

RECEIVED

SEP 03 2002

*502*

THE BOARD OF COMMISSIONERS OF UMATILLA COUNTY

UMATILLA COUNTY  
RECORDS

STATE OF OREGON

In the Matter of Declaring	)	
a Portion of Horseshoe Ridge	)	Order No. RD2002-13
Road/U.S. Forest Service	)	
No. 3030 a Public Road	)	

WHEREAS the U.S. Department of Agriculture, Forest Service has proposed to make a portion of Horseshoe Ridge Road F.S. No. 3030 ("Road") a Public Road;

WHEREAS the Forest Service has an assignable road easement interest in the portion of the Road proposed to be made a Public Road;

WHEREAS Umatilla County has authority over the Road pursuant to ORS 368.016 and 368.031;

WHEREAS the Board of Commissions has authority pursuant to ORS 368.016 to initiate proceedings to declare a portion of the Road a Public Road, over which the public has a right of use that is a matter of public record;

WHEREAS the Board of Commissioners initiated proceedings under Order No. RD2002-07 to declare a portion of the Road as a Public Road, specifically a local access road, named Horseshoe Ridge Road, 66 feet in width, located in Lots 4 and 8, Section 34, Township 1 North, Range 35, East of Willamette Meridian, Umatilla County, Oregon, at its current location, and also to conduct a public hearing on the matter on July 3, 2002;

WHEREAS, notice of the initiation of proceedings and of the public hearing was mailed on May 30, 2002, to the owners of property having an interest in property abutting the proposed public road, specifically State of Oregon, Department of Transportation, and Pendleton Ranches Inc., and also posted on June 5, 2002, at both ends of the subject portion of the road and at the Umatilla County Courthouse;

WHEREAS on July 3, 2002, a public hearing was conducted to consider making a portion of U.S. Forest Service Road No. 3030 a

Public Road, specifically a local access road, over which the public has a right of use that is a matter of public record; and

WHEREAS no objections were received or made to declaring the portion of the road a Public Road.

NOW THEREFORE, the Board of Commissioners orders as follows:

1. The following described portion of U.S. Forest Service Road No. 3030, Horseshoe Ridge Road, is a Public Road, specifically a local access road, over which the public has a right of use:

A strip of land 66 feet in width traversing the described real property located in Lots 4 and 8, Section 34, Township 1 North, Range 35. The said strip of land being 33 feet in width on each side of the existing centerline of Forest Service Road 3030 (Horseshoe Ridge Road) with as much additional width as required for adequate protection of cuts and fills, the said centerline being located and described as shown on Exhibit 2, which is attached to this order and made a part by this reference, and described more particularly as follows:

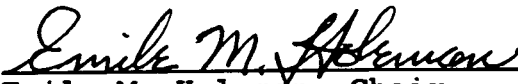
Commencing at Station 0+30.55, a point on the existing centerline of Forest Service Road 3030 and the existing Right-of-Way Line of the Old Oregon Trail Highway, from which the  $\frac{1}{4}$  corner of Section 3, Township 1 South, Range 35, and Section 34, Township 1 North, Range 35, bears South  $56^{\circ}16'44''$  West, 30.55 feet; Thence North  $56^{\circ}16'44''$  East for a distance of 312.96 feet; Thence North  $45^{\circ}53'02''$  East for a distance of 132.09 feet; Thence North  $37^{\circ}35'16''$  East for a distance of 114.28 feet; Thence North  $32^{\circ}40'54''$  East for a distance of 112.54 feet; Thence North  $27^{\circ}45'04''$  East for a distance of 234.03 feet; Thence North  $24^{\circ}38'27''$  East for a distance of 51.61 feet; Thence North  $13^{\circ}41'23''$  East for a distance of 50.68 feet; Thence North  $4^{\circ}05'16''$  West for a distance of 26.79 feet; Thence North  $27^{\circ}06'16''$  West for a distance of 61.88 feet; Thence North  $30^{\circ}52'06''$  West for a distance of 92.57 feet; Thence North  $28^{\circ}26'50''$  West for a distance of 48.80 feet, which is a point on the Old Boundary of the Umatilla Indian Reservation, from which the  $\frac{1}{4}$  corner of section 3, Township 1 South, Range 35, and section 34, Township 1 North, Range 35, bears South  $29^{\circ}32'12''$  West, 1121.07 feet. All being East of Willamette Meridian,

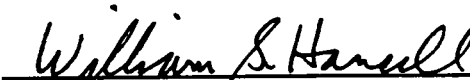
Umatilla County, Oregon. The property to which this description applies contains 1.88 acres more or less.

2. Maintenance of the above described portion shall be as agreed to in the Memorandum of Understanding between Umatilla County, the Oregon Department of Transportation, and the Umatilla National Forest, a copy of which is attached to this order as Exhibit 2.

DATED this 3rd day of July, 2002.

UMATILLA COUNTY BOARD OF COMMISSIONERS

  
Emile M. Holeman, Chair

  
William S. Hansell, Commissioner

  
Dennis D. Doherty, Commissioner

ATTEST:  
OFFICE OF COUNTY RECORDS

  
Records Officer



Exhibit 1

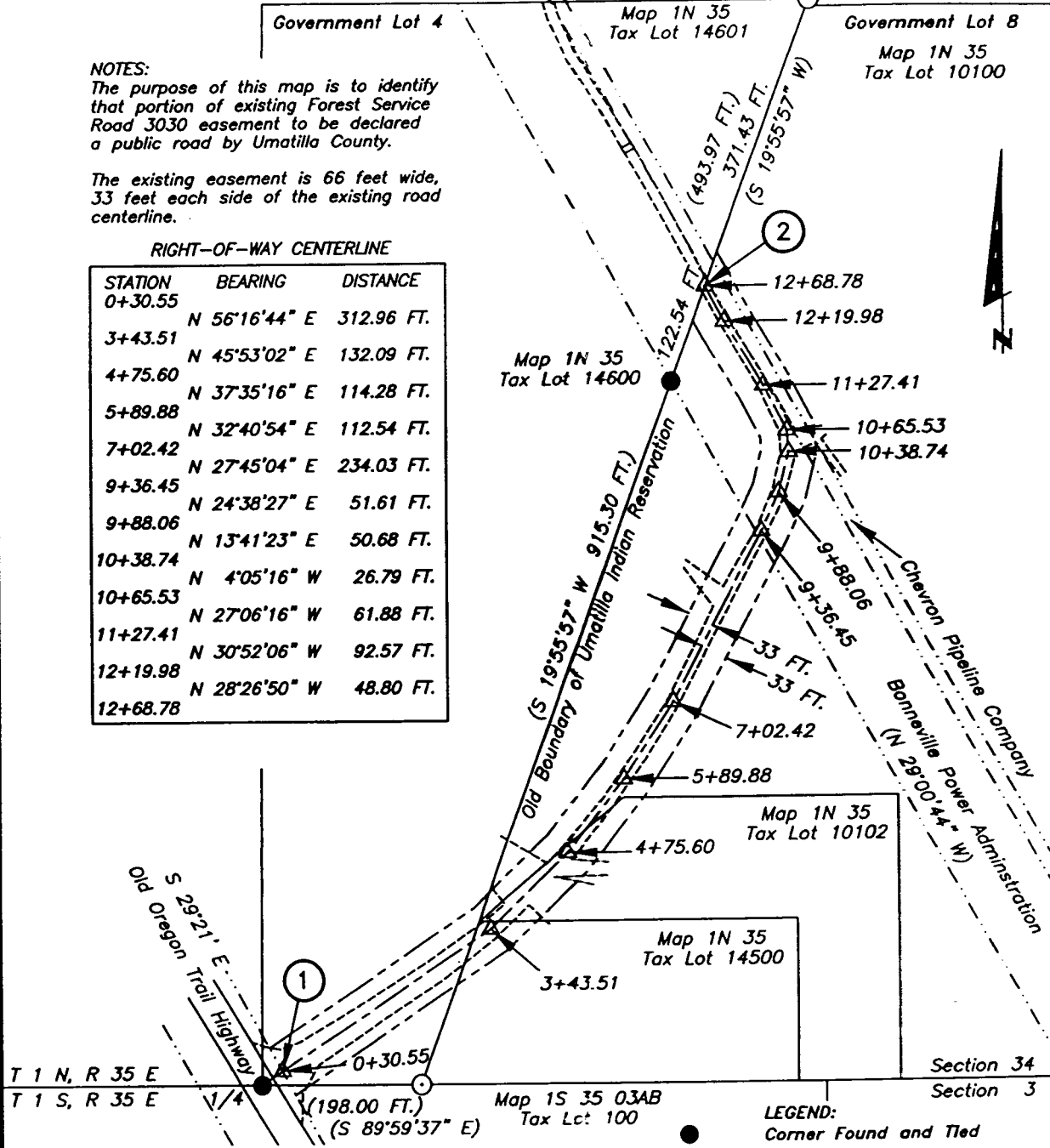
NOTES:

The purpose of this map is to identify that portion of existing Forest Service Road 3030 easement to be declared a public road by Umatilla County.

The existing easement is 66 feet wide, 33 feet each side of the existing road centerline.

RIGHT-OF-WAY CENTERLINE

STATION	BEARING	DISTANCE
0+30.55	N 56°16'44" E	312.96 FT.
3+43.51	N 45°53'02" E	132.09 FT.
4+75.60	N 37°35'16" E	114.28 FT.
5+89.88	N 32°40'54" E	112.54 FT.
7+02.42	N 27°45'04" E	234.03 FT.
9+36.45	N 24°38'27" E	51.61 FT.
9+88.06	N 13°41'23" E	50.68 FT.
10+38.74	N 4°05'16" W	26.79 FT.
10+65.53	N 27°06'16" W	61.88 FT.
11+27.41	N 30°52'06" W	92.57 FT.
12+19.98	N 28°26'50" W	48.80 FT.
12+68.78		



T 1 N, R 35 E  
T 1 S, R 35 E

Map 1S 35 03AB  
Tax Lot 100

Section 34  
Section 3

- ① The beginning of the existing easement to be declared a public road starts on the R-O-W Line of the Old Oregon Trail Highway at a point which bears N 56°16'44" E, 30.55 feet from the 1/4 corner of section 34, T 1 N, R 35 E, and section 3, T 1 S, R 35 E, Willamette Meridian.
- ② The end of existing easement to be declared a public road terminates on the Old Boundary of Umatilla Indian Reservation at a point which bears N 29°32'12" E, 1121.07 feet from the 1/4 corner of section 34, T 1 N, R 35 E, and section 3, T 1 S, R 35 E, Willamette Meridian.

**LEGEND:**

- Corner Found and Tied
- Computed Corner
- △ Centerline Station
- Edge of Existing Road
- Existing Easements
- Right-of-Way Centerline
- Right-of-Way Limits
- ( ) Record Measurement, Bill Walls 1997 (CS No. 97-156-B)

60 30 0 100 200  
SCALE IN METERS    SCALE IN FEET  
1 METER = 3.28084 FEET

**MEMORANDUM OF UNDERSTANDING**  
between  
**UMATILLA COUNTY**  
the  
**OREGON DEPARTMENT of TRANSPORTATION**  
and the  
**UMATILLA NATIONAL FOREST**

This **MEMORANDUM OF UNDERSTANDING** is hereby entered into by and between the County of Umatilla, State of Oregon hereinafter referred to as County, the State of Oregon, Department of Transportation, hereinafter referred to as ODOT, and the USDA Forest Service, Umatilla National Forest, hereinafter referred to as Forest Service.

**A. PURPOSE:** The purpose of this agreement is to clarify the responsibilities for jurisdiction and maintenance of the Horseshoe Ridge Road No. 3030 as it passes through State and private property in sec. 34, Lots 4 and 8, T. 1 N., R. 35 E., W.M. This segment begins at the Oregon Trail Highway 30, and ends at the Old Boundary Line Umatilla Indian Reservation. The segment is approximately 0.24 miles in length, and is shown in the attached Exhibit A.

**B. STATEMENT OF MUTUAL BENEFIT AND INTERESTS:**

WHEREAS, the Forest Service and ODOT wish to maintain this segment of road as a Public Road to relieve each party from having to manage each and every activity across this road segment.

WHEREAS, the County has the authority to designate roads as Public Roads, and wishes to maintain access to public and private lands.

WHEREAS, through cooperation, mutual benefits will occur which will support the road management objectives of all parties involved.

THEREFORE, in consideration of the above premises the parties hereto agree as follows.

**C. COUNTY SHALL:**

1. Designate this road segment shown in Exhibit A as a Public Road.

**D. ODOT SHALL:**

1. Maintain the portion of this road segment shown in Exhibit A that begins on Oregon Trail Highway 30, passes through State land, and ends at the northern boundary of State owned land. This maintenance will be to the ODOT standard for a single-lane, gravel road.

**E. FOREST SERVICE SHALL:**

1. Maintain the portion of this road segment shown in Exhibit A that begins at the northern boundary of State owned land, passes through private land, and ends at the Old Boundary Line Umatilla Indian Reservation. This maintenance will be to the Forest Service standard for a Level 2, single-lane gravel road.
2. Place a one-time application of crushed rock surfacing on the entire segment of this road (~0.24 miles) shown in Exhibit A.

**F. IT IS MUTUALLY AGREED AND UNDERSTOOD BY ALL PARTIES THAT:**

**FREEDOM OF INFORMATION ACT (FOIA).** Any information furnished to the Forest Service under this instrument is subject to the Freedom of Information Act (5 U.S.C. 552).

**MODIFICATION.** Modifications within the scope of the instrument shall be made by mutual consent of the parties, by the issuance of a written modification, signed and dated by all parties, prior to any changes being performed.

**PARTICIPATION IN SIMILAR ACTIVITIES.** This instrument in no way restricts the County, ODOT, or the Forest Service from participating in similar activities with other public or private agencies, organizations, and individuals.

**COMMENCEMENT:** The instrument is executed as of the date of the last signature and is effective until 10 years from the effective date of the MOU. At that time this MOU is terminated unless modified to extend.

**TERMINATION.** One party may terminate this agreement after a 60 day written notice to the other parties.

**NON-FUND OBLIGATING DOCUMENT.** This instrument is neither a fiscal nor a funds obligation document. Any endeavor or transfer of anything of value involving reimbursement or contribution of funds between the parties to this instrument will be handled in accordance with applicable laws, regulations, and procedures including those for Government procurement and printing. Such endeavors will be outlined in separate agreements that shall be made in writing by representatives of the parties and shall be independently authorized by appropriate statutory authority. This instrument does not provide such authority. Specifically, this instrument does not establish authority for noncompetitive award to any party of any contract or other agreement. Any contract or agreement for training or other services must fully comply with all applicable requirements for competition.

IN WITNESS WHEREOF, the parties hereto have executed this Memorandum of Understanding as of the last written date below.

Emile M. Holeman  
Emile M. Holeman, Chairman  
Umatilla County Board of Commissioners

8-29-02  
Date

Dennis D. Doherty  
Dennis D. Doherty, Commissioner  
Umatilla County Board of Commissioners

8-30-02  
Date



William S. Hansell  
William S. Hansell, Commissioner  
Umatilla County Board of Commissioners

8/29/02  
Date

Office of County Records  
Attest Karen Thompson  
Records Officer



Terry R. McArtor  
Terry R. McArtor, District Manager  
Oregon Department of Transportation

8-21-02  
Date

Jeff D. Blackwood  
Jeff D. Blackwood, Forest Supervisor  
Umatilla National Forest

8/21/02  
Date

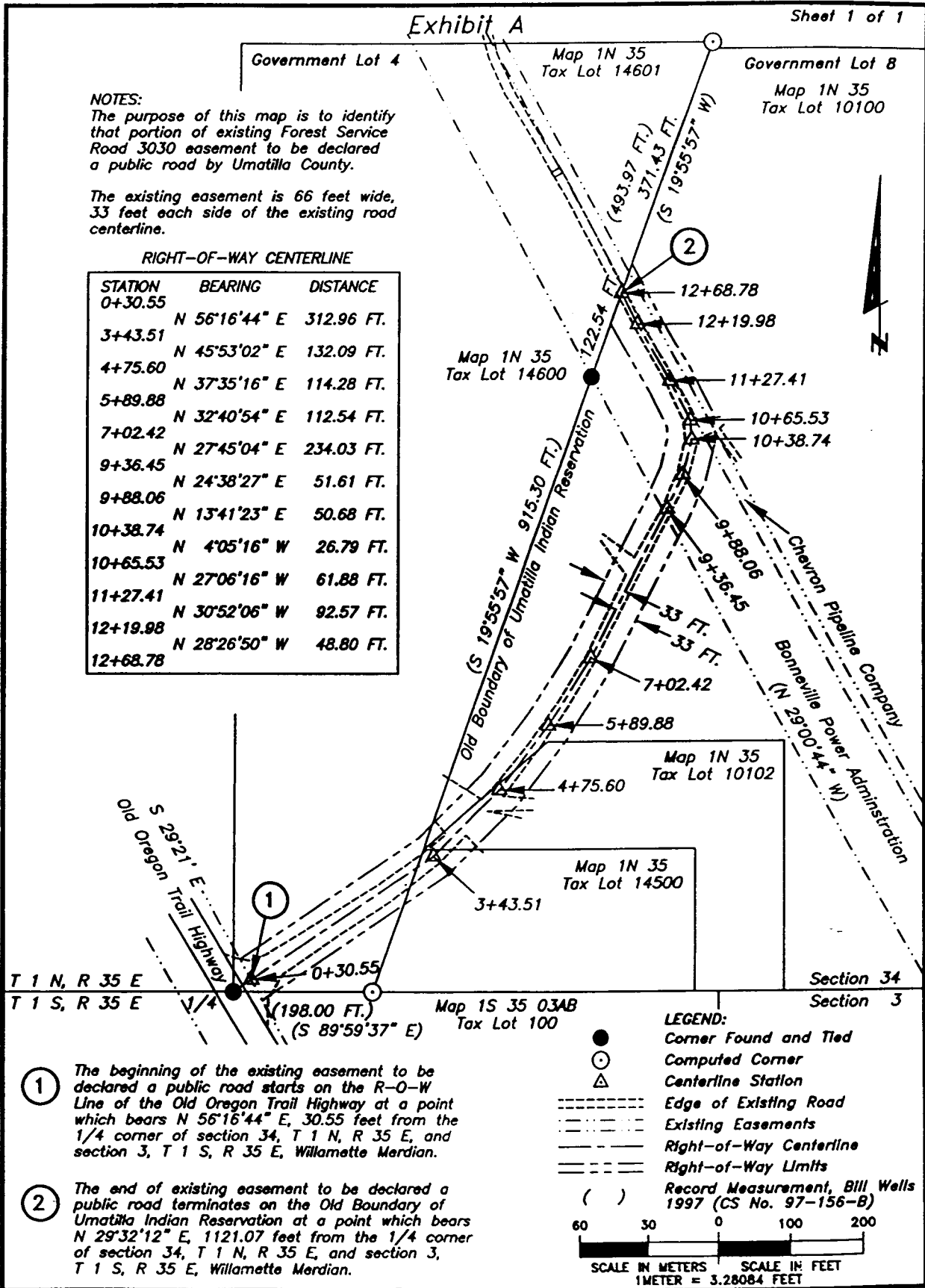
# Exhibit A

**NOTES:**  
 The purpose of this map is to identify that portion of existing Forest Service Road 3030 easement to be declared a public road by Umatilla County.

The existing easement is 66 feet wide, 33 feet each side of the existing road centerline.

**RIGHT-OF-WAY CENTERLINE**

STATION	BEARING	DISTANCE
0+30.55		
3+43.51	N 56°16'44" E	312.96 FT.
4+75.60	N 45°53'02" E	132.09 FT.
5+89.88	N 37°35'16" E	114.28 FT.
7+02.42	N 32°40'54" E	112.54 FT.
9+36.45	N 27°45'04" E	234.03 FT.
9+88.06	N 24°38'27" E	51.61 FT.
10+38.74	N 13°41'23" E	50.68 FT.
10+65.53	N 4°05'16" W	26.79 FT.
11+27.41	N 27°06'16" W	61.88 FT.
12+19.98	N 30°52'06" W	92.57 FT.
12+68.78	N 28°26'50" W	48.80 FT.



- ① The beginning of the existing easement to be declared a public road starts on the R-O-W Line of the Old Oregon Trail Highway at a point which bears N 56°16'44" E, 30.55 feet from the 1/4 corner of section 34, T 1 N, R 35 E, and section 3, T 1 S, R 35 E, Willamette Meridian.
- ② The end of existing easement to be declared a public road terminates on the Old Boundary of Umatilla Indian Reservation at a point which bears N 29°32'12" E, 1121.07 feet from the 1/4 corner of section 34, T 1 N, R 35 E, and section 3, T 1 S, R 35 E, Willamette Meridian.

**LEGEND:**

- Corner Found and Tied
- Computed Corner
- △ Centerline Station
- Edge of Existing Road
- - - Existing Easements
- Right-of-Way Centerline
- - - Right-of-Way Limits
- ( ) Record Measurement, Bill Wells 1997 (CS No. 97-156-B)

60 30 0 100 200

SCALE IN METERS      SCALE IN FEET  
 1 METER = 3.28084 FEET