



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

**PARTITION #851-22-000435-PLNG:
SCHANK & ESPLIN
ADMINISTRATIVE DECISION & STAFF REPORT**

Decision: Approved with Conditions
Decision Date: April 7, 2023
Report Prepared By: Angela Rimoldi, Planning Technician

I. GENERAL INFORMATION:

- Request:** Partition request to create two (2) residential parcels (Exhibit B).
- Location:** Located within the Unincorporated Community of Cape Meares, via Bayocean Road, a county road, plus Ninth and Eleventh Street, both local access roads; the subject property is designated as Tax Lot 2702 of Section 7AD, Township 1 South, Range 10 West of the Willamette Meridian, Tillamook County Oregon (Exhibit A).
- Zone:** Rural Residential 2-Acre (RR-2) Zone
- Applicant:** Dallas Esplin, P.O. Box 880, Tillamook, OR. 97141
- Property Owner:** Karen Schank, 5825 Ninth Street NW, Tillamook, OR. 97141

Description of Site and Vicinity: The subject property is accessed via Bayocean Road, a county road, plus Ninth and Eleventh Street, both local access roads, is irregular shaped, approximately 7+ acres in size, holds a single-family dwelling and accessory structure onsite, and is vegetated with grasses, bushes, and trees (Exhibit A). Topography of the subject property varies between some sloped and flat areas. The subject property is located within an area primarily devoted to residential and forest use (Exhibit A). The subject property is surrounded by properties zoned Rural Residential (RR-2) to the north, south, east, and west, with some property area zoned Forest (F) to the south (Exhibit A).

The subject property is located within an area of geologic hazard, contains 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 41057C0390F) (Exhibit A).

Given the size and topography of the subject property and subsequent parcels, Staff finds that the standards of TCLUO Section 4.130: Developmental Requirements for Geological Hazard Areas is not applicable at this time, however a Condition of Approval has been made to require relevant standards of this section be adhered to at the time of future development.

II. APPLICABLE ORDINANCE AND COMPREHENSIVE PLAN PROVISIONS:

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

- A. Land Division Ordinance Section 070: Preliminary Plat Approval Criteria
- B. TCLUO Section 3.010: Rural Residential 2-Acre (RR-2) Zone
- C. TCLUO Section 4.130: Development Requirements for Geologic Hazard Areas
- D. TCLUO Section 3.550: Freshwater Wetlands Overlay (FW) Zone
- E. TCLUO Section 3.545: Shoreland Overlay (SH) Zone

III. ANALYSIS:

Notice of the request was mailed to property owners within 250 feet of the subject property and agencies on March 3, 2023. Two comments were received. One from Tillamook County Public Works in regards to review of the existing road approach and the second from The Department of State Lands with regards to future development requiring a Wetland Use Notification (WLUN) (Exhibit C).

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

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

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

Findings: The preliminary Partition Plat proposes the creation of two (2) parcels (Exhibit B). The applicability of the RR-2 zone is addressed below. Plat and submitted supplemental information confirm the criteria above are met.

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

(g) Provisions for access to and maintenance of off-right-of-way drainage, if any;

Findings: The preliminary plat confirms access to the subject property and subsequent parcels remains via Bayocean Road, a county road, plus Ninth and Eleventh Street, both local access roads (Exhibit B). A Condition of Approval has been placed below in Section V requiring any future development be reviewed, and approved, by Public Works to determine if a change of use against the existing road approach is necessary (Exhibit C).

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

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

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

Findings: The proposed parcels is served by the Oceanside Water District (Exhibit B). For proposed parcel 1 a notation can be placed on the plat stating that the allowance of the partition does not warrant that site evaluation approval is or will be available to the approved parcels if site evaluation approval has not yet been obtained. Proposed parcel 2 is serviced with an existing on-site wastewater system (Exhibit B).

The subject property may be served by the Netarts/Oceanside Rural Fire District, the Tillamook County Sheriff's Office, and the Tillamook County Public Works Department. Given the location of the property, availability of public services existing in the area staff concludes these criteria have been met or can be met through compliance with the Conditions of Approval.

B. TCLUO Section 3.010: Rural Residential 2-Acre (RR-2) Zone

STANDARDS: Land divisions and development in the RR-2 and RR-10 zone shall conform to the following standards, unless more restrictive supplemental regulations apply:

- (a) The minimum lot size is two acres for parcels zoned before October 4, 2000.
- ...
- (e) The minimum lot width and depth shall both be 100 feet.
- (f) The minimum front yard shall be 20 feet.
- (g) The minimum side yard shall be 5 feet; on the street side of a corner lot, it shall be no less than 15 feet.
- (h) The minimum rear yard shall be 20 feet; on a corner lot, it shall be no less than 5 feet.

.....

Findings: The applicant has provided a preliminary plat confirming the two (2) parcels to be created by the proposed partition meet the 2-acre minimum requirements for lot size, as well as the 100-foot lot width and depth dimensions as outlined above (Exhibit B). Proposed parcel 1 currently holds no improvements therefore setback requirements do not apply (Exhibit B). Proposed parcel 2 is developed with a single-

family dwelling and accessory structure, therefore, set back standards will decrease while maintaining standard after the proposed partition (Exhibit B). Staff finds these standards have been met.

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

- (1) *The following are GEOLOGIC HAZARD AREAS to which the standards of this Section apply:*
 - (a) *Active landslides identified in Oregon Department of Geology and Mineral Industries (DOGMI) Bulletins 74 and 79;*
 - (b) *Inactive landslides, landslide topography and mass movement topography identified in DOGMI bulletins 74 and 79 where slopes are greater than 19 percent;*.....
- (2) *A GEOLOGIC HAZARD report is required prior to approval of planned developments, coast resorts, subdivisions and partitions governed by the Land Division Ordinance, building permits, mobile home permits, sand mining, occurring in areas identified in (1) with the following exception:*
 - (a) *For building or mobile home or manufactured home permits in areas identified in (1)*
 - (b), *reports are needed for lots 20,000 square feet or larger only where the proposed structure is to be situated on slopes greater than 29 percent or if (1) (f) applies*

Findings: The subject property is within an area of geologic hazard (Exhibit A). Future development of the subject property will be subject to development standards of the TCLUO Section 4.130: Development Requirements for Geologic Hazard Areas. A Condition of Approval has been outlined below in Section V.

D. Land Use Ordinance Section 3.550: Freshwater Wetlands Overlay (FW)

- (1) *PURPOSE AND AREAS INCLUDED: The purpose of this zone is to protect significant areas of freshwater wetlands, marshes and swamps from filling, drainage or other alteration which would destroy or reduce their biological value. Areas included in this zone are:*
.....
- (2) *USES PERMITTED:*
.....
- (3) *STANDARDS: The following standard shall be met in addition to the standards of the underlying zone. (a) Where dwellings are permitted in the underlying zone, the density of allowed development shall be determined by the size of the entire parcel. (b) Development activities, permits, and land-use decisions affecting a Notification Wetland require notification of the Division of State Lands, and are allowed only upon compliance with any requirements of that agency. The applicant shall be responsible for obtaining approval from the Division of State Lands for activities on Notification Wetlands.*

Findings: The subject property is within an area of freshwater wetlands (Exhibit A). Future development of the subject property will be subject to the standards set within the TCLUO Section 3.550. A Condition of Approval has been outlined below in Section V.

E. Land Use Ordinance Section 3.090: Shoreland (SH) Overlay Zone: *The purpose of the Shoreland Overlay zone is to provide for development, restoration, conservation of protection of coastal shorelands in a manner which is compatible with the resources and benefits of coastal shorelands and adjacent coastal water bodies and Protect identified priority dredged material disposal and mitigation sites from uses which would prevent their ultimate use for dredged material disposal or mitigation.*

Findings: The Shoreland Overlay zone includes lands contiguous with the ocean estuaries and coastal lakes that contain the features shown in the Coastal Shoreland Element (Goal 17) of the Comprehensive Plan, including areas subject to ocean flooding and lands within 100 feet of the ocean shore or within

50 feet of an estuary or a coastal lake, adjacent areas of geologic instability where the geologic instability is related to or will impact a coastal water body, riparian vegetation or other natural or man-made riparian resources necessary for shoreline stabilization or water quality maintenance, significant shoreland and wetland biological habitats, areas necessary for water-dependent and water-related uses, shoreland areas of exceptional aesthetic or scenic quality, coastal headlands and Priority Dredged Material Disposal (DMD-1) and Mitigation (MIT-1) sites.

The Shoreland Overlay zone is comprised of two categories of Coastal Shorelands. The subject property is categorized as the second category, as those shorelands identified in Coastal Shorelands Element of the Comprehensive Plan as: significant shoreland and wetland biological habitat, exceptional aesthetic or scenic resources and coastal headlands, priority dredged material disposal and priority mitigation sites, beaches, active foredunes, conditionally stable foredunes that are subject to ocean undercutting or wave overtopping and interdune areas subject to ocean flooding.

In significant wetland biological habitats, no development is allowed except for the placement of a floating or pile supported dock or a boat ramp using less than 50 cubic yards of fill to allow boat access to a coastal lake providing that such developments are placed to minimize impacts on wetland habitats.

A Condition of Approval has been made to ensure development of the subject property and subsequent parcels resulting from the partition adhere to the provisions of the Shoreland Overlay (SH) zone.

IV. DECISION: APPROVED WITH CONDITIONS

Staff concludes, based on the findings of fact and other relevant information in the record, the Applicant has satisfied or is able to satisfy the applicable ordinance requirements through the Conditions of Approval, and therefore, approves the request subject to the provisions in Section V below.

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

This decision may be appealed to the Tillamook County Planning Commission, who will hold a public hearing. Forms and fees must be filed in the office of this Department before **4:00 PM on April 19, 2023**.

V. CONDITIONS OF APPROVAL:

Failure to comply with the Conditions of Approval and ordinance provisions could result in nullification of this approval.

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

5. The applicant shall record the Final Plat within ninety (90) days from the date of final signature of the partition plat.
6. Future development is subject to Tillamook County Public Works Ordinance 44 review of the existing approach as a change of use condition.
7. Future development is subject to standards required by TCLUO Section 3.550: Freshwater Wetlands Overlay Zone.
8. Future development is subject to standards required by TCLUO Section 3.545: Shoreland Overlay (SH) Zone and the provisions of the Goal 17: Shoreland element of the Tillamook County Comprehensive Plan.
9. Future development is subject to standards required by TCLUO Section 3.010: Rural Residential 2-Acre (RR-2) Zone.
10. Future development is subject to standards required by TCLUO Section 4.130: Development Requirements for Geologic Hazard Areas.

VI. EXHIBITS:

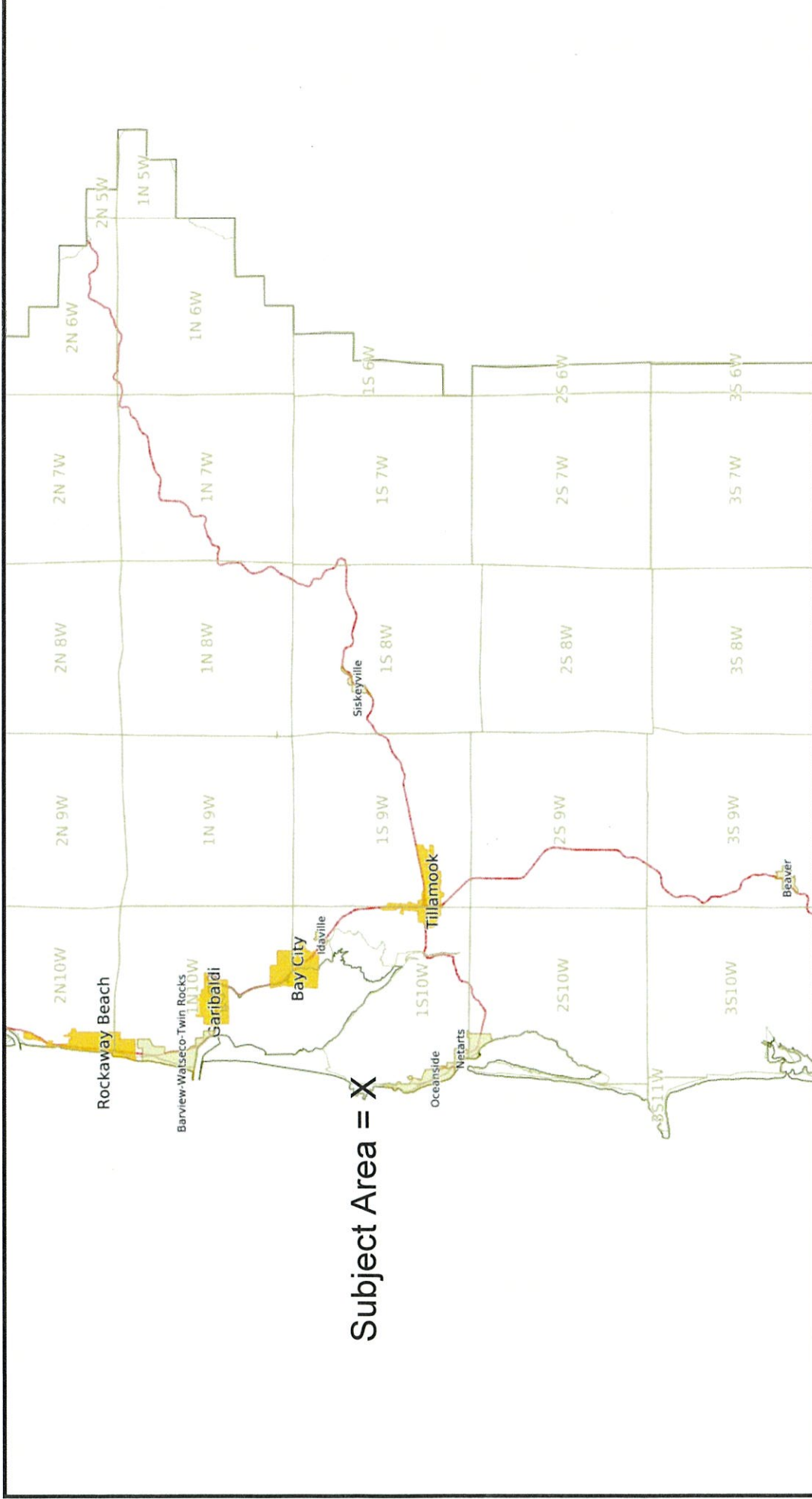
All Exhibits referenced herein are, by this reference, made a part hereof:

- A. Property identification maps and Assessor's Summary Report
- B. Applicant's submittal
- C. Public Comments

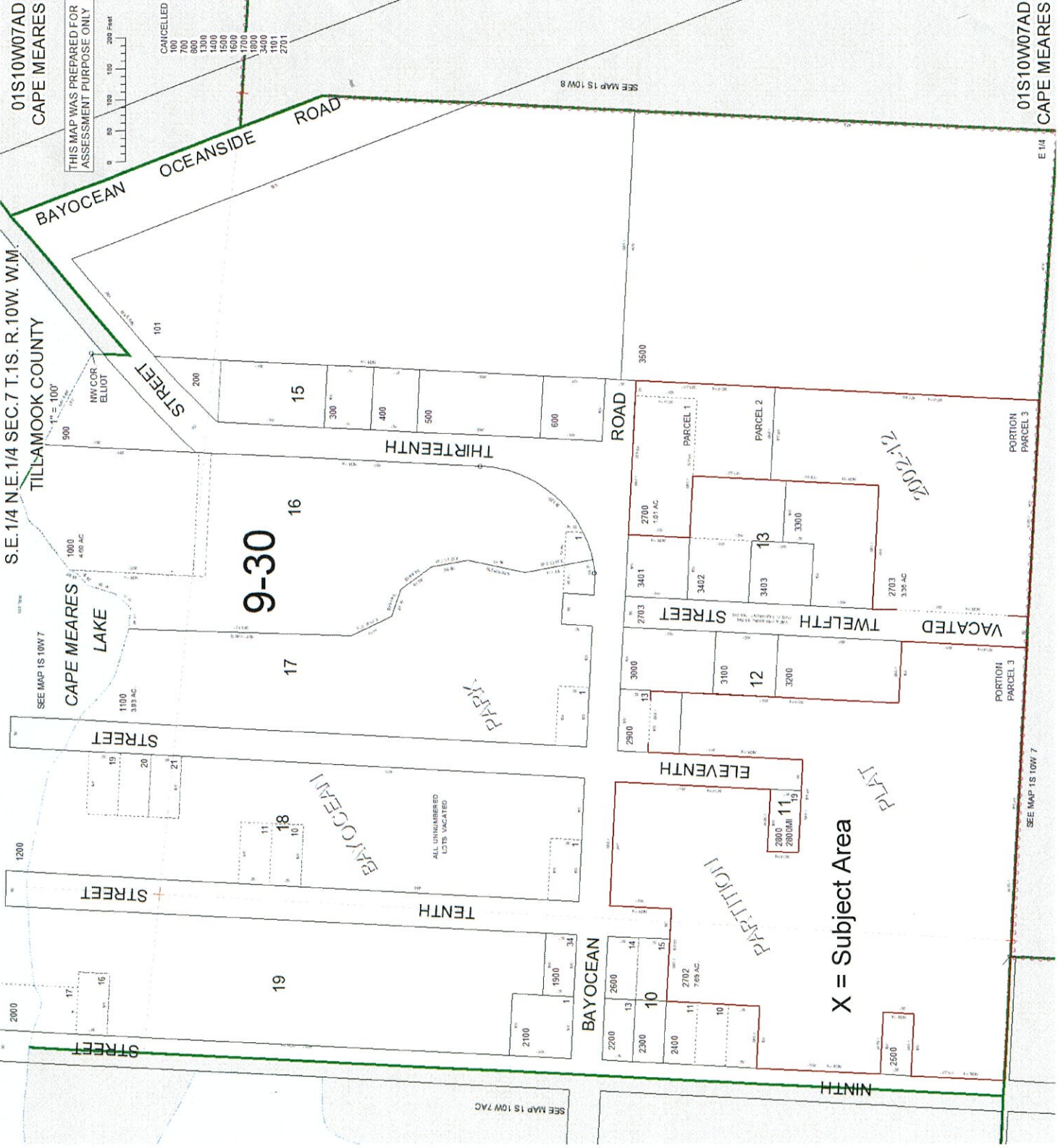
EXHIBIT A



Tillamook County GIS

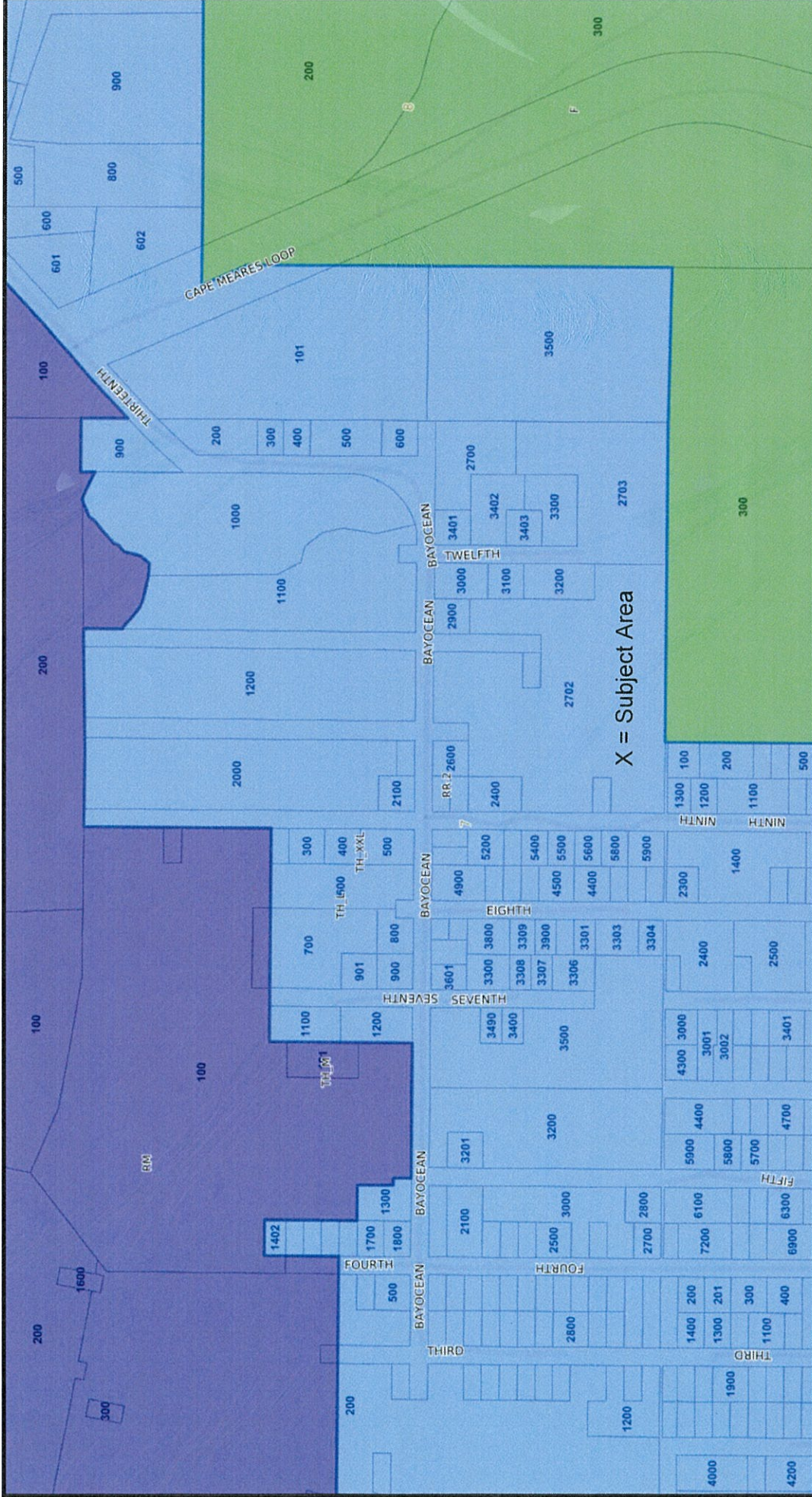


Subject Area = X

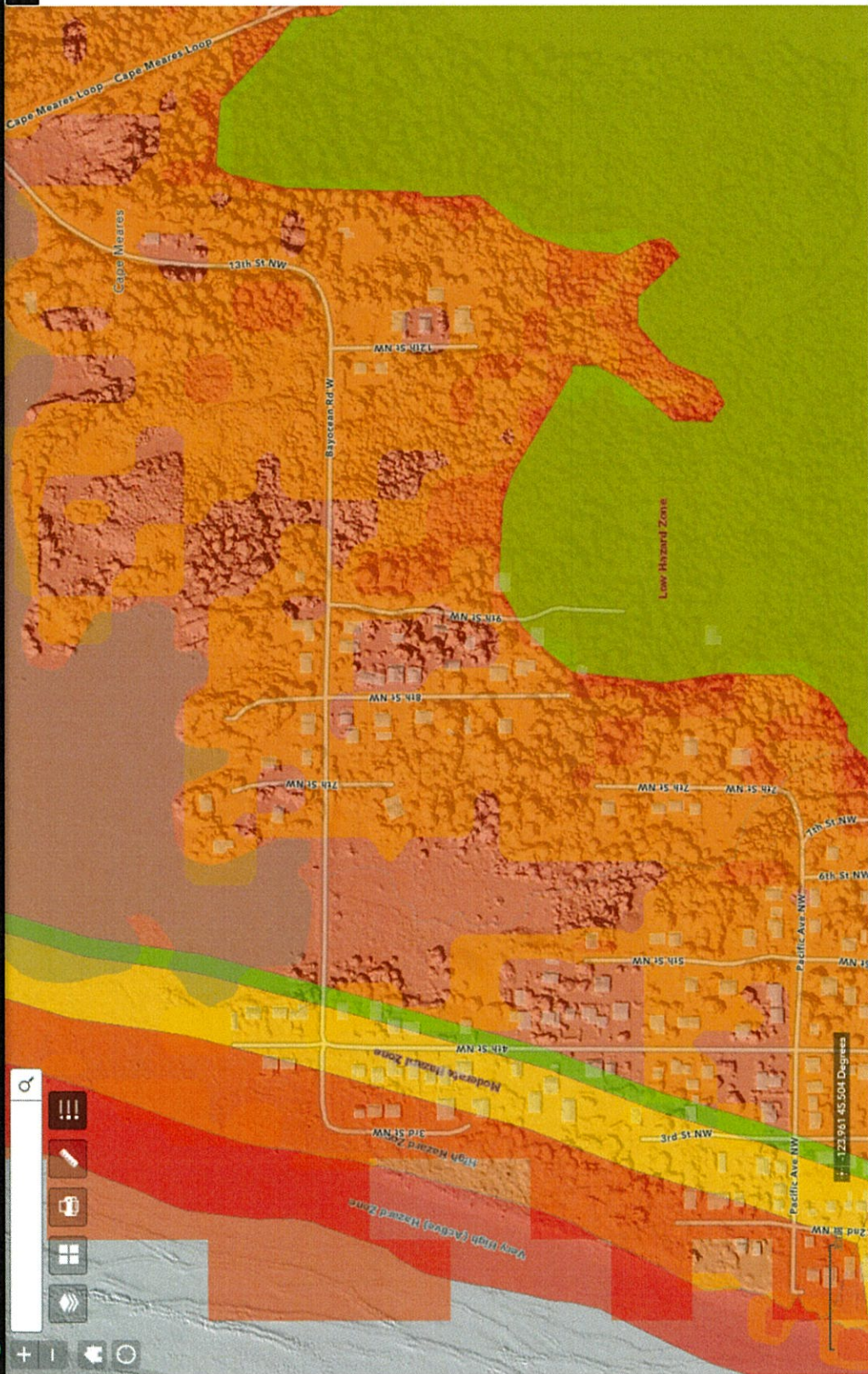




Tillamook County GIS



Created: Wed Feb 22 2023-15:41:12
Active Layers: County_Boundary, Fed_state_highways, citylimit, community_polygon, TaxlotOwner, Tillamook_County_Zoning, Township_Range_Section, Road_Centerline
Extent: -13799275.646551, 5700382.4062073, -13797402.939359, 5701367.7272749



Layers Currently Showing

- Coastal Erosion Hazard
- Very High (Active) Hazard Zone
- High Hazard Zone
- Moderate Hazard Zone
- Low Hazard Zone
- NO DATA
- Earthquake Hazard
- Active Faults
- Expected Earthquake Shaking
 - Violent
 - Severe
 - Very Strong
 - Strong
 - Moderate
 - Light
- Landslide Hazard
 - Low - Landsliding Unlikely
 - Moderate - Landsliding Possible
 - High - Landsliding Likely
 - Very High - Existing Landslide
- Landslide Inventory
 - Scarp
 - Head Scarp
 - Deposits
 - Talus-Colluvium
 - Fan
 - Landslide



U.S. Fish and Wildlife Service

National Wetlands Inventory

PARTITION #851-22-000435-PLNG



March 28, 2023

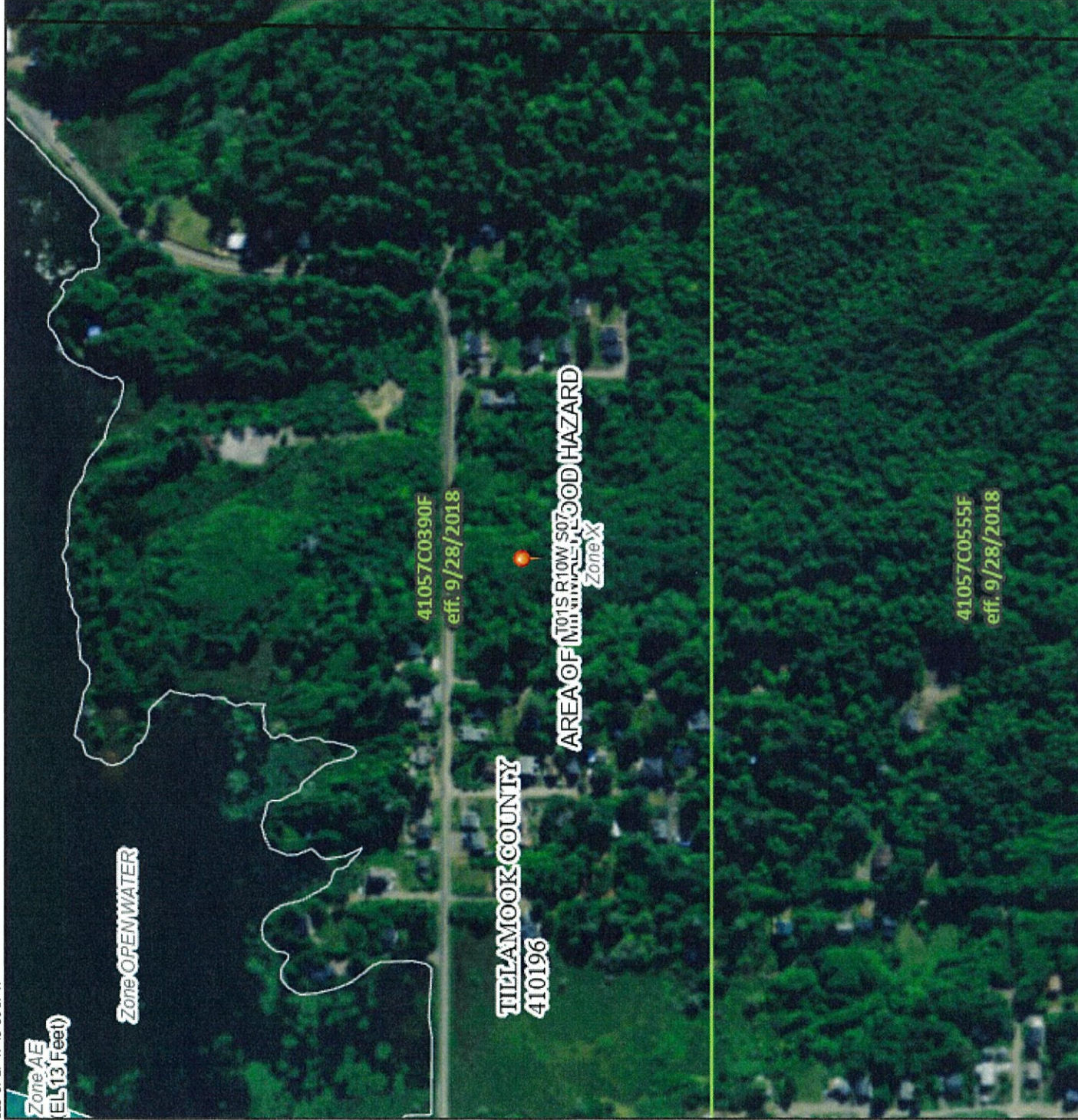
Wetlands

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

National Flood Hazard Layer FIRMette



123°57'27"W 45°30'17"N



123°56'50"W 45°29'51"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 X
- Future Conditions 1% Annual Chance Flood Hazard Zone X
- Area with Reduced Flood Risk due to Levee, See Notes, Zone X
- Area with Flood Risk due to Levee Zone D

OTHER AREAS

- NO SCREEN
- Area of Minimal Flood Hazard Zone X
- Effective LOMRS
- Area of Undetermined Flood Hazard Zone

GENERAL STRUCTURES

- Channel, Culvert, or Storm Sewer
- Levee, Dike, or Floodwall

CROSS SECTIONS WITH 1% ANNUAL CHANCE WATER SURFACE ELEVATION

- 20.2
- 17.5
- 8
- Coastal Transect
- Base Flood Elevation Line (BFE)
- Limit of Study
- Jurisdiction Boundary
- Coastal Transect Baseline
- Profile Baseline
- Hydrographic Feature

OTHER FEATURES

- Digital Data Available
- No Digital Data Available
- Unmapped

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 3/28/2023 at 6:30 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: DALLAS ESPLIN Phone: 503-842-5551
 Address: P.O. BOX 880
 City: TILLAMOOK State: OR Zip: 97141
 Email: BAYSIDESURVEYING@GMAIL.COM

Property Owner

Name: KAREN SCHANK Phone: (517) 304-9595
 Address: 5825 9TH ST NW
 City: TILLAMOOK State: OR Zip: 97141
 Email: KARENSCHANK@HOTMAIL.COM

OFFICE USE ONLY
Date Stamp
<input type="checkbox"/> Approved <input type="checkbox"/> Denied
Received by:
Receipt #:
Fees: 1100.5
Permit No: 85122-000435-PLNG

Location:

Site Address: _____
 Map Number: 1S 10 07 AD 02702
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.

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

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

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

Other information:

- 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:

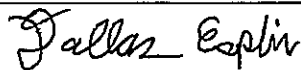
Authorization

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.



Digitally signed by KAREN SCHANK
Date: 2022.12.20 12:30:06 -08'00'

Property Owner (*Required)



Applicant Signature

December 20, 2022

Date

DECEMBER 7, 2022

Date

DECLARATION

RE-PLAY OF PARCEL 3, PARTITION PLAT 2002-12

KNOW ALL PEOPLE BY THESE PRESENTS THAT KAREN M. SCHANK IS THE OWNER OF THE LAND REPRESENTED ON THE ATTACHED PARTITION PLAT. THE PARTITION PLAT HAS CAUSED ACCORDING SURVEYOR'S CERTIFICATE. THE PARTITION PLAT HAS CAUSED THE SAME TO BE SURVEYED AND PARTITIONED INTO TWO (2) PARCELS, AS SHOWN HEREON.

KAREN M. SCHANK

ACKNOWLEDGMENT

STATE OF OREGON
COUNTY OF TILLAMOOK

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON [DATE], 2023 BY (KAREN M. SCHANK).

[Signature] (PRINT)

NOTARY PUBLIC - OREGON

COMMISSION NO. [] DAY OF [] 20 []
MY COMMISSION EXPIRES: [] DAY OF [] 20 []

APPROVALS

APPROVED, 2023 AS PARTITION 851-25--PLUG.

TILLAMOOK COUNTY DEPT. OF COMMUNITY DEVELOPMENT DATE []

APPROVED THIS [] DAY OF [], 2023.

TILLAMOOK COUNTY SURVEYOR

TAXES HAVE BEEN PAID IN FULL TO JUNE 30, 202 .

TILLAMOOK COUNTY TAX COLLECTOR

CERTIFICATE OF COUNTY CLERK

STATE OF OREGON
COUNTY OF TILLAMOOK

I, TASH O'NEIL, DO HEREBY CERTIFY THAT I AM THE QUALIFIED CLERK OF TILLAMOOK COUNTY, OREGON AND THAT THIS COPY OF PARTITION PLAT NO. [] IS THE FULL, COMPLETE AND TRUE COPY OF THE ORIGINAL PLAT OF SAME, AS RECORDED IN PLAT CABINET B - [] OF PARTITION PLAT RECORDS OF TILLAMOOK COUNTY, OREGON, RECORDED [] 2023 AT [] O'CLOCK, AS INSTRUMENT NO. [].

TASH O'NEIL

I, DALLAS W. ESPLIN, DO HEREBY CERTIFY THAT THIS A FULL, COMPLETE AND TRUE COPY OF THE ORIGINAL PLAT AS REFERENCED ABOVE.

DALLAS W. ESPLIN, PLS 63627

CERTIFICATE OF COUNTY CLERK

STATE OF OREGON
COUNTY OF TILLAMOOK

I HEREBY CERTIFY THAT THIS PARTITION PLAT WAS RECEIVED FOR RECORD ON THE [] DAY OF [], 2023 AT [] O'CLOCK, AND RECORDED AS PARTITION PLAT NO. [] IN PLAT CABINET B- [] TILLAMOOK COUNTY RECORDS AS INSTRUMENT NO. [].

TASH O'NEIL, COUNTY CLERK

SURVEYOR'S CERTIFICATE

I, DALLAS W. ESPLIN, CERTIFY THAT:

I HAVE CORRECTLY SURVEYED AND MARKED WITH PROPER MONUMENTS (PARCELS 1 AND 2) THE LAND REPRESENTED ON THE ATTACHED PARTITION PLAT, BEING:

PARCEL 3, PARTITION PLAT 2002-12, TILLAMOOK COUNTY PLAT RECORDS.

LESS THAT PORTION OF PARCEL 3 LYING EAST OF THE WEST RIGHT OF WAY OF VANDER TRULFF STREET;

ALSO LESS THE FOLLOWING DESCRIBED TRACT, BEGINNING AT THE N.E. CORNER OF TILLAMOOK COUNTY PLAT 2020-9032, BAYVIEW PARK, TILLAMOOK COUNTY PLAT RECORDS; THENCE SOUTH 89°06'44" EAST 99.895' TO THE SOUTHEAST CORNER OF LOT 13; THENCE SOUTH 07°22'08" WEST 50.00' ALONG THE EAST SIDE OF VANDER TRULFF STREET TO A POINT OF BEGINNING; THENCE NORTH 09°29'08" EAST 50.00' TO THE POINT OF BEGINNING.

THE INITIAL POINT OF BEGINNING IS A 5/8" X 40' PEGAR WHICH IS THE S.E. CORNER OF TILLAMOOK COUNTY PLAT 2020-9032, BAYVIEW PARK, TILLAMOOK COUNTY PLAT RECORDS.

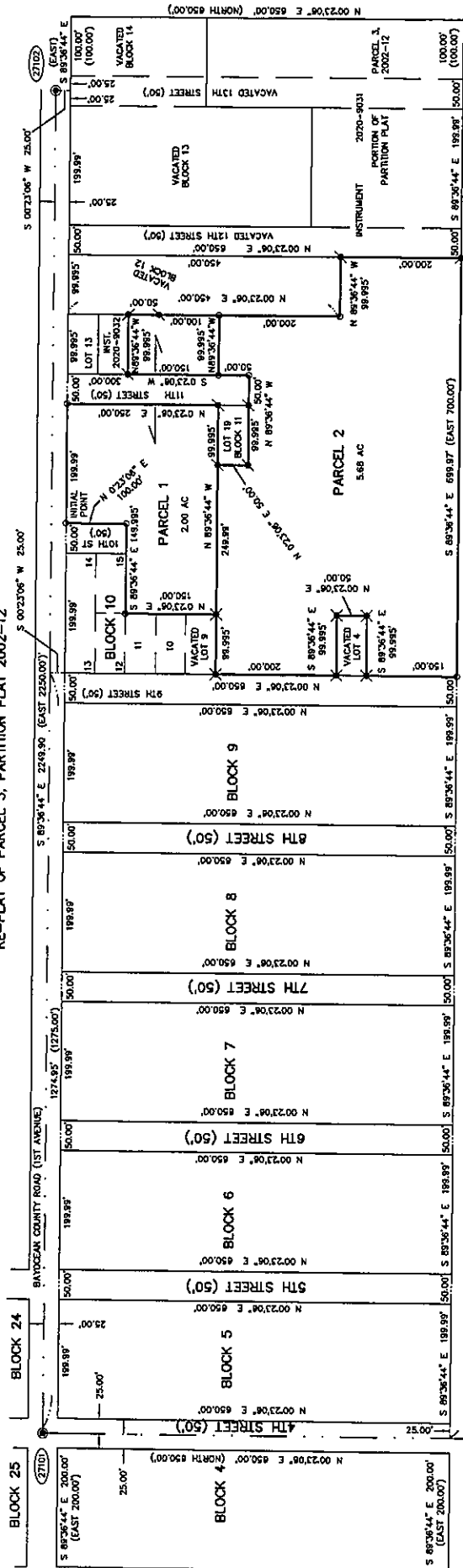
REGISTERED PROFESSIONAL LAND SURVEYOR
Dallas W. Espin
OREGON
DECEMBER 3, 2014
DALLAS W. ESPLIN
RENEWED DECEMBER 31, 2023

KAYSIDE SURVEYING LLC
11765 HWY 101 SOUTH
TILLAMOOK, OR 97141
503-842-5551
TOWNSHIP: TILLAMOOK
RANGE: 10E
MERIDIAN: 6S-1-3

RE-PLAY FOR: KAREN M. SCHANK
PARCEL 3, PARTITION PLAT 2002-12
LESS INSTRUMENT RECORDS AND 2020-9032
TILLAMOOK COUNTY RECORDS
SE 1/4 NE 1/4 SECTION 7, T32S R34W, W.M.
TILLAMOOK COUNTY, OREGON
JOB NUMBER: 11007

PAGE 1 OF 2
PARTSCHANK-22DING .DWS

PARTITION PLAT 2023--
RE-PLAT OF PARCEL 3, PARTITION PLAT 2002--12



NARRATIVE

THIS IS A DEPENDENT SURVEY OF A PORTION OF PARCEL 3, PARTITION PLAT 2002-12, TILLAMOOK COUNTY PLAT RECORDS. THE PURPOSE OF THIS SURVEY IS TO RE-PARTITION THE SUBJECT TRACT INTO TWO (2) PARCELS AS SHOWN HEREON.

MOST OF THE SURVEYS IN THIS AREA HAVE LAD OUT BAYOCEAN COUNTY MAP 25-37 USING A HIGH ANGLE STRUCTURE USING THE CENTERLINE MONUMENTS IN BAYOCEAN COUNTY ROAD, HOWEVER, THE CENTERLINE MONUMENTS IN 4TH STREET AND BAYOCEAN COUNTY ROAD ARE NOT RECORDED TO EACH OTHER, THEREFORE I LAD BAYOCEAN PARK OUT AS FOLLOWS:

- FOUND MONUMENTS AT THE CENTERLINE OF 4TH STREET AND BAYOCEAN COUNTY ROAD, MONUMENTS AT THE CENTERLINE OF 4TH STREET AND 13TH STREET WERE HELD AS CENTERLINE-CENTERLINE.
- EAST-WEST LINES WERE HELD PARALLEL TO THE CENTERLINE MONUMENTS IN BAYOCEAN COUNTY ROAD (1ST AVENUE), MONUMENTS 2710 AND 27102.
- NORTH-SOUTH LINES OF BLOCKS 2-14 AND 24-27 WERE HELD PARALLEL TO THE CENTERLINE MONUMENTS IN 4TH STREET.
- RECORD NORTH-SOUTH DISTANCES WERE HELD.
- RECORD EAST-WEST DISTANCES WERE HELD FOR BLOCKS WEST OF 4TH STREET (BLOCKS 2-4) AND NORTH OF BAYOCEAN COUNTY ROAD (1ST AVENUE) (BLOCKS 15-27), AND FOR BLOCKS EAST OF 13TH STREET (BLOCK 1-15).
- BLOCKS 5-13 WERE PROPORTIONED IN THE EAST-WEST DIRECTION BETWEEN THE CENTERLINE MONUMENTS IN BAYOCEAN COUNTY ROAD, MONUMENTS 27101 AND 27102 AS FOLLOWS:

MEASURED--STREETS = 2248.90--450 = 1790.90
 RECORD--STREETS = 2250 -- 450 = 1800
 = 0.89994444

- SET 5/8" X 40' REBAR WITH PLASTIC CAP MARKED "DALLAS ESPUN LS 83827"
- ⊙ FOUND MONUMENT AS NOTED
- ✕ FOUND 5/8" REBAR WITH PLASTIC CAP MARKED "DALLAS ESPUN LS 83827" AT POSITION, SEE MAP B-4234
- ⚡ FOUND 5/8" REBAR WITH PLASTIC CAP MARKED "C" AT POSITION, SEE MAP A-8855 OR A-8804
- FOUND MONUMENT AS NOTED
- () RECORD VALUE FROM PLAT OF BAYOCEAN PARK, MAP F--25--37

MONUMENT NOTES

- (2700) FOUND 3" TILLAMOOK COUNTY BRASS CAP STAMPED "TILLAMOOK COUNTY, OREGON, 1987, MAP A-1801, HELD FOR CENTERLINE-CENTERLINE"
- (2710) FOUND 3" TILLAMOOK COUNTY BRASS CAP STAMPED "TILLAMOOK COUNTY, OREGON, 1987, MAP A-1801, HELD FOR PAVING, SEE MAP A-1801, HELD FOR CENTERLINE-CENTERLINE 4TH ST AND BAYOCEAN RD"
- (2710) FOUND 3" TILLAMOOK COUNTY BRASS CAP STAMPED "TILLAMOOK COUNTY, OREGON, 1987, MAP A-1712, HELD FOR CENTERLINE 13TH ST AND BAYOCEAN RD"

TYPICAL RECORD VALUES FOR BLOCKS 5-13

Block	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	
Block 5	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	
Block 6	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'
Block 7	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'
Block 8	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'
Block 9	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'
Block 10	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'
Block 11	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'
Block 12	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'
Block 13	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'
Block 14	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'

SCALE:
 1" = 120'

BASIS OF BEARINGS

THE BASIS OF BEARINGS IS NORTH AS DETERMINED BY C.P.S. OBSERVATIONS USING THE OREGON COAST ZONE COORDINATE SYSTEM, THIS GIVES A BEARING OF NORTH 00°23'06" EAST BETWEEN MONUMENTS 27000 AND 27101.

OREGON COORDINATE REFERENCE SYSTEM
 OREGON COAST ZONE

OBOLITE MERCATOR PROJECTION
 NORTH AMERICAN DATUM OF 1983
 LATITUDE OF LOCAL ORIGIN: 44°45'00" N
 LONGITUDE OF LOCAL ORIGIN: 124°03'00" W
 FALSE EASTING: -500,000.00 METERS
 FALSE NORTING: 0.00 METERS
 SKEW AXIS SCALE: 1,000,000 (EXACT)
 SKEW AXIS AZIMUTH AT LOCAL ORIGIN: +5700'00"
 (THE ABOVE INFORMATION IS RECORDED FROM "OREGON COORDINATE REFERENCE SYSTEM HANDBOOK AND MAP SET" VERSION 3.01 2-28-2017, APPENDIX A, PAGE A-52, SEE 0007 RECORDS)

EASEMENTS AND OTHER DOCUMENTS LISTED IN THE PRELIMINARY TITLE REPORT

BOOK 65, PAGE 546 VACATION OF VARIOUS LOTS, BLOCKS, AND STREETS IN BAYOCEAN PARK

RE-PLAT FOR:
KAREN M. SCHANK
 PARCEL 3, PARTITION PLAT 2002-12
 LESS INSTRUMENT #2020-9031 AND 2020-9032
 TILLAMOOK COUNTY RECORDS
 SE 1/4 TILLAMOOK COUNTY, OREGON
 U.S. ACQU. W.M.
 TILLAMOOK COUNTY, OREGON

DATE	FIELD	CREW	DRAWN	CHECKED	JOB NUMBER
DECEMBER 3, 2014					#1087

REGISTERED PROFESSIONAL LAND SURVEYOR
 DALLAS W. ESPUN
 OREGON LICENSE #12511, ES-1-3
 EXPIRES DECEMBER 31, 2023

RE-PLAT FOR:
KAREN M. SCHANK
 PARCEL 3, PARTITION PLAT 2002-12
 LESS INSTRUMENT #2020-9031 AND 2020-9032
 TILLAMOOK COUNTY RECORDS
 SE 1/4 TILLAMOOK COUNTY, OREGON
 U.S. ACQU. W.M.
 TILLAMOOK COUNTY, OREGON

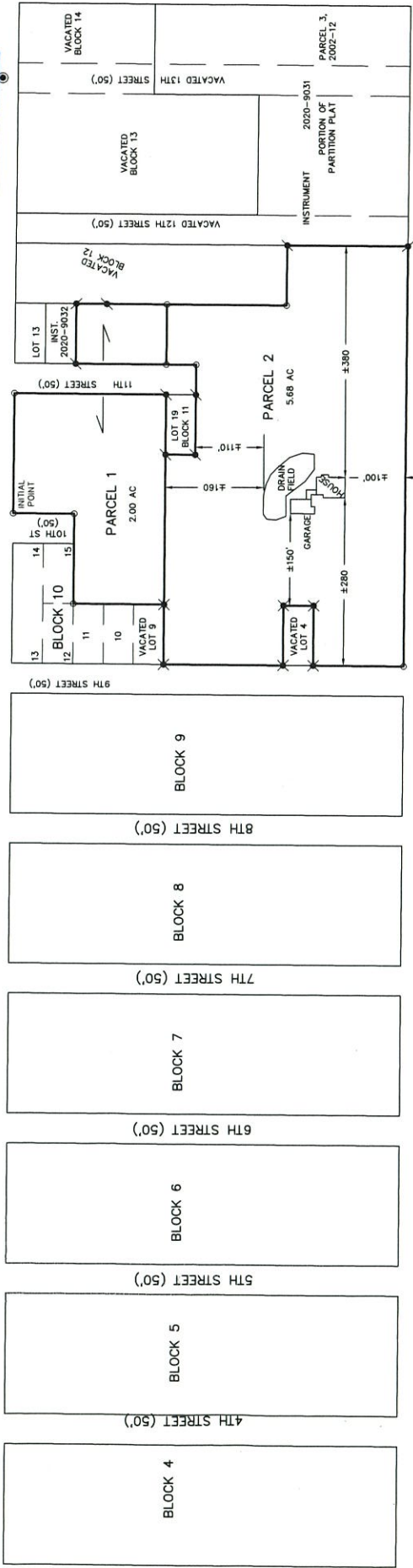
RECEIVED

FEB 16 2023

BY:

PARTITION PLAT 2023-
RE-PLAT OF PARCEL 3, PARTITION PLAT 2002-12

BLOCK 25 (2710) BLOCK 24 BAYOCEAN COUNTY ROAD (1ST AVENUE)



NARRATIVE

THIS IS A RESUBDIVISION SURVEY OF A PORTION OF PARCEL 3, PARTITION PLAT 2002-12, TILLAMOOK COUNTY PLAT RECORDS. THE PURPOSE OF THIS SURVEY IS TO RE-PARTITION THE SUBJECT TRACT INTO TWO (2) PARCELS AS SHOWN HEREON.

MOST OF THE SURVEYS IN THIS AREA HAVE LAD OUT BAYOCEAN PARK. MAP F-25-37 IN EITHER A RIGHT ANGLE STRUCTURE USING THE CENTERLINE MONUMENTS IN EITHER 4TH STREET OR THE CENTERLINE MONUMENTS IN 4TH STREET AND BAYOCEAN COUNTY ROAD ARE NOT QUITE PERPENDICULAR TO EACH OTHER, THEREFORE I LAD BAYOCEAN PARK OUT AS FOLLOWS:

FOUND MONUMENTS AT THE CENTERLINE OF 4TH STREET AND BAYOCEAN COUNTY ROAD (1ST AVENUE) AND AT THE CENTERLINE OF BAYOCEAN COUNTY ROAD (1ST AVENUE). CENTERLINE MONUMENTS WERE HELD AS

EAST-WEST LINES WERE HELD PARALLEL TO THE CENTERLINE MONUMENTS IN 4TH STREET AND 27101 AND 27102.

NORTH-SOUTH LINES OF BLOCKS 2-14 AND 24-27 WERE HELD PARALLEL TO THE CENTERLINE MONUMENTS IN 4TH STREET. MONUMENTS 27000 AND 27101.

RECORD NORTH-SOUTH DISTANCES WERE HELD.

RECORD EAST-WEST DISTANCES WERE HELD FOR BLOCKS WEST OF 4TH STREET (BLOCKS 2-4) AND NORTH OF BAYOCEAN COUNTY ROAD (BLOCKS 14-15), AND FOR BLOCKS EAST OF 13TH STREET (BLOCK 14-15).

BLOCKS 5-13 WERE RE-PORTIONED IN THE EAST-WEST DIRECTION BETWEEN THE CENTERLINE MONUMENTS IN BAYOCEAN ROAD, MONUMENTS 27101 AND 27102 AS FOLLOWS:

MEASURED-STREETS = 2249.90-450 = 1790.90
RECORD-STREETS = 2250 - 450 = 1800

LEGEND

- SET 5/8" X 40" REBAR WITH PLASTIC CAP MARKED "DALLAS ESPLIN LS 83627"
● FOUND MONUMENT AS NOTED, HELD
⊗ FOUND 5/8" REBAR WITH PLASTIC CAP MARKED "DALLAS ESPLIN LS 83627" AT POSITION, SEE MAP B-4234
⊙ FOUND 5/8" REBAR WITH PLASTIC CAP MARKED "C WAYNE COOK PLS 10985", AT POSITION SEE MAP A-8885 OR A-8284
● FOUND MONUMENT AS NOTED
○ RECORD VALUE FROM PLAT OF BAYOCEAN PARK, MAP F-25-37

MONUMENT NOTES

- (27000) FOUND 3" TILLAMOOK COUNTY BRASS CAP STAMPED "CL CL 1988" AT CENTERLINE-CENTERLINE OF PACIFIC AND FOURTH, SEE MAP A-5801, HELD
(27101) FOUND 3" TILLAMOOK COUNTY BRASS CAP STAMPED "CL CL 1988" IN 3" PVC PIPE 3" BELOW TOP OF CENTERLINE-CENTERLINE 4TH ST AND BAYOCEAN RD
(27102) FOUND 3" TILLAMOOK COUNTY BRASS CAP STAMPED "CL CL 1988" HELD FOR CENTERLINE 13TH ST AND BAYOCEAN RD

TYPICAL RECORD VALUES
FOR BLOCKS 5-13

Table with 26 columns and 2 rows of typical record values for blocks 5-13.



SCALE: 1" = 120'



BASIS OF BEARINGS

THE BASIS OF BEARINGS IS NORTH, AS DETERMINED BY GPS OBSERVATIONS USING THE OREGON COAST ZONE COORDINATE SYSTEM. THIS GIVES A BEARING OF NORTH 00°23'06" EAST BETWEEN MONUMENTS 27000 AND 27101.

OREGON COORDINATE REFERENCE SYSTEM
OREGON COAST ZONE

OBLOQUE MERCATOR PROJECTION
NORTH AMERICAN DATUM OF 1983
LATITUDE OF LOCAL ORIGIN: 44°45'00" N
LONGITUDE OF LOCAL ORIGIN: 124°03'00" W
FALSE NORTHING: -4,600,000.000 METERS
FALSE EASTING: 490,000.000 METERS
SCALE: 1:250,000
SKEW AXIS AZIMUTH AT LOCAL ORIGIN: +5°00'00"

(THE ABOVE INFORMATION IS RECORD FROM "OREGON COORDINATE REFERENCE SYSTEM" (CORS) SET VERSION 3.01 2-28-2017, APPENDIX A, PAGE A-52, SET 0007 RECORDS)

EASEMENTS AND OTHER DOCUMENTS LISTED IN THE PRELIMINARY TITLE REPORT

BOOK 85, PAGE 546 VACATION OF VARIOUS LOTS, BLOCKS, AND STREETS IN BAYOCEAN PARK

REGISTERED PROFESSIONAL LAND SURVEYOR

KAREN M. SCHANK

OREGON 2014
DECEMBER 15, 2014
DALLAS W. ESPLIN

RENEW: DECEMBER 31, 2023

RE-PLAT FOR:
KAREN M. SCHANK
PARCEL 3, PARTITION PLAT 2002-12
LESS INSTRUMENT #2020-9031 AND 2020-9032
TILLAMOOK COUNTY RECORDS
SE 1/4 NE 1/4 SECTION 7, T1S, R10W, W.M.
TILLAMOOK COUNTY, OREGON
503-842-5551

Table with columns: DATE, FIELD, CREW, CHECKED, DWE, #JOB7. Includes information for KAREN M. SCHANK and the survey project.

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:

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:
Tax Lot: 1S 10 07 AD 02702

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:

Karen Schank

5825 9th Street NW

Tillamook, OR 97141

(517) 304-9595

karenschank@hotmail.com

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

TICOR TITLE™ 360420003871

RECORDING REQUESTED BY:



802 Main Ave.
Tillamook, OR 97141

GRANTOR'S NAME:

Michael M. Watkins and Louise W. Watkins, Trustees under the Michael and Louise Watkins Living Trust dated March 9, 2006, Rheua K. Watkins, Trustee, and Cheryl L. Dowling, and Thomas W. Dowling, Trustees

GRANTEE'S NAME:

Karen M. Schank

AFTER RECORDING RETURN TO:

Order No.: 360420003871-JM
Karen M. Schank
7785 Pine Beach Avenue
Rockaway Beach, OR 97136

SEND TAX STATEMENTS TO:

Karen M. Schank
7785 Pine Beach Avenue
Rockaway Beach, OR 97136

APN: 409062

417028

Map: 1S1007AD02702

1S1007AD02703

Tillamook County, Oregon

07/13/2020 01:00:01 PM

2020-04275

DEED-DWARR

\$20.00 \$11.00 \$10.00 \$61.00 - Total = \$102.00

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

Tassi O'Neil, Tillamook County Clerk

SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY WARRANTY DEED

Michael M. Watkins and Louise W. Watkins, Trustees, under the Michael and Louise Watkins Living Trust dated March 9, 2006, and any amendments thereto, as to an undivided one-third interest; Rheua K. Watkins, Trustee, who acquired title as Rheua K. Watkins, Trustee of The Dave and Rheua Watkins Living Trust dated March 27, 2007, as to an undivided one-third interest; and Cheryl L. Dowling and Thomas W. Dowling, Trustees, under the Cheryl L. Dowling Living Trust, dated January 21, 1997, as to an undivided one-third interest, all as tenants in common, Grantor, conveys and warrants to Karen M. Schank, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Tillamook, State of Oregon:

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

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS TWO HUNDRED SEVENTY-FIVE THOUSAND AND NO/100 DOLLARS (\$275,000.00). (See ORS 93.030).

Subject to:

SPECIFIC ITEMS AND EXCEPTIONS:

Property taxes in an undetermined amount, which are a lien but not yet payable, including any assessments collected with taxes to be levied for the fiscal year 2020-2021.

The Land has been classified as forest land, as disclosed by the tax roll. If the Land becomes disqualified, said Land may be subject to additional taxes and/or penalties.

Account No.: 409062

Parcel I

Regulations, levies, liens, assessments, rights of way and easements of Oceanside Water District. None found as of June 26, 2020.

Rights of the public to any portion of the Land lying within the limits of streets, roads and highways.

Parcel II

Any irregularities, reservations, easements or other matters in the proceedings occasioning the abandonment or vacation of the street/road shown below:

Name: streets, lots and blocks in Bayocean Park
Recording Date: August 18, 1943
Recording No: Book 85, Page 546

STATUTORY WARRANTY DEED

(continued)

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

Granted to: the public
Purpose: street or roadway
Recording Date: October 7, 1959
Recording No: Book 168, Page 230
Affects: Parcel II

Any irregularities, reservations, easements or other matters in the proceedings occasioning the abandonment or vacation of the street/road shown below:

Name: streets, lots and blocks in Bayocean Park
Recording Date: April 20, 1964
Recording No: Book 191, Page 245
and
Re-Recording Date: April 29, 1964
Re-Recording No: Book 191, Page 311

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.

STATUTORY WARRANTY DEED

(continued)

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

Dated July 10 2020 :

Michael M. Watkins and Louise W. Watkins, Trustees under the Michael and Louise Watkins Living Trust dated March 9, 2006

BY: [Signature]
Michael M. Watkins, Trustee

BY: Louise W. Watkins Trustee
Louise W. Watkins, Trustee

Rheua K. Watkins, Trustee of The Dave and Rheua Watkins Living Trust dated March 27, 2007

BY: Rheua K. Watkins Trustee
Rheua K. Watkins, Trustee

Cheryl L. Dowling, and Thomas W. Dowling, Trustees under the Cheryl L. Dowling Living Trust, dated January 21, 1997

BY: Cheryl L. Dowling Trustee
Cheryl L. Dowling, Trustee

BY: Thomas W. Dowling Trustee
Thomas W. Dowling, Trustee

State of Oregon

County of WASHINGTON

This instrument was acknowledged before me on July 10, 2020 by Michael M. Watkins and Louise W. Watkins, Trustees under the Michael and Louise Watkins Living Trust dated March 9, 2006, Rheua K. Watkins, Trustee, and Cheryl L. Dowling, and Thomas W. Dowling, Trustees.

[Signature]
Notary Public - State of Oregon

My Commission Expires: 12/20/21

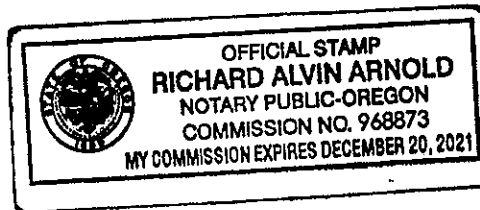


EXHIBIT "A"
Legal Description

PARCEL I:

Parcel 3, PARTITION PLAT NO. 2002-12, as platted and recorded June 20, 2002 in Plat Cabinet B-752, Partition Plat Records for Tillamook County, Oregon, in Tillamook County, Oregon.

PARCEL II:

Beginning at the Northeast corner of Block 12, BAYOCEAN PARK, in the County of Tillamook, State of Oregon; thence running 650 feet South to the Southeast corner of Block 12, BAYOCEAN PARK; thence East 50 feet to the Southwest corner of Block 13, BAYOCEAN PARK; thence North 650 feet to the Northwest corner of Block 13, BAYOCEAN PARK; thence West 50 feet to the Point of Beginning.



150-DAY WAIVER

By my signature below, I confirm my agreement to hold the decision on my application(s) deemed to be complete, listed below, and hereby waive the 150-day decision requirement as specified under ORS 215.427. With the exception of mediation, the total of all extensions may not exceed 215 days after the date the application(s) were deemed complete.

Application(s): #851-22-000435-PLNG / PARTITION

AGREED TO BY:



APPLICANT SIGNATURE

1/19/23

DATE

Karen Schank

NAME (PLEASE PRINT)

Enclosed: Incomplete Application Response Form and 150 Day Waiver

Date: January 18, 2023

RE: Incomplete application for Partition Application #851-22-000435-PLNG

To Whom It May Concern:



As indicated in the attached correspondence, your application has been deemed to be incomplete.

Please acknowledge, in writing, your intent to provide the material required to complete the application, as identified in the attached correspondence.


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

If you indicate your intent to complete the application, you will have 180 days from the date the application was originally submitted (**December 22, 2022**) to submit the required material. If you fail to submit the material within 180 days, your application will be deemed void. The case file regarding the application will then be closed.

If you do not return this acknowledgment, by the above date, such action will be considered to be a refusal to complete the application under the meaning accorded in ORS 215.428. Your application will then be processed based upon the information you have previously submitted. Note that failure to submit sufficient evidence or material to demonstrate compliance with the applicable criteria is grounds for denial of the application.

ACKNOWLEDGMENT

- I intend to provide the additional material identified in the attached correspondence from the Department of Community Development.
- I refuse to provide the additional material identified in the attached correspondence from the Department of Community Development.



Signed and Acknowledged (Applicant)

1/19/23

Date

Enclosed: Incomplete Application Response Form and 150 Day Waiver

Date: January 18, 2023

RE: Incomplete application for Partition Application #851-22-000435-PLNG

To Whom It May Concern:

As indicated in the attached correspondence, your application has been deemed to be incomplete.

Please acknowledge, in writing, your intent to provide the material required to complete the application, as identified in the attached correspondence.

Tillamook County Department of Community Development
Attn: Angela Rimoldi – Planning Technician
1510 B Third Street
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ACKNOWLEDGMENT

- I intend to provide the additional material identified in the attached correspondence from the Department of Community Development.
- I refuse to provide the additional material identified in the attached correspondence from the Department of Community Development.

Jallas Eplin

Signed and Acknowledged (Applicant)

1-23-23
Date

150-DAY WAIVER



By my signature below, I confirm my agreement to hold the decision on my application(s) deemed to be complete, listed below, and hereby waive the 150-day decision requirement as specified under ORS 215.427. With the exception of mediation, the total of all extensions may not exceed 215 days after the date the application(s) were deemed complete.

Application(s): #851-22-000435-PLNG / PARTITION

AGREED TO BY:

Dallas Esplin

APPLICANT SIGNATURE

1-23-23

DATE

Dallas Esplin

NAME (PLEASE PRINT)

EXHIBIT C

Angela Rimoldi

From: Jasper Lind
Sent: Tuesday, March 7, 2023 10:06 AM
To: Lynn Tone
Cc: Angela Rimoldi; Ron Newton
Subject: RE: Partition Request 851-22-000435-PLNG: SCHANK & ESPLIN

Lynn

Tillamook County Public Works has no objection to the proposed Partition. Parcel #2 has a current road approach permit accessing form 9th Street. Any future development on the parcels created by this partition will require Ordinance 44 review of the existing approach as a change of use condition.

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: Friday, March 3, 2023 5:15 PM
To: Jasper Lind <jlind@co.tillamook.or.us>
Subject: Fw: Partition Request 851-22-000435-PLNG: SCHANK & ESPLIN

Give me a call when you have this one open.

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, March 3, 2023 2:20 PM
To: Angela Rimoldi <arimoldi@co.tillamook.or.us>
Subject: Partition Request 851-22-000435-PLNG: SCHANK & ESPLIN

Please see link for Notice of Administrative Review.

<https://www.co.tillamook.or.us/commdev/project/851-22-000435-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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Wetland Land Use Notice Response

Response Page

Department of State Lands (DSL) WN#*

WN2023-0160

Responsible Jurisdiction

Staff Contact

Lynn Tone

Jurisdiction Type

County

Municipality

Tillamook

Local case file #

851-22-000435-PLNG

County

Tillamook

Activity Location

Township	Range	Section	QQ section	Tax Lot(s)
01S	10W	07	AD	2702

Street Address

5825 9th St NW

Address Line 2

City

Tillamook

State / Province / Region

OR

Postal / Zip Code

OR

Country

Tillamook

Latitude

45.500636

Longitude

-123.951694

Wetland/Waterway/Other Water Features

There are/may be wetlands, waterways or other water features on the property that are subject to the State Removal-Fill Law based upon a review of wetland maps, the county soil survey and other available information.

Local Wetlands Inventory shows wetland, waterway or other water features on the property

Your Activity

A state permit will not be required for the proposed project because, based on the submitted site plan, the project avoids impacts to jurisdictional wetlands, waterways, or other waters.

Applicable Oregon Removal-Fill Permit Requirement(s)

- A state permit is required for 50 cubic yards or more of fill removal or other ground alteration in wetlands, below ordinary high water of waterways, within other waters of the state, or below highest measured tide.

Closing Information



Additional Comments

Since a partition does not include removal/fill activities per se, no state removal/fill permit is needed. A Wetland Land Use Notice should be submitted with future proposed building plans. DSL visited this site in 2021 (WD2021-0169) and found areas meeting wetland criteria, but less than the areas depicted in the NWI. A wetland delineation may be needed in the future if development is proposed in these areas - please consult the maps and response from WD2021-0169.

This is a preliminary jurisdictional determination and is advisory only.

This report is for the State Removal-Fill law only. City or County permits may be required for the proposed activity.

- A Federal permit may be required by The Army Corps of Engineers: (503)808-4373

Contact Information

- For information on permitting, use of a state-owned water, wetland determination or delineation report requirements please contact the respective DSL Aquatic Resource, Proprietary or Jurisdiction Coordinator for the site county. The current list is found at: <http://www.oregon.gov/dsl/ww/pages/wwstaff.aspx>
- The current Removal-Fill permit and/or Wetland Delineation report fee schedule is found at: <https://www.oregon.gov/dsl/WW/Documents/Removal-FillFees.pdf>

Response Date

4/3/2023

Response by:

Matthew Unitis

Response Phone:

503-986-5262