

1 BEFORE THE BOARD OF COUNTY COMMISSIONERS

2 FOR LINCOLN COUNTY, OREGON ✓

3 ORDINANCE NO. 271

4 AN ORDINANCE AMENDING ORDINANCE #235, CHAPTER SIX, ROADS, BY
5 AMENDING SECTIONS 6.720 AND 6.730, ESTABLISHING A SEPARATE FUND
6 OF LINCOLN COUNTY RELATING TO THE PRESERVATION OF CERTAIN SURVEY
7 CORNERS; AND DECLARING AN EMERGENCY

8 WHEREAS Lincoln County established a "Public Land
9 Corner Preservation Account" by Ordinance No. 235 for the purpose
10 of carrying out the requirements of ORS 203.148; and

11 WHEREAS said statute was amended by 1987 Oregon Laws
12 Chapter 469 to require the establishment of a separate fund to be
13 known as "Public Land Corner Preservation Fund" to account for
14 expenses incurred and authorized by the County Surveyor in the
15 establishment, reestablishment, and maintenance of corners of
16 government surveys under ORS 209.070(5) and (6); and

17 WHEREAS Lincoln County Code Chapter Six must be amended
18 to reflect the establishment of a new fund;

19 NOW, THEREFORE, THE COUNTY BOARD OF COMMISSIONERS
20 ORDAINS AS FOLLOWS:

21 SECTION I: That the identified sections of the Lincoln
22 County Code, Chapter Six, be amended to read as follows:

23 "Section 6.720 Purpose

24 The purpose of Section 6.715 through 6.735 is to
25 establish the Public Land Corner Preservation
26 Fund. Said fund shall be separate and apart from
the other funds of the County. Said fund revenues
shall come from fees charged by the County Clerk
pursuant to these sections to provide a source of
funds dedicated to pay the expenses incurred by
the County Surveyor in the establishment,
reestablishment, and maintenance of corners of
government surveys under ORS 209.070(5) and (6)."

27 "Section 6.730 Establishment of Fund; Use of
Fund Restricted

28 The County Treasurer shall establish a fund for
29 Lincoln County which shall be known as the

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Lincoln County Courthouse
223 W. Olive Street
Medford, OR 97504
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1 Corner Preservation Fund. Appropriations in this
2 fund shall be used only to pay expenses incurred
3 or authorized by the County Surveyor in the
4 establishment, reestablishment, and maintenance of
5 corners of government surveys pursuant to ORS
6 209.070(5) and (6). Sections 6.715 through 6.735
7 do not authorize the County Surveyor to incur
8 expenses other than those provided for
9 periodically in the adopted budget of the County.
10 Payment of expenses within the Public Land Corner
11 Preservation Fund will be pursuant to the fiscal
12 policies of the County."

(as authorized)

7 SECTION II: SEVERABILITY

8 If any portion of this ordinance is held invalid
9 for any reason by any court of competent jurisdiction, such
10 portions shall be deemed a separate, distinct, and
11 independent portion and such holding shall not affect the
12 validity of the remaining portions of this ordinance.

11 SECTION III: EMERGENCY CLAUSE

12 This ordinance, being necessary for the immediate
13 preservation of the public peace, health, safety, and
14 welfare, an emergency is declared to exist and this
15 ordinance takes place upon its adoption.

16 DATED this 13th day of July, 1988.

17 LINCOLN COUNTY BOARD OF COMMISSIONERS

18 *Norma McMillin*
19 _____
20 NORMA McMILLIN, Chairman

21 *Frank Armstrong*
22 _____
23 FRANK ARMSTRONG, Commissioner

24 *Alberta Bryant*
25 _____
26 ALBERTA BRYANT, Commissioner

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