

To: Board of Commissioners
Doug Olsen, County Counsel
Tamra Mabbott, Planning Director

From: Gary Roberts, Road Department

Subject: Pete and Deanna Strawick building encroachment on county road right of way near the west end of Feedville Road

Issue

In October 2008 Pete and Deanna Strawick purchased Tax Lot 600 (Map 4N 28 20C) from Gary Turner. In December 2008 the Turners had a property survey done to delineate their boundaries. Sometime late last year or early this year the Strawicks hired a contractor to build a metal garage with concrete floor. Upon completion a foundation survey was required by their lender to show the location of their new house and new garage in relation to their property lines before they could receive a loan. In March 2010 the foundation survey was completed by the same surveyor who did their boundary survey and it was revealed that their new garage encroached approximately 12.5 feet into the right of way of Feedville Road. Pete Strawick contacted the Road Department to see what could be done.

Road Facts

The legal right of way for Feedville Road ends near the middle of the Strawick property. Umatilla County has historically maintained the road to the "A" Canal, near Gary Turner's residence, approximately 300 feet farther west. The County also constructed and maintains a bridge across the "A" Canal. School buses use this 300 feet of road and turn around near the canal. The center of the road right of way (section line) near its west end is approximately 6 feet north of the traveled road.

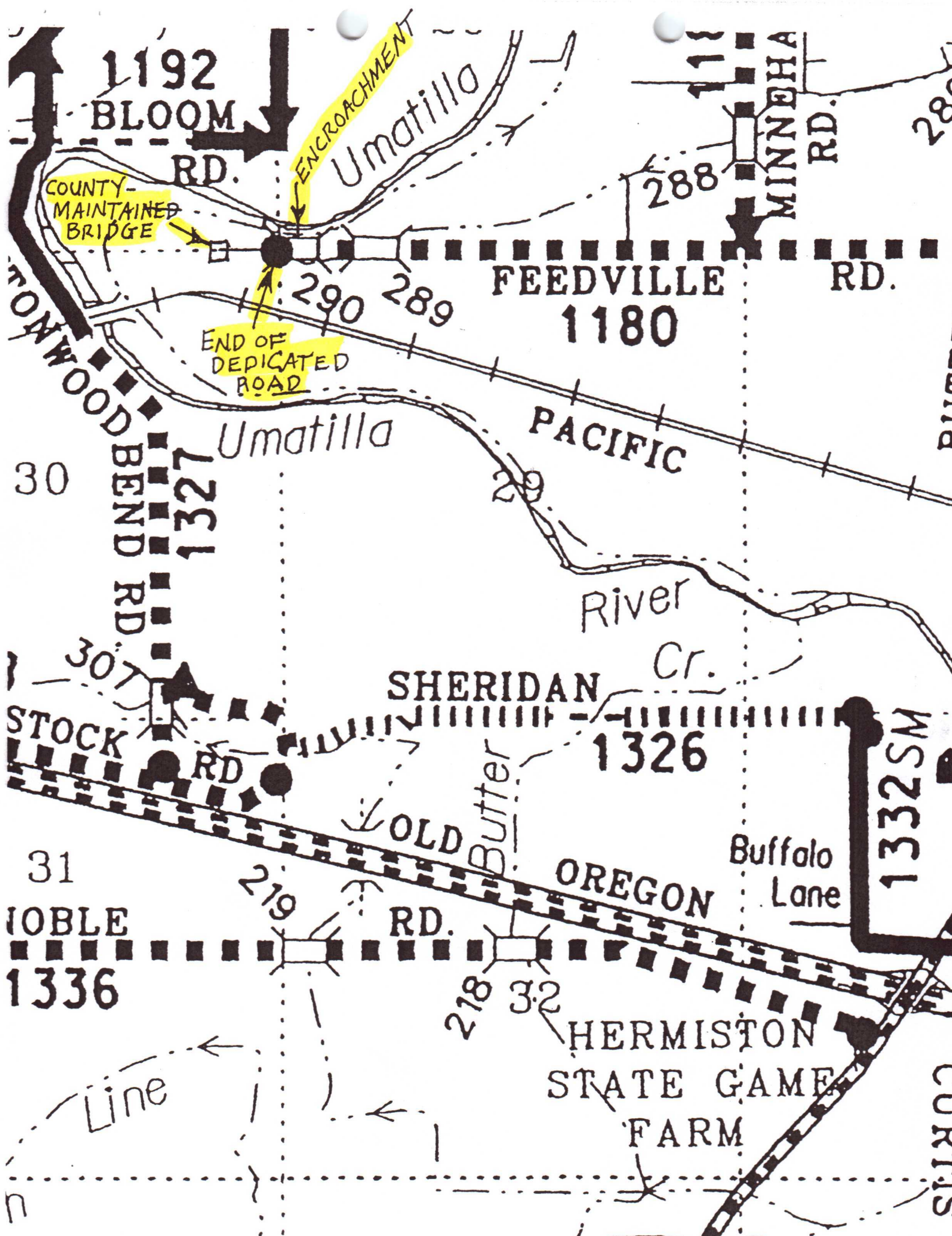
Possible Solutions

1. Require the Strawicks to remove their garage from the road right of way and comply with setback rules.
2. Grant the Strawicks a license for their garage to remain on the right of way until such time as the County needs it for road use or it is destroyed or re-built (this will not satisfy their lender's requirements).
3. Vacate the north 15 feet of the road right of way from the Strawicks' east property line west to the end of the dedicated road (approximately 445 feet) in return for them granting an 18-foot wide right of way to the County west to "A" Canal (approximately 300 feet). This would only work if Gary Turner was willing to grant a 33-foot wide strip on the south.

Legalization of the road around the encroachment is not an option due to the recent survey performed for the owners before the shed was built.

Attachments:

Vicinity Map
Assessor Maps (2)
Strawick Foundation Survey
Encroachment Drawing
Strawick Boundary Survey
Photo Pages (2)



1192
BLOOM
RD.

111
MINNEHA
RD.

COUNTY-
MAINTAINED
BRIDGE

ENCROACHMENT
290 289

288
1180
FEEDVILLE
RD.

END OF
DEDICATED
ROAD

30
WOOD
BEND
RD.
1327

Umatilla

PACIFIC

River

SHERIDAN
Cr.
1326

30
STOCK
RD.

OLD
Butter
RD.

1332SM
OREGON
Buffalo
Lane

31
JOBLE
1336

279

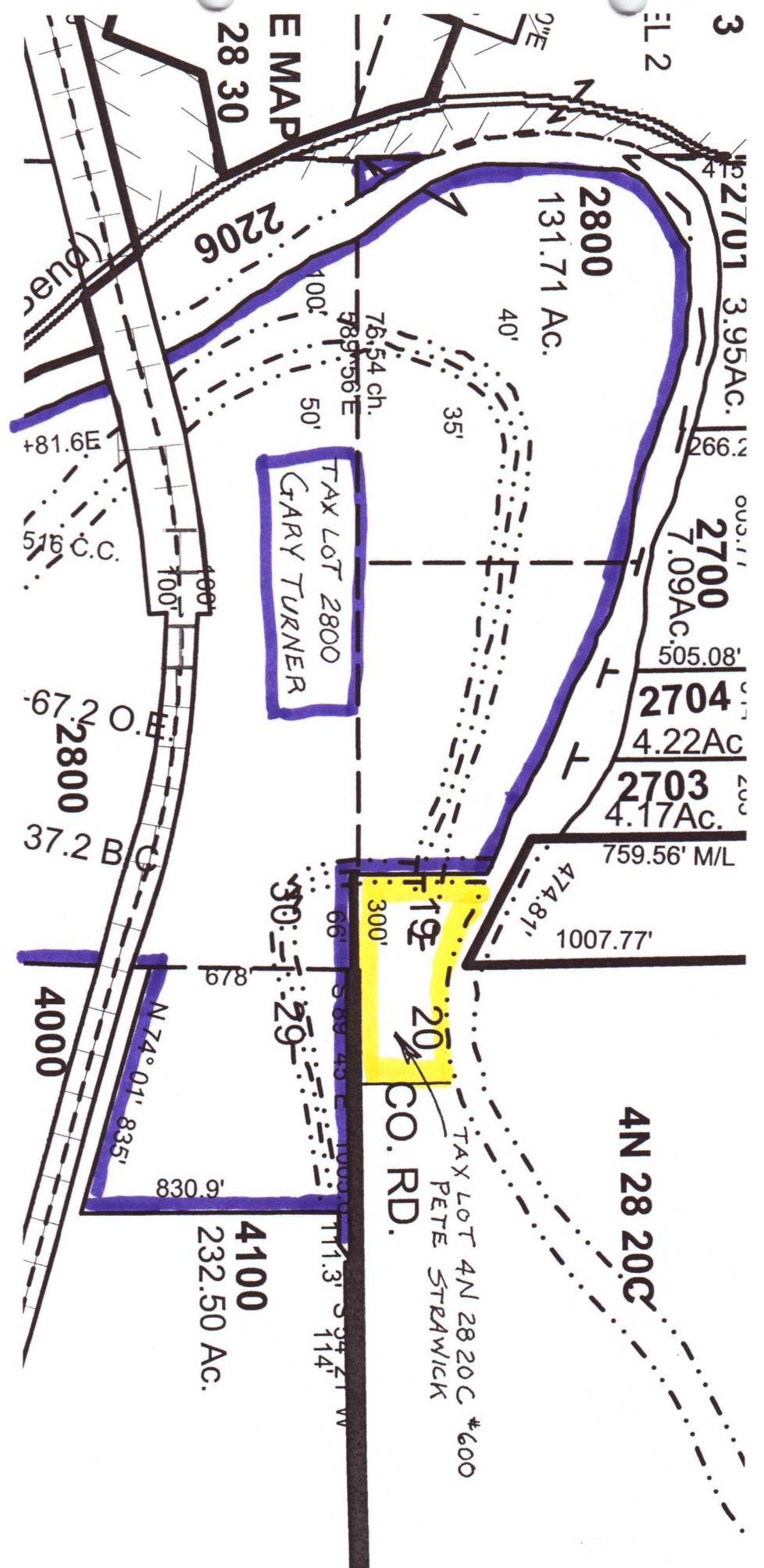
278 32

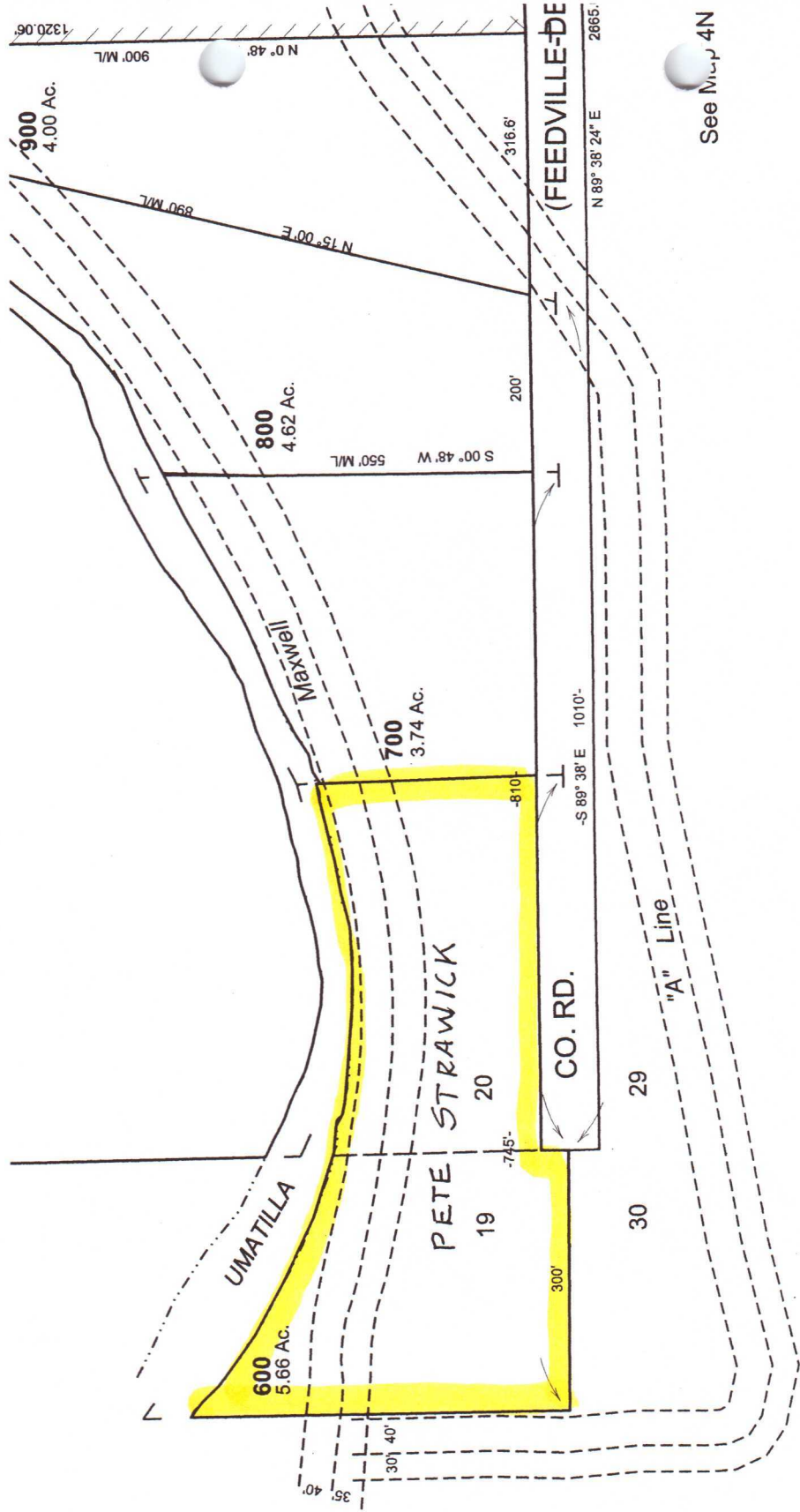
HERMISTON
STATE GAME
FARM

Line

CURTIS

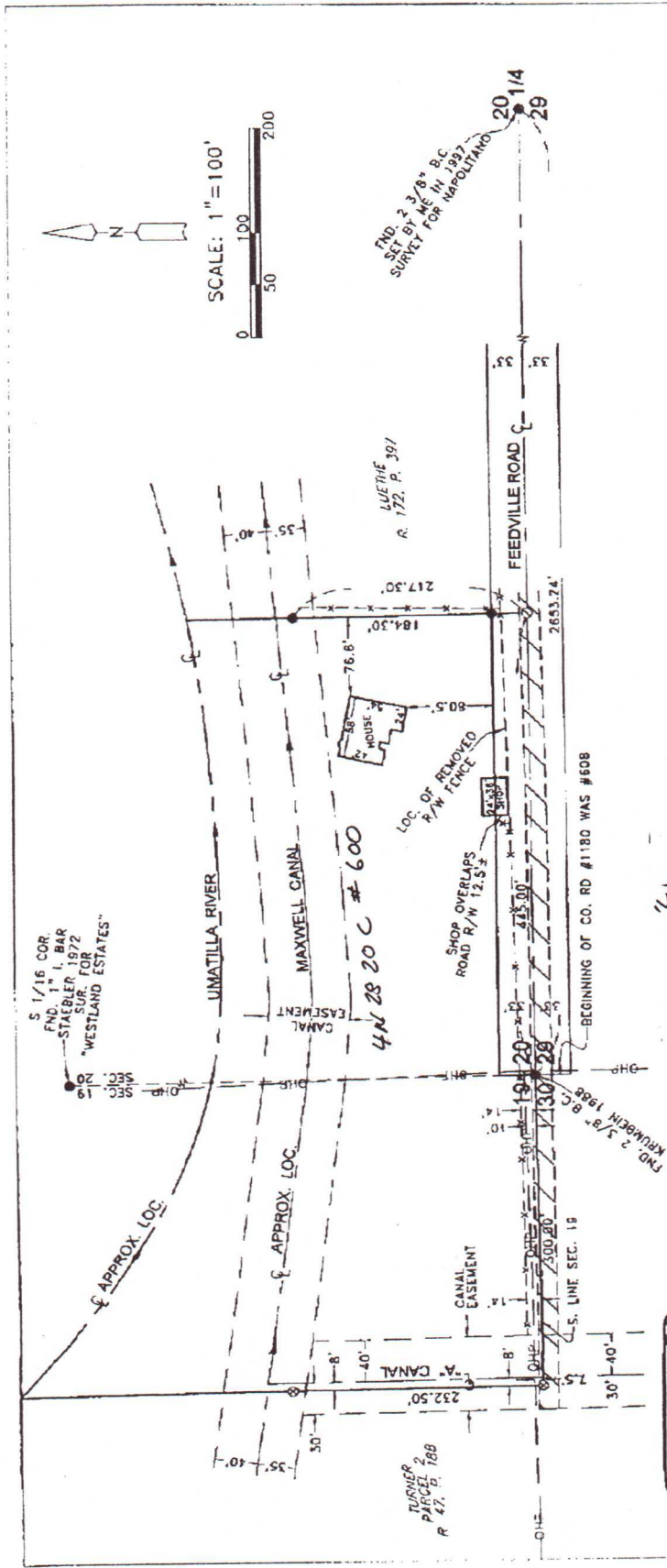
MAP 4N 28 C





See Map 4N

MAP 4N 28 20 C



PLOT PLAN FOR AMERITITLE #HM0065279LMM (STRAWICK)
 DESCRIPTION: SEE ATTACHED, IN SE 1/4, SEC. 19,
 & SW 1/4, SEC. 20, T 4 N, R 28 E, W.M.,
 UMATILLA COUNTY, OREGON
 03/08/2010 JOB#P1003007
 EDWARDS SURVEYING P.O. BOX 763
 541-567-3336 HERMISTON, OREGON 97838
 DRAWN BY JMC

LEGEND:

- FND. 1/2" I. REBAR ME 1991 SURVEY FOR PEELER, UNLESS NOTED OTHERWISE
- ⊗ FND. 5/8" I. REBAR ME 2008 SURVEY FOR STRAWICK
- ⊙ COMPUTED LOCATION
- HP— APPROX. LOC. OF OVER HEAD POWR LINE
- //— APPROX. LOC. 19' WIDE GRAVELED ROAD
- x— APPROX. LOC. OF FENCE

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

G. Dennis Edwards

OREGON
 JULY 16, 1971
 G. DENNIS EDWARDS
 P. 51

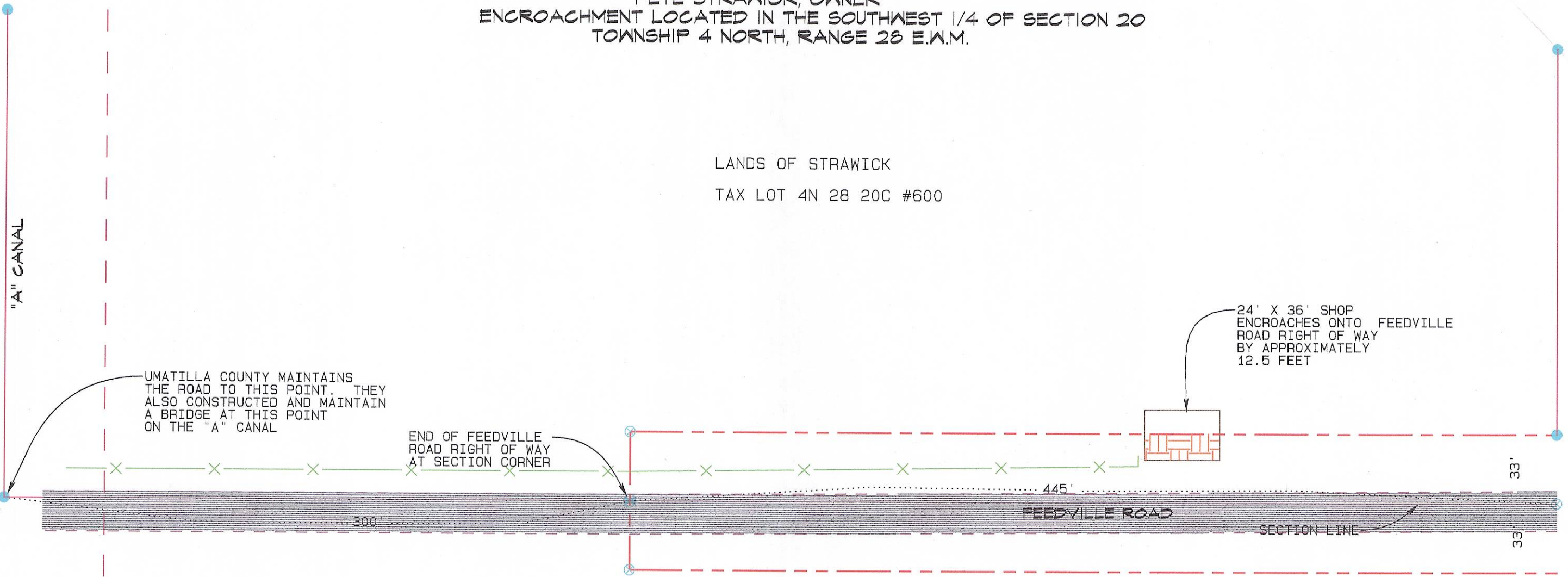
RENEWES 12/31/2011

CERTIFICATION:
 I HAVE EXAMINED THE ABOVE DESCRIBED
 PROPERTY AND FOUND THE IMPROVEMENTS
 SITUATED THEREON AS SHOWN.
 THERE ARE NO CORNERS SHOWN APPARENT
 TO BE LOCATED BY THIS SURVEY.
 THIS IS NOT A SURVEY. NO CORNERS
 SET. IT SHOULD NOT BE USED TO
 ESTABLISH OR ADJUST PROPERTY LINES.

FEEDVILLE ROAD SHED ENCROACHMENT DRAWING
PETE STRAWICK, OWNER
ENCROACHMENT LOCATED IN THE SOUTHWEST 1/4 OF SECTION 20
TOWNSHIP 4 NORTH, RANGE 28 E.W.M.

LANDS OF STRAWICK
TAX LOT 4N 28 20C #600

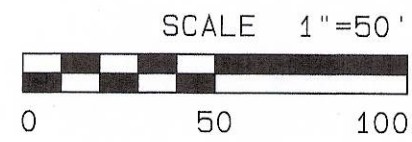
LANDS OF TURNER
TAX LOT 4N 28C #2800

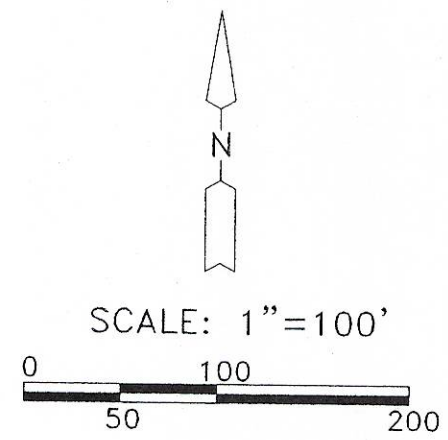
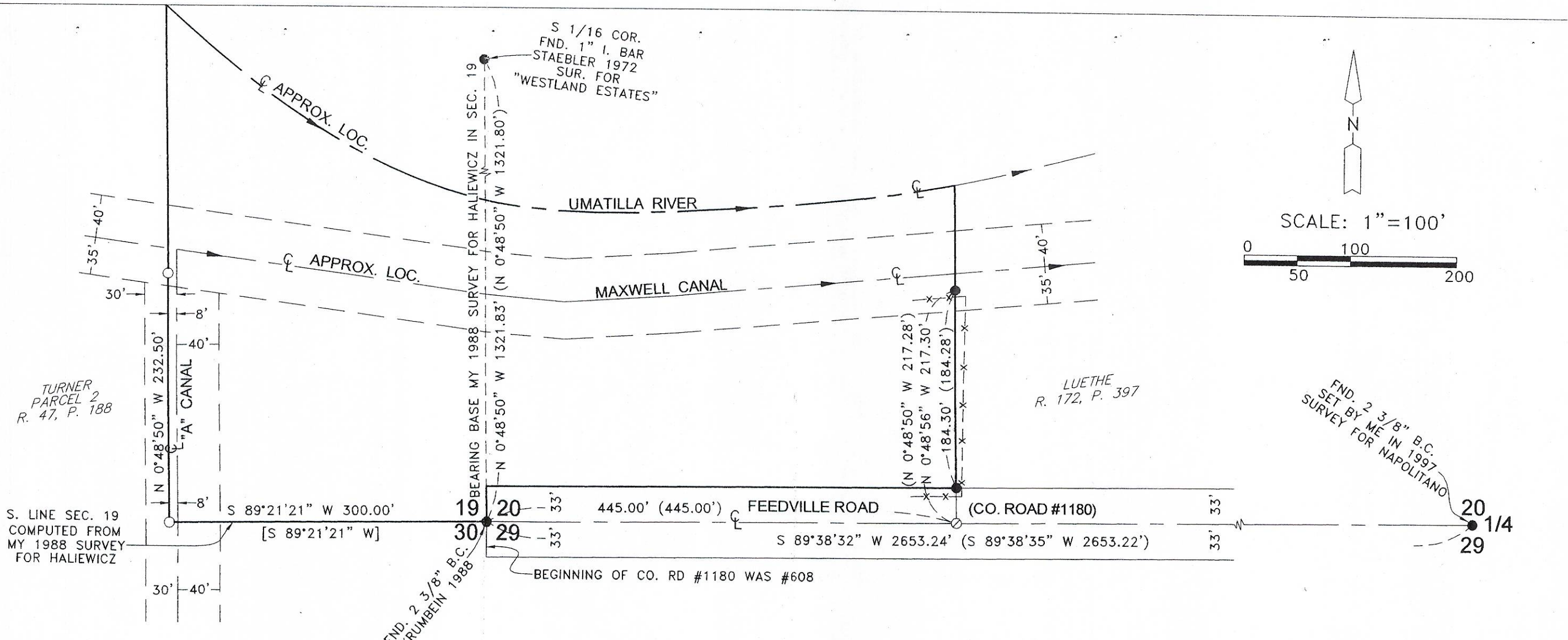


UMATILLA COUNTY MAINTAINS THE ROAD TO THIS POINT. THEY ALSO CONSTRUCTED AND MAINTAIN A BRIDGE AT THIS POINT ON THE "A" CANAL

END OF FEEDVILLE ROAD RIGHT OF WAY AT SECTION CORNER

24' X 36' SHOP ENCROACHES ONTO FEEDVILLE ROAD RIGHT OF WAY BY APPROXIMATELY 12.5 FEET





SURVEYOR'S NARRATIVE:

THE PURPOSE OF THIS SURVEY IS TO STAKE THAT TRACT OF LAND DEEDED TO PETER AND DEANNA STRAWICK ON INSTRUMENT #2008-5430451 UMATILLA COUNTY DEED RECORDS SO A FENCE CAN BE BUILT.
 I SURVEYED THE EAST LINE OF THIS TRACT IN A 1991 SURVEY FOR PEELER.
 THIS SURVEY WAS CONDUCTED WITH A HIPER + TOPCON G.P.S. IN REAL TIME AND ROTATED TO MATCH MY 1988 SURVEY FOR HALIEWICZ IN SECTION 19.

LEGEND:

- FND. 1/2" I. REBAR ME 1991 SURVEY FOR PEELER, UNLESS NOTED OTHERWISE
- SET 5/8"X30" IRON REBAR WITH PLASTIC CAP #951
- ⊙ COMPUTED LOCATION
- (000) OF RECORD, MY 1991 SURVEY FOR PEELER
- [000] OF RECORD, MY 1988 SURVEY FOR HALIEWICZ

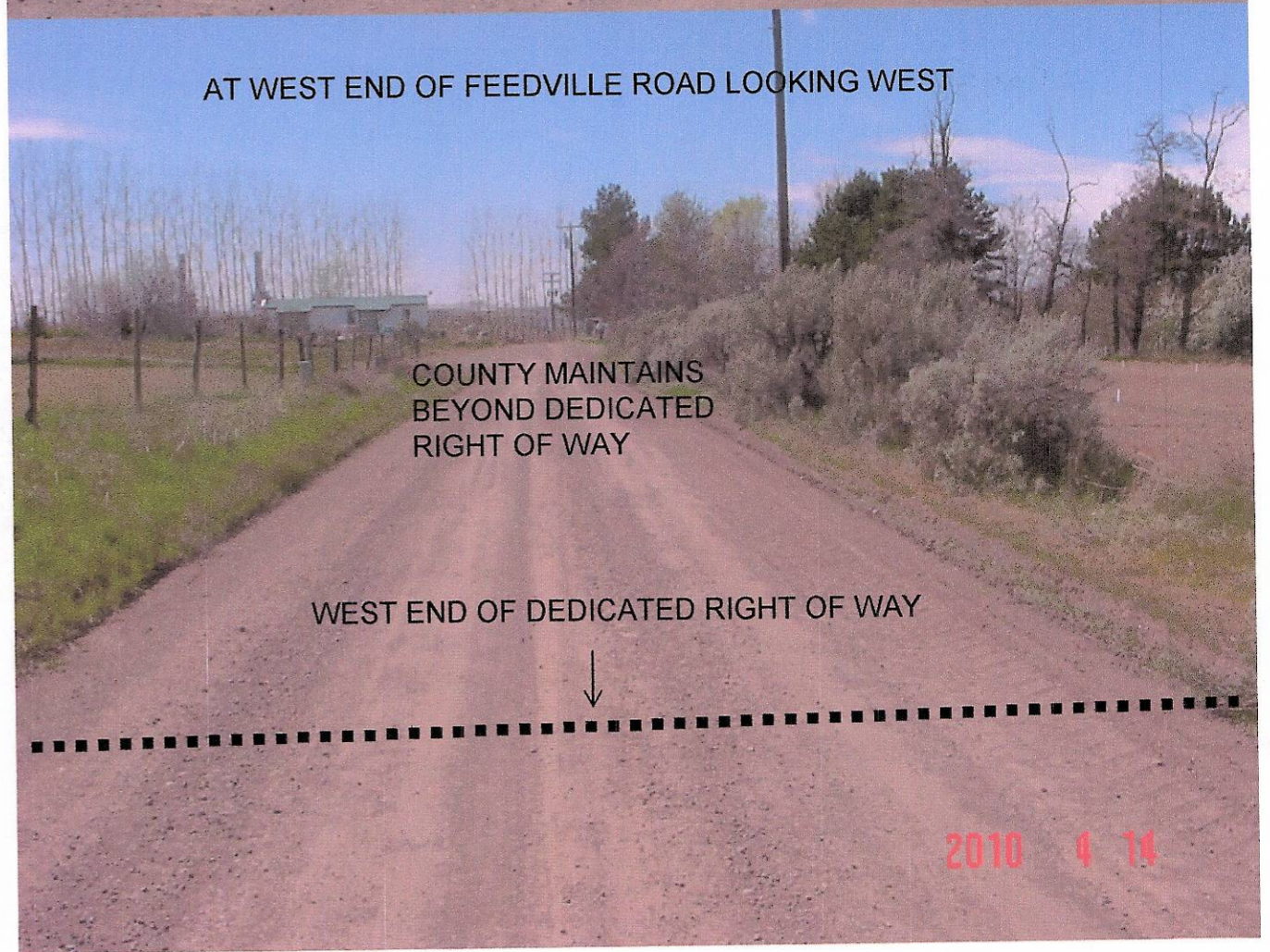
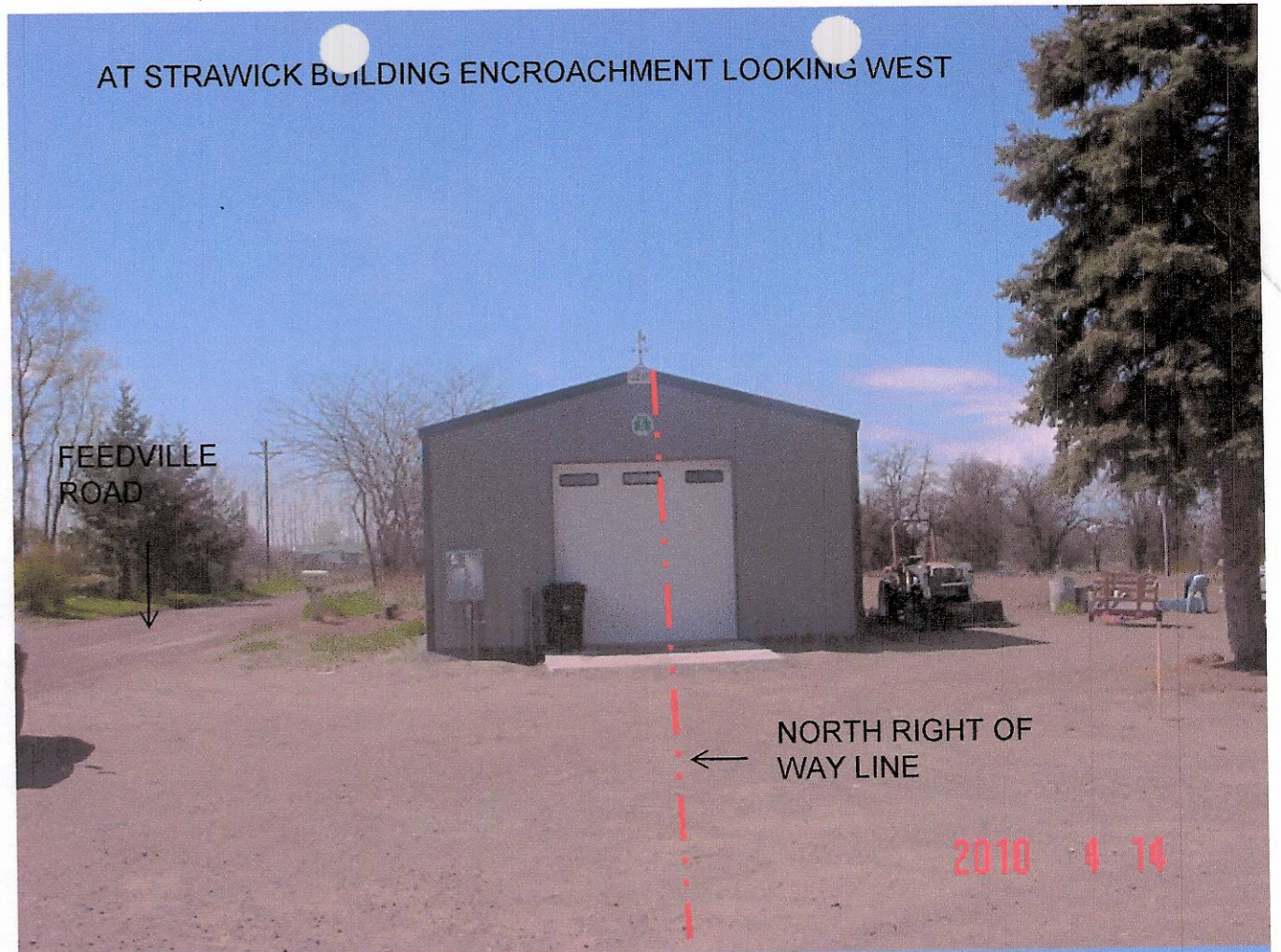
REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

G. Dennis Edwards

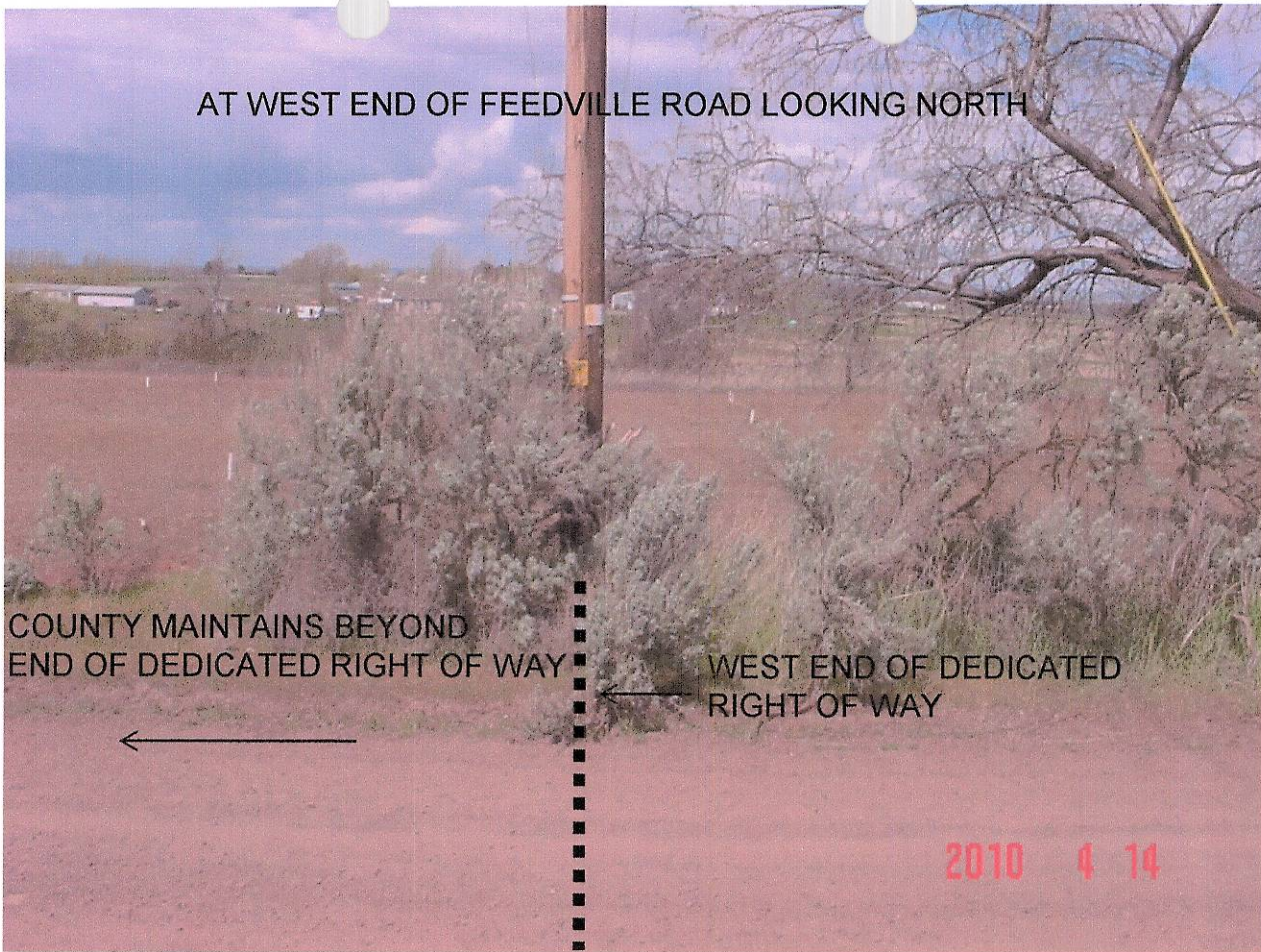
OREGON
 JULY 16, 1971
 G. DENNIS EDWARDS
 9 5 1
 RENEWS 12/31/2009

SURVEY FOR PETE STRAWICK
 IN SE 1/4 SEC. 19, & SW 1/4 SEC. 20,
 T 4 N, R 28 E, W.M., UMATILLA CO., OREGON
 12/17/2008 JOB# S0812151
 EDWARDS SURVEYING P.O. BOX 763
 541-567-3336 HERMISTON, OREGON 97838
 DRAWN BY JMC

Umatilla County Surveyor
 Date 5-09
 Rec'd By JK
 No. 09-64-A



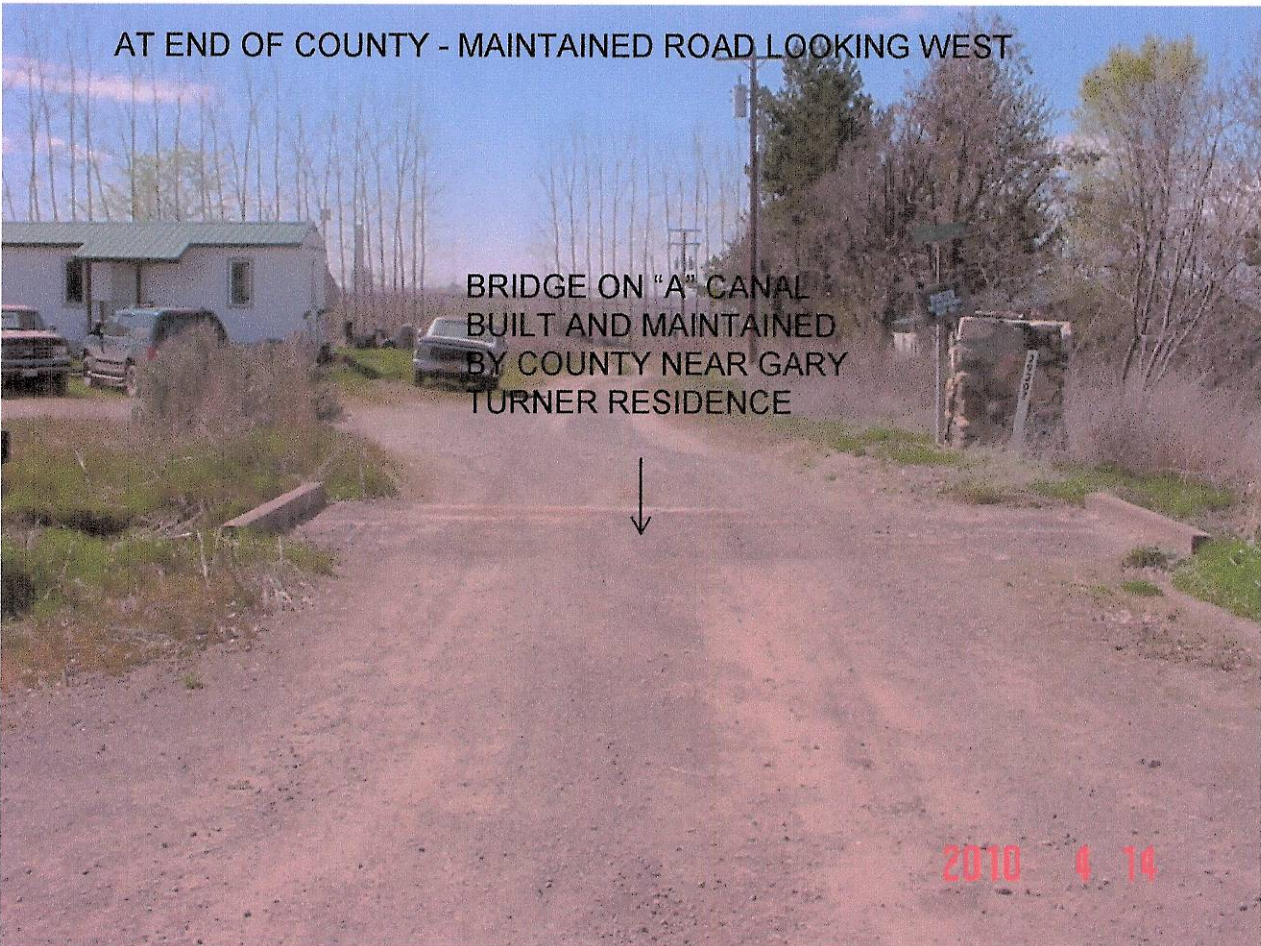
AT WEST END OF FEEDVILLE ROAD LOOKING NORTH



IN FRONT OF STRAWICK PROPERTY LOOKING EAST



AT END OF COUNTY - MAINTAINED ROAD LOOKING WEST



AT WEST END OF COUNTY-MAINTAINED ROAD LOOKING EAST

