



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 #851-22-000379-PLNG / SHERRY KALISH, et al.
TOGETHER WITH
PROPERTY LINE ADJUSTMENT REQUEST
#851-22-000355-PLNG / SHERRY KALISH, et al.**

*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: October 7, 2022

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

#851-22-000379-PLNG: A partition request for two (2) residential parcels. Located south of the Unincorporated Community of Neskowin and accessed via Seasand Circle, a private road. The subject properties made part of the partition and property line adjustment proposal are designated as Tax Lots 000223, 000219 and 00220 of Section 36BC, Township 5 South, Range 11 West of the Willamette Meridian, Tillamook County Oregon. The subject properties are zoned Neskowin Low Density Residential (NeskR-1). Tax Lot 220 holds a portion of Zoning under the Small Farm Woodlot (SFW-20) zone. Property owners are Sherry Kalish Irrevocable Trust and Jay Julien Irrevocable Trust. The applicant is Seabreeze Associates LP. *The partition proposal includes a property line adjustment of all above mentioned Tax Lots as shown on the enclosed preliminary partition plat. Upon adjustment, partition review is limited to Tax Lot 00219.*

Written comments received by the Department of Community Development **prior to 4:00p.m. on October 21, 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 October 24, 2022.

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

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

Sincerely,

Angela Rimoldi, Planning Permit Technician
Sarah Absher, CFM, Director

EXHIBITS:

Exhibit A -Location Maps

Exhibit B – Applicants Submittal

TILLAMOOK COUNTY LAND USE ORDINANCE

SECTION 3.322: NESKOWIN LOW DENSITY RESIDENTIAL (NeskR1) ZONE

- (4) STANDARDS: Land divisions and development in the NeskR-1 zone shall conform to the following standards, unless more restrictive supplemental regulations apply:
- (a) The minimum lot size for permitted uses shall be 7,500 square feet, except that the minimum lot size for a two-family dwelling shall be 10,000 square feet. Where public sewers are not available, the County Sanitarian may require lot sizes greater than the minimum if necessary for the installation of adequate on-site subsurface sewage disposal systems, or for adequate protection of public health or sensitive water bodies.
 - (b) The minimum lot width shall be 60 feet.
 - (c) The minimum lot depth shall be 75 feet.
 - (d) Creation of new lots or parcels, and construction on existing lots or parcels, can only be allowed if sewer service or adequate on-site sanitation are provided, as follows:
 - (1) If sewer service is not available, as defined in OAR 340-071-160(5)(f), approval(s) for on-site sanitation disposal shall be required for each lot or parcel prior to lot or parcel creation through partition, subdivision, or other process. Approval for onsite sanitation shall be required prior to approval of a building permit for a structure containing plumbing fixtures or otherwise requiring sanitary waste disposal.
 - (2) If sewer service is available, as defined in OAR 340-071-160(5)(f), hookup to the sewer system shall be required prior to approval of a building permit for a structure containing plumbing fixtures or otherwise requiring sanitary waste disposal.
 - (e) Confirmation of water service availability from the water district, or evidence of an alternative functioning domestic water supply, shall be provided to the Department prior to approval of residential construction or other development requiring potable water.

.....

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;

- to and platted by the same party that platted the subdivision bearing that name or unless the party files and records the consent of the party that platted the contiguous subdivision bearing that name;
- (e) The proposed streets, utilities, and surface water drainage facilities conform to Tillamook County's adopted master plans and applicable engineering standards and, within Unincorporated Community Boundaries, allow for transitions to existing and potential future development on adjacent lands. The preliminary plat shall identify all proposed public improvements and dedications;
 - (f) All proposed private common areas and improvements, if any, are identified on the preliminary plat and maintenance of such areas is assured through appropriate legal instrument;
 - (g) Provisions for access to and maintenance of off-right-of-way drainage, if any;
 - (h) Evidence that any required State and Federal permits, as applicable, have been obtained or can reasonably be obtained prior to development; and
 - (i) Evidence that improvements or conditions required by the road authority, Tillamook County, special districts, utilities, and/or other service providers, as applicable to the project, have been or can be met, including but not limited to:
 - (i) Water Department/Utility District Letter which states that the partition or subdivision is either entirely excluded from the district or is included within the district for purposes of receiving services and subjecting the partition or subdivision to the fees and other charges of the district.
 - (ii) Subsurface sewage permit(s) or site evaluation approval(s) from the appropriate agency.

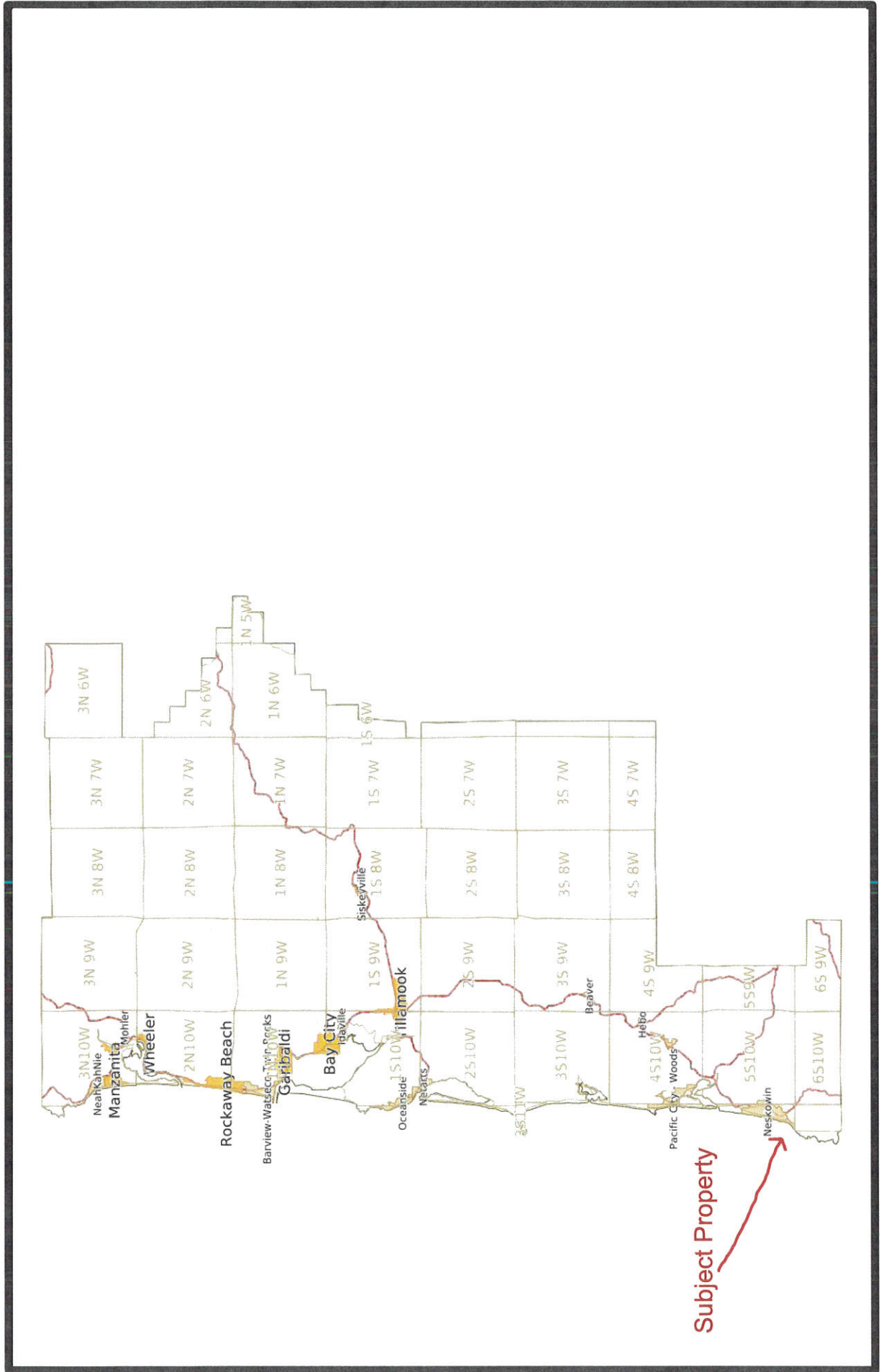
TILLAMOOK COUNTY LAND DIVISION ORDINANCE

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

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

EXHIBIT A

Map - vicinity





Map - Zoning

X = Subject Area



X = Subject Area

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

S.W. 1/4 N.W. 1/4 SEC. 36 T. 5S. R. 11W. W.M.

Tillamook County

1" = 100'

CANCELLED:
2100
2300
2400
3400
218

SEE MAP 55 11W 3088B

SEE MAP 55 11W 36

05S11W36BC

PARCEL 3

SEE MAP 55 11W 36

05S11W36BC
REVISED 6/28/16, WS

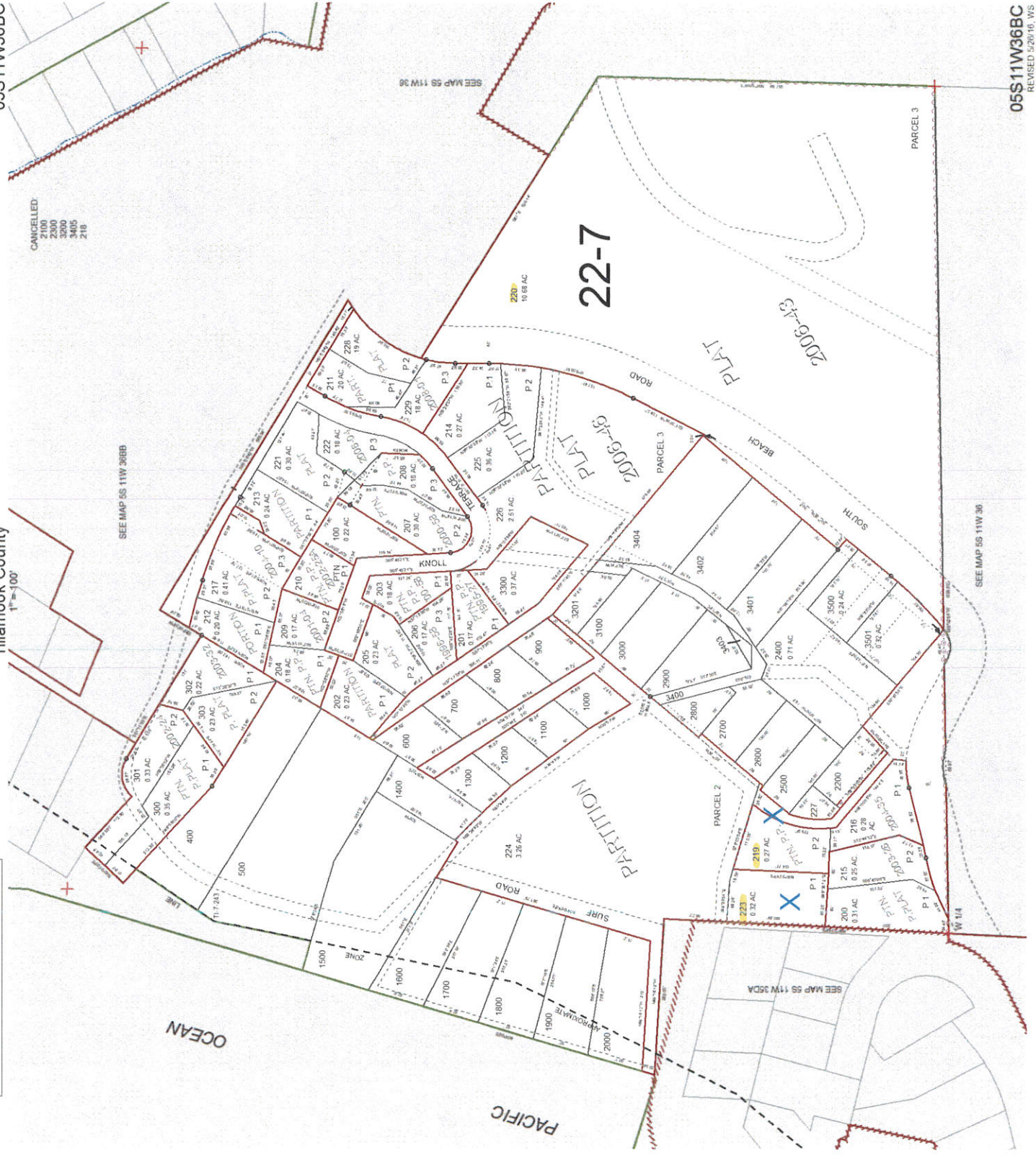


EXHIBIT B



Please contact only Robert Fultz with issues

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

Fax: 503-842-1819

LAND DIVISION APPLICATION

Robert B. Fultz, Gen Part

Applicant (Check Box if Same as Property Owner)

Name: Seabreeze Associates LP Phone: 408 482 4650
Address: 865 Highland Drive
City: Boulder Creek State: CA Zip: 95006
Email: neskowin@pacbell.net

Property Owner Jay I. Julien Irrevocable Trust

Name: Sherry Kalish Irrevocable Trust Phone:
Address: 17029 Brookwood Drive (for both)
City: Boca Raton State: FL Zip: 33496
Email:

Location:

Site Address: No address

Map Number: 5S 11W 36BC 219 223 220
Township Range Section Tax Lot(s)

x Only 1 new parcel created

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

- N/A 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.

- 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

- 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
- 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

To follow: will be sent via courier

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

Other information:

1. Concurrent lot line adjust

There are 3 property owners. Squeezed them in

No pavement

No structures

All utilities in easement area and in street

Sewerage in street

OFFICE USE ONLY
Date Stamp
<input type="checkbox"/> Approved <input type="checkbox"/> Denied
Received by:
Receipt #:
Fees: 1100.-
Permit No: 851-22 - 000379 PLNG

Lawrence Kalish, Trustee
Lawrence J. Kalish, Trustee

Proposed Development

None created

- 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
- Already in street**

- The approximate location and identity of other utilities, including the locations of street lighting fixtures, as applicable N/A
- 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 N/A
- Certificates or letters from utility companies or districts stating that they are capable of providing service to the proposed development

To follow for the new lot

No new

No new

Additional Information Required for Subdivisions N/A

- 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

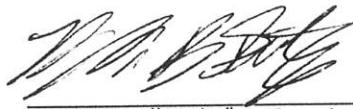
Certificates:

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

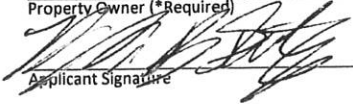
Additional Information:

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

7/9/2022

Date

7/9/2022

Date

- 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
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- Block numbers
- Lot numbers
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[Handwritten Signature]

Property Owner (*Required)

7/9/2022

Date

[Handwritten Signature]

Applicant Signature

7/9/2022

Date

For J. Kalish TTEE for Jay Julien Irrevocable Trust 7-11-2022
For K. Kalish TTEE for Sherry Kalish Irrevocable Trust 7-11-2022



Neskowin Regional Water District

PO Box 823

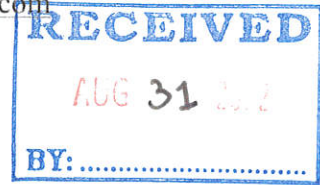
Neskowin, OR 97149

Phone: (503)392-3966

Email: tnt@neskowinwater.com

Web: www.neskowinwater.com

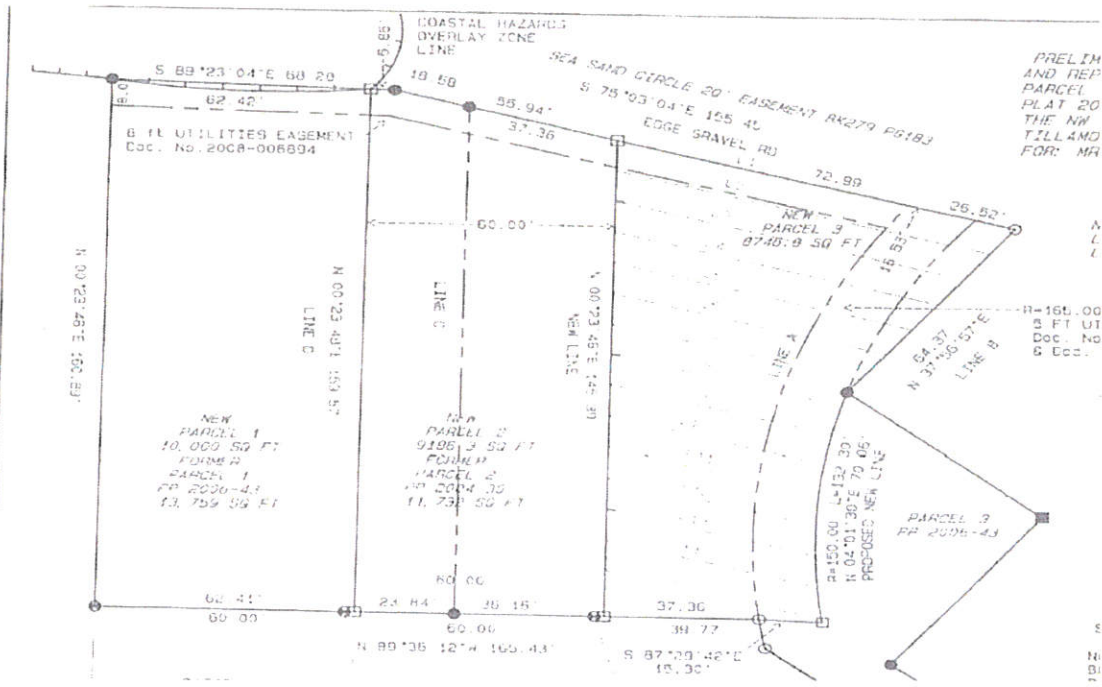
August, 12th 2022



RE: The creation of a lot from tax lots T5S R11W 36BC00219 and 00223

TO: Whomever it may concern.

I am writing this letter to whomever it concerns to inform them that the Neskowin Regional Water District has the capacity and infrastructure in place to serve the proposed new lot between Tax Lots T5S R11W 36BC-219 and 223. In order to receive water service the owner of the new lot will need to install a service line from the main that exists on Sea Sand Circle to the corner of the newly proposed lot.



Troy N. Trute.

General Manager of the Neskowin Regional Water District.

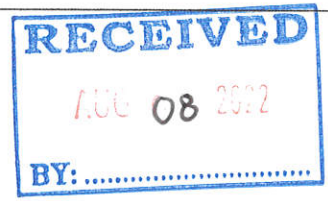


Neskowin Regional Sanitary Authority

P O Box 383, Neskowin, Oregon 97149

(503) 392-3404 (TTY 1-800-735-2900)

Date: 8-5-2022
To: Tillamook County One-Stop Permit Counter
From: Neskowin Regional Sanitary Authority
Re: Sewer Availability



I confirm that sewer is available to the following lot(s) within our District:

Township: 5S Range: 11 Section: 36BC Tax Lot: TBD

According to our records, the legal owner is:

Jay Julien 2012 Irrevocable Trust, Ann C. Julien Trustee, Lawrence Kalish Trustee, Sherry Kalish Irrevocable Trust, Lawrence J Kalish Trustee & Seabreeze Associates Limited Partnership

Comments: The sewer availability covers the new parcel that will be created from 36BC 219 & 223.

Additional reviews, easements and conditions may be required. This letter becomes void after 12 months from the date of issuance.

The current System Development Charge will be due to NRSA Sanitary District upon issuance of a building permit by the Tillamook County Department of Community Development. The District requires a copy of the approved building permit be sent to NRSA.

This letter shall not create a liability on the part of the Neskowin Regional Sanitary Authority, or by any officer, employee thereof, for the services described above.



Signature of Authorized NRSA Representative

NRSA Office Mgr.

Title

Telephone No: (503) 392-3404
Fax No: (503) 392-3477
E-mail Address: annisl@neskowinsanitary.com



PROPERTY LINE ADJUSTMENT APPLICATION

Please Contact Robert Fultz for all issues

Applicant/Representative Seabreeze Associates LP

Name: Robert B. Fultz, General Partner Phone: 408 482 4650

Address: 865 Highland Drive

City: Boulder Creek State: CA Zip: 95006

Email: neskowin@pacbell.net

Property Owner (Unit A) Lawrence Kalish, Trustee

Name: Sherry Kalish Irrevocable Trust Phone:

Address: 17029 Brookwood Drive

City: Boca Raton State: FL Zip: 33496

Email:

Property Owner (Unit B) Lawrence J. Kalish, Trustee

Name: Jay I. Julien Irrevocable Trust Phone:

Address: 17029 Brookwood Drive

City: Boca Raton State: FL Zip: 33496

Email:

Property Owner (Unit C)

Name: Phone:

Address:

City: State: Zip:

Email:

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

Take property from T5S R11W 36BC-220 in order to split T5S R11W 36BC-219 and T5S R11W 36BC-223 into three conforming lots.

Unit A Location:

Site Address: No address

Map Number:	5S	11W	36BC	219
	Township	Range	Section	Tax Lot(s)

Zoning: Nesk-R1

Existing Use of Sites: Bare land

Unit B Location:

Site Address: No address

Map Number:	5S	11W	36BC	223
	Township	Range	Section	Tax Lot(s)

Zoning: Nesk-R1

Existing Use of Sites: Bare land

OFFICE USE ONLY	
Date Stamp	
<input type="checkbox"/> Approved <input type="checkbox"/> Denied	
Received by:	
Receipt #: 128447	
Fees: 490.-	
Permit No: 851-22-00055-PLNG	

All three are property owners of all parcels

Unit C Location:

Site Address: No address

Map Number:	5S	11W	36BC	220
	Township	Range	Section	Tax Lot(s)

Zoning: The portion being adjusted is Nesk-R1

Existing Use of Sites: Bare land and sewer and power line utilities in the portion being adjusted.

	Taxlot (Units)	Existing Size	New Size
A	36BC-219	11,732 sq ft	9,186 sq ft
B	36BC-223	13,759 sq ft	10,000 sq ft
	36BC-New Lot (TBD number)	N/A	8,746 sq ft
C	36BC-220	10.68 ac	slightly less than 10.68 ac

Preliminary Property Line Map Checklist

Identification of all existing and proposed lot lines and dimensions

Footprints and dimensions of existing structures (including accessory structures)

Location and dimensions of driveways and streets

Location of lands subject to the Tillamook County Flood Hazard Overlay

Existing fences and walls

Sewage Disposal System

Other information:

1. Easements affecting the parcel

2. Dimension lines for the new parcel showing it meets minimum

width over the entire length of the lot

3. Proposed new corners to be set

4. Concurrent partition application

No structures

No driveways

None

None

None

Authorization

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



General Partner, Seabreeze Associates LP

7/9/2022

Legally Authorized Signature

Date

Legally Authorized Signature

Date

Legally Authorized Signature

Date

Unit C Location:

Site Address: No address

Map Number:	5S	11W	36BC	220
	Township	Range	Section	Tax Lot(s)

Zoning: The portion being adjusted is Nesk-R1

Existing Use of Sites: Bare land and sewer and power line utilities in the portion being adjusted.

Taxlot (Units)	Existing Size	New Size
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Preliminary Property Line Map Checklist


- Identification of all existing and proposed lot lines and dimensions
 - Footprints and dimensions of existing structures (including accessory structures)
 - Location and dimensions of driveways and streets
 - Location of lands subject to the Tillamook County Flood Hazard Overlay
 - Existing fences and walls
 - Sewage Disposal System
- No structures
No driveways
None
None
None

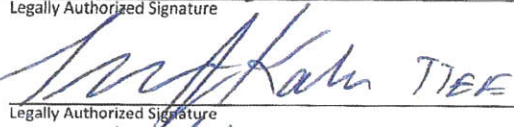
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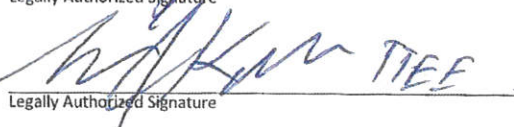
1. Easements affecting the parcel
2. Dimension lines for the new parcel showing it meets minimum width over the entire length of the lot
3. Proposed new corners to be set
4. Concurrent partition application

Authorization

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


 Legally Authorized Signature General Partner, Seabreeze Associates LP 7/9/2022
 Date


 Legally Authorized Signature TIEE Jay Julian Irrevocable Trust 7-11-22
 Date


 Legally Authorized Signature TIEE Sherry Kalish Irrevocable Trust 7-11-22
 Date

APPROVAL STANDARDS:

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

APPROVAL-CRITERIA FOR ADJUSTMENTS IN RESOURCE AND COMMERCIAL ZONES:

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

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

THE APPLICATION MUST INCLUDE:

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

RECEIVED

4/11/2022 10:37:2

BY:

PRELIMINARY PLAN FOR PROPERTY LINE ADJUSTMENT
AND REPLAT OF PARCEL 2 PARTITION PLAT 2004-35
PARCEL 1 AND A PORTION OF PARCEL 3 PARTITION
PLAT 2006-43 C.S. P-842, LOCATED IN THE SW 1/4 OF
THE NW 1/4 OF SECTION 36, T 5 S, R 11 W, W.M.,
TILLAMOOK COUNTY, OREGON
FOR: MR. ROBERT FULTZ, SEABREEZE ASSOCIATES LP
ZONE-NESKOWIN R1

NOTE:
LINE A IS TO BE ADJUSTED TO LINE B
LINE C IS TO BE ADJUSTED TO LINE D

JULY 27, 2022
SCALE: 1"=30'
SHEET 1 OF 3

PREPARED BY
DARIUS K. FERGUSON P.L.S.
LAND SURVEYING
6062 S.E. HWY. 101, SUITE B
LINCOLN CITY, OR. 97367
PH: (541) 994-5854
DFERGUSONSURVEYING@GMAIL

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Darius Ferguson
OREGON
JULY 16, 1987
DARIUS K. FERGUSON
2279

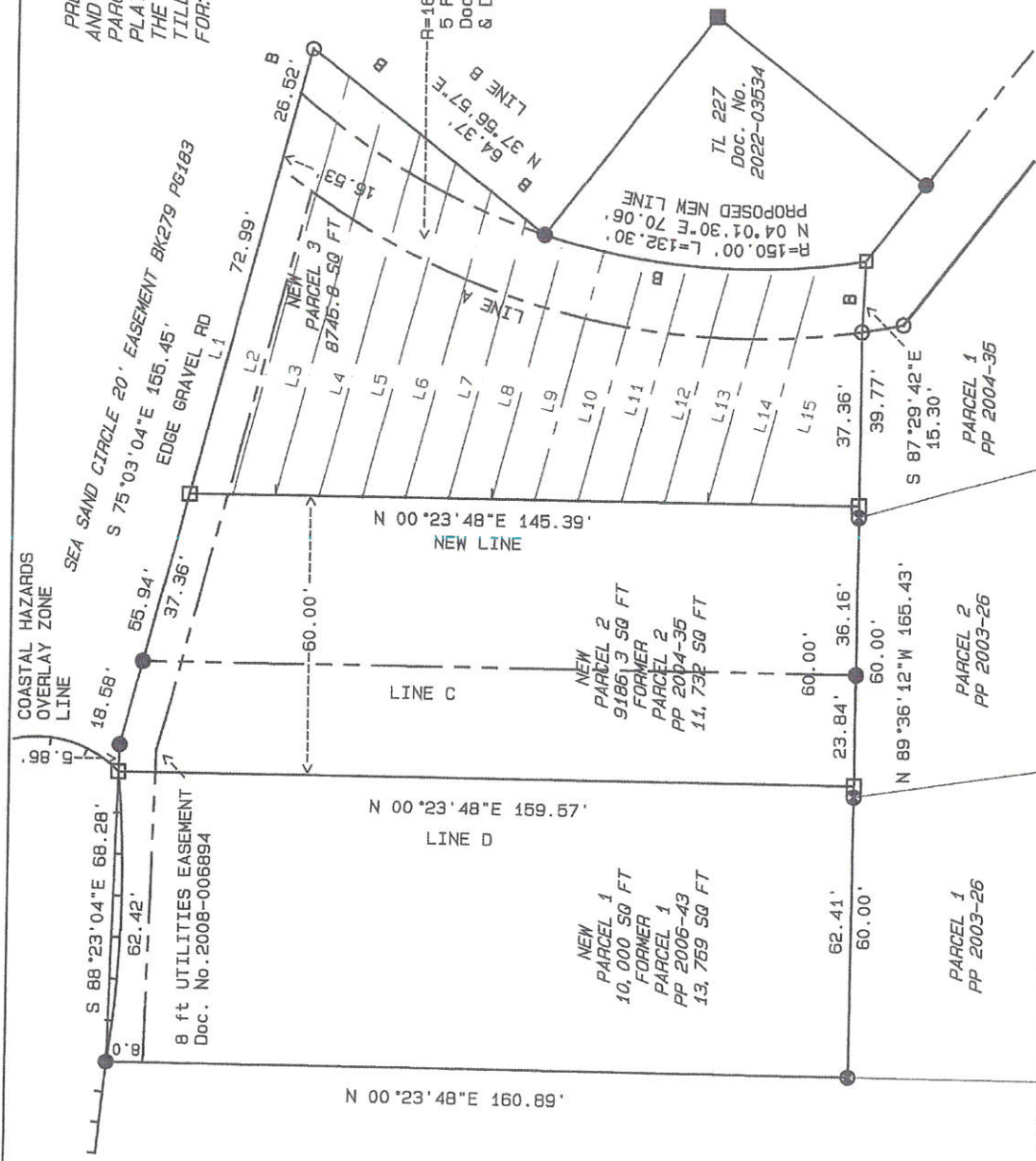
RENEWS 12-31-23

SUM=1050.04' /15=65.63'

NOTE:
BUILDING HEIGHT RESTRICTION
PARCEL 2 PP 2004-35
Doc. No. 2005-007708
70.61' ABOVE BM K-29
ELV=94.40' NAVD '88"

PARCEL 3
AVERAGE LOT WIDTHS

L1=	99.51'
L2=	93.30'
L3=	87.09'
L4=	80.88'
L5=	74.67'
L6=	68.46'
L7=	62.25'
L8=	57.73'
L9=	55.50'
L10=	53.82'
L11=	52.70'
L12=	52.16'
L13=	52.21'
L14=	52.88'
L15=	54.22'
L16=	52.66'



PRELIMINARY PLAN FOR PROPERTY LINE ADJUSTMENT AND REPLAT OF PARCEL 2 PARTITION PLAT 2004-35 PARCEL 1 AND A PORTION OF PARCEL 3 PARTITION PLAT 2006-43 C.S. P-842, LOCATED IN THE SW 1/4 OF THE NW 1/4 OF SECTION 36, T 5 S, R 11 W, W.M., TILLAMOOK COUNTY, OREGON FOR: MR. ROBERT FULTZ, SEABREEZE ASSOCIATES LP



JULY 27, 2022
 SCALE: 1"=30'
 CONTOUR INTERVAL = 2 FT
 ELEVATION DATUM NGVD "88"
 SHEET 2 OF 3

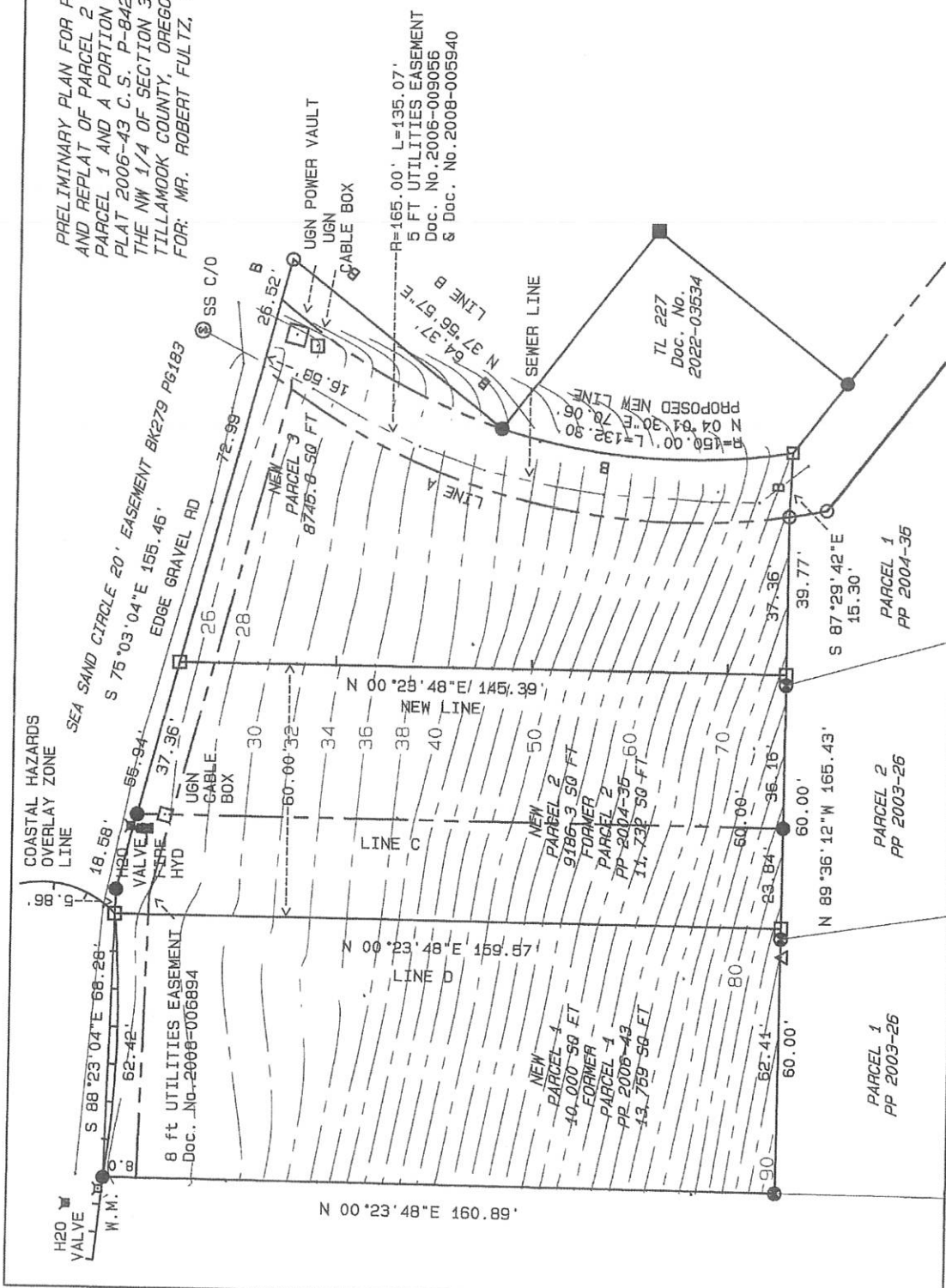
PREPARED BY
 DARIUS K. FERGUSON P.L.S.
 LAND SURVEYING
 6052 S.E. HWY. 101, SUITE B
 LINGOLN CITY, OR. 97367
 PH: (541) 994-5854
 DFERGUSONSURVEYING@GMAIL

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

Darius Ferguson

OREGON
 JULY 15, 1987
 DARIUS K. FERGUSON
 2279

RENS 12-31-23



N 00°23'48"E 160.89'

TL 227
 Doc. No.
 2022-03534

PARCEL 1
 PP 2004-35

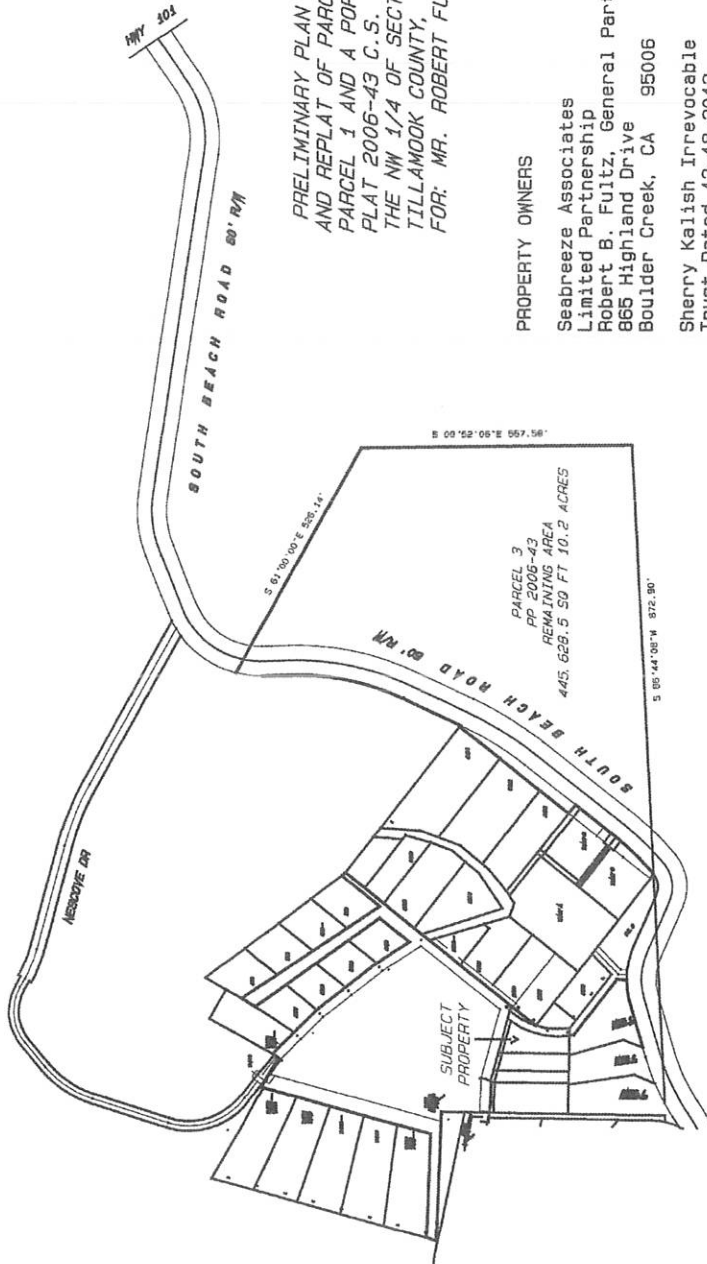
PARCEL 2
 PP 2003-26

PARCEL 1
 PP 2003-26



JULY 27, 2022
 SCALE: 1"=300'
 SHEET 3 OF 3

PRELIMINARY PLAN FOR PROPERTY LINE ADJUSTMENT
 AND REPLAT OF PARCEL 2 PARTITION PLAT 2004-35
 PARCEL 1 AND A PORTION OF PARCEL 3 PARTITION
 PLAT 2006-43 C.S. P-842, LOCATED IN THE SW 1/4 OF
 THE NW 1/4 OF SECTION 36, T 5 S, R 11 W, M.M.,
 TILLAMOOK COUNTY, OREGON
 FOR: MR. ROBERT FULTZ, SEABREEZE ASSOCIATES LP



PROPERTY OWNERS

Seabreeze Associates
 Limited Partnership
 Robert B. Fultz, General Partner
 865 Highland Drive
 Boulder Creek, CA 95006

Sherry Kalish Irrevocable
 Trust Dated 12-18-2012
 Lawrence Kalish, Trustee
 17029 Brookwood Drive
 Boca Raton, Florida 33496

Jay I. Julien Irrevocable Trust,
 Dated December 14, 2012
 Lawrence J. Kalish, Trustee
 17029 Brookwood Drive
 Boca Raton, Florida 33496

PREPARED BY
 DARIUS K. FERGUSON P.L.S.
 LAND SURVEYING
 6062 S.E. HWY. 101, SUITE B
 LINCOLN CITY, OR. 97367
 PH: (541) 994-8854
 DFERGUSONSURVEYING@GMAIL

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

Darius K. Ferguson

OREGON
 JULY 16, 1987
 DARIUS K. FERGUSON
 2279

RENEWS 12-31-23



Tillamook County, Oregon 2012-007263
12/26/2012 02:47:33 PM
DEED-DQUIT
\$15.00 \$11.00 \$16.00 \$10.00 - Total = \$52.00



00122120201200072630030034

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

RETURN TO AND TAX STATEMENTS TO:
JAY JULIEN, ATTORNEY AT LAW
1501 BROADWAY, SUITE 1609
NEW YORK, NY 10036

QUITCLAIM DEED

KNOW ALL THESE MEN BY THESE PRESENTS, ^{**} THE SHERRY
KALISH REVOCABLE TRUST, as a tenant in common (hereinafter the "Grantor") does
hereby give, grant, bargain, and convey unto LAWRENCE J. KALISH, Trustee of THE
SHERRY KALISH IRREVOCABLE TRUST dated December 18, 2012, its successors and
assigns, all of its right, title and interest as a tenant in common in and to that certain real
property, with the tenements, hereditaments and appurtenances thereunto belonging or
appertaining, situated in the County of Tillamook and State of Oregon, and more particularly
described on SCHEDULE A, attached hereto and made a part hereof by this reference.

**Sherry Kalish, Trustee of

TO HAVE AND TO HOLD the same unto said Grantee and Grantee's heirs,
successors and assigns forever.

This transfer is made without consideration.

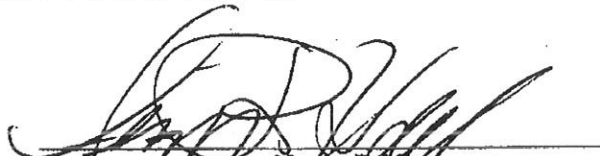
IN WITNESS WHEREOF, the party hereto has executed this instrument as of
the 20 day of December, 2012.



Sherry Kalish Trustee

STATE OF FLORIDA)
) SS.:
COUNTY OF Palm Beach

On this 20 day of December, 2012, personally appeared SHERRY KALISH, to me
known, and known to me to be the individual described herein, and who executed the
foregoing instrument, and she acknowledged to me that she executed the same.
* trustee of the Sherry Kalish Revocable Trust



Notary Public



SCHEDULE A

TRACT 1

A tract of land in the Southwest quarter of the Northwest quarter of Section 36, T. 5 S., R. 11 W. of the Willamette Meridian in Tillamook County, Oregon, said tract being more particularly described as follows:
PARCEL 2 of PARTITION PLAT 2004-35, as recorded in Plat Cabinet B864-0, on December 27, 2004, as Instrument No. 2004-010779, Tillamook County Clerk's Records.

TRACT 2

TC# 223
A tract of land in the Southwest quarter of the Northwest quarter of Section 36, T. 5 S., R. 11 W. of the Willamette Meridian in Tillamook County, Oregon, said tract being more particularly described as follows:
PARCEL 1 of PARTITION PLAT 2006-43, as recorded in Plat Cabinet B979-0, on December 21, 2006, as Instrument No. 2006-10935, Tillamook County Clerk's Records.

TRACT 3

A tract of land in the Southwest quarter of the Northwest quarter of Section 36, T. 5 S., R. 11 W. of the Willamette Meridian in Tillamook County, Oregon, said tract being more particularly described as follows:
PARCEL 2 of PARTITION PLAT 2006-43, as recorded in Plat Cabinet B979-0, on December 21, 2006, as Instrument No. 2006-10935, Tillamook County Clerk's Records.

TRACT 4

TC# 220
A tract of land in the Southwest quarter of the Northwest quarter of Section 36, T. 5 S., R. 11 W. of the Willamette Meridian in Tillamook County, Oregon, said tract being more particularly described as follows:
PARCEL 3 of PARTITION PLAT 2006-43, as recorded in Plat Cabinet B979-0, on December 21, 2006, as Instrument No. 2006-10935, Tillamook County Clerk's Records.
EXCEPTING THEREFROM that land described in STATUTORY WARRANTY DEED to Christopher Silkowski and Gale Moore as tenants by the entirety, recorded on June 26, 2007, as document 2007-005330 in Tillamook County Deed Records.
AND SUBJECT TO that NON-EXCLUSIVE EASEMENT FOR ACCESS ONLY as described in STATUTORY WARRANTY DEED to Christopher Silkowski and Gale Moore as tenants by the entirety, recorded June 26, 2007, as document 2007-005330, Tillamook County Deed Records.



Tillamook County, Oregon 2012-007117
12/18/2012 03:27:28 PM
DEED-DQUIT
\$15.00 \$11.00 \$18.00 \$10.00 - Total = \$52.00



00121947201200071170030035

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

RETURN TO AND TAX STATEMENTS TO:
JAY JULIEN, ATTORNEY AT LAW
1501 BROADWAY, SUITE 1609
NEW YORK, NY 10036

QUITCLAIM DEED

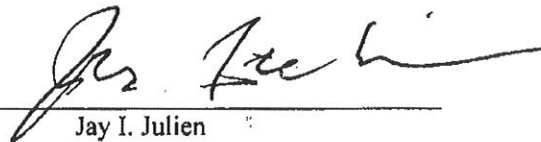
KNOW ALL THESE MEN BY THESE PRESENTS, JAY JULIEN, as a tenant in common (hereinafter the "Grantor") does hereby give, grant, bargain, and convey unto*THE JAY I. JULIEN 2012 IRREVOCABLE TRUST, its successors and assigns, all of his right, title and interest as a tenant in common in and to that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Tillamook and State of Oregon, and more particularly described on SCHEDULE A, attached hereto and made a part hereof by this reference.

*Ann C. Julien and Lawrence Kalish, Trustees of the

TO HAVE AND TO HOLD the same unto said Grantee and Grantee's heirs, successors and assigns forever.


This transfer is made without consideration.

IN WITNESS WHEREOF, the party hereto has executed this instrument as of
the 14th day of December, 2012.


Jay I. Julien

STATE OF NEW YORK)
) SS.:
COUNTY OF NEW YORK)

On this 14 day of December, 2012, personally appeared JAY I. JULIEN, to me known,
and known to me to be the individual described herein, and who executed the foregoing
instrument, and he acknowledged to me that he executed the same.


Notary Public



ALAN A. MENDEL
NOTARY PUBLIC, STATE OF NEW YORK
REG. #02ME2658225
CERTIFICATE FILED IN N.Y. COUNTY
COMMISSION EXPIRES OCTOBER 31, 2013

SCHEDULE A

TRACT 1

A tract of land in the Southwest quarter of the Northwest quarter of Section 36, T. 5 S., R. 11 W. of the Willamette Meridian in Tillamook County, Oregon, said tract being more particularly described as follows:

PARCEL 2 of PARTITION PLAT 2004-35, as recorded in Plat Cabinet B864-0, on December 27, 2004, as Instrument No. 2004-010779, Tillamook County Clerk's Records.

TL#
279

TRACT 2

A tract of land in the Southwest quarter of the Northwest quarter of Section 36, T. 5 S., R. 11 W. of the Willamette Meridian in Tillamook County, Oregon, said tract being more particularly described as follows:

PARCEL 1 of PARTITION PLAT 2006-43, as recorded in Plat Cabinet B979-0, on December 21, 2006, as Instrument No. 2006-10935, Tillamook County Clerk's Records.

TRACT 3

A tract of land in the Southwest quarter of the Northwest quarter of Section 36, T. 5 S., R. 11 W. of the Willamette Meridian in Tillamook County, Oregon, said tract being more particularly described as follows:

PARCEL 2 of PARTITION PLAT 2006-43, as recorded in Plat Cabinet B979-0, on December 21, 2006, as Instrument No. 2006-10935, Tillamook County Clerk's Records.

TRACT 4

A tract of land in the Southwest quarter of the Northwest quarter of Section 36, T. 5 S., R. 11 W. of the Willamette Meridian in Tillamook County, Oregon, said tract being more particularly described as follows:

PARCEL 3 of PARTITION PLAT 2006-43, as recorded in Plat Cabinet B979-0, on December 21, 2006, as Instrument No. 2006-10935, Tillamook County Clerk's Records. EXCEPTING THEREFROM that land described in STATUTORY WARRANTY DEED to Christopher Silkowski and Gale Moore as tenants by the entirety, recorded on June 26, 2007, as document 2007-005330 in Tillamook County Deed Records.

AND SUBJECT TO that NON-EXCLUSIVE EASEMENT FOR ACCESS ONLY as described in STATUTORY WARRANTY DEED to Christopher Silkowski and Gale Moore as tenants by the entirety, recorded June 26, 2007, as document 2007-005330, Tillamook County Deed Records.

50139

KNOW ALL MEN BY THESE PRESENTS, That Joyce R. Hiatt

hereinafter called the grantor,
in consideration of Forty Nine Thousand Five Hundred Dollars,
to grantor paid by Lester P. Pultz

hereinafter called the grantee,
does hereby grant, bargain, sell and convey unto the said grantee and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Tillamook and State of Oregon, described as follows, to-wit:

Legal description for this tract of land is described in "Exhibit A" pages 1 through 3, attached hereto and by this reference made part of this instrument.

Grantor reserves the following easements attached hereto marked "Exhibit B" pages 1 through 3, and by this reference made part of this instrument for the benefit of Parcel 1 of the real property conveyed herein for her benefit and for the benefit of her heirs, successors and assigns.

To Have and to Hold the above described and granted premises unto the said grantee and grantee's heirs, successors and assigns forever.

And said grantor hereby covenants to and with said grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances and that grantor will warrant and forever defend the above granted premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever.

In construing this deed and where the context so requires, the singular includes the plural.

WITNESS grantor's hand and seal this 13 day of July, 1981

Joyce E. Hiatt (SEAL)

(SEAL)

(SEAL)

(SEAL)

1045 93.490

STATE OF OREGON, County of Tillamook ss. 13 July, 1981
Personally appeared the above named Joyce E. Hiatt

and acknowledged the foregoing instrument to be her voluntary act and deed.

Before me:
Edward Cook
Notary Public for Oregon
My commission expires 4-24-82

(OFFICIAL SEAL)

WARRANTY DEED

TO _____

AFTER RECORDING RETURN TO
Lester P. Pultz
Co P 706
P.O. Box 511
11111 Renwick Ave
07161

(DON'T USE THIS SPACE RESERVED FOR RECORDING LABEL IN COUNTIES WHERE USED.)

STATE OF OREGON,
County of _____ ss.

I certify that the within instrument was received for record on the _____ day of _____, 19____, at _____ page _____ of _____ County, _____ and seal of _____

251444
279183
11-27-81

County Clerk-Recorder.

EXHIBIT A
DESCRIPTION

PARCEL I

A tract of land situated in the SW 1/4 of the NW 1/4 of Section 36, Township 5 South, Range 11 West of the Willamette Meridian, Tillamook County, Oregon more particularly described as follows:

Beginning at a point which is 2063.5 feet South and 964.8 feet West of the Northeast corner of said NW 1/4 of the NW 1/4 of said Section 36; thence North 37°38' East, 200.0 feet to the most northerly corner of that tract conveyed to Marilyn J. Place by deed recorded April 10, 1956 in Book 152, page 315, Deed Records of Tillamook County, Oregon and the true point of beginning of the tract herein described; thence from said true point of beginning North 37°22' West, 355.66 feet to the westerly line of that tract of land conveyed to Peter O. Place, et ux, by deed recorded May 1, 1961 in Book 175, page 462, Deed Records of Tillamook County; thence North 29° East, 252.59 feet along said line to the most northerly corner of the aforesaid Place tract; thence South 61° East, 225.45 feet along the northerly line of the said Place tract; thence South 29° West 79.79 feet; thence South 72°58'30" East, 13.42 feet; thence South 5°59' East, 115.57 feet; thence North 29° East, 171.0 feet to said Northerly line of said Place tract; thence South 61° East, 263.10 feet; thence on a 201.52 foot radius curve left (long chord bears South 5°53' West, 55.96 feet) an arc distance of 56.14 feet; thence South 2°04' East, 55.24 feet; thence on a 526.61 foot radius curve right (long chord bears South 11°13' West, 239.26 feet) an arc distance of 241.41 feet; thence South 24°30' West, 130.79 feet to a point which is South 52°22' East from the true point of beginning; thence North 52°22' West, 382.98 feet to the true point of beginning. EXCEPTING a tract described as beginning at a point 1842.32 feet South and 855.27 feet West of the Northeast corner of the NW 1/4 of the NW 1/4 of said Section 36; thence North 37°22' West, 10.0 feet; thence North 50° East, 109.81 feet; thence South 5°59' East, 31.5 feet; thence South 52°22' East, 127.9 feet; thence South 23°22' West 103.18 feet more or less; thence North 52°22' West, 123.5 feet; thence North 37°22' West, 50 feet to the point of beginning.

PARCEL II

A tract of land situated in Section 35 and 36, Township 5-South, Range 11 West of the Willamette Meridian, Tillamook County, Oregon, and more particularly described as follows:

Beginning at the quarter section corner common to said Sections 35 and 36 of said township and range; thence North, 400.0 feet along the Section line to the true point of beginning of the tract herein described; thence from said true point of beginning North, 60.0 feet; thence North 88°42' West, 260.0 feet; thence North 14°09' East, 20.0 feet; thence South 88°42' East, 210.0 feet; thence North 14°09' East, 355.8 feet to a point on the south line of that tract conveyed to Orion A. Place, et ux, recorded February 27, 1962, in Book 179, page 392, Tillamook County Deed Records; thence along the South line of said Place tract to the southeast corner thereof; thence in a southeasterly direction to the southwest corner of that tract conveyed to Pete Wilson Realty, Inc., by deed recorded January 27, 1970, in Book 218, page 292, Deed Records

Order No: 29-51076

Page 1

251444
279/183
11-27-81

251444

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

NOV 27 2 52 PM '81

BOOK 279 PAGE 183

Tillamook County, Oregon
I have seen the foregoing instrument
and certify that the same is a true and
correct copy of the original as filed.
JUNE WAGNER, County Clerk

Wendy Stead
Deeds

DESCRIPTION (cont.)

of Tillamook County; thence South 45°44' East, 64.95 feet; thence South 33°45' East, 155 feet; thence South 33°07' East, 80 feet; thence North 37°38' East, 78.52 feet; thence North 35°44' West, 310 feet; thence North 29°22' East, 32.95 feet; thence South 34°21' East, 347 feet; thence North 37°38' East, 99.5 feet; thence South 37°22' East, 10 feet to the most northerly corner of that tract conveyed to Marilyn J. Place by deed recorded April 10, 1956 in Book 152, page 315, Deed Records of Tillamook County; thence South 37°38' West, 400.0 feet along the Westerly line of the O.A. Place tracts; thence North 77°38' West, 248.15 feet to the true point of beginning.

PARCEL III

A tract of land situated in the SW 1/4 of the NW 1/4 of Section 36, Township 5 South, Range 11 West of the Willamette Meridian, Tillamook County, Oregon and more particularly described as follows:

Beginning at the quarter section corner common to Sections 35 and 36 of said township and range; thence North 400.0 feet; thence South 77°38' East, 248.15 feet to the Westerly line of the O.A. Place Tracts; thence South 37°38' West, 100.0 feet to the most Westerly corner thereof; thence South 52°22' East, 60.0 feet; thence South 37°38' West, 50.0 feet; thence South 52°22' East, 119.1 feet; thence North 44°38' West, 50.38 feet to the Southerly line of the aforesaid O.A. Place Tracts; thence South 52°22' East 193.0 feet along said O.A. Place Tracts to the most Southerly corner thereof; thence South, 4.14 feet to the South line of the SW 1/4 of the NW 1/4 of said Section 36; thence South 86°20'14" West, 480.46 feet along said South line to the point of beginning.

PARCEL IV

A tract of land situated in the SW 1/4 of the NW 1/4 of Section 36, Township 5 South, Range 11 West of the Willamette Meridian, Tillamook County, Oregon and more particularly described as follows:

Beginning at the quarter section corner common to Section 35 and 36 of said township and range; thence North 86°20'14" East, 480.46 feet along the South line of said SW 1/4 of the NW 1/4 of said Section 36 to the true point of beginning of the tract herein described; thence from said true point of beginning North, 4.14 feet to the most Southerly corner of the O.A. Place Tracts; thence North 37°38' East, 500.0 feet; thence South 52°22' East, 3.98 feet; thence North 24°30' East 130.79 feet; thence on a 526.81 foot radius curve left (long chord bears North 11°13' East, 239.26 feet) an arc distance of 241.41 feet; thence North 2°04' West, 55.24 feet; thence on a 201.52 foot radius curve right (long chord bears North 5°53' East, 55.96 feet) an arc distance of 56.14 feet to the Northerly line of the tract conveyed to Peter O. Place, et ux, by deed recorded May 1, 1961 in Book 175, page 462, Deed Records of Tillamook County; thence South 61° East, 524.89 feet to the Northeast corner of said Place tract; thence South 37°19'11" West, 721.19 feet to the South line of said SW 1/4 of the NW 1/4 of said Section 36; thence South 86°20'14" West, 436.89 feet along said South line to the true point of beginning.

Order No. 29-51076

Page 2

25 Nov 27
279/183
11-27-81

251444

State of Oregon, County of Tillamook
(hereby acknowledged for record)

NOV 27 5 21 PM '81

BOOK 279 PAGE 183

Tillamook County Official Record
Witness my hand and seal this
JUNE TWENTY
NICHOLAS STEELE

Nicholas Steele
Deeds

DESCRIPTION (cont.)

PARCEL V

A tract of land situated in the SW 1/4 of the NW 1/4 of Section 36, Township 5 South, Range 11 West of the Willamette Meridian, Tillamook County, Oregon and more particularly described as follows:

Beginning at the quarter section corner common to Sections 35 and 36 of said township and range; thence North 86°20'14" East, 917.35 feet along the South line of said SW 1/4 of the NW 1/4 of said Section 36 to the true point of beginning of the tract herein described; thence from said true point of beginning North 37°19'11" East, 721.19 feet to the Northeast corner of that tract of land conveyed to Peter O. Place, et ux, by deed recorded May 1, 1961 in Book 175, page 462, Deed Records of Tillamook County; thence South 1°14'46" East, 544.92 feet along the East line of said SW 1/4 of the NW 1/4 of said Section 36 to the Southeast corner thereof; thence South 86°20'14" West, 450 feet along the South line of said SW 1/4 of the NW 1/4 of said Section 36 to the true point of beginning. - - - -

Order No: 29-51076

Copy 3

251444
279/183
11-27-81

251444

State of Oregon, County of Tillamook
I hereby certify that the within instrument
was received by record at

NOV 27 2 52 PM '81

BOOK 279 PAGE 183

Tillamook County Official Record
JUNE WACHS, County Clerk

Wach's
Beeds

EXHIBIT B

DESCRIPTION OF EASEMENTS:

Non-exclusive easements described as follows:

A strip of land 10 feet wide on each side of the following described centerline situated in Section 36, Township 5 South, Range 11 West of the Willamette Meridian: Beginning at the most southerly corner of that tract conveyed to O.A. Place, et ux, by deed recorded in Book 179, page 392, Deed Records; thence North 49° 10' West 189.6 feet; thence North 9° 08' East 90 feet more or less to the South line of the Steiner tract recorded in Book 36, page 420, Deed Records; thence North 16° 27' East 170.0 feet to a point; thence North 40° 04' East 135 feet; thence North 63° 16' East 105.44 feet; thence South 66° 11' East 56.0 feet; thence South 61° East 27.05 feet more or less to the centerline of a 30.0 foot wide roadway easement granted by Chinook Associates Inc. and Joyce E. Hiatt on 3 July 1980.

EASEMENT "B" A strip of land 20 feet wide, lying to the left hand of a line which begins at a point South 2063.5 feet and West 964.8 feet, from the Northeast corner of the Northwest quarter of the Northwest quarter of Section 36, Township 5 South, Range 11 West; and runs thence: North 33° 07' West, 110 feet; thence North 38° 45' West, 155 feet; thence North 45° 44' West 128.35 feet to the Southeast line of the former O.A. Place property recorded in Book 179, page 392, Deed Records.

EASEMENT "C" A strip of land 20 feet wide, lying to the right hand of a line beginning at a point which is West 964.8 feet and South 2063.5 feet from the Northeast corner of the Northwest quarter of the Northwest quarter of Section 36, Township 5 South, Range 11 West; of the Willamette Meridian, and running thence South 17° 59' East 173.7 feet;

251444
279/183
11-27-81

251444

State of Oregon, County of Tillamook
I hereby certify that this instrument
was received for record at

NOV 27 2 52 PM '81

BOOK 279 PAGE 183

TILLAMOOK COUNTY OFFICIAL RECORDS
Witness my hand and seal of office
JURGE W. BURCH, County Clerk

Walter Stead
28

thence North 87° 54' East 37.36 feet; thence North 36° 19' East 124 feet; thence North 23° 22' East 103.18 feet; thence offsetting to the left North 52° 22' West 10.6 feet; thence North 03° 09' East 60.65 feet.

EASEMENT "E" Beginning at a point South 1976.37 feet and West 909.81 feet from the Northeast corner of the Northwest quarter of the Northwest quarter of Section 36, Township 5 South, Range 11 West; thence North 34° 21' West 338.5 feet; thence South 29° 22' West 32.95 feet; thence South 35° 34' East, 231.44 feet; thence South 36° 02' East 108.2 feet; thence North 37° 38' East 20 feet; thence North 34° 21' West 10 feet to the point of beginning.

EASEMENT "G" Beginning at a point South 2063.5 feet and West 964.8 feet from the Northeast corner of the Northwest quarter of the Northwest quarter of Section 36, Township 5 South, Range 11 West; thence North 33° 07' West 30 feet; thence North 37° 38' East 78.57 feet; thence South 36° 02' East 29.51 feet; thence South 37° 36' West to the point of beginning.

EASEMENT "H" A strip of land 30 feet wide, lying to the right hand of a line which begins at a point North 481.02 feet and West 44.98 feet and North 14° 09' East 366.0 feet from the West quarter corner of Section 36, Township 5 South, Range 11 West; and runs thence North 14° 09' East to intersection with that 20 foot wide Easement across the Peter O. Place property, which easement is described in deed to P.O. Place recorded in Book 175, page 462, Deed Records.

2

251444
279/183
11-27-81

251444

Office of Oregon, County of Tillamook
I hereby certify that the within instrument
was received for record at:

NOV 27 2 52 PM '81

BOOK 279 PAGE 183

TILLAMOOK COUNTY OFFICIAL RECORDS
WILSON W. WAGNER, County Clerk
Wilson W. Wagner
Deeds 28

EASEMENT "I" A strip of land 30 feet wide, lying to the right hand of a line which begins at a point North 481.02 feet and West 44.98 feet from the West quarter corner of Section 36, Township 5 South, Range 11 West, and runs thence North 14° 09' East, 366 feet.

EASEMENT "J" A strip of land 20 feet wide, lying to the right hand of a line which begins at a point 460 feet North from the West quarter corner of Section 36, Township 5 South, Range 11 West of the Willamette Meridian and runs thence North 88° 42' West 260 feet.

EASEMENT "K" A strip of land 10 feet wide, lying to the right hand of a line which begins at a point North 826.17 feet, and East 42.11 feet, from the West quarter corner of Section 36, Township 5 South, Range 11 West, and runs thence North 60° 54' West, 211.73 feet.

EASEMENT GRANTED BY RIGHT OF WAY DEED dated 24 September, 1963

A strip of land 20 feet wide, being 10 feet on either side of a line which begins at a point which is South 1972.71 feet, and West 755.76 feet, from the Northeast corner of the Northwest quarter of Section 36, T5S, R11W, W.M., and runs thence North 03° 09' East, to the northerly line of the tract conveyed by Peter O. Place and Phyllis D. Place to O.A. Place and Marjorie J. Place on or about 24 September, 1963.

All of the above easements are to be for the benefit of the Hiatt tracts and all of their future purchasers. Easements are for the purpose of vehicular and foot traffic as is appropriate.

-Here Ends Exhibit B-

3

251444
279/183
11-27-81

251444

Title of Deed, County of Tillamook
has been filed in the office of the County Clerk
and recorded in the office of the County Clerk

NOV 27 2 50 PM '81

BOOK 279 PAGE 183

Tillamook County Official Records
Received and Filed for Public Use
JUNE 1981 by County Clerk

Nicholas Steinhilber, Deputy
Deeds 28.00

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That Jay Julien, as Trustee of Julien and Associates, Inc., Pension Trust Fund, as a tenant in common, hereinafter called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto Jay Julien, hereinafter called grantee, and unto grantee's heirs, successors and assigns all of grantor's right, title and interest as a tenant in common in and to that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, situated in the County of Tillamook, State of Oregon, described on Schedule A which is attached hereto and made a part hereof.

I, Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever.

And the grantor hereby covenants to and with the grantee and grantee's heirs, successors and assigns that the grantor is lawfully seized in fee simple of the said real property as a tenant in common, and that said real property is free from all encumbrances, subject to the exceptions stated on Schedule A, and that grantor will warrant and defend the same in every part and parcel thereof against the lawful claims and demands of all persons, except those claiming under encumbrances set forth in Schedule A attached hereto.

The true and actual consideration paid for this transfer is Fifteen thousand (\$15,000.00) dollars, all of which is paid in cash.

In construing this deed and where the context so requires, the singular includes the plural and the plural includes the singular.

IN WITNESS WHEREOF, the grantor has executed this instrument this 24th day of October, 1991.

J. Julien

Jay Julien, as Trustee
of Julien and Associates, Inc.
Pension Trust Fund

State of New York)
)ss:
County of New York)

On this 27th day of October, 1991, personally appeared Jay

Julien who, being duly sworn, did say that he is Trustee of Julien and Associates, Inc., Pension Trust Fund, and that he executed the foregoing instrument on behalf of the said corporation by authority of its Board of Directors.

Gordon Rever

GORDON REVER
Notary Public, State of New York
No. 31-485682
Qualified in New York County
Commission Expires March 10, 1988

Grantor
Jay Julien
as Trustee of Julien and
Associates, Inc.
Pension Trust Fund
1100 Broadway
New York, New York 10036

Grantee
Jay Julien
225 Central Park West
New York, New York 10021

No 88753

Form 1

State of New York
County of New York

I, NORMAN GOULD, County Clerk and Clerk of the Supreme Court of the State of New York, in and for the County of New York, Court of Record, having by law a seal, DO HEREBY certify pursuant to the Executive Law of the State of New York, that

Julien
whose name is subscribed to the annexed and ditto captioned certificate of acknowledgment or proof, was at the time of taking the same a NOTARY PUBLIC, in and for the State of New York duly commissioned, sworn and qualified to act as such; that pursuant to law, a commission or a certificate of his official character, with his autograph signature has been filed in my office; that at the time of taking such proof, acknowledgment or oath, he was duly authorized to take the same; that I am well acquainted with the handwriting of such NOTARY PUBLIC or have compared the signature of the annexed instrument with his autograph signature deposited in my office, and I believe that such signature is genuine.

IN WITNESS WHEREOF, I have hereto set my hand affixed my official seal this

NOV 14 1987
RECEIVED \$1.00

Norman Gould
County Clerk and Clerk of the Supreme Court, New York County

Schedule A

The land referred to in this deed is described as

A tract of land situated in the Southwest quarter of the Northwest quarter of Section 36, Township 5 South, Range 11 West of the Willamette Meridian in Tillamook County, Oregon more particularly described as follows:

Beginning at the quarter section corner common to Sections 35 and 36 of said township and range; thence North, 460.0 feet along the section line; thence North 88°42' West, 260.0 feet; thence North 14°09' East, 20.0 feet; thence South 88°42' East, 210.0 feet; thence North 14°09' East, 355.8 feet to a point on the South line of a tract conveyed to Orion A. Place, et ux, recorded February 27, 1962, in Book 179, page 392, Tillamook County Records; thence along the South line of said Place tract to the Southeast corner thereof; thence in a southeasterly direction to the Southwest corner of a tract conveyed to Pete Wilson Realty, Inc. by deed recorded January 27, 1970, in Book 218, page 292, Deed Records of Tillamook County; thence South 45°44' West, 64.95 feet; thence South 50°45' East, 150.0 feet; thence South 33°07' East, 80.0 feet; thence North 37°38' East, 78.52 feet; thence North 35°44' West, 310.0 feet; thence North 29°22' East, 32.95 feet; thence South 34°21' East, 347.0 feet; thence North 37°38' East, 99.5 feet; thence South 37°22' East, 10.0 feet to the most northerly corner of that tract conveyed to Marilyn J. Place by deed recorded April 10, 1956 in Book 152, page 315, Deed Records of Tillamook County; thence South 37°38' West, 500.0 feet to the most westerly corner of the O. A. Place tracts; thence South 52°22' East, 60.0 feet; thence South 37°38' West, 50.0 feet; thence South 52°22' East, 119.1 feet; thence North 44°38' East, 50.28 feet to the southerly line of the aforesaid O. A. Place tracts; thence South 52°22' East, 193.0 feet along said O. A. Place tracts to the most southerly corner thereof; thence North 37°38' East, 500.0 feet; thence South 52°22' East, 2.98 feet; thence North 24°30' East, 130.79 feet; thence on a 526.61 foot radius curve left (long chord bears North 11°13' East, 239.26 feet) an arc distance of 241.41 feet; thence North 2°04' West, 55.24 feet; thence on a 200.52 foot radius curve right (long chord bears North 5°53' East, 55.96 feet) an arc distance of 56.14 feet to the northerly line of the tract conveyed to Peter O. Place, et ux, by deed recorded May 1, 1961, in Book 175, page 462, Deed Records of Tillamook County; thence South 61° East, 524.89 feet to the Northeast corner of said Place tract; thence South 1°14'46" East, 544.92 feet to the Southeast corner of the Southwest quarter of the Northwest quarter of said Section 36; thence South 86°20'14" West, 1367.35 feet along the South line of the said Southwest quarter of the Northwest quarter of said Section 36 to the quarter section corner common to Sections 35 and 36 and the point of beginning.

GRANTING to the grantees herein, their heirs and assigns, a tract of land for roadway easement purposes situated in Section 36, Township 5 South, Range 11 West of the Willamette Meridian in Tillamook County, Oregon, the centerline of which is more particularly described as follows:

A strip of land 60.0 feet in width lying 30.0 feet on either side of the centerline described as: Beginning at Engineers Right-of-Way Station 267+20 on the southerly right-of-way line of the Relocated Oregon Coast Highway 101; thence South 55°25' West, 110.0 feet; thence on a 200.0 foot radius curve right (long chord bears South 76°43'10" West, 145.32 feet) an arc distance of 148.72 feet; thence North 81°58'40" West, 705.43 feet; thence on a 222.96 foot radius curve left (long chord bears South 82°57'38" West, 115.88 feet) an arc distance of 117.22 feet; thence South 67°53'56" West, 125.68 feet; thence on a 171.52 foot radius curve left (long chord bears South 32°54'58" West, 196.65 feet) an arc distance of 209.42 feet, entering the tract to which this easement applies at about an arc distance of 170 feet; thence South 2°15'11" East, 55.24 feet; thence on a 550.61 foot radius curve right (long chord bears South 11°01'53" West, 253.04 feet) an arc distance of 255.32 feet; thence South 24°18'57" West, 130.79 feet; thence on a 702.11 foot radius curve right (long chord bears South 30°48'57" West, 158.93 feet) an arc distance of 159.30 feet; thence South 37°18'57" West, 226.05 feet; thence on a 385.02 foot radius curve right (long chord bears South 42°31'52" West, 133.31 feet) an arc distance of 134.32 feet; thence on a 74.10 foot radius curve right (long chord bears South 95°37'14" West, 70.40 feet) an arc distance of 72.26 feet; thence North 65°58'03" West, 111.46 feet to Point "A"; thence on a 138.31 foot radius curve left (long chord bears North 75°54'29" West 47.74 feet) an arc distance of 47.98 feet to Point "B"; thence returning to Point "A"; thence from Point "A" on a 138.31 foot radius curve left (long chord bears North 85°50'31" West, 94.04 feet) an arc distance of 95.96 feet; thence South 74°16'57" West, 116.77 feet; thence on a 409.28 foot radius curve left (long chord bears South 68°42'02" West, 79.62 feet) an arc distance of 79.75 feet and leaving the tract to which this easement applies. Reserving for the benefit of the grantor, his heirs and assigns and other property owners to the North, South and West of the tract herein conveyed all portions of the above described easement which traverse the tract conveyed by this deed. Said benefits to include rights of ingress and egress and utility line (water, sewer, electrical, telephone and television lines), rights of way. (Note: The easement description leaves the tract during the 385.02 foot radius curve and re-enters the tract on the course North 65°58'03" West.), excepting as trust conveyed to Ralph T. Dawson by deed recorded September 2, 1982 in Deed Records in book 283 page 431.

SUBJECT also to a further easement described as follows: Returning to Point "B" as described in the foregoing easement description; thence North 4°09'27" East, 30.0 feet to the northerly right-of-way of the easement roadway and the true point of beginning of the easement herein described; thence from said true point of beginning North, 58 feet more or less to the southerly line of the Nolf property; thence South 52°22' East, 30 feet more or less to the most southerly corner of the said Nolf tract; thence South 13°52' East, 40 feet more or less to the northerly right-of-way line of the above described easement; thence westerly along said right-of-way line a distance of 30 feet more or less to the true point of beginning of the easement herein described.

SUBJECT also to a quarry access easement, 60 feet in width lying 30 feet on either side of the following described centerline: Beginning at the Northeast corner of the Peter O. Place tract as conveyed and recorded May 1, 1961, in Book 175, page 462, Deed Records of Tillamook County; thence from said point of beginning South 1°14'46" East, 30.0 feet along the easterly line of the said Place tract to the true point of beginning of the easement herein described; thence from said true point of beginning South 82°55' West, 80.0 feet; thence South 49°46' West, 225.0 feet; thence South 13°41' West, 288.44 feet; thence South 55°09' East, 67.50 feet; thence North 62°46' East, 285 feet more or less to the easterly line of the said Peter O. Place tract.

SUBJECT to an old easement over and across the easterly portion of the said Peter O. Place tract. - - - - -

SUBJECT to the following:

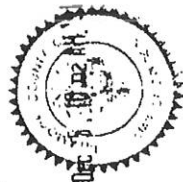
- A. Rights of the public in and to that portion of said premises lying in streets, roads and highways.
- B. The rights of the public and of the State of Oregon as declared acquired under the provisions of Chapter 601, Oregon Laws 1969, effective July 6, 1967, as amended by Chapter 601, Oregon Laws 1969, effective August 22, 1969.
- C. The various easements for access that has been deemed to the smaller tracts within this tract and to the rights of water for domestic water purposes, if any still exist.
- D. Right of Way Easement, including the terms and provisions thereof, from Peter O. Place and Phyllis D. Place, to Tillamook People's Utility District, a municipal corporation, dated August 16, 1969, recorded August 20, 1969, in Book 216, page 709, Tillamook County Records.
- E. Easements for ingress, egress, utility and a quarry access easement set forth in vesting deed to Jay Julien, as Trustee, et al, recorded November 27, 1961, in Book 279, page 184, Tillamook County Records. - - - - -
- F. Co-tenancy interests of SEABREEZE ASSOCIATES LIMITED PARTNERSHIP and PHILIP J. KASSEL.

Returned to: Philip J. Kassel
4700 Washington Ave. Ste 2835
New York, NY 10170

Page 3

311274

I hereby certify that the within instrument was received in the County of Tillamook, State of Oregon



BOOK 338 PAGE 983

Witness my hand and seal of office this 10th day of December 1969.

JOSEPHINE VETTER, County Clerk

Deputy

JOSEPHINE VETTER, County Clerk
ART 1400
PLCP 023
2500