

CHAPTER 3.08

PUBLIC LAND CORNER PRESERVATION

SECTIONS:

3.08.015 PURPOSE

3.08.025 DEFINITIONS

3.08.035 FEES.

3.08.045 ESTABLISHMENT OF ACCOUNT.

3.08.015 PURPOSE.

ORS 203.148 authorizes the use of funds from a designated Public Land Corner Preservation Account for the establishment, re-establishment and maintenance of all corners created by government surveys and provides for the creation of a user fee to be collected at the time of recording certain instruments conveying an interest in real property, as set forth in ORS 205.130 and ORS 205.320. The Board of Commissioners recognizes this fund to be of great public benefit, with several thousand government corners in Hood River County needing to be established, re-established and maintained.

(Ord. 349, 2017)

3.08.025 DEFINITIONS

- (1) "Corner" means point determined by the surveying process.
- (2) "County Surveyor" means the Hood River County Surveyor or their designee.
- (3) "Existent Corner" means one whose position can be identified by verifying the evidence of the monument or its accessories, by reference to the description in the field notes, or locate by an accepted supplemental survey record, some physical evidence, or testimony.
- (4) "Government Corners" includes all corners and boundary lines as accepted in the U.S. Department of Interior (Bureau of Land Management) Manual of Surveying Instructions and its supplements, such as section, quarter section, donation land claim, meander, closing, witness, State boundary and line trees.
- (5) "Lost Corner" means a point of a survey whose position cannot be determined beyond reasonable doubt, either from traces of the original marks or from acceptable evidence or testimony that bears upon the original position, and whose location can be restored only by reference to one or more interdependent corners.
- (6) "Monument" means the object or the physical structure which marks the corner point.
- (7) "Obliterated Corner" means one at whose point there are no remaining traces of the monument, or its accessories, but whose location has been perpetuated, or the point for which may be recovered beyond reasonable doubt by the acts and testimony of the interested

landowners, competent surveyors, other qualified local authorities, or witnesses, or by some acceptable record evidence.

(Ord. 349, 2017)

3.08.035 FEES.

- (1) The Hood River County Clerk shall collect, pursuant to ORS 205.130(2) and ORS 205.320, in addition to any other fee charged by the County Clerk, a fee for and upon the recording of:
 - (a) Deeds and mortgages of real property, powers of attorney and contracts affecting the title of real property, authorized by law to be recorded, assignments thereof and of any interest therein when properly acknowledged or proved;
 - (b) Certificates of sale of real property under execution or order of court, or assignments thereof or of any interest therein when properly acknowledged or proved; and
 - (c) Certified copies of death certificates of any person appearing in the county records as owning or having a claim or interest in land in the county.
- (2) All funds collected under this section shall be deposited with the County Department of Budget and Finance at least once a month and credited to the Public Land Corner Preservation Account.

(Ord. 349, 2017)

3.08.045 ESTABLISHMENT OF ACCOUNT, USE OF FUNDS.

- (1) Pursuant to ORS 203.148, Hood River County establishes a Public Land Corner Preservation Account.
- (2) Monies in the Public Land Corner Preservation Account shall be used only to pay expenses incurred or authorized by the County Surveyor in the establishment, re-establishment and maintenance of corners of government surveys under ORS 209.070 (5) and (6).

(Ord. 349, 2017)