



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2524

Phone: (503) 373-0050

First Floor/Coastal Fax: (503) 378-6033

Second Floor/Director's Office Fax: (503) 378-5518

Third Floor/Measure 37 Fax: (503) 378-5318

Web Address: <http://www.oregon.gov/LCD>

NOTICE OF ADOPTED AMENDMENT

July 21, 2010

TO: Subscribers to Notice of Adopted Plan
or Land Use Regulation Amendments

FROM: Angela Houck, Plan Amendment Program Specialist

SUBJECT: Columbia City Plan Amendment
DLCD File Number 001-08



The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Wednesday, August 11, 2010

This amendment was submitted to DLCD for review 45 days prior to adoption and the jurisdiction determined that emergency circumstances required expedited review. Pursuant to ORS 197.830 (2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

***NOTE: THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAN IT WAS MAILED TO DLCD. AS A RESULT YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.**

Cc: Lisa Smith & John Rankin, City of Columbia City
Gary Fish, DLCD Regional Representative
Gloria Gardiner, DLCD Urban Planning Specialist
Amanda Punton, DLCD Urban Planner

<paa> YA





FORM **2**

DLCD

Notice of Adoption

In person electronic mailed

DATE STAMP

DEPT OF

JUL 21 2010

LAND CONSERVATION AND DEVELOPMENT

This Form 2 must be mailed to DLCD within **5-Working Days after the Final Ordinance is signed** by the public Official Designated by the jurisdiction and all other requirements of ORS 197.615 and OAR 660-018-000

Jurisdiction: **City of Columbia City**

Local file number:

Date of Adoption: **6/17/10**

Date Mailed: **7/8/2010 (Corrected 7/20/10)**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? Yes No Date:

Comprehensive Plan Text Amendment

Comprehensive Plan Map Amendment

Land Use Regulation Amendment

Zoning Map Amendment

New Land Use Regulation

Other:

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

Adopt updated population forecast, amend Comprehensive Plan related to housing, and expand UGB by adding two parcels totaling approximately 6 acres.

Does the Adoption differ from proposal? Please select one

Original proposal also includes designating parcels, annexation and rezoning. Those actions have been delayed until Columbia County acts on the urban growth boundary expansion. An additional notice of adoption will be submitted when local action is complete.

Plan Map Changed from: **NA**

to: **NA**

Zone Map Changed from: **NA**

to: **NA**

Location: **Columbia County, Oregon**

Acres Involved: **6**

Specify Density: Previous: **N/A**

New: **.75 du/a**

Applicable statewide planning goals:

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Was an Exception Adopted? YES NO

Did DLCD receive a Notice of Proposed Amendment...

45-days prior to first evidentiary hearing?

Yes No

If no, do the statewide planning goals apply?

Yes No

If no, did Emergency Circumstances require immediate adoption?

Yes No

DLCD file No. _____

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

Columbia County, Oregon Department of Fish and Wildlife, Division of State Lands

Local Contact: **Lisa Smith, John A. Rankin, LLC**

Phone: **(503) 543-2010** Extension:

Address: **26715 SW Baker Road**

Fax Number: - -

City: **Sherwood**

Zip: **97140**

E-mail Address: **lisasmith@colcenter.org**

ADOPTION SUBMITTAL REQUIREMENTS

This Form 2 must be received by DLCD no later than 5 days after the ordinance has been signed by the public official designated by the jurisdiction to sign the approved ordinance(s)
per ORS [197.615](#) and OAR Chapter 660, Division 13

1. This Form 2 must be submitted by local jurisdictions only (not by applicant).
2. When submitting, please print this **Form 2** on light **green paper if available**.
3. **Send this Form 2 and One (1) Complete Paper Copy and One (1) Electronic Digital CD (documents and maps) of the Adopted Amendment to the address in number 6:**
4. **Electronic Submittals: Form 2 – Notice of Adoption will not be accepted via email or any electronic or digital format at this time.**
5. The Adopted Materials must include the final decision signed by the official designated by the jurisdiction. The Final Decision must include approved signed ordinance(s), finding(s), exhibit(s), and any map(s).
6. **DLCD Notice of Adoption must be submitted in One (1) Complete Paper Copy and One (1) Electronic Digital CD via United States Postal Service, Common Carrier or Hand Carried to the DLCD Salem Office and stamped with the incoming date stamp.** (for submittal instructions, also see # 5)] **MAIL the PAPER COPY and CD of the Adopted Amendment to:**

**ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540**

7. Submittal of this Notice of Adoption must include the signed ordinance(s), finding(s), exhibit(s) and any other supplementary information (see [ORS 197.615](#)).
8. Deadline to appeals to LUBA is calculated **twenty-one (21) days** from the receipt (postmark date) of adoption (see [ORS 197.830 to 197.845](#)).
9. In addition to sending the Form 2 - Notice of Adoption to DLCD, please notify persons who participated in the local hearing and requested notice of the final decision at the same time the adoption packet is mailed to DLCD (see [ORS 197.615](#)).
10. **Need More Copies?** You can now access these forms online at <http://www.led.state.or.us/>. You may also call the DLCD Office at (503) 373-0050; or Fax your request to: (503) 378-5518.

ORDINANCE NO. 10-658-O

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN FOR THE CITY OF COLUMBIA CITY, OREGON, AS ADOPTED BY ORDINANCE NO. 03-585-O; DECLARING AN EMERGENCY.

THE CITY OF COLUMBIA CITY HEREBY ORDAINS AS FOLLOWS:

Section 1. In compliance with OAR 660-024-0030, which states that "Cities must adopt a 20 year population forecast for the urban area consistent with the coordinated county forecast", the City of Columbia City hereby adopts the sections of "Population Forecasts for Columbia County Oregon, its Cities & Unincorporated Area 2010 to 2030, dated February 2008" related to Columbia City.

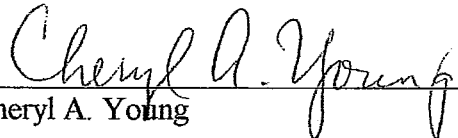
Section 2. In support of the above, the City Council hereby adopts the findings, conclusions and recommendations in the staff report dated April 15, 2010.

Section 3: Emergency Clause: Conditions in the City of Columbia City are such that this is necessary for the immediate preservation of the public health, peace and safety. An emergency is hereby declared to exist by unanimous vote of the Council, and this Ordinance shall be in full force and effect after its passage by the Council and approval by the Mayor.

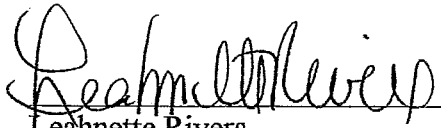
Adopted by the City Council on this 20th day of May, 2010, by the following vote:

AYES: 4 NAYS: 0 ABSENT: 1 ABSTAIN: 0

Approved by the Mayor this 21st day of May, 2010.


Cheryl A. Young
Mayor

ATTEST:


Leahnette Rivers
City Administrator/Recorder

Effective date: May 21, 2010

ORDINANCE NO. 10-661-O

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN FOR THE CITY OF COLUMBIA CITY, OREGON, AS ADOPTED BY ORDINANCE NO. 03-585-O, EXPANDING THE URBAN GROWTH BOUNDARY AND AMENDING THE COLUMBIA CITY COMPREHENSIVE PLAN AND ZONING MAP.

THE CITY OF COLUMBIA CITY HEREBY ORDAINS AS FOLLOWS:

Section 1. For reference purposes, the City hereby amends Appendix F of the adopted Comprehensive Plan to include Section II. H. Housing as adopted June 10, 2003.

Section 2. The City hereby adopts the following as Section II. H. Housing:

H. HOUSING [State Goal No. 10 - To provide for the housing needs of citizens of the State.]

1. Population: The population of Columbia City grew slowly for many of the last forty years. From 1950 to 1985, the City increased by an average rate of 17 people per year. After 1985, the City experienced a much faster growth rate.

Factors contributing to this increased growth included improvements to the Columbia River Highway and the installation of the city-wide sewer system. Further improvements to the Highway occurred in the late 1990's and population continued to grow.

In 2003, the City updated its Comprehensive Plan population projection based on the historical 4% annual growth rate and the 2000 census. At that time, the City projected a total of 2,871 persons in 2020.

In 2009, Columbia County updated the Columbia County population forecast based on population forecasts provided by Portland State University. In accordance with OAR 660-024-0030, which states "Cities must adopt a 20 year population forecast for the urban area consistent with the coordinated county forecast", the City has adopted the relevant portions of the Columbia County Population Forecast¹.

The forecast projects that the growth rate will slow from 4.6% in 2000 to 1.0% in 2030 resulting in a total population of 2,532 by 2030. Further, a reduction in

¹ Population Forecasts for Columbia County Oregon, its Cities & Unincorporated Area 2010 to 2030, prepared by Portland State University, February 2008.

average household size is projected from 2.55 persons per dwelling unit in 2010 to 2.43 persons per dwelling unit in 2030.

In updating the projected housing needs, the City has averaged the reduction in persons per dwelling unit and is basing its current analysis on 2.5 persons per dwelling unit, the average of the household sizes projected for 2010 and 2020.

2. Housing Needs

Existing population in 2000	.....	1571
Projected population in 2030	.....	2,532
Estimated average household size	.....	2.5 persons/du ²
Total dwelling units needed	.....	1013 units
Dwelling units in 2000	.....	611 units ³
New housing units needed	.....	402 units

In 2003, the City analyzed historic growth patterns, increased the average density for multi family and manufactured homes in parks and projected that average density for single family dwellings would decrease slightly as the existing in-fill lots were developed. Based on the 2003 projection of needed housing⁴, current housing types have been updated as follows:

2009 Projected Needed Housing Types

Type of Housing	Percent of All Units	Total Units	Average Density	Acreage for Residences	Acreage for Roads/ Utilities	Total acreage needed
Single Family/Duplex*	76%	306	5 du/acre	61.2	12.2	73.4
Multi Family	17%	68	10 du/acre	6.8	1.4	8.2
Manufactured Homes in Parks	7%	28	8 du/acre	3.5	.7	4.2
Total	100%	402		71.5	14.3	85.8

*Includes manufactured homes on individual lots and single family attached.

²Page 14, Columbia County Oregon Population Forecasts 2010-2030, Portland State University Population Research Center based on average of 2010 and 2020 average household size.

³ Columbia City Buildable Lands Inventory and Needs Analysis, Final Report, May 29, 2001.

⁴ Appendix F, Columbia City Comprehensive Plan

3. 2003 Urban Growth Boundary expansion

The Columbia City Buildable Lands Inventory and Needs Analysis⁵ indicated there were 56.0884 acres available in the urban growth boundary for residential development. Of this 56.0884 acres, 4.164 acres were zoned non-residential and 2.996 acres, projected to provide 12 dwelling units⁶, was located west of McBride Creek on land containing slopes exceeding 25% and having no existing access or public services. This acreage was subtracted from the available acreage. The remaining 48.9284 acres was projected to provide 212 dwelling units including 202 single family and 10 multi family dwelling units.

In 2003, the urban growth boundary was expanded to include adequate acreage to provide 99 single family dwelling units in a manner that addressed the needs identified in the Columbia City Transportation System Plan and the Columbia City Parks Master Plan and the constraints imposed by the topography adjacent to the City's existing urban growth boundary. While the 2003 expansion addressed the need for additional single family/duplex units, the City was unable to include properties that would be appropriate for multi-family development and for manufactured home parks because of the topographical constraints on all properties surrounding the City. Those constraints remain.

2009 Projected Additional Dwelling Units Needed

Type of Housing	Percent of All Units	Total Units Needed	Units included in 2003 Expansion	Additional Units Needed
Single Family/Duplex*	76%	306	301	5
Multi Family	17%	68	10	58
Manufactured Homes in Parks	7%	28	0	28
Total	100%	402	311	91

*Includes manufactured homes on individual lots and single family attached.

⁵A complete copy of the Columbia City Buildable Lands Inventory and Needs Analysis is available for reference at the Columbia City Hall.

⁶Columbia City Buildable Lands Inventory and Needs Analysis, page 57

4. 2009 Urban Growth Boundary Expansion

In 2003, the City analyzed all properties surrounding the urban growth boundary. Based on that analysis, the City expanded the urban growth boundary to include what was believed to be all of the remaining properties adjacent to the existing urban growth boundary where the topography and natural features would permit efficient and economic provision of municipal services.

In 2009, the City was made aware that those two small parcels adjacent to the northwest corner of the urban growth boundary appropriate for a limited number of single family dwellings and for a significant extension of the McBride Creek Recreational Trail. The first parcel, identified on Columbia County Tax Map 5121 at Tax Lot 200, contains approximately 4.4 acres and is currently zoned Surface Mining (SM). The second parcel, identified on Columbia County Tax Map 5121 as Tax Lot 417, contains approximately 1.6 acres and is currently zoned Forest Agriculture (FA-19).

The SM parcel is not identified as a resource in the Columbia County surface mining inventory and is too small to be economically useful in accordance with the zone. The FA-19 parcel is too small to be economically useful in accordance with the zone. Further, both properties are located between McBride Creek and the existing urban growth boundary. Neither of the properties are separated from the urban growth boundary by steep slopes. Two City streets provide direct, existing access to the properties. Municipal water service had previously been provided to a mobile home located on the SM property.

Columbia County and the City of Columbia City adopted the revised population forecast and the City determined that a need existed for additional single family dwelling units. The City finds that the addition of these properties to the urban growth boundary addresses the need for single family dwelling units. Further, the addition of this property provides 1,800 feet of the McBride Creek Recreational Trail and approximately 4 acres of park and open space benefitting the citizens of Columbia City.

There are 12 acres of non-resource land adjacent to the Columbia City UGB. They are located west of the existing UGB and west of Ninth Street and they continue to be unsatisfactory for development at urban densities due to the slopes greater than 25%, visual indications of previous earth movements, and cost prohibitions and technical limitations to the provision of municipal services. Further, the GIS overview map of potential rapidly moving landslide hazards in Western Oregon appears to include these properties. There are no other non-resource lands adjacent to the Columbia City UGB. Therefore, it is necessary to consider resource lands in this expansion of the urban growth boundary.

The properties surrounding the existing urban growth boundary were identified and reviewed for possible inclusion in the urban growth boundary. The analysis, which includes a two page table and two maps, follows. The only properties that were determined to be suitable for urban development were Tax Lots 5121-00-00200 and 5121-00-00417.

The City finds that, with the expansion of the urban growth boundary to include Tax Lot 5121-00-00200 and 5121-00-00417, there will be no other properties adjacent to the Columbia City urban growth boundary where the topography and natural features permit efficient and economic provision of municipal services. On the north side, the Columbia City urban growth boundary abuts Columbia County properties with existing mining and industrial uses. The south urban growth boundary line is separated from the City of St. Helens by a marshy wetland. The east urban growth boundary is formed by the Columbia River. On the west, there are significant topographical constraints. The USDA soil conservation service map, sheet 31, indicates a band of soil type 70 E. According to the soil legend, 70 E is Xerochrepts, steep. This band runs parallel with Columbia City on the west side of McBride Creek. Xerochrepts are very deep, somewhat poorly drained to well drained soils on short terrace escarpments. Slope is 20 to 50 percent. Further, the GIS overview map of potential rapidly moving landslide hazards in Western Oregon appears to include these properties. These properties were not suited to development at urban densities in 2003 and there has been no change.

Because there are no lands available to expand to, in the future, the City will need to update the buildable lands inventory, revisit and update projected needed housing types and address the need for higher density housing, as appropriate. Additionally, the City permits and encourages dwelling units on the second story of commercial structures in the commercial and industrial zones as a method of increasing multi family dwelling units.

Section 4. The City hereby adopts the attached Analysis of Properties Adjacent to the UGB and related maps.

Section 5. The Columbia City Comprehensive Plan and Zoning map is hereby amended by the addition of the real property owned by Wayne and Judith Weigandt described in Exhibit A and real property owned by Wayne Weigandt described in Exhibit B, attached hereto and incorporated herein. The portion identified on the applicant's preliminary plan as buildable shall be designated, R-1, Low Density Residential. The remainder of the property shall be designated PL, Public Land.

Section 6. In support of the above, the City Council hereby adopts recommendations of the Planning Commission and the findings, conclusions and recommendations in the staff report dated April 15, 2010.

Section 7. The effective date of this ordinance shall be 30 days after the date of adoption.

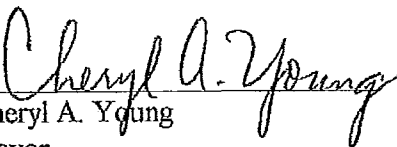
First reading: May 20, 2010

Second reading: June 17, 2010

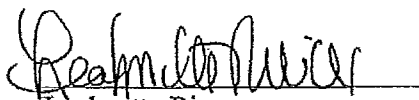
Adopted by the City Council this 17th day of June, 2010, by the following vote:

AYES: 5 NAYS: 0 ABSENT: 0 ABSTAIN: 0

Approved by the Mayor the 18th day of June, 2010.


Cheryl A. Young
Mayor

ATTEST:


Leahnette Rivers
City Administrator/Recorder

Effective date: July 18, 2010

Analysis of Properties adjacent to Columbia City Urban Growth Boundary

Number On Map	Tax Lot Number	Total Acreage	Owner	Current Zoning	Comments
1	5128-04-2600	.92	Weyerhaeuser Company	FA-19	Determined unsuitable for urban development in 2003. Per USDA Soil Survey of Columbia County, Oregon, soil type is Xerochrepts, steep (20 to 50% slope), native vegetation includes Douglas Fir and unit is suited to timber production. Currently part of a larger forest resource tract. Appears to include potential landslide hazard zones per hazard layer data from DOGAMI Publication IMS-2.
2	5128-00-00800	84.64	Weyerhaeuser Company	FA-19	Determined unsuitable for urban development in 2003. Per USDA Soil Survey of Columbia County, Oregon, soil type is Xerochrepts, steep (20 to 50% slope), native vegetation includes Douglas Fir and unit is suited to timber production. Forest resource tract. Appears to include potential landslide hazard zones per hazard layer data from DOGAMI Publication IMS-2.
3	5128-00-00300	66.20	Probst, Voris D & Mildred C, Trustees	FA-19	Determined unsuitable for urban development in 2003. Per USDA Soil Survey of Columbia County, Oregon, soil type is Xerochrepts, steep (20 to 50% slope), native vegetation includes Douglas Fir and unit is suited to timber production. Forest resource tract. Appears to include potential landslide hazard zones per hazard layer data from DOGAMI Publication IMS-2.
4	5128-BO-00400	45.94	Bitte Timber Development Company	FA-19	Determined unsuitable for urban development in 2003. Per USDA Soil Survey of Columbia County, Oregon, soil type is Xerochrepts, steep (20 to 50% slope), native vegetation includes Douglas Fir and unit is suited to timber production. Forest resource tract. Appears to include potential landslide hazard zones per hazard layer data from DOGAMI Publication IMS-2.
5	5128-CA-04000	12.51	Probst, Voris D and Mildred C, Trustees	PF-76	Determined unsuitable for urban development in 2003. Per USDA Soil Survey, site is separated from the west UGB boundary by Xerochrepts, steep. Native vegetation includes Douglas Fir. Unit is suited to timber production. The Xerochrepts negatively affect provision of municipal services. Site has indications of previous ground movement and appears to include potential landslide hazard zones per hazard layer data from DOGAMI Publication IMS-2.
6	5128-CA-04700	2.00	Delaney, Francis M.	RR-2	Determined to be unsuitable for development at urban densities in 2003. The parcel is developed to County standards. Parcel is located on a terrace of Multnomah loam surrounded by Xerochrepts, physically limiting and economically prohibiting the provision of municipal services. Indications of ground movement visible from the access road to the site.
7	5128-CA-04900	1.71	Probst, Voris D and Mildred C, Trustees	RR-2	Determined to be unsuitable for development at urban densities in 2003. The parcel is developed to County standards. Parcel is located on a terrace of Multnomah loam surrounded by Xerochrepts, physically limiting and economically prohibiting the provision of municipal services. Indications of ground movement visible from the access road to the site.

Number On-Map	Tax Lot Number	Total Acreage	Owner	Current Zoning	Comments
8	5128-24-00102	1.96	Iverson, Chris A & Kay E	PF-76	Determined unsuitable for urban development in 2003. Per USDA Soil Survey of Columbia County, Oregon, soil type is Xerochrepts, steep (20 to 50% slope), native vegetation includes Douglas Fir and unit is suited to timber production. Currently part of a larger forest resource tract. Appears to include potential landslide hazard zones per hazard layer data from DOGAMI Publication IMS-2.
9	5121-00-00300	55.6	Bitte Timber Development Company.	FA-19	Determined unsuitable for urban development in 2003. Per USDA Soil Survey, site is separated from the west UGB boundary by Xerochrepts, steep. Native vegetation includes Douglas Fir. Unit is suited to timber production. The Xerochrepts negatively affect provision of municipal services. Site has indications of previous ground movement and appears to include potential landslide hazard zones per hazard layer data from DOGAMI Publication IMS-2.
10	5121-00-00100	51.12	Iron Triangle Investments	Industrial	Separated from UGB by McBride Creek and Xerochrepts. Future development to County standards as Industrial site
11	5121-00-00102	26.20	Morse Brothers Inc.	Industrial	Separated from UGB by McBride Creek. Developed to County standards as Industrial site.
12	5121-00-00200	4.40	Weigandt, Wayne W & Judith Ann	SM	Portion suitable for urban development. Contains section of McBride Creek Trail. Municipal services and access available.
13	5121-00-00417	1.64	Weigandt, Wayne	FA-19	Portion suitable for urban development. Contains section of McBride Creek Trail. Municipal services and access available.

IMPORTANT!
This Map for Assessment
and Taxation Purposes
ONLY

SEC. 28 T5N R1W WM
COLUMBIA COUNTY

Scale 1" = 400'

512800
COLUMBIA CITY

SEE MAP 5121

20 21
28 28

21 22
28 29

4

2-08

SEE MAP 5120B

D.L.C. NO. 44

D.L.C. NO. 42

Censoid No.

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2-01

COLUMBIA

SEE MAP 5127

SEE MAP 5125

300
6620 AD
CS 1745

3

2003-01
CS 1849

300
6624 AD
CS 3740

2

CS 3740

CS 3740

CS 782

CS 3751

2-08

CS 3740A

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CS 112

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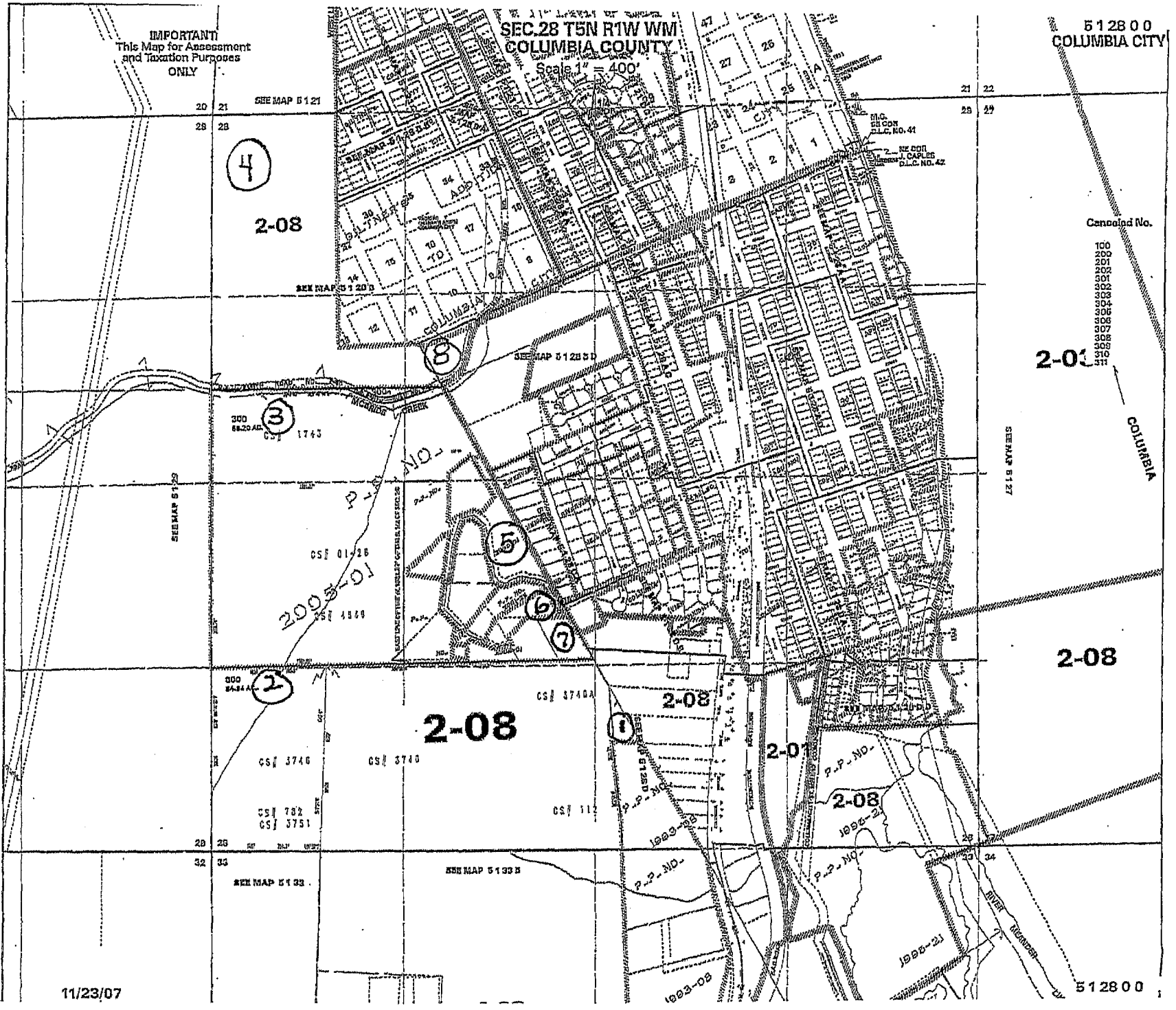
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SEE MAP 5133

SEE MAP 5132B

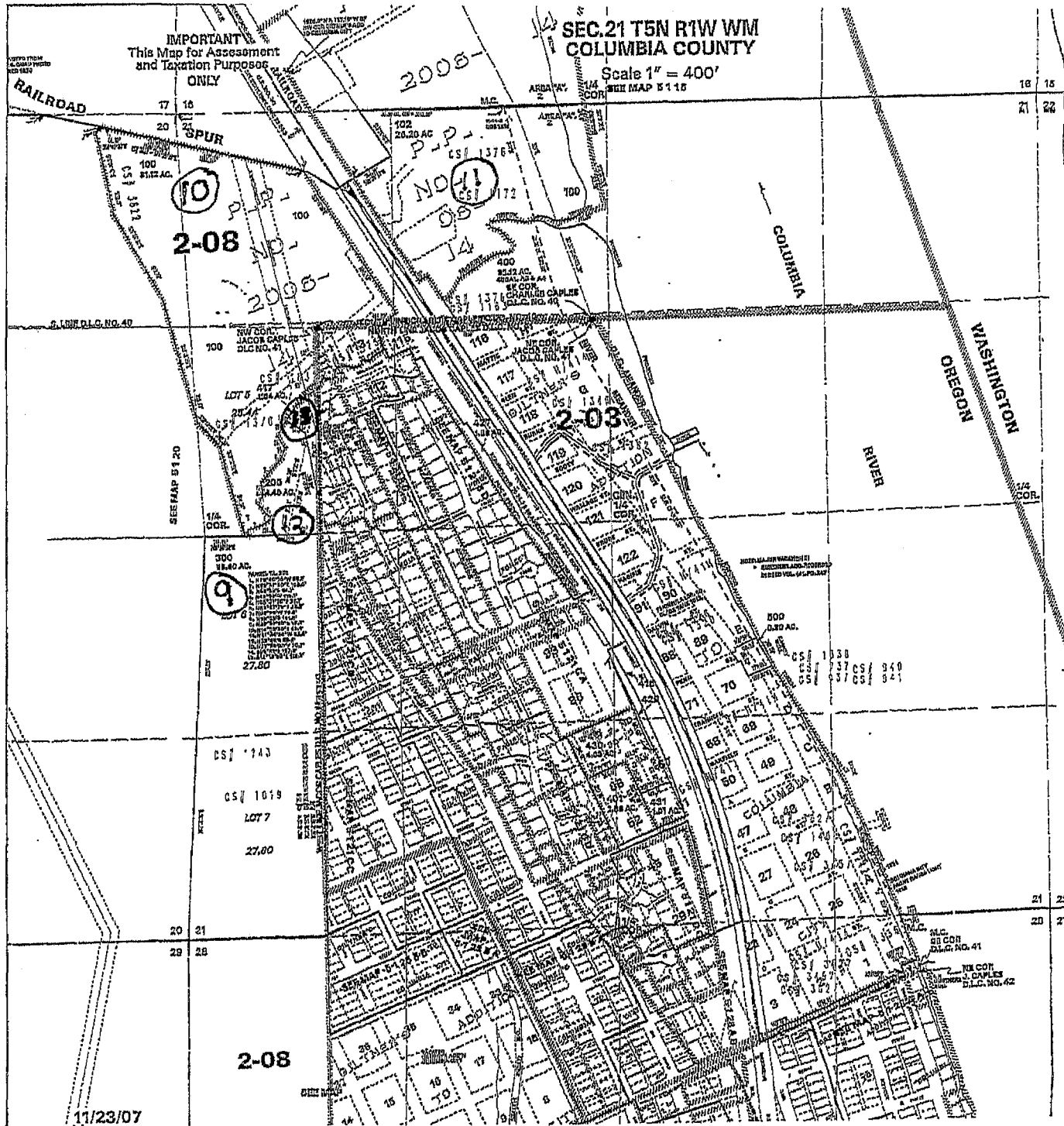
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11/23/07



SEC. 21 T5N R1W WM
COLUMBIA COUNTY

Scale 1" = 400'
SEE MAP 5115



Canceled No.

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EXHIBIT A
TL 5121-00-00200

LEGAL DESCRIPTION

Parcel 1: That portion of the following described tract lying within Government Lot 5 in Section 21, Township 5 North, Range 1 West of the Willamette Meridian, Columbia County, Oregon: Beginning at a point which is South $0^{\circ}18'48''$ East a distance of 594.3 feet from the Northwest corner of Jacob Caples Donation Land Claim No. 41 (Giltner's Addition to Columbia City), Section 21, Township 5 North, Range 1 West of the Willamette Meridian, Columbia County, Oregon; thence West a distance of 50.0 feet; thence South $11^{\circ}00'$ West a distance of 764.67 feet; thence East a distance of 200.0 feet to a point on the West line of said Giltner's Addition to Columbia City; thence North $0^{\circ}18'42''$ West a distance of 760.00 feet to the point of beginning, EXCEPT that portion conveyed to Crown Zellerbach Corporation (shown as Parcel 1) in deed recorded February 2, 1960 in Book 141, page 686, Deed Records of Columbia County, Oregon.

Parcel 2: Beginning at a point on the South line of Government Lot 5, Section 21, Township 5 North, Range 1 West, Willamette Meridian, Columbia County, Oregon, which is South $1^{\circ}20'$ West 1,317.4 feet and North $88^{\circ}21'$ West 200.0 feet from the Northwest corner of Giltner's Addition to Columbia City, Columbia County, Oregon; thence continuing along the South line of Government Lot 5 North $88^{\circ}21'$ West a distance of 225.2 feet to the center of a creek; thence down the center of said creek as follows: North $29^{\circ}40' \frac{1}{2}$ West 39.1 feet; North $65^{\circ}37' \frac{1}{2}$ East 103.0 feet; North $56^{\circ}35'$ East 64.1 feet; North $42^{\circ}09'$ West 115.1 feet; North $6^{\circ}31' \frac{1}{2}$ East 37.1 feet; North $33^{\circ}27' \frac{1}{2}$ East 33.9 feet; North $9^{\circ}55'$ West 79.6 feet; North $36^{\circ}38'$ East 151.0 feet; North $39^{\circ}57' \frac{1}{2}$ East 52.3 feet; North $14^{\circ}50' \frac{1}{2}$ East 65.6 feet; North $31^{\circ}34' \frac{1}{2}$ West 82.5 feet; North $23^{\circ}48'$ East 86.9 feet; thence leaving the creek North $38^{\circ}55' \frac{1}{2}$ East a distance of 30.7 feet; thence South $55^{\circ}52'$ East a distance of 137.9 feet; thence South $12^{\circ}19'50''$ East a distance of 115.5 feet to a point on the West line of tract conveyed to Russell Boulby and Mildred Boulby by deed recorded in Book 88, page 224, Deed Records of Columbia County, Oregon; thence South $12^{\circ}39'$ West along the West line of said Boulby tract, a distance of 569.2 feet to the point of beginning.

EXHIBIT B
TL 5121-00-00417

Legal Description

Beginning at the Northeast corner of Lot 11, Block 4, Columbia Towns 4, as per plat on file and record in the clerk's office of Columbia County, Oregon, thence North 22° 11' West a distance of 14.00 feet to the Northwest corner of the same; thence North 22° 11' West a distance of 14.00 feet to the Northwest corner of the same; thence South 67° 42' West a distance of 140.00 feet to the Northwest corner of said Cheery Park; thence South 22° 11' East a distance of 15.00 feet to the Northwest corner of said Lot 11; thence South 22° 11' East along the West line of said Lot 11 a distance of 28.00 feet to the North line of Lippold Street; thence South 67° 42' West a distance of 60.00 feet to the Southwest corner of Lot 1, Block 8 of Columbia Towns 4; thence North 22° 11' West a distance of 24.00 feet to the Northwest corner of said Lot 1; thence South 67° 42' West a distance of 147.75 feet to the North east corner of Lot 1 and the East line of the Mark W. Kiser tract, as described in County Clerk's Instrument No. 60-2445; thence North 22° 11' West a distance of 60.28 feet to the Northwest corner of said Kiser tract; thence South 67° 42' West a distance of 60.28 feet to the Northwest corner of said Kiser tract and the Westerly line of the Wayne Westgate tract, as described in Deed Book 245 at page 585; thence along said Westerly line along the arc of a spiral curve to the right (the long chord bears North 12° 22' 15" West 19.75 feet) a distance of 60.75 feet; thence North 12° 19' 50" West a distance of 634.07 feet; thence North 65° 01' 33" West a distance of 188.28 feet; thence North 5° 20' East a distance of 61.27 feet to the center line of Canyon Creek; thence following down said creek under the North 65° 11' East a distance of 41.70 feet; thence South 88° 15' East a distance of 74.00 feet; thence North 16° 22' East a distance of 57.75 feet; thence North 60° 17' East a distance of 40.54 feet; thence North 38° 13' East a distance of 60.15 feet; thence North 02° 02' East a distance of 67.80 feet; thence North 25° 22' East a distance of 33.00 feet to the Westerly right-of-way line of B Street of City's Addition to Columbia City (now vacated); thence continuing down said creek under line to the center line of said vacated B Street; thence South 22° 11' East along the center line of said vacated B Street a distance of 70.00 feet to the center line of vacated Hamilton Street; thence South 67° 42' West along the center line of said vacated Hamilton Street a distance of 60.21 feet to the Northwest corner of the Wayne Westgate tract, as shown in said City's Addition; thence South 22° 11' East along said Westerly line a distance of 694.44 feet to the point of beginning, EXCEPTING THEREFROM that portion lying in the Plat of Seattle Park recorded January 27, 2003 as File Number 2003-051454 and in Plat Book 4, page 60 and 61, Records of Columbia County, Oregon.

Substantive:

The following matters are excluded from the coverage of this policy based on the proximity of the property to CANYON CREEK.

- a. Rights of the public and governmental bodies (including claims of ownership) to that portion of the premises lying below the high water mark of CANYON CREEK.
- b. Any adverse claim based on the assertion that:
 - i. Some portion of said land has been created by artificial means, or has accreted to such portion or created.
 - ii. Some portion of said land has been brought within the boundaries thereof by an artificial movement of CANYON CREEK or has been formed by accretion to such portion.
- c. Any adverse claim based upon the assertion that the boundary of CANYON CREEK has changed its location.

IMPORTANT

TO COLUMBIA CITY

SEC. 21 T5N R
COLUMBIA C

Map for Assessment
Taxation Purposes

ONLY

2005 TICOR TITLE
This map and the accompanying
legal description are provided solely
to assist in locating the subject property.
Ticor Title assumes no liability for discrepancies.

Scale 1" =
SEE MAP 51 16

17 16
20 21
10
12 AC.

102
26.20 AC

H-14-2
USE 1912

AREA "A"
2

P-P
NO
CS 1376

CS 1172

100

2-08

2005

400
93.12 AC.

400AL A3 & A4

SE COR.
CHARLES CAPLES
D.L.C. NO. 49

CS 1376
CS 1163

NW COR.
JACOB CAPLES
D.L.C. NO. 41

NORTH LINE JACOB CAPLES D.L.C. NO. 41

116

NE COR.
JACOB CAPLES
D.L.C. NO. 41

CS 417
LOT 5
1.64 AC.

CS 1376
28.44

1/4
COR.

300
65.60 AC.

LOT 6

27.80

- PARCEL T.L. 200
- N29°40'30"W 29.1'
 - N65°27'20"E 103.6'
 - N56°38'26"E 64.1'
 - N42°09'W 118.1'
 - N08°31'30"E 37.1'
 - N33°27'30"E 33.5'
 - N08°14'W 73.5'
 - N36°38'E 141.0'
 - N39°57'30"E 122.3'
 - N44°50'30"E 65.5'
 - N31°34'30"W 52.5'
 - N25°46'30"E 69.0'
 - N48°55'30"E 39.7'
 - S25°57'E 147.8'
 - S12°18'50"E 116.5'

SEE MAP 51 20

2-03

120

WALLACE ST.

121

122

CEN.
1/4
COR.

BRUCE ST.

97

GALVIN

CS 1390

CS 1388

CS 1387

CS 1386

CS 1385

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CS 1145

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