

BEFORE THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON

FOR THE COUNTY OF YAMHILL

SITTING FOR THE TRANSACTION OF COUNTY BUSINESS

In the Matter of Transferring the Approval )  
to Place Two Gates Along High Heaven )  
Road from Willamette Industries, Inc. to ) BOARD ORDER 18 - 398  
Weyerhaeuser Company. )

THE BOARD OF COMMISSIONERS OF YAMHILL COUNTY, OREGON (the "Board"), sat for the transaction of county business in regular session on November 1, 2018, Commissioners Mary Starrett, Rick Olson and Stan Primozych being present.

WHEREAS, On August 23, 2001, the then board of commissioners for Yamhill County approved a request from Willamette Industries, Inc., an Oregon corporation ("Willamette") to place two gates across High Heaven Road, which action was memorialized in Board Order 01-670, attached hereto as Exhibit A and incorporated herein by this reference (the "High Heaven Gate Permit"); and

WHEREAS, in 2002, Willamette was acquired by and merged into Weyerhaeuser Company, a Washington corporation ("Weyerhaeuser"), and Weyerhaeuser acquired all assets, and assumed all obligations, of Willamette, including the High Heaven Gate Permit; and

WHEREAS, the Board now desires to memorialize the transfer of the High Heaven Gate Permit from Willamette to Weyerhaeuser, without making any other changes to the High Heaven Gate Permit conditions; and

NOW THEREFORE,

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IT IS HEREBY ORDERED BY THE BOARD AS FOLLOWS:

The Board hereby transfers the High Heaven Gate Permit from Willamette to Weyerhaeuser, and the terms and conditions of the High Heaven Gate Permit shall be binding on and inure to the benefit of both Yamhill County and Weyerhaeuser and Weyerhaeuser's successors and assigns.

DONE at McMinnville, Oregon on November 1, 2018.

ATTEST:

YAMHILL COUNTY BOARD  
OF COMMISSIONERS

BRIAN VAN BERGEN  
County Clerk



Chair

Mary Starrett

MARY STARRETT

By: Carolina Rook  
Deputy CAROLINA ROOK

Commissioner

Rick Olson

RICK OLSON

FORM APPROVED BY

Christian F. Boenisch  
CHRISTIAN F. BOENISCH  
Yamhill County Legal Counsel

Commissioner

Stan Primozych

STAN PRIMOZICH

**Exhibit A**

(see attached)

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IN THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON

FOR THE COUNTY OF YAMHILL

SITTING FOR THE TRANSACTION OF COUNTY BUSINESS

In the Matter of Approving a Request )  
to Place Two Gates Along High Heaven ) BOARD ORDER 01-670  
Road; Applicant Willamette Industries )

THE BOARD OF COMMISSIONERS OF YAMHILL COUNTY, OREGON (the Board) sat for the transaction of county business in formal session on August 23, 2001, Commissioners Thomas E. E. Bunn, Leslie Lewis and Robert Johnstone being present.

THE BOARD MAKES THE FOLLOWING FINDINGS:

A. The applicant, Willamette Industries, requested permission to place two gates along High Heaven Road due to ongoing problems with trash dumping, vehicle abandonment, vandalism, fire danger, and other problems. These claims are well-founded, confirmed by the county surveyor.

B. The county surveyor duly noticed the proposed gates by postings at the site, newspaper publication (the *McMinnville News-Register* on July 5 and August 2, 2001; the *Newberg Graphic* July 11 and August 1, 2001), and contacts with all adjacent property owners, police and fire services, and utilities.

C. The duly noticed public hearing was held August 9, 2001. The applicant and several citizens spoke in favor of the gates, and no-one wrote or spoke in opposition. NOW, THEREFORE:

IT IS HEREBY ORDERED BY THE BOARD that Willamette Industries' request to place two gates on all that portion of High Heaven Road lying between the westerly line of Section 30 and the easterly line of section 32, Township 3 South, Range 5 West, Willamette Meridian in Yamhill County, Oregon, the two gates to be placed: (Gate 1) The intersection of High Heaven Road and the westerly boundary of Section 30, Township 3 South, Range 5 West, Willamette Meridian in Yamhill County, Oregon; (Gate 2.) The intersection of High Heaven Road and the easterly boundary of Section 32 of Township 3 South, Range 5 West, Willamette Meridian in Yamhill County, Oregon, is approved, with the following conditions:

1. Willamette Industries must construct and maintain these two gates.
2. Willamette Industries shall allow businesses or persons with legitimate reasons for access passage through the gates, upon reasonable request.
3. Keys to the gates shall be given to Boise Cascade, McMinnville Water & Light, the Yamhill County Sheriff's Office, Yamhill County Department of Public Works, and any other public entities the latter shall request.

S.O. 01-670

DONE at McMinnville, Oregon this 23rd day of August, 2001.

ATTEST

YAMHILL COUNTY BOARD OF COMMISSIONERS

CHARLES STERN

County Clerk

Thomas E.E. Bunn

Chairman

THOMAS E.E. BUNN

By: Kellye Fetters  
Deputy

Robert Johnstone

Commissioner

ROBERT JOHNSTONE

FORM APPROVED BY:

Rick Sanai

Rick Sanai

Assistant County Counsel

Leslie Lewis

Commissioner

LESLIE LEWIS

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B.O. 01-670

B.O. 18-398

Exhibit "A"