



1510 – B Third Street
Tillamook, Oregon 97141
www.tillamook.or.us
Building (503) 842-3407
Planning (503) 842-3408
Sanitation (503) 842-3409
FAX (503) 842-1819
Toll Free 1(800) 488-8280

Land of Cheese, Trees and Ocean Breeze

**NOTICE OF ADMINISTRATIVE REVIEW FOR PARTITION REQUEST
#851-22-000021-PLNG / SCHMITZ AND ESPLIN
AND
TOGETHER WITH PROPERTY LINE ADJUSTMENT REVIEW
#851-22-000022-PLNG / SCHMITZ AND ESPLIN**

*NOTICE TO MORTGAGEE, LIENHOLDER, VENDOR OR SELLER:
ORS 215 REQUIRES THAT IF YOU RECEIVE THIS NOTICE,
IT MUST BE PROMPTLY FORWARDED TO THE PURCHASER*

Date of Notice: February 15, 2022

Notice is hereby given that the Tillamook County Department of Community Development is considering the following:

#851-22-000021-PLNG: A partition request for three (3) residential parcels. Located southeast of the Incorporated City of Tillamook and accessed via Trask River Road, a County road. The subject properties made part of the partition and property line adjustment proposal are designated as Tax Lots 00700 and 00701 of Section 36D, Township 1 South, Range 09 West of the Willamette Meridian, Tillamook County Oregon. The subject property is zoned Rural Residential (RR-2). Property owner are Denis Schmitz. The applicant is Dallas Esplin. *The partition proposal includes a property line adjustment of Tax Lot 00700 as shown on the enclosed preliminary partition plat. Upon adjustment, partition review is limited to Tax Lot 00700.*

Written comments received by the Department of Community Development **prior to 4:00p.m. on March 1, 2022**, will be considered in rendering a decision. Comments should address the attached criteria upon which the Department must base its decision. Notice of the application, a map of the subject area, and the applicable criteria are being mailed to all property owners within 250 feet of the exterior boundaries of the subject property for which an application has been made and other appropriate agencies at least 14 days prior to this Department rendering a decision on the request. The decision will be rendered no sooner than March 1, 2022.

A copy of the application, along with a map of the request area and the applicable criteria for review are available for inspection on the Tillamook County Department of Community Development website: <https://www.co.tillamook.or.us/commdev/landuseapps> and is also available for inspection at the Department of Community Development office located at 1510-B Third Street, Tillamook, Oregon 97141.

If you have any questions about this application, please call the Department of Community Development at 503-842-3408 x 3315 or arimoldi@co.tillamook.or.us.

Sincerely,

Angela Rimoldi, Planning Permit Technician

Sarah Absher, CFM, Director

EXHIBITS:

Exhibit A -Location Maps

Exhibit B – Applicants Submittal

TILLAMOOK COUNTY LAND USE ORDINANCE

SECTION 3.010: RURAL RESIDENTIAL 2 ACRE AND 10 ACRE ZONE (RR-2) (RR-10)

4. STANDARDS: Land divisions and development in the RR-2 and RR-10 zone shall conform to the following standards, unless more restrictive supplemental regulations apply:

- (a) The minimum lot size is two acres for parcels zoned before October 4, 2000.
- ...
- (e) The minimum lot width and depth shall both be 100 feet.
- (f) The minimum front yard shall be 20 feet.
- (g) The minimum side yard shall be 5 feet; on the street side of a corner lot, it shall be no less than 15 feet.
- (h) The minimum rear yard shall be 20 feet; on a corner lot, it shall be no less than 5 feet.

TILLAMOOK COUNTY LAND DIVISION ORDINANCE

SECTION 070: PRELIMINARY PLAT APPROVAL CRITERIA

(1) Approval Criteria. The Approval Authority (Director for partitions and Planning Commission for subdivisions) may approve, approve with conditions or deny a preliminary plat. The Approval Authority decision shall be based on findings of compliance with all of the following approval criteria:

- (a) The land division application shall conform to the requirements of this ordinance;
- (b) All proposed lots, blocks, and proposed land uses shall conform to the applicable provisions of the Land Use Ordinance – Article 3 Zone Regulations and the standards in Section 150 of this ordinance;
- (c) Access to individual lots, and public improvements necessary to serve the development, including but not limited to water, sewer and streets, shall conform to the standards in Sections 150 and 160 of this ordinance;
- (d) The proposed plat name is not already recorded for another subdivision, does not bear a name similar to or pronounced the same as the name of any other subdivision within the County, unless the land platted is contiguous to and platted by the same party that platted the subdivision bearing that name or unless the party files and records the consent of the party that platted the contiguous subdivision bearing that name;
- (e) The proposed streets, utilities, and surface water drainage facilities conform to Tillamook County’s adopted master plans and applicable engineering standards and, within Unincorporated Community Boundaries, allow for transitions to existing and potential future development on adjacent lands. The preliminary plat shall identify all proposed public improvements and dedications;
- (f) All proposed private common areas and improvements, if any, are identified on the preliminary plat and maintenance of such areas is assured through appropriate legal instrument;
- (g) Provisions for access to and maintenance of off-right-of-way drainage, if any;
- (h) Evidence that any required State and Federal permits, as applicable, have been obtained or can reasonably be obtained prior to development; and
- (i) Evidence that improvements or conditions required by the road authority, Tillamook County, special districts, utilities, and/or other service providers, as applicable to the project, have been or can be met, including but not limited to:
 - (i) Water Department/Utility District Letter which states that the partition or subdivision is either entirely excluded from the district or is included within the district for purposes of receiving services and subjecting the partition or subdivision to the fees and other charges of the district.
 - (ii) Subsurface sewage permit(s) or site evaluation approval(s) from the appropriate agency.

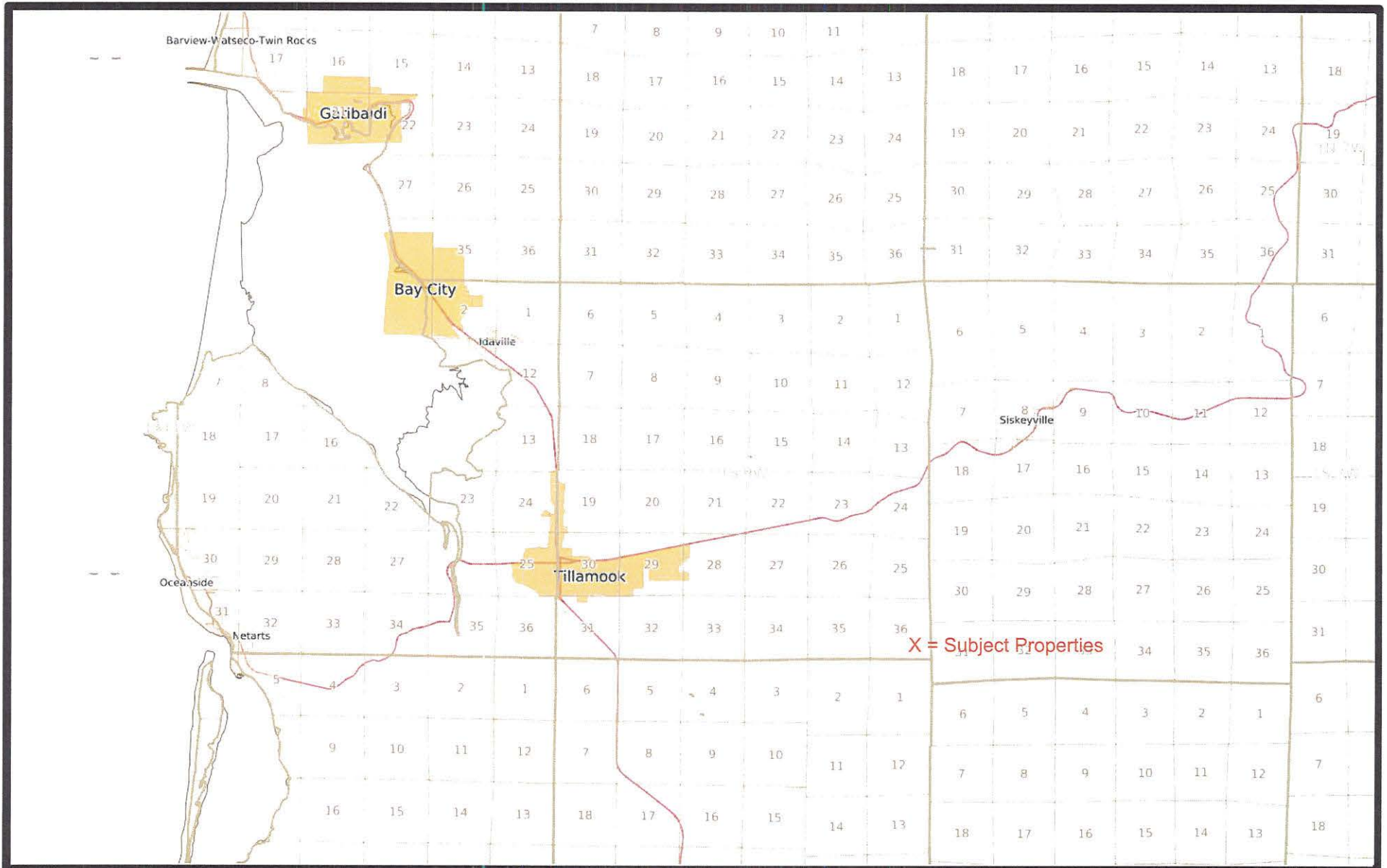
TILLAMOOK COUNTY LAND DIVISION ORDINANCE

SECTION 130: PROPERTY LINE ADJUSTMENT CRITERIA (Applicable criteria are in bold and underlined.)

- i. Parcel Creation. No additional parcel or lot is created by the lot line adjustment. (Partition review included..)
- ii. Lot standards.
 - 1. All lots and parcels conform to the applicable lot standards of the zone including lot area, dimensions, setbacks, and coverage, except where 2. or 3. applies.
 - 2. For properties entirely outside an Unincorporated Community Boundary, where one or both of the abutting properties are smaller than the minimum lot or parcel size for the applicable zone before the property line adjustment, one property shall be as large or larger than the minimum lot or parcel size for the applicable zone after the adjustment.
 - 3. For properties entirely outside an Unincorporated Community Boundary, both abutting properties are smaller than the minimum lot size for the applicable zone before and after property line adjustment.
 - 4. As applicable, all lots and parcels shall conform to the Tillamook County Flood Hazard Overlay Zone.
- iii. Access and Road Authority Standards. All lots and parcels conform to the standards or requirements of Section 150: Development Standards for Land Divisions and all applicable road authority requirements are met. If a lot is nonconforming to any road authority standard, it shall not be made less conforming by the property line adjustment.

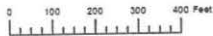
EXHIBIT A

Map



Generated with the GeoMOOSE Printing Utilities

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY



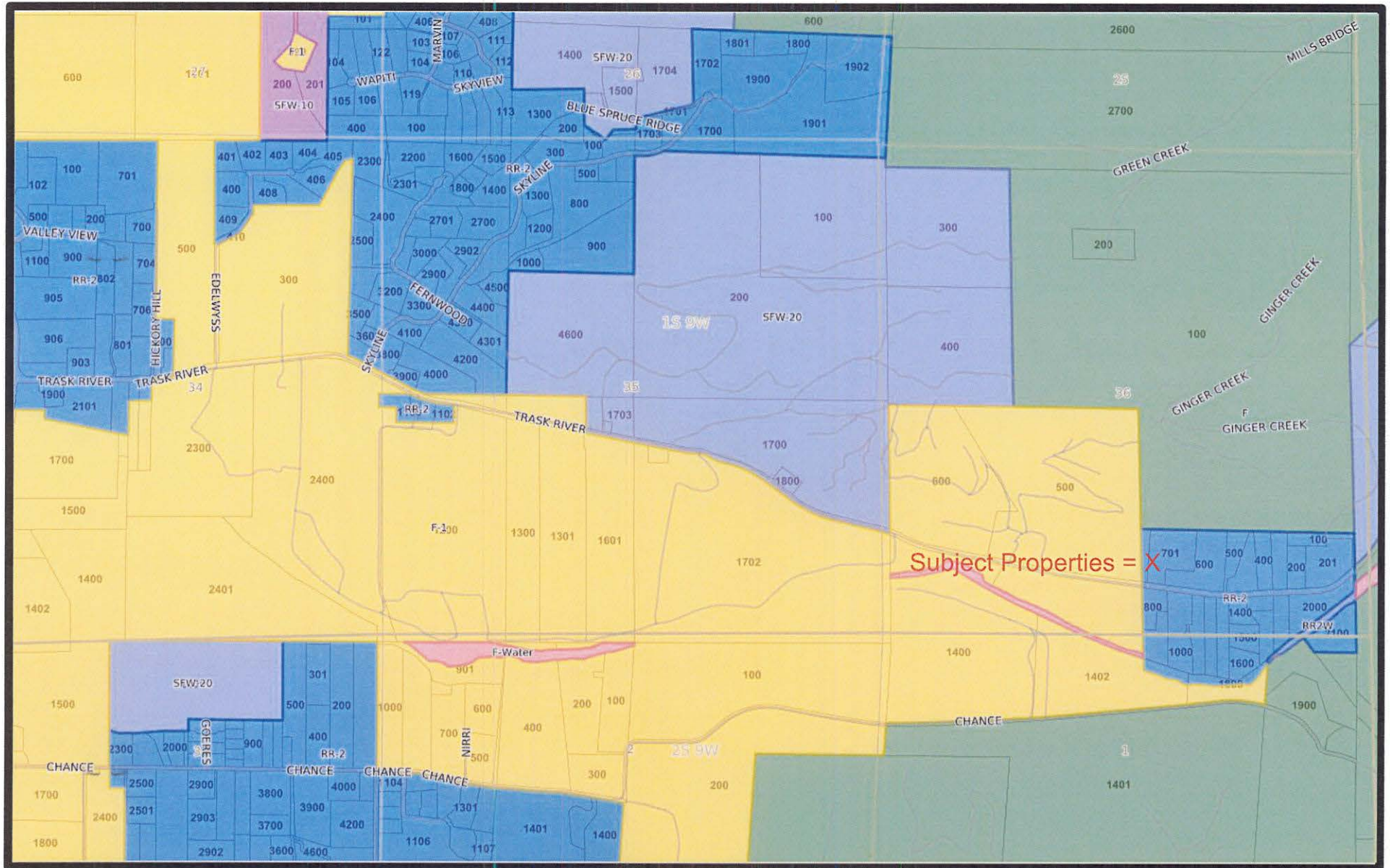
S.E. 1/4 SEC.36 T.1S. R.9W. W.M.
TILLAMOOK COUNTY
1" = 200'

01S09W36D



01S09W36D
Revised 12/19/19, WS

Map



Generated with the GeoMOOSE Printing Utilities

EXHIBIT B



PROPERTY LINE ADJUSTMENT APPLICATION

Applicant/Representative

Name: DALLAS ESPLIN Phone: 503-842-5551
 Address: 11765 HWY 101 SOUTH
 City: TILLAMOOK State: OR Zip: 97141
 Email: BAYSIDESURVEYING@GMAIL.COM

Property Owner (Unit A)

Name: Denis Schmitz Phone: 5038425726
 Address: 14000 Trask River RD
 City: Tillamook State: OR Zip: 97141
 Email: cedarmagot@gmail.com

Property Owner (Unit B)

Name: Denis Schmitz Phone: 5038425726
 Address: 14000 Trask river rd
 City: Tillamook State: OR Zip: 97141
 Email: cedarmagot@gmail.com

Property Owner (Unit C)

Name: Phone:
 Address:
 City: State: Zip:
 Email:

Describe the purpose of the proposed property line adjustment(s)

Adjust the boundary between tax lot 700 and 701 as shown on the attached map.

Unit A Location:

Site Address: NONE
 Map Number: 1S-09-36-D-000700

 Township Range Section Tax Lot(s)
 Zoning: RR-2
 Existing Use of Sites: vacant

Unit B Location:

Site Address: 13200 Trask River Rd
 Map Number: 1S-09-36-D-0000701

 Township Range Section Tax Lot(s)
 Zoning: RR-2
 Existing Use of Sites: HOUSE

OFFICE USE ONLY	
Date Stamp	
<input type="checkbox"/> Approved <input type="checkbox"/> Denied	
Received by:	
Receipt #:	
Fees: 409.5	
Permit No: 851-2-0002-PLNG	

Unit C Location:

Site Address: _____

Map Number: _____

Township

Range

Section

Tax Lot(s)

Zoning: _____

Existing Use of Sites: _____

Taxlot (Units)	Existing Size	New Size
1S0936D000700	(1.05 ac)	4.97 ac
1S0936D000701	(5.47 ac)	1.56 ac
_____	_____	_____
_____	_____	_____

Preliminary Property Line Map Checklist

- Identification of all existing and proposed lot lines and dimensions Other information: _____
- Footprints and dimensions of existing structures (including accessory structures) _____
- Location and dimensions of driveways and streets _____
- Location of lands subject to the Tillamook County Flood Hazard Overlay _____
- Existing fences and walls _____
- Sewage Disposal System _____

Authorization

This permit application does not assure permit approval. The applicant and/or property owner shall be responsible for obtaining any other necessary federal, state, and local permits. Within two (2) years of approval, all deeds necessary to execute a property line adjustment shall be filed and recorded with the Tillamook County Department of Records. The applicant verifies that the information submitted is complete, accurate, and consistent with other information submitted with this application.

Legally Authorized Signature

1-13-2022
Date

Legally Authorized Signature

Date

Legally Authorized Signature

Date

APPROVAL STANDARDS:

1. All property sizes, setbacks and other dimensional attributes resulting from a property line adjustment shall conform to the provisions of the Tillamook County Land Use Ordinance and the Tillamook County Land Division Ordinance.
2. A property line adjustment shall not result in the creation of a new lot or a replat of an existing subdivision or partition.
3. When one or more of the properties is larger than the minimum lot size in the zone, the same number of properties shall be as large or larger than the minimum lot size after the adjustment. When all properties are as large or larger than the minimum property size prior to the adjustment, no adjusted properties shall be reduced below the minimum lot size.

APPROVAL-CRITERIA FOR ADJUSTMENTS IN RESOURCE AND COMMERCIAL ZONES:

In addition to the approval standards listed above, property line adjustments in resource zones (Farm and Forest) must comply with the following criteria. Please use a separate sheet of paper to explain how the proposed adjustment complies with these criteria. Other information such as air photos (available through the GIS database) that would help to show how the adjustment complies with the criteria may also be submitted.

1. In commercial zones, properties to be adjusted shall be shown to be of a size that is at least as appropriate to maintain the existing commercial enterprise and remain in compliance with Section 4.030: Off-Street Parking & Off-Street Loading Requirements of the Tillamook County Land Use Ordinance.
2. If the proposed adjustment involves the transfer of a dwelling from one property to another, the property that will acquire the dwelling must either receive land use approval for the dwelling, or a deed affidavit shall be recorded by the owner of the property where the dwelling was originally located, prohibiting the establishment of any new principal dwellings on that property.
3. On land zoned for exclusive farm use, forest use or mixed farm and forest use, a property line adjustment may not be used to:
 - a. Decrease the size of a tract that, before the relocation or elimination of the common property line, is smaller than the minimum lot or parcel size for the applicable zone and contains an existing dwelling or is approved for the construction of a dwelling, if the abutting vacant tract would be increased to a size as large as or larger than the minimum tract size required to qualify the vacant tract for a dwelling;
 - b. Decrease the size of a tract that contains an existing dwelling or is approved for construction of a dwelling to a size smaller than the minimum lot or parcel size, if the abutting vacant tract would be increased to a size as large as or larger than the minimum tract size required to qualify the vacant tract for a dwelling; or
 - c. Allow an area of land used to qualify a tract for a dwelling based on an acreage standard to be used to qualify.

THE APPLICATION MUST INCLUDE:

1. Completed application form, signed by the applicant and all property owners.
2. Application Fee.
3. Completed preliminary map/survey.
4. Written explanation of how the adjustment complies with the standards for a property line adjustment in a resource zone.
5. Copy of most recent deed or contract for each parcel involved.



Tillamook County Department of Community Development
 1510-B Third Street, Tillamook, OR 97141 | Tel: 503-842-3408
www.co.tillamook.or.us

Fax: 503-842-1819

LAND DIVISION APPLICATION

Applicant (Check Box if Same as Property Owner)

Name: DALLAS ESPLIN Phone: 503-842-5551

Address: 11765 HWY 101 SOUTH

City: TILLAMOOK State: OR Zip: 97141

Email: BAYSIDESURVEYING@GMAIL.COM

Property Owner

Name: DENIS SCHMITZ Phone: 5038425726

Address: 14000 TRASK RIVER RD

City: TILLAMOOK State: OR Zip: 97141

Email: CEDARMAGOT@GMAIL.COM

Location:

Site Address: 13200 TRASK RIVER RD TILLAMOOK OR 97141

Map Number: 1S0936D000701 1S0936D000700

Township Range Section Tax Lot(s)

Land Division Type: Partition (Two or Three Lots, Type II) Subdivision (Four or More Lots, Type III)
 Preliminary Plat (Pages 1-2) Final Plat (Page 3)

PRELIMINARY PLAT (LDO 060(1)(B))

- For subdivisions, the proposed name.
- Date, north arrow, scale of drawing.
- Location of the development sufficient to development sufficient to define its location, boundaries, and a legal description of the site.

- Existing streets with names, right-of-way, pavement widths, access points.
- Width, location and purpose of existing easements
- The location and present use of all structures, and indication of any that will remain after platting.
- Location and identity of all utilities on and abutting the site. If water mains and sewers are not on site, show distance to the nearest one and how they will be brought to standards
- Location of all existing subsurface sewerage systems, including drainfields and associated easements

General Information

- Parcel zoning and overlays
- Title Block
- Clear identification of the drawing as "Preliminary Plat" and date of preparation
- Name and addresses of owner(s), developer, and engineer or surveyor

Existing Conditions

- Ground elevations shown by contour lines at 2-foot vertical interval. Such ground elevations shall be related to some established benchmark or other datum approved by the County Surveyor
- The location and elevation of the closest benchmark(s) within or adjacent to the site
- Natural features such as drainage ways, rock outcroppings, aquifer recharge areas, wetlands, marshes, beaches, dunes and tide flats
- For any plat that is 5 acres or larger, the Base Flood Elevation, per FEMA Flood Insurance Rate Maps

- Fifteen (15) legible "to scale" hard copies
- One digital copy

Other information:

OFFICE USE ONLY
Date Stamp
RECEIVED JAN 19 2022
<input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied
Received by:
Receipt #: 123854
Fees: 409.-
Permit No: 851-22-000021-PLNG

- Proposed lots, streets, tracts, open space and park land (if any); location, names, right-of-way dimensions, approximate radius of street curves; and approximate finished street center line grades. All streets and tracts that are being held for private use and all reservations and restrictions relating to private tracts identified
- Location, width and purpose of all proposed easements
- Proposed deed restrictions, if any, in outline form
- Approximate dimensions, area calculation (in square feet), and identification numbers for all proposed lots and tracts

Proposed Development

- Proposed uses of the property, including all areas proposed to be dedicated as public right-of-way or reserved as open space
- On slopes exceeding an average grade of 10%, as shown on a submitted topographic survey, the preliminary location of development on lots demonstrating that future development can meet minimum required setbacks and applicable engineering design standards
- Preliminary utility plans for sewer, water and storm drainage when these utilities are to be provided
- The approximate location and identity of other utilities, including the locations of street lighting fixtures, as applicable
- Evidence of compliance with applicable overlay zones, including but not limited to the Flood Hazard Overlay (FH) zone
- Evidence of contact with the applicable road authority for proposed new street connections
- Certificates or letters from utility companies or districts stating that they are capable of providing service to the proposed development

Additional Information Required for Subdivisions

- Preliminary street layout of undivided portion of lot
- Special studies of areas which appear to be hazardous due to local geologic conditions
- Where the plat includes natural features subject to the conditions or requirements contained in the County's Land Use Ordinance, materials shall be provided to demonstrate that those conditions and/or requirements can be met
- Approximate center line profiles of streets, including extensions for a reasonable distance beyond the limits of the proposed Subdivision, showing the proposed finished grades and the nature and extent of construction
- Profiles of proposed drainage ways
- In areas subject to flooding, materials shall be submitted to demonstrate that the requirements of the Flood Hazard Overlay (FHO) zone of the County's Land Use Ordinance will be met
- If lot areas are to be graded, a plan showing the nature of cuts and fills, and information on the character of the soil
- Proposed method of financing the construction of common improvements such as street, drainage ways, sewer lines and water supply lines

- FINAL PLAT (LDO 090(1))**
- Date, scale, north arrow, legend, highways, and railroads contiguous to the plat perimeter
- Description of the plat perimeter
- The names and signatures of all interest holders in the land being platted, and the surveyor
- Monuments of existing surveys identified, related to the plat by distances and bearings, and referenced to a document of record
- Exact location and width of all streets, pedestrian ways, easements, and any other rights-of-way
- Easements shall be denoted by fine dotted lines, and clearly identified as to their purpose
- Provisions for access to and maintenance of off-right-of-way drainage
- Block and lot boundary lines, their bearings and lengths
- Block numbers
- Lot numbers
- The area, to the nearest hundredth of an acre, of each lot which is larger than one acre
- Identification of land parcels to be dedicated for any purpose, public or private, so as to be distinguishable from lots intended for sale

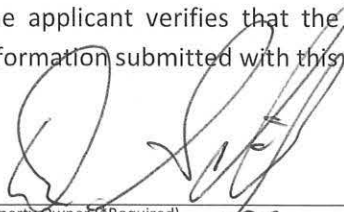
Certificates:

- Title interest & consent Water
- Dedication for public use Public Works
- Engineering/Survey

Additional Information:

Authorization

This permit application does not assure permit approval. The applicant and/or property owner shall be responsible for obtaining any other necessary federal, state, and local permits. Within two (2) years of final review and approval, all final plats for land divisions shall be filed and recorded with the County Clerk, except as required otherwise for the filing of a plat to lawfully establish an unlawfully created unit of land. The applicant verifies that the information submitted is complete, accurate, and consistent with other information submitted with this application.



 Property Owner (* Required) Dallas Espin

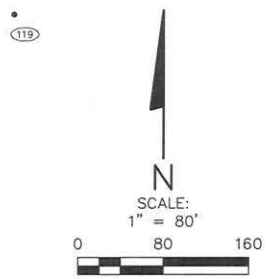
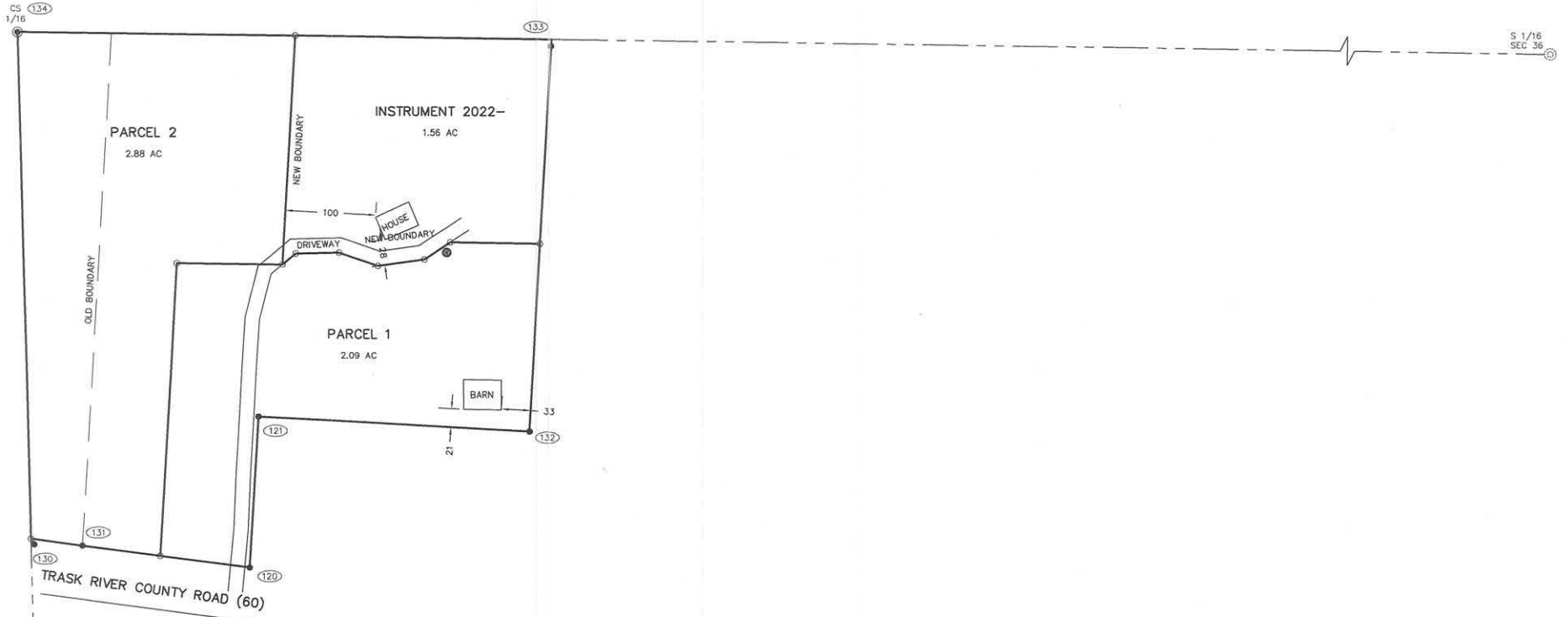
1-13-2022

 Date 1/12/22

Applicant Signature

Date

PARTITION PLAT 2022-



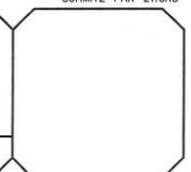
LEGAL.DOC
 PAR\SCHMITZ-22.DWG
 SCHMITZ-PAR-21.CR5

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR
Dallas Esplin
 OREGON
 DECEMBER 3, 2014
 DALLAS W. ESPLIN
 83627
 RENEWS: DECEMBER 31, 2023

SURVEY BY:
BAYSIDE SURVEYING
 LLC
 11765 HWY 101 SOUTH
 TILLAMOOK, OR 97141
 503-842-5551

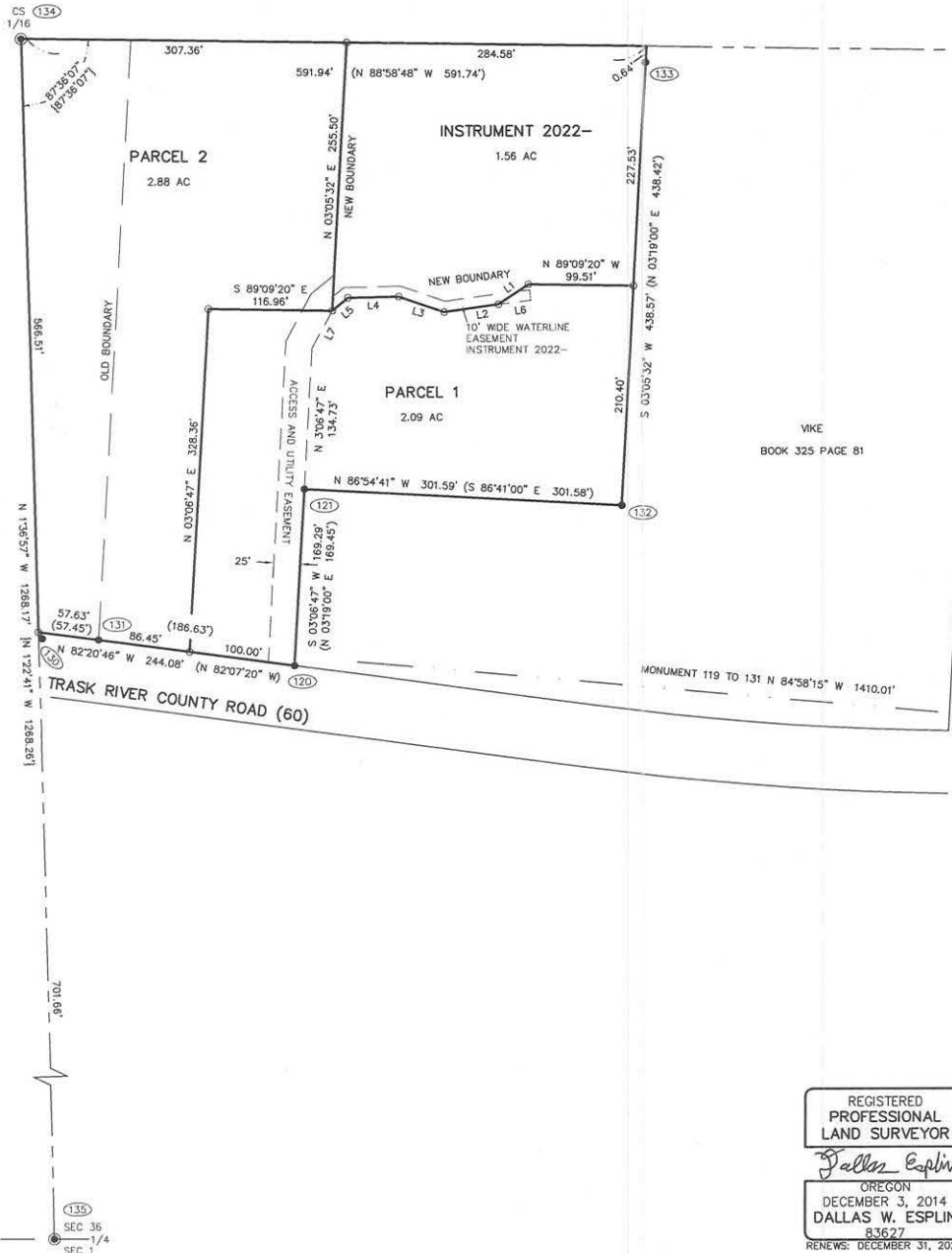
PARTITION PLAT FOR:
DENIS & HELEN SCHMITZ
 INSTRUMENTS 2009-246, 2011-1289, & 2022-XXXXXX
 TILLAMOOK COUNTY DEED RECORDS
 SW 1/4 SE 1/4 SECTION 36
 T1S, R9W, W.M.
 TILLAMOOK COUNTY, OREGON

DATE	EQUIPMENT	FIELD	DRAWN	CHECKED	JOB NUMBER
DATE	FC-6000 HYPER-V, ES-103	DCA, JAD	DWE	DWE	#537



135
 SEC 36
 1/4
 SEC 1

PARTITION PLAT 2022--



BASIS OF BEARINGS

THE BASIS OF BEARINGS IS NORTH AS DETERMINED BY G.P.S. OBSERVATIONS USING THE OREGON COAST ZONE COORDINATE SYSTEM. THIS GIVES A BEARING OF NORTH 84°58'15" WEST BETWEEN MONUMENTS 119 AND 131.

OREGON COORDINATE REFERENCE SYSTEM OREGON COAST ZONE

OBLIQUE MERCATOR PROJECTION
NORTH AMERICAN DATUM OF 1983

LATITUDE OF LOCAL ORIGIN: 44°45'00" N
LONGITUDE OF LOCAL ORIGIN: 124°03'00" W
FALSE NORTHING: -4,600,000.000 METERS
FALSE EASTING: -300,000.000 METERS
SKEW AXIS SCALE: 1,000 000 (EXACT)
SKEW AXIS AZIMUTH AT LOCAL ORIGIN: +5°00'00"

(THE ABOVE INFORMATION IS RECORDED FROM "OREGON COORDINATE REFERENCE SYSTEM HANDBOOK AND MAP SET", VERSION 3.01 2--28--2017, APPENDIX A, PAGE A--52, SEE 0007 RECORDS)

NARRATIVE

THIS IS A DEPENDENT SURVEY OF THE SCHMITZ TRACTS DESCRIBED IN INSTRUMENTS 2009-246 AND 2011-1289, TILLAMOOK COUNTY DEED RECORDS. THE PURPOSE OF THIS SURVEY IS TO MONUMENT A BOUNDARY LINE ADJUSTMENT AND PARTITION THE REMAINDER INTO 2 (TWO) PARCELS AS SHOWN HEREON.

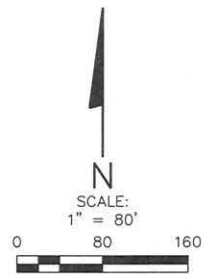
MONUMENTS 120, 121, 132, 133 WERE HELD FOR THE EAST LINE WITH THE NORTHEAST CORNER BEING EXTENDED TO THE EAST--WEST SIXTEENTH LINE.

MONUMENTS 120 AND 131 AND A PROJECTION THEREOF WERE HELD FOR THE RIGHT-OF-WAY OF TRASK RIVER COUNTY ROAD.

MONUMENTS 134 AND 135 WERE HELD FOR THE WEST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER.

THE SOUTH 1/16TH CORNER ON THE EAST LINE OF SECTION 36 WAS SEARCHED FOR AND NOT FOUND. THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTHEAST QUARTER WAS CALCULATED BY HOLDING RECORD ANGLE OFF OF THE WEST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER USING MAP B-530

- LEGEND**
- SET 5/8" X 40" REBAR WITH PLASTIC CAP MARKED "DALLAS ESPLIN LS 83627"
 - FOUND MONUMENT AS NOTED, HELD
 - FOUND MONUMENT AS NOTED
 - ⊙ MONUMENT SEARCHED FOR NOT FOUND
 - () RECORD VALUE FROM MAP A-5158
 - { } RECORD OR CALCULATED VALUE FROM MAP B-530
 - NO () OR { } MEASURED VALUE
- LEGEND**
- (119) FOUND 2" IRON PIPE, 0.3' BELOW GRADE, SEE MAP A-2227, HELD
 - (120) FOUND 5/8" REBAR WITH PLASTIC CAP MARKED "A DUNCAN LS 793" SEE MAP A-5158, HELD
 - (121) FOUND 5/8" REBAR, SEE MAP A-5158, HELD
 - FOUND 5/8" REBAR WITH PLASTIC CAP MARKED "A DUNCAN LS 793" ORIGIN UNKNOWN,



REGISTERED PROFESSIONAL LAND SURVEYOR

Dallas Esplin

OREGON
DECEMBER 3, 2014
DALLAS W. ESPLIN
83627

RENEWS: DECEMBER 31, 2023

SURVEY BY:
BAYSIDE SURVEYING LLC

11765 HWY 101 SOUTH
TILLAMOOK, OR 97141
503-842-5551

PARTITION PLAT FOR:
DENIS & HELEN SCHMITZ

INSTRUMENTS 2009-246, 2011-1289, & 2022-XXXXXX
TILLAMOOK COUNTY DEED RECORDS
SW 1/4 SE 1/4 SECTION 36
T1S, R9W, W.M.
TILLAMOOK COUNTY, OREGON

DATE	EQUIPMENT	FIELD	DRAWN	CHECKED	JOB NUMBER
DATE	FC-6000 HYPER-V, ES-103	DCA, JAD	DWE	DWE	#537

LEGAL.DOC
PAR\SCHMITZ-22.DWG
SCHMITZ-PAR-21.CR5

COMMUNITY DEVELOPMENT DEPARTMENT
COUNTY SANITARIAN'S OFFICE
AUTHORIZATION NOTICE

18936-703
13 JUL 87
#87-230
159-36D-702

LEGAL DESCRIPTION: T 1 S, R 9 W, SEC 36, TLH 703
6 ACRE PARCEL 701

PROPERTY OWNER: NANCY CARR
13200 TRASK RIVER RD
TILLAMOOK, OR 97141

TYPE OF NOTICE: CHANGE IN USE, AS PER OREGON ADMINISTRATIVE
RULE 340-71-205(5)

NO RECORD OF THE EXISTING SYSTEM IS ON FILE WITH THIS OFFICE, AND THE
SYSTEM LIKELY PREDATES THE COUNTY RECORDS. ON 10 JUL 87, I VISITED THE
LOT TO EVALUATE THE EXISTING SEWAGE DISPOSAL SYSTEM.

THE EXISTING MOBILE HOME IS LOCATED IN A CUT AND LEVELED AREA ON THE
FORESTED LOWER SLOPES OF THE COAST RANGE. SOILS IN THE AREA OF THE
DISPOSAL SYSTEM ARE TYPICAL OF THE HEMBRE SERIES, AS FOLLOWS:

- 0-10" DARK BROWN GRAVELLY LOAM
- 10-31 GRAVELLY DARK YELLOWISH-BROWN SILTY CLAY LOAM
WITH 20-50% SMALL COBBLES
- 31"+ UNABLE TO HAND AUGER DUE TO ROCK PRESENT

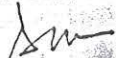
THE OWNER HAS SUPPLIED A ROUGH SKETCH OF THE EXISTING DISPOSAL SYSTEM
AND A RECENT PUMPING RECEIPT FOR THE SEPTIC TANK. THE SYSTEM CONSISTS
OF A 1000 GALLON STEEL SEPTIC TANK FOLLOWED BY APPROXIMATELY 100' OF
DISPOSAL TRENCH, IN TWO LATERALS. THIS SYSTEM IS UNDERSIZED BY CURRENT
RULES, HOWEVER IT APPEARED TO BE FUNCTIONING WITHOUT FAILURE.

THE OWNER IS PROPOSING TO ADD A FAMILY ROOM, DEN, AND GARAGE TO THE
EXISTING DOUBLE-WIDE MOBILE HOME. A FLOOR PLAN OF THE ADDITION HAS
BEEN SUBMITTED. THE DEN MUST BE COUNTED AS A POTENTIAL BEDROOM WITH
A POSSIBLE INCREASE IN LOAD TO THE SEWAGE DISPOSAL SYSTEM.

THE MOBILE HOME AND ADDITION MEET ALL SETBACKS FROM THE DISPOSAL SYSTEM
AND THE LOAD INCREASE WILL BE LESS THAN 300 gpd. THIS ADDITION WILL NOT
CREATE A PUBLIC HEALTH HAZARD AND SHOULD NOT CAUSE THE SYSTEM TO FAIL.
AREA IS AVAILABLE FOR A COMPLETE REPAIR SYSTEM, WHEN IT IS NEEDED.

THIS AUTHORIZATION NOTICE DOES NOT GUARANTEE SATISFACTORY OR CONTINUOUS
OPERATION OF THE EXISTING SUBSURFACE SEWAGE DISPOSAL SYSTEM.

RESPECTFULLY,


DOUGLAS W. MARSHALL
SANITARIAN

7-01
This 1987 030 Ch...
For Adding Family Room
Den and Bathroom
we bought about 2000
Buried to Ground 20.9
System worked Fine
was Ripped out
We are adding
concrete tank



Septic Authorization Approval

851-21-000201-AUTH

Residential Authorization

Tillamook County
1510 - B Third St
Tillamook, OR 97141
503-842-3408

Website: tillamook.or.us

Date Issued: 8/26/21 Date Expiring: 8/26/22
Work Description: AUTH NOTICE

Applicant: LEONNIG EXCAVATING INC
Address: 5600 HWY 101 S
TILLAMOOK OR 97141-9508
Phone: 5038428634
Email: tomleonnig@gmail.com

Primary Contractor: LEONNIG EXCAVATING INC
CCB: 65569
Address: 5600 HWY 101 S
TILLAMOOK OR 97141-9508
Phone: 5038428634
Email: tomleonnig@gmail.com

Owner: SCHMITZ, DENIS N CO-TRUSTEE 1/2
&
Address: 14000 TRASK RIVER RD
TILLAMOOK OR 97141

Property Address: 13200 Trask River Rd, Tillamook County,
OR

Parcel: 1S09 36D0 00701 - Primary **Township:** 1S **Range:** 09 **Section:** 36

Authorization Notice for: Replacing One Dwelling with Another

Authorization Resulted in: Repair - Minor

Lot Size: 5.47 acres
Zoning: Acre and 10 Acre (RR-2, RR-10)

Water Supply: Well
City/County/UGB: County

Category of Construction: Residential

	Existing	Proposed
Use of Structure:	N/A	single family home
Number of Bedrooms:	N/A	3
System Specifications:		
Max Peak Design Flow:	375 gpd	Proposed Gallons per Day: 375 gpd
Special Requirements:		
Stake Out Required: No	Pump to Drainfield Required: No	

Conditions of Approval:

Note: This Notice does not guarantee satisfactory or continuous operation of the sewage system. Should the system fail, a repair permit from DEQ is required.

If you disagree with this report, you have the right to apply for an authorization notice denial review. The application for review must be submitted in writing within 45 days of the report issuance and be accompanied by the review fee in OAR 340-071-0140(3), Table 9C and any additional information DEQ needs to complete the review.

You may apply for a variance to the onsite wastewater treatment system rules. The variance application must include a copy of the site evaluation report, plans and specifications for the proposed system, specify the rule(s) to which a variance is being requested, demonstrate the variance is warranted, and include the variance fee in OAR 340-071-140 Table 9C. A variance may only be granted if the variance officer determines that strict compliance with a rule is inappropriate or special physical conditions render strict compliance unreasonable, burdensome or impractical. A senior DEQ variance officer will be assigned the variance application.

CALL BEFORE YOU DIG...IT'S THE LAW

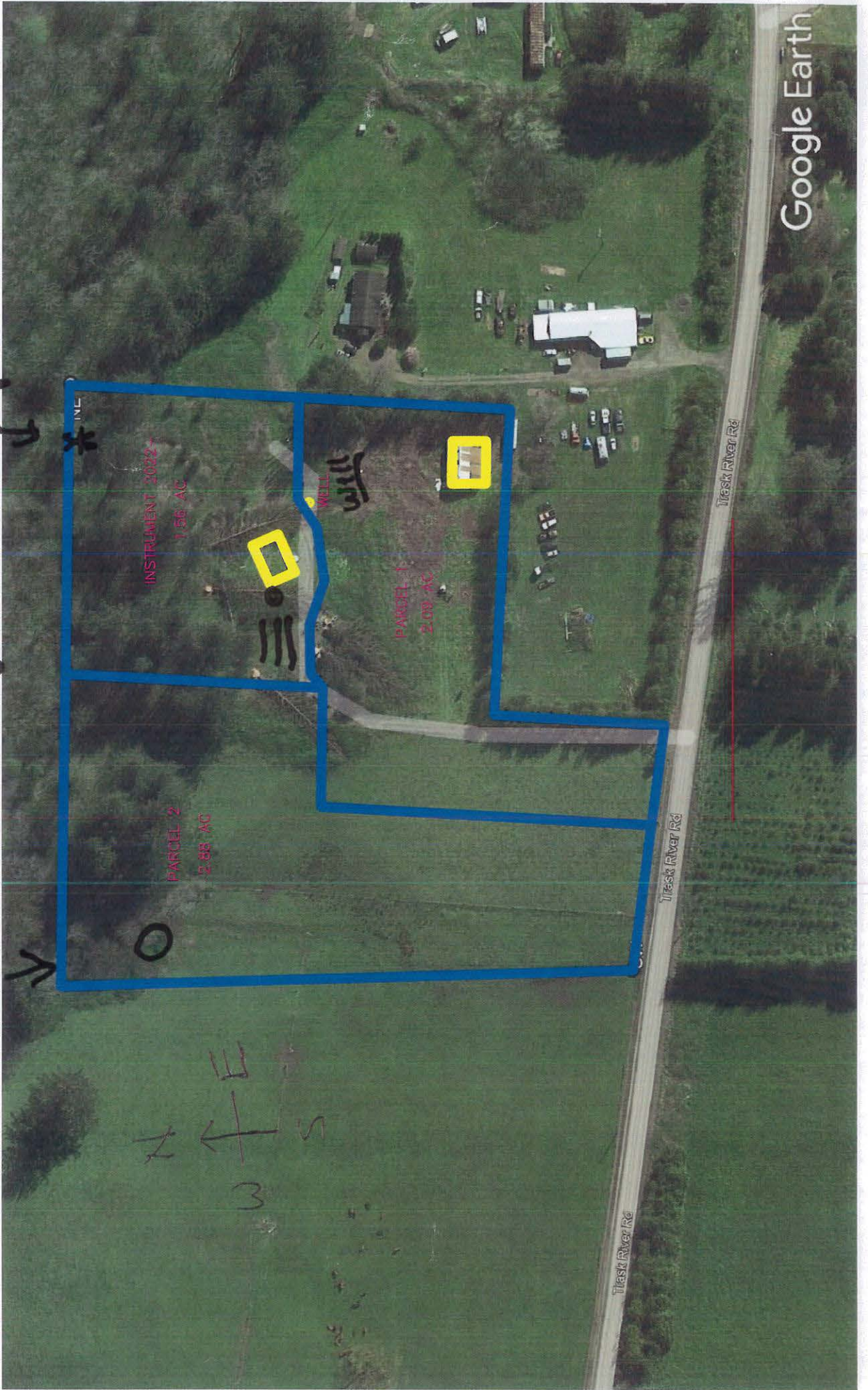
ATTENTION: Oregon law requires you to follow rules adopted by the Oregon Utility Notification Center. Those rules are set forth by Oregon Administration Rules. You may obtain copies of the rules by calling the center. (Note: The telephone number for the Oregon Utility Notification Center is 1-800-332-2344.)

8/26/21: 8:33:31AM

New Sopplic Tank
w/ all Drain Field

Shallow well
Sopplic

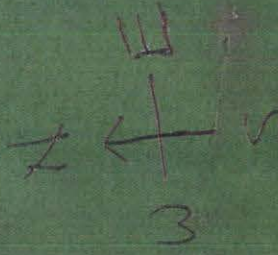
Shallow well
Sopplic



↓

↓

↓



STATE OF OREGON
 WATER SUPPLY WELL REPORT
 (as required by ORS 537.765 & OAR 690-205-0210)

*Well 13 200 Trask
 Drilled 7-11-2021*

WELL I.D. LABEL# L 133 810
 START CARD # 1052585
 ORIGINAL LOG # _____

(1) LAND OWNER Owner Well I.D. W
 First Name Denis & Helen Last Name Schmitz
 Company _____
 Address 14000 Trask River Rd
 City Tillamook State Or Zip 97141

(2) TYPE OF WORK New Well Deepening Conversion
 Alteration (complete 2a & 10) Abandonment (complete 5a)

(2a) PRE-ALTERATION
 Dia + From To Gauge Stl Plstc Wld Thrd
 Casing: _____
 Material From To Amt sacks/lbs
 Seal: _____

(3) DRILL METHOD
 Rotary Air Rotary Mud Cable Auger Cable Mud
 Reverse Rotary Other _____

(4) PROPOSED USE Domestic Irrigation Community
 Industrial/ Commercial Livestock Dewatering
 Thermal Injection Other _____

(5) BORE HOLE CONSTRUCTION Special Standard (Attach copy)
 Depth of Completed Well 121 ft.
 BORE HOLE SEAL sacks/lbs

Dia	From	To	Material	From	To	Amt	Units
10	0	19	Bentonite Chips	0	50	56	S
8	19	79				Calculated	
5.5	79	121				20.83	S

How was seal placed: Method A B C D E
 Other poured dry
 Backfill placed from _____ ft. to _____ ft. Material _____
 Filter pack from _____ ft. to _____ ft. Material _____ Size _____
 Explosives used: Yes Type _____ Amount _____

(5a) ABANDONMENT USING UNHYDRATED BENTONITE
 Proposed Amount Pounds Actual Amount Pounds

(6) CASING/LINER

Casing	Liner	Dia	+	From	To	Gauge	Stl	Plstc	Wld	Thrd
<input checked="" type="checkbox"/>	<input type="checkbox"/>	6	<input checked="" type="checkbox"/>	1	79	.250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

 Shoe Inside Outside Other Location of shoe(s) 79
 Temp casing Yes Dia 10 From + 1 To 19

(7) PERFORATIONS/SCREENS
 Perforations Method _____
 Screens Type _____ Material _____

Perf/S	Casing/	Screen	Scr/slot	Slot	# of	Tele/
green	Liner	Dia	width	length	slots	pipe size

(8) WELL TESTS: Minimum testing time is 1 hour
 Pump Bailer Air Flowing Artesian
 Yield gal/min Drawdown Drill stem/Pump depth Duration (hr)

1.5		121	2
-----	--	-----	---

 Temperature 52 °F Lab analysis Yes - By _____
 Water quality concerns? Yes (describe below) TDS amount 645 ppm

From	To	Description	Amount	Units
98	115	Salinity	645	ppm

(9) LOCATION OF WELL (legal description)
 County TILLAMOOK Twp 1 S N/S Range W E W
 Sec 36 NE 1/4 of the SE 1/4 Tax Lot 701
 Tax Map Number _____ Lot _____
 Lat: _____ " or _____ DMS _____
 Long: _____ " or _____ DMS _____
 Street address of well Nearest address
13200 Trask River Rd. Tillamook, Or 97141

(10) STATIC WATER LEVEL

Existing Well / Pre-Alteration	Date	SWL (psf)	SWL (ft)
Completed Well	06-21-2021		47

 Flowing Artesian? Day Head: _____
 WATER BEARING ZONES Depth water was first found _____

SWL Date	From	To	Est Flow	SWL (psf)	SWL (ft)
06-21-2021	96	121	1.5		47

(11) WELL LOG

Material	From	To	Ground Elevation
fill	0	2	
clay, w/broken rock	2	14	
basalt, black	14	23	
sandstone, brown, fractured	23	28	
sandstone, brown fractured w/occ. grey/green	28	39	
basalt, grey, lavender/brown	39	50	
sandstone, brown	50	57	
sandstone, grey	57	59	
sandstone, brown	59	73	
sandstone, grey, hard	73	78	
basalt, black	78	84	
sandstone, grey, hard	84	91	
sandstone, grey/brown, weathered	91	98	
sandstone, grey, hard	98	121	

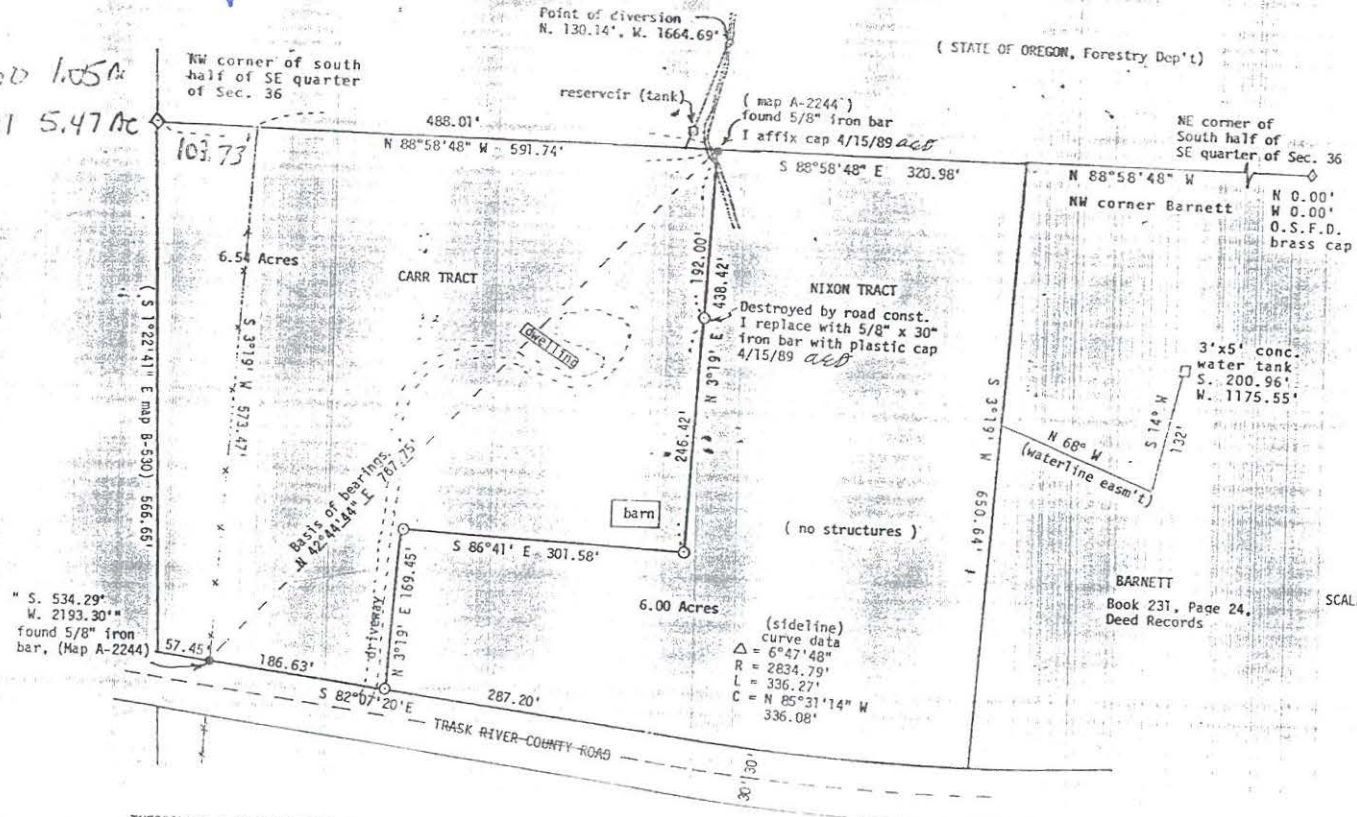
 Dickerson Well Drilling, Inc.
 503-623-2664

Date Started 06-17-2021 Completed 06-21-2021
 (unbonded) Water Well Constructor Certification
 I certify that the work I performed on the construction, deepening, alteration, or abandonment of this well is in compliance with Oregon water supply construction standards. Materials used and information reported above are to the best of my knowledge and belief.
 License Number 1574 Date 07-11-2021
 Signed Robert S. W.
 (bonded) Water Well Constructor Certification
 I accept responsibility for the construction, deepening, alteration, or abandonment of this well during the construction dates reported above. The work performed during this time is in compliance with Oregon water supply construction standards. This report is true to the best of my knowledge and belief.
 License Number 1571 Date 07-11-2021
 Signed William A. ...
 Contact Info (optional) _____

Spring Water System Survey

Lot 700 1.051 ac
Lot 701 5.47 ac

2 Lots to ↑
3 Lots



THEODOLITE & EDM/TAPE SURVEY MAP
OF
ADJUDICATED PARTITION
OF
NIXON TRACT (Deed Book 231, Pages 854 & 811)
in
South Half of Southeast Quarter of Section 36, T. 1 S., R. 9 W., W.M.
JULY, 1984
Tillamook County, Oregon

NARRATIVE

This survey was conducted as a partition survey for the purpose of locating a common boundary line as directed by the Court, and to also provide descriptions of the partition of tracts conveyed by deeds recorded as noted. The basis of bearings is the calculated value between the found monuments established by Map A-2244, Tillamook County Surveyor's Record.

LEGEND

- = 1 set 5/8" x 30" iron bar with yellow plastic cap inscribed "A DUNCAN LS 793".
- = Found 5/8" iron bar established by Map A-2244, Tillamook County Surveyor's Record.

REGISTERED
PROFESSIONAL
LAND SURVEYOR
Allan E. Duncan
OREGON
ALLAN E. DUNCAN

Allan E. Duncan
4206 Cypress St.
Tillamook, OR 97141
503-842-5478

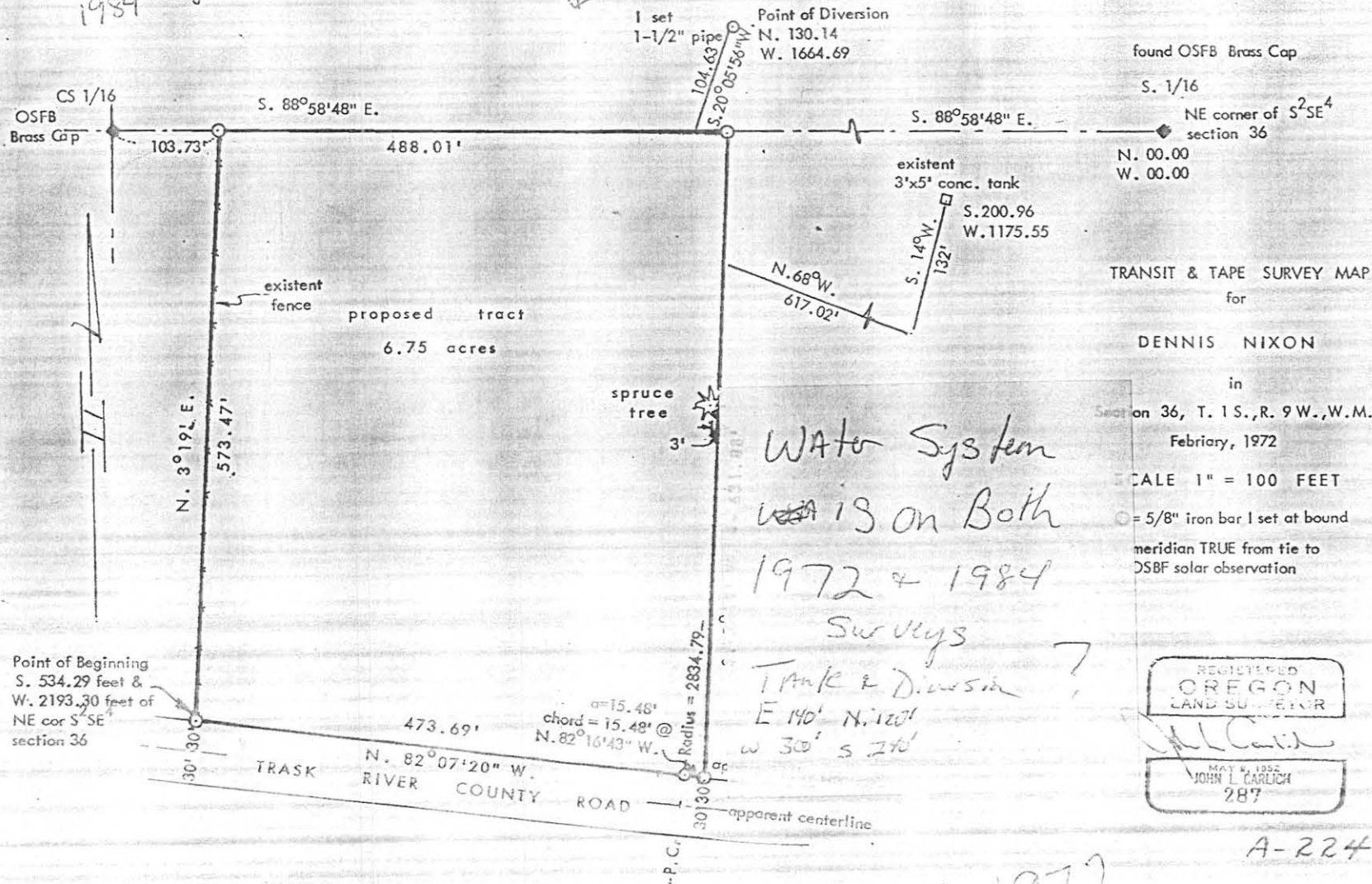
1984 Nixon



SCALE 1" = 100'

1972 103.73'
1984 83.73' ?

Spruce Tree
↓ still there 7-21



Feb 1972
Carlich

A-2244



After recording return to:
Denis N. Schmitz Revocable Living
Trust
14000 Trask River Road
Tillamook, OR 97141

Until a change is requested all tax statements
shall be sent to the following address:
Denis N. Schmitz Revocable Living
Trust
14000 Trask River Road
Tillamook, OR 97141

File No.: 7051-1688764 (CM)
Date: February 28, 2011

THIS SPACE RESERVED FOR RECORDER'S USE

Tillamook County, Oregon 2011-001289
03/03/2011 10:47:44 AM
DEED-DWARR
\$10.00 \$11.00 \$16.00 \$10.00 - Total = \$47.00



00104384201100012890020028

I hereby certify that the within
instrument was received for record and
recorded in the County of Tillamook,
State of Oregon.

Tassi O'Neil, Tillamook County Clerk



STATUTORY WARRANTY DEED

Rebecca Werst and John Werst, Grantor, conveys and warrants to **Denis N. Schmitz and Helen M. Schmitz, Co-Trustees or the successor Trustee under the Denis N. Schmitz Revocable Living Trust, dated December 11, 2008**, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

LEGAL DESCRIPTION: Real property in the County of Tillamook, State of Oregon, described as follows:

All that portion of the Southwest quarter of the Southeast quarter of Section 36, Township 1 South, Range 9 West of the Willamette Meridian that lies Westerly of a line which begins in an existent fence line on the apparent Northerly sideline of the Trask River County Road, which point is South 534.29 feet and West 2193.30 feet from the Northeast corner of the South half of the Southeast quarter of Section 36, Township 1 South, Range 9 West of the Willamette Meridian in Tillamook County, Oregon; thence North 3°19' East 573.47 feet to the Northern boundary of said South half of Southeast quarter and which lies North of the Trask River County Road.

Subject to:

1. Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

The true consideration for this conveyance is **\$25,000.00**. (Here comply with requirements of ORS 93.030)

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, OF CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, OF CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009.

Dated this 2nd day of march, 2011.

Rebecca Werst
Rebecca Werst

John Werst
John Werst

STATE OF Washington)
County of Cowlitz)ss.
)

This instrument was acknowledged before me on this 2 day of March, 2011
by **Rebecca Werst and John Werst.**

Kimberley M. Bopp
Notary Public for Washington
My commission expires: 06/14/2014



EXHIBIT A

LEGAL DESCRIPTION

A tract of land located in the Southwest quarter of the Southeast quarter of Section 36, Township 1 South, Range 9 West of the Willamette Meridian, Tillamook County, Oregon, the said tract being described as:

Beginning at a point in an existing fence line on the apparent Northerly sideline of the Trask River County Road, which point is South 534.29 feet and West 2193.30 feet from the Northeast corner of the South half of the Southeast quarter of said Section 36; thence along said County Road sideline South 82° 07' 20" East 186.63 feet to a 5/8" iron bar; thence North 3° 19' East 169.45 feet to a 5/8" iron bar; thence South 86° 41' East 301.58 feet to a 5/8" iron bar; thence North 3° 19' East 438.42 feet to the North line of the South half of the Southeast quarter of said Section 36; thence along the said North line North 88° 58' 48" West 488.01 feet to a point which is North 3° 19' East from the point of beginning; thence South 3° 19' West 573.47 feet to the point of beginning.

DEED EXCEPTIONS

Any improvements located upon the insured property which is described or defined as a mobile home under the provisions of Chapters 803 and 820, OREGON REVISED STATUTES and is subject to registration as provided therein.

Rights of the public in and to that portion lying within Trask River Road.

An easement, including the terms and provisions thereof,

From: W. N. Hulse

To: Tillamook People's Utility District

Recorded: October 21, 1947

Book: 109 Page: 120

Records of Tillamook County, Oregon.

Note: Said easement does not contain a centerline description, therefore we are unable to determine the exact location of said easement.

Easement, including the terms and provisions thereof,

From: Dennis E. Nixon and Nancy T. Nixon

To: Tillamook People's Utility District

Recorded: April 24, 1973

Book: 226 Page: 911

Records of Tillamook County, Oregon.

Tillamook County, Oregon 2009-000246
01/12/2009 03:04:43 PM
DEED-DWARR
\$15.00 \$11.00 \$10.00 - Total = \$36.00



I hereby certify that the within
Instrument was received for record and
recorded in the County of Tillamook,
State of Oregon.

Tassi O'Neil, Tillamook County Clerk



AFTER RECORDING RETURN TO:
MOORE & BALLARD
2002 PACIFIC AVENUE
FOREST GROVE, OR 97116

SEND TAX STATEMENTS TO:
NO CHANGE

STATUTORY WARRANTY DEED

Denis N. Schmitz and Helen M. Schmitz, husband and wife, Grantors, hereby convey and warrant to Denis N. Schmitz and Helen M. Schmitz, Co-Trustees or the successor Trustee under the DENIS N. SCHMITZ REVOCABLE LIVING TRUST dated December 11, 2008, and any amendments thereto as to an undivided one-half interest as a tenant in common and unto Helen M. Schmitz and Denis N. Schmitz, Co-Trustees or the successor Trustee under the HELEN M. SCHMITZ REVOCABLE LIVING TRUST dated December 11, 2008, and any amendments thereto as to an undivided one-half interest as a tenant in common, Grantees, all of their right, title, and interest in and to the real property situated in Tillamook County, Oregon, more particularly described on Exhibit A attached hereto and incorporated herein by this reference.

The property is free of encumbrances except for all covenants, conditions, restrictions and easements of record and deed exceptions set out on Exhibit A attached hereto and by reference made a part hereof.

The true consideration for this conveyance is \$0. The purpose of this Statutory Warranty Deed is for estate planning purposes and to transfer all of Grantors' right, title, and interest in the property described above to each of their revocable living trusts.

THE LIABILITY AND OBLIGATIONS OF THE GRANTORS TO GRANTEES AND GRANTEES' HEIRS AND ASSIGNS UNDER THE WARRANTIES AND COVENANTS CONTAINED HEREIN OR PROVIDED BY LAW SHALL BE LIMITED TO THE EXTENT OF COVERAGE THAT WOULD BE AVAILABLE TO GRANTORS UNDER A STANDARD POLICY OF TITLE INSURANCE CONTAINING EXCEPTIONS FOR MATTERS OF PUBLIC RECORD EXTENDED. IT IS THE INTENTION OF THE GRANTORS TO PRESERVE ANY EXISTING TITLE INSURANCE COVERAGE. THE LIMITATIONS CONTAINED HEREIN EXPRESSLY DO NOT RELIEVE GRANTORS OF ANY LIABILITY OR OBLIGATIONS UNDER THIS INSTRUMENT, BUT MERELY DEFINE THE SCOPE, NATURE AND AMOUNT OF SUCH LIABILITY OR OBLIGATIONS.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS,

IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007.

Dated this 11 day of December 2008.

GRANTORS:



Denis N. Schmitz




Helen M. Schmitz

STATE OF OREGON)
) ss. December 11, 2008
County of Washington)

Personally appeared the above named, Denis N. Schmitz and Helen M. Schmitz, and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me:



Notary Public for Oregon

