Tillamook County

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



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 #851-22-000368-PLNG: BOROUGH / ESPLIN

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 20, 2022

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

#851-22-000368-PLNG: A partition request to create three (3) parcels. Located north of the Incorporated City of Tillamook, via Highway 101 North, a state highway as well as Suppress Road, a county road. The subject property is designated as Tax Lot 1401 of Section 13D, Township 1 South, Range 10 West of the Willamette Meridian, Tillamook County Oregon. The subject property is zoned General Industrial (M-1). Property owner is Michael Borough and applicant is Dallas Esplin.

Written comments received by the Department of Community Development **prior to 4:00p.m. on November 3, 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 November 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 contact the Department of Community Development at 503-842-3408 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 3.032: GENERAL INDUSTRIAL (M-1)

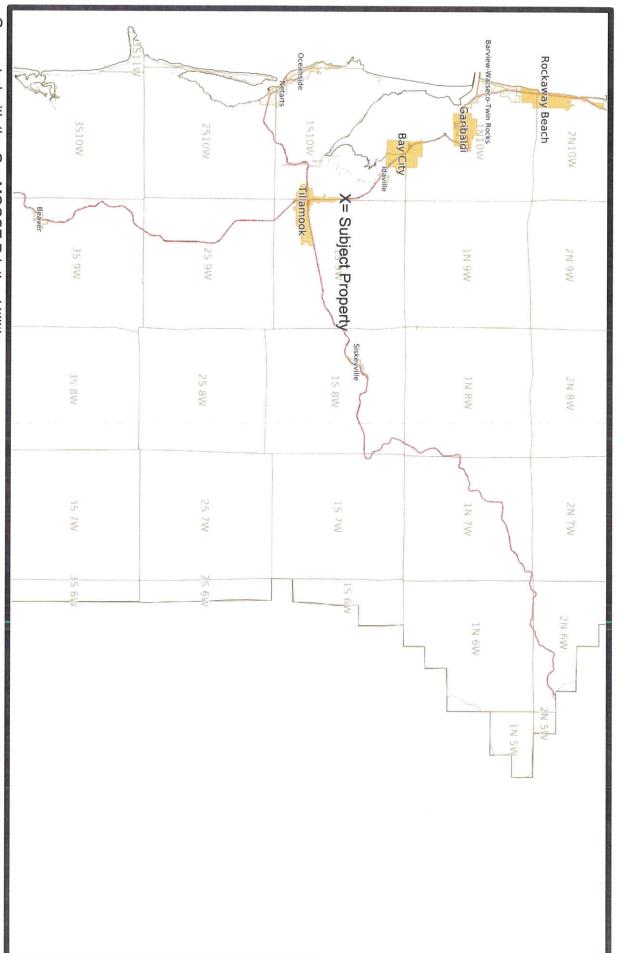
- (4) STANDARDS: Land development in the M-1 zone shall conform to the following standards, unless more restrictive supplemental regulations apply:
 - (a) The minimum yard adjacent to a residential use or zone shall be 20 feet.
 - (b) Building heights shall not exceed 75 feet.
 - (c) Outdoor storage abutting or facing a lot in a residential zone shall be screened with a sight-obscuring fence.
 - (d) Off-street parking and loading areas shall be provided as specified in Section 4.030.

TILLAMOOK COUNTY LAND DIVISION ORDINANCE

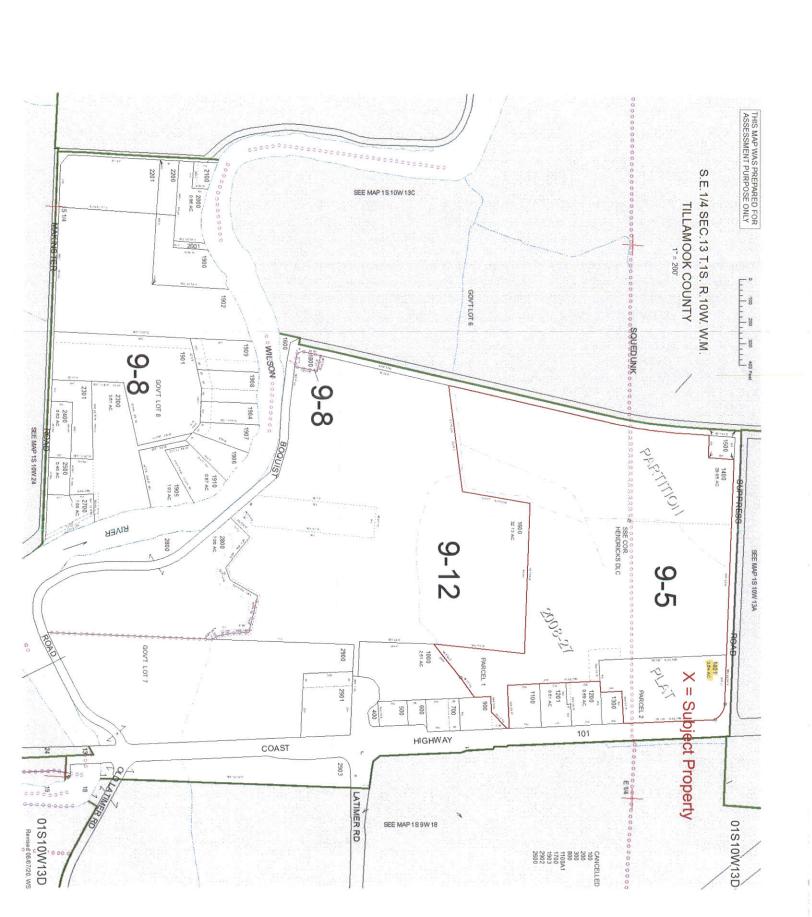
SECTION 070: PRELIMINARY PLAT APPROVAL CRITERIA

- (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.



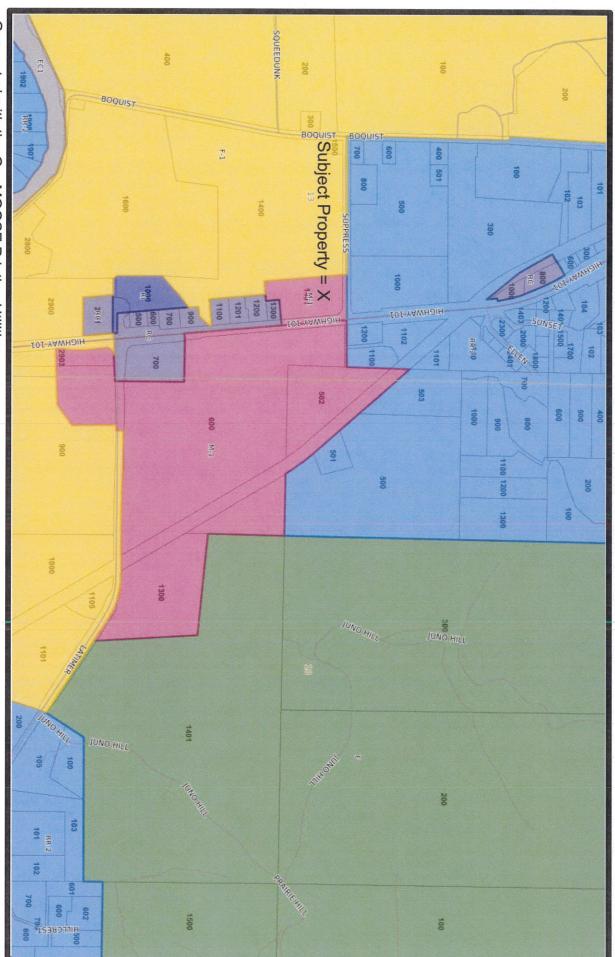


Generated with the GeoMOOSE Printing Utilities



Map-zoning







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

Fax: 503-842-1819

Date Stamp

OFFICE USE ONLY

www.co.tillamook.or.us

LAND DIVISION APPLICATION

Applicant □ (Ch	eck Box if Same	as Proi	pertv Owr	ner)			
Name: DALLAS ESPLIN Phone: 503-842-5551							
Address: P.O. BOX 8	380					-	DAnnessed Daniel
City: TILLAMOOK		State:	OR	Zip: 9714	1	-	☐ Approved ☐ Denied Received by:
Email: BAYSIDESU	RVEYING@GMAI					- }	Receipt #:
						-	Fees: 1100
Property Owner			(500) 040 5			ľ	Permit No:
Name: MICHAEL BO		Phone	: (503) 812-5	6633		_	851-22-000368PLNG
Address: 4190 HWY	101 N					_	
City: TILLAMOOK		State:	OR ————	Zip: 97141		_	
Email:						2	
Location:							
Site Address: 419	0 HWY 101 N						
Map Number:	18	10				120	4404
	Township	Range	e e			13D Section	1401 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)) General Information							
	w, scale of drawing evelopment elopment sufficien n, boundaries, and	g. \square	Parcel zoni Title Block Clear ident "Preliminar Name and a developer,	ng and over dification of my Plat" and addresses o	the drawing date of pre owner(s), er or survey	paration	☐ Fifteen (15) legible "to scale" hard copies☐ One digital copy
 □ 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 		at on s	☐ 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 large the Base Flood Elevation, per FEMA Flood Insurance Rate Maps			ed	Other information:
Land Division Per	mit Application	D	ev 9/11/1	Б			

		Proposed De	velopment					
	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 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 including all area dedicated as pub or reserved as op ☐ On slopes exceed grade of 10%, as submitted topog preliminary locat development on demonstrating the development car required setback engineering designation of the control of the contr	f the property, as proposed to be alic right-of-way ben space ding an average shown on a raphic survey, the cion of lots at future a meet minimum as and applicable gen standards y plans for sewer, drainage when	ide the fixt Evi app but Haz Evi app pro Cer cor the	e approximate location and nitity of other utilities, including locations of street lighting ures, as applicable dence of compliance with blicable overlay zones, including not limited to the Flood and Overlay (FH) zone dence of contact with the blicable road authority for posed new street connections tificates or letters from utility inpanies or districts stating that y are capable of providing vice to the proposed relopment			
	Additional Information Required for Subdivisions							
	Preliminary street layout of undivide		☐ Profiles of prop					
	Special studies of areas which appea	☐ In areas subject to flooding, materials shall be						
	due to local geologic conditions Where the plat includes natural feat	submitted to demonstrate that the requirements of the Flood Hazard Overlay (FHO) zone of the County's						
	conditions or requirements containe	Land Use Ordinance will be met						
Land Use Ordinance, materials shall be provided to demonstrate that those conditions and/or requirements can 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					
	Approximate center line profiles of s extensions for a reasonable distance of the proposed Subdivision, showing finished grades and the nature and econstruction	 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	Certificates:
railroads contiguous to the plat perimeter	☐ Title interest & consent ☐ Water
☐ Description of the plat perimeter	☐ Dedication for public use ☐ Public Works
\Box The names and signatures of all interest holders in	☐ Engineering/Survey
the land being platted, and the surveyor	
☐ Monuments of existing surveys identified, related	☐ Additional Information:
to the plat by distances and bearings, and	- Additional information.
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	
\Box 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	
Authorization	
This permit application does not assure permit appro	aval. The applicant and/or property owner shall be
responsible for obtaining any other necessary federal, s	
review and approval, all final plats for land divisions	
except as required otherwise for the filing of a plat to	awfully 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.	
	0:
///////////////////////////////////////	9-14-2022
Property Owner (*Required)	Date
of accord colons	SEPTEMBER 13, 2022
Applicant Signature	Date

		PAGE 1 OF 2 PARVABIAT-RESTURE DWG HABITATICAS
PROFESS WOMBERTS REMENSES NOW MANDERS WITH PROPERSURABLES 1. 2. AND 33. THE LAND REPRESENTED PARTITIONS PLAT. 2008—27. THE WINNEL POWNED. 2 OF PARTITION PLAT. 2008—27. THE WINNEL POWNED. 2 OF PARTITION PLAT. 2008—27. THE WHICH PAYS WE WHICH PEANS STORM 13. AND 18. TEGAN THE 1/4 CORNER PETWEN SCHOW 13. AND 18. THE 1/4 CORNER PROFESSIONAL LAND SURVEYOR DECEMBER 3, 2014 DECEMBER 3, 2014 DALLAS W. ESPLIN REGISTER 3, 2014 DALLAS W. ESPLIN REGISTER 3, 2014 DALLAS W. ESPLIN		MICHAEL & CARA BOROUGH PARCEL 2, PARTINON PLAT 2008–27 TILLAMOOK COUNTY DEED RECORDS TIS, RION, W.M. TIS, RION
EASEINST SHOW HEREON, BENETTS PARCE. 2, RISTRUMBNT 2010-125 RISTRUMBNT 2010-125 REDIETTS SUBJECT TRACT. WETLAND EASEMENT SHOWERS 2, PARTITION PLAT 2008-27 CERTIFICATE OF COUNTY CLERK STATE OF OREGON SES. I HEREBY GENTRY THAT I AM THE QUALIFED GLEN OF TILLAMOON COUNTY AND THAT THIS PARTITION PLAT WAS RECORDED AS PARTITION PLAT WAS RECORDED AS PARTITION PLAT NO. MECONDS AS INSTRUMENT NO. BY: TASS ONEL, COUNTY GLENK	DETAIL "A"	2 28.00 M 3.00.
TILAMOOK COUNTY SIRVETOR TILAMOOK COUNTY TAX COLLECTOR CERTIFICATE OF COUNTY CLERK STATE OF OREDAY 1, TASS O'NEL, DO HERBEY THAT I AM THE QUALFIED CLERK OT TILAMOOK COUNTY, OF TILAMOOK COUNTY, OREDAY AND THAT FORTH THAT I AM THE QUALFIED CLERK OF TILAMOOK COUNTY, OREDAY AND THAT FORTH THAT I AM THE CONDED IN PLAT CABRET B — OF PARTITION PLAT OF SAME, AS RECORDED IN PLAT CABRET B — OF PARTITION PLAT OF SAME, AS RECORDED IN PLAT CABRET B — OF PARTITION PLAT OF SAME, AS RECORDED IN PLAT CABRET B — OF PARTITION PLAT OF SAME, AS RECORDED IN PLAT CABRET B — OF PARTITION PLAT OF SAME, AS RECORDED IN PLAT CABRET B — O'CLOCK, AS STRUMBET NO. — O'CLOCK, AS INSTRUMBET NO. — O'CLOCK, AS INSTRUMENT NO. — O'C	TASSI O'NEIL. I, DALLAS W ESPUN, DO HEREBY CERTEY THAT THIS A FULL, COMPLETE AND TRUE CORPY OF THE ORIGINAL PLAT AS REFERENCED ABOVE.	A A B B B B B B B B B B B B B B B B B B

PARTITION PLAT 2022— RE-PLAT OF PARCEL 2, PARTITION PLAT 2008-27

HOLD ARMLESS AGREEMENT, APPEARS TO ATTACH TO SPECIFIC INDIVIDUALS AND NOT THE LAND BENEFTTS SUBJECT TRACT, DRAIN FIELD EASEMENT SHOWN HEREON, BENEFTTS PARCEL 2, PARTITION PLAT 2008—27 POWER POLE EASEMENT LOCATED ON THIS AND OTHER PROPERTY BENEFITS SUBJECT TRACT, INCLUDES AGREDIENT TO PURCHASE ADDITIONAL PROPERTY FOR WETLAND DELINEATION, NO LONGER APPLICABLE, BENEFITS SUBJECT TRACT, WETLAND EASEMENT SHOWN HEREON, BENEFITS PARCEL 2, PARTITION PLAT 2008—27 POWER POLE EASEMENT LOCATED ON THIS AND OTHER PROPERTY POWER POLE EASHENT, APPEARS TO BE TAX LOT 402 AS EASTED IN 1864, LOCATION SOMEWHERE IN SECTION 13 NOW THE TRACT TO THE WEST OF THIS PARTITION ON THE TRACT TO THE WEST OF THIS PARTITION ALSO THE ROBATTOR'S THIS PARTITION) TO ACCESS AND USE THIS EASIMENT. TEMPORARY EASEMENT EXPIRED IN 2010, PENMANENT EASEMENT IS SOUTH 475" OF SUBJECT TRACT, NOT APPLICABLE EASEMENTS LISTED ON TITLE REPORT INSTRUMENT 2003-423792 INSTRUMENT 2007-7215 INSTRUMENT 2008-8693 INSTRUMENT 2008-8695 INSTRUMENT 2008-1584 INSTRUMENT 2010-125 BOOK 142, PAGE 162 BOOK 273, PAGE 338 BOOK 192, PAGE 90 , 2022 BY NOTE: THE ABOVE SIGNATURE DOES NOT WARRANT THAT SEWER OR SITE EVALUATION APPROVAL IS OR WILL BE AVAILABLE TO PARCELS 1 OR 2. 2022 TILLAMOOK COUNTY DEPT. OF COMMUNITY DEVELOPMENT AS PARTITION, 851- -PLNG. DAY OF 8 8 8 8 INY COMMISSION EXPIRES: DAY OF TILLAMOOK COUNTY SURVEYOR **ACKNOWLEDGMENT** NOTARY PUBLIC - OREGON COUNTY OF TILLAMOOK APPROVED, 2022 STATE OF OREGON APPROVED THIS COMMISSION NO. -APPROVALS (SIGN)

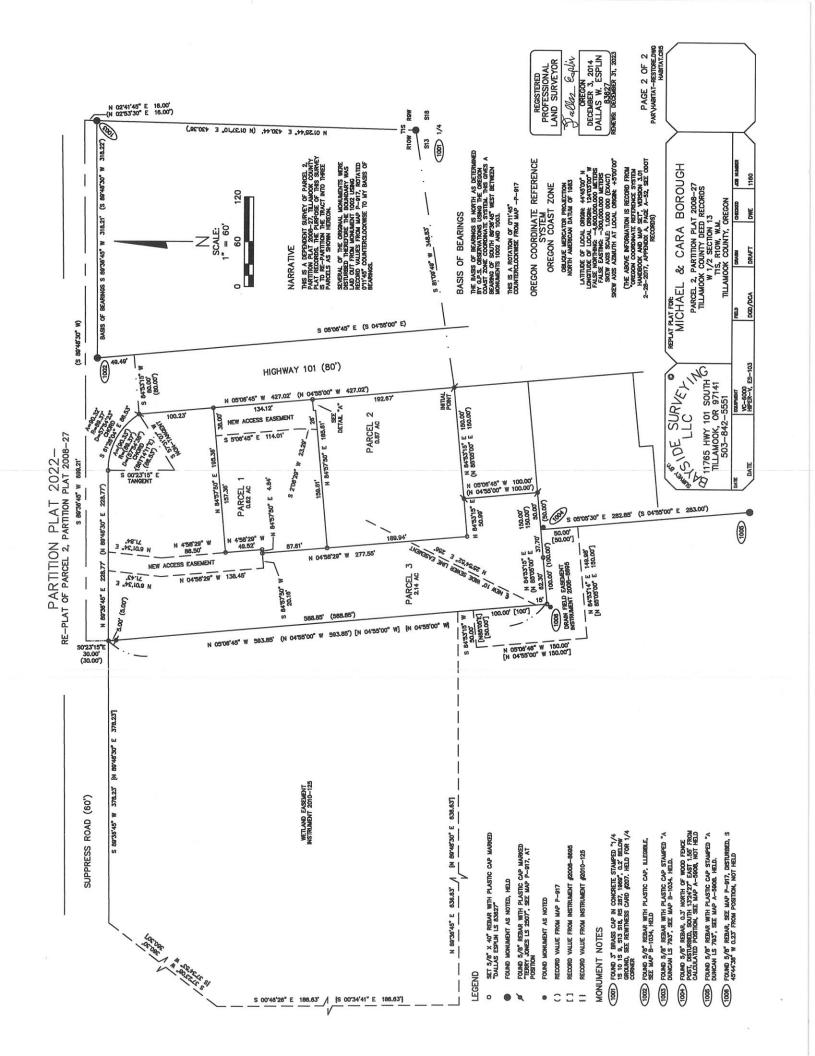
MNOW ALL PEOPLE BY THESE PRESENTS THAT THE OPINEAR EMPERATION HAS THE OPINEAR EMPERATION HAS THE PRESENTS AND THE THE DESCRIPENT. AND MADE PARTICULARLY THE SERVED MAD MADE PARTICULARLY THE SERVED MAD THAT COMMANDED THE TO SHAPETS, AND CHAPTER A TO WE SERVED THE SHAPETS IN SHAPET TO THE COMMANDER THAT THE SHAPET OF PARCELS. AND CREATE A MODES EXEREBITE OF PARCELS IN WHO, 3, AND CREATE A ADDRESS EXERIBITING PARCELS IN SHAPE AND 3, AND 3, AND SHAPE OF PARCELS IN SHAPE AND 3, AND 3, AND SHAPE OF PARCELS IN SHAPE AND 3, AND 3, AND SHAPE OF PARCELS IN SHAPE AND 3, AND 3, AND SHAPE OF PARCELS IN SHAPE AND 3, AND SHAPE OF PARCEL MADED MAP.

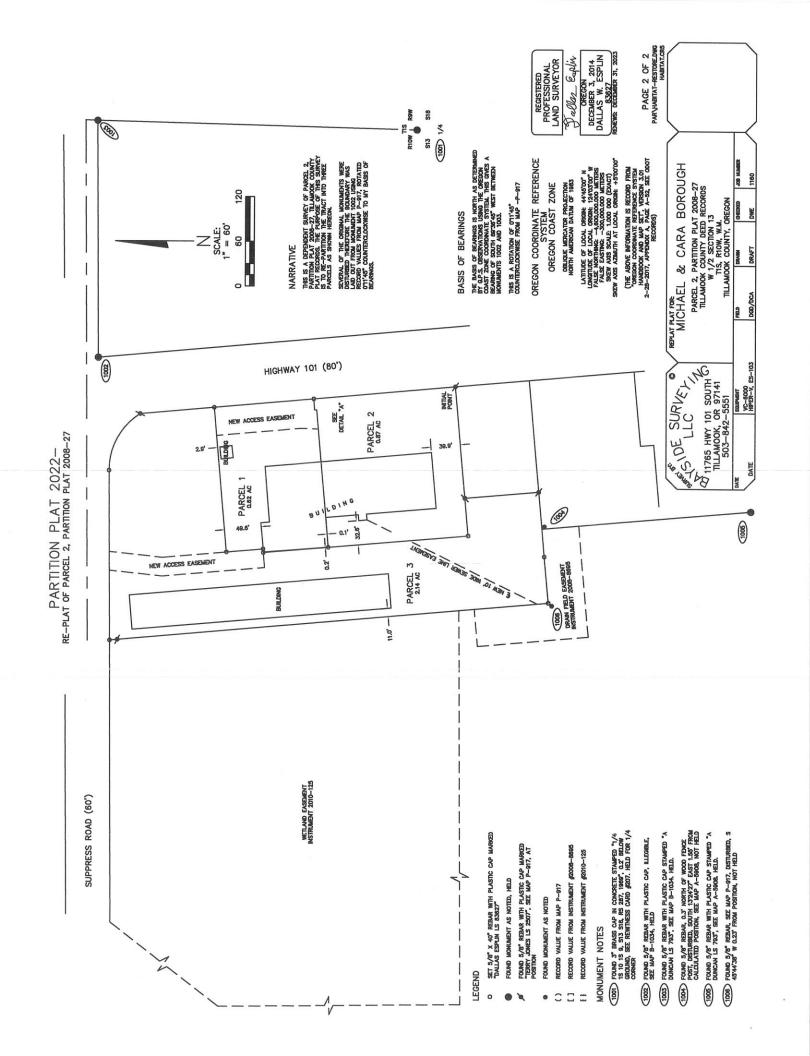
DECLARATION

SURVEYOR'S CERTIFICATE I, DALLAS W ESPLIN, CERTIFY THAT:

MICHAEL BOROUGH

CARA BOROUGH









This letter is to confirm water service availability from Juno non-profit Water Company to the property located at 4190 Hwy 101 N., currently housing the Habitat for Humanity business.

Please let us know if you have any questions regarding such.

Nonda Zwald

Mondarwald

Operator

Juno non-profit Water Company

COMPANY OF ORFICE /3- 29462

Tillamook County, Oregon 09/19/2008 01:44:54 PM DEED-DWARR

2008-006691

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



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

Tassi O'Neil, Tillamook County Clerk





Fidelity National Title Company

After Recording Return To: Fidelity National Title Company 2310 First Street, Suite 2 PO Box 760 Tillamook OR 97141-0760

Send Tax Statements To: Michael Borough Cara Borough 8180 Hughey Lane Tillamook OR 97141

Title Order No. 13-29392 Escrow No. 13-29392 Tax Account No. Portion of 0905 1S10130D 1400 #155922, Portion of 0912 1S10130D 1400 #408004

WARRANTY DEED

(ORS 93.850)

Terry Boquist, an estate in fee simple, Grantor, conveys and warrants to Michael Borough and Cara Borough, as tenants by the entirety, Grantee, the following described real property free of encumbrances except as specifically set forth herein:

See Exhibit 'A' attached hereto and by reference 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. 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.

Dated this 6 day of September, 2008.

Terry Boquist

State of OR, County of Tillamook)ss.

This instrument was acknowledged before me on 9-19-, 2008 by Terry Boquist.

My commission expires: OCH 13, 2011

OFFICIAL SEAL
DEBRA JO HUFFMAN
NOTARY PUBLIC-OREGON
COMMISSION NO. 421008
MY COMMISSION EXPIRES OCTOBER 13, 2011

Notary Public

The true consideration for this conveyance is \$225,000.00.

EXHIBIT 'A'

Legal Description:

Parcel 2 of PARTITION PLAT NO. 2008-027, in Tillamook County, Oregon.

Subject to:

The assessment and tax rolls disclose that the premises herein described have been specially assessed as Farm Use Land. If the land becomes disqualified for the special assessment under the statute, an additional tax may be levied for previous years in which the farm use assessment was in effect for the land. In addition thereto, a penalty may be levied if notice of disqualification is not timely given.

The rights of the public in and to that portion of the premises herein described lying within the limits of public roads, streets and highways.

An Easement created by instrument, including the terms and provisions thereof,

Recorded:

April 12, 1954

Book:

142 Page: 162

in Tillamook County, Oregon.

An Easement created by instrument, including the terms and provisions thereof,

Recorded:

June 12, 1964

Book:

192

Instrument No.:

172432

in Tillamook County, Oregon.

Lease, including the terms and provisions thereof,

Lessor:

Harold Boquist, et ux

Lessee: Dated: H. L. Robinson Company January 7, 1965

Dated.

January 21, 1965

Recorded:

3

Book: Instrument No.:

174264

in Tillamook County, Oregon.

An Easement created by instrument, including the terms and provisions thereof,

Recorded:

December 8, 1980

Book:

273 Page: 338

in Tillamook County, Oregon.

An Easement created by instrument, including the terms and provisions thereof,

Recorded:

April 13, 1981

Book:

275 Page: 520

in Tillamook County, Oregon.

An Easement created by instrument, including the terms and provisions thereof,

Recorded:

March 5, 2008

Instrument No.:

2008-001594

in Tillamook County, Oregon.

An Easement created by instrument, including the terms and provisions thereof,

Recorded:

August 6, 2003

Instrument No.:

2003-423792

in Tillamook County, Oregon.

An Easement created by instrument, including the terms and provisions thereof,

Recorded:

August 23, 2007

Instrument No.:

2007-007215

in Tillamook County, Oregon.

Title No. 13-29392

Escrow No. 13-29392

An Easement created by instrument, including the terms and provisions thereof, Recorded:

March 5, 2008

Instrument No.:

2008-001594

Instrument No.: 2 in Tillamook County, Oregon.