



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

Land of Cheese, Trees and Ocean Breeze

**NOTICE OF ADMINISTRATIVE REVIEW
PARTITION REQUEST #851-22-000237-PLNG:
RICE & ROOS**

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

Date of Notice: August 22, 2022

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

#851-22-000237-PLNG: A partition request to create three (3) residential parcels. Located within the Community of Beaver, via Blaine Road, a county road. The subject property is designated as Tax Lot 702 of Section 29CB, Township 3 South, Range 09 West of the Willamette Meridian, Tillamook County Oregon. The subject property is zoned Community Single Family Residential (CSFR). Property owner is Case Roos and applicant is Michael Rice.

Written comments received by the Department of Community Development **prior to 4:00p.m. on September 6, 2022**, will be considered in rendering a decision. Comments should address the attached criteria upon which the Department must base its decision. Notice of the application, a map of the subject area, and the applicable criteria are being mailed to all property owners within 250 feet of the exterior boundaries of the subject property for which an application has been made and other appropriate agencies at least 14 days prior to this Department rendering a decision on the request. The decision will be rendered no sooner than September 7, 2022.

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

If you have any questions about this application, please call the Department of Community Development at 503-842-3408 x 3412 or arimoldi@co.tillamook.or.us.

Sincerely,

Angela Rimoldi, Planning Permit Technician

Sarah Absher, CFM, Director

Enc. Applicable Ordinance Criteria
Vicinity, Assessor and Zoning Maps

REVIEW CRITERIA

TILLAMOOK COUNTY LAND DEVELOPMENT ORDINANCE

SECTION 3.011: COMMUNITY SINGLE FAMILY RESIDENTIAL ZONE (CSFR)

(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.

.....

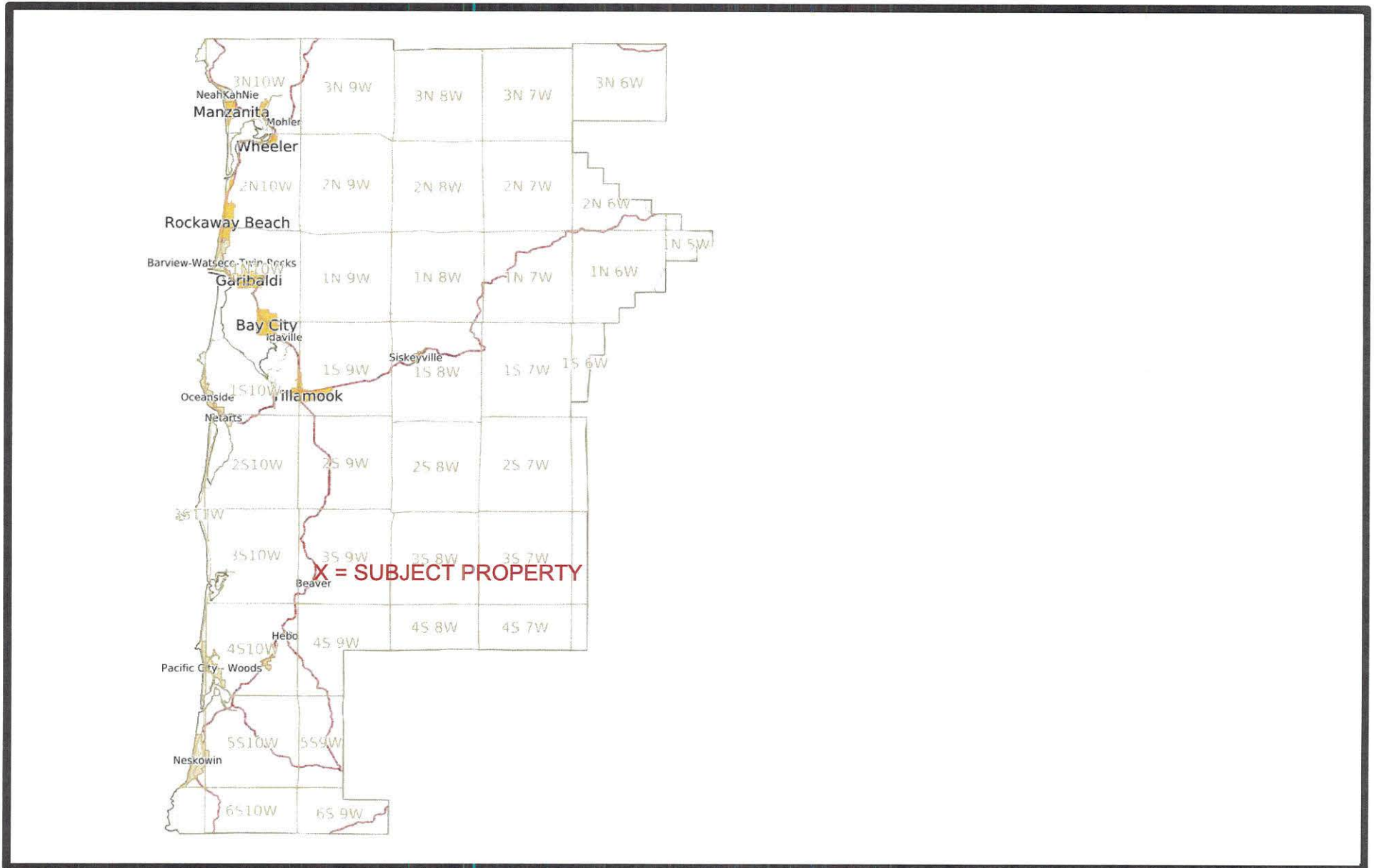
TILLAMOOK COUNTY LAND DIVISION ORDINANCE

SECTION 070: PRELIMINARY PLAT APPROVAL CRITERIA

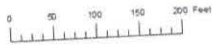
(1) **Approval Criteria.** The Approval Authority (Director for partitions and Planning Commission for subdivisions) may approve, approve with conditions or deny a preliminary plat. The Approval Authority decision shall be based on findings of compliance with all of the following approval criteria:

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

Map - VICINITY



THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY



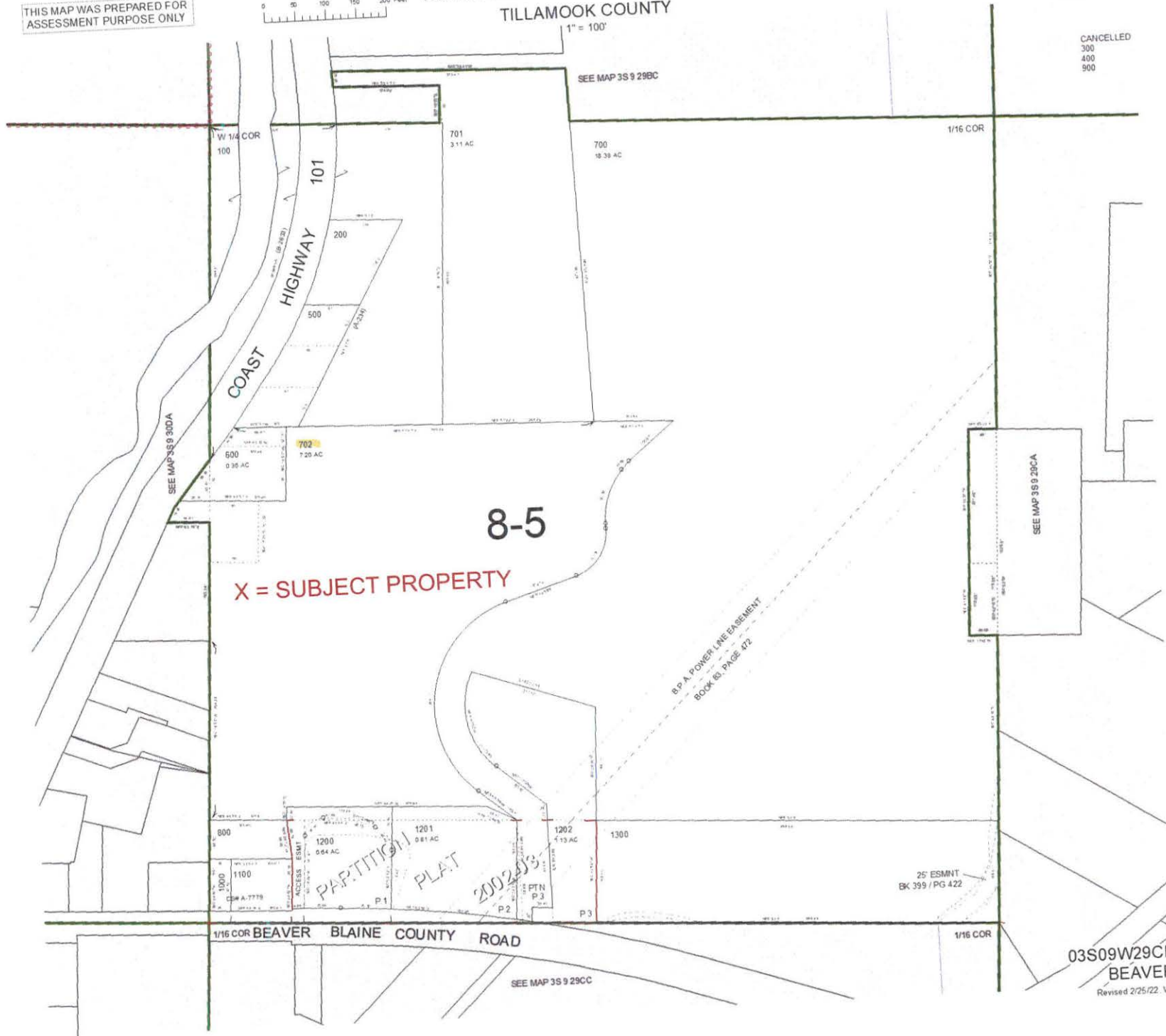
N.W.1/4 S.W.1/4 SEC.29 T.3S. R.9W. W.M.

TILLAMOOK COUNTY

03S09W29CB
BEAVER

CANCELLED
300
400
900

1" = 100'



SEE MAP 3S 9 300A

SEE MAP 3S 9 298C

SEE MAP 3S 9 298A

B.P. A. POWER LINE EASEMENT
BOOK 66, PAGE 472

PARTITION PLAT
200203

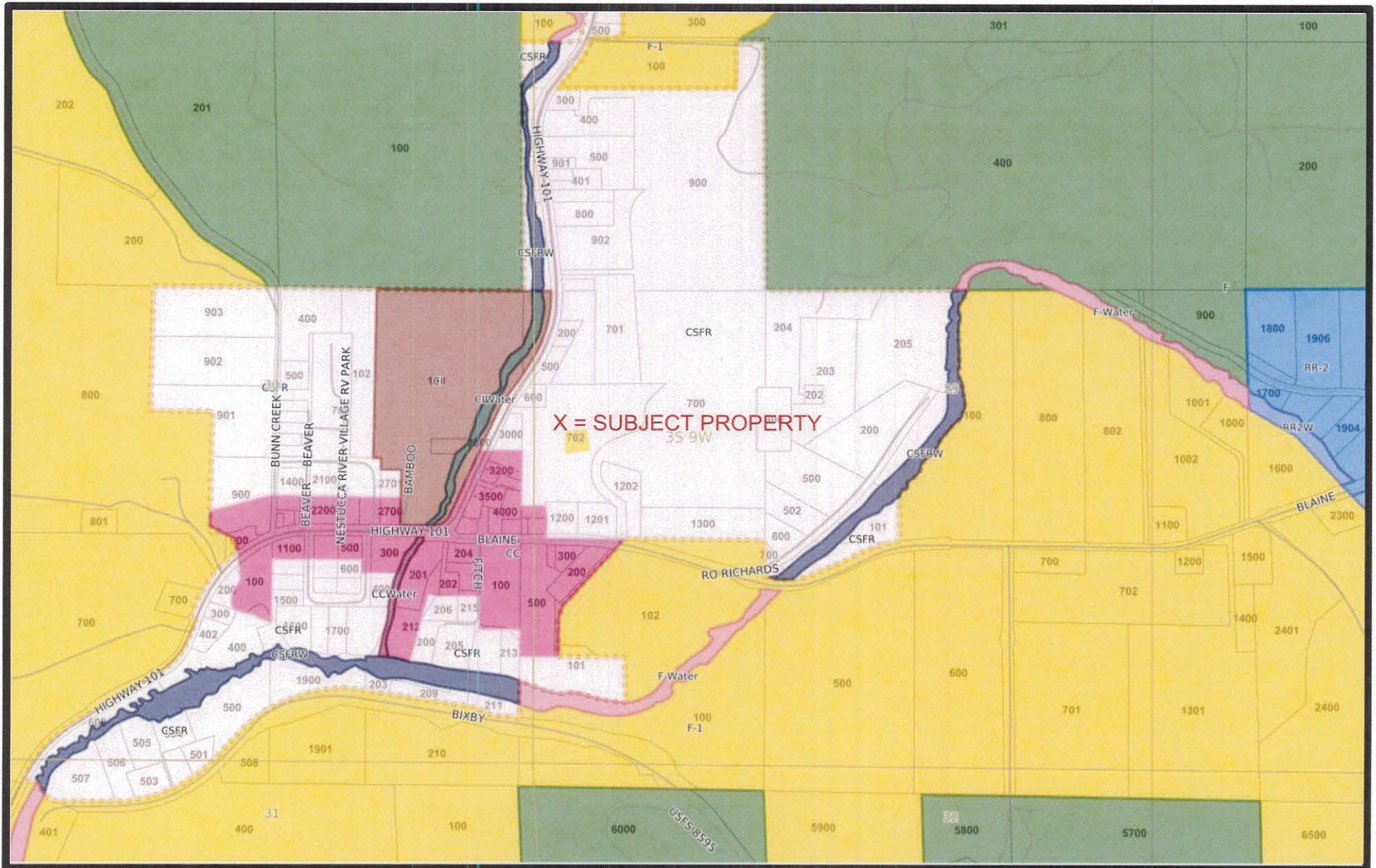
25' ESMNT
BK 399 / PG 422

1/16 COR BEAVER BLAINE COUNTY ROAD

SEE MAP 3S 9 298C

03S09W29CB
BEAVER
Revised 2/25/22. WS

Map - ZONING



Generated with the GeoMOOSE Printing Utilities



LAND DIVISION APPLICATION

Applicant (Check Box if Same as Property Owner)

Name: Michael R. Rice, PLS Phone: (503) 801-7901
 Address: P.O. Box 521
 City: Tillamook State: OR Zip: 97141
 Email: ricesurveying@outlook.com

Property Owner

Name: Case Roos Phone: (503) 812-7865
 Address: 20295 E Beaver Creek Road
 City: Cloverdale State: OR Zip: 97112
 Email: case.roos7@gmail.com

OFFICE USE ONLY
Date Stamp
<input type="checkbox"/> Approved <input type="checkbox"/> Denied
Received by:
Receipt #:
Fees: 409.7
Permit No: 85122-000237-PLNG

Location:

Site Address: 24275 HWY 101 S

Map Number:	3S	9W	29CB	#702
	Township	Range	Section	Tax Lot(s)

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

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

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

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

General Information

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

Existing Conditions

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

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

Other information:

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

Proposed Development

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

Additional Information Required for Subdivisions

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

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

Certificates:

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

Additional Information:

Authorization

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



 Property Owner (*Required)



 Applicant Signature

6/13/22

 Date

6/13/22

 Date

PARTITION PLAT PROPOSAL

LOCATED IN THE NW 1/4 OF THE SW 1/4 OF SECTION 29

T. 3 S., R. 9 W., W.M.

TILLAMOOK COUNTY, OREGON

JUNE 12th, 2022

BASIS OF BEARINGS:

THE BASIS OF BEARINGS FOR THIS PROPOSAL IS ACROSS FOUND, ORIGINAL PARTITION PLAT MONUMENTS FROM THE SOUTH 1/16 COMMON TO SECTION 30 AND 29 AND THE NE CORNER OF PARCEL 2, PARTITION PLAT #2002-03 (P-650), TILLAMOOK COUNTY SURVEY RECORDS. (N89°46'25"E) AND (N0°22'27"W) FROM MAP B-4043, TILLAMOOK COUNTY SURVEY RECORDS.

NARRATIVE:

THIS PROPOSAL WAS CONDUCTED AS A DEPENDENT RESURVEY OF THE SUBJECT PROPERTY DESCRIBED AS INSTRUMENT #2021-9078, TILLAMOOK COUNTY CLERK'S RECORDS.

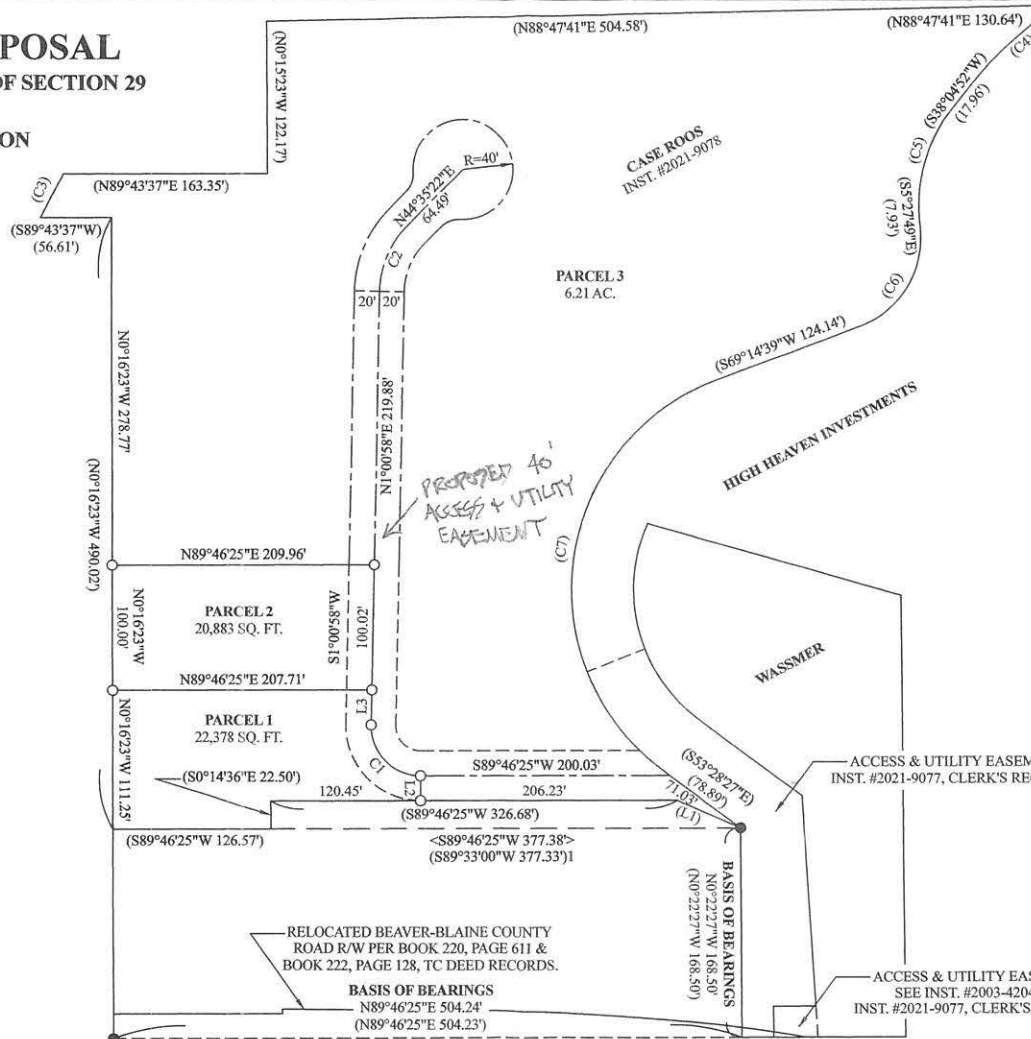
THE LINES WERE THEN PROPOSED AS DIRECTED BY THE LANDOWNER AND APPROVED BY TILLAMOOK COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT NO. XXX-XX-XXXXXX-PLNG.

NOTE: THIS PARTITION WILL NOT BE FINALIZED UNTIL THE PROPER PLAT HAS BEEN RECORDED WITH THE TILLAMOOK COUNTY CLERK'S OFFICE.

LEGEND:

- FOUND MONUMENTS AS DESCRIBED IN MAP B-4043.
- () RECORD PER SURVEY MAP B-4043, TILLAMOOK COUNTY SURVEY RECORDS.
- (|) RECORD PER PARTITION PLAT #2002-03 (P-650), TILLAMOOK COUNTY RECORDS.

NO () EQUALS MEASURED VALUE MEASURED EQUALS RECORD TILLAMOOK COUNTY SURVEY RECORDS UNLESS OTHERWISE NOTED.



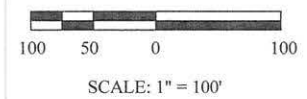
SHORT LINE TABLE		
NUM	BEARING	DIST.
(L1)	(N66°17'46"W)	(55.47')
L2	S0°13'35"E	20.00'
L3	S1°00'58"W	27.89'

CURVE TABLE					
NUM	DELTA	ARC	RADIUS	BEARING	DIST.
C1	91°14'33"	63.70'	40.00'	S44°36'19"E	57.18'
C2	43°34'24"	57.04'	75.00'	N22°48'10"E	55.67'
(C3)	(1°55'16")	(39.48')	(1177.50')	(N27°16'40"E)	(39.48')
(C4)	(18°01'26")	(100.66')	(320.00')	(S47°05'36"W)	(100.25')
(C5)	(43°32'41")	(95.00')	(125.00')	(S16°18'31"W)	(92.73')
(C6)	(74°42'26")	(97.79')	(75.00')	(S31°53'25"W)	(91.01')
(C7)	(122°56'55")	(384.11')	(179.00')	(S7°46'14"W)	(314.54')

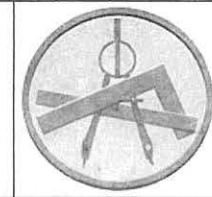
REGISTERED
PROFESSIONAL
LAND SURVEYOR



OREGON
DECEMBER 11, 2012
MICHAEL R. RICE
86926
RENEWAL 12-31-2022



PROPOSAL FOR :
CASE ROOS
LANDS DESCRIBED IN THE NW 1/4 OF THE SW 1/4 OF SECTION 29,
T. 3 S., R. 9 W., W.M.
INSTRUMENT #2021-9078
TILLAMOOK COUNTY CLERK'S RECORDS



RSC
RICE SURVEYING AND CONSULTING
P.O. BOX 521
TILLAMOOK, OREGON 97141
CELL: (503) 801-7901



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

Land of Cheese, Trees and Ocean Breeze

Building (503) 842-3407
Planning (503) 842-3408
On-Site Sanitation (503) 842-3409
FAX (503) 842-1819
Toll Free 1-(800) 438-8280

DATE: June 9, 2022

TO: Tillamook County One-Stop Permit Counter

FROM: Beaver Water District

RE: Sever/Water Availability (CIRCLE)

Dear Sir:

I confirm that sewer/water is available to the following lot(s) within our district: T 35 R 0929 SEC B6 TL# 707

According to our records, the legal owner is CASE ROOS

COMMENTS: future partition

This letter shall not create a liability on the part of Tillamook County, or by an officer, or employee thereof, for the services described above.

[Signature]
Signature of Authorized Representative

Finance Clerk
Title

503 812 2478
Phone #

cc: Property Owner

RECORDING REQUESTED BY:



1215 NE Baker Street
McMinnville, OR 97128

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

GRANTEE'S NAME:
Case Roos

AFTER RECORDING RETURN TO:

Order No.: 471821112472-CW
Case Roos
20295 East Beaver Creek
Cloverdale, OR 97112

SEND TAX STATEMENTS TO:

Case Roos
20295 East Beaver Creek
Cloverdale, OR 97112

Map: 3S0929BC00702
V/L 702 Highway 101 S, Beaver, OR 97108

Tillamook County, Oregon
10/29/2021 10:39:00 AM **2021-09078**
DEED-DWARR
\$20.00 \$11.00 \$10.00 \$61.00 - Total = \$102.00
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

STATUTORY WARRANTY DEED

High Heaven Investments Inc., an Oregon corporation and RLC Inc., an Oregon corporation, Grantor, conveys and warrants to Case Roos, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Tillamook, State of Oregon:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS TWO HUNDRED TWENTY-FIVE THOUSAND AND NO/100 DOLLARS (\$225,000.00). (See ORS 93.030).

Subject to:

SEE EXHIBIT "B" ATTACHED HERETO AND MADE A PART HEREOF

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.

TICOR TITLE 36042/007781

STATUTORY WARRANTY DEED

(continued)

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

Dated Oct 28 2021; if a corporate grantor, it has caused its name to be signed by order of its board of directors.

High Heaven Investments Inc.

BY: [Signature]
Daniel L. Grimm
President

RLC Inc.
BY: [Signature]
Daniel L. Grimm
President

State of Oregon
County of Yamhill

This instrument was acknowledged before me on Oct 28 2021 by Daniel L. Grimm as president of High Heaven Investments Inc. and RLC Inc..

[Signature]
Notary Public - State of Oregon

My Commission Expires: Apr 25 2022



EXHIBIT "A"
Legal Description

A tract of land in portions of the Northwest quarter of the Southwest quarter of Section 29, and the Northeast quarter of the Southeast quarter of Section 30, all in Township 3 South, Range 9 West, Willamette Meridian, County of Tillamook, State of Oregon, said tract being more particularly described as follows:

Commencing at the South 1/16 corner between said Sections 29 and 30;
thence North 0° 16' 23" West 462.77 feet along said Section line to the point of beginning;
thence continuing North 0° 16' 23" West 195.74 feet along said Section line;
thence South 89° 43' 37" West 56.61 feet to the Easterly right of way boundary of Oregon State Highway 101;
thence along said right of way boundary 39.48 feet, along the arc of a 1177.50 foot radius curve to the right, the chord of which bears North 27° 16' 40" East 39.48 feet;
thence North 89° 43' 37" East 163.35 feet;
thence North 0° 16' 23" West 122.17 feet;
thence North 88° 47' 41" East 635.22 feet;
thence 100.67 feet along the arc of a 320.00 foot radius curve to the left, the chord of which bears South 47° 05' 36" West 100.25 feet;
thence South 38° 04' 52" West 17.96 feet;
thence 95.00 feet along a 125.00 foot radius curve to the left, the chord of which bears South 16° 18' 31" West 92.73 feet;
thence South 5° 27' 49" East 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 South 31° 53' 25" West 91.01 feet;
thence South 69° 14' 39" West 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 South 07° 46' 14" West 314.54 feet;
thence South 53° 29' 39" East 78.91 feet;
thence North 66° 17' 46" West 55.47 feet;
thence South 89° 46' 25" West 326.68 feet;
thence South 0° 14' 36" East 22.50 feet;
thence South 89° 46' 25" West 126.57 feet to the line between said Sections 29 and 30;
thence North 0° 16' 23" West 294.28 feet along said Section line to the point of beginning.
See Survey B-4043, Tillamook County Surveyor Records, for basis of bearing and monumentation data.

EXHIBIT "B"
Exceptions

Subject to:

Regulations, levies, liens, assessments, rights of way and easements of Beaver Water District.

Rights of the public to any portion of the Land lying within the area commonly known as Highway 101S, Coast Highway 101.

Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: The Pacific Telephone and Telegraph Company
Purpose: Public utilities
Recording Date: November 19, 1940
Recording No: Book 80, page 41
Affects: Reference is hereby made to said document for full particulars

Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: B. L. Becker
Purpose: Water pipeline
Recording Date: January 24, 1946
Recording No: Book 93, page 539
Affects: Reference is hereby made to said document for full particulars

Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Tillamook People's Utility District
Purpose: Public utilities
Recording Date: September 16, 1947
Recording No: Book 108, page 597
Affects: Reference is hereby made to said document for full particulars

Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Tillamook People's Utility District
Purpose: Public utilities
Recording Date: August 9, 1951
Recording No: Book 129, page 226
Affects: Reference is hereby made to said document for full particulars

Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Tillamook People's Utility District
Purpose: Public utilities
Recording Date: October 21, 1947
Recording No: Book 109, page 138
Affects: Reference is hereby made to said document for full particulars

Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: United States of America
Purpose: Transmission line
Recording Date: August 20, 1957
Recording No: Book 158, page 511
Affects: Reference is hereby made to said document for full particulars

Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Bonneville Power Administration
Purpose: Roadway
Recording Date: September 27, 1957
Recording No: Book 159, page 193
Affects: Reference is hereby made to said document for full particulars

Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Beaver Water District
Purpose: Public utilities
Recording Date: December 6, 1982
Recording No: Book 284, page 742
Affects: Reference is hereby made to said document for full particulars

Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Beaver Water District No. 49
Purpose: Public utilities
Recording Date: November 29, 1983
Recording No: Book 290, page 371
Affects: Reference is hereby made to said document for full particulars

Covenants, conditions, restrictions and easements but omitting any covenants or restrictions, if any, including but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, source of income, gender, gender identity, gender expression, medical condition or genetic information, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law, as set forth in the document

TICOR TITLE 360421007781

EASEMENT AGREEMENT

High Heaven Investments, Inc., RLC, Inc.
and David and Ginger Wassmer, Grantor
and
High Heaven Investments, Inc., RLC, Inc.
and David and Ginger Wassmer, Grantee

Tillamook County, Oregon
10/29/2021 10:39:00 AM **2021-09077**
DEED-EASAG
\$60.00 \$11.00 \$10.00 \$61.00 - Total = \$142.00
I hereby certify that the within instrument was received
for record and recorded in the County of Tillamook,
State of Oregon.
Tassi O'Neil, Tillamook County Clerk

AFTER RECORDING, RETURN TO:

High Heaven Investments Inc
P.O. Box 57
McMinnville OR 97128

EASEMENT AGREEMENT

This Easement Agreement is made this 27th day of October, 2021, between High Heaven Investments, Inc., RLC, Inc. ("High Heaven/RLC") and David and Ginger Wassmer ("Wassmer"). Virginia

Recitals:

- A. High Heaven/RLC is the owner of property commonly known as Tax Lot Nos. 700 and 900, more particularly described in the attached Exhibit A.
- B. High Heaven/RLC is the owner of property commonly known as Tax Lot No. 702, more particularly described in the attached Exhibit B.
- C. Wassmer is the owner of property commonly known as Tax Lot 1202, more particularly described in the attached Exhibit c.
- D. High Heaven/RLC wishes to grant an access and utility easement ("Easement 1") over a portion of the High Heaven/RLC property described in Exhibit A, for the benefit of the High Heaven/RLC property described in Exhibit B, and the Wassmer property described in Exhibit C.
- E. Wassmer wishes to grant an access and utility easement ("Easement 2") over a portion of the Wassmer property described in Exhibit C, for the benefit of the High Heaven/RLC properties described in Exhibit A and B.

NOW, THEREFORE, the parties agree:

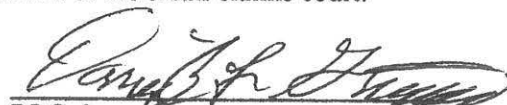
- 1. The recitals are true and correct.
- 2. Easement 1. High Heaven/RLC, owner of the High Heaven/RLC property described in Exhibit A, grants, bargains, sells and conveys to High Heaven/RLC, owner of the property described in Exhibit B and David and Ginger Wassmer, husband and wife, owners of the property described in the attached Exhibit C, a perpetual easement for roadway and utility purposes ("Easement 1") described in the attached Exhibit D and shown on the map attached as Exhibit E. The easement benefits the High Heaven/RLC property described in Exhibit B and the Wassmer property described in Exhibit C. High Heaven/RLC reserves the right to


use the Easement for the benefit of High Heaven/RLC property described in the attached Exhibit A, as well as all other uses that do not interfere with the rights granted by this Easement.

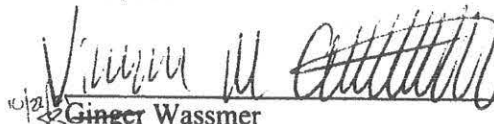
3. Easement 2. David and Ginger Wassmer, owner of the Wassmer property described in Exhibit C, grant, bargain, sell and convey to High Heaven/RLC, owner of the properties described in Exhibits A and B, a perpetual easement for roadway and utility purposes ("Easement 2") described in the attached Exhibit F and shown on the map attached as Exhibit G. The easement benefits the High Heaven/RLC properties described in Exhibits A and B. Wassmer reserves the right to use the Easement area for the benefit of the Wassmer property, as well as all other uses that do not interfere with the rights granted by this Easement.
4. The easements created by this document and the other provisions of this document shall run with the land and burden and benefit the affected parcels and the owners of the affected parcels, their successors and assigns. Utilities that service any of the benefitted properties may be located in the easement area providing such utilities do not interfere with the enjoyment or use of the burdened properties. Allowed utilities include, but are not limited to, water, electricity, telephone and other communications lines.
5. Upon each and every occasion that an easement is repaired, renewed, added to or removed by a benefitted party, such benefitted party shall restore the property and any improvements disturbed, to as good condition as it was prior to any such work, including the restoration of any topsoil, lawn, gravel or pavement. No addition or alteration of the easement may unreasonably interfere with the use or enjoyment of the burdened property.
6. The parties agree that the repair and maintenance of the easement for roadway purposes, including but not limited to necessary ditches and culverts, shall be shared equally between all the parties. The costs associated with utilities located in the easement that serve the benefitted properties shall be the sole responsibility and expense of the owner of the respective benefitted property.
7. Notwithstanding the foregoing, should the roadway be damaged more than ordinary wear and tear, the owner of the Parcel causing the damage or whose agents, employees, invitees (or anyone else using the roadway with the permission of or for the benefit of that party) shall bear the total cost of repairs necessitated by such damage.
8. Once constructed, the roadway portions of either easement shall be maintained as an all weather gravel passenger car road, suitable for passenger car traffic, as well as to future upgraded standards, if any. If all the parties agree at any time to further upgrade the quality and condition of all or a portion of the easement surface, the expense shall be shared equally among them. If not all of the parties wish to upgrade the quality and condition of all or a portion of the easement surface, the owner of the property desiring to make the upgrade shall pay the entire expense of upgrading the easement surface or condition. Any upgrade must be suitable for all weather passenger car traffic. Thereafter, the roadway shall be maintained in the upgraded condition, with costs shared equally among the owners of the benefitted and burdened properties.

9. All repairs and maintenance shall be made promptly after the decision that such repairs and maintenance are needed.
10. Decisions as to the condition of the roadways at any given time, the necessity of repairs or maintenance work, the existence of disproportionate damage other than ordinary wear and tear and the cause of such damage, the length of time in which to make repairs and the decision as to who is to perform such repairs and maintenance, as well as questions of whether upgrades meet the standard detailed above, shall be as agreed by the parties to this agreement. If the parties cannot agree within 14 days of the request by one party, the matter shall be submitted to binding arbitration pursuant to procedures of the Portland Arbitration Service or any other reputable arbitration service operating in the area, selected by the party initiating the arbitration. If, however, the matter is within the jurisdiction of the small claims court, the parties will submit the matter to the Small Claims Department of the Tillamook County Circuit Court for resolution as a small claims case and no party shall request a jury trial in a case otherwise subject to the jurisdiction of the small claims court.


 High Heaven Investments, Inc.

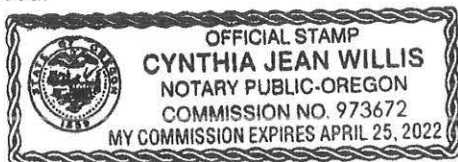

 RLC, Inc.


 David Wassmer


 Ginger Wassmer
 Virginia

STATE OF OREGON)
) ss.
 County of Yamhill)

On Oct 28, 2021, personally appeared Dan Grimm, President of High Heaven Investments, Inc., who acknowledged that the foregoing instrument was his voluntary act and deed.

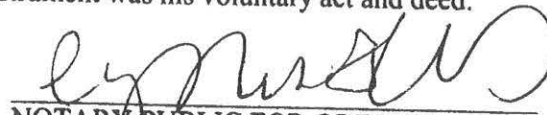



 NOTARY PUBLIC FOR OREGON

STATE OF OREGON)
) ss.
 County of Yamhill)

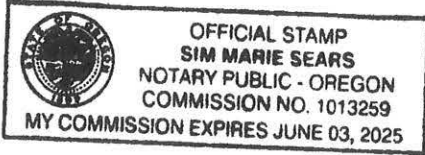
On Oct 28, 2021, personally appeared Dan Grimm, Vice President of RLC, Inc., who acknowledged that the foregoing instrument was his voluntary act and deed.




 NOTARY PUBLIC FOR OREGON

STATE OF OREGON)
County of Yamhill) ss.

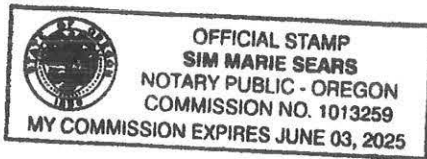
On Oct 27, 2021, personally appeared David Wassmer who acknowledged that the foregoing instrument was his voluntary act and deed.



Sim Sears
NOTARY PUBLIC FOR OREGON

STATE OF OREGON)
County of Yamhill) ss.

On Oct 27, 2021, personally appeared ^{Virginia} ~~Ginger~~ Wassmer who acknowledged that the foregoing instrument was her voluntary act and deed. _{10/21/21}



Sim Sears
NOTARY PUBLIC FOR OREGON

PHONE 503-842-8280
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

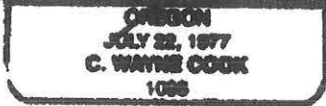
A tract of land in portions of the Southwest quarter of the Northwest quarter and the Northwest quarter of the Southwest quarter of Section 29, T. 3 S. R. 9 W. of the Willamette Meridian, in Tillamook County Oregon. Said tract of land being more particularly described as follows: Commencing at the South 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

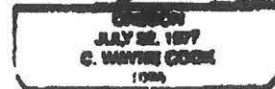
2004-004932 ADJUSTED

A tract of land in the Northeast quarter of the Southeast quarter of Section 30 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 being more particularly described as follows: Beginning at a point on the line between said Sections 29 and 30, which is N 0°16'23" W 592.00 feet from the South one-sixteenth corner between said Sections 29 and 30, said point also being the Southeast corner of that tract of land described in STATUTORY WARRANTY DEED to High Heaven Investments, Inc., an Oregon Corporation and RLC, Inc., an Oregon Corporation, recorded as document 2004-004932, Tillamook County Clerk's Records; thence N 89°43'37" E 80.00 feet; thence N 0°16'23" W 101.52 feet to the South line of that tract described in WARRANTY DEED to Chase, recorded in Book 125 Page 82, Tillamook County Clerk's Records; thence along said Chase tract S 89°43'37" W 80.00 feet and N 0°16'23" W 65.47 feet to the Southeasterly right of way boundary of Oregon State Highway #101; thence Southwesterly along said right of way boundary, 188.65 feet along the arc of a 1177.50 foot radius curve to the left, the chord of which bears S 27°20'28" W 188.45 feet, to a point which is S 89°43'37" W from the point of beginning; thence N 89°43'37" E 87.35 feet to the point of beginning.

NOTE: The above description adjusts the boundaries of that tract of land described in STATUTORY WARRANTY DEED to High Heaven Investments, Inc., an Oregon Corporation and RLC, Inc., an Oregon Corporation, recorded as document 2004-004932, Tillamook County Clerk's Records, to include a portion of that tract of land described as PARCEL IV in deed to RLC, Inc., an Oregon Corporation and High Heaven Investments, Inc., an Oregon Corporation, recorded in Book 438 Page 511, Tillamook County Deed Records, and does not create a separate tract. See drawing B-2875, Tillamook County Surveyor's Records, for basis of bearing and monumentation data.



C. Wayne Cook



5/20/05

EXHIBIT C

Legal Description:

A tract of land in the Northwest quarter of the Southwest quarter of Section 29, Township 3 South, Range 9 West of the Willamette Meridian in Tillamook County, Oregon, said tract being a portion of Parcel 3 of PARTITION PLAT NO. 2002-03, and a portion of that land described as Parcel IV in Deed to RLC, Inc., an Oregon Corporation and High Heaven Investments, Inc., an Oregon Corporation, recorded in Book 498, page 511, Tillamook County Deed Records, said tract being described as follows:

Beginning at the Northeast corner of Parcel 3 of Partillon Plat No. 2002-03;
 thence South 0° 38' 35" East 168.60 feet to the Southeast corner of said Parcel 3;
 Thence South 89° 46' 25" West 105.82 feet along the South boundary of Parcel 3;
 thence North 0° 22' 27" West 25.00 foot;
 thence North 89° 46' 25" East 33.63 feet;
 thence North 3° 46' 35" West 169.55 feet;
 thence North 53° 17' 05" West 103.52 feet;
 thence 173.83 feet along the arc of a 129.00 foot radius curve to the right, the chord of which bears North 14° 40' 52" West 160.97 feet;
 thence South 74° 22' 21" East 211.12 feet;
 thence South 0° 38' 35" East 186.15 feet to the point of beginning.

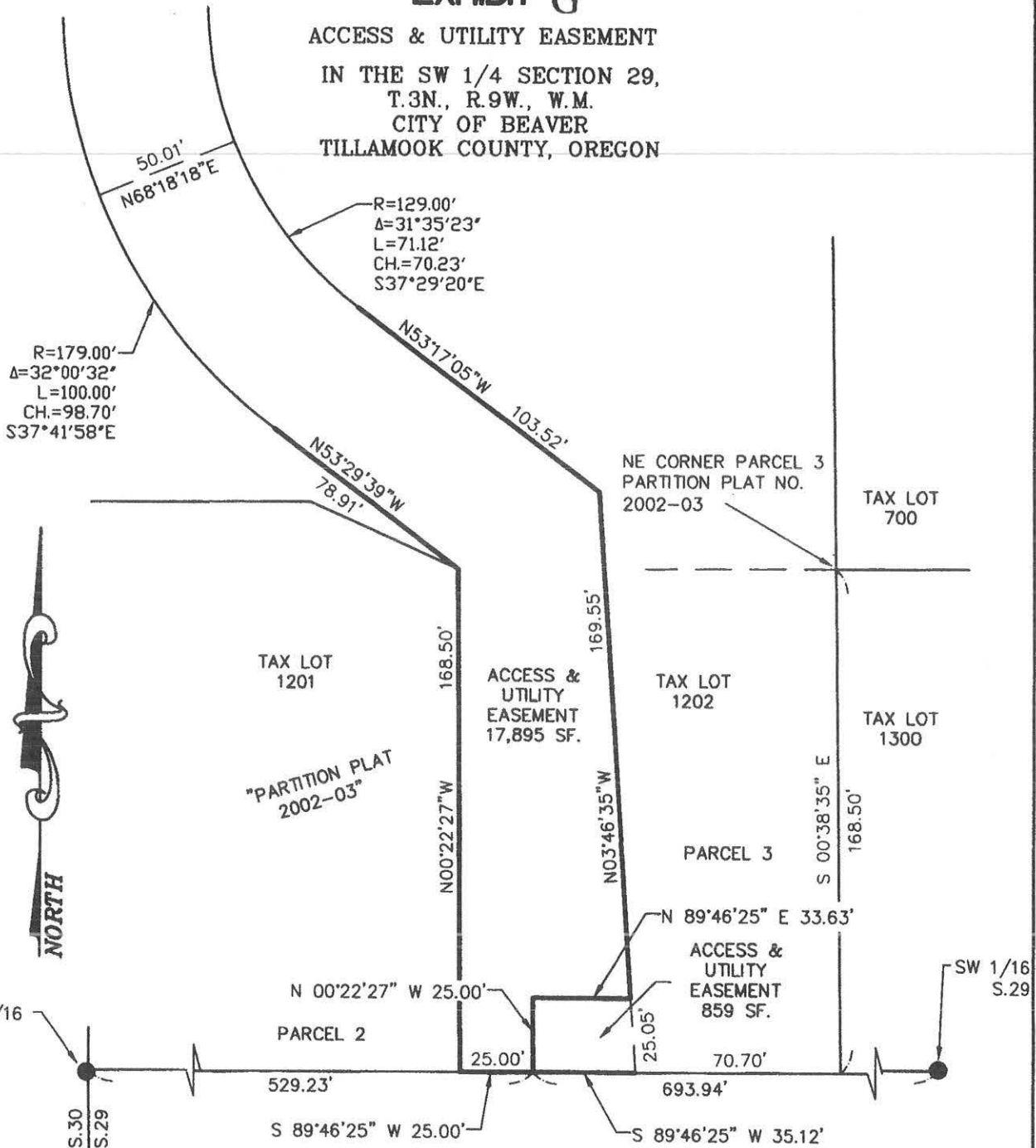
SUBJECT TO a nonexclusive easement for access and utility purposes, the boundaries of said easement being described as follows:

Beginning at a point which is North 89° 46' 25" East 50.10 feet and South 3° 46' 35" East 143.78 feet from the Northeast corner of Parcel 2 of Partillon Plat No. 2002-03;
 thence South 89° 46' 25" West 33.63 feet;
 thence South 0° 22' 27" East 25.00 feet to the South line of Parcel 3 of Partillon Plat No. 2002-03;
 thence North 89° 46' 25" East 35.12 feet, along the South line of said Parcel 3;
 thence North 3° 46' 35" West 25.05 feet to the point of beginning.

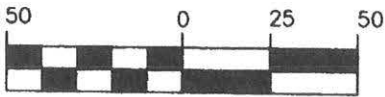
NOTE: The above description adjusts the boundaries of that tract of land described as Parcel 3 of Partillon Plat No. 2002-03. See Drawing B-2627, Tillamook County Surveyor's Records, for basis of bearing and monumentation data.

EXHIBIT G

ACCESS & UTILITY EASEMENT
 IN THE SW 1/4 SECTION 29,
 T.3N., R.9W., W.M.
 CITY OF BEAVER
 TILLAMOOK COUNTY, OREGON



GRAPHIC SCALE



(IN FEET)
 1 inch = 50 ft.

ANDY PARIS AND ASSOCIATES, INC.
 16057 BOONES FERRY ROAD
 LAKE OSWEGO, OREGON 97035
 PH: 503-636-3341
 PROJECT: 21201
 DRAWING: 21201EXIHIBIT.DWG

**REGISTERED
 PROFESSIONAL
 LAND SURVEYOR**

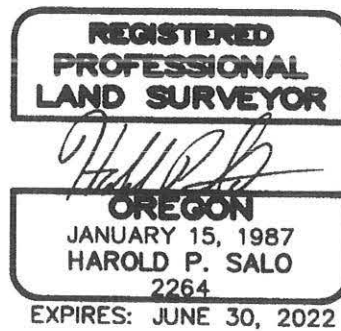
Harold P. Salo
OREGON
 JANUARY 15, 1987
 HAROLD P. SALO
 2264
 EXPIRES: JUNE 30, 2022

EXHIBIT "D"
ACCESS & UTILITY EASEMENT
A Portion of Tax Lot 700
Map 03S09W29CB

A tract of land for access and utility easement situated in the Southwest one-quarter of Section 29, Township 3 South, Range 7 West of the Willamette Meridian, Tillamook County, Oregon, being more particularly described as follows:

Commencing at the northeast corner of Parcel 3, PARTITION PLAT NO. 2002-03, Tillamook County Plat Records; thence South 00°38'35" East along the easterly line of said Parcel 3, a distance of 168.50 feet to the southeast corner thereof; thence South 89°46'25" West along the southerly boundary of said Parcel 3, a distance of 105.82 feet to the **TRUE POINT OF BEGINNING**; thence continuing, South 89°46'25" West, a distance of 25.00 feet; thence North 00°22'27" West, a distance of 168.50 feet; thence North 53°29'39" West, a distance of 78.91 feet; thence on a non-tangent curve to the right having a radius of 179.00 feet through a central angle of 32°00'32" (chord bears North 37°41'58" West 98.70 feet) an arc distance of 100.00 feet; thence North 68°18'18" E, a distance of 50.01 feet; thence southwesterly on a non-tangent curve to the left having a radius of 129.00 feet (chord bears South 37°29'20" East 70.23 feet) an arc distance of 71.12 feet; thence South 53°17'05" East, a distance of 103.52 feet; thence South 03°46'35" East, a distance of 169.55 feet; thence South 89°46'25" West, a distance of 33.63 feet; thence South 00°22'27" East, a distance of 25.00 feet to the **TRUE POINT OF BEGINNING**.

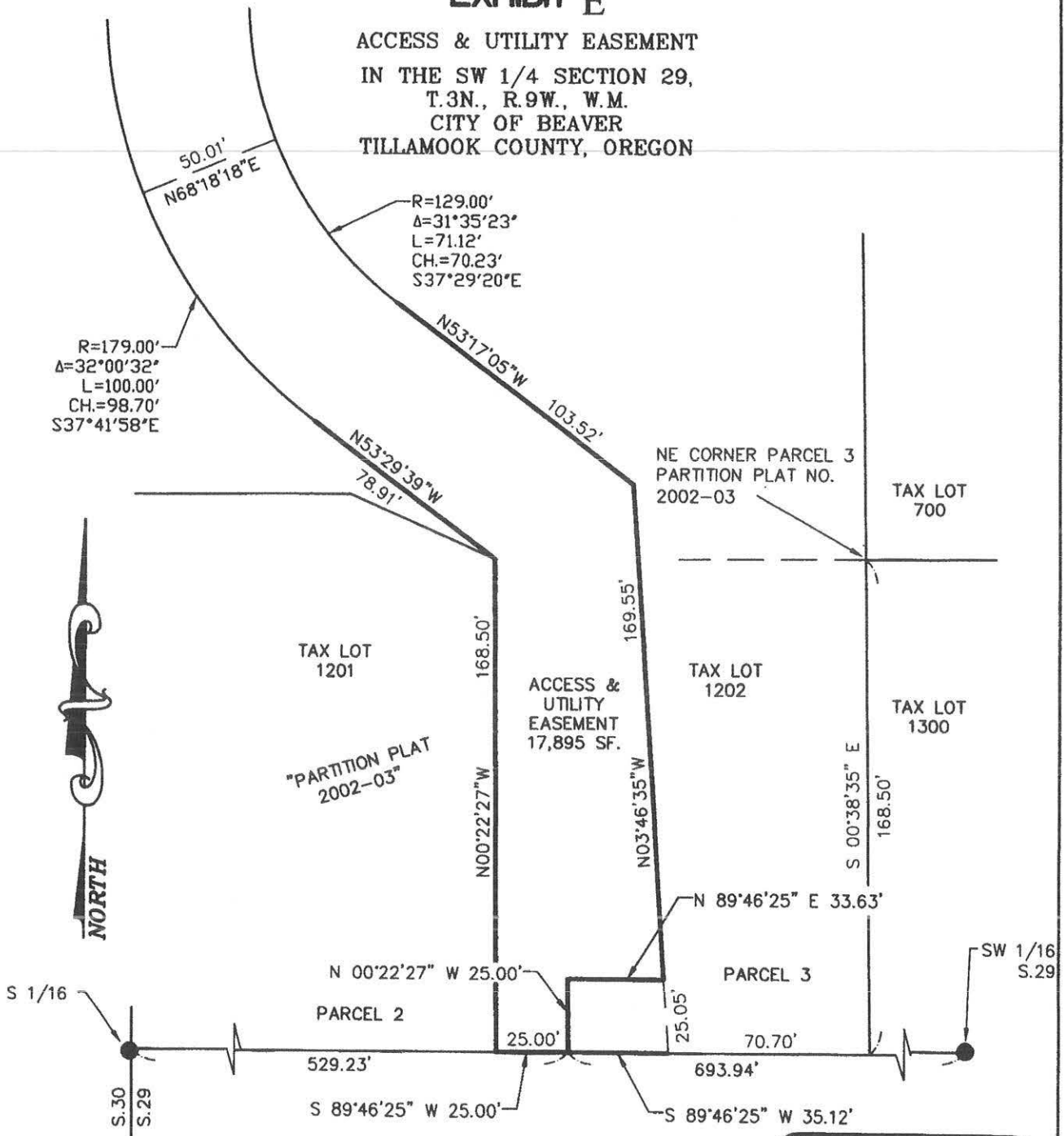
Containing 17,895 square feet.



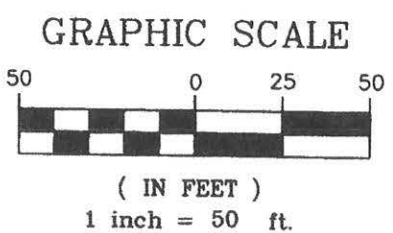
ANDY PARIS & ASSOCIATES, INC.
16057 BOONES FERRY ROAD
LAKE OSWEGO, OREGON 97035
PH: 503-636-3341

EXHIBIT E

ACCESS & UTILITY EASEMENT
 IN THE SW 1/4 SECTION 29,
 T.3N., R.9W., W.M.
 CITY OF BEAVER
 TILLAMOOK COUNTY, OREGON



ANDY PARIS AND ASSOCIATES, INC.
 16057 BOONES FERRY ROAD
 LAKE OSWEGO, OREGON 97035
 PH: 503-636-3341
 PROJECT: 21201
 DRAWING: 21201EXIHIBIT.DWG



REGISTERED PROFESSIONAL LAND SURVEYOR

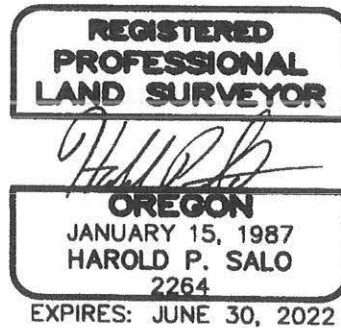
OREGON
 JANUARY 15, 1987
 HAROLD P. SALO
 2264
 EXPIRES: JUNE 30, 2022

EXHIBIT "F"
ACCESS & UTILITY EASEMENT
A Portion of Tax Lot 1202
Map 03S09W29CB

A tract of land for access and utility easement situated in the Southwest one-quarter of Section 29, Township 3 South, Range 7 West of the Willamette Meridian, Tillamook County, Oregon, being a portion of Parcel 3, PARTITION PLAT NO. 2002-03, Tillamook County Plat Records, being more particularly described as follows:

Commencing at the northeast corner of said Parcel 3; thence South 00°38'35" East along the easterly line of said Parcel 3, a distance of 168.50 feet to the southeast corner thereof; thence South 89°46'25" West along the southerly boundary of said Parcel 3, a distance of 70.70 feet to the **TRUE POINT OF BEGINNING**; thence continuing along said southerly line, South 89°46'25" West, a distance of 35.12 feet; thence leaving said southerly line, North 00°22'27" West, a distance of 25.00 feet; thence North 89°46'25" East, a distance of 33.63 feet; thence South 03°46'35" East, a distance of 25.05 feet to the **TRUE POINT OF BEGINNING**.

Containing 859 square feet.



ANDY PARIS & ASSOCIATES, INC.
16057 BOONES FERRY ROAD
LAKE OSWEGO, OREGON 97035
PH: 503-636-3341
www.andyparis.com