

BEFORE THE UMATILLA COUNTY BOARD OF COMMISSIONERS
FOR UMATILLA COUNTY

RECEIVED

IN THE MATTER OF IMPLEMENTING
PROCEDURES TO RECTIFY CERTAIN
COUNTY ROAD ISSUES IN THE
MILTON-FREEWATER AREA

MAY 08 2003 ID: 45m
UMATILLA COUNTY
RECORDS

ORDER RD 2003-15

THE BOARD OF COMMISSIONERS FINDS AS FOLLOWS:

*Combine Hills Turbine Ranch Project is an energy generation project to be sited in the Milton-Freewater area of Umatilla County, with energy to be generated by wind towers. The project has been approved by Umatilla County pursuant to its duly adopted land use procedures.

*The project is being developed by Eurus Oregon Wind Power Development L.L.C.

*Project financing requires due diligence by the developer to assure, among other things, that necessary permits and usage rights for county roads.

*In its due diligence, the developer has identified certain county road issues which need to be rectified by Umatilla County. These issues are set forth on the attached Exhibit "A", along with the action which is proposed for the purpose of rectifying each of those issues.

*It is in the best interest of Umatilla County and its citizens that these issues be rectified so that the Combine Hills Turbine Ranch Project may proceed to timely completion.

NOW, THEREFORE, IT IS ORDERED AS FOLLOWS:

1. Umatilla County will take the steps indicated in Attachment "A" to resolve the issues listed therein.
 - (a) The Department of Public Works and County staff are hereby directed to treat this Order as a "work order" and to proceed to its completion in as orderly and timely a fashion as circumstances permits.

DATED this 8 day of MAY, 2003.

ABSENT

UMATILLA COUNTY BOARD OF COMMISSIONERS

William S. Hansell, Chairman

Emile M. Holeman

Dennis D. Doherty

ATTEST:
OFFICER OF THE COUNTY RECORDS

By:

Records Officer

APPROVED AS TO FORM:

Doug Oisen, County Counsel



Exhibit "A"

Issue #1: White Reservoir Road (County Road No. 713) is needed for access to the project. No road records matching its current location are on record.

Solution: Umatilla County intends to legalize White Reservoir Road at a width of 60 feet from Stateline Road south to the end of the county-maintained portion in Section 30, Township 6 North, Range 34 E.W.M. to the edge of property owned by Jim Schubert. A survey order has been issued, initiating the process.

Issue #2: Crossing of the improved portion of old County Road No. 284 (now Road No. 713, Troyer Road) with Turbine Ranch project road in Section 30, Township 6 North, Range 34 E.W.M.

Solution: ORS 374.310 allows a county governing body to issue permits for private road crossings of public roads. Umatilla County will issue a crossing permit for the road. This permit shall allow Eurus to upgrade and maintain its crossing.

Issue #3: Project road R3H intersects Dickerson Road (County Road No. 727) right-of-way in Section 33, Township 6 North, Range 34 E.W.M.

Solution: Umatilla County will vacate the portion of Dickerson Road lying in Section 33 upon receipt of a petition to vacate from R. G. and Betty Schubert. A hearing was held previously to vacate this road and no objections were heard. ORS 368.351 allows a county governing body to vacate a road without a hearing if 100 percent of the abutting owners sign the petition.

Issue #4: Project Road R5B lies on a portion of Dickerson Road (County Road No. 727) in Section 4, Township 5 North, Range 34 E.W.M.

Exhibit "A" (Cont.)

Solution: Umatilla County will vacate the portion of Dickerson Road lying in Section 4 upon receipt of a petition to vacate from R. G. and Betty Schubert. A hearing was held previously to vacate this road and no objections were heard. ORS 368.351 allows a county governing body to vacate a road without a hearing if 100 percent of the abutting owners sign the petition.

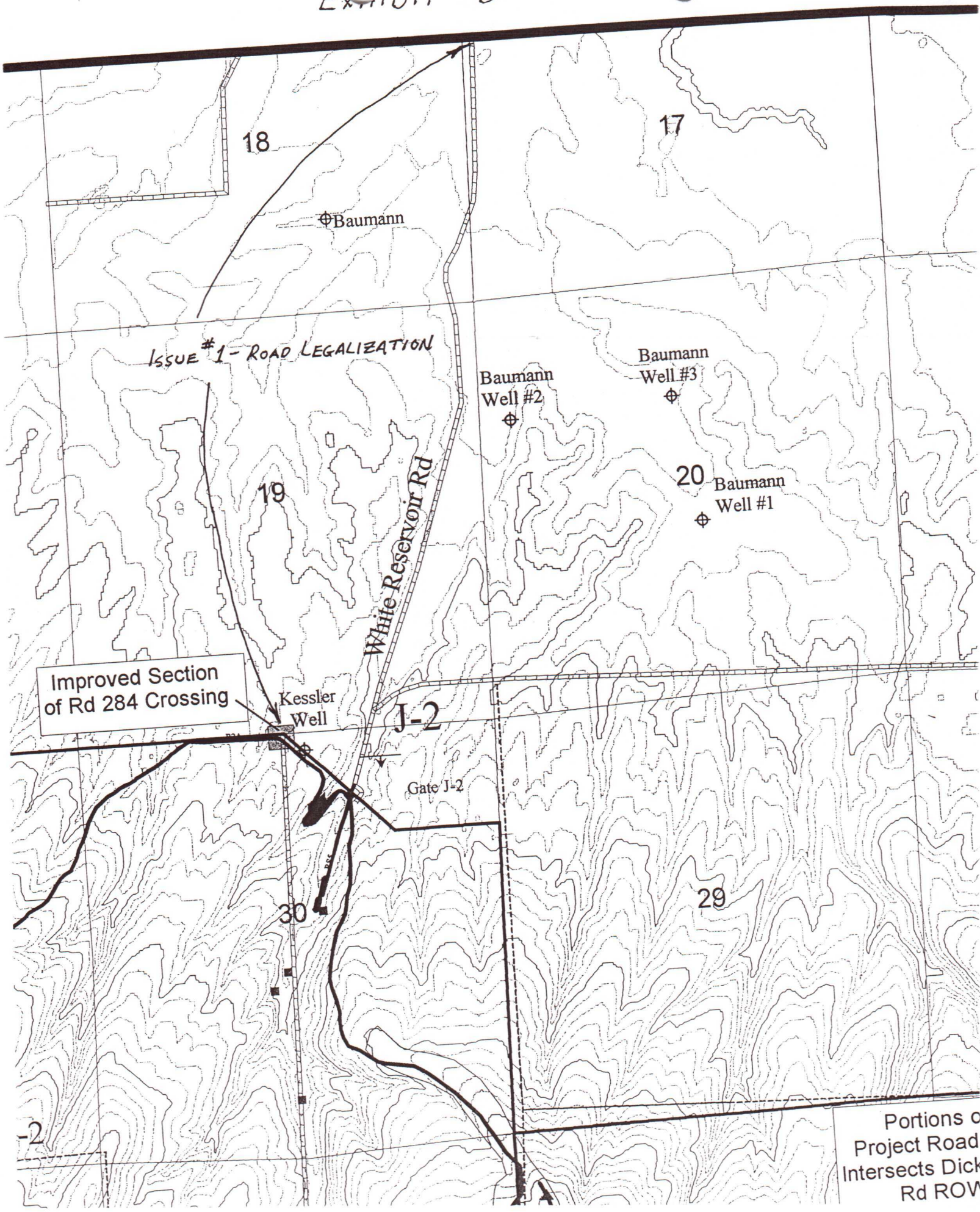
Issue #5: Project transmission line crosses Dickerson Road (County Road No. 727) in Section 4, Township 5 North, Range 34 E.W.M.

Solution: Umatilla County will vacate the portion of Dickerson Road lying in Section 4 upon receipt of a petition to vacate from R. G. and Betty Schubert. A hearing was held previously to vacate this road and no objections were heard. ORS 368.351 allows a county governing body to vacate a road without a hearing if 100 percent of the abutting owners sign the petition.

Issue #6: Combine Hills' DC-4 and Road 4A are in conflict with Dickerson Road (County Road No. 727) in Section 8, Township 5 North, Range 34 E.W.M.

Solution: Umatilla County will vacate the portion of Dickerson Road lying in the Northeast $\frac{1}{4}$ of Section 8 and the North $\frac{1}{2}$ of Section 9 upon receipt of a petition to vacate from Charles Schubert and Arlene Kessler. ORS 368.351 allows a county governing body to vacate a road without a hearing if 100 percent of the abutting owners sign the petition. The Public Works Department will write the required vacation report for this portion of Dickerson Road, which was not part of the previous R. G. Schubert vacation attempt.

EXHIBIT "B"



ISSUE #1 - ROAD LEGALIZATION

Improved Section of Rd 284 Crossing

White Reservoir Rd

J-2

Gate J-2

Kessler Well

Baumann

Baumann Well #2

Baumann Well #3

Baumann Well #1

18

17

19

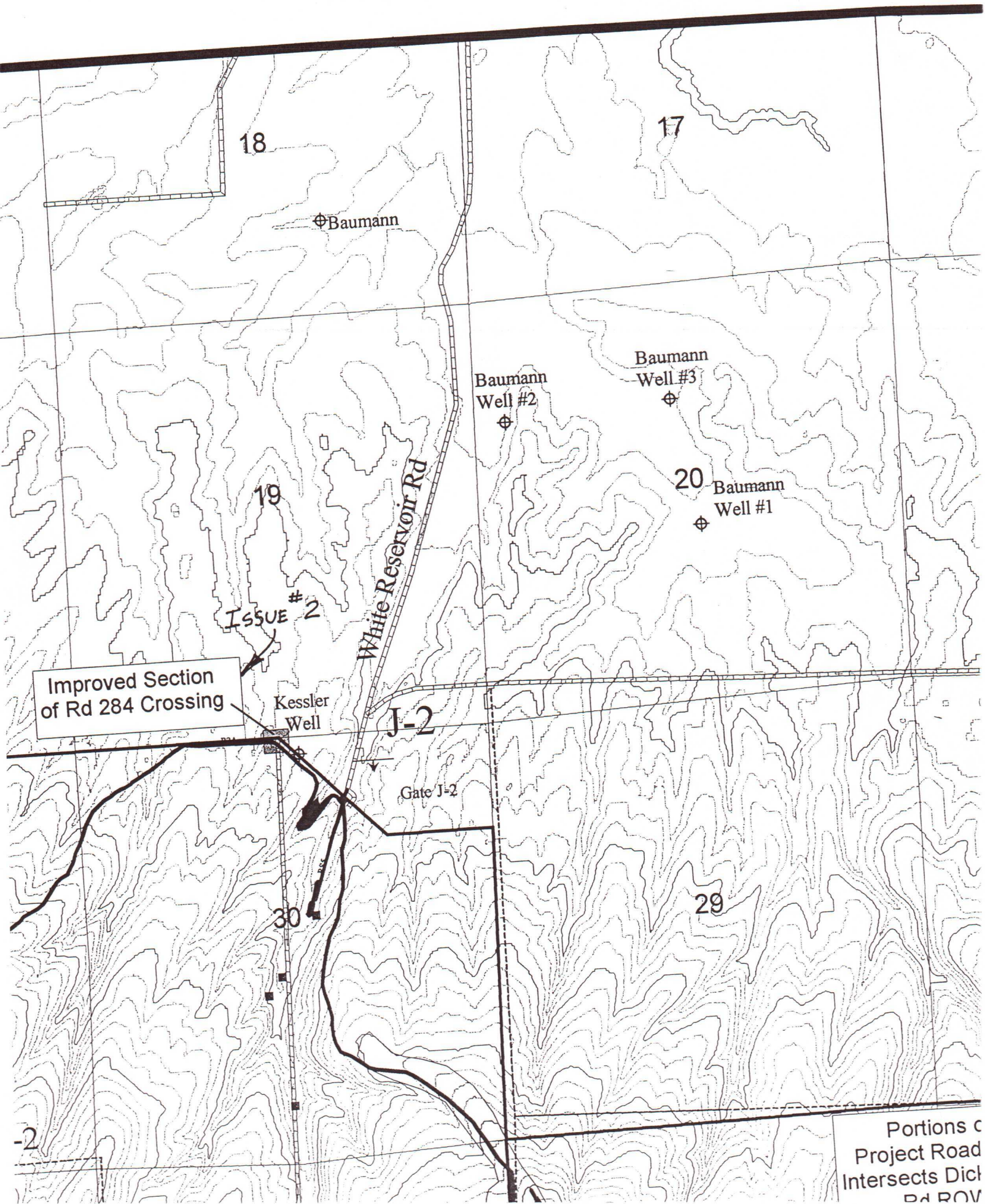
29

30

-2

Portions of Project Road Intersects Dick Rd ROW

EXHIBIT "C"



Portions of
Project Road
Intersects Ditch
D.R.O.V.

J. Schubert

EXHIBIT "D"

36

31

Power Line Crossing
of Rd. 284

ISSUE #3

1

6

12

7

Key to Roads

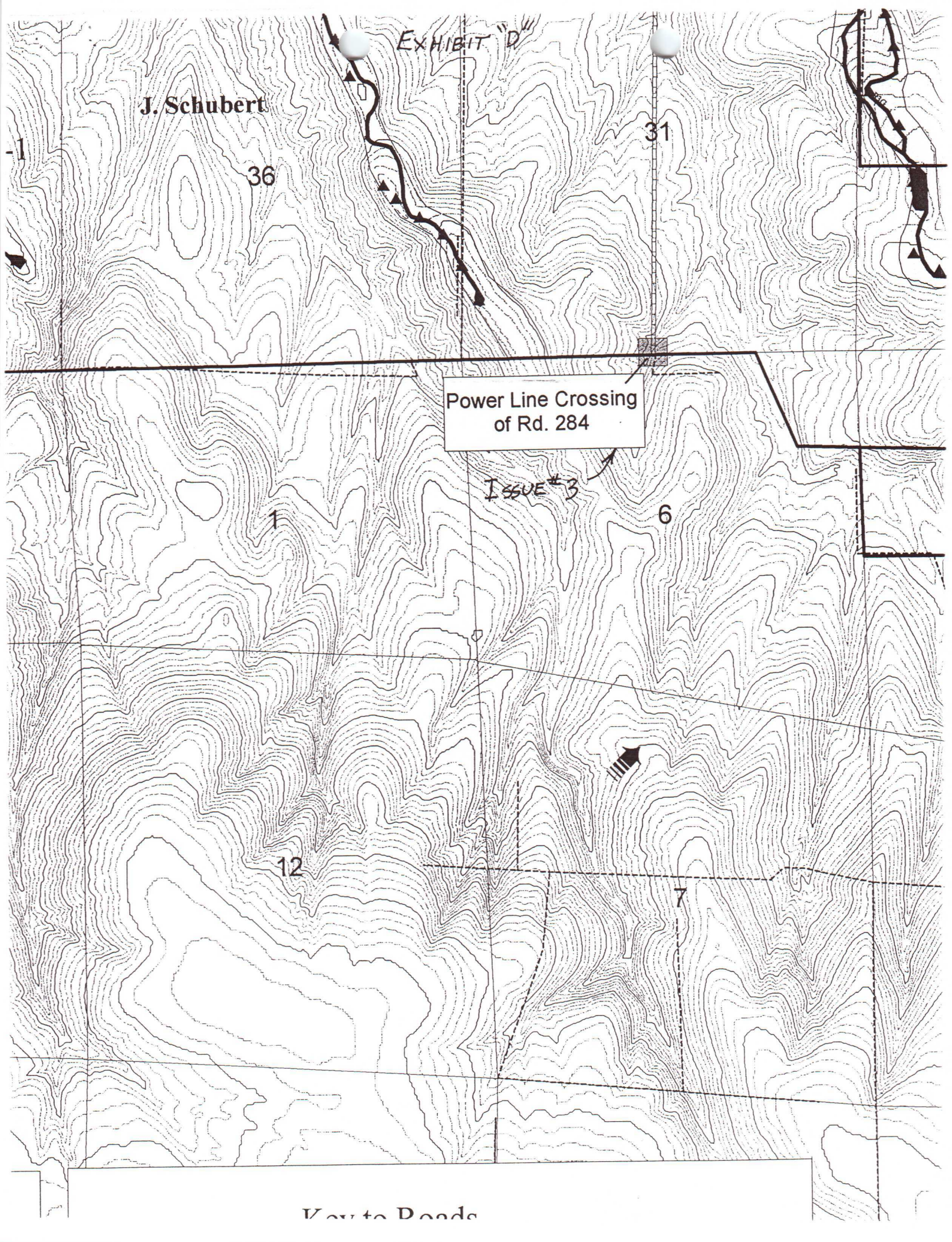


EXHIBIT "E"

Troyer Rd

Hudson Bay Rd

29

28

27

B-3

Gate B-3

Portions of Project Road R3H Intersects Dickerson Rd ROW

ISSUE #4

32

33

34

R. Schubert

J. Schubert

3A

DC-3B

DC-3C

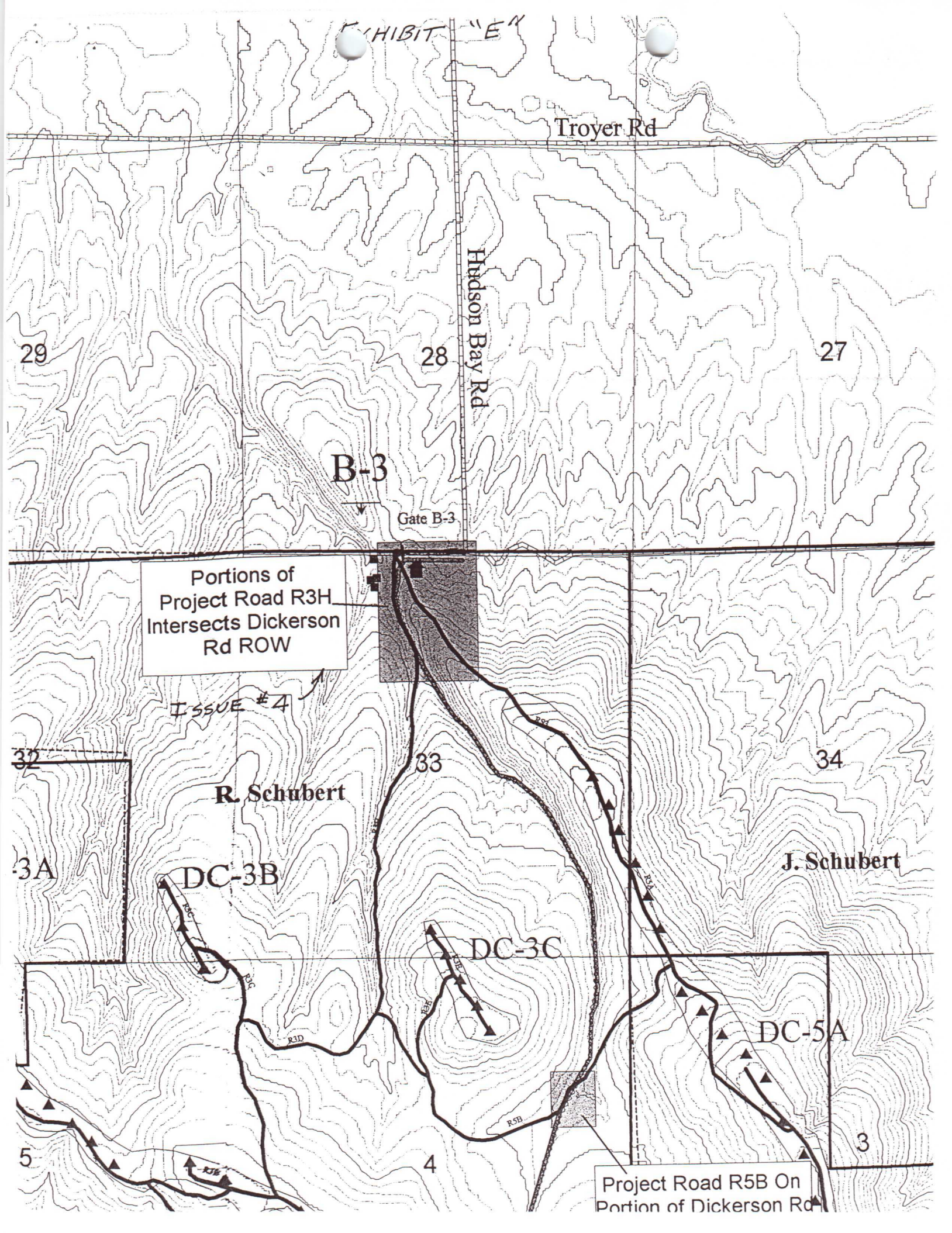
DC-5A

5

4

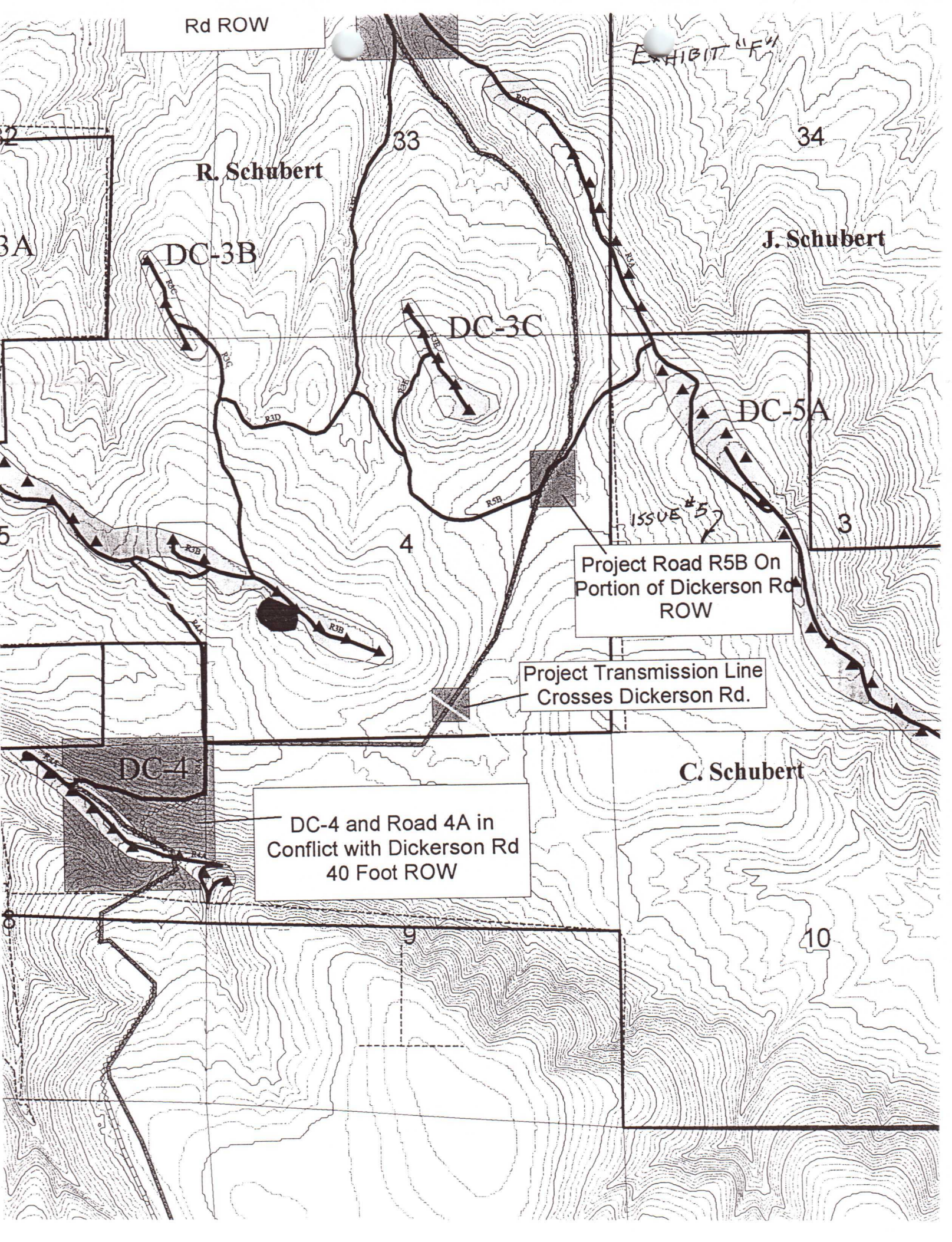
3

Project Road R5B On Portion of Dickerson Rd



Rd ROW

EXHIBIT "F"



R. Schubert

J. Schubert

DC-3B

DC-3C

DC-5A

Project Road R5B On Portion of Dickerson Rd ROW

Project Transmission Line Crosses Dickerson Rd.

DC-4 and Road 4A in Conflict with Dickerson Rd 40 Foot ROW

C. Schubert

Rd ROW

EXHIBIT "G"

R. Schubert

J. Schubert

DC-3B

DC-3C

DC-5A

3A

34

4

3

5

Project Road R5B On Portion of Dickerson Rd ROW

Project Transmission Line Crosses Dickerson Rd.

ISSUE #6

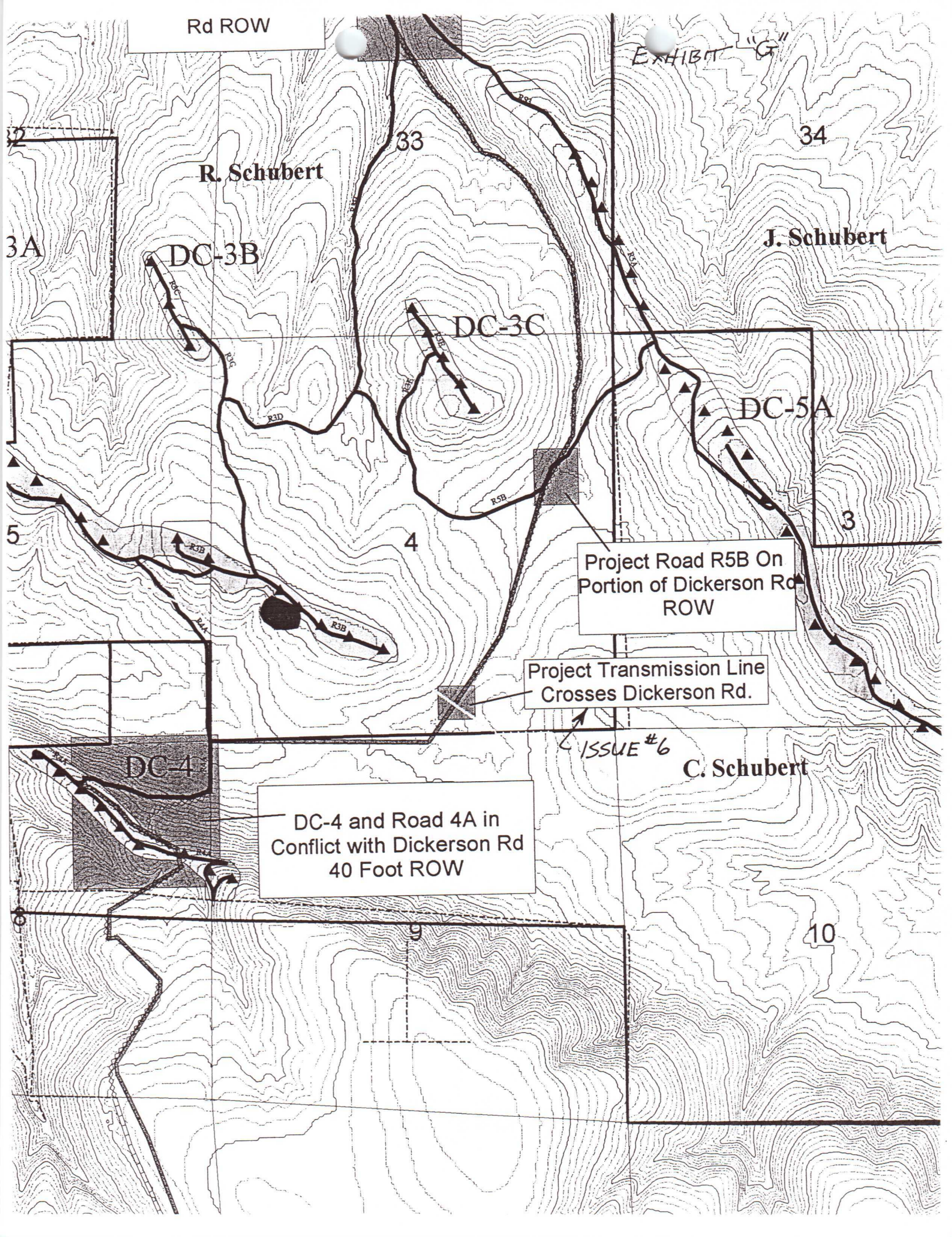
C. Schubert

DC-4

DC-4 and Road 4A in Conflict with Dickerson Rd 40 Foot ROW

9

10



Rd ROW

EXHIBIT "H"

R. Schubert

J. Schubert

DC-3B

DC-3C

DC-5A

Project Road R5B On Portion of Dickerson Rd ROW

Project Transmission Line Crosses Dickerson Rd.

DC-4 and Road 4A in Conflict with Dickerson Rd 40 Foot ROW

ISSUE # 7

A

33

34

4

3

DC-4

C. Schubert

9

10

