



Building	(503) 842-3407
Planning	(503) 842-3408
On-Site Sanitation	(503) 842-3409
Fax	(503) 842-1819
Toll Free	+1 (800) 488-8280

**PARTITION #851-22-000117-PLNG:
KLAUSEN / ESPLIN
Administrative Decision & Staff Report**

Decision: Approved with Conditions
Decision Date: July 11, 2022
Report Prepared By: Angela Rimoldi, Planning Technician

I. GENERAL INFORMATION:

- Request:** Partition request to create two (2) residential parcels (Exhibit B).
- Location:** Located northwest of the Incorporated City of Tillamook, via Makinster Road, a county road. The subject property is designated as Tax Lot 1901 of Section 13D, Township 1 South, Range 10 West of the Willamette Meridian, Tillamook County Oregon. (Exhibit A).
- Zone:** Rural Residential 2-Acre (RR-2) Zone
- Applicant:** Dallas Esplin, 11765 Hwy 101 S., Tillamook, OR. 97141
- Property Owner:** Frank Klausen, 1330 Makinster Rd., Tillamook, OR. 97141

Description of Site and Vicinity: The subject property is accessed via Makinster Road, is flag shaped, approximately 5+ acres in size, improved with a residential and accessory structures and vegetated with grasses (Exhibit A). Topography of the subject property is generally flat. The subject property is located within an area primarily devoted to residential and farm use. The subject property is surround by properties also zoned RR-2 to the north, east and west, and properties zoned Farm (F-1) to the south (Exhibit A).

The subject property is located within an area of geologic hazard, does contain mapped wetlands or natural features as indicated on the NWI map, and is located within Zone X an Area of Minimal Flood Hazard as depicted on FEMA Flood Insurance Rate Map (FIRM 41057C0576F) (Exhibit A).

Subject property is within an area of geologic hazard (Exhibit A). A Condition of Approval has been made to require relevant standards of this section be adhered to at the time of development.

II. APPLICABLE ORDINANCE AND COMPREHENSIVE PLAN PROVISIONS:

The request is governed through the following Sections of the Tillamook County Land Use Ordinance (TCLUO). 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. TCLUO Section 3.010: Rural Residential 2-Acre (RR-2) Zone
- C. Land Use Ordinance Section 4.130: Development Requirements for Geologic Hazard Areas

III. ANALYSIS:

Notice of the request was mailed to property owners within 250 feet of the subject property and agencies on May 6, 2022. No comments were 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 applicability of the RR-2 zone is addressed below. Plat and submitted supplemental information confirm the criteria above are met.

- (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 subsequent parcels remains via Makinster Road, a County Road (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 Sections 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 property is served by the Fairview Water District and onsite septic systems. A water availability letter from the Fairview Water District is included in the Applicant's submittal (Exhibit B).

The subject property is also served by the Tillamook Fire District, Tillamook County Sheriff's Office, and the Tillamook County Public Works Department. Given the location of the property, availability of public services existing in the area staff concludes these criteria have been met or can be met through compliance with the Conditions of Approval.

B. TCLUO Section 3.010: Rural Residential 2-Acre (RR-2) Zone

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

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

.....
Findings: The applicant has provided a preliminary plat confirming the two (2) parcels to be created by the partition meet the minimum requirements for lot size and dimensions as outlined above (Exhibit B). The subject property is improved with a residential structure and accessory structures (Exhibit B). Side yard setback will decrease with the proposed partition; however, will maintain all set back requirements (Exhibit B). Staff finds these standards have been met.

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:
 - (a) Active landslides identified in Oregon Department of Geology and Mineral Industries (DOGMI) Bulletins 74 and 79;
 - (b) Inactive landslides, landslide topography and mass movement topography identified in DOGMI bulletins 74 and 79 where slopes are greater than 19 percent;

.....
(2) 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: Future development of the subject property will be subject to development standards of the TCLUO Section 4.130: Development Requirements for Geologic Hazard Areas. A Condition of Approval has been outlined below in Section V.

IV. DECISION: APPROVED WITH CONDITIONS

Staff concludes, based on the findings of fact and other relevant information in the record, the Applicant has satisfied or is able to satisfy the applicable ordinance requirements through the Conditions of Approval, and therefore, approves the request subject to the provisions in Section V below.

By accepting this approval, the applicants/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 approved subject to this approval. The applicants/property owners shall obtain all of the necessary local, state, and federal permits and comply with all applicable regulations for the proposed building site.

This decision may be appealed to the Tillamook County Planning Commission, who will hold a public hearing. Forms and fees must be filed in the office of this Department before **4:00 PM on July 25, 2022**.

V. CONDITIONS OF APPROVAL:

Failure to comply with the Conditions of Approval and ordinance provisions could result in nullification of this approval.

1. The applicant shall obtain all Federal, State, and Local permits, as applicable.
2. The applicant shall comply with all requirements of the Tillamook County Surveyor's Office.
3. The applicant 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 Preliminary Plat approval.
4. The applicant shall record the Final Plat within ninety (90) days from the date of final signature of the partition plat.
5. Future development is subject to standards required by TCLUO Section 3.010: Rural Residential 2-Acre Zone and TCLUO Section 4.130: Development Requirements for Geologic Hazard Areas.

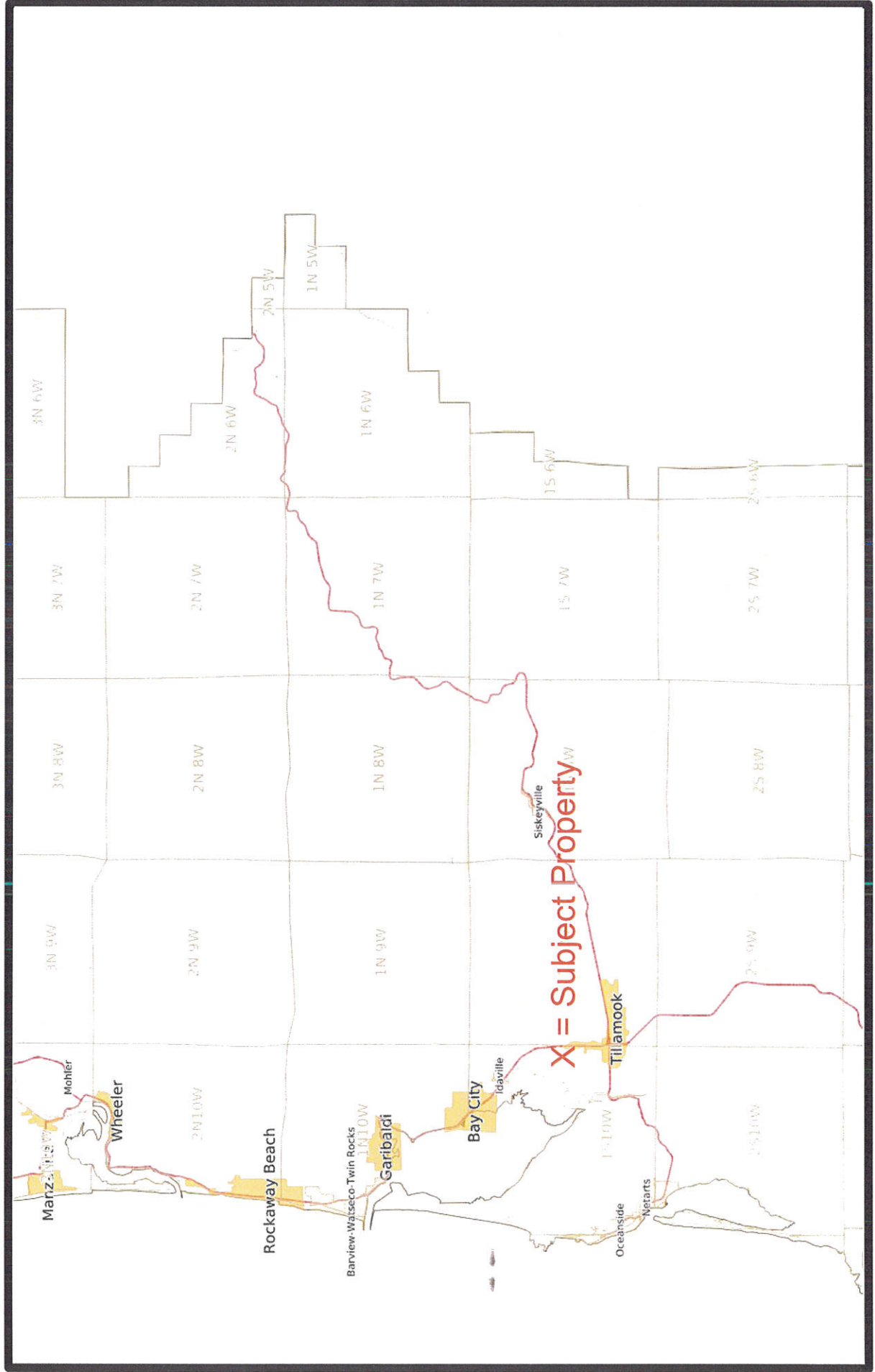
VI. EXHIBITS:

All Exhibits referenced herein are, by this reference, made a part hereof:

- A. Property identification maps and Assessor's Summary Report
- B. Applicant's submittal

EXHIBIT A

Map - VICINITY

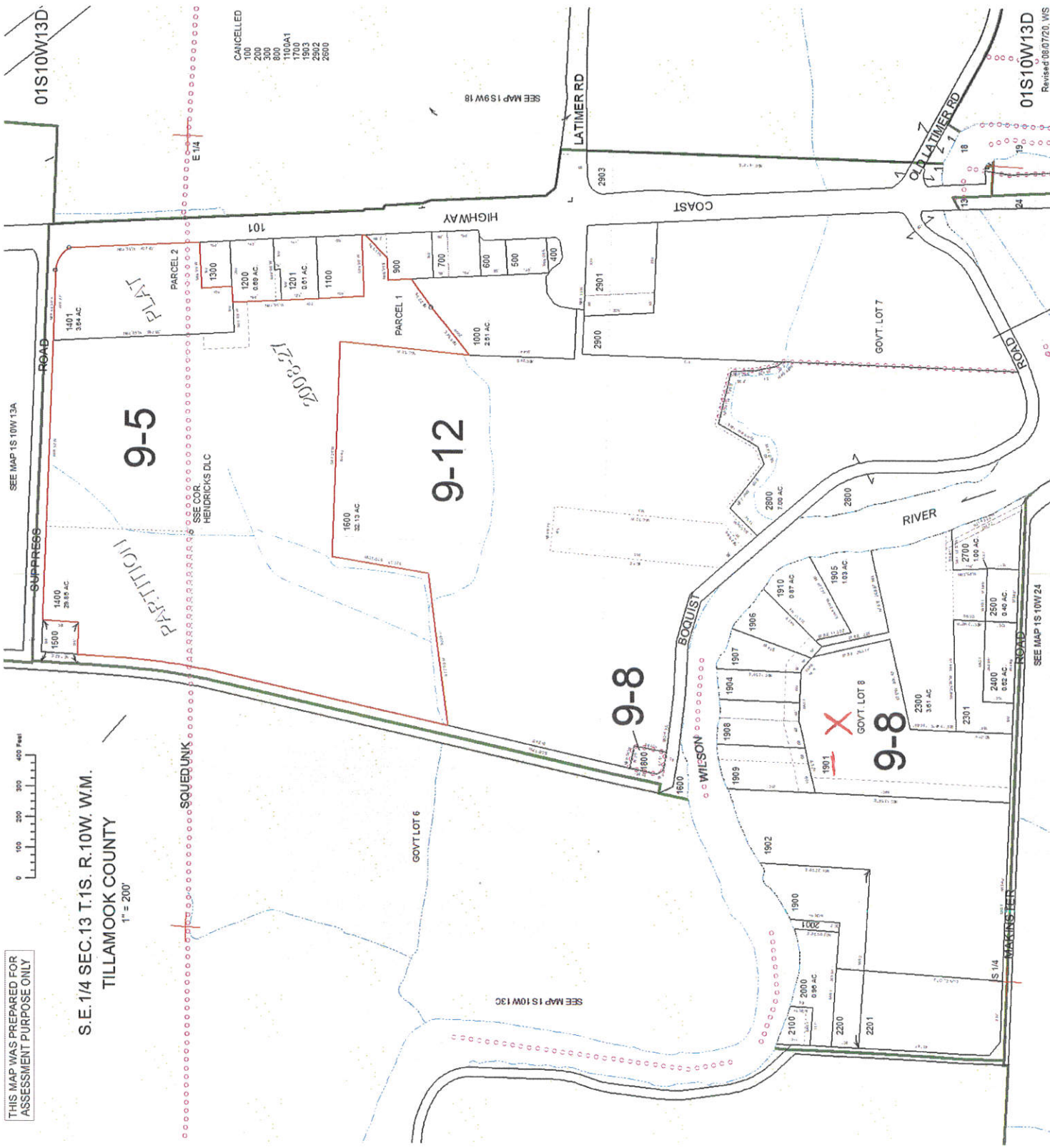


THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY



S.E. 1/4 SEC. 13 T.1S. R.10W. W.M.
TILLAMOOK COUNTY
1" = 200'

- CANCELLED
- 100
- 200
- 300
- 400
- 500
- 600
- 700
- 800
- 900
- 1000
- 1100
- 1200
- 1300
- 1400
- 1500
- 1600
- 1700
- 1800
- 1900
- 2000
- 2100
- 2200
- 2300
- 2400
- 2500
- 2600



01S10W13D
Revised 08/07/20, V/S

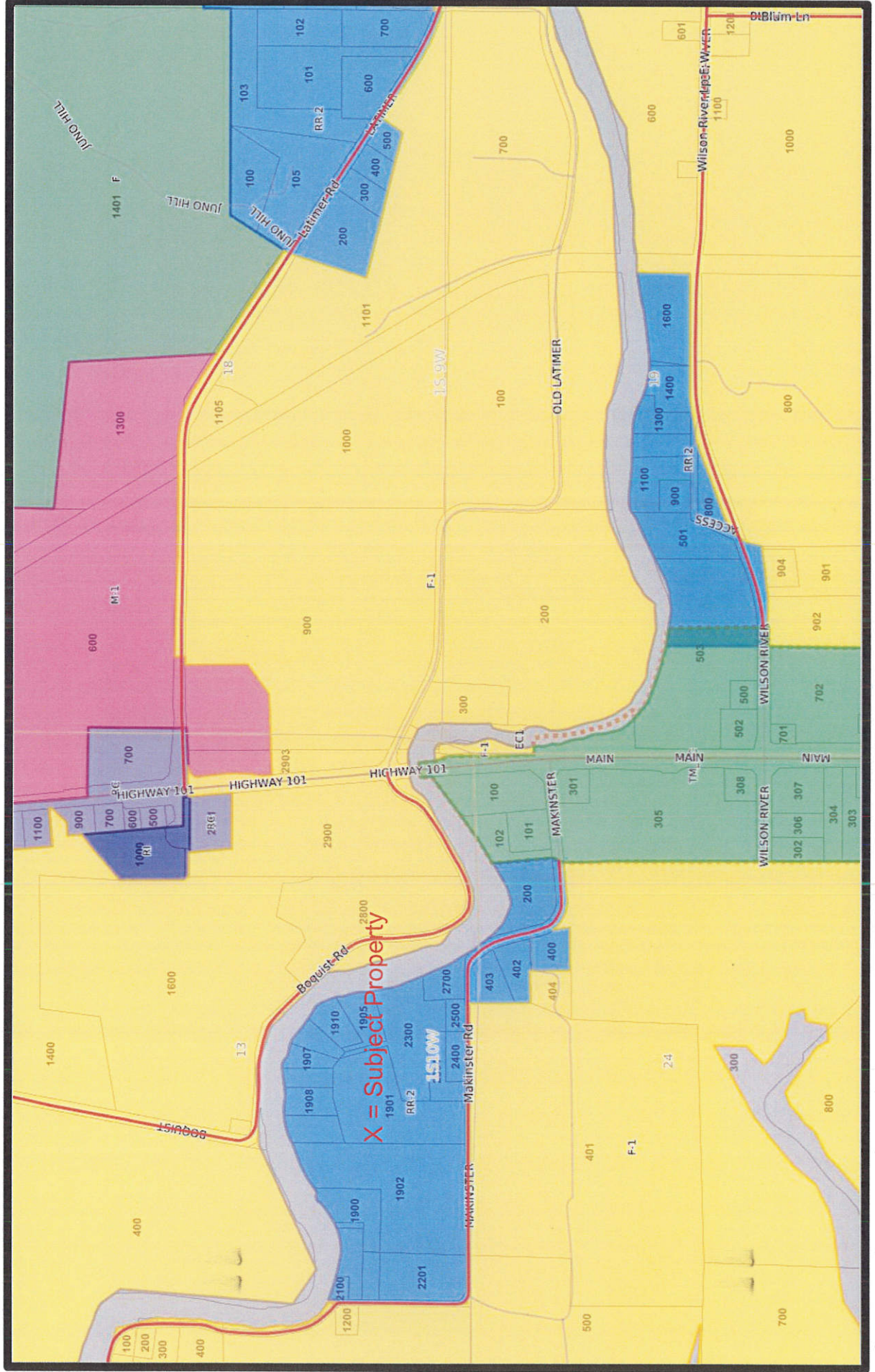
SEE MAP 1S 10W 24

SEE MAP 1S 9W 18

SEE MAP 1S 10W 13A

SEE MAP 1S 10W 13C

Map - ZONING



Oregon HazVu: Statewide Geohazards Viewer

Oregon Department of Geology and Mineral Industries | [Help](#) | [More Information](#)

Layers Currently Showing

- Earthquake Hazard**
 - Active Faults
 - Expected Earthquake Shaking
 - Violent
 - Severe
 - Very Strong
 - Strong
 - Moderate
 - Light
- Landslide Hazard**
 - Low - Landsliding Unlikely
 - Moderate - Landsliding Possible
 - High - Landsliding Likely
 - Very High - Evolving Landslide
- Landslide Inventory**
 - Scarp
 - Head Scarp
 - Deposits
 - Talus-Colluvium
 - Fan
 - Landslide
- Highest Hit Lidar Hillshade**
 - High - 11244
 - Low - -21
- Bare Earth Lidar Hillshade**
 - High - 11243
 - Low - -22



Maxwell State of Oregon, State of Oregon, GEO, Esri, HERE, Garmin, G



U.S. Fish and Wildlife Service

National Wetlands Inventory

PARTITION #851-22-000117-PLNG



July 7, 2022

Wetlands

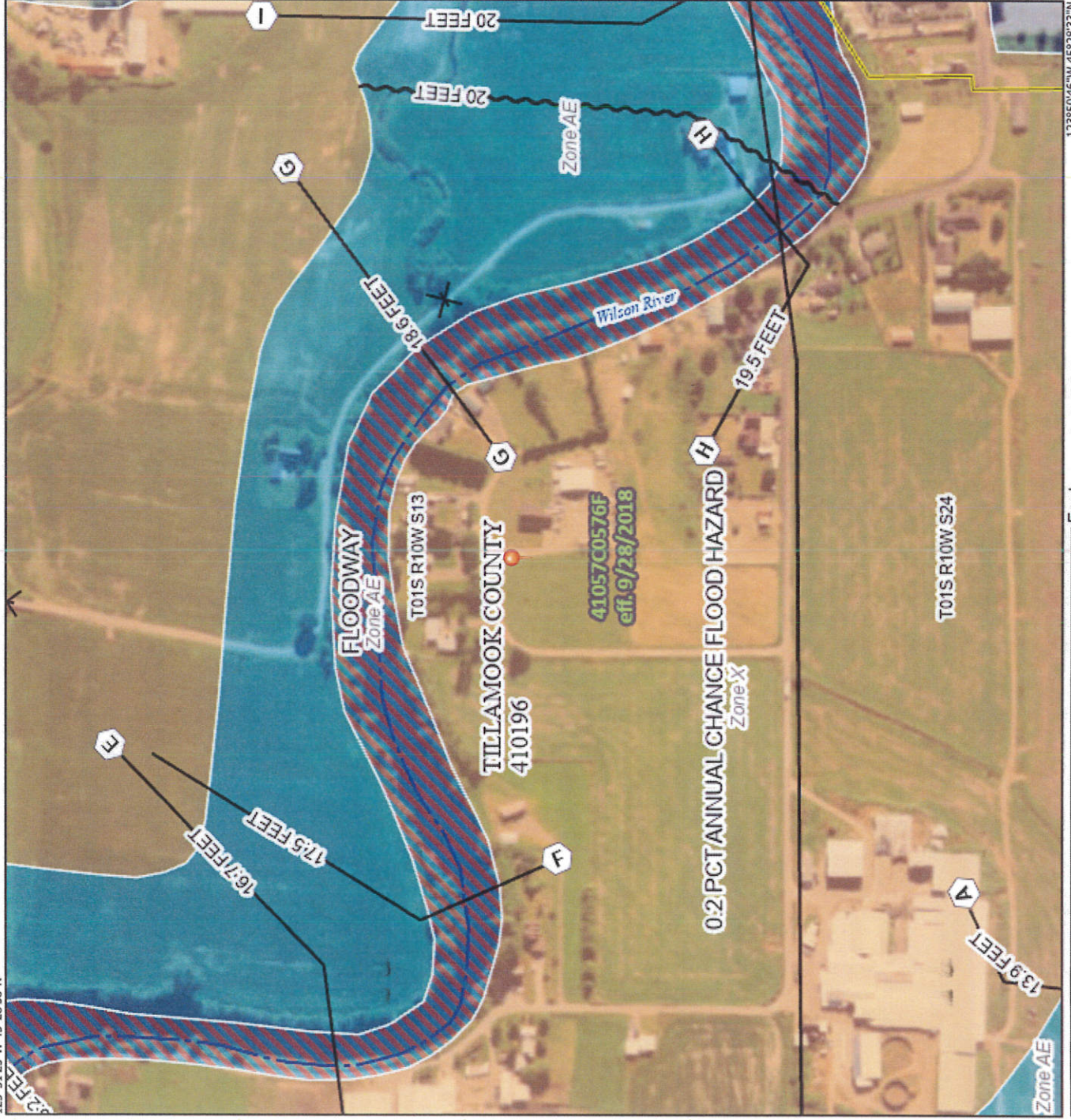
- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland
- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Lake
- Other
- Riverine

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

National Flood Hazard Layer FIRMette



123°51'23"W 45°28'58"N



Basemap: USGS National Map: Orthoimagery: Data refreshed October, 2020

Legend

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

- SPECIAL FLOOD HAZARD AREAS**
 - Without Base Flood Elevation (BFE) Zone A, 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, Areas of 1% annual chance flood with average depth less than one foot or with drainage 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 D
- GENERAL STRUCTURES**
 - Channel, Culvert, or Storm Sewer
 - Levee, Dike, or Floodwall

- OTHER FEATURES**
 - Cross Sections with 1% Annual Chance Water Surface Elevation
 - 20.2
 - 17.5
 - 8
 - 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 7/7/2022 at 2:05 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.

EXHIBIT B



LAND DIVISION APPLICATION

Applicant (Check Box if Same as Property Owner)

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

Property Owner

Name: FRANK KLAUSEN Phone: 503-812-1951
 Address: 1330 MAKINSTER RD
 City: TILLAMOOK State: OR Zip: 97141
 Email: KLAUSENTRUCKING@GMAIL.COM

Location:

Site Address: 1330 MAKINSTER RD, TILLAMOOK, OR 97141

Map Number: 1S 10 13D 001901
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

 Approved Denied
 Received by:
 Receipt #:
 Fees: 409
 Permit No:
 851-22 - 000117 -PLNG

Other information:

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

Proposed Development

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

Additional Information Required for Subdivisions

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

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

Certificates:

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

Additional Information:

Authorization

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

Frank Klausem

 Property Owner (*Required)

March 15, 2022

 Date

Dallas Esplin

 Applicant Signature

OCT 26, 2021

 Date

PARTITION PLAT 2022-

CERTIFICATE OF COUNTY CLERK

STATE OF OREGON
 COUNTY OF TILLAMOOK
 I, HEREBY CERTIFY THAT I AM THE QUALIFIED CLERK OF TILLAMOOK COUNTY AND THAT THIS PARTITION PLAT WAS RECEIVED FOR RECORD ON _____ DAY OF _____, 2021 AT _____ O'CLOCK, AND RECORDED AS PARTITION PLAT NO. _____ IN PLAT CABINET B-_____, TILLAMOOK COUNTY RECORDS AS INSTRUMENT NO. _____.

ACKNOWLEDGMENT

STATE OF OREGON
 COUNTY OF TILLAMOOK
 THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON _____, 2021 BY (FRANK J. KLAUSEN, KATHRYN J. KLAUSEN).

(SIGN) _____
 NOTARY PUBLIC - OREGON
 COMMISSION NO. _____
 MY COMMISSION EXPIRES: _____ DAY OF _____, 2021

CERTIFICATE OF COUNTY CLERK

STATE OF OREGON
 COUNTY OF TILLAMOOK
 I, TASSI O'NEIL, DO HEREBY CERTIFY THAT I AM THE QUALIFIED CLERK OF TILLAMOOK COUNTY, OREGON AND THAT THIS COPY OF PARTITION PLAT NO. _____ IS THE FULL COMPLETE AND TRUE COPY OF THE ORIGINAL PLAT OF SAME, AS RECORDED IN PLAT CABINET B-_____, OF PARTITION PLAT RECORDS OF TILLAMOOK COUNTY, OREGON.
 RECORDED _____, 2022 AT _____ O'CLOCK, AS INSTRUMENT NO. _____.

DECLARATION

KNOW ALL PEOPLE BY THESE PRESENTS THAT FRANK J. KLAUSEN AND KATHRYN J. KLAUSEN ARE THE OWNERS OF THE LAND REPRESENTED ON THE ATTACHED PARTITION PLAT. WE HEREBY CERTIFY THAT WE FREELY AND VOLUNTARILY DECEASED, DIVIDED, PARTITIONED, SUBDIVIDED, RECONVEYED, AND HAVE CAUSED THE SAME TO BE SURVEYED AND PARTITIONED INTO TWO (2) PARCELS, AS SHOWN ON THE ANNEXED MAP.

FRANK J. KLAUSEN
 KATHRYN J. KLAUSEN

SURVEYOR'S CERTIFICATE

I, DALLAS W. ESPLIN, CERTIFY THAT:
 I HAVE CORRECTLY SURVEYED AND MARKED WITH PROPER BEARINGS AND DISTANCES THE POINTS DESCRIBED ON THE ATTACHED PARTITION PLAT AS BEING THAT TRACT DESCRIBED IN INSTRUMENT 2007-4438, TILLAMOOK COUNTY DEED RECORDS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 BEGINNING AT THE INITIAL POINT, WHICH IS A 5/8" X 40" REBAR WITH PLASTIC CAP MARKED "DALLAS ESPLIN LS 83927" WHICH IS NORTH000000X AND EAST000000X FROM THE QUARTER CORNER BETWEEN SECTIONS 15 AND 24;
 THENCE NORTH000000000X
 THENCE N 74°50'18" E 240.00'
 THENCE N 89°50'18" E 170.00'
 THENCE S 50°09'44" E 56.52'
 THENCE S 15°09'48" E 280.52'
 THENCE SOUTHWEST000000X
 THENCE SOUTHWEST000000X
 THENCE SOUTHWEST000000X
 THENCE WEST000000000X, TO THE INITIAL POINT



OREGON COORDINATE REFERENCE SYSTEM OREGON COAST ZONE
 OBLIQUE MERCATOR PROJECTION
 NORTH AMERICAN DATUM OF 1983
 LATITUDE OF LOCAL ORIGIN: 44°45'00" N
 LONGITUDE OF LOCAL ORIGIN: 124°13'00" W
 FALSE EASTING: -300,000.000 METERS
 FALSE NORTING: -300,000.000 METERS
 SKEW AXIS AZIMUTH AT LOCAL ORIGIN: +330°00"

(THE ABOVE INFORMATION IS RECORD FROM "OREGON COORDINATE REFERENCE SYSTEM HANDBOOK AND MAP SET", VERSION 3.01 2-28-2017, APPENDIX A, PAGE A-54. SEE 0001 RECORDS)

APPROVALS

APPROVED 2021 AS PARTITION, 851--PLNG.
 TILLAMOOK COUNTY DEPT. OF COMMUNITY DEVELOPMENT
 DATE _____

DETAIL "A"
 1" = 20'

APPROVED THIS _____ DAY OF _____, 2022.
 TILLAMOOK COUNTY SURVEYOR
 TAXES HAVE BEEN PAID IN FULL TO JUNE 30, 2022.
 TILLAMOOK COUNTY TAX COLLECTOR

BASIS OF BEARINGS

THE BASIS OF BEARINGS IS NORTH AS DETERMINED BY G.P.S. OBSERVATIONS USING THE OREGON COAST ZONE COORDINATE SYSTEM. BEARINGS ARE REFERENCED TO TRUE NORTH. THIS IS A REVISION OF 0709'44" COUNTERCLOCKWISE FROM MAPS A-3215, B-2180, AND B-2758.

LEGEND

- SET 5/8" X 40" REBAR WITH PLASTIC CAP MARKED "DALLAS ESPLIN LS 83927"
- FOUND MONUMENT AS NOTED, HELD
- ⊕ FOUND 5/8" REBAR WITH PLASTIC CAP MARKED "C WAYNE COOK PLS 1088" HELD AS ORIGINAL MONUMENT. MONUMENT LINE ADJUSTMENT FROM MAP B-2758
- FOUND MONUMENT AS NOTED
- () RECORD VALUE FROM MAP A-3215, B-2180, OR B-2758
- || RECORD VALUE FROM MAP F-25-19
- [] RECORD VALUE FROM MAP A-4136 OR A-389
- NO () [] OR [] MEASURED VALUE

NARRATIVE

THIS IS A DEPENDENT SURVEY OF THE KLAUSEN TRACT DESCRIBED IN INSTRUMENT 2007-4438. THE PURPOSE OF THIS SURVEY IS TO PARTITION THE TRACT INTO TWO (2) PARCELS AS SHOWN HEREON.
 THE NORTH LINE WAS CUT FROM MONUMENT 102 USING RECORD VALUES FROM MAPS A-3215, B-2180, AND B-2758. ROTATED 0709'44" COUNTERCLOCKWISE TO MY BASIS OF BEARINGS.
 FOUND MONUMENTS FROM MAP B-2758 WERE HELD FOR THE EAST LINE.
 MANISTER ROAD WAS HELD AT 30.00' WIDE AS SHOWN ON MAPS F-25-19, A-4136, AND A-389. MONUMENT 102 WAS HELD FOR THE NORTH RIGHT-OF-WAY OF AND MONUMENT 101 WAS HELD FOR THE SOUTH RIGHT-OF-WAY OF THE SECTION RIGHT-OF-WAY AND CENTERLINE MONUMENTS SHOWN ON MAP F-25-19 AT STATION 0+00 AND 15+53 WERE SEARCHED FOR AND NOT FOUND.
 THE WEST BOUNDARY OF THE SCHAFER TRACT WAS LAD OUT FROM MONUMENT 101 USING RECORD DISTANCES FROM MAP B-2758 AND RECORD DISTANCES FROM MAP A-389 PERPENDICULAR TO MANISTER ROAD.
 SCHAFER 2011-8882
 THE SOUTH WEST CORNER WAS HELD AT RECORD DEED DISTANCES FROM MONUMENT 101.

MONUMENT NOTES

- (101) FOUND 3" TILLAMOOK COUNTY BRASS CAP STAMPED "1/4 13 24 1670" 0.6" BELOW GRADE WITH HAT SECTION EAST 3/4", SEE REWRITNESS BOOK 7, PAGE 414, HELD
- (102) FOUND 1 1/2" IRON PIPE 0.6" BELOW GRADE, SEE MAP A-389, HELD FOR NORTH RIGHT-OF-WAY MANISTER ROAD
- (103) FOUND 5/8" REBAR, BENT TO EAST, TIED AT BOND, 1.2" BELOW GRADE, AT POSITION, PULLED AND RESET 5/8" 40" REBAR WITH PLASTIC CAP MARKED "DALLAS ESPLIN LS 83927" FLUSH WITH GRADE, SEE MAP A-3215
- (104) FOUND 5/8" REBAR WITH PLASTIC CAP MARKED "A DUNCAN LS 7837", N 39°50'18" E 6.10' OF BOUNDARY, SEE MAP A-3215, NOT HELD
- (105) FOUND 5/8" REBAR WITH PLASTIC CAP MARKED "A DUNCAN LS 7837", SEE MAP A-3215, AT POSITION
- (107) FOUND 5/8" REBAR WITH PLASTIC CAP MARKED "A DUNCAN LS 7837", SEE MAP A-3215, HELD

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

PARTITION PLAT FOR:
FRANK & KATHRYN KLAUSEN
 INSTRUMENT 2007-4438
 TILLAMOOK COUNTY DEED RECORDS
 SE 1/4 SECTION 13
 T1S. R10W. W1M
 TILLAMOOK COUNTY, OREGON

DATE	COMPILED BY	DRAWN BY	CHECKED BY	JOB NUMBER
	EC-8800	DCA/JAD	DWE	823
	HYPER-V, ES-103			

PAT KLAUSEN-21.01WG
 KLAUSEN-F-CRS



RECEIVED
APR 19 2022

PARTITION PLAT 2022-

ACKNOWLEDGMENT
STATE OF OREGON
COUNTY OF TILLAMOOK

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON _____, 2021
BY (FRANK J. KLAUSEN, KATHRYN J. KLAUSEN).

CERTIFICATE OF COUNTY CLERK
STATE OF OREGON
COUNTY OF TILLAMOOK

I, HEREBY CERTIFY THAT I AM THE QUALIFIED CLERK OF TILLAMOOK COUNTY AND THAT THIS PARTITION PLAT WAS RECEIVED FOR RECORD ON _____, 2021 AT _____ O'CLOCK, AND RECORDED AS PARTITION PLAT NO. _____ IN PLAT CABINET B-_____, TILLAMOOK COUNTY RECORDS AS INSTRUMENT NO. _____.

NOTARY PUBLIC - OREGON
COMMISSION NO. _____
MY COMMISSION EXPIRES: _____ DAY OF _____, 2022.

CERTIFICATE OF COUNTY CLERK
STATE OF OREGON
COUNTY OF TILLAMOOK

I, TASSI ONEIL, DO HEREBY CERTIFY THAT I AM THE QUALIFIED CLERK OF TILLAMOOK COUNTY, OREGON AND THAT THIS COPY OF PARTITION PLAT NO. _____ IS THE FULL, COMPLETE AND TRUE COPY OF THE ORIGINAL PLAT OF SAME, AS RECORDED IN PLAT CABINET B-_____, PARTITION PLAT RECORDS OF TILLAMOOK COUNTY, OREGON.
RECORDED _____, 2022 AT _____ O'CLOCK, AS INSTRUMENT NO. _____.

DECLARATION
KNOW ALL PEOPLE BY THESE PRESENTS THAT FRANK J. KLAUSEN AND KATHRYN J. KLAUSEN, ARE THE OWNERS OF THE LAND REPRESENTED IN THE ATTACHED PARTITION PLAT, BEING THAT TRACT DESCRIBED IN THE ACCOMPANYING SURVEYORS CERTIFICATE, AND HAVE CAUSED THE SAME TO BE SURVEYED AND PARTITIONED INTO TWO (2) PARCELS, AS SHOWN ON THE ANNEXED MAP.

SURVEYOR'S CERTIFICATE
I, DALLAS W ESPLIN, CERTIFY THAT:
I HAVE CORRECTLY SURVEYED AND MARKED WITH PROPER MONUMENTS THE CORNERS OF THE TRACT DESCRIBED IN THE ATTACHED PARTITION PLAT, BEING THAT TRACT DESCRIBED IN INSTRUMENT 2007-4438, TILLAMOOK COUNTY DEED RECORDS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE INITIAL POINT, WHICH IS A 5/8" X 40" REBAR WITH PLASTIC CAP MARKED "DALLAS ESPLIN LS 53927" WHICH IS NORTH-SOUTH AND EAST-WEST TO THE QUARTER CORNER BETWEEN SECTIONS 15 AND 24,
THENCE NORTH 00°00'00"00"00"
THENCE N 74°50'16" E 240.00'
THENCE N 89°50'16" E 170.00'
THENCE S 15°09'48" E 280.52'
THENCE S 50°09'44" E 56.52'
THENCE SOUTHWEST 00°00'00"00"00"
THENCE SOUTH 00°00'00"00"00"
THENCE WEST 00°00'00"00"00" TO THE INITIAL POINT



NARRATIVE
THIS IS A DEFINITIVE SURVEY OF THE KLAUSEN TRACT DESCRIBED IN INSTRUMENT 2007-4438, THE PURPOSE OF WHICH WAS TO PARTITION THE TRACT INTO TWO (2) PARCELS AS SHOWN HEREON.
THE NORTH LINE WAS Laid OUT FROM MONUMENT 102 USING ROTATED 079°44" FORM MAP A-5215, B-2180, AND B-2758 BEARINGS.
FOUND MONUMENTS FROM MAP B-2758 WERE HELD FOR THE EAST LINE.
MANHATTAN ROAD WAS HELD AT 30.00' WIDE AS SHOWN ON MAPS F-28-18, A-4138 AND A-389. MONUMENT 102 WAS HELD FOR THE NORTH RIGHT-OF-WAY OF AND MONUMENT 101 WAS HELD FOR THE SOUTH RIGHT-OF-WAY OF THE RIGHT-OF-WAY AND CENTERLINE MONUMENTS SHOWN ON MAP F-28-18 AT STATION 0+00 AND 15+53 WERE SEARCHED FOR AND NOT FOUND.
THE WEST BOUNDARY OF THE SCHAFER TRACT WAS Laid OUT FROM MONUMENT 101 USING RECORD DISTANCES FROM MAP F-28-18 AND A-4138 TO BE PERPENDICULAR AND PARALLEL AND PERPENDICULAR TO MANHATTAN ROAD.
THE SOUTH WEST CORNER WAS HELD AT RECORD DEED DISTANCES FROM MONUMENT 101.

- MONUMENT NOTES**
- (101) FOUND 1/2" IRON PIPE 0.6' BELOW GRADE, SEE MAP A-389, HELD FOR NORTH
 - (102) FOUND 5/8" REBAR, BENT TO EAST, TIED AT BEND, 1.2' BELOW GRADE, AT POSITION, PULLED AND RESET 5/8" 40" REBAR WITH PLASTIC CAP MARKED "DALLAS ESPLIN LS 53927" FLUSH WITH GRADE, SEE MAP A-5215
 - (103) FOUND 5/8" REBAR WITH PLASTIC CAP MARKED "A. DUNCAN LS 783", N 39°50'16" E 0.10' OF BOUNDARY, SEE MAP A-5215, NOT HELD
 - (104) FOUND 5/8" REBAR WITH PLASTIC CAP MARKED "A. DUNCAN LS 783", SEE MAP A-5215, AT POSITION
 - (105) FOUND 5/8" REBAR WITH PLASTIC CAP MARKED "A. DUNCAN LS 783", SEE MAP A-5215, HELD

OREGON COORDINATE REFERENCE SYSTEM
OREGON COAST ZONE

OBLOQUE MERCATOR PROJECTION
NORTH AMERICAN DATUM OF 1983
LATITUDE OF LOCAL ORIGIN: 44°45'00" N
LONGITUDE OF LOCAL ORIGIN: 124°13'00" W
FALSE NORTHING: 4,600,000.000 METERS
FALSE EASTING: 3,000,000.000 METERS
SKEW AXIS ADJUSTMENT AT LOCAL ORIGIN: +332000'

(THE ABOVE INFORMATION IS RECORD FROM "OREGON COORDINATE REFERENCE SYSTEM" MAP NUMBER 1 AND 2, PAGES 2-28-2017, APPENDIX A, PAGE 74-52, SEE 0307 RECORDS)

APPROVALS

APPROVED 2021 AS PARTITION, 881--PLUNC.
TILLAMOOK COUNTY DEPT. OF COMMUNITY DEVELOPMENT
DATE _____ 2022.

APPROVED THIS _____ DAY OF _____, 2022.

TILLAMOOK COUNTY SURVEYOR
TAXES HAVE BEEN PAID IN FULL TO JUNE 30, 2022.
TILLAMOOK COUNTY TAX COLLECTOR

DETAIL "A"
1" = 20'



BASIS OF BEARINGS

THE BASIS OF BEARINGS IS NORTH AS DETERMINED BY G.P.S. SURVEYING USING THE NAD 83 COORDINATE SYSTEM. THIS GIVES A BEARING OF NORTH 57°57'25" EAST BETWEEN MONUMENTS 101 AND 107.
THIS IS A ROTATION OF 089°14" COUNTERCLOCKWISE FROM MAPS A-5215, B-2180, AND B-2758.

LEGEND

- SET 5/8" X 40" REBAR WITH PLASTIC CAP MARKED "DALLAS ESPLIN LS 53927"
- FOUND MONUMENT AS NOTED, HELD
- ⊕ FOUND 5/8" REBAR WITH PLASTIC CAP MARKED "C WAYNE COOK PLS 1088" HELD AS ORIGINAL MONUMENT FROM MAP B-2758
- FOUND MONUMENT AS NOTED
- () RECORD VALUE FROM MAP A-5215, B-2180, OR B-2758
- [] RECORD VALUE FROM MAP F-28-18
- [] RECORD VALUE FROM MAP A-4138 OR A-389
- NO () [] OR [] MEASURED VALUE

PARTITION PLAT FOR
FRANK & KATHRYN KLAUSEN
INSTRUMENT 2007-4438
TILLAMOOK COUNTY DEED RECORDS
SEE 1/4 SECTION 13
T1S, R10W, W1M.
TILLAMOOK COUNTY, OREGON
503-842-5551

DATE	COMPLETION	FIELD	DRAWN	CHECKED	JOB NUMBER
	HYPER-V, ES-103	DCA/JAD	DNE	DNE	823

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

PARCEL 1
AREA 3.22 AC

PARCEL 2
AREA 2.12 AC

SCHAFFER
2018-8882

INITIAL POINT
N 89°30'00" E
225.30' (225.30')

563.40' (483.40')
808.70' (808.70')

535.76'
N 00°23'52" W 184.72'
[NORTH 184.72']

N 89°26'00" E (N 89°43'33" E 1582.38')

STA 15+53

STA 00+00



FAIRVIEW WATER DISTRICT

403 Marolf Loop Road

Tillamook, OR. 97141

503-842-4333 / cell 503-801-1005 / fax 503-842-3833

davidpace@fairviewwater.com



January 11, 2022

Tillamook County
Dept. of Community Development
201 Laurel Avenue
Tillamook, OR. 97141

RE: Water service to 1S-10-13D, tax lot #1901, Tillamook, Oregon 97141.

To whom it may concern;

The property located at Assessors map# 1S-10-13D, Tax lot #1901 will receive water service from the Fairview Water District.

Sincerely,

David Pace,
Superintendent



After recording return to:
Frank and Kathryn Klausen
PO Box 104
Tillamook, OR 97141

Until a change is requested all tax statements
shall be sent to the following address:
Frank and Kathryn Klausen
PO Box 104
Tillamook, OR 97141

File No.: 7051-1044959 (cm)
Date: May 25, 2007

THIS SPA

Tillamook County, Oregon 2007-004438
05/30/2007 10:52:42 AM

DEED-DBS
\$15.00 \$11.00 \$10.00 - Total = \$36.00



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

Tassi O'Neil, Tillamook County Clerk



STATUTORY BARGAIN AND SALE DEED

Frank J. Klausen and Kathryn J. Klausen, as tenants by the entirety, as to an undivided 2/3 interest and Daniel A. Klausen, a single man, as to the remaining 1/3 interest, together not as tenants in common, but with rights of survivorship, Grantor, conveys to Frank J. Klausen and Kathryn J. Klausen, as tenants by the entirety, Grantee, the following described real property:

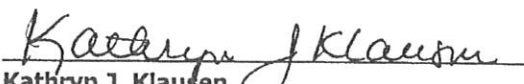
See Legal Description attached hereto as Exhibit A and by this reference incorporated herein.

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

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. 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 APPROVED USES, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 197.352.

Dated this 29 day of May, 2007.


Frank J. Klausen


Kathryn J. Klausen

Daniel A. Klausen

Daniel A. Klausen

STATE OF Oregon)
)ss.
County of Tillamook)

This instrument was acknowledged before me on this 29th day of May, 2007
by **Frank J. Klausen and Kathryn J. Klausen.**



Cindy Manning
Notary Public for Oregon
My commission expires: 1-12-2011

STATE OF Oregon)
)ss.
County of Tillamook)

This instrument was acknowledged before me on this 29th day of May, 2007
by **Daniel A. Klausen.**



Cindy Manning
Notary Public for Oregon
My commission expires: 1-12-2011

EXHIBIT A

LEGAL DESCRIPTION:

A tract of land in the Southeast Quarter of Section 13, Township 1 South, Range 10 West, of the Willamette Meridian in Tillamook County, Oregon, the boundaries of said tract being described as follows: Commencing at the South 1/4 corner of said Section 13; thence North 0°13'56" West 30.00 feet; thence North 89°43'33" East 583.40 feet to the Southwest corner of the second tract described in Deed to Charles Curl and Marcia Curl, husband and wife, recorded in Book 243 Page 754, Tillamook County Clerk's Records, the Point of Beginning; thence North 0°13'56" East 640.00 feet; thence North 75°00'00" East 240.00 feet; thence East 170.00 feet; thence South 50°00'00" East 56.41 feet; thence South 15°00'00" East 260.71 feet; thence South 75°00'00" West 301.42 feet; thence South 0°13'48" East 334.98 feet, to a point on the North line of Makinster County Road, said point being the most Westerly Southwest corner of Tract 1, as described in Warranty Deed to Charles E. Curl and Marcia A. Curl, husband and wife, recorded in Book 224 Page 405, Tillamook County Clerk's Records; thence South 89°43'33" West 225.30 feet, to the Point of Beginning.

TOGETHER WITH a nonexclusive access easement, in common with others, said easement being 50.00 feet of even width, the Westerly and Northerly boundary of said easement being described as follows: Beginning at the Southwest corner of the second tract described in Deed to Charles E. Curl and Marcia A. Curl, husband and wife, recorded in Book 243 Page 754, Tillamook County Clerk's Records, said Southwest corner being North 0°13'56" West 30.00 feet and North 89°43'33" East 583.40 feet from the South 1/4 corner of Section 13, Township 1 South, Range 10 West, of the Willamette Meridian in Tillamook County, Oregon; thence North 0°13'56" East 691.82 feet; thence North 75°00'00" East 232.97 feet, thence East 194.68 feet; thence South 50°00'00" East 119.81 feet.

150-DAY WAIVER

APR 20 2022

By my signature below, I confirm my agreement to hold the decision on my application(s) deemed to be complete, listed below, and hereby waive the 150-day decision requirement as specified under ORS 215.427. With the exception of mediation, the total of all extensions may not exceed 215 days after the date the application(s) were deemed complete.

Application(s): #851-22-000117-PLNG / PARTITION

AGREED TO BY:

Frank Klausen
APPLICANT SIGNATURE

4-19-22
DATE

FRANK KLAUSEN
NAME (PLEASE PRINT)

Dalh Esplin

4-19-22

Dallas Esplin

Date: April 15, 2022

RE: Incomplete application for Partition Application 851-22-000117-PLNG

To Whom It May Concern:

As indicated in the attached correspondence, your application has been deemed to be incomplete.

Please acknowledge, in writing, your intent to provide the material required to complete the application, as identified in the attached correspondence.

Tillamook County Department of Community Development
Attn: Angela Rimoldi – Planning Technician
1510 B Third Street
Tillamook, OR 97141

If you indicate your intent to complete the application, you will have 180 days from the date the application was originally submitted (**March 21, 2022**) to submit the required material. If you fail to submit the material within 180 days, your application will be deemed void. The case file regarding the application will then be closed.

If you do not return this acknowledgment, by the above date, such action will be considered to be a refusal to complete the application under the meaning accorded in ORS 215.428. Your application will then be processed based upon the information you have previously submitted. Note that failure to submit sufficient evidence or material to demonstrate compliance with the applicable criteria is grounds for denial of the application.

ACKNOWLEDGMENT

I intend to provide the additional material identified in the attached correspondence from the Department of Community Development.

I refuse to provide the additional material identified in the attached correspondence from the Department of Community Development.

Frank Klaus
Signed and Acknowledged (Applicant)

Dale Epi

4-19-22
Date

4-19-22