
COUNTY OF COLUMBIA S.S.  
I, Roy A. Nelson  
COUNTY CLERK, CERTIFY THAT THE ATTACHED ORIGINAL  
PLAT WAS RECORDED ON PAGE 62 IN BOOK 3  
RECORD OF TOWN PLATS OF SAID COUNTY ON THE  
7 DAY OF September, 1977. at 3:08 PM  
BY COUNTY CLERK: Roy A. Nelson  
BY DEPUTY: Roy A. Calcagno Hauer

OWNER-  
H.A. SANDBERG  
PO BOX 662  
SCAPPOOSE, OREGON 97065

ENGINEER-SURVEYOR  
GINTHER/SEA  
3800 S.W. CEDAR HILLS BLVD.  
BEAVERTON, OREGON 97005

REFERENCE SURVEYS  
L-372, PLAT OF WESTCLIFF  
L-262, PLAT OF SCAPPOOSE HTS.

DEVELOPER  
A.L. CALCAGNO, L.M. POPE  
8040 N. LOMBARD  
PORTLAND, OREGON