

FROM (DEPT/ DIVISION): County Counsel

SUBJECT: Road Gate Permit

<p>Background:</p> <p>The County received an application for the placement of 3 gates on County Road. No. 1046 (Ross Road). The application has been signed by all of the impacted property owners. A gate would be placed at the intersection of Ross Road and McKay Creek Road, and on two other sections of the road. The Public Works Director is in support of the gate permit.</p>	<p>Requested Action:</p> <p>Authorize placement of gate and sign permit agreement</p>
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ATTACHMENTS : Map; Proposed Agreement

*****For Internal Use Only*****

Checkoffs:

- () Dept. Heard (copy)
- () Human Resources (copy)
- (X) Legal (copy)
- () (Other - List:)

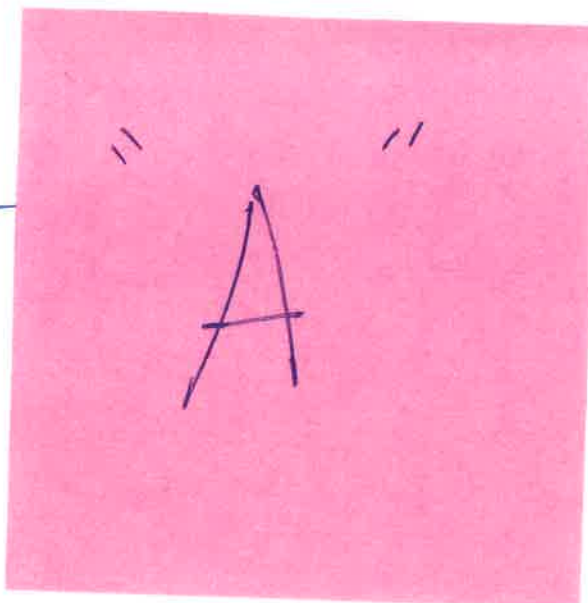
To be notified of Meeting:
Tom Fellows
Needed at Meeting:

Scheduled for meeting on: March 26, 2025

Action taken:

Follow-up:

Attachment



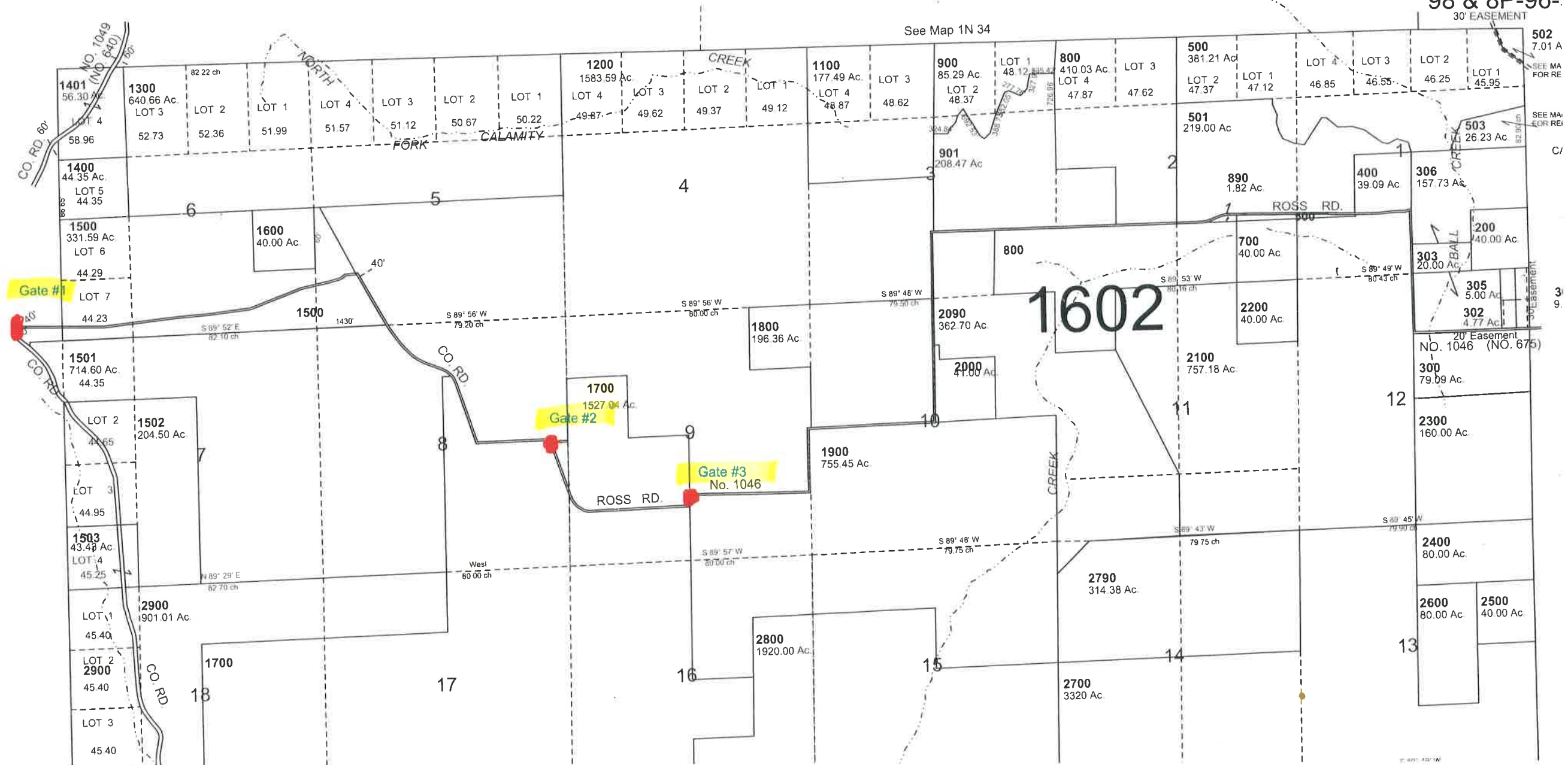
1S 34

This map was prepared for Assessment & Taxation purposes only and was NOT prepared nor is it suitable for legal, engineering or surveying purposes.

T1S R 34E WM UMATILLA COUNTY

SCALE: 1" = 2000'

1S 34
AERIAL PHOTO NO. 7P-12-16
98 & 8P-96-1



**COUNTY ROAD GATE PERMIT
AGREEMENT**

THIS AGREEMENT, made and entered into the day last signed as indicated on Page 2, by and between

Anderson Land & Livestock Inc.

E. Margaret Skillman Estates / Skillman Ranches LLC

Etter Rick & Etter John

hereinafter referred to as **Owners**, and Umatilla County, a political subdivision of the State of Oregon, hereinafter referred to as **County**.

WITNESSETH:

WHEREAS, **Owners** are the record owners or leaseholders of real estate in Umatilla County, and

WHEREAS, **Owners** desire to have installed a gate on

Ross Road (Road Name), a County (Public or County) road under the County's jurisdiction, which is located adjacent to their property, and

** SEE Attachment "A" for gate locations*

WHEREAS, **County** desires to assist **Owners** in preventing unwanted trespass and protecting public safety, and

WHEREAS, ORS 368.056 allows the County governing body to issue permits for gate installations on public roads under the jurisdiction of the County:

NOW THEREFORE, in consideration of the mutual covenants and promises contained herein, the parties hereto mutually agree as follows:

Owners agree to construct or have constructed, at no expense to the **County**, a gate or gates across the county or public roads at the location(s) specified above, and to maintain said gate(s) at no expense to the **County** in a condition satisfactory to the Umatilla County Director of Public Works. **Owners** further agree to insure and assume responsibility for any liability or potential liability associated with the use of said gate(s) by themselves, the public, or any other entity. **Owners** shall save and hold harmless the **County** from any claim or action arising out of any injury to person or damage to property that may occur as a result of the use of or operation of this gate. **Owners** further agree that should **Owners** fail for any reason to fulfill any duty or responsibility contained within this agreement to the total satisfaction of the Umatilla County Board of Commissioners, that **County** has the absolute right to maintain or remove said gate and to assess against and collect from **Owners** the cost of said maintenance or removal.

GATE PERMIT – PAGE 2B

IN WITNESS WHEREOF, the parties have signed this agreement this 18th day of March, 2025

OWNERS:

UMATILLA COUNTY ROAD DEPARTMENT

Neil P. [Signature]

Tom Fellows

Tom Fellows, Public Works Director

STATE OF OREGON, COUNTY OF UMATILLA

March 18th, 2025 Personally appeared the above named *Rick Utter*, who acknowledged the foregoing instrument to be his/her voluntary act. Before me:



[Signature]

NOTARY PUBLIC FOR OREGON

My Commission Expires *July 14, 2028*

STATE OF OREGON, COUNTY OF UMATILLA

_____, 20____ Personally appeared the above named _____, who acknowledged the foregoing instrument to be his/her voluntary act. Before me:

NOTARY PUBLIC FOR OREGON

My Commission Expires _____

STATE OF OREGON, COUNTY OF UMATILLA

_____, 20____ Personally appeared the above named _____, who acknowledged the foregoing instrument to be his/her voluntary act. Before me:

NOTARY PUBLIC FOR OREGON

My Commission Expires _____

STATE OF OREGON, COUNTY OF UMATILLA

_____, 20____ Personally appeared the above named Tom Fellows, who acknowledged the foregoing instrument to be his/her voluntary act. Before me:

NOTARY PUBLIC FOR OREGON

My Commission Expires _____

GATE PERMIT – PAGE 2

IN WITNESS WHEREOF, the parties have signed this agreement this 12 day of March, 2025

OWNERS:

UMATILLA COUNTY ROAD DEPARTMENT

Brian Skillman
John Etter

Tom Fellows
Tom Fellows, Public Works Director

STATE OF OREGON, COUNTY OF UMATILLA

March 12, 2025 Personally appeared the above named Brian Skillman, who acknowledged the foregoing instrument to be his/her voluntary act. Before me:



[Signature]
NOTARY PUBLIC FOR OREGON

My Commission Expires 7/14/28

STATE OF OREGON, COUNTY OF UMATILLA

March 12, 2025 Personally appeared the above named John Etter, who acknowledged the foregoing instrument to be his/her voluntary act. Before me:



[Signature]
NOTARY PUBLIC FOR OREGON

My Commission Expires 7/14/28

STATE OF OREGON, COUNTY OF UMATILLA

_____, 20____ Personally appeared the above named _____, who acknowledged the foregoing instrument to be his/her voluntary act. Before me:

NOTARY PUBLIC FOR OREGON

My Commission Expires _____

STATE OF OREGON, COUNTY OF UMATILLA

_____, 20____ Personally appeared the above named Tom Fellows, who acknowledged the foregoing instrument to be his/her voluntary act. Before me:

NOTARY PUBLIC FOR OREGON

My Commission Expires _____

GATE PERMIT – PAGE 2A

IN WITNESS WHEREOF, the parties have signed this agreement this 13 day of March, 2025

OWNERS:

UMATILLA COUNTY ROAD DEPARTMENT

Terry M. Anderson

Tom Fellows
Tom Fellows, Public Works Director

STATE OF OREGON, COUNTY OF UMATILLA

March 13, 2024 Personally appeared the above named Terry Anderson, who acknowledged the foregoing instrument to be his/her voluntary act. Before me:



[Signature]
NOTARY PUBLIC FOR OREGON

My Commission Expires 7/14/28

STATE OF OREGON, COUNTY OF UMATILLA

_____, 20____ Personally appeared the above named _____, who acknowledged the foregoing instrument to be his/her voluntary act. Before me:

NOTARY PUBLIC FOR OREGON

My Commission Expires _____

STATE OF OREGON, COUNTY OF UMATILLA

_____, 20____ Personally appeared the above named _____, who acknowledged the foregoing instrument to be his/her voluntary act. Before me:

NOTARY PUBLIC FOR OREGON

My Commission Expires _____

STATE OF OREGON, COUNTY OF UMATILLA

_____, 20____ Personally appeared the above named Tom Fellows, who acknowledged the foregoing instrument to be his/her voluntary act. Before me:

NOTARY PUBLIC FOR OREGON

My Commission Expires _____

UMATILLA COUNTY

Commissioner

Commissioner

Commissioner

STATE OF OREGON)
) ss.
County of Umatilla)

, 2025

Personally appeared before me the above named Celinda A. Timmons, Daniel N. Dorrان, and John M. Shafer, and acknowledge the foregoing to be the voluntary act and deed of Umatilla County, Oregon

Notary Public for Oregon

ATTEST:
Office of County Records

Records Officer