



**PARTITION REQUEST #851-22-000434-PLNG
SLAB, LCC & ONION PEAK DESIGN
ADMINISTRATIVE DECISION AND STAFF REPORT**

DECISION: Approved with Conditions

DECISION DATE: March 17, 2023

REPORT PREPARED BY: Angela Rimoldi, Planning Permit Technician

I. GENERAL INFORMATION:

Request: A Partition request to create three (3) residential parcels on a property located in the unincorporated community of Oceanside (Exhibit B).

Location: The subject property abuts Hillsdale Street, a county-maintained road, plus Avalon Way and Central Street, both local access roads; and is designated as Tax Lot 205 of Section 30CA in Township 1 South, Range 10 West, of the Willamette Meridian, Tillamook County Oregon (Exhibit A).

Zone: Residential Oceanside (ROS)

Applicant: Onion Peak Design, 11460 Evergreen Way, Nehalem, OR. 97131

Property Owner: Slab, LLC., 7933 Denver Ave., Portland, OR. 97217

Description of Site and Vicinity: The subject property is located within the unincorporated community of Oceanside and abuts Hillsdale Street, a county-maintained road, plus Avalon Way and Central Street, both local access roads, is approximately 65,519 square feet in size, irregular in shape, vegetated with shrubs, grasses, and trees, and holds no structural improvements onsite (Exhibit B). The topography of the subject property varies, however holds an average slope of 11%-27% in various areas (Exhibit B). The subject property is within an area primarily devoted to residential use, zoned Residential Oceanside (ROS), and the surrounding areas north, south, east, and west are also zoned Residential Oceanside (ROS).

The subject property is located within an area of Geologic Hazard, does contain some mapped wetlands or natural features as indicated on the NWI map, and is located within Zone X an Area of Minimal Flood Hazard as depicted on FEMA Flood Insurance Rate Map (FIRM) Panel #41057C0555F (Exhibit A).

Staff finds that the standards of TCLUO Section 4.130: Development Requirements for Geological Hazard Areas is applicable to future development and a Condition of Approval has been made to require relevant standards of this section be adhered to at the time of development.

II. APPLICABLE ORDINANCE AND COMPREHENSIVE PLAN PROVISIONS:

The desired use is governed through the following sections of the Tillamook County Land Use Ordinance (TCLUO) and Land Division Ordinance (TCLDO). The suitability of the proposed use, in light of these criteria, is discussed in Section III of this report:

- A. Land Division Ordinance Section 070: Preliminary Plat Approval Criteria
- B. Land Use Ordinance Section 3.310: Residential Oceanside (ROS) Zone
- C. Land Use Ordinance Section 4.130: Development Requirements for Geologic Hazard Areas

III. ANALYSIS:

Notice of the request was mailed to property owners within 250 feet of the subject property and other agencies on February 17, 2023. One comment was received from the Tillamook County, Public Works office pertaining to the owner/applicant obtaining the appropriate road approach permits for each parcel prior to access or construction (Exhibit C). A Condition of Approval has been placed for future development.

A. Land Division Ordinance Section 070: Preliminary Plat Approval Criteria

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

- (a) The land division application shall conform to the requirements of this ordinance;*
- (b) All proposed lots, blocks, and proposed land uses shall conform to the applicable provisions of the Land Use Ordinance – Article 3 Zone Regulations and the standards in Section 150 of this ordinance;*

Findings: The Preliminary Partition Plat proposes the creation of three (3) parcels (Exhibit B). Applicability of the Residential Oceanside (ROS) Zone is addressed below. Plat and submitted supplemental information confirm the criteria above are met (Exhibit B).

- (c) Access to individual lots, and public improvements necessary to serve the development, including but not limited to water, sewer and streets, shall conform to the standards in Sections 150 and 160 of this ordinance;*
- (d) The proposed plat name is not already recorded for another subdivision, does not bear a name similar to or pronounced the same as the name of any other subdivision within the County, unless the land platted is contiguous to and platted by the same party that platted the subdivision bearing that name or unless the party files and records the consent of the party that platted the contiguous subdivision bearing that name;*
- (e) The proposed streets, utilities, and surface water drainage facilities conform to Tillamook County's adopted master plans and applicable engineering standards and, within Unincorporated Community Boundaries, allow for transitions to existing and potential future development on adjacent lands. The preliminary plat shall identify all proposed public improvements and dedications;*
- (f) All proposed private common areas and improvements, if any, are identified on the preliminary plat and maintenance of such areas is assured through appropriate legal instrument;*
- (g) Provisions for access to and maintenance of off-right-of-way drainage, if any;*

Findings: The preliminary plat confirms the subject property and subsequent parcels abut Hillsdale Street, a county-maintained road, plus Avalon Way and Central Street, both local access roads (Exhibit B).

Land Division Ordinance Section 150 outlines development standards for partitions. Standards within this section either do not apply, evidence submitted by the Applicant confirms the standards are met, or that the standards can be met through compliance with the Conditions of Approval.

Staff concludes the above standards and the standards in Section 150 and 160 of the Land Division Ordinance have been met or can be met through the Conditions of Approval.

- (h) Evidence that any required State and Federal permits, as applicable, have been obtained or can reasonably be obtained prior to development; and
- (i) Evidence that improvements or conditions required by the road authority, Tillamook County, special districts, utilities, and/or other service providers, as applicable to the project, have been or can be met, including but not limited to:
 - (i) Water Department/Utility District Letter which states that the partition or subdivision is either entirely excluded from the district or is included within the district for purposes of receiving services and subjecting the partition or subdivision to the fees and other charges of the district.
 - (ii) Subsurface sewage permit(s) or site evaluation approval(s) from the appropriate agency.

Findings: The subject properties are served by the Oceanside Water District and the Netarts-Oceanside Sanitary District. Service letters were provided in the Applicant's submittal, confirming service availability to the area (Exhibit B). The subject properties are served by the Netarts-Oceanside Rural Fire District, the Tillamook County Sheriff's Office, Tillamook County Public Works, and Tillamook People's Utility District. Given the location of the property, and the availability of public services existing in the area staff conclude these criteria have been met or can be met through compliance with the Conditions of Approval.

B. Land Use Ordinance Section 3.310: Residential Oceanside (ROS) Zone

TCLUO Section 3.310(4) STANDARDS: Land divisions and development in the ROS 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 where the slope averages less than 19 percent. Where the slope averages from 19 to 29 percent the minimum lot size shall be 10,000 square feet, and where the slope averages greater than 29 percent, the minimum lot size shall be 20,000 square feet, except that in both of these sloped areas and in unsewered or geologic hazard areas, a larger minimum may be required. [Refer to Article V Exceptions for existing legally platted lots and parcels]*
- (b) *The minimum lot width shall be 60 feet.*
- (c) *The minimum lot depth shall be 75 feet.*
- (d) *The minimum front yard setback shall be 20 feet.*
- (e) *The minimum side yard setback shall be 5 feet; on the street side of a corner lot, it shall be 15 feet.*
- (f) *The minimum rear yard setback shall be 20 feet; on a corner lot, it shall be 5 feet.*
- (g) *All setback standards may be subject to the exceptions in Tillamook County Land Use Ordinance Section 5.110.*

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- (i) *Structures shall not occupy more than 50% of the lot area.*
 - (j) *A property survey of the lot shall be performed including elevations, and all corners shall be monumented by a registered surveyor prior to land division and/or submittal of a permit for construction/location on lots containing less than 7,500 square feet. A copy of the survey shall be submitted with the application and other required material.*

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- (l) *New uses authorized within the community growth boundary shall not adversely affect farm or forest management practices conducted in accordance with federal and state laws. Authorization to create a parcel or construct a dwelling adjacent to land zoned for farm or forest use shall require a notarized declaratory statement signed by all current property owners who appear on the property deed or contract. This statement shall serve as a covenant that runs with the land binding heirs, assigns, lessees and successors. This covenant shall affirm that residents of the parcel may be subject to farm or forest management practices conducted in accordance with federal and state laws which ordinarily and necessarily produce noise, dust, smoke and other impacts. Those signing the statement acknowledge that they "do hereby accept the potential impacts from farm and forest practices as normal and necessary and part of the risk of establishing a dwelling in this area, and acknowledge the need to avoid activities that conflict with nearby farm or forest uses". The signed and notarized covenant must be approved by the County Planning Director and recorded with the Tillamook County Clerk.*

Findings: The Preliminary Plat depicts the average slope, lot size, lot width and lot depth of the proposed partition (Exhibit B). Proposed parcel 1 and 2 meet the minimum lot size requirement of 10,000 square feet for lots with an average slope from 19 to 29 percent. Proposed parcel 3 meets the minimum lot size requirement of 7,500 square feet for lots with an average slope less than 19 percent (Exhibit B). Lot width and depth minimums conform to the ROS standards (Exhibit B). The properties do not abut resource zoned lands (Exhibit A).

C. Land Use Ordinance Section 4.130: Development Requirements for Geologic Hazard Areas

(1) The following are GEOLOGIC HAZARD AREAS to which the standards of this Section apply:

...

(b) Inactive landslides, landslide topography and mass movement topography identified in DOGMI bulletins 74 and 79 where slopes are greater than 19 percent;

...

(3) A GEOLOGIC HAZARD report is required prior to approval of planned developments, coast resorts, subdivisions and partitions governed by the Land Division Ordinance, building permits, mobile home permits, sand mining, occurring in areas identified in (1) with the following exception:

(a) For building or mobile home or manufactured home permits in areas identified in (1) (b), reports are needed for lots 20,000 square feet or larger only where the proposed structure is to be situated on slopes greater than 29 percent or if (1) (f) applies.

Findings: The proposed partition is located within a geologic hazard area. The applicant's submittal depicts varying slope averages for the property (Exhibit B). Future development of the subject property will be subject to development standards of the TCLUO Section 4.130.

IV. DECISION: APPROVED WITH CONDITIONS:

Staff concludes that the applicant and property owner have satisfied the minimum application requirements and can satisfy all applicable requirements outlined in the Tillamook County Land Use Ordinance and Tillamook County Land Division Ordinance. The Preliminary Partition Plat is hereby **APPROVED**, subject to the Conditions of Approval listed below.

By accepting this approval, the applicant and property owners agree to indemnify, defend, save and hold harmless Tillamook County, and its officers, agents, and employees from any claim, suit, action or activity undertaken under this approval, including construction under a Building Permit. The applicant and property owner shall obtain all of the necessary local, state, and federal permits and comply with all applicable regulations for the proposed Partition and building site or sites.

Appeal of this decision. This decision may be appealed to the Tillamook County Planning Commission, who will hold a public hearing. In such cases, forms and fees must be filed in the office of this Department before **4:00 PM on March 29, 2023**.

V. CONDITIONS OF APPROVAL:

This approval is subject to the following conditions:

1. The property owner shall obtain all Federal, State, and Local permits, as applicable.
2. All easements necessary to serve the parcels for access and utilities shall be clearly identified on the final plat.
3. The applicant and property owner shall comply with all requirements of the Tillamook County Surveyor's Office.
4. The applicant and property owner shall record the Final Plat within two (2) years from the approval date of the Preliminary Plat or apply for an extension of time from this Department prior to expiration of tentative plat approval.
5. The applicant and property owner shall record the Final Plat within ninety (90) days from the date of final signature of the partition plat.

6. Future development of the subject property shall comply with the development standards required by TCLUO Section 3.310: Residential Oceanside (ROS) Zone.
7. Future development of the subject property is subject to the standards required by TCLUO Section 4.130: Development Requirements for Geologic Hazard Areas.
8. Future development of the subject property shall comply with the Tillamook County Public Works Department in obtaining the appropriate permits required for each parcel's road approach.

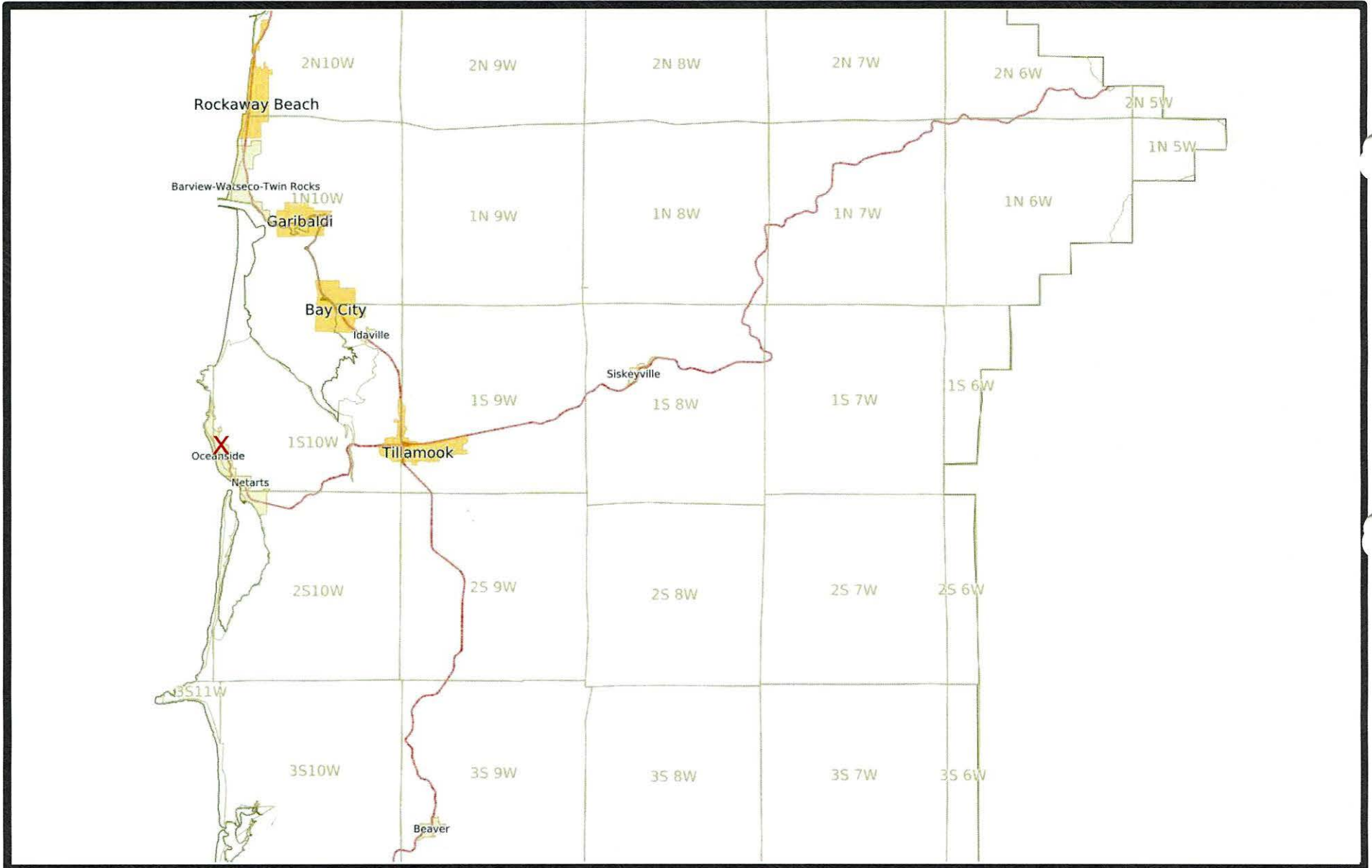
VI. EXHIBITS

- A. Property Identification Maps
- B. Applicant's Submittal
- C. Public Comments

EXHIBIT A

Map - Vicinity

X = Subject Property

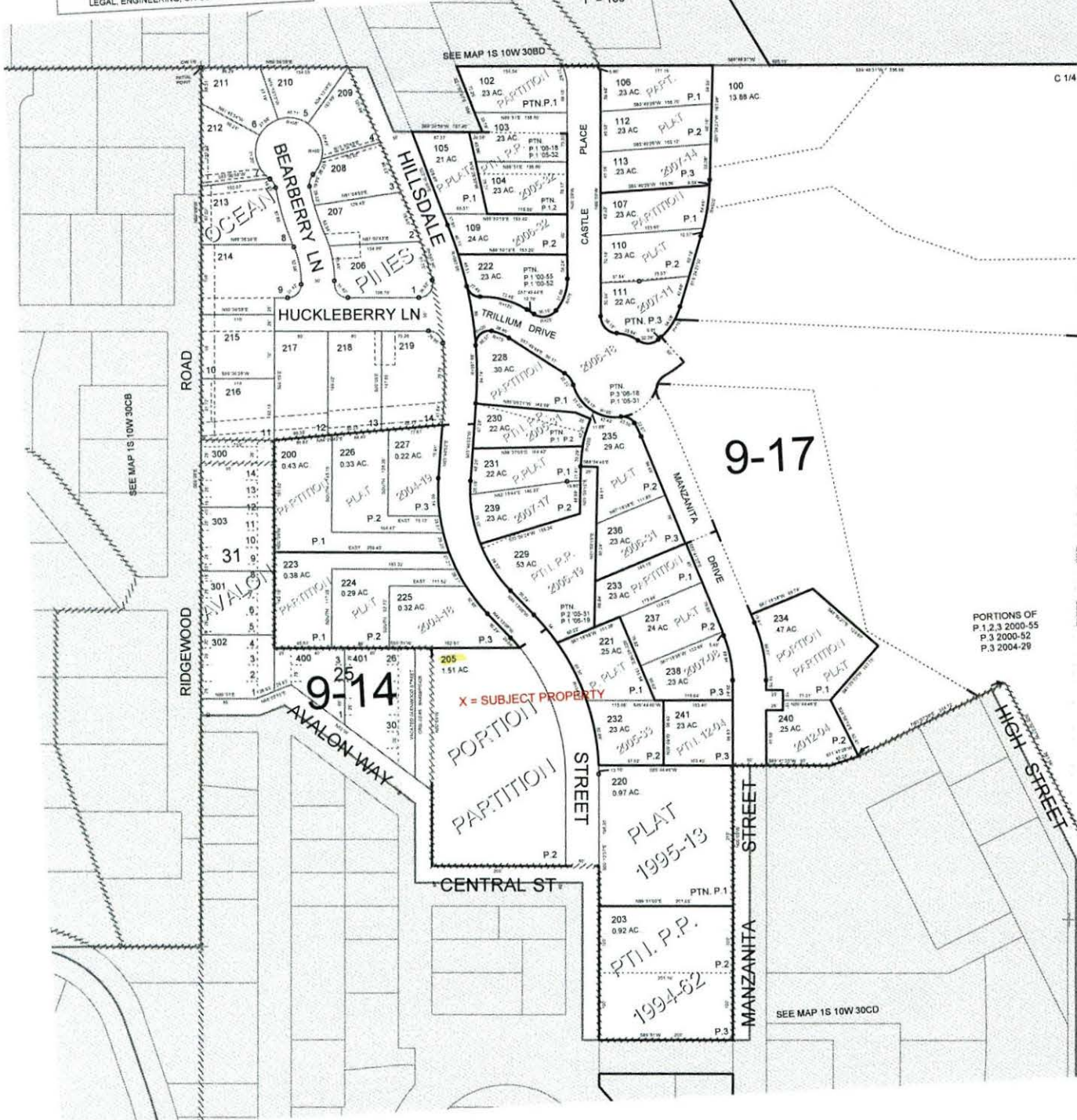


N.E. 1/4 S.W. 1/4 SEC. 30 T.1S. R.10W. W.M.

Tillamook County

1" = 100'

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



SEE MAP 1S 10W 30

PORTIONS OF
P.1, 2, 3 2000-55
P.3 2000-52
P.3 2004-29

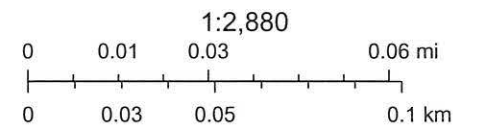
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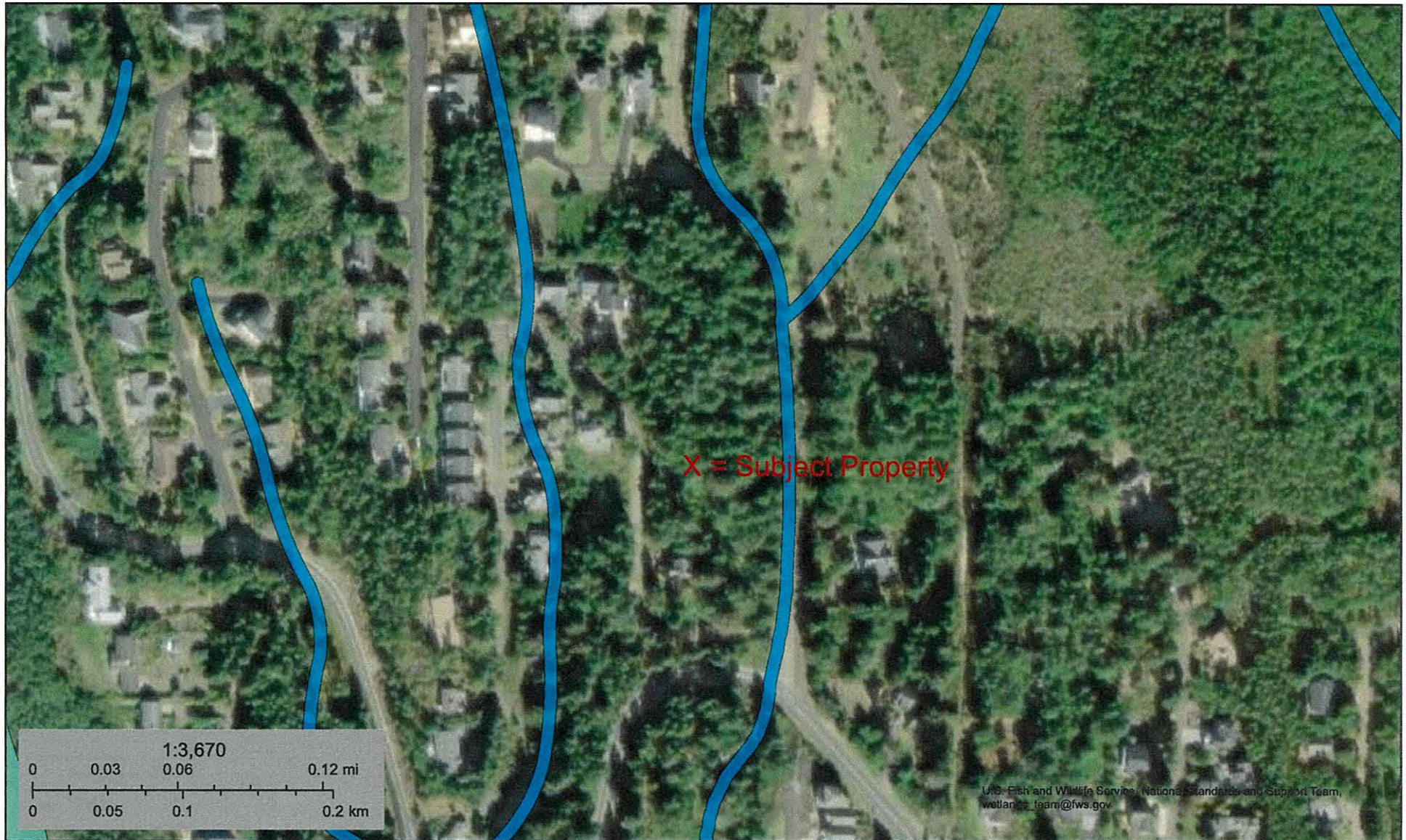


X = Subject Property

March 14, 2023

Cascadia Earthquake Expected Shaking





March 14, 2023

Wetlands

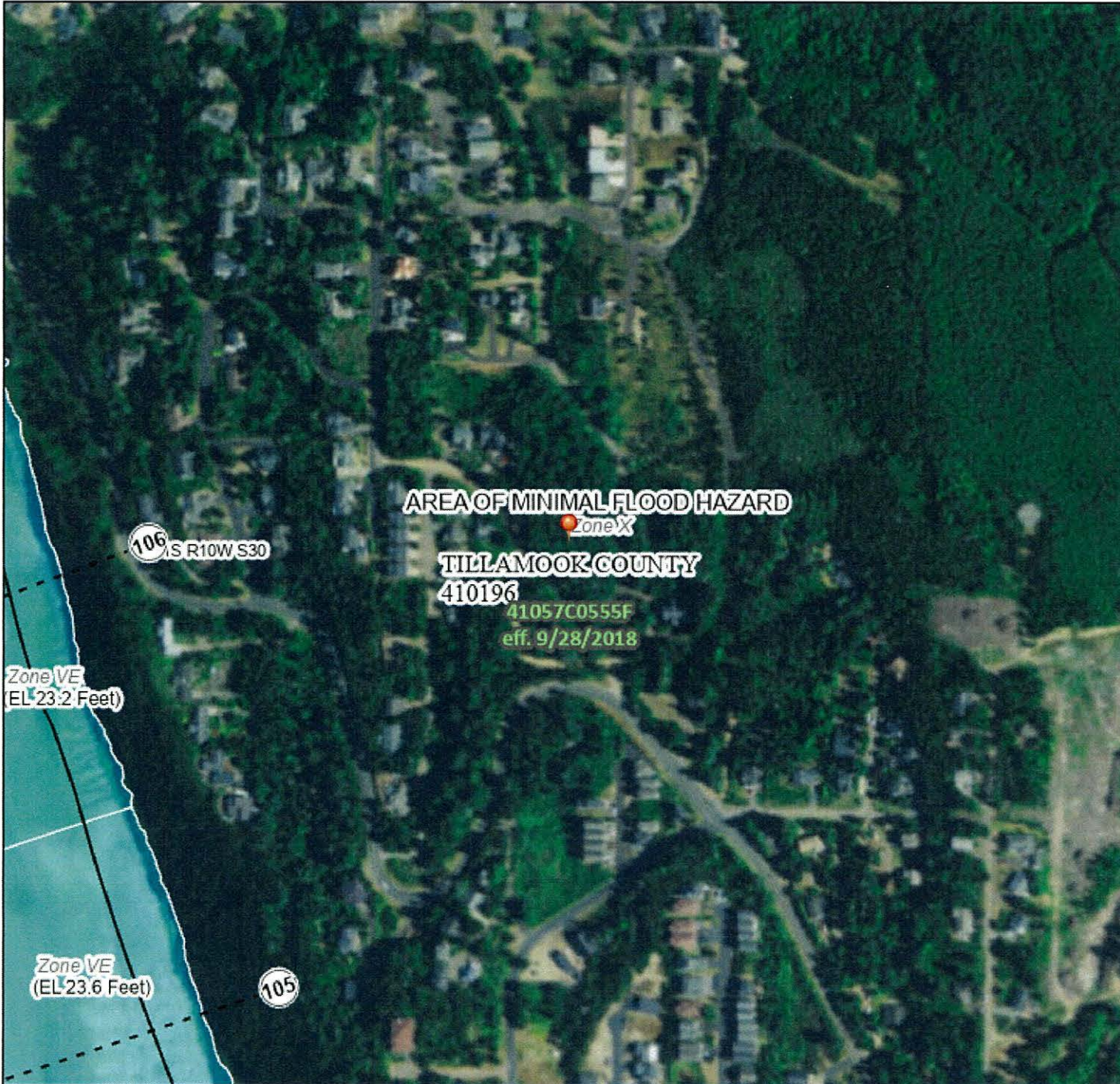
- | | | | | | |
|---|--------------------------------|---|-----------------------------------|---|----------|
|  | Estuarine and Marine Deepwater |  | Freshwater Emergent Wetland |  | Lake |
|  | Estuarine and Marine Wetland |  | Freshwater Forested/Shrub Wetland |  | Other |
| | |  | Freshwater Pond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

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

National Flood Hazard Layer FIRMette



123°58'W 45°27'25"N



0 250 500 1,000 1,500 2,000 Feet 1:6,000

123°57'23"W 45°27'N

Legend

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

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A, V, A99
		With BFE or Depth Zone AE, AO, AH, VE, AR
		Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Area of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone AE
		Future Conditions 1% Annual Chance Flood Hazard Zone X
		Area with Reduced Flood Risk due to Levee. See Notes. Zone X
		Area with Flood Risk due to Levee Zone L
OTHER AREAS		NO SCREEN Area of Minimal Flood Hazard Zone X
		Effective LOMRs
GENERAL STRUCTURES		Area of Undetermined Flood Hazard Zone I
		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall
OTHER FEATURES		Cross Sections with 1% Annual Chance Water Surface Elevation
		Coastal Transect
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary
		Coastal Transect Baseline
MAP PANELS		Digital Data Available
		No Digital Data Available
		Unmapped
		The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 3/14/2023 at 2:10 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

EXHIBIT B



LAND DIVISION APPLICATION

Applicant (Check Box if Same as Property Owner)

Name: Onion Peak Design Phone: 503-440-4403
 Address: 11460 Evergreen Way
 City: Nehalem State: OR Zip: 97131
 Email: erick.opd@gmail.com

Property Owner

Name: Slab LLC Phone: 503-515-3595
 Address: 7933 Denver Ave
 City: Portland State: OR Zip: 97217
 Email: espedal@comcast.net

Location:

Site Address: N/A

Map Number:	1S	10W	30 CA	205
	Township	Range	Section	Tax Lot(s)

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

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

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

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

General Information

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

Existing Conditions

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

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

Other information:

OFFICE USE ONLY
Date Stamp
RECEIVED DEC 15 2022
<input type="checkbox"/> Approved <input type="checkbox"/> Denied
Received by: <i>[Signature]</i>
Receipt #: 129450
Fees: 1100.
Permit No: 851-22-000434 PLNG

- Proposed Development**
- Proposed lots, streets, tracts, open space and park land (if any); location, names, right-of-way dimensions, approximate radius of street curves; and approximate finished street center line grades. All streets and tracts that are being held for private use and all reservations and restrictions relating to private tracts identified
 - Location, width and purpose of all proposed easements
 - Proposed deed restrictions, if any, in outline form
 - Approximate dimensions, area calculation (in square feet), and identification numbers for all proposed lots and tracts
 - Proposed uses of the property, including all areas proposed to be dedicated as public right-of-way or reserved as open space
 - On slopes exceeding an average grade of 10%, as shown on a submitted topographic survey, the preliminary location of development on lots demonstrating that future development can meet minimum required setbacks and applicable engineering design standards
 - Preliminary utility plans for sewer, water and storm drainage when these utilities are to be provided
 - The approximate location and identity of other utilities, including the locations of street lighting fixtures, as applicable
 - Evidence of compliance with applicable overlay zones, including but not limited to the Flood Hazard Overlay (FH) zone
 - Evidence of contact with the applicable road authority for proposed new street connections
 - Certificates or letters from utility companies or districts stating that they are capable of providing service to the proposed development

Additional Information Required for Subdivisions

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

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

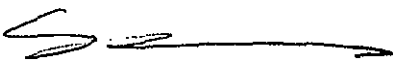
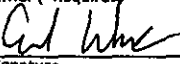
Certificates:

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

Additional Information:

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)	12/7/2022 Date
 Applicant Signature	12/13/22 Date

OCEANSIDE WATER DISTRICT

P.O. BOX 360

OCEANSIDE, OR 97134

PHONE (503) 842-0370

Oceansidewaterdistrict@gmail.com

OWD-Oregon.org

Tillamook Co. Department
of Community Development
1510 Third St., Suite B
Tillamook, OR. 97141

DATE: 1/19/23

TO: **TILLAMOOK CO. ONE-STOP PERMIT COUNTER**

RE: **WATER AVAILABILITY**

I confirm that water service is available to the following lot(s) within our District,
availability is contingent on the approval of, and installation of, a 2" line extension at the property owner's expense.

Tax Lot: 1S 10 W 30 CA 205

This property is classified as a Single Family Dwelling. **If changing the classification of this dwelling, this Water Availability letter is null and void.**

Availability letter is void after 12 months from the date of issuance.

According to our records, the legal owner is:
SLAB LLC BY SCOTT ESPEDAL
7933 N DENVER AVE
PORTLAND, OR 97217-6505
(503) 515-3595
espedal@comcast.net

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

If you have any questions, please feel free to contact our office.

Sincerely,



David Nordman, District Manager
cc: Property owner

NETARTS-OCEANSIDE SANITARY DISTRICT
1755 CAPE MEARES LP. RD. W.
TILLAMOOK, OR. 97141
PHONE (503)842-8231
FAX (503)842-3759

Tillamook Co. Department
of Community Development
1510 Third St., Suite B
Tillamook, OR. 97141
(503) 842-3408

DATE: February 28, 2022

TO: TILLAMOOK COUNTY ONE-STOP PERMIT COUNTER

RE: SEWER AVAILABILITY

I confirm that sanitary sewer service is available to the following lot(s) within our District:
Tax Lot 1S10 30CA 00205. This Sewer Availability letter is for a Single Family Dwelling, only.

Availability letter is void after 12 months from the date of issuance.

According to our records, the legal owner is: Slab, LLC. 7933 N. Denver Ave. Portland, OR. 97217.

Sanitary Sewer service is available to the above Tax Lot, but the District does not guarantee that a stub is provided. However, according to the District As-Built map, a stub should be provided.

If the service lateral is to be installed, all at the property owner's expense, the District will require the following:

- (a) Secure a permit for utility work in a public road right-of-way.
- (b) Minimum 24-hour notice prior to start of work.
- (c) Representative of Sanitary District present to inspect installation of the new service lateral.
- (d) Notification of all emergency services if road is closed or blocked during installation of the new main service lateral.
- (e) Coordinate work with any effected neighboring property owners, so as to minimize inconvenience if road is closed or blocked.
- (f) The use of 4" diameter PVC ASTM-3034 pipe for the new service lateral.
- (g) The use of a Romac Sanitary Sewer Saddle. Attached, please find Cut-sheet #418 from our Design Standards, in regards to service saddle connection to existing sewers.

For the lateral from the house to the **new stub**, the following applies:

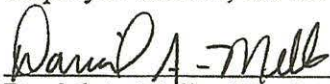
1. District requires that property owner/contractor follow APWA Specifications.
2. District requires a Clean-out on the property line, using Schedule 3034 ASTM Pipe with a **screw on cap**. The Clean-out shall be permanently identified. Attached, please find Cut-sheet #416.
3. District requires a protective cover if in driveway or a parking zone.
4. It is the responsibility of the property owner to ensure that a copy of the Sewer Availability letter is given to the Contractor.
5. Inspection and testing of the installation shall be done by the Tillamook County Plumbing Inspector in accordance with County requirements.
6. Contractor is responsible for contacting the Tillamook County Inspector to inspect the service lateral.
7. **Contractor is responsible for notifying the District to inspect the service lateral connection prior to backfilling. An Inspection Fee will be billed to the property owner at that time.**
8. **Contractor is responsible for notifying the District office within 5 working days of the service lateral inspection (that is done by Tillamook County Inspector). Failure to notify the District in the allotted time will result in a \$10.00 per working day fine on the Contractor.**

Failure to notify the District for an inspection of the connection, prior to backfilling, will result in one or all of the following fines and/or fees, per District Ordinances:

- **\$500.00 Fine for Illegal Connection to the sanitary sewer system.**
- **\$10.00 per working day fine on the Contractor (as stated up above).**
- **A regular User Fee shall be charged to the account plus an amount equal to the regular User Fee, so that the total amount will be double the current established charge for the type of service provided. This charge shall be effective on the date of connection to the public sewer system and shall continue until such time as the account is brought current.**

The current System Development Charge fee of \$9,869.00 per Single Family Dwelling will be **due to the Netarts-Oceanside Sanitary District upon issuance of an approved Building Permit** by the Tillamook County Department of Community Development. The District requires that a copy of the approved building permit be sent to the Netarts-Oceanside Sanitary District.

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



Daniel A. Mello, District Superintendent

cc: Property Owner
sewaveld

RECORDING REQUESTED BY:



630 Bond St.
Astoria, OR 97103

GRANTOR'S NAME:
Richard D. Baird, Suzanne Clark, and Cory A. Baird

GRANTEE'S NAME:
SLAB LLC

AFTER RECORDING RETURN TO:

Order No.: 360421007379-DVM
Barry Boring
SLAB LLC
7933 N Denver Ave
Portland, OR 97217

SEND TAX STATEMENTS TO:

SLAB LLC
7933 N Denver Ave
Portland, OR 97217

APN: 395541
Map: 1S10 30CA 00205
Vacant Land on Hillsdale Street, Oceanside, OR 97134

Tillamook County, Oregon
11/08/2021 11:02:00 AM
DEED-DWARR
2021-09318

\$20.00 \$11.00 \$10.00 \$61.00 - Total = \$102.00
I hereby certify that the within instrument was received
for record and recorded in the County of Tillamook,
State of Oregon.

Tassi O'Neil, Tillamook County Clerk

SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY WARRANTY DEED

Richard D. Baird, Cory A. Baird, and Suzanne Clark, as tenants in common, Grantor, conveys and warrants to SLAB LLC, an Oregon limited liability company, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Tillamook, State of Oregon:

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

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS ONE HUNDRED FIFTY-FIVE THOUSAND AND NO/100 DOLLARS (\$155,000.00). (See ORS 93.030).

Subject to:

Rights of the public to any portion of the Land lying within the area commonly known as Hillsdale Street, Central Street, and Avalon Way.

Easements for utilities over and across the premises formerly included within the boundaries of various streets, now vacated, if any such exist.

Any easements or rights of way for existing utilities or other rights of way over those portions of said Land lying within the public right of way vacated by resolution or ordinance

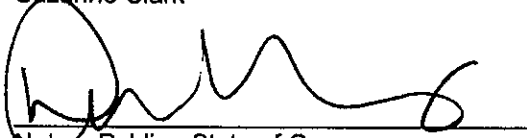
Recording Date: September 9, 2002
Recording No: Book 439, page 425
Affects: Vacated Glenwood Street

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

TICOR TITLE™ 360421 007379

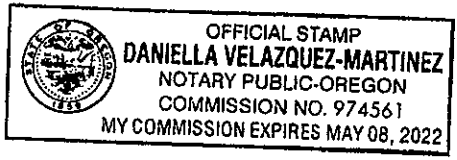
State of OR
County of Tillamook

This instrument was acknowledged before me on 10/26/2021 by Richard D. Baird and Suzanne Clark



Notary Public - State of Oregon

My Commission Expires: 5/8/2022



STATUTORY WARRANTY DEED
(continued)

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

Dated: 10/25/21

Richard Baird
Richard D. Baird

Suzanne Clark
Suzanne Clark

Cory Baird
Cory A. Baird

State of OR
County of TILLAMOOK

This instrument was acknowledged before me on 10/25/2021 by Richard D. Baird, Suzanne Clark,
and Cory A. Baird.

[Signature]
Notary Public - State of Oregon

My Commission Expires: 5/8/2022



EXHIBIT "A"
Legal Description

Parcel 2 of PARTITION PLAT NO. 1995-013, situated in the Southwest quarter of Section 30, Township 1 South, Range 10 West, Willamette Meridian, County of Tillamook, State of Oregon, recorded April 12, 1995 in Partition Plat Cabinet B435-2, Tillamook County Records; together with that portion of vacated Glenwood Street which inures by law.

AFTER RECORDING RETURN TO &
RETURN ALL TAX STATEMENTS TO:

R1S R10W Sec 30CA Tax Lot 205

David S. Baird *
5585 Castle Dr
Tillamook, OR 97141

R1S R10W Sec 30CA Tax Lot 200

Ocean Pines Ltd **
PO Box 116
Oceanside, OR 97134

R1S R10W Sec 30CA Tax Lot 401

Gerald G. & Carol Palmer *
1800 Pearl St #6
Tillamook, OR 97141

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR TILLAMOOK COUNTY, OREGON**

In The Matter of the Vacation of a)
Portion of Glenwood Street in the Avalon) ORDER
Subdivision in the Community of Oceanside,) 02-85
Tillamook County, Oregon)

This matter coming to be heard at a regular meeting of the Board of Commissioners, ("Board") at which time it appears that Road Vacation Petition #510 was filed April 12, 2002 in accordance with ORS 368.341, and,

The legal description of the proposed road vacation is as follows:

"A portion of Glenwood Street in the recorded plat of AVALON, located in the Southwest Quarter of Section 30, Township 1 South, Range 10 West of the Willamette Meridian, Tillamook County, Oregon, the said portion being all that portion of Glenwood Street which lays northerly of the easterly extension of the south line of Block 25, AVALON, and southerly of a straight line connecting the northwest corner of Lot 13, Block 22, to the northeast corner of Lot 26, Block 25, AVALON.

The Tillamook County Board of Commissioners Finds That:

1. The Road Vacation Petition #510 was properly filed with the Tillamook County Clerk on April 12, 2002 in accordance with ORS 368.341, and
2. The petitioners, David S. Baird, Gerald G. & Carol Palmer and Ocean Pines Ltd., own 100% of the properties abutting the proposed road vacation, and
3. The portion of road described above is a legal Public Road and is not currently used for public travel, and
4. The Tillamook County Director of Public Works has prepared and filed with the Board a written report which includes his assessment that the proposed vacation would be in the public interest, in accordance with ORS 368.346(1), and
5. Therefore, after considering the Tillamook County Public Works Engineer's Report, testimony, records and files regarding this matter, the Board determines that the proposed vacation of the portion of road described above is in the public interest.

THEREFORE, IT IS HEREBY ORDERED THAT:

- 6. Tillamook County reserves, to the respective utilities with existing lines in the vacated area, appropriate utility easements for their use and maintenance of those existing lines.
- 7. The portion of road described above shall be and is now vacated.
- 8. The Petitioner shall pay all of the costs associated with the recording of this vacation order. Upon payment of these fees, the Board shall cause this order to be recorded with the County Clerk and filed with the County Surveyor and the County Assessor. If the adjoining property owners have not paid the fees within 30 days after this order is signed, this order shall become null and void.

DATED THIS 4 DAY OF September, 2002

BOARD OF COUNTY COMMISSIONERS FOR TILLAMOOK COUNTY, OREGON

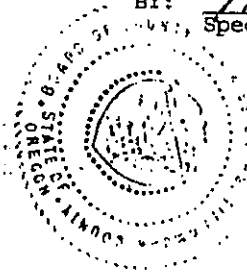
	Aye	Nay	Abstain/Absent
<u>Charles J. Hurliman</u> Charles J. Hurliman, Chairperson	✓	_____	_____
<u>absent</u> Tim Josi, Vice-Chairperson	_____	_____	_____
<u>Paul A. Hanneman</u> Paul A. Hanneman, Commissioner	✓	_____	_____

ATTEST: Tassi O'Neil, County Clerk

BY: Mary Wapner
Special Deputy

APPROVED AS TO FORM:

William K. Sargent
County Counsel



Page 02412289

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

SEPT. 9 2 22 PM '02

BOOK 439 PAGE 425

Witness by bonded seal affixed.



TASSI O'NEIL, COUNTY CLERK

VACAT _____

ADMIN _____

CERTY _____

GLISF _____

DLCP _____

DEPUTY 10.00

10.00

1.00

9.50

1.00

9.00

EXHIBIT C

Angela Rimoldi

From: Jasper Lind
Sent: Wednesday, February 22, 2023 8:46 AM
To: Lynn Tone; Angela Rimoldi
Cc: Ron Newton
Subject: RE: 851-22-000434-PLNG Partition Slab LLC & Onion Peak

Lynn,

Tillamook County Public Works has no objection to the proposed Partition. The Owner/Applicant should be directed to contact Public Works Engineering staff to obtain the appropriate road approach permits for each parcel prior to any vehicular access or construction, as there is currently no such record for the original lot.

Thank you,

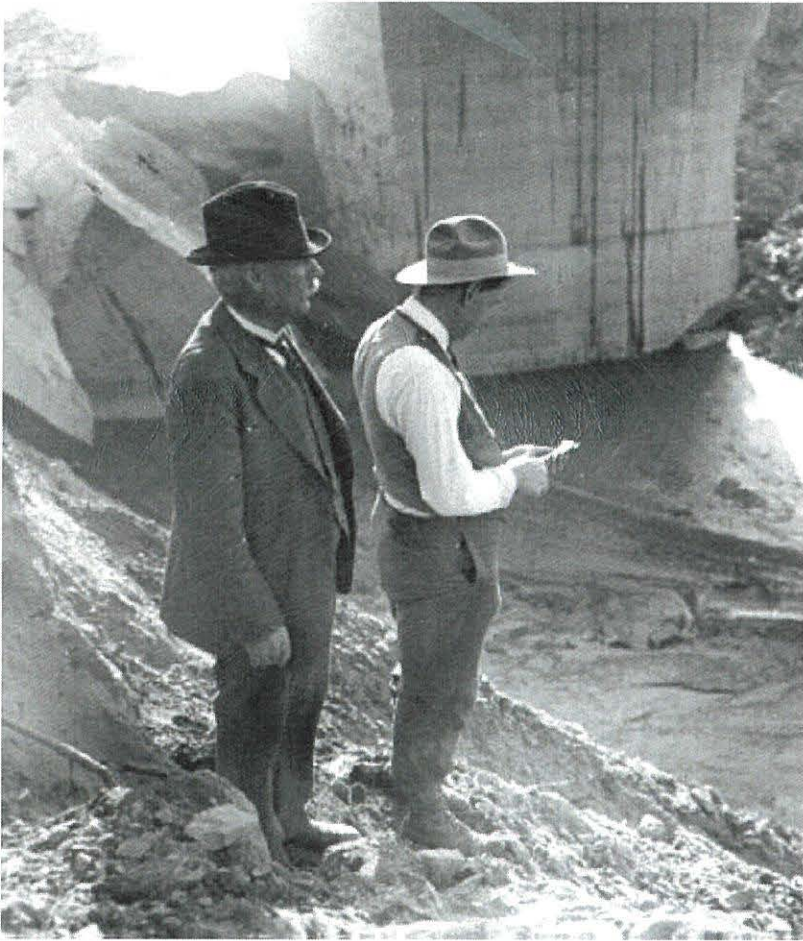


Jasper Lind | Engineering Technician
TILLAMOOK COUNTY | Public Works
503 Marolf Loop
Tillamook, OR 97141
Phone (503)842-2032 ext. 3104
jlind@co.tillamook.or.us

From: Ron Newton <rnewton@co.tillamook.or.us>
Sent: Wednesday, February 22, 2023 7:46 AM
To: Jasper Lind <jlind@co.tillamook.or.us>
Subject: Fw: 851-22-000434-PLNG Partition Slab LLC & Onion Peak

Ron Newton
Engineering Tech. III
Tillamook County Public Works
503 Marolf Loop
Tillamook OR 97141
Working Remote
Until Further Notice
Cell - (503) 812-1441

So, It's Three Parts Water



From: Lynn Tone <ltone@co.tillamook.or.us>
Sent: Friday, February 17, 2023 2:41 PM
To: Angela Rimoldi <arimoldi@co.tillamook.or.us>
Subject: 851-22-000434-PLNG Partition Slab LLC & Onion Peak

Please see link for Notice of Administrative Review.

<https://www.co.tillamook.or.us/commdev/project/851-22-000434-plng>

Thank you,



Lynn Tone | Office Specialist II
TILLAMOOK COUNTY | Surveyor's Office/Community Development
1510 3rd Street Ste C
Tillamook, OR 97141
Phone (503) 842-3423
ltone@co.tillamook.or.us

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