

House Bill 2034

Sponsored by Representative OLSON (Pre-session filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Removes State Parks and Recreation Department's authorization to exercise power of eminent domain over certain land situated within boundaries of Willamette River Greenway.

A BILL FOR AN ACT

1
2 Relating to State Parks and Recreation Department power of eminent domain within boundaries of
3 Willamette River Greenway; amending section 8a, chapter 558, Oregon Laws 1973; and declaring
4 an emergency.

5 **Be It Enacted by the People of the State of Oregon:**

6 **SECTION 1.** Section 8a, chapter 558, Oregon Laws 1973, is amended to read:

7 **Sec. 8a.** The parcels of land referred to in [*subsection (1) of section 8 of this Act*] **ORS 390.338**
8 **(1)** are described as follows:

9 [*(1) A parcel of land lying in sections 2, 3, 9, 10 and 11 of township 11 south, range 4 west of the*
10 *Willamette Meridian in Linn County and Benton County, located approximately 2.5 miles west of the*
11 *City of Albany and described as follows: Beginning at the intersection of the south line of lot 9 of such*
12 *section 10 with the present channel of the Willamette River; then east along the south line of lots 8 and*
13 *9 in such section 10 to the west line of the John Layton Donation Land Claim No. 57 of township 11*
14 *south, range 4 west of the Willamette Meridian; then north along such west line to the southwest corner*
15 *of the north one-half of the John Layton Donation Land Claim No. 57; then east along the south line*
16 *of the north one-half of such John Layton Donation Land Claim No. 57 and the extension of such south*
17 *line to the west line of the George Cline Donation Land Claim No. 84 in township 11 south, range 4*
18 *west of the Willamette Meridian; then north along the west line of such George Cline Donation Land*
19 *Claim No. 84 for a distance of 2,000 feet, more or less, to the southerly bank of a slough; then easterly*
20 *and northerly along the southerly and easterly bank of such slough to the intersection of the west line*
21 *of the Harvey Gordon Donation Land Claim No. 54 in township 11 south, range 4 west of the*
22 *Willamette Meridian and the westerly line of lot 13 of Bryant Tracts, as recorded and situated in Linn*
23 *County, Oregon; then north along the west line of such Harvey Gordon Donation Land Claim No. 54*
24 *to the southerly line of lot 10 of such Bryant Tracts; then easterly along the southerly line of such lot*
25 *10 to the southeast corner of such lot 10; then north along the east line of such lot 10 to the present*
26 *channel of the Willamette River; then westerly and southerly along the present channel of the*
27 *Willamette River to the point of beginning.*]

28 [(2)] **(1)** A parcel of land lying in sections 4, 5, 6, 7, 8, 9 and 16 of township 19 south, range 1
29 west of the Willamette Meridian in Lane County, Oregon and located west of Dexter Dam and de-
30 scribed as follows: Beginning at the intersection of the Middle Fork of the Willamette River and a
31 line parallel with and 230 feet west of the west line of lot 3 of such section 6; then south parallel

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.
New sections are in **boldfaced** type.

1 with the west line of such lot 3 and its southerly extension 1,750 feet; then southeasterly in a
 2 straight line to the northeast corner of Tax Lot No. 3700 situated in such section 6, such point being
 3 on a public road; then southwesterly along such public road to its intersection with County Road
 4 No. 153; then southeasterly along County Road No. 153 to the east line of Donation Land Claim No.
 5 38 in township 19 south, range 1 west of the Willamette Meridian; then east in a straight line to
 6 Lost Creek; then northerly along Lost Creek to the north line of the John Morgan Donation Land
 7 Claim No. 51 in township 19 south, range 1 west of the Willamette Meridian; then east along such
 8 north line to a point 300 feet west of the most northerly northeast corner of such John Morgan
 9 Donation Land Claim No. 51; then southerly in a straight line to the south line of such John Morgan
 10 Donation Land Claim No. 51 at a point 1,400 feet west of the southeast corner of such donation land
 11 claim; then southeasterly in a straight line to the south quarter corner of such section 9; then north
 12 along the north and south center line of such section 9 to the southwest corner of the northeast
 13 one-quarter of such section 9; then east along the south line of such northeast one-quarter to County
 14 Road No. 1371; then northwesterly along County Road No. 1371 to the north line of the south one-
 15 half of the northeast one-quarter of such section 9; then west along such north line 1,800 feet; then
 16 north at right angles to such north line to County Road No. 1371; then northwesterly along County
 17 Road No. 1371 to the south line of the William W. Funk Donation Land Claim No. 61 in township
 18 19 south, range 1 west of the Willamette Meridian; then west along the south line of the William
 19 W. Funk Donation Land Claim No. 61 to the Middle Fork of the Willamette River; then westerly
 20 along the Middle Fork of the Willamette River to the point of beginning.

21 [(3)] (2) A parcel of land lying in sections 19, 20, 29 and 30 of township 3 south, range 1 east
 22 of the Willamette Meridian, Clackamas County, Oregon, and located approximately 3.5 miles east
 23 of the City of Wilsonville and two miles north of the City of Canby and described as follows: Be-
 24 ginning at the northwest corner of the north one-half of the southeast one-quarter of such section
 25 30, then south to the southwest corner of such north one-half of such southeast one-quarter; then
 26 east to the southeast corner of such north one-half of such southeast one-quarter; then north along
 27 the east line of such section 30 for a distance of 660 feet, more or less, to the southwest corner of
 28 the north one-half of the north one-half of the southwest one-quarter of such section 29; then east
 29 along the south line of such north one-half to the southeast corner of such north one-half; then north
 30 to the Molalla River; then northwesterly along the Molalla River to the west line of the east one-
 31 half of the northwest one-quarter of such section 29; then north along such west line and the west
 32 line of the southeast one-quarter of the southwest one-quarter of such section 20 to the southwest
 33 corner of lot 6 of such section 20; then east along the south line of such lot 6 to the southeast
 34 corner of such lot 6; then north to the Willamette River; then westerly along the Willamette River
 35 to a line which is parallel with and 500 feet west of the west line of such section 20; then south
 36 along such parallel line to the south line of the northeast one-quarter of such section 19; then east
 37 to the west quarter corner of such section 20; then south along the west line of such sections 20
 38 and 29 to the Pudding River; then westerly along the Pudding River to the north line of the north
 39 one-half of the southeast one-quarter of such section 30; then west along such north line to the point
 40 of beginning.

41 [(4) (a)] (3)(a) A parcel of land lying in section 34 in township 5 south, range 3 west of the
 42 Willamette Meridian and in sections 3, 4, 9 and 10 of township 6 south, range 3 west of the
 43 Willamette Meridian in Marion County and Yamhill County, Oregon and located near Wheatland
 44 Ferry and described as follows: Beginning on the south line of such section 9 at a point 1,300 feet
 45 west of the southeast corner of such section 9, such point being in the center of a slough; then east

1 along such south line to a point 1,130 feet west of the southeast corner of such section 9; then north
 2 on a line parallel with the east line of such section 9 a distance of 1,150 feet; then east on a line
 3 parallel with the south line of such section 9 to County Road No. 604; then northerly along County
 4 Road No. 604 to the south line of the north one-half of such section 10; then east along the south
 5 line of such section 10 to the southwesterly line of the J.M. Garrison Donation Land Claim No. 37
 6 in township 6 south, range 3 west of the Willamette Meridian; then northwesterly along such
 7 southwesterly line to a point 1,000 feet southeasterly of (when measured along such southwesterly
 8 line) the most westerly northwest corner of such J.M. Garrison Donation Land Claim No. 37; then
 9 northeasterly parallel with the northwesterly line of such J.M. Garrison Donation Land Claim No.
 10 37 to Market Road No. 24; then northwesterly along such Market Road No. 24 to the northwesterly
 11 line of such J.M. Garrison Donation Land Claim No. 37; then southwesterly along such
 12 northwesterly line to the most southerly southeast corner of the William Matheny Donation Land
 13 Claim No. 67 in township 6 south, range 3 west of the Willamette Meridian; then west along the
 14 south line of such William Matheny Donation Land Claim No. 67 to the Willamette River as
 15 meandered in 1864; then northerly along the Willamette River as meandered in 1864 to the present
 16 channel of the Willamette River; then southerly along the present channel of the Willamette River
 17 to the slough referred to above; then southerly along such slough to the point of beginning.

18 (b) A parcel of land lying in sections 25, 26, 27, 34 and 35 in township 5 south, range 3 west of
 19 the Willamette Meridian in Marion County and Yamhill County, Oregon and located near Wheatland
 20 Ferry and described as follows: Beginning at the intersection of Market Road No. 36 and the east
 21 line of the Daniel Matheny Donation Land Claim No. 38 in township 5 south, range 3 west of the
 22 Willamette Meridian; then easterly along Market Road No. 36 to the present channel of the
 23 Willamette River; then northerly along the present channel of the Willamette River and its southerly
 24 channel to a line parallel with and 2,000 feet south of the north line of such section 25; then west
 25 parallel with such north line to County Road No. 476; then westerly along County Road No. 476 to
 26 the east line of section 27; then north along such east line to the northeast corner of section 27;
 27 then west along the north line of such section 27 to Lambert Slough; then southerly along Lambert
 28 Slough to the northerly channel of the present Willamette River; then southerly along the northerly
 29 channel of the present Willamette River to the easterly extension of the south line of the north
 30 one-half of such Daniel Matheny Donation Land Claim No. 38; then westerly along such easterly
 31 extension to the easterly line of such Daniel Matheny Donation Land Claim No. 38; then southerly
 32 along such easterly line to the point of beginning.

33 [(5)] (4) A parcel of land lying in sections 11 and 12 of township 18 south, range 3 west of the
 34 Willamette Meridian and sections 7, 8, 9, 17 and 18 of township 18 south, range 2 west of the
 35 Willamette Meridian in Lane County, Oregon, and located approximately 1.5 miles south of the City
 36 of Springfield, Oregon, and described as follows: Beginning at a point 10 chains north and 7.72
 37 chains west of the center of section 18, township 18 south, range 2 west of the Willamette Meridian;
 38 then easterly 3,200 feet, more or less, to the easterly line of such section 18; then northerly along
 39 such section line 2,000 feet, more or less, to the northeast corner of such section 18; then easterly
 40 along the northerly line of section 17 and section 16, township 18, south, range 2 west of the
 41 Willamette Meridian, 8,000 feet, more or less, to the left bank of the Middle Fork of the Willamette
 42 River; then downstream along such left bank to the confluence of such Middle Fork with the Coast
 43 Fork of the Willamette River; then upstream along the right bank of the Coast Fork of the
 44 Willamette River to its intersection with the south line of the northwest one-quarter of the north-
 45 west one-quarter of section 18, township 18 south, range 2 west of the Willamette Meridian; then

1 northeasterly approximately 150 feet to the easterly margin of a private 25-foot road; then south 53
2 degrees east 11 chains; then south 60 degrees east 2.08 chains; then south 48 degrees 30' east 2.91
3 chains; then south 46 degrees 30' east 2.48 chains to the point of beginning.

4 **SECTION 2. This 2015 Act being necessary for the immediate preservation of the public**
5 **peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect**
6 **on its passage.**

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