

**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 Restating the Approval        )  
and Conditions to Place Two Gates            )        BOARD ORDER 23 - 386  
Along High Heaven Road                        )

THE BOARD OF COMMISSIONERS OF YAMHILL COUNTY, OREGON (the “Board”), sat for the transaction of county business in regular session on October 19, 2023, Commissioners Lindsay Berschauer, Kit Johnston and Mary Starrett being present.

WHEREAS, On February 21, 2019, the Board restated its approval, with certain conditions, for Weyerhaeuser Company, a Washington corporation (“Weyerhaeuser”) to place and maintain two gates on and across 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) at 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) at 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, memorialized in Yamhill County records as Board Order 19-54.

WHEREAS, on January 25, 2022, ownership of Gate 1 was transferred to Hampton Timber, LLC, an Oregon limited liability company (“Hampton”). The Board hereby memorializes the transfer of Gate 1 to Hampton, subject to the same terms and conditions under Board Order 19-54.

WHEREAS, after additional public comment from property owners, recreational users and public agencies regarding concerns over increased fire danger during wildfire season, and following a recent tour by the Board of High Heaven Road and the area of the 2023 Ball Bearing Hill wildfire, the Board now desires to further restate the High Heaven Gate Permit and the conditions applicable to the High Heaven Gate Permit, effective October 19, 2023.

IT IS HEREBY ORDERED BY THE BOARD that Weyerhaeuser and Hampton’s permit to place and maintain Gate 1 and Gate 2, as described above, is restated and approved, with the following conditions:

1. Hampton and Weyerhaeuser must continue to maintain Gate 1 and Gate 2 respectively.
2. Weyerhaeuser and Hampton shall lock both gates in the open position, unless required to lock both gates in the closed position as provided below.

3. Upon notification from the Oregon Department of Forestry (“ODF”) officially declaring the start of wildfire season, Weyerhaeuser and Hampton shall lock both gates in the closed position. The gates shall remain locked in the closed position until such time that Weyerhaeuser and Hampton receive notification from ODF officially declaring the end of wildfire season. At that time, Weyerhaeuser and Hampton shall lock both gates in the open position, (i) until such time as ODF notifies Weyerhaeuser and Hampton officially declaring the start of wildfire season or (ii) unless instructed in writing by the Board to close and lock the gates.
4. Weyerhaeuser, Hampton and Yamhill County shall divide equally the cost to retrofit both gates to a tab lock system. The retrofitting of both gates shall be completed prior to December 31, 2023. The tab lock systems on both gates must be identical and have identical keys for access to both gates.
5. One tab lock each shall be assigned to: Weyerhaeuser, Hampton, Golden Pond Timberlands, Inc. c/o Hancock Forest Management, Bureau of Land Management, and Yamhill County, for a total of 5 tab locks. Yamhill County will be responsible for distribution of keys to the Yamhill County Sheriff’s Office the Yamhill County Department of Public Works, McMinnville Water & Light, McMinnville Fire District, and other public entities or private landowners, upon request and review by Yamhill County.

The Board hereby restates and approves the High Heaven Gate Permit, the terms and conditions of which shall be binding on and inure to the benefit of Yamhill County, Weyerhaeuser, Hampton and Weyerhaeuser and Hampton’s successors and assigns.

AYES: 3

NAYS: 0

DONE at McMinnville, Oregon on October 19, 2023.

ATTEST

KERI HINTON  
County Clerk

By: *Carolina Rook*  
Deputy CAROLINA ROOK



YAMHILL COUNTY BOARD  
OF COMMISSIONERS

*Lindsay Berschauer*  
Chair LINDSAY BERSCHAUER

*Kit Johnston*  
Commissioner KIT JOHNSTON

FORM APPROVED BY

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

*Mary Starrett*  
Commissioner MARY STARRETT

Accepted by Yamhill County  
Board of Commissioners on  
10.19.23 by Board Order  
# BO. 23-386