

**TITLE 6**  
**PUBLIC PROPERTY —**  
**ACQUISITION, DISPOSITION, AND MAINTENANCE**

**CHAPTER 640**  
**PUBLIC LAND CORNER PRESERVA-**  
**TION FUND**

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**640.010 Title**

This Chapter shall be known as the “Linn County Public Land Corner Preservation Code.”  
[Adopted 86-053 §1 eff 3/12/86]

**640.100 Definitions**

As used in LCC Chapter 420:

(A) “**Corner**” means a point determined by the surveying process.

(B) “**County surveyor**” means the Linn County Surveyor or designee.

(C) “**Government corner**” means all corners and boundary lines as accepted in the U.S. Department of Interior (Bureau of Land Management) Manual of Surveying Instructions and its supplements, including section, quarter section, donation land claim, meander, closing, witness, State boundary and line trees.

(D) “**Monument**” means the object or the physical structure which marks the corner point.

(E) “**Restoration**” means the establishment, reestablishment, or maintenance for the purpose of preservation, of a government corner.

[Adopted 86-053 §2 eff 3/12/86; amd 88-193 eff 6/3/88]

**640.200 Public Land Corner Preservation Fund established**

(A) A Public Land Corner Preservation Fund is hereby created, consisting of the former Public Land Corner Preservation Account, and such other money as may be collected pursuant to LCC Chapter 420.

(B) Money in this fund shall be used only to pay expenses incurred or authorized by the County Surveyor in the restoration of government corners, which expenses may include an amount set forth in the annual budget adopted by Linn County, not to exceed the lesser of the actual cost incurred by the County Clerk in the collection of and accounting for the fee authorized by this Chapter, or ten percent of the fee authorized by this Chapter.

[Adopted 86-053 §2 eff 3/12/86; amd 87-515 §1 eff 10/7/87; amd 88-193 eff 6/3/88]

**640.300 Instrument recording fee established**

(A) A fee shall be charged and collected in advance by the Linn County Clerk for filing and recording all instruments under ORS 205.130(2), in addition to all other fees charged.

(B) The amount of the fee shall be set annually by Order of the Board of Commissioners, upon recommendation of the County Surveyor. In making such recommendation, the County Surveyor shall develop and submit a work plan for operating a public land corner restoration program, and shall divide the estimated annual cost of operating such program by the average number

of instruments recorded annually in Linn County, as certified by the Linn County Clerk, to reach a fee amount which reflects the actual cost of operating the program. The fee shall not exceed \$10.00.

(C) All moneys collected under this section shall be deposited with the Linn County Treasurer at least once a month to be credited to the Public Land Corner Preservation Fund.

[Adopted 86-053 §2 eff 3/12/86; amd 87-515 §2 eff 10/7/87; amd 88-193 eff 6/3/88]

[640.400 Sunset Date — repealed]

[Adopted 88-193 §2 eff 6/3/88; repealed by 93-028 2/17/93 eff 5/18/93]

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### Statutory References and Authorities:

ORS 203; 205.130(2)

### Legislative History of Chapter 640:

Adopted 86-053 eff 3/12/86

Amendments to 86-053:

- #1 87-515 eff 10/7/87
  - #2 88-193 eff 6/3/88
  - #3 93-028 eff 5/18/93
  - #4 95-177 eff 5/10/95 (renumbering)
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