

**POLK COUNTY BOARD OF COMMISSIONERS**

**DATE:** November 1, 2023  
**TIME:** 9:00 a.m.  
**PLACE:** Polk County Courthouse, Dallas, Oregon

**THE LOCATION OF THIS MEETING IS ADA ACCESSIBLE. PLEASE ADVISE THE BOARD OF COMMISSIONERS AT (503-623-8173), AT LEAST 24 HOURS IN ADVANCE, OF ANY SPECIAL ACCOMMODATIONS NEEDED TO ATTEND OR TO PARTICIPATE IN THE MEETING VIRTUALLY.**

**PAGE:** **AGENDA ITEMS**

1. **CALL TO ORDER AND NOTE OF ATTENDANCE**
2. **ANNOUNCEMENTS**
  - (a) Regular meetings of the Board of Commissioners are held on Tuesday and Wednesday each week. Each meeting is held in the Courthouse Conference Room, 850 Main Street, Dallas, Oregon. Each meeting begins at 9:00 a.m. and is conducted according to a prepared agenda that lists the principal subjects anticipated to be considered. Pursuant to ORS 192.640, the Board may consider and take action on subjects that are not listed on the agenda. The Board also holds a department staff meeting at 9:00am on every Monday in the Commissioners Conference Room at 850 Main Street, Dallas, Oregon.
  - (b) The Polk County Board of Commissioners will be attending the Polk County Local Public Safety Coordinating Council meeting on November 6, 2023 at 12:00 p.m., located at 850 Main St., Dallas, OR 97338.
  - (c) The Polk Extension Service District will be meeting at 10:00 am on November 7, 2023. The meeting will be in the main conference room located on the first floor of 850 Main St Dallas OR 97338.
  - (d) The Homeless Prevention Advisory Council (AKA P.A.T.H.S) will be meeting on November 8, 2023 from 12:00 pm to 1:30 pm located in the first floor conference room at 182 SW Academy St, Dallas Oregon, 97338.
3. **COMMENTS (for items not on this agenda and limited to 3 minutes)**
4. **APPROVAL OF AGENDA**
5. **APPROVAL OF THE MINUTES FROM October 25, 2023**
6. **APPROVAL OF CONSENT CALENDAR**
7. **OPERATION GREENLIGHT 2023, RESOLUTION NO. 23-15 & VSO UPDATE – Eric Enderle**

**CONSENT CALENDAR**

- (a) Polk County Budget Committee Re-appointment, David Johnson  
(Nicole Pineda, Executive Assistant)
- (b) Polk County Contract No. 23-214, Yamhill County Care Organization Inc.  
(Rosana Warren, Health Services)
- (c) Polk County Contract No. 23-215, Oregon Health & Science University  
(Rosana Warren, Public Health)
- (d) Right of Way Dedication Acceptance, Zimmerman  
(Todd Whitaker, Public Works Director)
- (e) Waiver of Right of Remonstrance, Zimmerman  
(Todd Whitaker, Public Works Director)

**THE BOARD OF COMMISSIONERS WILL MEET IN EXECUTIVE SESSION  
PURSUANT TO ORS 192.660.**

**ADJOURNMENT**

**POLK COUNTY BOARD OF COMMISSIONERS**  
**MINUTES October 25, 2023**

**1. CALL TO ORDER & ATTENDANCE**

At 9:00 a.m., Commissioner Gordon declared the meeting of the Polk County Board of Commissioners to be in session. Commissioner Pope was present and Commissioner Mordhorst was present via Zoom.

Staff present: Greg Hansen, Administrative Officer  
Morgan Smith, County Counsel  
Matt Hawkins, Administrative Services Director

**2. ANNOUNCEMENTS**

Regular meetings of the Board of Commissioners are held on Tuesday and Wednesday each week. Each meeting is held in the Courthouse Conference Room, 850 Main Street, Dallas, Oregon. Each meeting begins at 9:00 a.m. and is conducted according to a prepared agenda that lists the principle subjects anticipated to be considered. Pursuant to ORS 192.640, The Board may consider and take action on subjects that are not listed on the agenda. The Board also holds a department staff meeting at 9:00 a.m. on every Monday in the Commissioners Conference Room at 850 Main Street, Dallas, Oregon.

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The Homeless Prevention Advisory Council (AKA P.A.T.H.S) will be meeting on November 8, 2023 from 12:00 pm to 1:30 pm located in the first floor conference room at 182 SW Academy St, Dallas Oregon, 97338.

**3. COMMENTS**

None.

**4. APPROVAL OF AGENDA**

**MOTION: COMMISSIONER MORDHORST MOVED, COMMISSIONER POPE SECONDED, TO APPROVE THE AGENDA.**

**MOTION PASSED BY UNANIMOUS VOTE OF THE BOARD.**

**5. APPROVAL OF MINUTES OF BOARD MEETING OF October 18, 2023**

**MOTION: COMMISSIONER POPE MOVED, COMMISSIONER MORDHORST SECONDED, TO APPROVE THE MINUTES OF October 18, 2023.**

**MOTION PASSED BY UNANIMOUS VOTE OF THE BOARD.**

**6. APPROVAL OF CONSENT CALENDAR**

Commissioner Gordon stated that item (b) needed to be removed since the Board will be discussing this item under agenda item #7 today.

**MOTION: COMMISSIONER MORDHORST MOVED, COMMISSIONER POPE SECONDED, TO APPROVE THE CONSENT CALENDAR WITH THE REMOVAL OF ITEM (b).**

**MOTION PASSED BY UNANIMOUS VOTE OF THE BOARD.**

**7. SECOND READING OF AN ORDINANCE CONCERNING CONSTRUCTION EROSION, SEDIMENT CONTROL AND POST CONSTRUCTION RUNOFF CONTROL**

Morgan Smith, County Counsel, stated that this was the second reading of Ordinance No. 23-

02, for Chapter 64 concerning construction erosion, sediment control and post construction runoff control. Mr. Smith stated that the first reading was on October 11, 2023 and he recommends that the Board approve and sign Polk County Ordinance No. 23-02

**MOTION: COMMISSIONER POPE MOVED, COMMISSIONER MORDHORST SECONDED, TO APPROVE AND SIGN ORDINANCE NO. 23-02.**

**MOTION PASSED BY UNANIMOUS VOTE OF THE BOARD.**

The following items were approved by Motion under **5. APPROVAL OF CONSENT CALENDAR:**

- (a) **Polk County Contract No. 23-207, Polk Soil and Water Conservation District**  
(Eric McAvoy, GIS Manager)
  
- (c) **Polk County Ordinance No. 23-03, Amendments to the Polk County Zoning Ordinance Chapter 136**  
(Eric Knudson, Community Development)
  
- (d) **Polk County Planning Commission Re-Appointment, Michael Schilling**  
(Nicole Pineda, Executive Assistant)
  
- (e) **Polk County Planning Commission Re-Appointment, Chris Patoine**  
(Nicole Pineda, Executive Assistant)
  
- (f) **Polk County Fair Board Re-Appointment, Suzanne Burbank**  
(Nicole Pineda, Executive Assistant)

There no need for an executive session and Commissioner Pope adjourned the meeting at 9:03 a.m.

**POLK COUNTY BOARD OF COMMISSIONERS**

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Jeremy Gordon, Chair

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Craig Pope, Commissioner

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Lyle Mordhorst, Commissioner

**BEFORE THE BOARD OF COMMISSIONERS  
FOR POLK COUNTY, OREGON**

In the Matter of Supporting Operation        )  
Greenlight in Support of Veterans         )

**RESOLUTION NO. 23-15**

WHEREAS, the residents of Polk County have great respect, admiration, and the utmost gratitude for all of the men and women who have selflessly served our country and this community in the Armed Forces; and

WHEREAS, the contributions and sacrifices of the men and women who served in the Armed Forces have been vital in maintaining the freedom and way of life enjoyed by our citizens; and

WHEREAS, Polk County seeks to honor these individuals who have paid the high price for freedom by placing themselves in harm's way for the good of all; and

WHEREAS, Veterans continue to serve our community in Veteran Services Organizations, National Guard, religious groups, civil service, and by functioning as County Veteran Service Officers to help fellow former service members access more than \$153 billion in federal health, disability and compensation benefits each year; and

WHEREAS, Polk County appreciates the sacrifices of our United States Military Veterans and believes specific recognition should be granted; therefore be it

RESOLVED, with designation as a Green Light for Veterans County, Polk County hereby declares from November 6<sup>th</sup> 2023 through November 12<sup>th</sup> 2023 a time to salute and honor the service and sacrifice of our men and women in uniform; therefore, be it further

RESOLVED, that in observance of Operation Green Light, Polk County encourages its citizens in patriotic tradition to recognize the importance of honoring all those who made immeasurable sacrifices to preserve freedom by displaying a green light in a window of their place of business or residence.

Dated this 1st day of November, 2023 at Dallas, Oregon.

POLK COUNTY BOARD OF COMMISSIONERS

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Jeremy Gordon, Chair

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Craig Pope, Commissioner

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Lyle Mordhorst, Commissioner

Approved as to Form:

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Morgan Smith, County Counsel



# INTEROFFICE MEMORANDUM

POLK COUNTY COURTHOUSE

## MEMORANDUM

**TO:** Board of Commissioners  
**FROM:** Nicole Pineda, Executive Assistant  
**DATE:** October 25, 2023  
**SUBJECT:** Re-Appointment to the Budget Committee

### RECOMMENDATION:

Re-appoint David Johnson to the Budget Committee, term to expire 12/31/26

### ISSUE:

Should David Johnson be re-appointed to the Budget Committee?

### BACKGROUND:

David Johnson currently serves on the budget committee, and has agreed to continue serving on the budget committee for another three-year term.

### FISCAL IMPACT:

None.



# CONTRACT REVIEW SHEET

Staff Contact: Rosana Warren Phone Number (Ext): 3558

Department: Health Services Consent Calendar Date: November 01, 2023

Contractor Name: Yamhill County Care Organization, Inc.

Address: 807 NE Third Street

City, State, Zip: McMinnville, OR 97128

Effective Dates - From: January 01, 2024 Through: December 31, 2024

Contract Amount: \$361,604.16

### Background:

Yamhill County Care Organization, Inc. (YCCO) and Polk County have partnered to give Safety Net Services from BH and PH to YCCO members who are residents of Polk County. YCCO reimburses Polk County on PMPM encounter rate for said safety net services and FFS basis at DMAP rates+30% for other billable services.

### Discussion:

This amendment extends the continuation of the partnership between YCCO and Polk County to provide Safety Net Services to YCCO members who are residents of Polk County for an additional year, giving a new term date of 12/31/24. This amendment additionally increases the BH PMPM rates and overall budget due to the increase in YCCO members residing in Polk.

### Fiscal Impact:

This amendment awards \$361,604.16 for the next calendar year. It is expected that revenue from this amendment will cover expenses incurred to provide Safety Net Services to YCCO members living in Polk County.

### Recommendation:

It is recommended that Polk County sign this first amendment with Yamhill County Care Organization, Inc.

### Copies of signed contract should be sent to the following:

Name: Rosana Warren E-mail: hs.contracts@co.polk.or.us

Name: \_\_\_\_\_ E-mail: \_\_\_\_\_

Name: \_\_\_\_\_ E-mail: \_\_\_\_\_

**FIRST AMENDMENT TO THE LOCAL MENTAL HEALTH AUTHORITY, LOCAL  
PUBLIC HEALTH AUTHORITY COORDINATED CARE ORGANIZATION  
AGREEMENT**

This First Amendment to the Local Mental Health Authority, Local Public Health Authority Coordinated Care Organization Agreement (this “First Amendment”) dated this January 1<sup>st</sup>, 2024, is entered by and between Yamhill County Care Organization, Inc. dba Yamhill Community Care (“YCCO”) and Polk County, acting by and through its Department of Health and Human Services (“County”).

**RECITALS:**

- A. YCCO and the County entered into a Local Mental Health Authority, Local Public Health Authority Coordinated Care Organization Agreement dated January 1<sup>st</sup>, 2023.
- B. The purpose of this First Amendment is to amend the Local Mental Health Authority, Local Public Health Authority Coordinated Care Organization Agreement effective January 1<sup>st</sup>, 2024.
- C. Capitalized terms used in this First Amendment, but not otherwise defined in this First Amendment shall have the same meaning as those in the Local Mental Health Authority, Local Public Health Authority Coordinated Care Organization Agreement and the CCO Contract, in that order of priority.

NOW THEREFORE, for good and valuable consideration, the parties agree as follows:

- 1. Effective Date. The Effective Date of this First Amendment shall be January 1<sup>st</sup>, 2024.
- 2. Term. The Term of this First Amendment shall be December 31<sup>st</sup>, 2024.
- 3. Modifications. The original Local Mental Health Authority, Local Public Health Authority Coordinated Care Organization Agreement is hereby amended, modified, and supplemented as set forth in this First Amendment and incorporated herein by this reference.
- 4. Ratification. Except as expressly amended in writing and signed by both parties, the Local Mental Health Authority, Local Public Health Authority Coordinated Care Organization Agreement is hereby ratified and affirmed and shall remain in full force and effect according to its terms.



**M. County will:**

5. **Data Reporting – Measures and Outcome Tracking System (MOTS)**. Where required by Oregon Administrative Rule (OAR), County’s Health Information System shall collect, analyze, integrate, and report required data within the Measures and Outcomes Tracking System (MOTS). County shall have mechanisms in place to include in policy language, monitor compliance, and provided to YCCO annually or upon material change of the policy.

6. **Language Access**. County shall complete the required language access and interpreter services survey sent by YCCO on a quarterly basis.

**Attachment D  
Compensation**

**Rates below reflect the amounts YCCO is to pay to Polk County effective 1/1/2024. Payment structure shall be a flat monthly rate. These amounts include:**

<b>Category</b>	<b>PMPM</b>	<b>Membership</b>	<b>Annual Budget</b>	<b>Monthly Payment</b>
LMHA/CMHP Safety Net (ORS 430.630 and 414.153 (4) LMHA/CMHP required functions and outlined in this agreement)	\$10.27	2,438	\$300,459.12	\$25,038.26
Mobile Crisis	\$0.60		\$17,553.60	\$1,462.80
Peer/Community Services	\$0.52		\$15,213.12	\$1,267.76
Public Health	\$0.59		\$17,261.04	\$1,438.42
CHA/CHIP	\$0.19		\$5,558.64	\$463.22
Administration fee	\$0.19		\$5,558.64	\$463.22
<b>Total</b>	<b>\$12.36</b>		<b>\$361,604.16</b>	<b>\$30,133.68</b>

The above stated monthly rate does not prohibit the Fee-For-Service billing of covered outpatient services, provided to YCCO members, that fall outside the activities and programs outlined above.

IN WITNESS, WHEREOF, the parties hereto have executed this Agreement as of the Execution Date set forth below.

<p style="text-align: center;"><b>POLK COUNTY BOARD OF COMMISSIONERS</b></p>	<p style="text-align: center;"><b>YAMHILL COUNTY CARE ORGANIZATION, INC.</b></p>
<p>Commissioner</p>	<p>Seamus McCarthy, CEO 807 NE Third Street McMinnville, OR 97128</p>
<p>Date: _____</p>	<p>Date: _____</p>

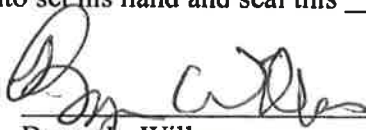
**RIGHT OF WAY DEDICATION**

**KNOW ALL BY THESE PRESENTS**, that **Bryon L. Willson and Laura Zimmerman**, as tenants in common, do hereby grant and dedicate, as grantor, to **Polk County**, a political subdivision of the State of Oregon, Grantee, for use as public roads forever the real property described and shown in Exhibit "A" attached and made part of this document.

**TO HAVE AND TO HOLD** the above described and granted premises unto said **Polk County**, a political subdivision of the State of Oregon, its successors and assigns forever.

The true consideration of this conveyance is for **Fifty-Three Thousand One Hundred and No/100 Dollars (\$53,100.00)** and other value given, the receipt of which is hereby acknowledged by GRANTOR

**IN WITNESS WHEREOF**, he has hereunto set his hand and seal this 21 day of October, 2023.

  
\_\_\_\_\_  
Bryon L. Willson

  
\_\_\_\_\_  
Laura Zimmerman

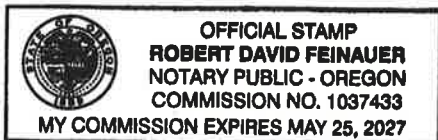
STATE OF OREGON        )  
  ) ss  
COUNTY OF POLK        )

On this 21<sup>st</sup> day of October, 2023, personally appeared before me

**Bryon L. Willson**, whose identity is personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to this instrument and acknowledged that he executed the same.



NOTARY PUBLIC FOR OREGON





## Exhibit "A"

### Parcel 003-01

A tract of land lying in the Southwest Quarter of Section 17, Township 08 South, Range 06 West, of the Willamette Meridian, Polk County, Oregon and being a portion of the tract of land conveyed to Bryon L Willson and Laura Zimmerman, recorded in Polk County as Document number 2023-002156, Said dedication being a strip of land along the northern right of way of Black Rock Road and being furthered described as follows:

Beginning at a calculated point, a distance of 29.32 feet left of Engineer's centerline Station 29+65.75 and being N 62°32'46" W, a distance of 1,471.14 feet, from the South Quarter Corner of Section 17; Said calculated point lying at the intersection of the northern right of way boundary of Black Rock Road, as legalized by the Polk County board of Commissioners Order 19-06 and depicted by CS16421, and the western property line of the property owned by Bryon L Willson and Laura Zimmerman, Document number 2023-002156 and being the True Point of Beginning;

Thence, along said western property line, N 02°13'09" E, a distance of 14.64 feet, to a calculated point 40.00 feet left of Engineer's centerline Station 29+75.05;

Thence, leaving said western property, 94.05 feet, along a circular curve to the right, having a radius of 1,040.00 feet, (Long Chord: N 51°54'18" E, 94.01') to a calculated point 40.00 feet left of Engineer's centerline Point of Compound Curvature 30+65.86;

Thence, 318.36 feet, along a circular curve to the right, having a radius of 235.00 feet, (Long Chord: S 86°41'42" E, 294.56') to a calculated point 40.00 feet left of Engineer's centerline Station 33+30.02;

Thence, S 47°53'09" E, a distance of 114.37 feet, to a calculated point 50.00 feet left of Engineer's centerline Station 34+40.00;

Thence, S 35°58'13" E, a distance of 135.83 feet, to a calculated point 35.00 feet left of Engineer's centerline Station 35+75.00;

Thence, S 42°18'38" E, a distance of 169.29 feet, to a calculated point 35.00 feet left of Engineer's centerline Station 37+44.29 and lying on the eastern property line of the said property owned by Bryon L Willson and Laura Zimmerman;

Thence, along said eastern property line, S 22°22'21" W, a distance of 9.15 feet, to a calculated point 26.73 feet left of Engineer's centerline Station 37+48.20; Said Point lying on the said northern right of way boundary of Black Rock Road;

Thence, along said northern right of way boundary of Black Rock Road the following four courses:

## Exhibit "A"

1. N 42°05'47" W, a distance of 306.78 feet, to a calculated point 27.88 feet left of Engineer's centerline Station 34+41.42;
2. N 46°10'34" W, a distance of 98.33 feet, to a calculated point 21.33 feet left of Engineer's centerline Station 33+43.87;
3. 355.70 feet, along a circular curve to the left, having a radius of 235.00 feet, (Long Chord: N 89°32'19" W, 322.71') to a calculated point 26.88 feet left of Engineer's centerline Station 30+19.94;
4. S 47°05'56" W, a distance of 27.69 feet, to a calculated point 24.95 feet left of Engineer's centerline Station 29+93.02;

Thence, continuing along said northern right of way boundary of Black Rock Road, S 58°24'32" W, a distance of 28.35 feet, to a calculated point 29.32 feet left of Engineer's centerline Station 29+65.75 and lying at the True Point of Beginning.

Parcel 003-01 contains an area of 12,719 square feet or 0.29 acres (Int.) more or less.

**OR\_POLK\_2016(1), Mitchell Street  
and Black Rock Road Reconstruction**

**Surveyed by:**  
FEDERAL HIGHWAY ADMINISTRATION  
610 East 5th Street  
Vancouver, WA 98661  
Date: November, 2018

**Drawing by:**  
USDOT/FHWA/WFLHD  
Date: August, 2021

**NO SCALE**

**Survey Performed with:**

**BASIS OF BEARINGS &  
COORDINATES:**

**Oregon North SPCS NAD3 (2011)**

**Orthometric elevations based on the  
NAVD88 GEOID12b**

**Units: International Feet**

**POLK COUNTY, OREGON  
RIGHT-OF-WAY  
Description of Land:  
Parcel 003, Bowling, Joe H  
PO Box 84  
Falls City, OR 97344**

**T.08S. R.06W., Willamette Meridian  
Section 17: SE $\frac{1}{4}$ SW $\frac{1}{4}$**

**Right-of-Way in Acres**

**Total ROW this Exhibit: 0.76**

**Existing ROW this Exhibit: 0.47**

**Acquired ROW this Exhibit: 0.29**

**Const. Easement this Exhibit: 0**

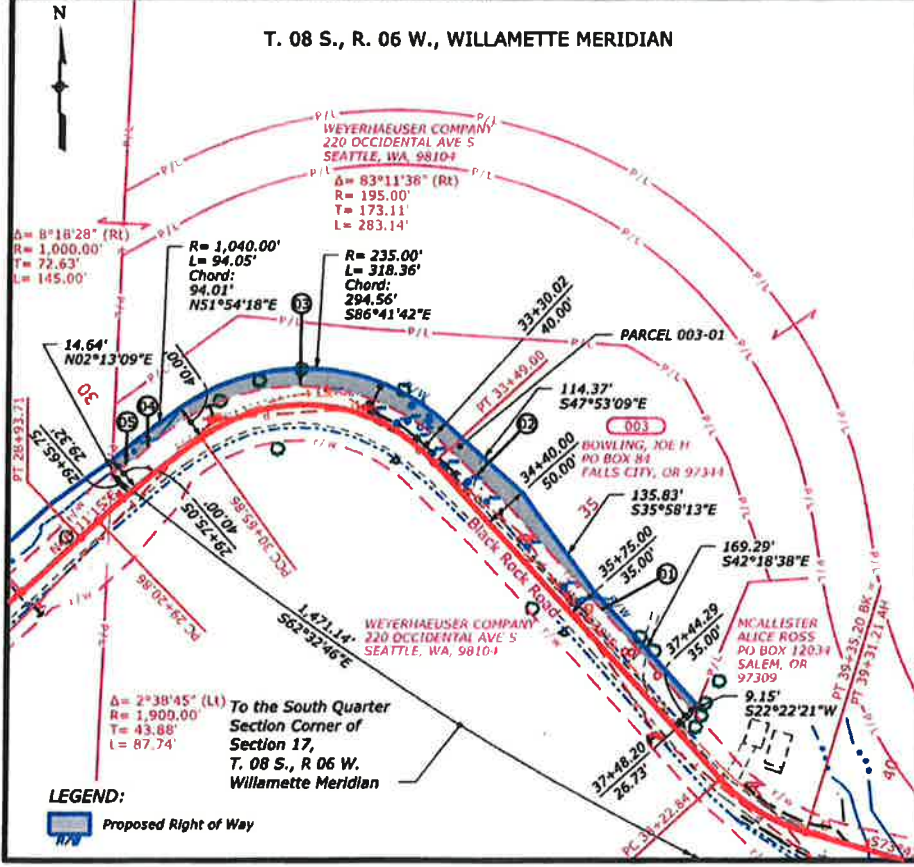
**Sheet 2 of 2**

**EXHIBIT A**

MITCHELL STREET / BLACK ROCK ROAD - PARCEL 003: BOWLING						
EXISTING ROW ELEMENTS						
ID	TYPE	RADIUS	TURNS	LINE OR CHORD		CURVE LENGTH
				BEARING	LENGTH	
01	Line	N/A	N/A	N42°05'47"W	306.78'	N/A
02	Line	N/A	N/A	N46°10'34"W	98.33'	N/A
03	Curve	235.00'	Lt	N89°32'19"W	327.71'	355.70
04	Line	N/A	N/A	S47°05'56"W	27.69'	N/A
05	Line	N/A	N/A	S58°24'32"W	28.35'	N/A



T. 08 S., R. 06 W., WILLAMETTE MERIDIAN



**OR\_POLK\_2016(1), Mitchell Street and Black Rock Road Reconstruction**

Surveyed by:  
**FEDERAL HIGHWAY ADMINISTRATION**  
 610 East 5th Street  
 Vancouver, WA 98661  
 Date: November, 2018

Drawing by:  
**USDOT/FHWA/WFLHD**  
 Date: August, 2021

Scale in feet  
 75 50 25 0 75 150

Survey Performed with:  
**BASIS OF BEARINGS & COORDINATES:**  
 Oregon North SPCS NAD3 (2011)

Orthometric elevations based on the NAVD88 GEOID12b

Units: International Feet

**POLK COUNTY, OREGON**  
**RIGHT-OF-WAY**  
 Description of Land:  
 Parcel 003, Bowling, Joe H  
 PO Box 84  
 Falls City, OR 97344

T.08S. R.06W., Willamette Meridian  
 Section 17: SE $\frac{1}{4}$ SW $\frac{1}{4}$

Right-of-Way in Acres  
 Total ROW this Exhibit: 0.76  
 Existing ROW this Exhibit: 0.47  
 Acquired ROW this Exhibit: 0.29  
 Const. Easement this Exhibit: 0

Sheet 2 of 2 **EXHIBIT A**

**AGREEMENT  
WAIVING OF RIGHT OF REMONSTRANCE  
FOR STREET IMPROVEMENTS**

THIS AGREEMENT AND WAIVER is entered into this 21 day of October, 2023.

This Agreement and Waiver is for the benefit of the parties hereto and the County of Polk, Oregon.

The undersigned, Laura Zimmerman and Bryon L. Willson, being the legal fee simple owner(s) of the Real Property hereinafter described In Exhibit A attached hereto as Parcel 1. Polk County is acquiring Right of Way across the undersigned's property also described in Exhibit A as Parcel II. The existing Right of Way, adjacent to Parcel I, contains a domestic well and the right of way being acquired as Parcel II contains all, or a portion, of a pumphouse, hereinafter collectively referred to as "improvements". The parties are desirous of obtaining the additional Right of Way but not disrupting the improvements currently existing in the Right of Way and therefor do hereby agree that said improvements within the Right of Way shall be permitted to remain and reasonable efforts will be made to protect said improvements during the Mitchell Street and Black Rock Road Reconstruction Project.

It is understood that the Polk County Board of Commissioners, in its discretion, may at a future date require the removal of the aforementioned improvements in the Right of Way if in their determination such a removal is required. In that event, the undersigned retains the right to be compensated for the actual cost of relocating only the pumphouse. The undersigned and their devisees, heirs and assigns hereby waive their right to remonstrate related to that ordered removal and agrees to take such action necessary to allow the removal of the improvements. Until such time as the improvements are removed from the Right of Way, the undersigned, their devisees, heirs and assigns shall defend, indemnify hold Polk County and its agents harmless from any and all claims arising from the improvements in the Right of Way.

It is hereby intended that this Agreement and Waiver shall be binding on ourselves and all subsequent owners of the hereinafter described Real Property, as well as any of





## Exhibit A

### Parcel I

Beginning in the center of the County Road at a point which is 274.72 feet North and 390.45 feet West and 248.90 feet North 82°44' West and 65.2 feet North 44°06'30" West from the quarter corner between Sections 17 and 20 in Township 8 South, Range 6 West of the Willamette Meridian in Polk County, Oregon; thence North 23°00' East 165.00 feet; thence North 75°34' East 112.24 feet to the center of the Southern Pacific Railroad; thence Northwesterly along the center of said railroad as follows: North 13°51' West 178.50 feet; thence North 27°46' West 105.00 feet; thence North 41°21' West 126.00 feet; thence North 56°22' West 126.00 feet; thence North 70°14' West 126.00 feet; thence North 85°14' West 125.00 feet; thence South 80°26' West 126.00 feet; thence South 66°49' West 125.00 feet; thence South 59°32' West 69.50 feet, more or less, to the West line of the Southeast quarter of the Southwest quarter of said Section; thence South along the West line 334.90 feet to the center of said County Road; thence along the center of said County Road as follows: North 45°33' East 151.50 feet, more or less, to an iron pipe at the angle in said County Road; thence North 73°23'45" East 120.00 feet; thence South 76°47'15" East 100.00 feet; thence South 44°06' East 471.40 feet to the place of beginning.

SAVE AND EXCEPT any portion of the above described tract of land lying within the County Road and within the Railroad Right-of Way.

### Parcel II

A tract of land lying in the Southwest Quarter of Section 17, Township 08 South, Range 06 West, of the Willamette Meridian, Polk County, Oregon and being a portion of the tract of land conveyed to Bryon L Willson and Laura Zimmerman, recorded in Polk County as Document number 2023-002156, Said dedication being a strip of land along the northern right of way of Black Rock Road and being furthered described as follows: Beginning at a calculated point, a distance of 29.32 feet left of Engineer's centerline Station 29+65.75 and being N 62°32'46" W, a distance of 1,471.14 feet, from the South Quarter Corner of Section 17; Said calculated point lying at the intersection of the northern right of way boundary of Black Rock Road, as legalized by the Polk County board of Commissioners Order 19-06 and depicted by CS16421, and the western property line of the property owned by Bryon L Willson and Laura Zimmerman, Document number 2023-002156 and being the True Point of Beginning; Thence, along said western property line, N 02°13'09" E, a distance of 14.64 feet, to a calculated point 40.00 feet left of Engineer's centerline Station 29+75.05; Thence, leaving said western property, 94.05 feet, along a circular curve to the right, having a radius of 1,040.00 feet, (Long Chord: N 51°54'18" E, 94.01') to a calculated point 40.00 feet left of Engineer's centerline Point of Compound Curvature 30+65.86; Thence, 318.36 feet, along a circular curve to the right, having a radius of 235.00 feet, (Long Chord: S 86°41'42" E, 294.56') to a calculated point 40.00 feet left of Engineer's centerline Station 33+30.02; Thence, S 47°53'09" E, a distance of 114.37 feet, to a calculated point 50.00 feet left of Engineer's centerline Station 34+40.00; Thence, S 35°58'13" E, a distance of 135.83 feet, to a calculated point 35.00 feet left of Engineer's centerline Station 35+75.00; Thence, S 42°18'38" E, a distance of 169.29 feet, to a calculated point 35.00 feet left of Engineer's centerline Station 37+44.29 and lying on the eastern property line of the said property owned by Bryon L Willson and Laura Zimmerman; Thence, along said eastern property line, S 22°22'21" W, a distance of 9.15 feet, to a calculated point 26.73 feet left of Engineer's centerline Station 37+48.20; Said Point lying on the said northern right of way boundary of Black Rock Road; Thence, along said northern right of way boundary of Black Rock Road the following four courses:

1. N 42°05'47" W, a distance of 306.78 feet, to a calculated point 27.88 feet left of Engineer's centerline Station 34+41.42;
2. N 46°10'34" W, a distance of 98.33 feet, to a calculated point 21.33 feet left of Engineer's centerline Station 33+43.87;
3. 355.70 feet, along a circular curve to the left, having a radius of 235.00 feet, (Long Chord: N 89°32'19" W, 322.71') to a calculated point 26.88 feet left of Engineer's centerline Station 30+19.94;
4. S 47°05'56" W, a distance of 27.69 feet, to a calculated point 24.95 feet left of Engineer's centerline Station 29+93.02;

Thence, continuing along said northern right of way boundary of Black Rock Road, S 58°24'32" W, a distance of 28.35 feet, to a calculated point 29.32 feet left of Engineer's centerline Station 29+65.75 and lying at the True Point of Beginning. Parcel 003-01 contains an area of 12,719 square feet or 0.29 acres (Int.) more or less.

