

1 IN THE BOARD OF COUNTY COMMISSIONERS

2 80-753 OF THE STATE OF OREGON

FILED
YAMHILL COUNTY, OREGON

3 FOR THE COUNTY OF YAMHILL

DEC 29 4 20 PM '80

4 An Ordinance Removing the)
County Governing Body from)
5 Jurisdiction Over the Estab-)
lishment of Ways of Necessity.)

ORDINANCE NO. 249

WANDA GATT
COUNTY CLERK
DEPUTY

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7 WHEREAS, Oregon Laws 1979, Chapter 862, provided
8 that a county governing body may adopt an ordinance removing
9 the governing body from jurisdiction of the statutory establish-
10 ment of ways of necessity, whereupon the Circuit Court would
11 assume jurisdiction; and

12 WHEREAS, Oregon Laws 1979, Chapter 862 became
13 effective October 3, 1979 as ORS 376.200; and

14 WHEREAS, the Board of Commissioners has determined
15 that ways of necessity proceedings require it to sit in a
16 judicial capacity concerning matters which would be better
17 served by being heard in Circuit Court; and

18 WHEREAS, the Board of Commissioners has further
19 determined that it is in the best interest of the citizens
20 of Yamhill County that the Circuit Court have jurisdiction
21 over the statutory establishment of ways of necessity;

22 NOW, THEREFORE,

23 IT IS HEREBY ORDAINED:

24 SECTION I

25 The Yamhill County Board of Commissioners is hereby
26 removed from jurisdiction of the statutory establishment of

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Yamhill County Counsel
OSBA #76141
Room 103, County Courthouse
5th & Evans Streets
McMinnville, Oregon 97128
(503) 472-9371, ext. 229

1 ways of necessity. The Circuit Court of Yamhill County
2 shall have jurisdiction of the statutory establishment of
3 ways of necessity pursuant to Section 10(2) of Oregon Laws
4 1979, Chapter 862 and ORS 376.200.

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SECTION II

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Nothing in this Ordinance affects any proceedings
to establish a way of necessity if that proceeding is
initiated before the effective date of this Ordinance.

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SECTION III

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This Ordinance being necessary for the immediate
preservation of the public peace, health, safety and welfare,
an emergency is declared and found to exist, and this
Ordinance takes effect immediately upon the approval hereof.

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DONE this 24th day of December, 1980, at McMinn-
ville, Oregon.

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YAMHILL COUNTY BOARD OF COMMISSIONERS:

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20

Ted Lopuszynski
Chairman TED LOPUSZYNSKI

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ATTEST:
WANDA CATT, County Clerk

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by Patricia A. Mullen
PATRICIA A. MULLEN, Deputy

John P. Macaulay
Commissioner JOHN P. MACAULAY

Colin Armstrong
Commissioner COLIN ARMSTRONG

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