



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

Land of Cheese, Trees and Ocean Breeze

**NOTICE OF ADMINISTRATIVE REVIEW
PARTITION REQUEST #851-23-000034-PLNG:
BURT & JONES CONSULTING**

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

Date of Notice: March 22, 2023

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

#851-23-000034-PLNG: A partition request to create two (2) rural commercial parcels, located south of the Incorporated City of Tillamook, via South Prairie Road a county-maintained road, and Highway 101 S. a state highway. The subject property is designated as Tax Lot 1200 of Section 8C, Township 2 South, Range 9 West of the Willamette Meridian, Tillamook County Oregon. The subject property is zoned Rural Commercial (RC). The property owner is David & Jenny Burt, and the applicant is Terry Jones Consulting.

Written comments received by the Department of Community Development **prior to 4:00p.m. on April 5, 2023**, will be considered in rendering a decision. Comments should address the attached criteria upon which the Department must base its decision. Notice of the application, a map of the subject area, and the applicable criteria are being mailed to all property owners within 250 feet of the exterior boundaries of the subject property for which an application has been made and other appropriate agencies at least 14 days prior to this Department rendering a decision on the request. The decision will be rendered no sooner than April 6, 2023.

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

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

Sincerely,

Angela Rimoldi, Planning Permit Technician

Sarah Absher, CFM, Director

Enc. Applicable Ordinance Criteria
Vicinity, Assessor and Zoning Maps

REVIEW CRITERIA

TILLAMOOK COUNTY LAND DEVELOPMENT ORDINANCE

SECTION 3.020: RURAL COMMERCIAL ZONE (RC)

4. Standards: Land divisions and development in the RC zone shall conform to the following standards, unless more restrictive supplemental regulations apply:

- (a) The minimum lot dimensions, yard setbacks, and building height restrictions for structures containing only residential use shall be the same as in the RR zone.
- (b) Minimum yards for any structure on a lot or parcel adjacent to a residential zone shall be 5 feet on the side adjacent to the residential zone, and 10 feet in the front yard. No rear yard is required.
- (c) For commercial or combined commercial-residential structures, structures shall be either constructed on the property line or setback at least 3 feet or as required in Section 3.020 (4) (b).
- (d) All structures shall meet the requirements for clear-vision areas specified in Section 4.010.
- (e) All uses shall meet off-street parking requirements as provided in Section 4.030.
- (f) Outdoor storage abutting or facing a lot in a residential zone shall be screened with a sight-obscuring fence.
- (g) The maximum building height for commercial structures shall be 35 feet except on ocean or bay frontage lots, where it shall be 24 feet, higher structures may be permitted as a conditional use in accordance with Article VI.
- (h) Scale of Commercial uses:
 - a. Outside an unincorporated community, the use shall not exceed a total of 3,000 square feet of floor area per use within a building(s) 12/18/2002 Tillamook County Land Use Ordinance 3.020 (RC) 4
 - b. Outside an unincorporated community a lawfully established use that existed prior to the adoption of this Section (December 4, 2002) may be expanded to occupy a maximum of 3,000 square feet of floor area, or an additional 25% of the floor area currently occupied, whichever is greater

TILLAMOOK COUNTY LAND DIVISION ORDINANCE

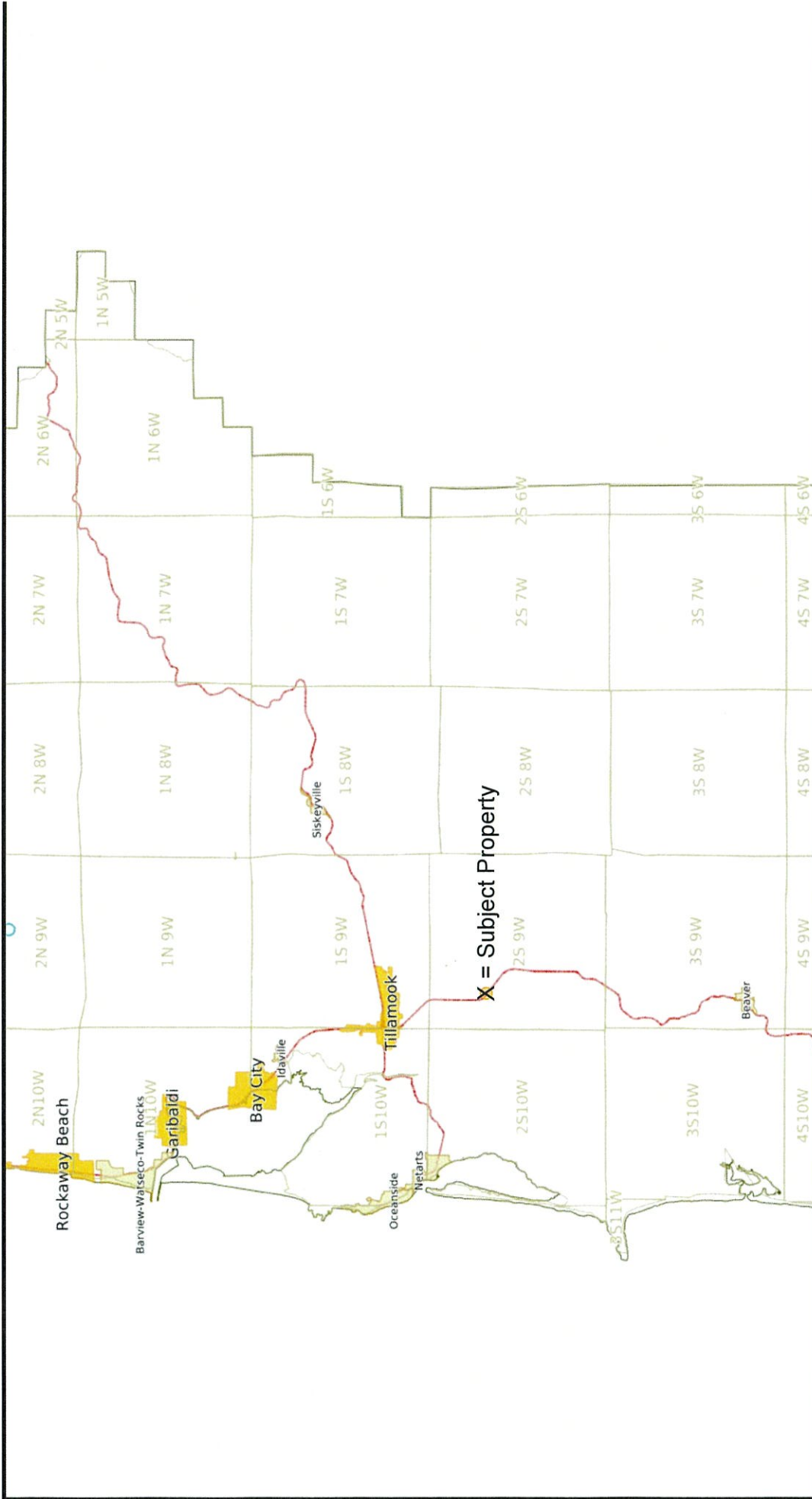
SECTION 070: PRELIMINARY PLAT APPROVAL CRITERIA

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

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

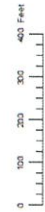


Tillamook County GIS



Created: Mon Mar 20 2023-11:23:6
Active Layers: County_Boundary, Fed_state_highways, citylimit, community_polygon, TaxlotOwner, Township_Range_Section, Road_Centerline
Extent: -13822781.249387, 5660094.142976, -13703692.359335, 5723154.6913024

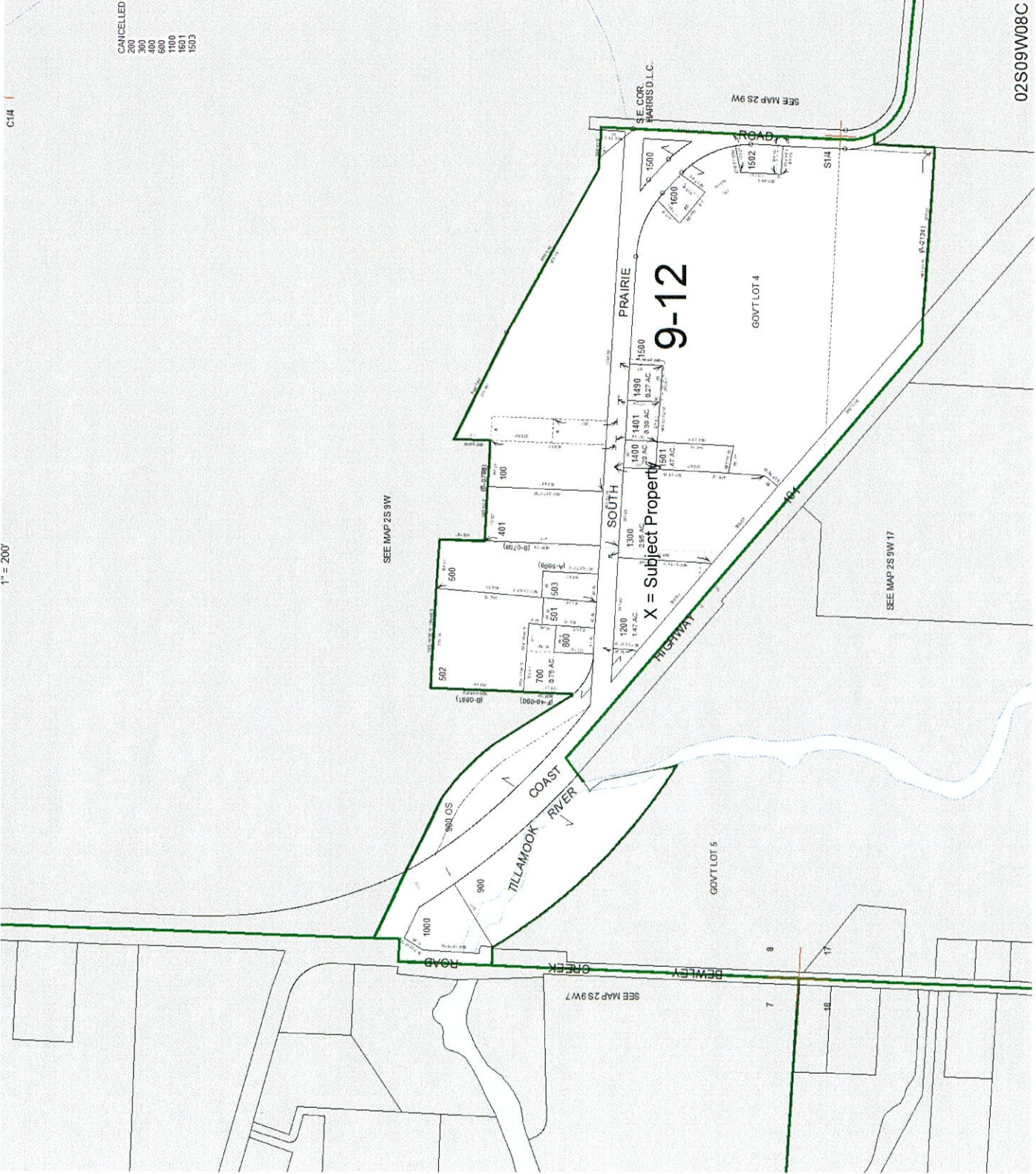
THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY



S.W.1/4 SEC.8 T.2S. R.9W. W.M.
TILLAMOOK COUNTY

1" = 200'

02S09W08C



02S09W08C

Revised 2/25/22, WS



LAND DIVISION APPLICATION

Applicant (Check Box if Same as Property Owner)

Name: Terry Jones Consulting Phone: 503-801-0967
 Address: 11765 Hwy. 101 South
 City: Tillamook State: OR Zip: 97141
 Email: terryleejones1956@gmail.com

Property Owner

Name: David & Jenny Burt Phone: 503-812-9548
 Address: 6990 Bewley Creek Road
 City: Tillamook State: OR Zip: 97141
 Email:

Location:

Site Address: 6730 South Prarie Road

Map Number:	2S	9	8C	1200
	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:

Zoning RC

OFFICE USE ONLY	
Date Stamp	RECEIVED FEB 08 2023 BY:
<input type="checkbox"/> Approved <input type="checkbox"/> Denied	Received by:
Receipt #: 130513	Fees: 1100.-
Permit No: 851-23-00094-PLNG	

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

Proposed Development

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

Additional Information Required for Subdivisions

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

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



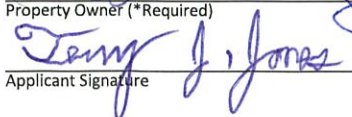
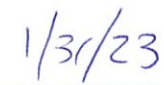
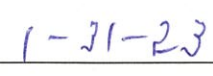
Certificates:

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

Additional Information:

Authorization

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

	
Property Owner (*Required)	Date
	 
Applicant Signature	Date

PARTITION PLAT 2023 -

NARRATIVE

THIS IS A DEPENDENT SURVEY OF THE BURT TRACT DESCRIBED IN INSTRUMENT 2006-4568 AND INSTRUMENT 2018-7558, TILLAMOOK COUNTY, OREGON. THE PURPOSE OF THIS SURVEY IS TO PARTITION THE BURT TRACT INTO 2 PARCELS AS SHOWN HEREON. THE BOUNDARY WAS LAD OUT FROM THE INITIAL POINT, USING RECORD VALUES FROM MAP A-8817, NOTATED 01'12" CLOCKWISE TO MY BASIS OF BEARINGS.

BASIS OF BEARINGS

THE BASIS OF BEARINGS IS NORTH AS DETERMINED BY G.P.S. OBSERVATIONS USING THE OREGON COAST ZONE COORDINATE SYSTEM. THIS GIVES A BEARING OF 3° 00' 00" TO THE INITIAL POINT AND THE SOUTHEAST CORNER OF THE SUBJECT PROPERTY.

THIS IS A ROTATION OF 01'12" CLOCKWISE FROM MAP A-8817.

OREGON COORDINATE REFERENCE SYSTEM OREGON COAST ZONE

CONIC MERCATOR PROJECTION
NORTH AMERICAN DATUM OF 1983

LATITUDE OF LOCAL ORIGIN: 44°46'00" N
LONGITUDE OF LOCAL ORIGIN: 124°03'00" W
FALSE EASTING: 300,000.00 METERS
FALSE NORTING: 300,000.00 METERS
SKEW AND SCALE: 1,000 000 (CONST)
SKEW AND AZIMUTH AT LOCAL ORIGIN: +970070"

(THE ABOVE INFORMATION IS RECORD FROM "OREGON COORDINATE REFERENCE SYSTEM HANDBOOK AND MAP A-8817, PAGES 28-30, APPENDIX A, PAGE 14-82, SEE BOOK RECORDS)

SURVEYOR'S CERTIFICATE

I, TERRY L. JONES, CERTIFY THAT:
I HAVE CORRECTLY SURVEYED AND MARKED WITH PROPER MONUMENTS (PARCELS 1 AND 2), THE LAND REPRESENTED ON THE ATTACHED PARTITION PLAT, BEING THE LANDS DESCRIBED IN INSTRUMENT 2006-4568 AND INSTRUMENT NUMBER 2018-7558, TILLAMOOK COUNTY RECORDS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INITIAL POINT, WHICH IS A 5/8" REBAR WITH PLASTIC CAP TO, WAYNE COOK PLS 1089, THAT IS S 89°23'00" W 1333.59' FROM THE SOUTHEAST CORNER OF THE HARRIS DUC IN SECTION 8, TOWNSHIP 36N, RANGE 9 WEST, WILLAMETTE MERIDIAN, SEE MAP A-8817 AND BEARINGS BOOK 7, PAGE 587;

- THENCE S 044°47' W 291.20';
- THENCE N 0218°44' W 388.91';
- THENCE N 24°09'00" E 15.53';
- THENCE N 27°07'00" E 93.570';
- THENCE S 89°15'00" E 287.00';
- THENCE S 045°40' W 19.59' TO THE INITIAL POINT.

APPROVALS

APPROVED MONTH, 20____ AS PARTITION, 881-20-000473-PLA.

TILLAMOOK COUNTY DEPT. OF COMMUNITY DEVELOPMENT _____ DATE _____

NOTE: THE ABOVE SIGNATURE DOES NOT WARRANT THAT SENIOR OR SITE EVALUATION APPROVAL IS OR WILL BE AVAILABLE TO PARCEL 2.

APPROVED THIS _____ DAY OF _____, 20____

TILLAMOOK COUNTY SURVEYOR _____

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

TILLAMOOK COUNTY TAX COLLECTOR _____

DECLARATION

I KNOW ALL PEOPLE BY THESE PRESENTS THAT DAVID L. BURT AND JENNY L. BURT, ARE THE OWNERS OF THE LAND REPRESENTED ON THE ANNEKED MAP AND MORE PARTICULARLY DESCRIBED IN THE ACCOMPANYING SURVEYOR'S CERTIFICATE, AND I HEREBY CERTIFY THAT I AM THE QUALIFIED CLERK OF TILLAMOOK COUNTY AND THAT THIS PARTITION PLAT WAS RECEIVED FOR RECORD ON THE _____ DAY OF _____, 20____ AT _____ O'CLOCK, AND RECORDED AS INSTRUMENT NO. _____ IN PLAT CABINET B-_____, TILLAMOOK COUNTY, OREGON, AND THAT THIS COPY OF THE ORIGINAL PLAT OF SAME, AS RECORDED IN PLAT CABINET B - _____ OF PARTITION PLAT RECORDS OF TILLAMOOK COUNTY, OREGON, 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. _____.

DAVID L. BURT _____ JENNY L. BURT _____

ACKNOWLEDGMENT

STATE OF OREGON > S.S.
COUNTY OF TILLAMOOK >
THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON _____, 2023 BY DAVID L. BURT AND JENNY L. BURT.

(SIGN) _____ (PRINT)

NOTARY PUBLIC - OREGON

COMMISSION NO. _____

MY COMMISSION EXPIRES _____ DAY OF _____, 20____

CERTIFICATE OF COUNTY CLERK

STATE OF OREGON > S.S.
COUNTY OF TILLAMOOK >
I HEREBY CERTIFY THAT I AM THE QUALIFIED CLERK OF TILLAMOOK COUNTY AND THAT THIS PARTITION PLAT WAS RECEIVED FOR RECORD ON THE _____ DAY OF _____, 20____ AT _____ O'CLOCK, AND RECORDED AS INSTRUMENT NO. _____ IN PLAT CABINET B-_____, TILLAMOOK COUNTY, OREGON, AND THAT THIS COPY OF THE ORIGINAL PLAT OF SAME, AS RECORDED IN PLAT CABINET B - _____ OF PARTITION PLAT RECORDS OF TILLAMOOK COUNTY, OREGON, 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. _____.

BY: TASSI O'NEAL, COUNTY CLERK _____

CERTIFICATE OF COUNTY CLERK

STATE OF OREGON > S.S.
COUNTY OF TILLAMOOK >
I, TASSI O'NEAL, DO HEREBY CERTIFY THAT I AM THE QUALIFIED CLERK OF TILLAMOOK COUNTY, OREGON AND THAT THIS COPY OF THE ORIGINAL PLAT OF SAME, AS RECORDED IN PLAT CABINET B - _____ OF PARTITION PLAT RECORDS OF TILLAMOOK COUNTY, OREGON, 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. _____.

TASSI O'NEAL _____

I, TERRY L. JONES, DO HEREBY CERTIFY THAT THIS IS A FULL, COMPLETE AND TRUE COPY OF THE ORIGINAL PLAT AS REFERENCED ABOVE.

TERRY L. JONES, PLS 2007 _____

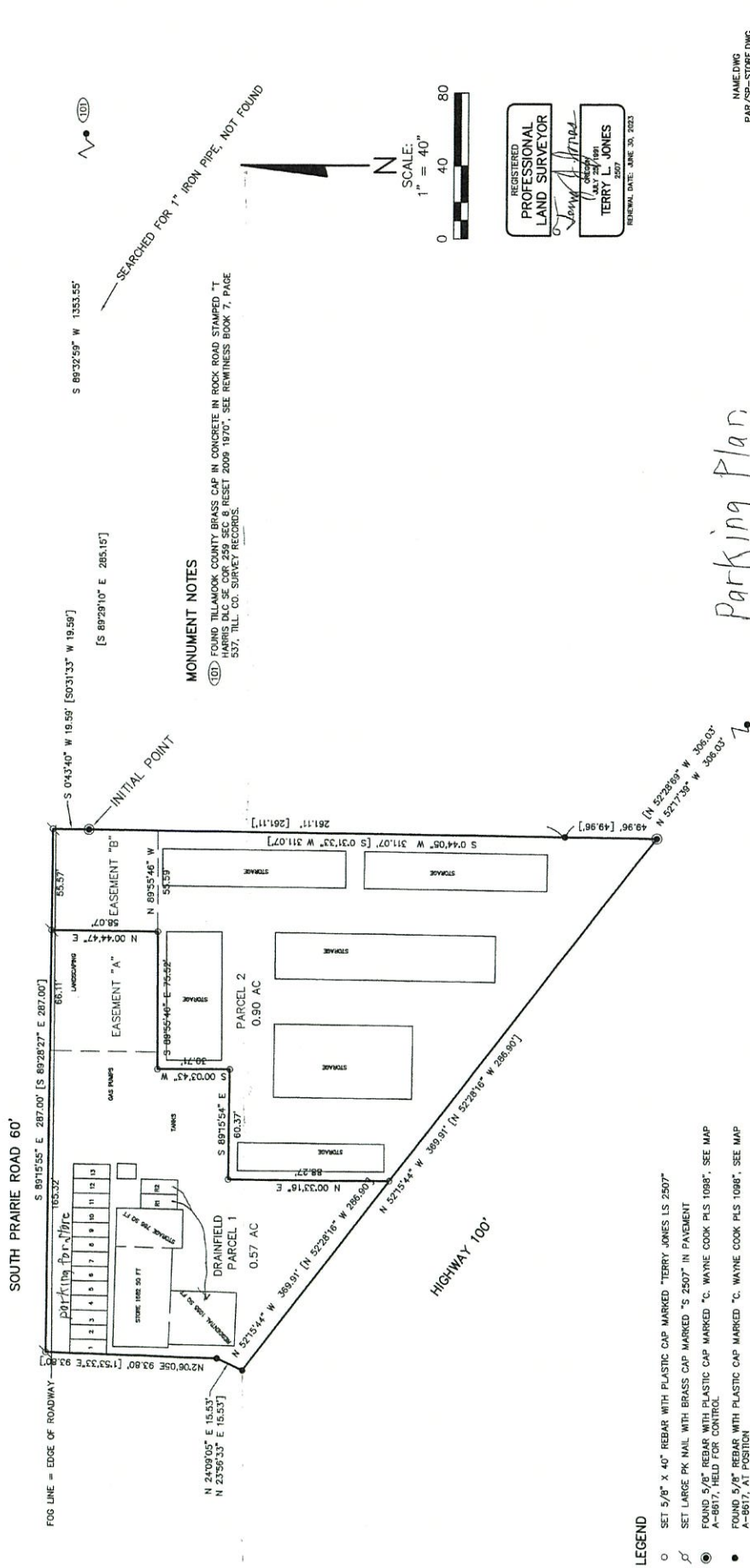


TERRY JONES 11785 HWY 101 SOUTH TILLAMOOK, OR. 97141 (503) 801-0967		PARTITION PLAT FOR DAVID & JENNY BURT INSTRUMENT 2006-4568 AND INSTRUMENT 2018-7558 SW 1/4 SECTION 8, T2S, R9W, W.M. TILLAMOOK COUNTY, OREGON	
DATE	TIME	PLAT	BOOK
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

NAME/DWG
PAR/SP - STORE/DWG
SP - FRAME/LOG

PARTITION PLAT 2023 -

RECEIVED
FEB 08 2023
 BY:



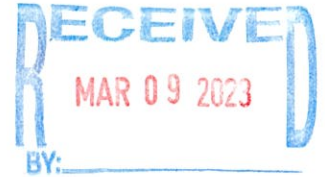
Parking Plan

- LEGEND**
- SET 5/8" X 40' REBAR WITH PLASTIC CAP MARKED "TERRY JONES LS 2507"
 - ⌒ SET LARGE PK NAIL WITH BRASS CAP MARKED "S 2507" IN PAVEMENT
 - ⊙ FOUND 5/8" REBAR WITH PLASTIC CAP MARKED "C. WAYNE COOK PLS 1098". SEE MAP A-867, HELD FOR CONTROL.
 - FOUND 5/8" REBAR WITH PLASTIC CAP MARKED "C. WAYNE COOK PLS 1098". SEE MAP A-867, AT POSITION
 - () RECORD VALUE FROM MAP
 - [] RECORD VALUE FROM MAP A-867
 - NO () OR [] MEASURED VALUE

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR
 TERRY L. JONES
 JULY 27, 1991
 2507
 RENEWAL DATE: JUNE 30, 2023

PARTITION PLAT FOR DAVID & JENNY BURT AND INSTRUMENT 2006-4596 INSTRUMENT 2018-7556 SW 1/4 SECTION 8, T2S, R0W W.M. TILLAMOOK COUNTY, OREGON		DRAWN T.L.J. CHECKED T.L.J.	FOR NO. T.L.J.
SURVEY BY TERRY JONES 11765 HWY 101 SOUTH TILLAMOOK, OR. 97141 (503) 801-0967	EQUIPMENT TOPCON ES-103 FC-5000	FIELD T.L.J.	NAME D.W.C. P.A.S./S.D. S.D.-FRAME/C.R.S.

SOUTH PRAIRIE WATER ASSOCIATION
8460 BEWLEY CREEK ROAD
TILLAMOOK, OREGON 97141
503-842-6872



March 8, 2023

LETTER OF WATER AVAILABILITY

The Storage Units owned by David and Jenny Burt at 6730 South Prairie Road adjacent to South Prairie Store are within the service area of South Prairie Water Association. Water service would be available to this property... *as well as the Store.*

If you have any questions please call Sue Rieger at 503-843-6872

TL 120

7051-771431

Tillamook County, Oregon 2006-004596
06/01/2006 03:01:29 PM

DEED-DWARR
\$20.00 \$11.00 \$10.00 - Total = \$41.00



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



Tassi O'Neil, Tillamook County Clerk

After recording return to and until a change is requested, send all tax statements to:

David L. Burt and Jenny L. Burt
6990 Bewley Creek Road
Tillamook, OR 97141



Statutory Warranty Deed

David R. Wilks and Tamera J. Wilks, husband and wife, as tenants by the entirety, Grantor, conveys and warrants to David L. Burt and Jenny L. Burt, husband and wife, as tenants by the entirety, Grantee, the real property described in Exhibit A, attached hereto, free of liens and encumbrances, except as specifically set forth in Exhibit B, attached hereto.

The true and actual consideration for this conveyance, stated in terms of dollars, is \$900,000.00.

Before signing or accepting this instrument, the person transferring fee title should inquire about the person's rights, if any, under ORS 197.352. 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 approved uses and 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 197.352.

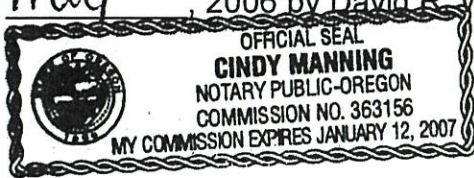
This instrument will not allow use of the property described in this instrument in violation of applicable land use laws and regulations. Before signing or accepting this instrument, the person acquiring fee title to the property should check with the appropriate city or county planning department to verify approved uses and to determine any limits on lawsuits against farming or forest practices as defined in ORS 30.930.

DATED this 31st day of May, 2006.

David R. Wilks
David R. Wilks
Tamera J. Wilks
Tamera J. Wilks

STATE OF OREGON)
)ss.
County of Tillamook)

This instrument was acknowledged before me on this 31st day of may, 2006 by David R. Wilks.



Cindy Manning
NOTARY PUBLIC FOR OREGON
My Commission Expires: 1-12-2007

STATE OF OREGON)
)ss.
County of Tillamook)

This instrument was acknowledged before me on this 31st day of may, 2006 by Tamera J. Wilks.



Cindy Manning
NOTARY PUBLIC FOR OREGON
My Commission Expires: _

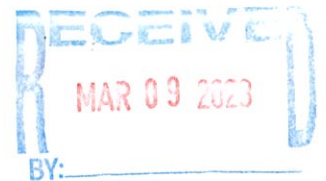


Exhibit "A"

Real property in the County of Tillamook, State of Oregon, described as follows:

Beginning at a point 498.1 feet North and 932.8 feet East from the Section corner common to Sections 7, 8, 17 and 18, Township 2 South, Range 9 West of the Willamette Meridian, in Tillamook County, Oregon; thence South 20° 18' East 56.0 feet; thence South 46° 49' East 84.8 feet; thence East 277.7 feet; thence North 280.7 feet to the center of the Old State Highway; thence West 287.0 feet; thence South 1° 22' West 93.8 feet; thence South 23° 25' West 64.7 feet; thence South 68° 30' West 47.4 feet to the point of beginning, being situated in Section 8, Township 2 South, Range 9 West of the Willamette Meridian, in Tillamook County, Oregon.

EXCEPTING THEREFROM all that portion of the foregoing described property included in a strip of land of variable width to the property line on the Southwesterly side and 50 feet on the Northeasterly side of the centerline of the Oregon Coast Highway; the location of said strip of land (insofar as it encroaches upon said property) being determined by the centerline described as follows: Beginning at a point which is Engineer's centerline station 199+77.63 opposite and 50 feet distant from which point the Northeasterly line of said strip of land intersects the Southerly line of said property; said point being 343.3 feet North and 1167.0 feet East of the Southwest corner of Section 8, Township 2 South, Range 9 West of the Willamette Meridian; thence North 52° 07' West a distance of 279.91 feet to a point which is Engineer's centerline Station 202+57.54 opposite and 21.59 feet distance Westerly from which point lies the Northwesterly corner of said property.

Tax Parcel Number: 177356

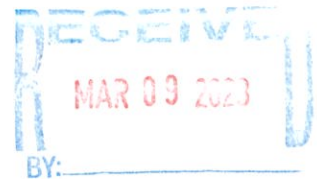


Exhibit B

Exceptions to title:

1: Mortgage and the terms and conditions thereof

Grantor/Trustor: David L. Burt and Jenny L. Burt

Grantee/Beneficiary: Sterling Savings Bank

Trustee: First American Title Insurance Company of Oregon

Amount \$160,000.00

Dated: May 31, 2006

Recorded: June 1, 2006

Recording Information: 2006-004597

2. Easement recorded November 15, 1982 in Book 284, Page 473, Records of Tillamook County in favor of the Tillamook People's Utility District for utilities.
3. Easement recorded February 5, 1985 in Book 296, Page 961, Records of Tillamook County in favor of the Tillamook People's Utility District for utilities.
4. Rights of the public in and to that portion of the premises herein described lying within the limits of streets, roads and highways.
5. Limited access provisions in favor of the State of Oregon, by and through its State Highway Commission as contained in Decree of Condemnation entered April 30, 1949 in Suit No. 8147, in the Circuit Court for Tillamook County, which provides that no right of easement or right of access to, from or across the State Highway other than expressly therein provided for shall attach to the abutting property.

RECEIVED
MAR 09 2007
BY: _____

DEED-DBS
\$15.00 \$11.00 \$61.00 \$10.00 - Total = \$97.00



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

Tassi O'Neil, Tillamook County Clerk



AFTER RECORDING RETURN TO:
SEND TAX STATEMENTS TO:

GRANTORS/GRANTEES:
DALE A. SMITH, ET UX
9500 South Prairie Rd.
TILLAMOOK, OR 97141

BARGAIN AND SALE DEED

DALE A. SMITH and DEBRA D. SMITH, husband and wife, hereinafter called Grantor, does hereby grant, bargain, sell and convey unto **DAVID L. BURT and JENNY L. BURT, husband and wife**, hereinafter called Grantees, all that certain property more particularly described as follows and situated in Tillamook County, Oregon.

See attached for legal description.

The true and actual consideration paid for this conveyance is \$ -0- . This Deed is being given as a Lot Line Adjustment and not to create a separate and distinct parcel.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. 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 APPROVED USES, 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 197.352.

Dated: November 27, 2018

DALE A. SMITH

DEBRA D. SMITH

STATE OF OREGON

)
) ss.

County of Tillamook

Before me personally appeared DALE A. SMITH and DEBRA D. SMITH this 27th day of November, 2018, and acknowledged the foregoing instrument to be their voluntary act and deed.

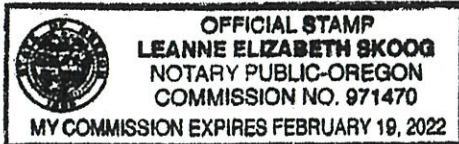


Notary Public for Oregon
My Commission Expires:

STATE OF OREGON)

County of Deschutes) ss.

Before me personally appeared DALE A. SMITH this 10th day of December, 2018,
and acknowledged the foregoing instrument to be his voluntary act and deed.



[Handwritten Signature]

Notary Public for Oregon
My Commission Expires: 02/19/2022

RECEIVED
MAR 09 2023
BY: _____

PHONE 503*842-8380
IF NO ANSWER 503*842-4787
FAX 503*842-1761

SERVING THE COMMUNITY
SINCE 1977



MEMBER

C. WAYNE COOK LAND SURVEYING

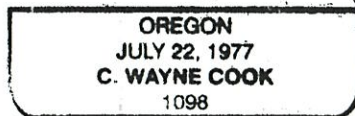
3180 ALDERCREST, TILLAMOOK, OREGON 97141

BOUNDARY ADJUSTMENT OF TRACT OF LAND DESCRIBED DEED TO BURT, DOCUMENT 2006-004596, TILLAMOOK CO. DEED RECORDS

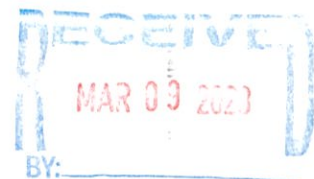
A tract of land in the Southwest quarter of Section 8, T. 2 S. R.9 W. of the Willamette Meridian in Tillamook County, Oregon. said tract being described as follows: Commencing at a point which is North 498.1 feet and East 932.8 feet from the Southwest corner of said Section 8, T. 2 S. R.9 W. of the Willamette Meridian; thence N 69°24'14" E 47.18 feet and N 23°56'33" E 49.17 feet to a point on the Northeasterly right of way boundary of CSH #101, said point being the Point of Beginning of the tract to be described; thence N 23°56'33" E 15.53 feet; thence N 1°53'33" E 93.80 feet; thence S 89°28'27" E 287.80 feet; thence S 0°31'33" W 330.66 feet to a point on the Northeasterly right of way boundary of OSH #101; thence N 52°28'16" W 369.91 feet to the point of beginning.

SUBJECT TO: Easements and conditions defined in Document 2006-004596, Tillamook Co. Deed Records.

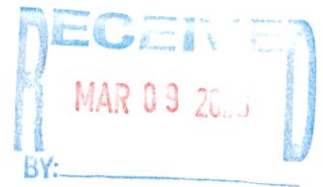
NOTE: See survey A-8617, Tillamook County Surveyor's Records, for basis of bearing and monumentation data.



Renewal date 12/31/2019



Enclosed: Incomplete Application Response Form and 150 Day Waiver



Date: March 3, 2023

RE: Incomplete application for Partition Application #851-23-000034-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 (**February 8, 2023**) 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

- ^{inclosed} 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.

Jimmy J. Jones
Signed and Acknowledged (Applicant)

3-9-23
Date