



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 #851-21-000410-PLNG:  
HIGH HEAVEN INVESTMENT, INC. / GRIMM  
Administrative Decision & Staff Report**

**Decision:** Approved with Conditions  
**Decision Date:** July 21, 2022  
**Report Prepared By:** Angela Rimoldi, Planning Technician

**I. GENERAL INFORMATION:**

**Request:** Partition request to create three (3) residential parcels (Exhibit B).

**Location:** Located in the Unincorporated City of Beaver, via Highway 101 S., a state highway and Blaine Road, a County road. The subject properties are designated as Tax Lot 900 of Section 29BC, Township 3 South, Range 9 West of the Willamette Meridian Tillamook County Oregon, and Tax Lot 700 of Section 29CB, Township 3 South, Range 09 West of the Willamette Meridian, Tillamook County Oregon. (Exhibit A).

**Zone:** Community Single-Family Residential (CSFR)

**Applicant:** John Grimm, P.O. Box 57, McMinnville, OR. 97128

**Property Owner:** High Heaven Investments, Inc., P.O. Box 57, McMinnville, OR. 97127

**Description of Site and Vicinity:** The subject properties are accessed via Highway 101 South., a state highway and Blaine Road, a County road, are irregular in shape, no improvements and are vegetated with grasses, shrubs, and trees (Exhibit A). Topography of the subject property varies in slope with some flat areas. The subject property is located within an area primarily devoted to residential, farm and forest use. The subject property is surround by properties also zoned CSFR to the west and southeast, properties zoned Farm (F-1) to the north and properties zoned Forrest (F) to the northeast (Exhibit A).

The subject property does not 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 41057C0740F) (Exhibit A).

The subject property is within an area of geologic Hazard (Exhibit A). A Condition of Approval has been made to require relevant standards of TCLUO Section 4.130: Development Requirements for Geologic Hazard Areas 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 3.011: Community Single Family Residential (CSFR) 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. One comment was received from PUD in reference to retaining easement access for power lines (Exhibit C).

**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 CSFR 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 Highway 101 S., a state highway and Blaine 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 a well onsite. A Verification of Water Source letter is included in the Applicant's submittal (Exhibit B). A notation can be placed on the plat stating that the allowance of the partition does not warrant that site evaluation approval is or will be available to the approved parcels if site evaluation approval has not yet been obtained.

The subject property is also served by the Nestucca Rural Fire Protection 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 3.011: Community Single Family Residential (CSFR) Zone**

(4) *STANDARDS: Land divisions and development in the CSFR zone shall conform to the following standards, unless more restrictive supplemental regulations apply:*

- (a) *The minimum lot size is 20,000 for permitted uses.*
- (b) *The minimum lot width and depth shall both be 100 feet.*
- (c) *The minimum front yard shall be 20 feet.*
- (d) *The minimum side yard shall be 5 feet; on the street side of a corner lot, it shall be no less than 15 feet.*
- (e) *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 three (3) parcels to be created by the partition meet the minimum requirements for lot size and dimensions as outlined above (Exhibit B). There are no improvements onsite therefore setback requirements are currently not applicable. 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 August 2, 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 obtain a letter from the Tillamook County Public Works Department confirming either the existing Road Approach via Highway 101 S. and Blaine Road are adequate or that necessary improvements to the Road Approach have been completed. The letter shall be provided to the Department prior to or at the time of final plat review.
3. The applicant shall comply with all requirements of the Tillamook County Surveyor's Office.
4. 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.
5. The applicant shall record the Final Plat within ninety (90) days from the date of final signature of the partition plat.
6. Future development is subject to standards required by TCLUO Section 3.011: Community Single Family Residential (CSFR) Zone and TCLUO Section 4.130: Development Requirements for Geologic Hazard Areas



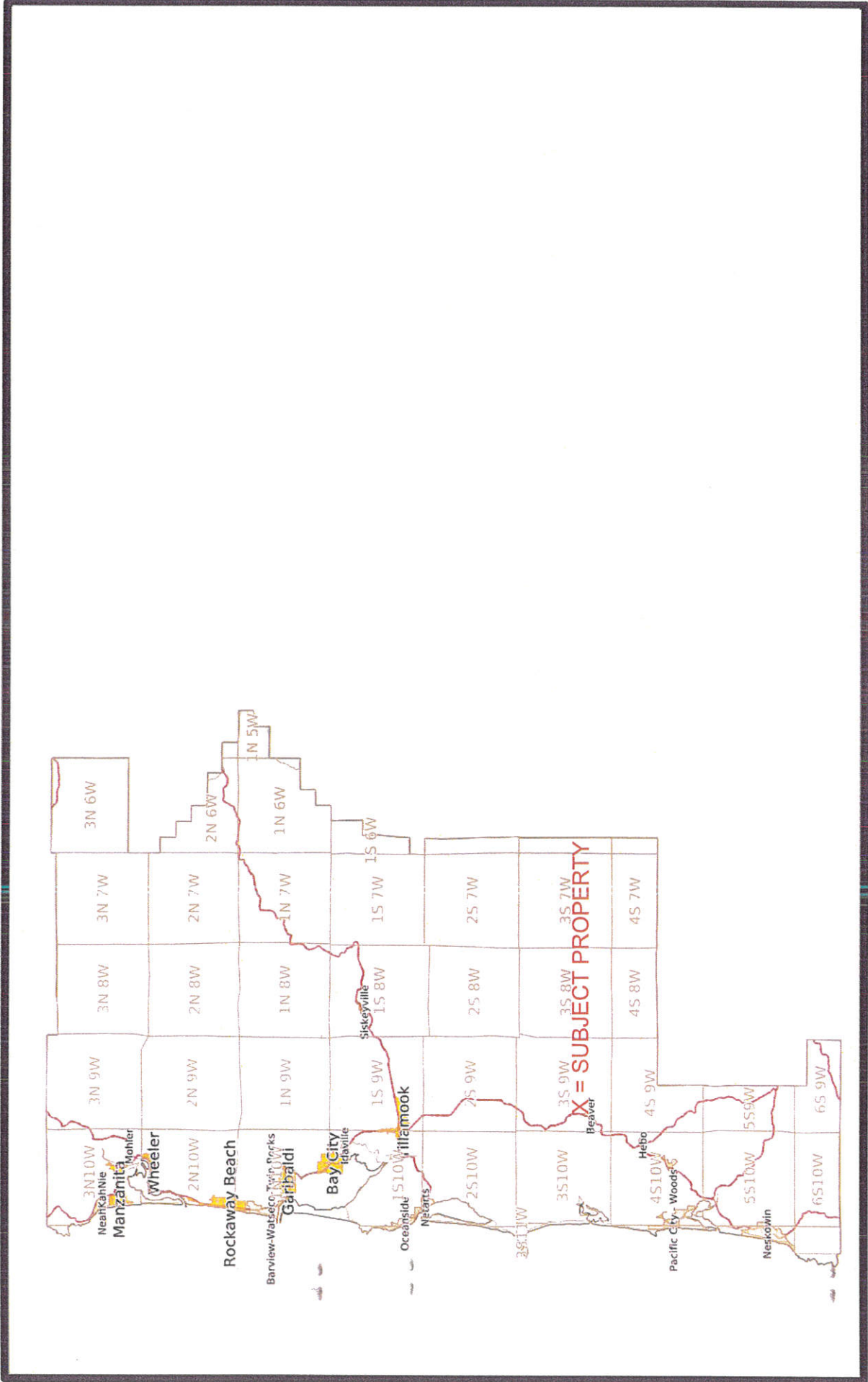
**VI. EXHIBITS:**

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
- C. Comments

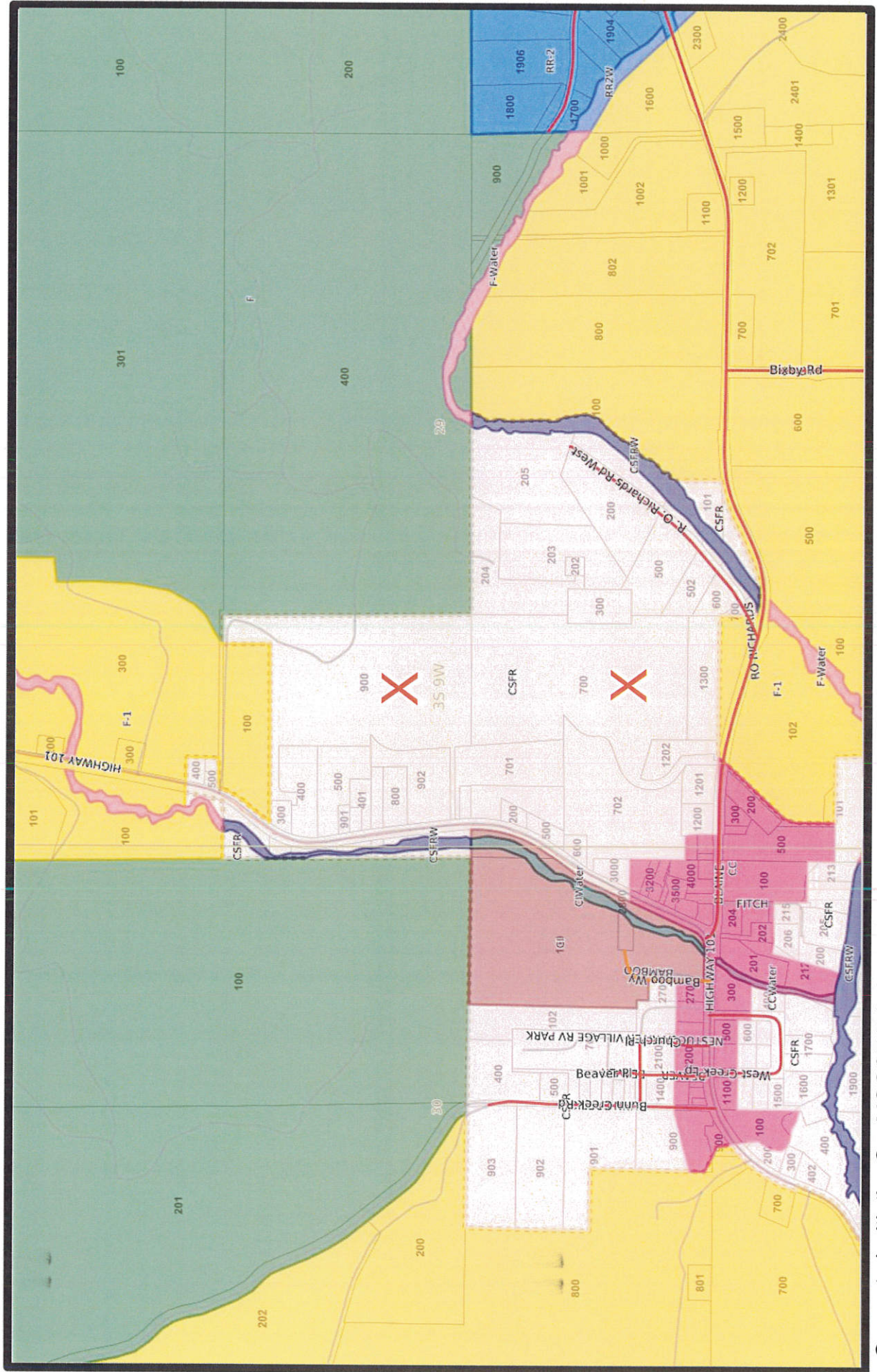
# EXHIBIT A

# Map - VICINITY





# Map - ZONING





FOR ASSESSMENT AND TAXATION ONLY. NOT SUITABLE FOR  
LEGAL, ENGINEERING, OR SURVEY PURPOSES

S.W. 1/4 N.W. 1/4 SEC. 29 T.3S. R.9W. W.M.  
Tillamook County  
T = 100

03S09W29BC

CANCELLED:  
402  
1000

SEE MAP 3S 9W 29

1116

SEE MAP 3S 9W 30

SEE MAP 3S 9W 29

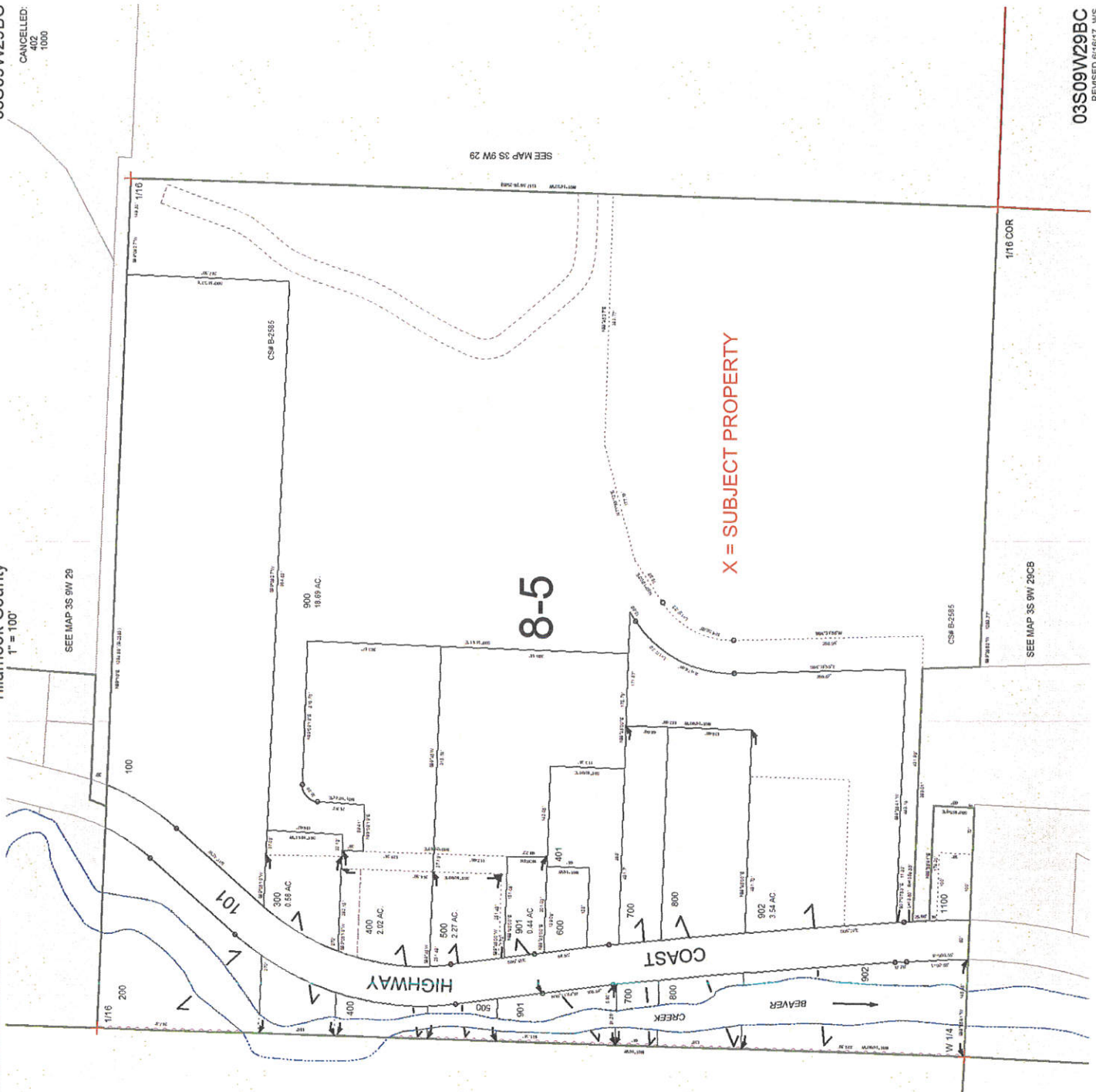
8-5

X = SUBJECT PROPERTY

1116 COR

SEE MAP 3S 9W 20CB

03S09W29BC  
REVISED 6/16/17, WS



THIS MAP WAS PREPARED FOR  
ASSESSMENT PURPOSE ONLY

N.W. 1/4 S.W. 1/4 SEC. 29 T.3S. R.9W. W.M.  
TILLAMOOK COUNTY

03S09W29CB  
BEAVER

03S09W29CB  
BEAVER

Revised 2/25/22, VIS



1" = 100'

CANCELLED  
300  
400  
900

SEE MAP 3S 9 28BC

1/16 COR

700  
19.38 AC

X = SUBJECT PROPERTY

701  
3.11 AC

8-5

101

COAST  
HIGHWAY

702  
7.20 AC

600  
0.35 AC

SEE MAP 3S 9 300A

SEE MAP 3S 9 280A

B-A POWER LINE EASEMENT  
BOOK 83, PAGE 472

25' ESMNT  
BK 399 / PG 422

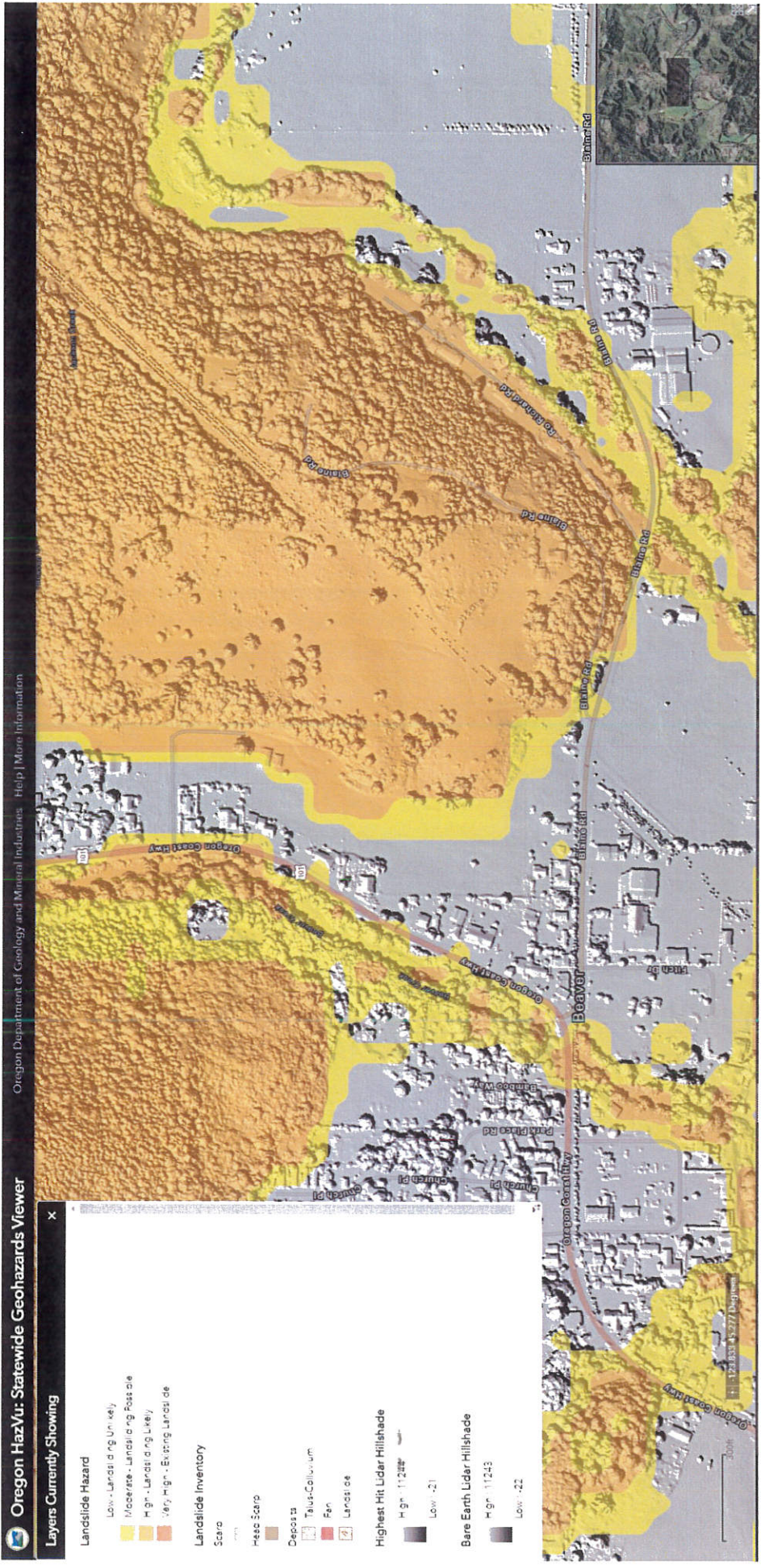
1/16 COR

1/16 COR BEAVER BLAINE COUNTY ROAD

SEE MAP 3S 9 280C

2002 PARTIAL PLAT  
1201 0.81 AC  
1200 0.64 AC  
1202 1.13 AC  
1300  
P.1  
P.2  
P.3  
ACCESS ESMNT  
P.1  
P.2  
P.3  
PTN





**Oregon HazVU: Statewide Geohazards Viewer**

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

**Layers Currently Showing**

- Landslide Hazard**
  - Low - Landsliding Unlikely
  - Medium - Landsliding Possible
  - High - Landsliding Likely
  - Very High - Extensive Landsliding

**Landslide Inventory**

- Scarp**
  - Head Scarp
  - Toe Scarp
- Debris**
  - Talus/Collicium
  - Fan
  - Landslide

**Highest Hit Lidar Hillshade**

- High - 1124ft
- Low - 22

**Bare Earth Lidar Hillshade**

- High - 11243
- Low - 22

1:120,000 4/27/2015

200ft



**National Wetlands Inventory**  
surface waters and wetlands

ABOUT GET DATA PRINT FIND LOCATION

LEGEND

BASEMAPS >

MAP LAYERS >

- Wetlands
- Riparian
- Riparian Mapping Areas
- Data Source
- Source Type
- Image Scale
- Image Year
- Areas of Interest
- FWS Managed Lands
- Historic Wetland Data

Measure

1-4,514  
45,281 1-123,829

esri

U.S. Fish and Wildlife Service, National Standards and Support Team, wetlands\_team@fws.gov | Blair | State of Oregon, State of Oregon, GE



# National Flood Hazard Layer FIRMette



123°49'35"W 45°16'59"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 A, V, AB9  
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

**MAP PANELS**



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Unmapped

**MAP PANELS**



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**MAP PANELS**



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No Digital Data Available  
Unmapped

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 7/11/2022 at 2:11 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

OFFICE USE ONLY
Date Stamp  <b>VIA EMAIL 11/9/2021</b>
<input type="checkbox"/> Approved <input type="checkbox"/> Denied
Received by: <b>S.S.</b>
Receipt #:
Fees: <b>\$409.00</b>
Permit No: <b>851-21-00010 -PLNG</b>

**Applicant**  (Check Box if Same as Property Owner)

Name: **John Grimm** Phone: **503-789-0656**  
 Address: **PO Box 57**  
 City: **McMinnville** State: **OR** Zip: **97128**  
 Email: **jegtrees@gmail.com**

**Property Owner**  
 Name: **High Heaven Inv. and RLC, Inc.** Phone: **503-472-4802**  
 Address: **PO Box 57**  
 City: **McMinnville** State: **OR** Zip: **97128**  
 Email: **dlgtree@gmail.com**

**Location:**

Site Address:

Map Number: **35** **9W** **29CB** **700 and 900**  
Township Range Section Tax Lot(s)  
**35** **9W** **29BC** **900**

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))**

**General Information**

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

**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
- Other information:  


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- 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:

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**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.

*John Thomas* PRES. High Healer Investment Inc. 11-1-21

*John Thomas* VP RLC Inc. 11-1-21

*John E. Thomas* 11/1/2021

Property Owner (\*Required)

Date

Applicant Signature

Date

**PRELIMINARY PLAT  
FOR PARTITION**

IN THE NE 1/4 OF THE SE 1/4 SECTION 30,  
AND SW 1/4 OF NW 1/4 AND NW 1/4 OF THE  
SW 1/4 SECTION 29, T.3S, R.9W, W.M.  
TILLAMOOK COUNTY, OREGON  
FEBRUARY 22, 2022

OWNER/APPLICANT  
JENI GRAMI  
HIGH HEAVEN INVESTMENTS AND INC. LLC  
PO BOX 57  
BAINBRIDGE, OREGON, 97128

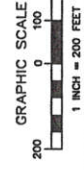
**ANDY PARRS AND ASSOCIATES INC.**  
PROFESSIONAL LAND SURVEYORS  
18007 BOONES FERRY ROAD  
LAKE OSWEGO, OREGON 97035  
PH: 503-636-3341  
www.andyparrs.com

PROJECT: 21201  
DRAWING: 21201.DWG  
DRAFTED: GR 3/10/2022

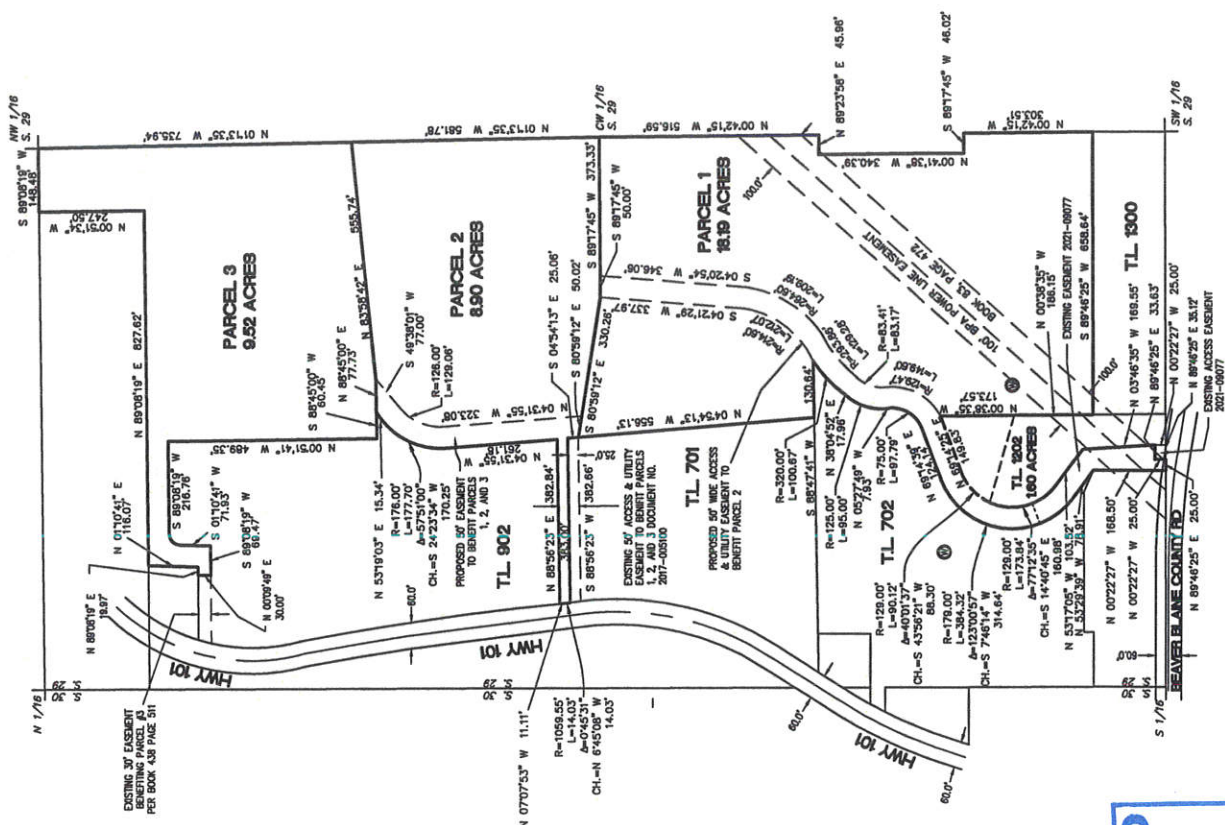
REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

JANIS S. BERT  
HAROLD P. SALD  
2784

EXPIRES: JUNE 30, 2022

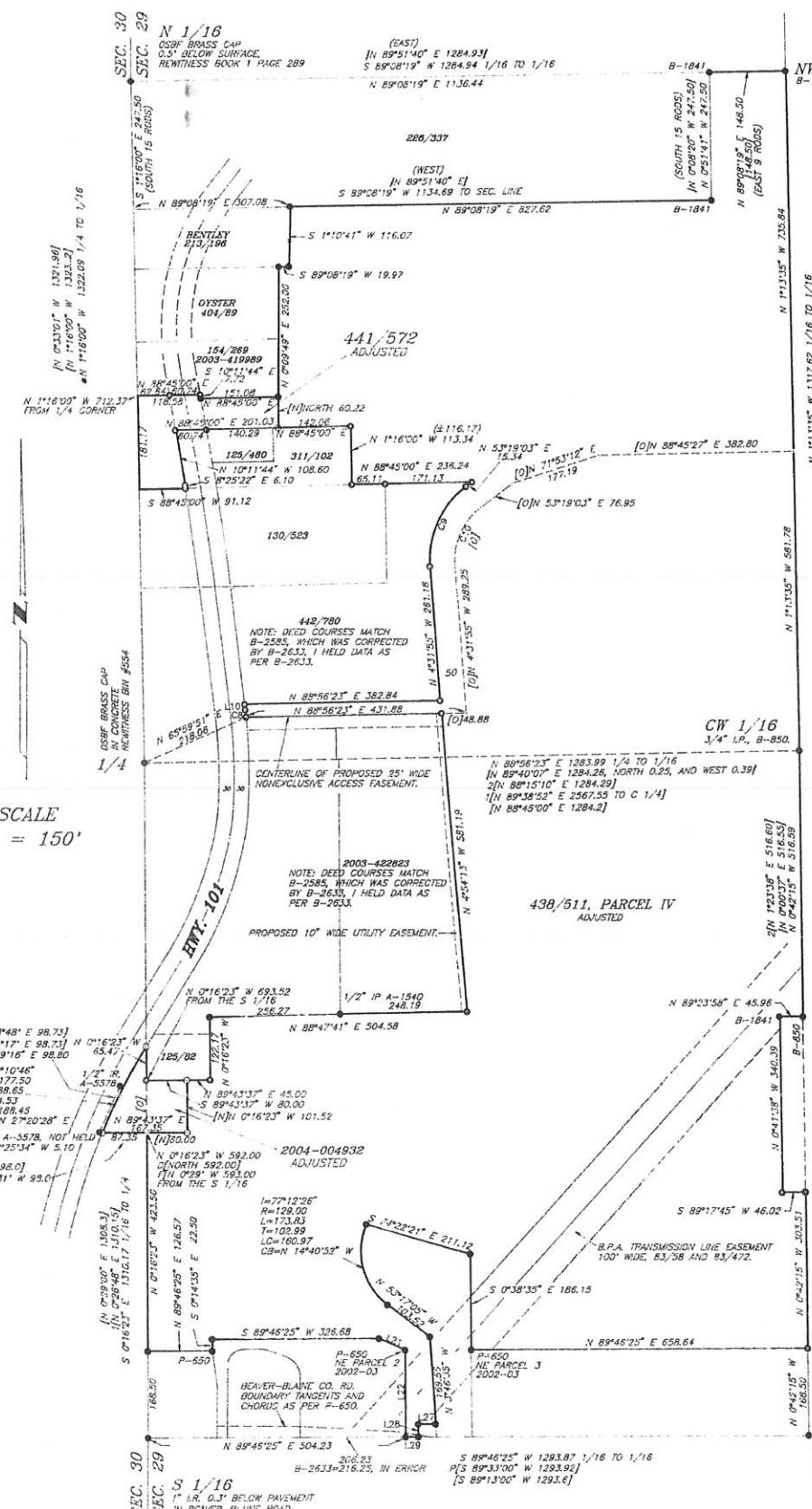


LEGEND:  
WELL



**RECEIVED**  
MAR 15 2022  
BY: .....

DRAWING BY EASEMENT  
REVISIONS TO PARCELS 1, 2,  
AND 3 PER BOOK 438 PAGE 311



- LEGEND**
- MONUMENT FOUND, 5/8" IRON ROD (SURVEY B-2633, OR SURVEY NOTED), OR AS NOTED OTHERWISE.
  - MONUMENT FOUND, 5/8" IRON ROD AS PER SURVEY B-2585, RESET AT CORRECTED POSITION.
  - MONUMENT SET, 5/8"x30" IRON ROD WITH PLASTIC CAP MARKED "C. WAYNE COOK PLS 1098".
  - | | RECORD AS PER SURVEY B-1841.
  - [ ] RECORD AS PER SURVEY F-40-56.
  - [ ] RECORD AS PER SURVEY A-1540.
  - [ ] RECORD AS PER SURVEY B-850.
  - [ ] RECORD AS PER SURVEY A-382 AND DOCUMENT 2004-004932, COUNTY CLERK'S RECORDS.
  - [ ] RECORD AS PER SURVEY A-5578.
  - [ ] PROPOSED NEW BOUNDARY LINE.
  - [ ] EXISTING (OLD) BOUNDARY LINE.
  - \* BASIS OF BEARING, AS PER F-40-56.

**CURVE TABLE**

CURVE	DELTA	RADIUS	ARC	TANGENT	BEARING	CHORD
CB	0°45'30"	1059.55	14.03	7.01	S 6°45'08" E	14.03
CP	57°50'58"	176.00	177.70	97.26	N 24°23'34" E	170.25
C10	57°50'58"	126.00	127.22	69.63	N 24°23'34" E	121.88

**LINE TABLE**

L10	N 7°07'53" W	11.11
L21	N 66°17'46" W	55.47
L22	N 0°22'27" W	168.50
L27	S 89°46'25" W	33.63
L28	S 0°22'27" E	25.00
L29	S 89°46'25" W	25.00

**NARRATIVE**

THIS IS A RETRACEMENT SURVEY TO LOCATE THE BOUNDARIES OF THAT TRACT OF LAND DESCRIBED IN DOCUMENT 2004-004932, COUNTY CLERK'S RECORDS (ORIGINAL SURVEY A-382, REMONUMENTED BY SURVEY A-5578), AND AN ORIGINAL SURVEY TO ADJUST SAME TO INCLUDE A PORTION OF PARCEL IV IN DEED RECORDED IN BOOK 438 PAGE 511, COUNTY CLERK'S RECORDS. SURVEY A-5578 HELD THE POB AT 593' NORTHERLY ALONG THE SECTION LINE FROM THE S 1/16 CORNER, RATHER THAN 592', AS CALLED IN THE DEED AND IN SURVEY A-382, AND THEREFORE WAS NOT HELD. I HELD DEED RECORD AND ANGLE STRUCTURE, AND HELD THE EASTERLY BOUNDARY OF HWY 101 AT 30.00' FROM THE APPARENT CENTERLINE (IT APPEARS THAT SURVEY A-382 MAY HAVE HELD THE R/W AT 25' FROM CENTERLINE, EXPLAINING MY DIFFERENCE FROM DEED RECORD ON THE SOUTH AND EAST LINES OF SAID TRACT). FURTHER PARCEL IV IN DEED RECORDED IN BOOK 438 PAGE 511, COUNTY CLERK'S RECORDS, IS BEING ADJUSTED TO INCLUDE THE MAJOR PORTION OF THAT TRACT DESCRIBED IN BOOK 441 PAGE 572, COUNTY CLERK'S RECORDS, AS SHOWN HEREON. BASIS OF BEARING IS N 1°16'00" W 1322.33 AS PER SURVEY F-40-58 (N 1°16'00" W 1322.33), FROM THE W 1/4 TO THE N 1/16 ON THE WEST LINE OF SECTION 29, WHICH AGREES WITH THE SUBJECT PROPERTY DEEDS IN THE SW 1/4 OF THE NW 1/4.

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*C. Wayne Cook*

OREGON  
JULY 29, 1877  
C. WAYNE COOK  
1098  
RENEWAL DATE 12-31-05

C. WAYNE COOK LAND SURVEYING  
3180 ALDERCREST  
TILLAMOOK, OREGON  
(503) 842 8380



SURVEY FOR  
**RLC, INC. AND HIGH HEAVEN INVESTMENT, INC.**  
NE 1/4 SW 1/4 SECTION 30, T. 3 S., R. 9 W., W.M. AND  
SW 1/4 NW 1/4 AND NW 1/4 SW 1/4 SECTION 29, T. 3 S., R. 9 W., W.M.  
TILLAMOOK COUNTY, OREGON  
MAY 11, 2005





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

1510 B Third St  
Tillamook, Oregon 97141

*Land of Clatsop, Tillamook and Clatsop Rivers*

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

VERIFICATION of WATER SOURCE  
WITHIN TILLAMOOK COUNTY

DATE: 3/15/2022

TO: TILLAMOOK COUNTY, DEPARTMENT OF COMMUNITY DEVELOPMENT  
201 LAUREL AVENUE, TILLAMOOK, OR 97141  
FAX: 503-842-1819



RE: WATER SOURCE REVIEW This letter is valid for one year from the date of issue.

The water source identified below can be used under Oregon Water Law to supply the following lot(s) within Tillamook County:

Township: 3S Range: 9 West Section: 29 Tax Lot(s): 700  
Situs address (if known): None off Blaine Rd, Beaver OR  
According to records, the legal owner is/are: RLC, Inc and/or High Heaven Inv, LLC  
Contact telephone #: 503-789-0656  
Water source: Well IO # 35073  
Comments: \_\_\_\_\_

Building permit applicants who will be using a private water source will be required to have the District 1 Watermaster verify proof of a legal water source and sign below. An order adopted by the Tillamook County Board of Commissioners on September 1, 2009 states that a fee of \$75.00 shall be collected when a private water source verification is required. This fee is collected by the Department of Community Development.

Landowners are responsible for maintaining water sources, waterline easements, water rights, and wells. The information provided in this form does not guarantee that a water source will be available forever. Due to climatic conditions water sources can decline and wells can go dry. The information provided by the District 1 Watermaster is the result of a search of OWRD records and field inspections. Although a property may have water rights of record, if the water right has undergone five successive years of non-use it may be subject to cancellation under ORS 540.610. The official water right of record is kept in Salem at OWRD. Owners of wells constructed after July 1, 2009 must submit a one-time fee of \$300 to record the exempt use with OWRD in Salem.

Building permit applicants who will be connecting to a local water district will be required to have the water district provider verify proof of service from the water district.  
Nikki Hendricks (digital signature) 3-18-2022

Nikki Hendricks  
Oregon Water Resources Department  
Watermaster, District 1  
4000 Blimp Blvd, Ste 400  
Tillamook, OR 97141-9680  
(503) 815-1967 Fax (503) 815-1968 Cell # 503-457-8989  
Email: Nikki.M.Hendricks@ wrd.state.or.us

Revised 09/24/2015

\*\*\*\*\*FOR OFFICE USE ONLY\*\*\*\*\*

Date: \_\_\_\_\_ Received by: \_\_\_\_\_ Fee Paid: \_\_\_\_\_ Receipt: \_\_\_\_\_



RECORDING REQUESTED BY:



105 NE 4th St  
McMinnville, OR 97128

GRANTOR'S NAME:  
High Heaven Investments, Inc and RLC Inc

GRANTEE'S NAME:  
High Heaven Investments, Inc and RLC Inc

AFTER RECORDING RETURN TO:  
High Heaven Investments, Inc., an Oregon Corporation and RLC  
Inc, an Oregon Corporation  
P.O. Box 57  
McMinnville, OR 97128

SEND TAX STATEMENTS TO:  
High Heaven Investments INC and RLC INC.  
P.O. Box 57  
McMinnville, OR 97128

Tillamook County, Oregon  
01/14/2021 09:01:01 AM 2021-00385  
DEED-DBS  
\$25.00 \$11.00 \$10.00 \$61.00 - Total = \$107.00  
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

**BARGAIN AND SALE DEED - STATUTORY FORM**  
(INDIVIDUAL or CORPORATION)

High Heaven Investments, Inc., an Oregon Corporation and RLC Inc, an Oregon Corporation , Grantor,  
conveys to High Heaven Investments, Inc., an Oregon Corporation and RLC Inc, an Oregon Corporation ,  
Grantee, the following described real property, situated in the County of Tillamook, State of Oregon,

SEE ATTACHED LEGAL EXHIBIT "A"

The true consideration for this conveyance This conveyance is made solely as an adjustment of common boundary  
between adjoining properties, and does not create a separate parcel that can be conveyed independently to  
adjacent land. Pursuant to Tillamook Planning, lot line adjustment 851-19-000531-PLNG tax lots  
3S0929CB00600, 3S0930DA03000, 3S0930DA02900, 3S0929BC00900AND 3S0929CB00700. (See ORS  
93.030).

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE  
SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305  
TO 195.336 AND SECTIONS 5 TO 11, 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 OR  
215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON  
LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE  
ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND  
195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND  
17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

5  
TICOR TITLE 360417001409

**BARGAIN AND SALE DEED - STATUTORY FORM**  
(continued)

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

Dated: Jan 5 2021

[Signature]  
Daniel L. Grimm, as President of High Heaven Investments LLC and RLC Inc

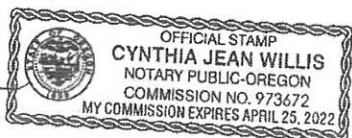
[Signature]  
John E. Grimm, as Vice President of High Heaven Investments LLC and RLC Inc

State of Oregon  
County of Wasmith

This instrument was acknowledged before me on Jan 7 2021 by Daniel L. Grimm, as President of High Heaven Investments LLC and RLC Inc

[Signature]  
Notary Public - State of Oregon

My Commission Expires: April 25 2022



State of Oregon  
County of Wasmith

This instrument was acknowledged before me on Jan 5, 2021 by John E Grimm, as Vice President of High Heaven Investments LLC and RLC Inc

[Signature]  
Notary Public - State of Oregon

My Commission Expires: April 25 2022



PHONE 503\*842-8380  
IF NO ANSWER 503\*842-4787  
FAX 503\*842-1761

SERVING THE COMMUNITY  
SINCE 1977



## C. WAYNE COOK LAND SURVEYING

3180 ALDERCREST, TILLAMOOK, OREGON 97141

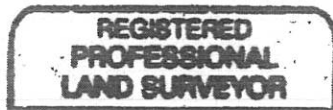
### HIGH HEAVEN INVEATMENTS INC. AND RLC INC

A tract of land in portions of the Southwest quarter of the Northwest quarter and the Northwest quarter of the Southwest quarter of Section 29, T. 3 S. R. 9 W. of the Willamette Meridian, in Tillamook County Oregon. Said tract of land being more particularly described as follows: Commencing at the South 1/16 corner between said Sections 29 and 30, thence N 89°46'25" E 529.23 feet along the South line of Northwest quarter of the Southwest quarter of Section 29 to the point of beginning; thence N 0°22'27" W 25.00 feet; thence S 89°46'25" W 33.63 feet; thence N 3°46'35" W 169.55 feet; thence N 53°17'05" W 103.52 feet; thence 173.83 feet along the arc of 129.00 foot radius curve to the right the chord of which bears N 14°40'52" W 160.97 feet; thence S 74°22'21" E 211.12 feet; thence S 0°38'35" E 186.15 feet; thence N 89°46'25" E 658.64 feet to the East line of the Northwest quarter of the Southwest quarter of Section 29; thence N 0°42'15" W 303.51 feet, along said East line; thence S 89°17'45" W 46.02 feet; thence N 0°41'38" W 340.39 feet; thence N 89°23'58" E 45.96 feet, to said East line of the Northwest quarter of the Southwest quarter of Section 29; thence N 0°42'15" W 516.59 feet to the Center West 1/16 corner of Section 29; thence N 1°13'35" W 1317.62 feet to the Northwest 1/16 corner of Section 29; thence S 89°08'19" W 148.50 feet; thence S 0°51'41" E 247.50 feet; thence S 89°08'19" W 827.62 feet; thence S 1°10'41" W 116.07 feet; thence S 89°08'19" W 19.97 feet; thence S 0°09'49" W 30.00 feet; thence N 89°08'19" E 69.47 feet; thence N 1°10'41" E 71.93 feet; thence 38.38 feet along the arc of a 25.00 foot radius curve, to the right, the chord of which bears N 45°09'30" E 34.72 feet; thence N 89°08'19" E 216.76 feet; thence S 0°51'41" E 489.35 feet; thence N 88°45'00" E 60.45 feet; thence S 53°19'03" W 15.34 feet; thence 177.70 feet along the arc of a 176.00 foot radius curve, to the left, the chord of which bears S 24°23'34" W 170.25 feet; thence S 4°31'55" E 261.18 feet; thence S 88°56'23" W 382.84 feet to the Easterly right of way boundary of Oregon State Highway #101

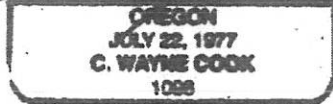


thence S 7°07'53" E 11.11 feet; thence 14.03 feet, along the arc of a 1059.55 foot radius curve, to the right, the chord of which bears S 6°45'08" E 14.03 feet; thence N 88°56'23" E 383.00 feet; thence S 4°54'13" E 581.19 feet; thence N 88°47'41" E 130.64 feet; thence 100.67 feet along the arc of a 320.00 foot radius curve to the left, the chord of which bears S 47°05'36" W 100.25 feet; thence S 38° 04'52" W 17.96 feet; thence 95.00 feet along a 125.00 foot radius curve to the left, the chord of which bears S 16°18'31" W 92.73 feet; thence S 5°27'49" E 7.93 feet; thence 97.79 feet along the arc of a 75.00 foot radius curve to the right, the chord of which bears S 31°53'25" W 91.01 feet; thence S 69°14'39" W 124.14 feet; thence 384.11 feet along the arc of a 179.00 foot radius curve to the left, the chord of which bears S 07°46' 14" W 314.54 feet; thence S 53°29'39" E 78.91 feet; thence S 0°22'27" E 168.50 feet to the South line of the Northwest quarter of the Southwest quarter of Section 29; thence N 89°46'25" E 25.00 feet to the POB.

Note: See Survey B-4043, Tillamook County Surveyor Records, for basis of bearing and monumentation data.



*C. Wayne Cook*



RENEWAL DATE 12-31-21

) )  
) )

Date: December 7, 2021

RE: Incomplete application for a Land Division Application / Account File #851-21-000410-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.

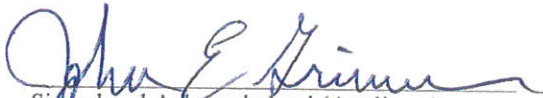
Tillamook County Department of Community Development  
Attn: Angela Rimoldi, Planning Technician  
1510 B Third Street  
Tillamook, OR 97141

If you indicate your intent to complete the application, you will have 180 days from the date the application was received (**November 9, 2021**) 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 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.

  
Signed and Acknowledged (Applicant)

2/25/2022  
Date





High Heaven Timberlands, Inc.  
PO Box 57  
McMinnville, OR 97128  
[jegtrees@gmail.com](mailto:jegtrees@gmail.com)  
(503) 789-0656

February 2, 2022

**Attention:** Tillamook County Community Development

**Applicant:** John Grimm, agent

**RE:** Incomplete application for a Land Division Application / Account File #851-21-000410-PLNG

**Partition within the Community Single Family Residential Zone (CSFR)**

Parcel Size- 37.08 acres-----Zoned CSFR-Planned Development Overlay Zone

We would like to partition 36.61 acres into 3 lots.

**Written Description that Demonstrates how the Proposed Partition Complies with the Applicable Review and Decision Criteria**

**General Standards-**This information is to provide evidence that this three parcel partition meets the criteria which the Tillamook County Staff has identified as additional information required deeming this application complete.

**1. The partition shall be consistent with the Comprehensive Plan and meet the intent and purpose of the zone;** Partitions are allowed within the Planned Development Overlay Zone. All property sizes, setbacks and other dimensional attributes resulting from this partition will conform to the provisions of the Tillamook County Land Use Ordinances.

**(a) The partition shall not decrease required setbacks, access, yard areas, lot widths or other standards of the zone;** All of these requirements will be met with this partition.

**(b) All parcels will retain any on-site septic system and associated repair area on the parcel it serves;** Currently there are no active on-site septic systems on the 3 future parcels. This criteria does not apply.

**(c) The partition will create no more than 3 parcels;** There is currently 1 parcel and the partition will create a total of 3 parcels .

**(d) A Partition within this zone has a minimum lot size of 20,000 square feet:**

- Each lot will be over the minimum lot size of 20,000 square feet.
- All three lots meet the minimum lot width and depth of 100 feet. This partition is creating 3 large parcels. Parcel #1 will be 18.19 acres, parcel #2 will be 8.90 acres and



parcel #3 will be 9.52 acres. Each lot will be generally shaped in a large rectangular shape which will greatly exceed the width and depth ratio.

2. 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.

- Prior to providing information under Sections 150 and 160, it is important to talk about meeting criteria in Section 050 (Pre-Planning for Large Lots). It is our intent to create three large parcels which will each have adequate access to public facilities. Most importantly for each of these lots, is to have access to Highway 101 and/or to have access to Blaine County Road. We have provided the location of each access on the map. Parcel #1 and #2 will have access to both Highway 101 and to the Blaine County Road. Both access points will provide 50 feet of road access which will be enough road width for future development of these 2 parcels if, in the future, they are subdivided. Parcel #3 will have 2 access points to Highway 101. The access to the North is a 30 foot wide easement (this easement is provided as evidence) and an additional easement to the South will provide a 50 foot easement to Highway 101. The easements that will be benefitting these 3 parcels will be adequate to provide future services to each parcel if further subdividing is to occur on these 3 large parcels.

3. 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 Section 150 and 160 of this ordinance;

- Water Supply: currently there is 1 well on the entire 37.08 acres which is located on the future, Parcel 1. This well is adequate to provide water for a home on parcel 1. If further development is to be done on Parcels 1, 2 or 3 it will be necessary for whoever wishes to develop the parcels into smaller lots to provide the information needed to accomplish that. Our map that is provided shows adequate easements for providing placement of all utilities, including water, power, communication and road access improvements that may be needed to further subdivide Parcels 1, 2 and 3.
- Sewage: Currently there is not a public sanitation system in the town of Beaver so any development occurring on the 3 parcels will be provided through septic systems for each individual parcel that is created.
- Streets, General: Adequate access points with proper widths (50 feet) are shown on the map. These accesses are adequate to provide street improvements consistent with the standards in Sections 150 and 160. At this time it is not our intent to develop these parcels into any home sites. What we would like to do is to provide the backbone layout if any further development were to occur on these 3 parcels.
- We are providing the 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 can be met. Regarding water service to these 3 parcels from

the Water Department/ Utility District we do not know at this time the extent of how many parcels, besides the 3 parcels we wish to create with this partition, will be created. What we are doing is to provide any future developer of these large parcels the pre-planning so as to avoid piecemeal development with inadequate public facilities. At this time we are providing adequate access points to Hwy. 101 and Blaine County Road along with right of ways and easements that will provide the ability for future development into smaller parcels.

- Subsurface sewage will be provided by onsite subsurface sewage systems. The 3 large parcels have adequate area on each parcel to provide the placement of individual septic systems.
- Currently there are no structures on the 36.61 acres

# EXHIBIT C



## Angela Rimoldi

---

**From:** KC Fagen <kcfagen@tpud.org>  
**Sent:** Monday, May 9, 2022 3:26 PM  
**To:** Angela Rimoldi  
**Subject:** EXTERNAL: Partition Request # 851-21-000410-PLNG

[NOTICE: This message originated outside of Tillamook County -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

Dear Angela;

Tillamook PUD's only comment is to retain easements for access the power lines. This typically isn't an issue as easements are transferred with any partitioning.

Thx,

**KC Fagen** | *Engineering Manager*

**Tillamook People's Utility District**

1115 Pacific Avenue • PO Box 433 • Tillamook, Oregon 97141

phone: 503-815-8628

email: [KCFagen@tpud.org](mailto:KCFagen@tpud.org)

*Tillamook PUD office hours* Monday-Thursday | 7:00 a.m. to 5:30 p.m.

Visit our website at [www.tpud.org](http://www.tpud.org) to learn more about Tillamook PUD

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