



DEPARTMENT OF COMMUNITY DEVELOPMENT
BUILDING, PLANNING & ON-SITE SANITATION SECTIONS

1510 - B Third Street
Tillamook, Oregon 97141
www.tillamook.or.us
503-842-3408

Land of Cheese, Trees and Ocean Breeze

PARTITION REQUEST #851-22-000012-PLNG
TOGETHER WITH
PROPERTY LINE ADJUSTMENT REQUEST #851-22-000010-PLNG
LA CONTRADA, LLC and ONION PEAK DESIGN

ADMINISTRATIVE DECISION AND STAFF REPORT

DECISION: Approved with Conditions

DECISION DATE: April 21, 2022

REPORT PREPARED BY: Angela Rimoldi, Planning Permit Technician

I. GENERAL INFORMATION:

Request: A partition request to create a total of two (2) residential parcels. This partition proposal includes a property line adjustment of Tax Lots 504 and 507 (*Tax Lot 507 was formally a portion of Tax Lot 500 and is now identified as Parcel 3 of Partition Plat 2021-16*) (Exhibit B). Upon completion of adjustment, the partition review is limited to Tax Lot 504.

Location: The subject properties are located within the Neah-Kah-Nie Unincorporated Community, accessed via Circle Dr. a local access road and a private easement identified as Via Bella Vista, a private road, are designated as Tax Lot 504 of Section 20BC, Township 3 North, Range 10 West of the Willamette Meridian, Tillamook County Oregon and Tax Lot 507 of Section 20BC, Township 3 North, Range 10 West of the Willamette Meridian, Tillamook County Oregon (*Tax Lot 507 was formally a portion of Tax Lot 500 and is now identified as Parcel 3 of Partition Plat 2021-16.*) Oregon (Exhibit A).

Zone: Neahkahnie Urban Residential Zone (NK-15)

Applicant: Onion Peak Design, 11460 Evergreen Way, Nehalem, OR. 97131

Property Owner: La Contrada, LLC, 6442 N. Maroa Ave., Fresno, CA. 97304

Description of Site and Vicinity: The subject properties identified as Tax Lot 504 (approximately 2.06 acres) and Tax Lot 507 (approximately 1.86 acres) are irregular in shape (Exhibit B). Tax Lot 504 and Tax Lot 507 have no improvements (Exhibit B). Properties are primarily vegetated with grasses, with some shrubs and trees. Properties hold access via private easements identified as Via Bella Vista and Via Del Fino, both private roads (Exhibit B). The subject properties are within an area devoted to residential use, within the Tillamook County's boundary zoned Neahkahnie Urban Residential Zone (NK-15), and the surrounding areas are also zoned Neahkahnie Urban Residential Zone (NK-15) (Exhibit A). Topography of the subject property varies but is primarily flat in areas, with some slopes (Exhibit B).

The subject properties are located within an area of Geologic Hazard, do not contain any mapped wetlands or natural features as indicated on the NWI map, and are located in Zone X within an Area of Minimal Flood Hazard as depicted on FEMA Flood Insurance Rate Map (FIRM) Panel #41057C0202F (Exhibit A).

Staff finds that the standards of TCLUO Section 4.130: Development Requirements for Geological Hazard Areas is applicable to future development of the proposed parcels and a Condition of Approval has been made to require relevant standards of this section be adhered to at the time of development.

II. PROPERTY LINE ADJUSTMENT CRITERIA AND FINDINGS (#851-22-000010-PLNG)

EXISTING PROPERTIES							
Unit B				Unit C			
Township	Range	Section	Tax Lot	Township	Range	Section	Tax Lot
3N	10W	22BC	507	3N	10W	20BC	504
Owner: La Contrada, LLC				Owner: La Contrada, LLC			
Property Address: Vacant				Property Address: Vacant			
Mailing Address (Street or PO Box): 6442 N. Maroa Ave., Fresno, CA. 93704				Mailing Address (Street or PO Box): 6442 N. Maroa Ave., Fresno, CA. 93704			
Zone: Neahkahnne Urban Residential Zone (NK-15)				Zone: Neahkahnne Urban Residential Zone (NK-15)			

Proposed Unit	Existing Area	Proposed Area
B (Tax Lot 507)	1.86 acres	2.29 acres
C (Tax Lot 504)	2.06 acres	2.02 acres

i. Parcel Creation. No additional parcel or lot is created by the lot line adjustment.

Findings:

- Staff concludes that no new parcels are being created as a result of the property line adjustment (Exhibit B).
- A partition is being reviewed for consideration. The lot line adjustment must be recorded prior to the partition.

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.*

Findings:

- Staff finds that both Units meets the minimum lot size of 15,000 square feet required by the Neahkahnne Urban Residential Zone (NK-15), both before and after the proposed property line adjustment (Exhibit B).
- Staff finds that both Units meet the minimum 60-foot lot width and 75-foot lot depth required by the Neahkahnne Urban Residential Zone (NK-15) before the proposed property line adjustment (Exhibit B).

- Staff finds that both Units have no improvements (Exhibit B)
- Staff concludes that this criterion has been met.

4. *As applicable, all lots and parcels shall conform to the Tillamook County Flood Hazard Overlay Zone.*

Findings:

- Both Units are located within Zone X an Area of Minimal Flood Hazard as depicted on FEMA FIRM 41057C0202F dated September 28, 2018 (Exhibit A).
- Staff concludes that this criterion has been met.

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.*

Findings:

- Staff finds that Unit B fronts a private easement identified as Via Bella Vista, a private road, before and after the proposed adjustment (Exhibit B).
- Staff finds that Unit C fronts a private easement identified as Via Del Fino, a private road, before and after the proposed adjustment (Exhibit B).
- Staff concludes this criterion has been met.

CONDITIONS OF APPROVAL:

1. The existing zoning designations for all Units shall remain the same and the standards for each zone will continue to apply, following the proposed adjustment.
2. If the adjusted units of land are less than ten acres in size, a survey to monument the new common boundary is required and shall be filed with the Tillamook County Surveyor's Department.
3. The property owner(s) shall record all proper documents, including descriptions of all access and utility easements necessary to serve the properties, in the Tillamook County Clerk's Office. Copies of the recorded documents shall be submitted to this Department.
4. A copy of the filed survey identifying all easements for access and utilities shall be submitted to this Department.
5. The property owner(s) shall fulfill the requirements for recording and filing above and shall submit any required map and documents within one year of the date of this approval. An extension of tentative approval may be available.

III. APPLICABLE ORDINANCE AND COMPREHENSIVE PLAN PROVISIONS FOR PARTITION #851-22-000012-PLNG

The desired use is governed through the following sections of the Tillamook County Land Use Ordinance (TCLUO) and Land Division Ordinance (TCLDO). The suitability of the proposed use, in light of these criteria, is discussed in Section III of this report:

- A. Land Division Ordinance Section 070: Preliminary Plat Approval Criteria
- B. Land Use Ordinance Section 3.300: Neahkahnie Urban Residential (NK-15) Zone
- C. Land Use Ordinance Section 4.130: Development Requirements for Geologic Hazard Areas

IV. ANALYSIS:

Notice of the request was mailed to property owners within 250 feet of the subject property and other agencies on March 25, 2022. No comments received.

A. 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;*

Findings: The Preliminary Partition Plat proposes creation of two (2) parcels (Exhibit B). Applicability of the Neahkahnie Urban Residential (NK-15) Zone is addressed below. Plat and submitted supplemental information confirm the criteria above are met (Exhibit B).

- (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;*

Findings: The preliminary plat confirms access to the subject property and proposed parcels remains via private easements identified as Via Bella Vista and Via Del Fino, both private roads (Exhibit B). Utilities for the benefit of the proposed parcels are identified on the preliminary plat map and application submittal documents (Exhibit B).

Land Division Ordinance Section 150 outlines development standards for partitions. Standards within this section either do not apply, evidence submitted by the Applicant confirms the standards are met, or that the standards can be met through compliance with the Conditions of Approval.

Staff concludes the above standards and the standards in Section 150 and 160 of the Land Division Ordinance have been met or can be met through the Conditions of Approval.

- (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.*

Findings: The subject properties are serviced by Neahkahnie Water District and Nehalem Bay Wastewater Agency; service documents were provided in the Applicant's submittal (Exhibit B).

The subject properties are served by the Nehalem Fire and Rescue, Tillamook County Public Works, and Tillamook People's Utility District. Given the location of the property, availability of public services existing in the area and absence of natural features on the subject property, staff concludes these criteria have been met, or can be met through compliance of the Conditions of Approval.

Staff finds that the criteria above are met or can be met through the Conditions of Approval which also requires the property owner to obtain all Federal, State, and Local permits, as applicable prior to development.

B. Land Use Ordinance Section 3.300 NEAHKAHNIE URBAN RESIDENTIAL ZONE (NK-15)

(4) STANDARDS: Land divisions in the NK-7.5, NK-15 and NK-30 zones shall conform to the following standards, unless more restrictive supplementary regulations apply:

(a) The minimum size for the creation of new lots or parcels shall be 7,500 square feet in the NK-7.5 zone; 15,000 square feet in the NK-15 zone and 30,000 square feet in the NK-30 zone with the following exceptions:

1. The provisions of the "cluster subdivision" section of the Land Division Ordinance or of the PD Overlay zone in the Land Use Ordinance may be used to concentrate development on a portion of a contiguous ownership except that no lots shall be created that are less than 7,500 square feet.

2. In the Neahkahnie Special Hazard Area, the minimum lot size shall be determined in accord with the requirements of Section 4.130 of the Land Use Ordinance, but such lots shall not be smaller than the minimums provided in the NK-7.5, NK-15 and NK-30 zones.

(b) The minimum lot width shall be 60 feet.

(c) The minimum lot depth shall be 75 feet.

(d) The minimum front yard setback shall be 20 feet. Adopted May 27, 2015 Tillamook County Land Use Ordinance Article 3.100 3

(e) The minimum side yard setback shall be 5 feet, except on the street side of a corner lot where it shall be 15 feet.

(f) The minimum rear yard shall be 20 feet, except on a street corner lot where it shall be 5 feet.

... ..

General Findings: Applicant has provided a preliminary plat confirming the two (2) parcels created by the partition request meet the minimum requirements for lot size and dimensions outlined above (Exhibit B).

Staff finds that set back requirements do not apply as there is no current development on the proposed parcels (Exhibit B).

Staff finds that a Condition of Approval can be made to require compliance with the Neahkahnie Urban Residential Zone (NK-15) provisions to be met at the time of future development.

Staff concludes these standards have been met and can be met through the Conditions of Approval.

C. Land Use Ordinance Section 4.130: Development Requirements for Geologic Hazard Areas

(1) *The following are GEOLOGIC HAZARD AREAS to which the standards of this Section apply:*

...

(b) *Inactive landslides, landslide topography and mass movement topography identified in DOGMI bulletins 74 and 79 where slopes are greater than 19 percent;*

...

(3) *A GEOLOGIC HAZARD report is required prior to approval of planned developments, coast resorts, subdivisions and partitions governed by the Land Division Ordinance, building permits, mobile home permits, sand mining, occurring in areas identified in (1) with the following exception:*

(a) *For building or mobile home or manufactured home permits in areas identified in (1) (b), reports are needed for lots 20,000 square feet or larger only where the proposed structure is to be situated on slopes greater than 29 percent or if (1) (f) applies.*

Findings: The proposed partition is located within a geologic hazard area. Future development of the subject property will be subject to development standards of the TCLUO Section 4.130: Development Requirements for Geologic Hazard Areas.

V. DECISION: APPROVED WITH CONDITIONS:

Staff concludes that the applicant and property owner have satisfied the minimum application requirements and can satisfy all applicable requirements outlined in the Tillamook County Land Use Ordinance and Tillamook County Land Division Ordinance. The Preliminary Partition Plat is hereby **APPROVED**, subject to the Conditions of Approval listed below.

By accepting this approval, the applicant and property owners agree to indemnify, defend, save and hold harmless Tillamook County, and its officers, agents, and employees from any claim, suit, action or activity undertaken under this approval, including construction under a Building Permit. The applicant and property owner shall obtain all of the necessary local, state, and federal permits and comply with all applicable regulations for the proposed Partition and building site or sites.

Appeal of this decision. This decision may be appealed to the Tillamook County Planning Commission, who will hold a public hearing. In such cases, forms and fees must be filed in the office of this Department before **4:00 PM on May 3, 2022**.

VI. CONDITIONS OF APPROVAL:

This approval is subject to the following conditions:

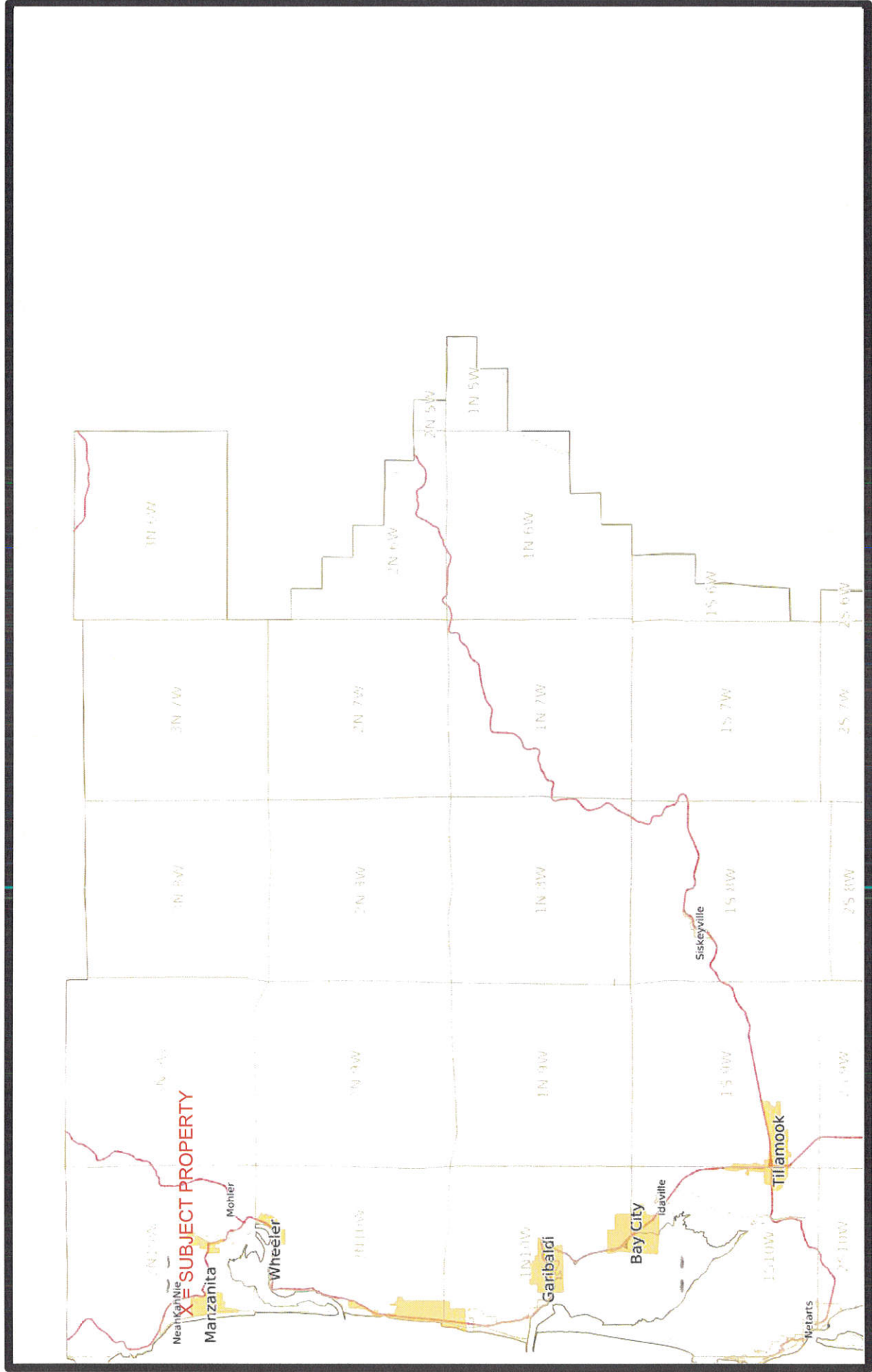
1. The property owner shall obtain all Federal, State, and Local permits, as applicable.
2. All easements necessary to serve the parcels for access and utilities shall be clearly identified on the final plat.
3. The applicant and property owner shall comply with all requirements of the Tillamook County Surveyor's Office.
4. The applicant and property owner shall record the Final Plat within two (2) years from the approval date of the Preliminary Plat or apply for an extension of time from this Department prior to expiration of tentative plat approval.
5. The applicant and property owner shall record the Final Plat within ninety (90) days from the date of final signature of the partition plat.
6. Future development of the Parcels shall comply with the development standards required by TCLUO Section 3.300 Neahkahnne Urban Residential Zone (NK-7.5, NK-15, NK-30)
7. Future development of the Parcels is subject to the standards required by TCLUO Section 4.130: Development Requirements for Geologic Hazard Areas.

VII. EXHIBITS

- A. Property Identification Maps
- B. Applicant's Submittal

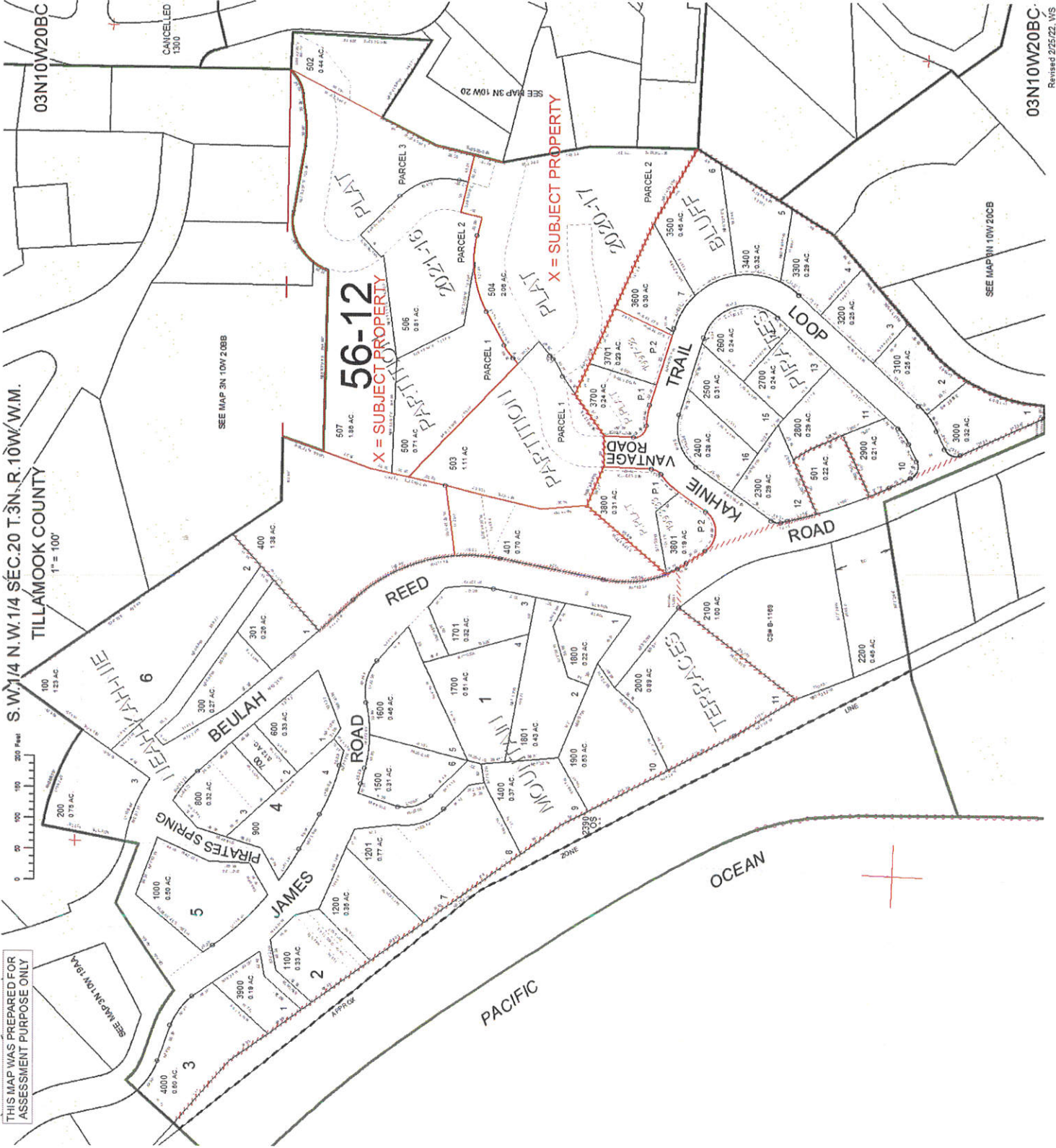
EXHIBIT A

Map



THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY

S. W. 1/4 N. W. 1/4 SEC. 20 T. 3N. R. 10W. W.M.
TILLAMOOK COUNTY
1" = 100'



CANCELLED
1300

03N10W20BC

03N10W20BC
Revised 2/25/22, WS

SEE MAP 3N 10W 20CB

SEE MAP 3N 10W 20BB

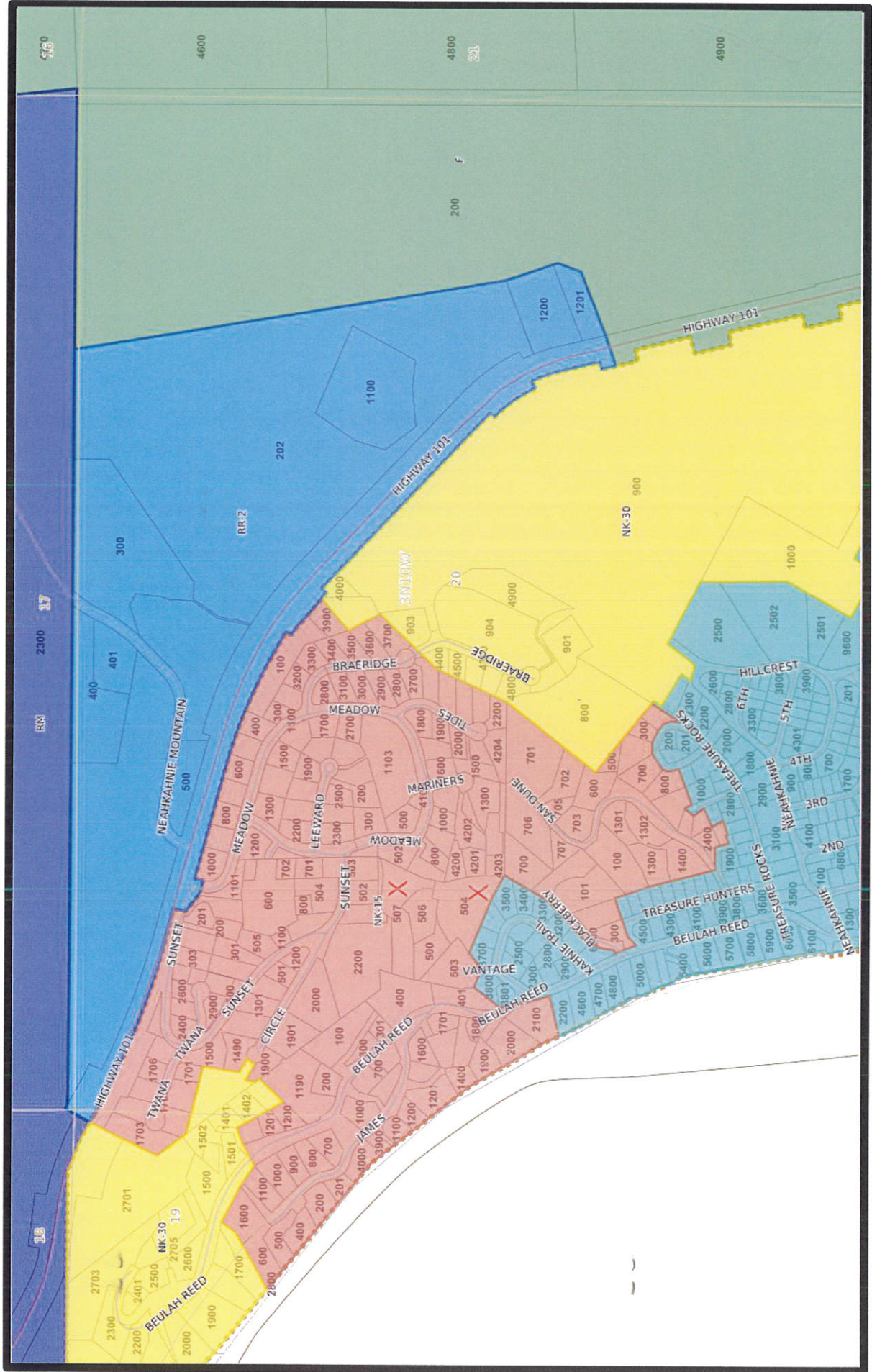
56-12
X = SUBJECT PROPERTY

X = SUBJECT PROPERTY



Map

X = SUBJECT PROPERTIES





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

TILLAMOOK COUNTY CLERK'S OFFICE

PLAT CABINET B SLIDE 1327-0

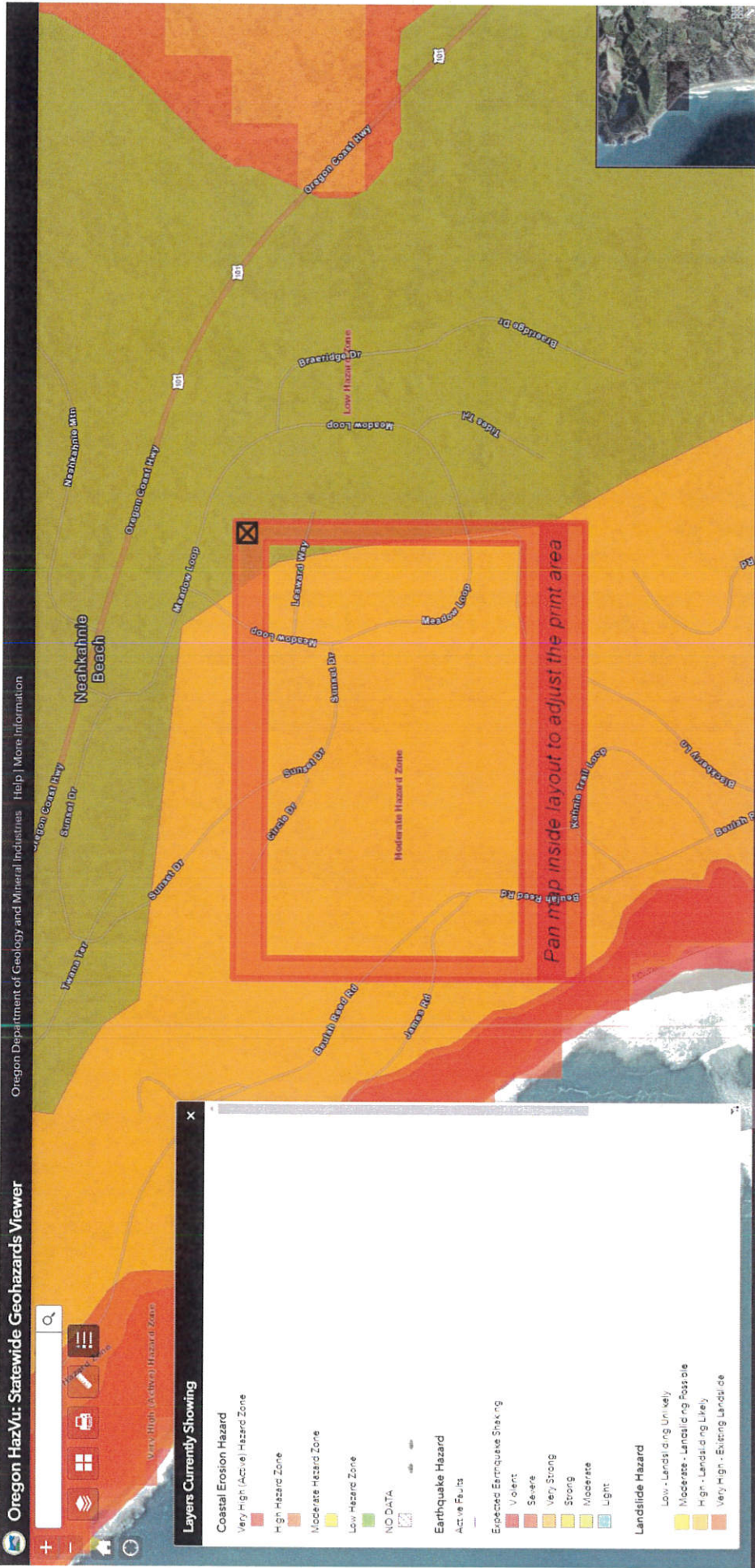
_____ SUBDIVISION NAME _____
_____ CONDOMINIUM NAME _____
 PARTITION PLAT NUMBER 2020-17

APPLICANT'S NAME:
La Contrada, LLC
Partition Plat 2020-17

PROPERTY OWNER NAME:
La Contrada, LLC
Partition Plat, 2020-17

LEGAL DESCRIPTION:
SECTION 20 TOWNSHIP: 3N RANGE: 10

RETURN ADDRESS:
Tillamook Co. Surveyor
1510 3rd St, Ste C
Tillamook, OR 97141

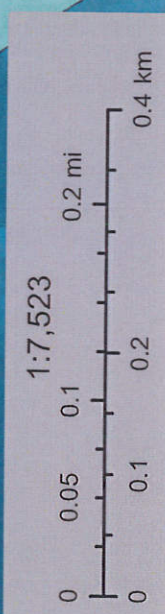




U.S. Fish and Wildlife Service

National Wetlands Inventory

LA CONTRADA, LLC & C



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National Flood Hazard Layer FIRMette

123°56'53"W 45°44'16"N



Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS

- Without Base Flood Elevation (BFE) Zone AE, V, A99
- With BFE or Depth Zone AE, AO, AH, VE, AR
- Regulatory Floodway

OTHER AREAS OF FLOOD HAZARD

- 0.2% Annual Chance Flood Hazard, Area of 1% annual chance flood with average depth less than one foot or with draining areas of less than one square mile Zone X
- Future Conditions 1% Annual Chance Flood Hazard Zone X
- Area with Reduced Flood Risk due to Levee. See Notes. Zone X
- Area with Flood Risk due to Levee Zone D

OTHER AREAS

- NO SCREEN
- Area of Minimal Flood Hazard Zone X
- Effective LOMRS
- Area of Undetermined Flood Hazard Zone X

GENERAL STRUCTURES

- Channel, Culvert, or Storm Sewer
- Levee, Dike, or Floodwall

OTHER FEATURES

- Cross Sections with 1% Annual Chance Water Surface Elevation
- Coastal Transect
- Base Flood Elevation Line (BFE)
- Limit of Study
- Jurisdiction Boundary
- Coastal Transect Baseline
- Profile Baseline
- Hydrographic Feature

MAP PANELS

- Digital Data Available
- No Digital Data Available
- Unmapped

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 4/18/2022 at 2:25 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.



123°56'16"W 45°43'51"N

1:6,000
Feet
0 250 500 1,000 1,500 2,000

EXHIBIT B



PROPERTY LINE ADJUSTMENT APPLICATION

Applicant/Representative

Name: Onion Peak Design Phone: 503-440-4403
 Address: 11480 Evergreen Way
 City: Nehalem State: OR Zip: 97131
 Email: erick.opd@gmail.com

Property Owner (Unit A)

Name: Dan Conner LLC Phone:
 Address: 6442 N. Maroa Ave
 City: Fresno State: CA Zip: 93704
 Email: dan@londonproperties.com

Property Owner (Unit B)

Name: La Contrada LLC Phone:
 Address: 6442 N. Maroa Ave
 City: Fresno State: CA Zip: 93704
 Email: dan@londonproperties.com

Property Owner (Unit C)

Name: La Contrada LLC Phone:
 Address:
 City: State: Zip:
 Email:

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

Between A and B - Return property line to previous location.
 Between B and C - Adjust B boundary to match right-of-way.

Unit A Location:

Site Address: 8015 Circle Drive, Nehalem, OR 97131
 Map Number: 3N 10W 20 BB 2200
Township Range Section Tax Lot(s)
 Zoning: NK-15
 Existing Use of Sites: Residential

Unit B Location:

Site Address: N/A
 Map Number: 3N 10W 20 BC 500
Township Range Section Tax Lot(s)
 Zoning: NK-15
 Existing Use of Sites: Vacant Land

OFFICE USE ONLY	
Date Stamp	RECEIVED MAR 21 2022
BY:	
<input type="checkbox"/> Approved	<input type="checkbox"/> Denied
Received by:	
Receipt #:	
Fees:	
Permit No: 851-22 - 000010 -PLNG	

Unit C Location:

Site Address: N/A

Map Number:	3N	10W	20 BC	504
	Township	Range	Section	Tax Lot(s)

Zoning: NK-15

Existing Use of Sites: Vacant Land

Taxlot (Units)	Existing Size	New Size
3N 10 20 BB TL 2200	3.02 Acres	2.63 Acres
3N 10 20 BC TL 500	1.86 Acres	2.29 Acres
3N 10 20 BC TL 504	2.06 Acres	2.02 Acres

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

3/16/22

Date



Legally Authorized Signature

3/16/22

Date



Legally Authorized Signature

3/16/22

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.

AREAS

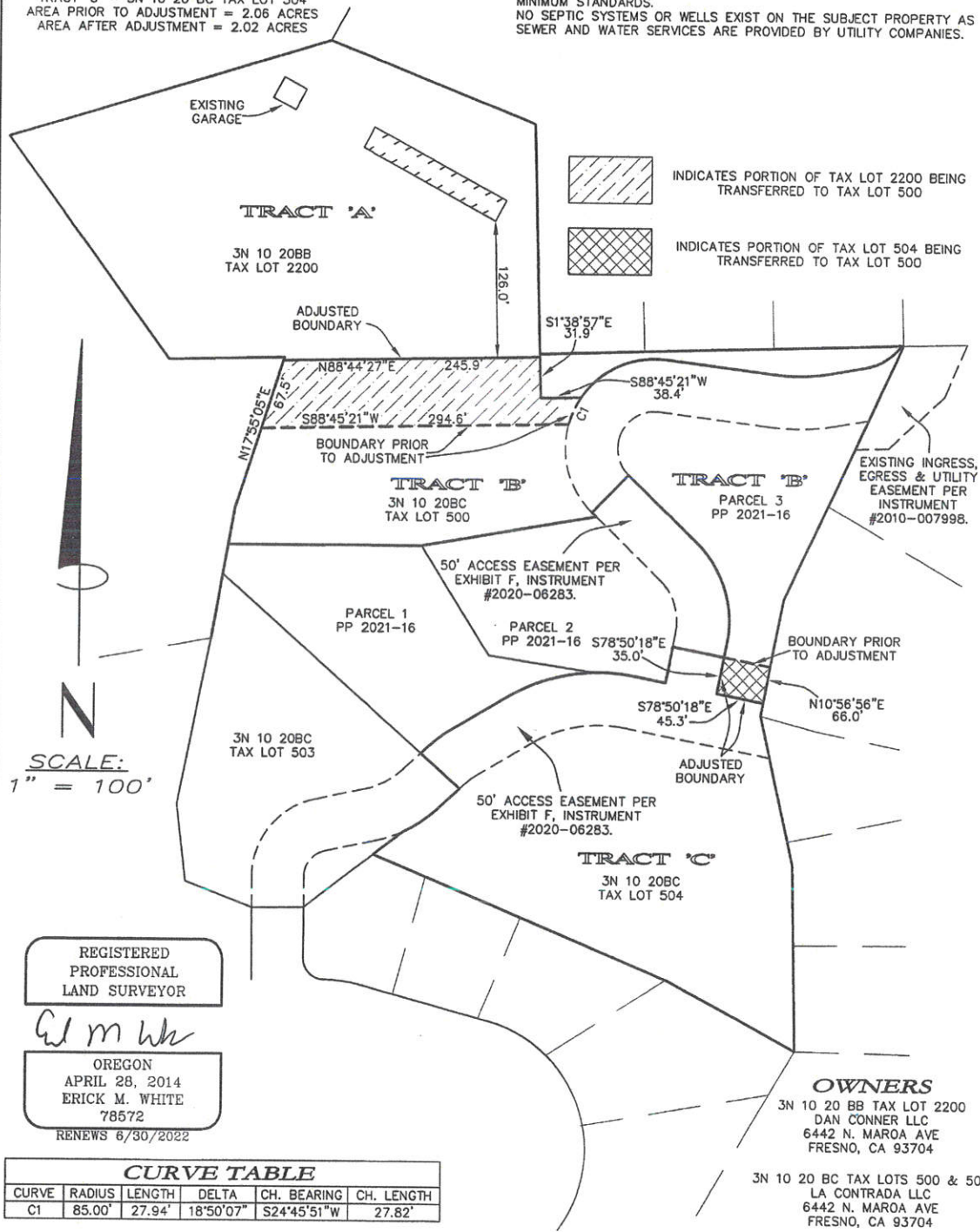
TRACT 'A' - 3N 10 20 BB TAX LOT 2200
 AREA PRIOR TO ADJUSTMENT = 3.02 ACRES
 AREA AFTER ADJUSTMENT = 2.63 ACRES

TRACT 'B' - 3N 10 20 BC TAX LOT 500
 AREA PRIOR TO ADJUSTMENT = 1.86 ACRES
 AREA AFTER ADJUSTMENT = 2.29 ACRES

TRACT 'C' - 3N 10 20 BC TAX LOT 504
 AREA PRIOR TO ADJUSTMENT = 2.06 ACRES
 AREA AFTER ADJUSTMENT = 2.02 ACRES

NOTES

THIS MAP DOES NOT CONSTITUTE A BOUNDARY SURVEY OF THE SUBJECT PROPERTY. THE PURPOSE OF THIS MAP IS TO SHOW THE PROPOSED LOT LINE ADJUSTMENT BETWEEN 3N 10 20BB TAX LOT 2200 AND 3N 10 20BC TAX LOTS 500 & 504 AS SHOWN HEREON. THERE ARE NOT ANY STRUCTURES LOCATED ON TAX LOTS 500 OR 504.
 NOTE THAT ONLY THE DIMENSIONS IN THE AREAS OF ADJUSTMENT ARE DETAILED AS THOSE WILL BE THE ONLY AREAS SURVEYED AND ALL PROPERTIES ARE MUCH LARGER THAN NECESSARY TO MEET MINIMUM STANDARDS.
 NO SEPTIC SYSTEMS OR WELLS EXIST ON THE SUBJECT PROPERTY AS SEWER AND WATER SERVICES ARE PROVIDED BY UTILITY COMPANIES.



INDICATES PORTION OF TAX LOT 2200 BEING TRANSFERRED TO TAX LOT 500

INDICATES PORTION OF TAX LOT 504 BEING TRANSFERRED TO TAX LOT 500

SCALE:
 1" = 100'

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

E M W

OREGON
 APRIL 28, 2014
 ERICK M. WHITE
 78572
 RENEWS 6/30/2022

CURVE TABLE

CURVE	RADIUS	LENGTH	DELTA	CH. BEARING	CH. LENGTH
C1	85.00'	27.94'	18°50'07"	S24°45'51"W	27.82'

OWNERS

3N 10 20 BB TAX LOT 2200
 DAN CONNER LLC
 6442 N. MAROA AVE
 FRESNO, CA 93704

3N 10 20 BC TAX LOTS 500 & 504
 LA CONTRADA LLC
 6442 N. MAROA AVE
 FRESNO, CA 93704

**ONION PEAK
 DESIGN**

11460 EVERGREEN WAY
 NEHALEM, OR 97131
 (503) 440-4403

PROPOSED ADJUSTMENT FOR:
LA CONTRADA/CONNER
 3N 10 20 BB TAX LOT 2200 &
 3N 10 20 BC TAX LOTS
 500 & 504
 NW 1/4, NW 1/4, SECTION 29, T3N, R10W, W.M.
 TILLAMOOK COUNTY
 FEBRUARY 24, 2022

RECEIVED
 FEB 25 2022
 BY:

CONTRADA2109-EX.DWG



LAND DIVISION APPLICATION

Applicant (Check Box if Same as Property Owner)

Name: Onion Peak Design Phone: 503-440-4403
 Address: 11460 Evergreen Way
 City: Nehalem State: OR Zip: 97131
 Email: erick.opd@gmail.com

Property Owner

Name: La Contrada LLC Phone: 559-436-4050
 Address: 6442 N. Maroa Ave
 City: Fresno State: CA Zip: 93704
 Email: dan@londonproperties.com

Location:

Site Address: N/A

Map Number: 3N 10W 20 BC 504
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

OFFICE USE ONLY
Date Stamp <div style="border: 2px solid blue; padding: 5px; display: inline-block;"> RECEIVED JAN 10 2022 BY: <i>JD CD</i> </div>
<input type="checkbox"/> Approved <input type="checkbox"/> Denied
Received by: <i>SS</i>
Receipt #: <i>125772</i>
Fees: <i>409.00</i>
Permit No: 851- <i>22-00012</i> -PLNG

- Proposed Development**
- 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 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.

La Contrada LLC. _____ *12/23/21* _____
Property Owner (Required) Date

[Signature] _____ *12/23/21* _____
Applicant Signature Date
By Daniel J. Conner member/manager

Alm Wz (OPO) _____ *1/7/22* _____

NOTES

THIS MAP DOES NOT CONSTITUTE A BOUNDARY SURVEY OF THE SUBJECT PROPERTY. THE PURPOSE OF THIS MAP IS TO SHOW THE PROPOSED PARTITION AS PER THE TILLAMOOK COUNTY PLANNING DEPARTMENT PARTITION PROCEDURES. TAX LOT 504 IS BEING PARTITIONED INTO THREE PARCELS AS SHOWN HEREON. THE EXTERIOR BOUNDARY OF TAX LOT 504 SHOWN HEREON ASSUMES THE COMPLETION OF THE BOUNDARY LINE ADJUSTMENT BEING SUBMITTED CONCURRENTLY WITH AND ASSUMES THE ADJUSTMENTS ARE COMPLETED PRIOR TO FILING OF THIS PARTITION.

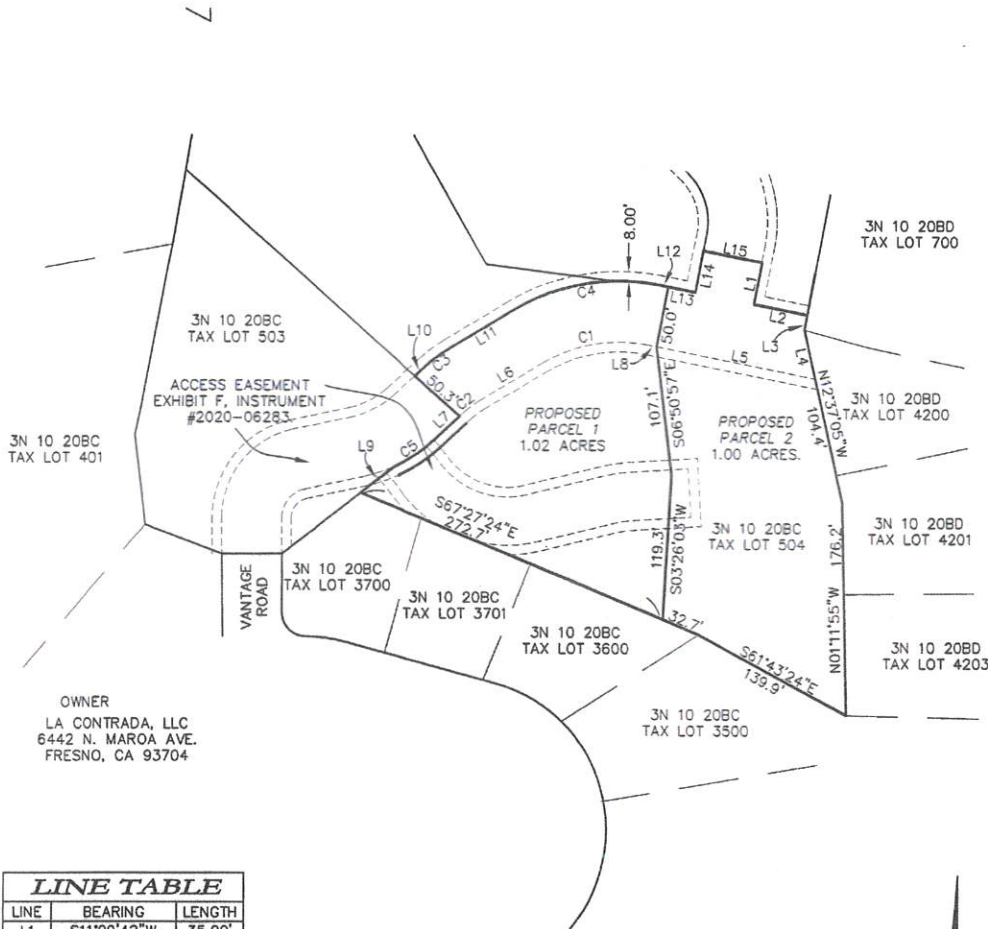
NO STRUCTURES CURRENTLY EXIST ON THE SUBJECT PROPERTY.
SEWER AND WATER SERVICES ARE PROVIDED BY LOCAL PUBLIC AGENCIES.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Erick M. White

OREGON
APRIL 28, 2014
ERICK M. WHITE
78572

RENEWS 6/30/2022



LINE TABLE

LINE	BEARING	LENGTH
L1	S11°09'42"W	35.00'
L2	S78°50'18"E	45.34'
L3	S10°56'56"W	12.19'
L4	S12°37'05"E	41.32'
L5	N78°50'18"W	135.08'
L6	S59°26'05"W	60.68'
L7	S47°34'28"W	35.58'
L8	N78°50'18"W	7.03'
L9	N52°15'46"E	35.18'
L10	S47°34'28"W	29.47'
L11	N59°26'05"E	60.68'
L12	S78°50'18"E	6.68'
L13	S78°50'18"E	23.39'
L14	N11°09'42"E	35.00'
L15	S78°50'18"E	50.00'

CURVE TABLE

CURVE	RADIUS	LENGTH	DELTA	CH. BEARING	CH. LENGTH
C1	125.00'	91.03'	41°43'37"	S80°17'53"W	89.04'
C2	75.00'	15.53'	11°51'37"	S53°30'17"W	15.50'
C3	125.00'	25.88'	11°51'37"	N53°30'17"E	25.83'
C4	175.00'	127.45'	41°43'37"	N80°17'53"E	124.65'
C5	125.00'	39.44'	18°04'48"	N56°36'52"E	39.28'



SCALE:
1" = 100'

PROPOSED PARTITION FOR:
LA CONTRADA, LLC

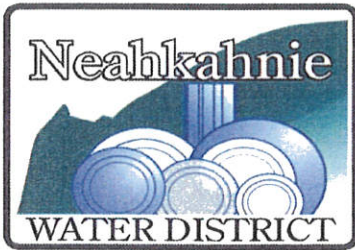
3N 10 20 BC
TAX LOT 504
NW 1/4, SECTION 20, T3N, R10W, W.M.
TILLAMOOK COUNTY
FEBRUARY 24, 2022

**ONION PEAK
DESIGN**

11460 EVERGREEN WAY
NEHALEM, OR 97131
(503) 440-4403

CONTRADA2112-EX.DWG

RECEIVED
FEB 25 2022
BY:



9155 Nehalem Road a Nehalem Oregon 97131
(503) 368-7309

DATE: March 3, 2022

TO: Tillamook County One-Stop Permit Counter

Tillamook County Department of Community Development
1510 – B Third Street
Tillamook, Oregon 97141

FROM: Neahkahnie Water District

Re: Water Availability Letter – Dan Conner/ Erick White

Dear Sir/Madame,


The property identified in the above-captioned application is included within this District for purposes of receiving water services and is subject to the ordinances of this District:

Township: 3N Range: 10W Section: 20BC Tax lot(s): 504

According to our records, the legal owner is: La Contrada (Dan Conner)
8015 Circle Drive Nehalem, Oregon 97131

COMMENTS: Street number not yet assigned - pending

Per District Water Regulations (see current ordinance in force) this letter in and of itself does not guarantee water service connections for any home built on this (these) lots in the future. Each proposed residence shall have an approved building permit from the county. A water service connection will be allowed following submittal of a completed District water service application, payment of fees, and certification of compliance with any and all other District regulations in place at the time water service is requested.


Carrie Mock

General Manager
Signature and Title of Authorized Representative

503-368-7309
Phone

C: property owner, and Architect

TILLAMOC 2020-37

RECEIVED
JAN 10 2022
BY: [Signature]

Recording Requested By and
When Recorded Return To:

La Contrada, LLC
8015 Circle Drive
Nehalem, OR 97131

Tillamook County, Oregon
09/18/2020 12:36:00 PM
DEED-DWARR
\$110.00 \$11.00 \$10.00 \$61.00 - Total = \$192.00
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

(SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY)

UNTIL A CHANGE IS REQUESTED, ALL TAX STATEMENTS
SHOULD BE SENT TO THE FOLLOWING ADDRESS:
La Contrada, LLC
8015 Circle Drive
Nehalem, Oregon, 97131

Map and Tax Lot # 3N10W20BC0500 &
3N10W20BC0503

SPECIAL WARRANTY DEED

DANIEL J. CONNER, Trustee of the DANIEL J. CONNER SURVIVOR'S TRUST, under declaration of Living Trust dated April 11, 1995 ("Grantor"), for no monetary consideration and as a capital contribution thereto, does hereby convey unto LA CONTRADA, LLC, an Oregon limited liability company ("Grantee"), the following described real property and improvements, in the County of Tillamook, State of Oregon, and more particularly described as follows:

See Exhibit A attached hereto and incorporated herein by this reference.

EXCEPTING AND RESERVING unto the Grantor for itself and for the benefit of its wholly owned entity DAN CONNER LLC, an Oregon limited liability company, the following easements on and over the property described in Exhibit A (the "Burdened Property") from and for the benefit of that certain real property located in Tillamook County, Oregon, as more particularly described on Exhibit B, attached hereto and incorporated by reference (the "Benefitted Property"): (1) for the maintenance of views, as described in Exhibit C, attached hereto and incorporated by reference (the "View Easement"); (2) for purposes of storm water and surface drainage as described in Exhibit D, attached hereto and incorporated by reference (the "Drainage Easements"); (3) for purposes of sanitary sewer utilities, water utilities, electrical utilities, telecommunication utilities and other utilities as described in Exhibit E, attached hereto and incorporated by reference (the "Utilities Easements"); (4) for purposes of access, ingress, egress and through travel as described in Exhibit F, attached hereto and incorporated by reference (the "Access Easement"); and (5) for the maintenance of existing native trees and foliage, as described in Exhibit G, attached hereto and incorporated by reference (the "Tree Easement").

THIS GRANT IS MADE EXPRESSLY SUBJECT TO ALL ENCUMBRANCES DONE, MADE OR SUFFERED BY THE GRANTORS, OR ANY PERSON CLAIMING UNDER THE GRANTORS.

TILLAMOOK 2020-37

**Recording Requested By and
When Recorded Return To:**

La Contrada, LLC
8015 Circle Drive
Nehalem, OR 97131

(SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY)

UNTIL A CHANGE IS REQUESTED, ALL TAX STATEMENTS
SHOULD BE SENT TO THE FOLLOWING ADDRESS:

Map and Tax Lot # 3N10W20BC0500 &
3N10W20BC0503

La Contrada, LLC
8015 Circle Drive
Nehalem, Oregon, 97131

SPECIAL WARRANTY DEED

DANIEL J. CONNER, Trustee of the DANIEL J. CONNER SURVIVOR'S TRUST, under declaration of Living Trust dated April 11, 1995 ("Grantor"), for no monetary consideration and as a capital contribution thereto, does hereby convey unto LA CONTRADA, LLC, an Oregon limited liability company ("Grantee"), the following described real property and improvements, in the County of Tillamook, State of Oregon, and more particularly described as follows:

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THIS GRANT IS MADE EXPRESSLY SUBJECT TO ALL ENCUMBRANCES DONE, MADE OR SUFFERED BY THE GRANTORS, OR ANY PERSON CLAIMING UNDER THE GRANTORS.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300 (Definitions for ORS 195.300 to 195.336), 195.301 (Legislative findings) AND 195.305 (Compensation for restriction of use of real property due to land use regulation) TO 195.336 (Compensation and Conservation Fund) AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. 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 (Definitions for ORS 92.010 to 92.192) OR 215.010 (Definitions), 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 (Definitions for ORS 30.930 to 30.947), AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300 (Definitions for ORS 195.300 to 195.336), 195.301 (Legislative findings) AND 195.305 (Compensation for restriction of use of real property due to land use regulation) TO 195.336 (Compensation and Conservation Fund) AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

"Grantor"

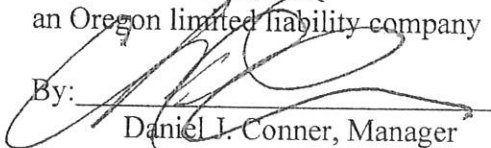
Dated: Aug 26 20


DANIEL J. CONNER, Trustee of the DANIEL J. CONNER SURVIVOR'S TRUST, under declaration of Living Trust dated April 11, 1995

GRANTEE ACKNOWLEDGES THE TERMS AND CONDITIONS OF EACH OF THE EASEMENTS AND RESERVED RIGHTS OF GRANTOR CONTAINED IN EXHIBITS C, D, E, F, G, H, AND I, ATTACHED HERETO. GRANTEE AGREES THAT ANY SUBSEQUENT TRANSFER OF THE PROPERTY CONVEYED HEREBY SHALL BE TRANSFERRED SUBJECT TO THE FOREGOING EASEMENTS, AND ANY TRANSFEREES THEREOF SHALL BE BOUND THEREBY, UNLESS RELEASED IN WRITING BY GRANTOR, OR ITS SUCCESSORS IN AND TO THE BENEFITTED PROPERTY.

"Grantee"

Dated: Aug 26 20

LA CONTRADA, LLC
an Oregon limited liability company
By: 
Daniel J. Conner, Manager

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF California
COUNTY OF Fresno) ss

On August 26, 20 20, before me, Christie M. Luevano, Notary Public, personally appeared Daniel J. Corrao, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

(SEAL)

Signature Christie M. Luevano



)
)

EXHIBIT A

A tract of land located in the Northwest one-quarter of Section 20, Township 3 North, Range 10 West of the Willamette Meridian, Tillamook County, Oregon, further described as follows.

Adjusted Parcels 1 and 2, Exhibit 'A', Instrument #2018-007274, Tillamook County Deed Records.

Less and Excepting the following portion of said Adjusted Parcel 1:

Beginning at the Northwest corner of said Adjusted Parcel 1, said point being marked by a 3/4" iron pipe;

Thence North 88°44'27" East 244.81 feet to a 1 1/2" iron pipe;

Thence North 88°11'58" East 346.70 feet;

Thence Southwesterly along the arc of a 56.18 foot radius curve to the right (radius bears North 52°50'07" West) through a central angle of 43°16'22" a distance of 42.43 feet (chord bears South 58°48'04" West 41.43 feet);

Thence South 80°26'15" West 35.28 feet;

Thence Southwesterly along the arc of a 175.00 foot radius curve to the right through a central angle of 16°39'51" a distance of 50.90 feet (chord bears South 88°46'11" West 50.72 feet);

Thence North 82°53'54" West 105.96 feet;

Thence Southwesterly along the arc of an 85.00 foot radius curve to the left through a central angle of 81°45'18" a distance of 121.29 feet (chord bears South 56°13'27" West 111.26 feet);

Thence South 88°45'21" West 294.55 feet;

Thence North 17°55'05" East 70.72 feet to the **Point of Beginning**.

See Map B-4040, Tillamook County Survey Records (Remainder Parcel) for dimension details.

Containing 6.56 acres.

The purpose of this legal description is not to create a separate tax lot.

EXHIBIT B

(Benefited Property)

PARCEL 1:

A tract of land located in the Northwest one-quarter of Section 20, Township 3 North, Range 10 West of the Willamette Meridian, Tillamook County, Oregon, further described as follows:

Parcel 1, Exhibit 'A', Instrument #2019-01466, Tillamook County Deed Records.

Together with a portion of Adjusted Parcel 1, Exhibit 'A', Instrument #2018-007274, Tillamook County Deed Records, further described as follows:

Beginning at the Northwest of said Adjusted Parcel 1, said point being marked by a 3/4" iron pipe;

Thence North 88°44'27" East 244.81 feet along the North line of said Adjusted Parcel 1 to a 1 1/2" iron pipe;

Thence South 01°38'57" East 41.86 feet to a 5/8" rebar with plastic cap stamped "ONION PEAK DESIGN";

Thence North 88°45'21" West 38.43 feet to a 5/8" rebar with plastic cap stamped "ONION PEAK DESIGN";

Thence Southwesterly along the arc of a 85.00 foot radius curve to the left through a central angle of 18°50'07" a distance of 27.94 feet (chord bears South 24°45'51" West 27.82 feet) to a 5/8" rebar with plastic cap stamped "ONION PEAK DESIGN";

Thence South 88°45'21" West 294.55 feet through a 5/8" rebar with plastic cap stamped "ONION PEAK DESIGN" to the West line of Adjusted Parcel 1;

Thence North 17°55'05" East 70.72 feet along the West line of Adjusted Parcel 1 to the **Point of Beginning**.

See Map B-4040, Tillamook County Survey Records for details.

PARCEL 2:

A tract of land located in the Northwest one-quarter of Section 20, Township 3 North, Range 10 West of the Willamette Meridian, Tillamook County, Oregon, further described as follows:

Parcel 1, Exhibit 'A', Instrument #2019-01466, Tillamook County Deed Records.

Together with a portion of Adjusted Parcel 1, Exhibit 'A', Instrument #2018-007274, Tillamook County Deed Records, further described as follows:

Commencing at the Northwest corner of said Adjusted Parcel 1, said point being marked by a 3/4" iron pipe;

Thence North 88°44'27" East 244.81 feet along the North line of said Adjusted Parcel 1 to a 1 1/2" iron pipe and the **Point of Beginning**;

Thence North 88°11'58" East 346.70 feet along the North line of said Adjusted Parcel 1 to a 5/8" rebar with plastic cap stamped "ONION PEAK DESIGN";

Thence Southwesterly along the arc of a 56.18 foot radius curve to the right (radius bears North 52°50'07" West) through a central angle of 43°16'22" a distance of 42.43 feet (chord bears South 58°48'04" West 41.43 feet) to a 5/8" rebar with plastic cap stamped "ONION PEAK DESIGN";

Thence South 80°26'15" West 35.28 feet to a 5/8" rebar with plastic cap stamped "ONION PEAK DESIGN";

Thence Southwesterly along the arc of a 175.00 foot radius curve to the right through a central angle of 16°39'51" a distance of 50.90 feet (chord bears South 88°46'11" West 50.72 feet) to a 5/8" rebar with plastic cap stamped "ONION PEAK DESIGN";

Thence North 82°53'54" West 105.96 feet to a 5/8" rebar with plastic cap stamped "ONION PEAK DESIGN";

Thence Southwesterly along the arc of an 85.00 foot radius curve to the left through a central angle of 62°55'11" a distance of 93.34 feet (chord bears South 65°38'30" West 88.72 feet) to a 5/8" rebar with plastic cap stamped "ONION PEAK DESIGN";

Thence North 88°45'21" West 38.43 feet to a 5/8" rebar with plastic cap stamped "ONION PEAK DESIGN";

Thence North 01°38'57" West 41.86 feet to the **Point of Beginning**.

See Map B-4040, Tillamook County Survey Records for details.

EXHIBIT C

(View Easement)

A perpetual easement for the maintenance of views (the "View Easement") for the benefit of the Benefitted Property, and for any part of it to receive light, air, and an unobstructed view over the Burdened Property, to the extent that such light, air, and view will be received and enjoyed by limiting any structure on the Burdened Property, or any part of it, (except as approved in writing by the Grantor or the Grantor's successor in interest in an to the Benefitted Property) from extending above the plane defined by the following three (3) coordinates (the "View Plane"):

<u>Point</u>	<u>Northing</u>	<u>Easting</u>	<u>Elevation</u>
X	5099.20	5810.36	319.42'
Y	5212.00	5633.38	296.01
Z	5040.56	5631.68	293.20

and further to the extent that such light, air, and view will be received and enjoyed by limiting any trees or shrubs on the Burdened Property, no trees or shrubs under the View Plane shall extend into the View Plane, except as approved in writing by the Grantor or the Grantor's successor in interest in an to the Benefitted Property. Any obstruction of such view above the View Plane, as applicable, except for temporary obstructions (i.e. scaffolding and the like) during construction of a structure in the Burdened Property, shall be considered an unauthorized interference with such right or easement and shall be removed on demand at the expense of Grantee, and (his or her) heirs, successors, and assigns in the ownership of the Burdened Property or any part of it. The View Easement shall be appurtenant to and shall run with the Benefitted and Burdened Properties, and shall inure to the benefit of and bind the successors and assigns of Grantor and Grantee respectively. All of Grantor's rights under this View Easement shall pass to Grantor's successors and assigns in and to the Benefitted Property, and all references to Grantor in this View Easement shall be deemed to be references to such successors and assigns. All of Grantee's rights and obligations under the View Easement shall pass to Grantee's successors and assigns in and to the Burdened Property, and all references to Grantee in this View Easement shall be deemed to be references to such successors and assigns.

NOTE:

Horizontal and Vertical Control: The elevations are based upon assumed & local horizontal and vertical datums. Two control points have been set on site for project control.

Control Point #1 -Lower Gate: Set brass tack and washer in concrete in the Northeast corner of the Easterly gate pillar concrete pad.

Control Point #2- Upper Gate: Set brass tack and washer in concrete pad of Southerly gate pillar. Said brass tack and washer is 0.65' West of rock pillar and 0.4' North of South edge of concrete.

Control Point	Northing	Easting	Elevation
#1	5619.39	5620.94	334.14'
#2	5134.18	5013.28	146.71'

EXHIBIT D

(Drainage Easement)

A perpetual easement on and over the Burdened Property for purposes of storm water and surface drainage (1) over, upon, across, in and through the Burdened Property (the "Surface Drainage Easement"), (2) over, upon over, upon, across, in and through that portion of the Burdened Property defined below as the Drainage Pipeline Easement Area, including the right to construct, install, maintain and repair a pipeline (and in the easement area described below as Easement N, a system of retention walls) in such Drainage Pipeline Easement Area (the "Drainage Pipeline Easement") and (3) the right to connect to and use any and all drainage and water retention systems constructed on the Burdened Property (the "Drainage System Use Easement" and together with the Surface Drainage Easement and the Drainage Pipeline Easement, the "Drainage Easement"); all from and for the benefit of the Benefitted Property. Storm water and surface drainage from the Benefitted Property shall be permitted to discharge upon and flow over, upon, through and under the Burdened Property. Grantee shall maintain the Burdened Property so, at all times, it continues to function as intended. Grantee shall be prohibited from altering or placing anything on the Burdened Property, or developing or improving the Burdened Property, which obstructs, impedes, or interferes with the flow of storm water drainage from the Benefitted Property to, over, upon, across, in and through the Burdened Property. Any obstruction of such drainage, except for temporary obstructions (i.e. in support of construction activities on the Burdened Property for which mitigating measures have been put in place), shall be considered an unauthorized interference with such right or easement and shall be removed on demand at the expense of Grantee, and (his or her) heirs, successors, and assigns in the ownership of the Burdened Property or any part of it. The Drainage Easement shall be appurtenant to and shall run with the Benefitted and Burdened Properties, and shall inure to the benefit of and bind the successors and assigns of Grantor and Grantee respectively. All of Grantor's rights under this Drainage Easement shall pass to Grantor's successors and assigns in and to the Benefitted Property, and all references to Grantor in this Drainage Easement shall be deemed to be references to such successors and assigns. All of Grantee's rights and obligations under the Drainage Easement shall pass to Grantee's successors and assigns in and to the Burdened Property, and all references to Grantee in this Drainage Easement shall be deemed to be references to such successors and assigns.

Drainage Pipeline Easement Area means those portions of the Burdened Property described as the following Easements A, B, E through J (inclusive) and L:

Easement A

A 50.00 foot wide utility (and storm sewer) easement over a portion of Parcels 1 and 2, Partition Plat 2015-21 Tillamook County Survey Records (as adjusted on Map B-3838, Tillamook County Survey Records), situated in the Southwest one-quarter of the Northwest one-quarter of Section 20, Township 3 North, Range 10 West of the Willamette Meridian, Tillamook County, Oregon, further described as follows:

Beginning at the Northwest corner of Vantage Road;

Thence North $00^{\circ}30'48''$ West 28.93 feet;

Thence Northeasterly along the arc of a 75.00 foot radius curve to the right through a central angle of $78^{\circ}33'11''$ a distance of 102.83 feet (chord bears North $38^{\circ}45'48''$ East 94.96 feet);

Thence North $78^{\circ}02'23''$ East 49.18 feet;

Thence Northeasterly along the arc of a 75.00 foot radius curve to the left through a central angle of $30^{\circ}27'55''$ a distance of 39.88 feet (chord bears North $62^{\circ}48'25''$ East 39.41 feet);

Thence North $47^{\circ}34'28''$ East 35.58 feet;

Thence Northeasterly along the arc of a 125.00 foot radius curve to the right through a central angle of $11^{\circ}51'37''$ a distance of 25.88 feet (chord bears North $53^{\circ}30'17''$ East 25.83 feet);

Thence North $59^{\circ}26'05''$ East 60.68 feet;

Thence Northeasterly along the arc of a 175.00 foot radius curve to the right through a central angle of $41^{\circ}43'37''$ a distance of 127.45 feet (chord bears North $80^{\circ}17'53''$ East 124.65 feet);

Thence South 78°50'18" East 30.06 feet;
Thence North 11°09'42" East 48.79 feet;
Thence Northwesterly along the arc of a 55.00 foot radius curve to the left through a central angle of 57°10'46" a distance of 54.89 feet (chord bears North 17°25'41" West 52.64 feet);
Thence North 46°01'04" West 91.18 feet;
Thence Northeasterly along the arc of an 85.00 foot radius curve to the right through a central angle of 143°07'10" a distance of 212.32 feet (chord bears North 25°32'31" East 161.27 feet);
Thence South 82°53'54" East 105.96 feet;
Thence Northeasterly along the arc of a 175.00 foot radius curve to the left through a central angle of 16°39' 51" a distance of 50.90 feet (chord bears North 88°46'11" East 50.72 feet);
Thence North 80°26'15" East 35.28 feet;
Thence Northeasterly along the arc of a 56.18 foot radius curve to the left through a central angle of 43°16'22" a distance of 42.43 feet (chord bears North 58°48'04" East 41.43 feet) to the North line of Parcel 1 Partition Plat 2015-21;
Thence North 88°11'58" East 2.05 feet along the North line of said Parcel 1 to the Northeast corner thereof;
Thence South 24°59'09" West 78.92 feet along the East line of said Parcel 1;
Thence South 80°26'15" West 31.07 feet;
Thence Southwesterly along the arc of a 225.00 foot radius curve to the right through a central angle of 16°39' 51" a distance of 65.44 feet (chord bears South 88°46'11" West 65.21 feet);
Thence North 82°53'54" West 105.96 feet;
Thence Southwesterly along the arc of a 35.00 foot radius curve to the left through a central angle of 143°07'10" a distance of 87.43 feet (chord bears South 25°32'31" West 66.41 feet);
Thence South 46°01 '04" East 91.18 feet;
Thence Southeasterly along the arc of a 105.00 foot radius curve to the right through a central angle of 57°10'46" a distance of 104.79 feet (chord hears South 17°25'41" East 100.49 feet);
Thence South 11°09' 42" West 48.79 feet;
Thence South 78°50'18" East 45.34 feet to the East boundary of Parcel 2, Partition Plat 2015-21;
Thence South 10°56'56" West 12.19 feet along said East boundary;
Thence South 12°37'05" East 41.32 feet along said East boundary;
Thence North 78°50'18" West 142.11 feet;
Thence Southwesterly along the arc of a 125.00 foot radius curve to the left through a central angle of 41°43'37" a distance of 91.03 feet (chord bears South 80°17'53" West 89.04 feet);
Thence South 59°26'05" West 60.68 feet;
Thence Southwesterly along the arc of a 75.00 foot radius curve to the left through a central angle of 11°51'37" a distance of 15.53 feet (chord bears South 53°30'17" West 15.50 feet);
Thence South 47°34'28" West 35.58 feet;
Thence Southwesterly along the arc of a 125.00 foot radius curve to the right through a central angle of 30°27'55" a distance of 66.47 feet (chord bears South 62°48'25" West 65.69 feet);
Thence South 78°02'23" West 49.18 feet;
Thence Southwesterly along the arc of a 25.00 foot radius curve to the left through a central angle of 78°33'11" a distance of 34.28 feet (chord bears South 38°45'48" West 31.65 feet);

Thence South 00°30'48" East 28.93 feet to the Northeast corner of Vantage Road;

Thence South 89°29' 12" West 50.00 feet along the North line of Vantage Road to the Point of Beginning.

Together with

An 8.00 foot wide utility (and storm sewer) easement adjacent and parallel to the side lines of the above described easement.

The sidelines of said 8.00 foot wide utility easements to extend to or truncate at the exterior boundary of the subject properties (Parcels 1 & 2, Partition Plat 2015-21 Tillamook County Survey Records (as adjusted on Map B-3838, Tillamook County Survey Records)).

The above legal descriptions are intended to coincide with the future road right-of-ways once platted. It is assumed that the utility easements, if different from the platted right-of-way, will adjust to match the final plat.

The purpose of this legal description is to describe and easement, not create a separate tax lot.

Easement B

A 40.00 foot wide utility (and storm sewer) easement over a portion of Parcel 2, Partition Plat 2015-21 Tillamook County Survey Records (as adjusted on Map B-3838, Tillamook County Survey Records), situated in the Southwest one-quarter of the Northwest one-quarter of Section 20, Township 3 North, Range 10 West of the Willamette Meridian, Tillamook County, Oregon, further described as follows:

Beginning at a point that is 69.38 feet North and 135.35 feet East of the Northwest corner of Vantage Road;

Thence South 38°44'12" East 26.32 feet;

Thence Southeasterly along the arc of a 110.00 foot radius curve to the left through a central angle of 18°39'32" a distance of 35.82 feet (chord bears South 48°03'59" East 35.66 feet);

Thence South 67°27'24" West 38.43 feet;

Thence Northeasterly along the arc of a 110.00 foot radius non-tangent curve to the left (radius bears North 12°28'57" East) through a central angle of 8°26'48" a distance of 50.28 feet (chord bears North 89°23'20" East 49.84 feet);

Thence North 76°17'44" East 65.16 feet;

Thence Northeasterly along the arc of an 85.00 foot radius curve to the right through a central angle of 10°14'54" a distance of 14.31 feet (chord bears North 81 °25'11" East 14.29 feet);

Thence North 86°32'38" East 50.04 feet;

Thence North 03°27'22" West 40.00 feet;

Thence South 86°32'38" West 50.04 feet;

Thence Southwesterly along the arc of a 125.00 foot radius curve to the left through a central angle of 10°14'54" a distance of 21.46 feet (chord bears South 81°25'11" West 21.44 feet);

Thence South 76°17'44" West 65.16 feet;

Thence Northwesterly along the arc of a 70.00 foot radius curve to the right through a central angle of 64°58'04" a distance of 79.37 feet (chord bears North 71°13'14" West 75.19 feet);

Thence North 38°44'12" West 19.98 feet;

Thence Southwesterly along the arc of a 125.00 foot radius non-tangent curve to the right (radius bears North 39°03'10" West) through a central angle of 18°38'45" a distance of 40.67 feet (chord bears South 60°16'12" West 40.50 feet) to the **Point of Beginning**.

Together with

An 8.00 foot wide utility (and storm sewer) easement adjacent and parallel to the side lines and end line of the above described easement. The sidelines of said 8.00 foot wide utility easements to truncate at the exterior boundary of the subject property.

The side lines of said easements are to truncate at or extend to the exterior boundary of the subject property (Parcel 2, Partition Plat 2015-21 Tillamook County Survey Records (as adjusted on Map B-3838, Tillamook County Survey Records).

The above legal descriptions are intended to coincide with the future road right-of-ways once platted. It is assumed that the utility easements, if different from the platted right-of-way, will adjust to match the final plat.

The purpose of this legal description is to describe and easement, not create a separate tax lot.

Easement E

A 15.00 foot wide storm sewer easement over a portion of Parcel 1, Partition Plat 2015-21 Tillamook County Survey Records (as adjusted on Map B-3838, Tillamook County Survey Records), situated in the Southwest one-quarter of the Northwest one-quarter of Section 20, Township 3 North, Range 10 West of the Willamette Meridian, Tillamook County, Oregon, further described as follows:

Beginning at a point that is 225.71 feet North and 330.99 feet East of the Northwest corner of Vantage Road;

Thence North 34°12'09" East 104.81 feet;

Thence Southeasterly along the arc of a 55.00 foot radius non-tangent curve to the right (radius bears South 47°18'12" West) through a central angle of 16°51'32" a distance of 16.18 feet {chord bears South 34°16'02" East 16.13 feet};

Thence South 34°12'09" West 89.80 feet;

Thence Northwesterly along the arc of a 175.00 foot radius non-tangent curve to the left (radius bears South 05°41'46" West) through a central angle of 5°44'41" a distance of 17.55 feet (chord bears North 87°00'34" West 17.54 feet) to the **Point of Beginning**.

The purpose of this legal description is to describe and easement, not create a separate tax lot.

Easement F

A 10.00 foot wide storm sewer easement over a portion of Parcel 2, Partition Plat 2015-21 Tillamook County Survey Records (as adjusted on Map B-3838, Tillamook County Survey Records), situated in the Southwest one-quarter of the Northwest one-quarter of Section 20, Township 3 North, Range 10 West of the Willamette Meridian, Tillamook County, Oregon, further described as follows:

Beginning at a point that is 147.51 feet North and 160.23 feet East of the Northwest corner of Vantage Road;

Thence South 47°34'28" West 10.06 feet;

Thence North 48°25'59" West 104.25 feet;

Thence North 41°34'01" East 10.00 feet;

Thence South 48°25'59" East 105.30 feet to the **Point of Beginning**.

The purpose of this legal description is to describe and easement, not create a separate tax lot.

Easement G

A 15.00 foot wide storm sewer easement over a portion of Parcel 2, Partition Plat 2015-21 Tillamook County Survey Records (as adjusted on Map B-3838, Tillamook County Survey Records), situated in the Southwest one-quarter of the Northwest one-quarter of Section 20, Township 3 North, Range 10 West of the Willamette Meridian, Tillamook County, Oregon, further described as follows:

Beginning at a point that is 174.62 feet North and 314.14 feet East of the Northwest corner of Vantage Road;

Thence South $42^{\circ}26'33''$ West 161.29 feet;

Thence Northwesterly along the arc of a 70.00 foot radius non-tangent curve to the right (radius bears North $27^{\circ}30'22''$ East) through a central angle of $12^{\circ}26'44''$ a distance of 15.21 feet (chord bears North $56^{\circ}16'17''$ West 15.18 feet);

Thence North $42^{\circ}26'33''$ East 141.17 feet;

Thence Northeasterly along the arc of a 125.00 foot radius non-tangent curve to the right (radius bears South $19^{\circ}58'10''$ East) through a central angle of $12^{\circ}23'21''$ a distance of 27.03 feet (chord bears North $76^{\circ}13'31''$ East 26.98 feet) to the **Point of Beginning**.

The purpose of this legal description is to describe and easement, not create a separate tax lot.

Easement H

A storm sewer easement over a portion of Parcel 2, Partition Plat 2015-21 Tillamook County Survey Records (as adjusted on Map B-3838. Tillamook County Survey Records), situated in the Southwest one-quarter of the Northwest one-quarter of Section 20, Township 3 North, Range 10 West of the Willamette Meridian, Tillamook County, Oregon, further described as follows:

Beginning at the Northwest corner of Vantage Road;

Thence North $69^{\circ}02'47''$ West 29.79 feet;

Thence North $00^{\circ}30'48''$ West 18.03 feet;

Thence North $89^{\circ}29'12''$ East 27.72 feet;

Thence South $00^{\circ}30'48''$ East 28.93 feet to the **Point of Beginning**.

The purpose of this legal description is to describe and easement, not create a separate tax lot.

Easement I

A 10.00 foot wide storm sewer easement over a portion of Parcel 2, Partition Plat 2015-21 Tillamook County Survey Records (as adjusted on Map B-3838. Tillamook County Survey Records), situated in the Southwest one-quarter of the Northwest one-quarter of Section 20, Township 3 North, Range 10 West of the Willamette Meridian, Tillamook County, Oregon, further described as follows:

Beginning at a point that is 16.80 feet North and 288.23 feet East of the Northwest corner of Vantage Road;

Thence South $64^{\circ}02'39''$ East 79.77 feet;

Thence South $25^{\circ}57'21''$ West 10.00 feet;

Thence North $64^{\circ}02'39''$ West 91.83 feet;

Thence North $76^{\circ}17'44''$ East 15.67 feet to the **Point of Beginning**.

The purpose of this legal description is to describe and easement, not create a separate tax lot.

Easement J

A 10.00 foot wide storm sewer easement over the existing drainage situated on Parcel 1, Partition Plat 2015-21 Tillamook County Survey Records (as adjusted on Map B-3838. Tillamook County Survey Records), situated in the Southwest one-quarter of the Northwest one-quarter of Section 20, Township 3 North, Range 10 West of the Willamette Meridian, Tillamook County, Oregon, further described as follows:

Beginning at a point that is 462.12 feet North and 479.85 feet East of the Northwest corner of Vantage Road;

Thence South 19°00'16" West 15.00 feet;
Thence North 70°59'54" West 10.00 feet;
Thence North 19°00'06" East 12.89 feet;
Thence South 82°53'54" East 10.22 feet to the **Point of Beginning**.

The purpose of this legal description is to describe and easement, not create a separate tax lot.

Easement L

A 10.00 foot wide storm sewer easement over a portion of Parcel 1, Partition Plat 2015-21 Tillamook County Survey Records (as adjusted on Map B-3838, Tillamook County Survey Records), situated in the Southwest one-quarter of the Northwest one-quarter of Section 20, Township 3 North, Range 10 West of the Willamette Meridian, Tillamook County, Oregon, further described as follows:

Beginning at a point that is 378.56 feet North and 133.23 feet East of the Northwest corner of Vantage Road;

Thence South 85°03'36" East 10.00 feet;

Thence South 04°56'24" West 34.96 feet;

Thence South 66°13'32" West 113.57 feet;

Thence South 15°10'44" West 33.09 feet to the Southwest boundary of said Parcel 1;

Thence North 48°25'59" West 11.16 feet along the Southwest boundary of said Parcel 1;

Thence North 15°10'44" East 32.91 feet;

Thence North 66°13'32" East 112.43 feet;

Thence North 04°56'24" East 29.04 feet to the **Point of Beginning**.

The purpose of this legal description is to describe and easement, not create a separate tax lot.

Easement N

A 15.00 foot wide storm sewer and retention wall easement over a portion of Parcel 1, Partition Plat 2015-21 Tillamook County Survey Records (as adjusted on Map B-3838, Tillamook County Survey Records), situated in the Southwest one-quarter of the Northwest one-quarter of Section 20, Township 3 North, Range 10 West of the Willamette Meridian, Tillamook County, Oregon, further described as follows:

Beginning at a point that is 147.51 feet North and 160.23 feet East of the Northwest corner of Vantage Road;

Thence North 48°25'59" West 255.30 feet;

Thence North 10°04'27" West 17.59 feet;

Thence South 48°25'59" East 266.13 feet;

Thence Southwesterly along the arc of a 125.00 foot radius non-tangent curve to the left through a central angle of 01°42'10" a distance of 3.72 feet (chord bears South 48°25'33" West 3.72 feet);

Thence South 47°34'28" West 11.37 feet to the **Point of Beginning**.

The purpose of this legal description is to describe and easement, not create a separate tax lot

EXHIBIT E

(Utilities Easement)

A perpetual easement (the "Utilities Easement") on and over the Burdened Property, for purposes of storm drainage utilities, sanitary sewer utilities, water utilities, electrical utilities, telecommunication utilities (the "Utilities") from and for the benefit of the Benefitted Property, (i) to construct, install, use, operate, control, transport through, manage, maintain, modify, repair, relocate and replace the Utilities and any and all associated equipment incident for the operation thereof on, over, upon, across, in and through those portions of the Burdened Property necessary to connect to a public Utility main service line, or any Utility infrastructure constructed on the Burdened Property for the general use of the Burdened Property, including without limitation the specific easement areas described below (collectively, the "Utility Easement Area"), (ii) to connect to and for the use of, any Utility infrastructure constructed on the Burdened Property for the general use of the Burdened Property; and (iii) in, over, upon, across, in and through the Burdened Property for purposes of access, ingress and egress to the Utilities. The Grantee shall not construct or maintain any structures over the Utilities upon construction thereof, except for pavement, but otherwise may use the Utility Easement Area for any purpose that does not interfere with the Grantor's rights hereunder. All expenses of the construction, installation, use, operation, control, management, maintenance, modification, upgrade, repair or replacement of the Utilities shall be the responsibility of Grantor if the use of such Utilities is exclusive to Grantor, or to the extent the use of the Utilities is shared with Grantee, shall be shared pro rata based on use. Notwithstanding the foregoing, should the Utilities be damaged by the acts or omissions of Grantee or any of its agents, servants, employees or invitees, Grantee shall bear all costs and expenses of repairing the damage and restoring the damaged property to its condition immediately before such damage. The Utilities Easement shall be appurtenant to and shall run with the Benefitted and Burdened Properties, and shall inure to the benefit of and bind the successors and assigns of Grantor and Grantee respectively. All of Grantor's rights under this Utilities Easement shall pass to Grantor's successors and assigns in and to the Benefitted Property, and all references to Grantor in this Utilities Easement shall be deemed to be references to such successors and assigns. All of Grantee's rights and obligations under the Utilities Easement shall pass to Grantee's successors and assigns in and to the Burdened Property, and all references to Grantee in this Utilities Easement shall be deemed to be references to such successors and assigns.

The Utility Easement Area includes the following specific utility easement parcels:

Easement A

A 50.00 foot wide utility easement over a portion of Parcels 1 and 2, Partition Plat 2015-21 Tillamook County Survey Records (as adjusted on Map B-3838. Tillamook County Survey Records), situated in the Southwest one-quarter of the Northwest one-quarter of Section 20, Township 3 North, Range 10 West of the Willamette Meridian, Tillamook County, Oregon, further described as follows:

Beginning at the Northwest corner of Vantage Road;

Thence North 00°30'48" West 28.93 feet;

Thence Northeasterly along the arc of a 75.00 foot radius curve to the right through a central angle of 78°33'11" a distance of 102.83 feet (chord bears North 38°45'48" East 94.96 feet);

Thence North 78°02'23" East 49.18 feet;

Thence Northeasterly along the arc of a 75.00 foot radius curve to the left through a central angle of 30°27'55" a distance of 39.88 feet (chord bears North 62°48'25" East 39.41 feet);

Thence North 47°34'28" East 35.58 feet;

Thence Northeasterly along the arc of a 125.00 foot radius curve to the right through a central angle of 11°51'37" a distance of 25.88 feet (chord bears North 53°30'17" East 25.83 feet);

Thence North 59°26'05" East 60.68 feet;

Thence Northeasterly along the arc of a 175.00 foot radius curve to the right through a central angle of 41°43'37" a distance of 127.45 feet (chord bears North 80°17'53" East 124.65 feet);

Thence South 78°50'18" East 30.06 feet;

Thence North 11°09'42" East 48.79 feet;

Thence Northwesterly along the arc of a 55.00 foot radius curve to the left through a central angle of 57°10'46" a distance of 54.89 feet (chord bears North 17°25'41" West 52.64 feet);

Thence North 46°01'04" West 91.18 feet;

Thence Northeasterly along the arc of an 85.00 foot radius curve to the right through a central angle of 143°07'10" a distance of 212.32 feet (chord bears North 25°32'31" East 161.27 feet);

Thence South 82°53'54" East 105.96 feet;

Thence Northeasterly along the arc of a 175.00 foot radius curve to the left through a central angle of 16°39' 51" a distance of 50.90 feet (chord bears North 88°46'11" East 50.72 feet);

Thence North 80°26'15" East 35.28 feet;

Thence Northeasterly along the arc of a 56.18 foot radius curve to the left through a central angle of 43°16'22" a distance of 42.43 feet (chord bears North 58°48'04" East 41.43 feet) to the North line of Parcel 1 Partition Plat 2015-21;

Thence North 88°11'58" East 2.05 feet along the North line of said Parcel 1 to the Northeast corner thereof;

Thence South 24°59'09" West 78.92 feet along the East line of said Parcel 1;

Thence South 80°26'15" West 31.07 feet;

Thence Southwesterly along the arc of a 225.00 foot radius curve to the right through a central angle of 16°39' 51" a distance of 65.44 feet (chord bears South 88°46'11" West 65.21 feet);

Thence North 82°53'54" West 105.96 feet;

Thence Southwesterly along the arc of a 35.00 foot radius curve to the left through a central angle of 143°07'10" a distance of 87.43 feet (chord bears South 25°32'31" West 66.41 feet);

Thence South 46°01 '04" East 91.18 feet;

Thence Southeasterly along the arc of a 105.00 foot radius curve to the right through a central angle of 57°10'46" a distance of 104.79 feet (chord hears South 17°25'41" East 100.49 feet);

Thence South 11°09' 42" West 48.79 feet;

Thence South 78°50'18" East 45.34 feet to the East boundary of Parcel 2, Partition Plat 2015-21;

Thence South 10°56'56" West 12.19 feet along said East boundary;

Thence South 12°37'05" East 41.32 feet along said East boundary;

Thence North 78°50'18" West 142.11 feet;

Thence Southwesterly along the arc of a 125.00 foot radius curve to the left through a central angle of 41°43'37" a distance of 91.03 feet (chord bears South 80°17'53" West 89.04 feet);

Thence South 59°26'05" West 60.68 feet;

Thence Southwesterly along the arc of a 75.00 foot radius curve to the left through a central angle of 11°51'37" a distance of 15.53 feet (chord bears South 53°30'17" West 15.50 feet);

Thence South 47°34'28" West 35.58 feet;

Thence Southwesterly along the arc of a 125.00 foot radius curve to the right through a central angle of 30°27'55" a distance of 66.47 feet (chord bears South 62°48'25" West 65.69 feet);

Thence South 78°02'23" West 49.18 feet;

Thence Southwesterly along the arc of a 25.00 foot radius curve to the left through a central angle of 78°33'11" a distance of 34.28 feet (chord bears South 38°45'48" West 31.65 feet);

Thence South 00°30'48" East 28.93 feet to the Northeast corner of Vantage Road;

Thence South 89°29' 12" West 50.00 feet along the North line of Vantage Road to the Point of Beginning.

Together with

An 8.00 foot wide utility easement adjacent and parallel to the side lines of the above described easement.

The sidelines of said 8.00 foot wide utility easements to extend to or truncate at the exterior boundary of the subject properties (Parcels 1 & 2, Partition Plat 2015-21 Tillamook County Survey Records (as adjusted on Map B-3838. Tillamook County Survey Records)).

The above legal descriptions are intended to coincide with the future road right-of-ways once platted. It is assumed that the utility easements, if different from the platted right-of-way, will adjust to match the final plat.

The purpose of this legal description is to describe and easement, not create a separate tax lot.

Easement B

A 40.00 foot wide utility easement over a portion of Parcel 2, Partition Plat 2015-21 Tillamook County Survey Records (as adjusted on Map B-3838. Tillamook County Survey Records), situated in the Southwest one-quarter of the Northwest one-quarter of Section 20, Township 3 North, Range 10 West of the Willamette Meridian, Tillamook County, Oregon, further described as follows:

Beginning at a point that is 69.38 feet North and 135.35 feet East of the Northwest corner of Vantage Road;

Thence South 38°44'12" East 26.32 feet;

Thence Southeasterly along the arc of a 110.00 foot radius curve to the left through a central angle of 18°39'32" a distance of 35.82 feet (chord bears South 48°03'59" East 35.66 feet);

Thence South 67°27'24" West 38.43 feet;

Thence Northeasterly along the arc of a 110.00 foot radius non-tangent curve to the left (radius bears North 12°28'57" East) through a central angle of 8°26'48" a distance of 50.28 feet (chord bears North 89°23'20" East 49.84 feet);

Thence North 76°17'44" East 65.16 feet;

Thence Northeasterly along the arc of an 85.00 foot radius curve to the right through a central angle of 10°14'54" a distance of 14.31 feet (chord bears North 81°25'11" East 14.29 feet);

Thence North 86°32'38" East 50.04 feet;

Thence North 03°27'22" West 40.00 feet;

Thence South 86°32'38" West 50.04 feet;

Thence Southwesterly along the arc of a 125.00 foot radius curve to the left through a central angle of 10°14'54" a distance of 21.46 feet (chord bears South 81°25'11" West 21.44 feet);

Thence South 76°17'44" West 65.16 feet;

Thence Northwesterly along the arc of a 70.00 foot radius curve to the right through a central angle of 64°58'04" a distance of 79.37 feet (chord bears North 71°13'14" West 75.19 feet);

Thence North 38°44'12" West 19.98 feet;

Thence Southwesterly along the arc of a 125.00 foot radius non-tangent curve to the right (radius bears North 39°03'10" West) through a central angle of 18°38'45" a distance of 40.67 feet (chord bears South 60°16'12" West 40.50 feet) to the **Point of Beginning**.

Together with

An 8.00 foot wide utility easement adjacent and parallel to the side lines and end line of the above described easement. The sidelines of said 8.00 foot wide utility easements to truncate at the exterior boundary of the subject property.

The side lines of said easements are to truncate at or extend to the exterior boundary of the subject property (Parcel 2, Partition Plat 2015-21 Tillamook County Survey Records (as adjusted on Map B-3838. Tillamook County Survey Records).

The above legal descriptions are intended to coincide with the future road right-of-ways once platted. It is assumed that the utility easements, if different from the platted right-of-way, will adjust to match the final plat.

The purpose of this legal description is to describe and easement, not create a separate tax lot..

Easement C

A 15.00 foot wide sanitary sewer easement over a portion of Parcel 1, Partition Plat 2015-21 Tillamook County Survey Records (as adjusted on Map B-3838. Tillamook County Survey Records), situated in the Southwest one-quarter of the Northwest one-quarter of Section 20, Township 3 North, Range 10 West of the Willamette Meridian, Tillamook County, Oregon, further described as follows:

Beginning at a point that is 222.41 feet North and 296.76 feet East of the Northwest corner of Vantage Road;

Thence North 36°28'21" East 130.65 feet;

Thence South 46°01'04" East 15.13 feet;

Thence South 36°28'21" West 114.08 feet;

Thence Southwesterly along the arc of a 175.00 foot radius non-tangent curve to the left (radius bears South 04°18'17" East) through a central angle of 6°51'18" a distance of 20.94 feet (chord bears South 82°16'04" East 20.93 feet); to the **Point of Beginning**.

The purpose of this legal description is to describe and easement, not create a separate tax lot.

Easement D

A 10.00 foot wide water line easement over a portion of Parcel 2, Partition Plat 2015-21 Tillamook County Survey Records (as adjusted on Map B-3838. Tillamook County Survey Records), situated in the Southwest one-quarter of the Northwest one-quarter of Section 20, Township 3 North, Range 10 West of the Willamette Meridian, Tillamook County, Oregon, further described as follows:

Beginning at a point that is 145.84 feet North and 494.24 feet East of the Northwest corner of Vantage Road;

Thence South 12°37'05" East 92.00 feet along the East line of said Parcel 2;

Thence South 77°22'55" West 10.00 feet;

Thence North 12°37'05" West 96.41 feet;

Thence South 78°50'18" East 10.93 feet to the **Point of Beginning**.

The purpose of this legal description is to describe and easement, not create a separate tax lot.

Easement K

A 10' wide sanitary sewer service easement over adjusted Parcel 1, Partition Plat 2015-21 (Map B-3838), Tillamook County Survey Records, located in the Northwest one-quarter of Section 20, Township 3 North, Range 10 West of the Willamette Meridian, Tillamook County, Oregon, further described as follows:

Beginning at a point that is 445.32 feet North and 296.32 feet East of the Northwest corner of Vantage Road;

Thence North 57°14'57" West 29.08 feet;

Thence North 88°45'21" East 17.89 feet;

Thence South 57°14'57" East 9.62 feet;

Thence Southwesterly along the arc of an 85.00 foot radius non-tangent curve to the left (radius bears South 78°24'08" East) through a central angle of 07°52'49" a distance of 11.03 feet (chord bears South 7°52'49" West 11.02 feet); to the **Point of Beginning**.

The purpose of this legal description is to describe an easement and is not to create a separate tax lot.

Easement M

A 5.00 foot wide sanitary sewer service easement over a portion of adjusted Parcels 1 and 2, Partition Plat 2015-21 (Map B-3838) Tillamook County Survey Records, located in the Northwest one-quarter of Section 20, Township 3 North, Range 10 West of the Willamette Meridian, Tillamook County, Oregon, further described as follows:

Beginning at a point that is 199.10 feet North and 482.63 feet East of the Northwest corner of Vantage Road;

Thence North 10°56'56" East 101.57 feet;

Thence North 25°12'58" East 98.30 feet;

Thence North 24°59'09" East 15.05 feet;

Thence South 65°00'51" East 5.00 feet to the East line of said Parcel 1;

Thence South 24°59'09" West 15.06 feet along the East line of said Parcel 1;

Thence South 25°12'58" West 97.68 feet along the East line of said Parcel 1;

Thence South 10°56'56" West 100.96 feet along the East line of said Parcel 1 and Parcel 2;

Thence North 78°50'18" West 5.00 feet to the **Point of Beginning**.

The purpose of this legal description is to describe and easement, not create a separate tax lot.

EXHIBIT F

(Access Easement)

A perpetual easement over, upon, across, the Burdened Property (the "Access Easement") for purposes of access, ingress, egress and through travel, to, from, and for the benefit of the Benefitted Property, over and across the Road Right of Way, described below, as well as the right to pave, grade, install curbing and drainage, or otherwise improve that portion of the Burdened Property necessary to allow for pedestrian and vehicular access to the Benefitted Property from the Road Right of Way (such improvements, the "Grantor Improvements" and collectively, the "Access Easement Area"). The Grantee shall not construct or maintain any structures over the Access Easement Area, except for pavement and associated improvements, but otherwise may use the Access Easement Area for any purpose that does not interfere with the Grantor's rights hereunder. All expenses of the construction, installation, use, operation, control, management, maintenance, modification, upgrade, repair or replacement of any Grantor Improvements shall be the responsibility of Grantor if the use of such improvement is exclusive to Grantor, or to the extent the use of the Grantor Improvements is shared with Grantee, shall be shared pro rata based on use; however, Grantor shall have the right to connect paved areas to, and to use any pavement, roadway, and associate access improvements constructed by Grantee on the Burdened Property for the general use of the Burdened Property at no cost to Grantor, other than the cost of making any desired connections to existing or planned roadways. Notwithstanding the foregoing, should any Grantor Improvements be damaged by the acts or omissions of Grantee or any of its agents, servants, employees or invitees or through the negligence of Grantee of any of its agents, servants, employees or invitees, Grantee shall bear all costs and expenses of repairing the damage and restoring the damaged property to its condition immediately before such damage. The Access Easement shall be appurtenant to and shall run with the Benefitted and Burdened Properties, and shall inure to the benefit of and bind the successors and assigns of Grantor and Grantee respectively. All of Grantor's rights under this Access Easement shall pass to Grantor's successors and assigns in and to the Benefitted Property, and all references to Grantor in this Access Easement shall be deemed to be references to such successors and assigns. All of Grantee's rights and obligations under the Access Easement shall pass to Grantee's successors and assigns in and to the Burdened Property, and all references to Grantee in this Access Easement shall be deemed to be references to such successors and assigns.

For the purposes of this Access Easement, Road Right of Way means the following:

A 50.00 foot wide road right-of-way easement over a portion of Parcels 1 and 2, Partition Plat 2015-21 Tillamook County Survey Records (as adjusted on Map B-3838. Tillamook County Survey Records), situated in the Southwest one-quarter of the Northwest one-quarter of Section 20, Township 3 North, Range 10 West of the Willamette Meridian, Tillamook County, Oregon, further described as follows:

Beginning at the Northwest corner of Vantage Road;

Thence North 00°30'48" West 28.93 feet;

Thence Northeasterly along the arc of a 75.00 foot radius curve to the right through a central angle of 78°33'11" a distance of 102.83 feet (chord bears North 38°45'48" East 94.96 feet);

Thence North 78°02'23" East 49.18 feet;

Thence Northeasterly along the arc of a 75.00 foot radius curve to the left through a central angle of 30°27'55" a distance of 39.88 feet (chord bears North 62°48'25" East 39.41 feet);

Thence North 47°34'28" East 35.58 feet;

Thence Northeasterly along the arc of a 125.00 foot radius curve to the right through a central angle of 11°51'37" a distance of 25.88 feet (chord bears North 53°30'17" East 25.83 feet);

Thence North 59°26'05" East 60.68 feet;

Thence Northeasterly along the arc of a 175.00 foot radius curve to the right through a central angle of 41°43'37" a distance of 127.45 feet (chord bears North 80°17'53" East 124.65 feet);

Thence South 78°50'18" East 30.06 feet;

Thence North 11°09'42" East 48.79 feet;

Thence Northwesterly along the arc of a 55.00 foot radius curve to the left through a central angle of 57°10'46" a distance of 54.89 feet (chord bears North 17°25'41" West 52.64 feet);

Thence North 46°01'04" West 91.18 feet;

Thence Northeasterly along the arc of an 85.00 foot radius curve to the right through a central angle of 143°07'10" a distance of 212.32 feet (chord bears North 25°32'31" East 161.27 feet);

Thence South 82°53'54" East 105.96 feet;

Thence Northeasterly along the arc of a 175.00 foot radius curve to the left through a central angle of 16°39'51" a distance of 50.90 feet (chord bears North 88°46'11" East 50.72 feet);

Thence North 80°26'15" East 35.28 feet;

Thence Northeasterly along the arc of a 56.18 foot radius curve to the left through a central angle of 43°16'22" a distance of 42.43 feet (chord bears North 58°48'04" East 41.43 feet) to the North line of Parcel 1, Partition Plat 2015-21;

Thence North 88°11'58" East 2.05 feet along the North line of said Parcel 1 to the Northeast corner thereof;

Thence South 24°59'09" West 78.92 feet along the East line of said Parcel 1;

Thence South 80°26'15" West 31.07 feet;

Thence Southwesterly along the arc of a 225.00 foot radius curve to the right through a central angle of 16°39'51" a distance of 65.44 feet (chord bears South 88°46'11" West 65.21 feet);

Thence North 82°53'54" West 105.96 feet;

Thence Southwesterly along the arc of a 35.00 foot radius curve to the left through a central angle of 143°07'10" a distance of 87.43 feet (chord bears South 25°32'31" West 66.41 feet);

Thence South 46°01'04" East 91.18 feet;

Thence Southeasterly along the arc of a 105.00 foot radius curve to the right through a central angle of 57°10'46" a distance of 104.79 feet (chord bears South 17°25'41" East 100.49 feet);

Thence South 11°09'42" West 48.79 feet;

Thence South 78°50'18" East 45.34 feet to the East boundary of Parcel 2, Partition Plat 2015-21;

Thence South 10°56'56" West 12.19 feet along said East boundary;

Thence South 12°37'05" East 41.32 feet along said East boundary;

Thence North 78°50'18" West 142.11 feet;

Thence Southwesterly along the arc of a 125.00 foot radius curve to the left through a central angle of 41°43'37" a distance of 91.03 feet (chord bears South 80°17'53" West 89.04 feet);

Thence South 59°26'05" West 60.68 feet;

Thence Southwesterly along the arc of a 75.00 foot radius curve to the left through a central angle of 11°51'37" a distance of 15.53 feet (chord bears South 53°30'17" West 15.50 feet);

Thence South 47°34'28" West 35.58 feet;

Thence Southwesterly along the arc of a 125.00 foot radius curve to the right through a central angle of 3°22'22" a distance of 7.36 feet (chord bears South 49°15'39" West 7.36 feet);

Thence South 38°44'12" East 19.98 feet;

Thence Southeasterly along the arc of a 70.00 foot radius curve to the left through a central angle of 64°58'04" a distance of 79.37 feet (chord bears South 71°13'14" East 75.19 feet);

Thence North 76°17'44" East 65.16 feet;

Thence Northeasterly along the arc of an 120.00 foot radius curve to the right through a central angle of 10°14'54" a distance of 21.46 feet (chord bears North 81°25'11" East 21.44 feet);

Thence North 86°32'38" East 50.04 feet;

Thence South 03°27'22" East 40.00 feet;

Thence South 86°32'38" West 50.04 feet;

Thence Southwesterly along the arc of an 80.00 foot radius curve to the left through a central angle of 10°14'54" a distance of 14.31 feet (chord bears South 81°25' 11" West 14.29 feet);

Thence South 76°17'44" West 65.16 feet;

Thence Southwesterly along the arc of a 110.00 foot radius curve to the right through a central angle of 26°11'13" a distance of 50.28 feet (chord bears South 89°23'20" West 49.84 feet);

Thence North 67°27'24" West 38.43 feet;

Thence Northwesterly along the arc of a 110.00 foot radius curve to the right through a central angle of 18°39'32" a distance of 35.82 feet (chord bears North 48°03'59" West 35.66 feet);

Thence North 38°44' 12" West 26.32 feet;

Thence Southwesterly along the arc of a 125.00 foot radius curve to the right (radius bears North 20°24'25" West) through a central angle of 08°26'48" a distance of 18.43 feet (chord bears South 73°48'59" West 18.41 feet);

Thence South 78°02'23" West 49.18 feet;

Thence Southwesterly along the arc of a 25.00 foot radius curve to the left through a central angle of 78°33' 11" a distance of 34.28 feet (chord bears South 38°45'48" West 31.65 feet);

Thence South 00°30'48" East 28.93 feet to the Northeast corner of Vantage Road;

Thence South 89°29'12" West 50.00 feet along the North line of Vantage Road to the Point of Beginning.

The purpose of this legal description is to describe and easement, not create a separate tax lot.

EXHIBIT G

(Tree Easement)

A perpetual easement (the "Tree Easement") on and over the following portion of the Burdened Property for the maintenance of existing trees (the "Tree Easement Area") from and for the benefit of the Benefitted Property:

A 20.00 foot wide strip over a portion of adjusted Parcel 1 and adjusted Parcel 2, Partition Plat 2015-21 (Map B-3838), Tillamook County Survey Records, located in the Northwest one-quarter of Section 20, Township 3 North, Range 10 West of the Willamette Meridian, Tillamook County, Oregon, further described as follows:

The Westerly 20 .00' of even width; of said adjusted Parcel 1 and Parcel 2.

The purpose of this legal description is not to create a separate tax lot.

Grantee is prohibited from removing, cutting, pruning, or engaging in other activities which might damage the above ground portion, or underground root structure of those trees, any portion of the trunk of which is located in the Tree Easement Area (such trees, the "Trees"), except for (1) such periodic pruning of such Trees as may be recommended in writing by a certified arborist for the continued health of such Trees and approved by Grantor, which approval shall not be unreasonably withheld or delayed, or (2) with the written consent of Grantor, which may be withheld in the sole discretion of Grantor. Any removal, cutting, pruning, or other activities which damage or threaten to damage the above ground portion, or underground root structure of those trees,, shall be considered an unauthorized interference with Grantor's right to enjoy the Trees. Grantor shall be entitled to (1) all equitable remedies available at law to enjoin any actual or threatened prohibited activity and (2) damages in the amount of \$250,000.00 for each instance of prohibited activity, which amount shall be increased annually on January 1, 2022 and each January 1 thereafter by the Consumer Price Index, as defined below (the "Tree Liquidated Damages Amount"). By their signatures on this Deed, Grantor and Grantee acknowledge and agree that: (1) The Trees enhance the view from the Benefitted Property and provide valuable wind protection to the Benefitted Property; (2) Grantor would not transfer the Burdened Property without Grantee's agreement to forever maintain the Trees for the enjoyment by the owner of the Benefitted Property; (3) that due to the size and age of the Trees the replacement of the Trees with new plantings is an insufficient remedy; (4) that Grantor's damages for the occurrence of any prohibited activity will be difficult to determine, (3) that Grantee wishes to limit its liability for any such activity to a fixed and known dollar amount, and (4) that the Tree Liquidated Damages Amount represents a reasonable estimate for the same. The Tree Easement shall be appurtenant to and shall run with the Benefitted and Burdened Properties, and shall inure to the benefit of and bind the successors and assigns of Grantor and Grantee respectively. All of Grantor's rights under this Tree Easement shall pass to Grantor's successors and assigns in and to the Benefitted Property, and all references to Grantor in this Tree Easement shall be deemed to be references to such successors and assigns. All of Grantee's rights and obligations under the Tree Easement shall pass to Grantee's successors and assigns in and to the Burdened Property, and all references to Grantee in this Tree Easement shall be deemed to be references to such successors and assigns.

For the purposes of this easement, the term "Consumer Price Index" refers to the Consumer Price Index as published by the Bureau of Labor Statistics of the United States Department of Labor, U.S. City Average, All Items for Urban Consumers (1982-1984=100). If the CPI is hereafter converted to a different standard reference base or otherwise revised, the determination of the CPI adjustment shall be made with the use of such conversion factor, formula or table for converting the CPI, as may be published by the Bureau of Labor Statistics, or, if the bureau shall no longer publish the same, then with the use of such conversion factor, formula or table as may be published by an agency of the United States, or failing such publication, by a nationally recognized publisher of similar statistical information.