

TITLE 10

SPECIAL ORDINANCES, REGULATIONS, RULES, POLICIES, AND BARGAINING AGREEMENTS

SUBTITLE 3 — POLICIES

POLICY 15

RECORDING RIGHT-OF-WAY DEEDS

TABLE OF CONTENTS

Section Title

15.010 Background
15.100 Policy

References and Authorities

Legislative History of Policy 15

15.010 Background

(A) Linn County, through its Road Department right-of-way agent, frequently acquires an interest in real property for public road purposes. Most such acquisitions are by purchase of right-of-way, with the seller executing a deed.

(B) Often some of the deeds relating to a project are in hand long before the last deeds are received, and often the project is not ready for acceptance as a county or public road when the first deeds are in hand.

(C) ORS 368.106 requires such deeds to be recorded; and it is in the public interest to record such deeds promptly, to afford public notice of the county's interest, to enable the property to be removed from the tax rolls, and to avoid the

possibility of intervening encumbrances attaching to the property so acquired.

[Adopted 90-461 eff 7/11/90]

15.100 Policy

(A) It is the policy of the Board of County Commissioners that deeds to Linn County conveying an interest in real property for public road purposes shall be recorded as promptly as is reasonably convenient for Road Department staff.

(B) When such deeds are available they may be put on the next regular Board of County Commissioners meeting agenda, for acceptance.

(C) They may then be recorded, prior to the order or resolution incorporating the real property so acquired as a part of the public road system.

[Adopted 90-461 eff 7/11/90]

References and Authorities:

ORS 368.073 to 368.131; see also LCC chapters 680 (Road Legalization Code) and 690 (Right-of-Way Regulation Code)

Legislative History of Policy 15:

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Amendments to 90-461:

#1 none

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