



**PARTITION REQUEST #851-23-000166-PLNG:
ROOS / RICE
ADMINISTRATIVE DECISION & STAFF REPORT**

Decision: Approved with Conditions
Decision Date: July 28, 2023
Report Prepared By: Angela Rimoldi, Planning Technician

I. GENERAL INFORMATION:

- Request:** Partition request to create three (3) residential parcels (Exhibit B).
- Location:** Located within the Community of Beaver, accessed via a private easement, which is reached via Blaine Road, a county-maintained road. The subject property is designated as Tax Lot 700 of Section 29CB, Township 3 South, Range 09 West of the Willamette Meridian, Tillamook County Oregon (Exhibit A).
- Zone:** Community Single-Family Residential (CSFR)
- Applicant:** Michael Rice, P.O. Box 521, Tillamook, OR. 97141
- Property Owner:** Case Roos, 20295 E Beaver Creek Rd., Cloverdale, OR. 97112

Description of Site and Vicinity: The subject property is accessed via a private easement, which is reached via Blaine Road, a county-maintained road, is irregular in shape, holds no improvements, and is vegetated with grasses, shrubs, and trees (Exhibit A). The topography of the subject property varies, however, is generally sloped with some flat areas. The subject property is located within an area primarily devoted to residential, farm and forest use. The subject property is surrounded by properties also zoned CSFR to the north, south, east, and west; in addition, properties zoned Farm (F-1) to the southeast and properties zoned Forest (F) to the northeast (Exhibit A).

The subject property does not contain 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 41057C0740F (Exhibit A).

The subject property is within an area of geologic Hazard (Exhibit A). A Condition of Approval has been made to require relevant standards of TCLUO Section 4.130: Development Requirements for Geologic Hazard Areas be adhered to at the time of 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 3.011: Community Single Family Residential (CSFR) 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 agencies on June 30, 2023. No comments were received (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 three (3) parcels (Exhibit B). The applicability of the CSFR 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 outlines access to the subject property, and subsequent parcels, from a private easement, which is reached via Blaine Road, a county-maintained road (Exhibit B). A Condition of Approval has been outlined below in Section V.

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 subject property is served by the Beaver Water District and on-site wastewater. A water availability letter from the Beaver Water District is included in the Applicant's submittal (Exhibit B). 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.

The subject property is also served by the Nestucca Rural Fire Protection District, Tillamook County Sheriff's Office, and the Tillamook County Public Works Department. 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. TCLUO Section 3.011: Community Single Family Residential (CSFR) Zone

(4) *STANDARDS: Land divisions and development in the CSFR zone shall conform to the following standards, unless more restrictive supplemental regulations apply:*

- (a) *The minimum lot size is 20,000 for permitted uses.*
- (b) *The minimum lot width and depth shall both be 100 feet.*
- (c) *The minimum front yard shall be 20 feet.*
- (d) *The minimum side yard shall be 5 feet; on the street side of a corner lot, it shall be no less than 15 feet.*
- (e) *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 three (3) parcels to be created by the partition meet the minimum requirements for lot size and dimensions as outlined above (Exhibit B). There are no improvements on either proposed parcel, therefore side yard setbacks do not currently apply (Exhibit B).

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: 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.

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 August 9, 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. The applicant shall obtain a letter from the Tillamook County Public Works Department confirming either the existing Road Approach via Blaine Road is adequate or that the necessary improvements to the Road Approach have been completed. The letter shall be provided to the Department prior to or at the time of final plat review.
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 standards required by TCLUO Section 3.011: Community Single Family Residential (CSFR) Zone and TCLUO Section 4.130: Development Requirements for Geologic Hazard Areas.

VI. EXHIBITS:

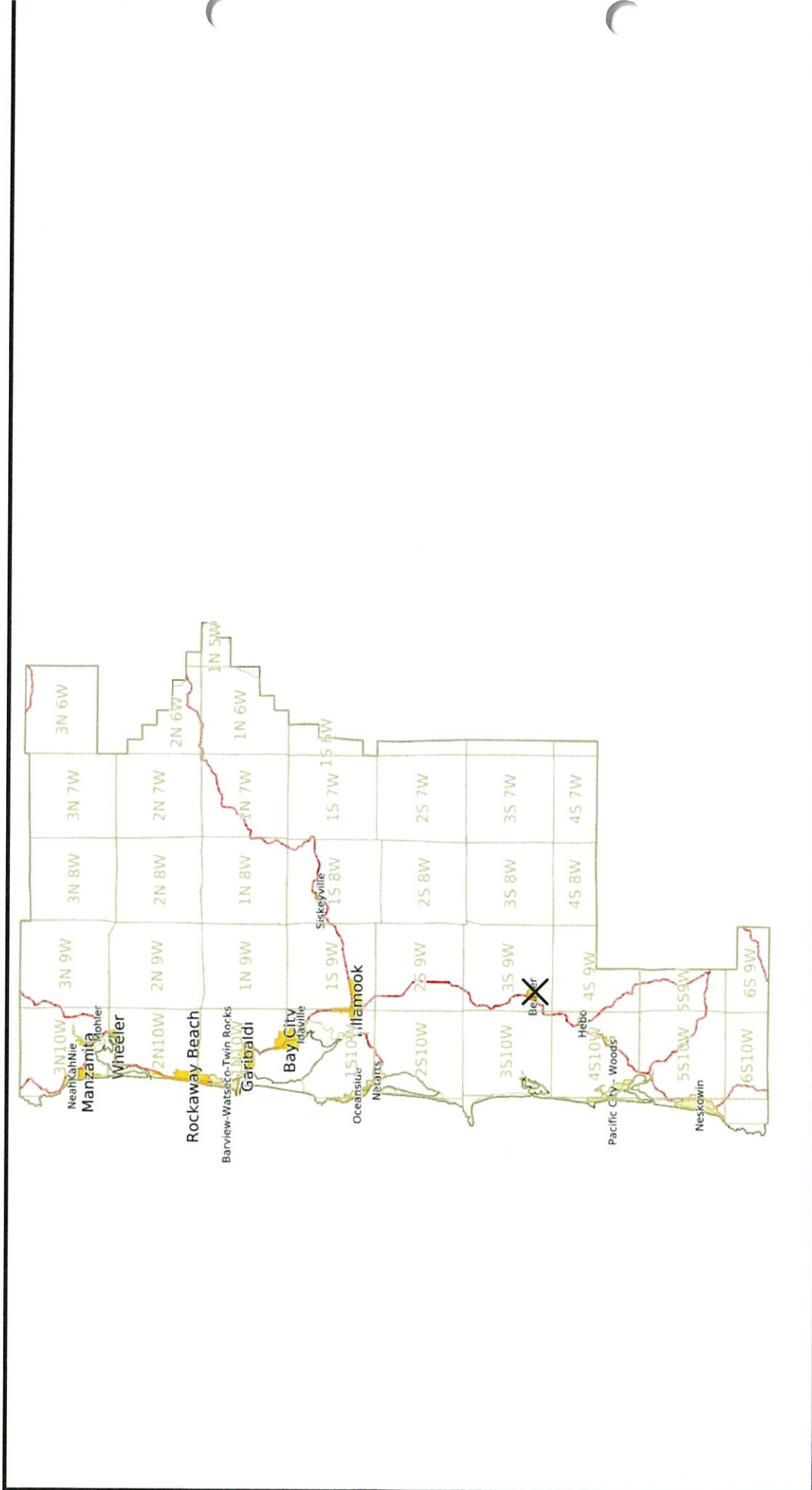
All Exhibits referenced herein are, by this reference, made a part hereof:

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

EXHIBIT A



Tillamook County GIS

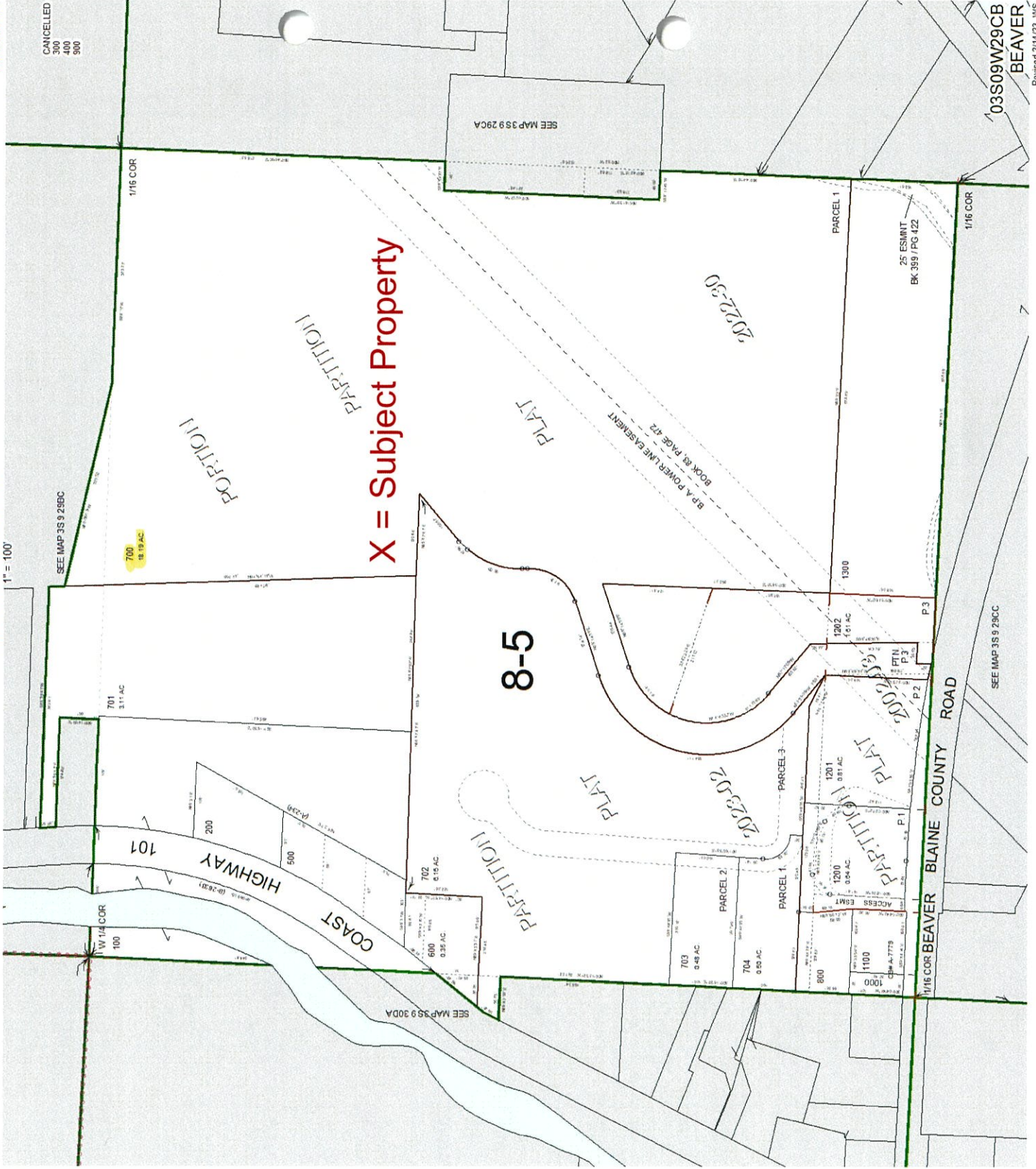


Created: Wed Jun 28 2023-14:20:19
Active Layers: County_Boundary, Fed_state_highways, citylimit, community_polygon, TaxlotOwner, Township_Range_Section, Road_Centerline
Extent: -13861366.416816, 5621408.5659463, -13622882.8886, 5747529.6625993

THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY

N.W. 1/4 S.W. 1/4 SEC. 29 T. 3S. R. 9W. W.M.
TILLAMOOK COUNTY

03S09W29CB
BEAVER



X = Subject Property

03S09W29CB
BEAVER

Revised 2/14/23, WS



U.S. Fish and Wildlife Service

National Wetlands Inventory

PARTITION #851-23-000166-PLNG



U.S. Fish and Wildlife Service, National Standards and Support Team
wetlands.team@fws.gov

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.

July 25, 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°49'38"W 45°16'56"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

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 OF FLOOD HAZARD

NO SCREEN *Zone X*

Area of Minimal Flood Hazard *Zone X*

Effective LOMRs

Area of Undetermined Flood Hazard *Zone X*

OTHER AREAS

Channel, Culvert, or Storm Sewer

Levee, Dike, or Floodwall

GENERAL STRUCTURES

Cross Sections with 1% Annual Chance

Water Surface Elevation

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

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

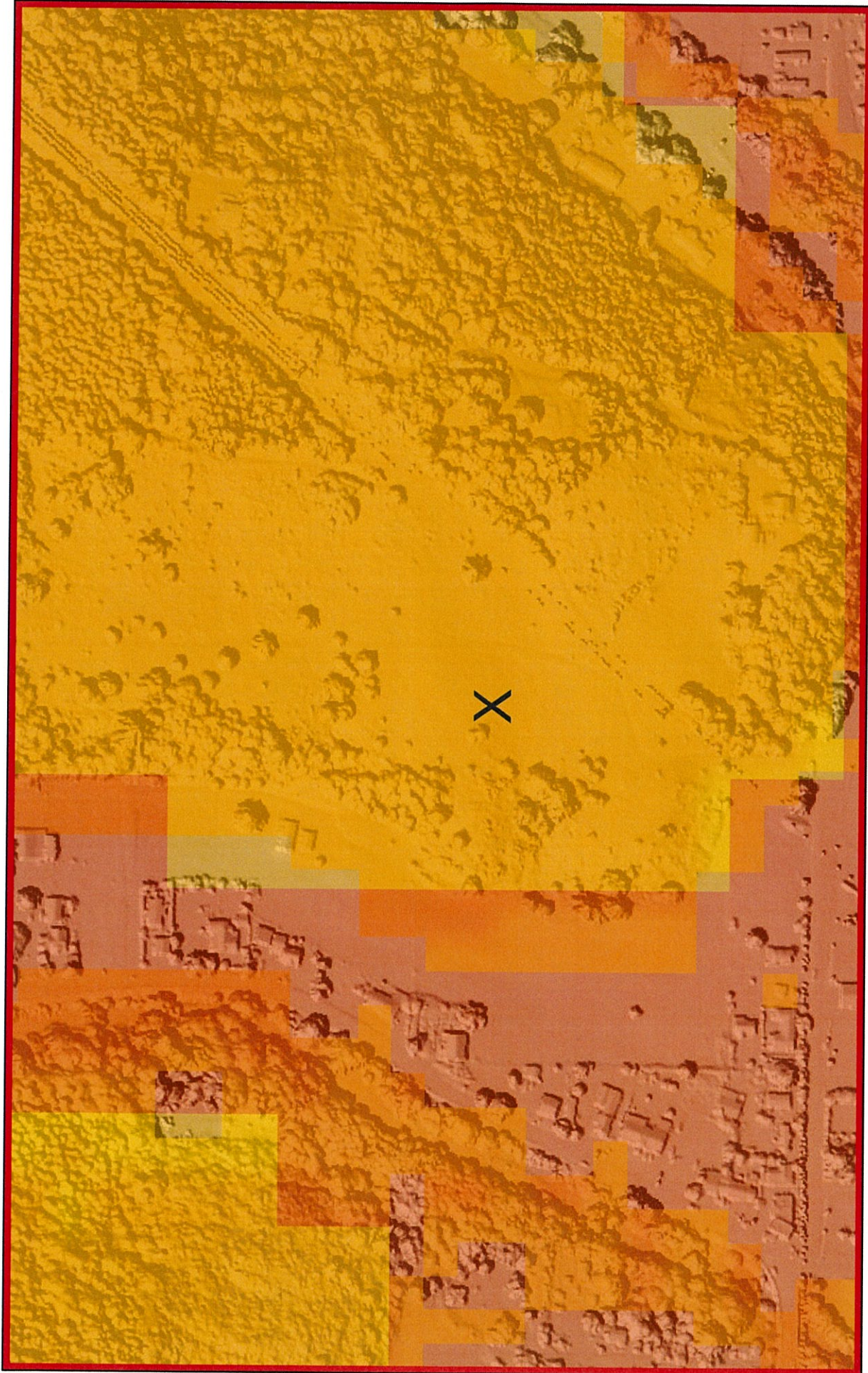
This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 7/25/2023 at 5:23 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.



PARTITION #851-23-000166-PLNG



July 25, 2023



EXHIBIT B



LAND DIVISION APPLICATION

Applicant (Check Box if Same as Property Owner)

Name: Michael R. Rice, PLS Phone: (503) 801-7901
 Address: P.O. Box 521
 City: Tillamook State: OR Zip: 97141
 Email:

Property Owner

Name: Alexis Roos Phone: (503) 812-7865
 Address: 20295 Beaver Creek Road
 City: Cloverdale State: OR Zip: 97112
 Email: case.roos7@gmail.com

Location:

Site Address: N/A

Map Number:	3S	9W	29CB	#700
	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

OFFICE USE ONLY

Date Stamp RECEIVED JUN 06 2023 BY: Counter
<input type="checkbox"/> Approved <input type="checkbox"/> Denied
Received by:
Receipt #: 132194
Fees: \$ 1,100.00
Permit No: 851-23-000166 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.

<i>Alexis Ross</i> <small>Property Owner (*Required)</small>	6.5.2023 <small>Date</small>
<i>[Signature]</i> <small>Applicant Signature</small>	6/5/23 <small>Date</small>

PARTITION PLAT PROPOSAL

REPLAT OF PARCEL 1, PARTITION PLAT #2022-30
 LOCATED IN THE NW 1/4 AND THE SW 1/4 OF SECTION 29

T. 3 S., R. 9 W., W.M.
 TILLAMOOK COUNTY, OREGON
 MAY 30th, 2023

BASIS OF BEARINGS:

THE BASIS OF BEARINGS FOR THIS PROPOSAL IS ACROSS FOUND, ORIGINAL PARTITION PLAT MONUMENTS FROM THE SOUTH 1/16 COMMON TO SECTION 30 AND 29 AND THE NE CORNER OF PARCEL 2, PARTITION PLAT #2002-03 (P-650), TILLAMOOK COUNTY SURVEY RECORDS.
 (N89°46'25"E) AND (N0°22'27"W) FROM MAP B-4043, TILLAMOOK COUNTY SURVEY RECORDS.

NARRATIVE:

THIS PROPOSAL WAS CONDUCTED AS A DEPENDENT RESURVEY OF THE SUBJECT PROPERTY DESCRIBED AS PARCEL 1, PARTITION PLAT #2022-030 IN INSTRUMENT #2023-1671, TILLAMOOK COUNTY CLERK'S RECORDS.

THE LINES WERE THEN PROPOSED AS DIRECTED BY THE LANDOWNER AND APPROVED BY TILLAMOOK COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT NO. XXX-XX-XXXXXX-PLNG.

NOTE: THIS PARTITION WILL NOT BE FINALIZED UNTIL THE PROPER PLAT HAS BEEN RECORDED WITH THE TILLAMOOK COUNTY CLERK'S OFFICE.

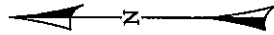
LEGEND:

- FOUND MONUMENTS AS DESCRIBED IN MAP B-4043, PARTITION PLATS #2022-30 & #2023-02, TILLAMOOK COUNTY SURVEY RECORDS.
- () RECORD PER PARTITION PLAT #2022-30 (P-1192), TILLAMOOK COUNTY SURVEY RECORDS.
- (O) RECORD PARTITION PLAT #2023-02 (P-1197), TILLAMOOK COUNTY SURVEY RECORDS.

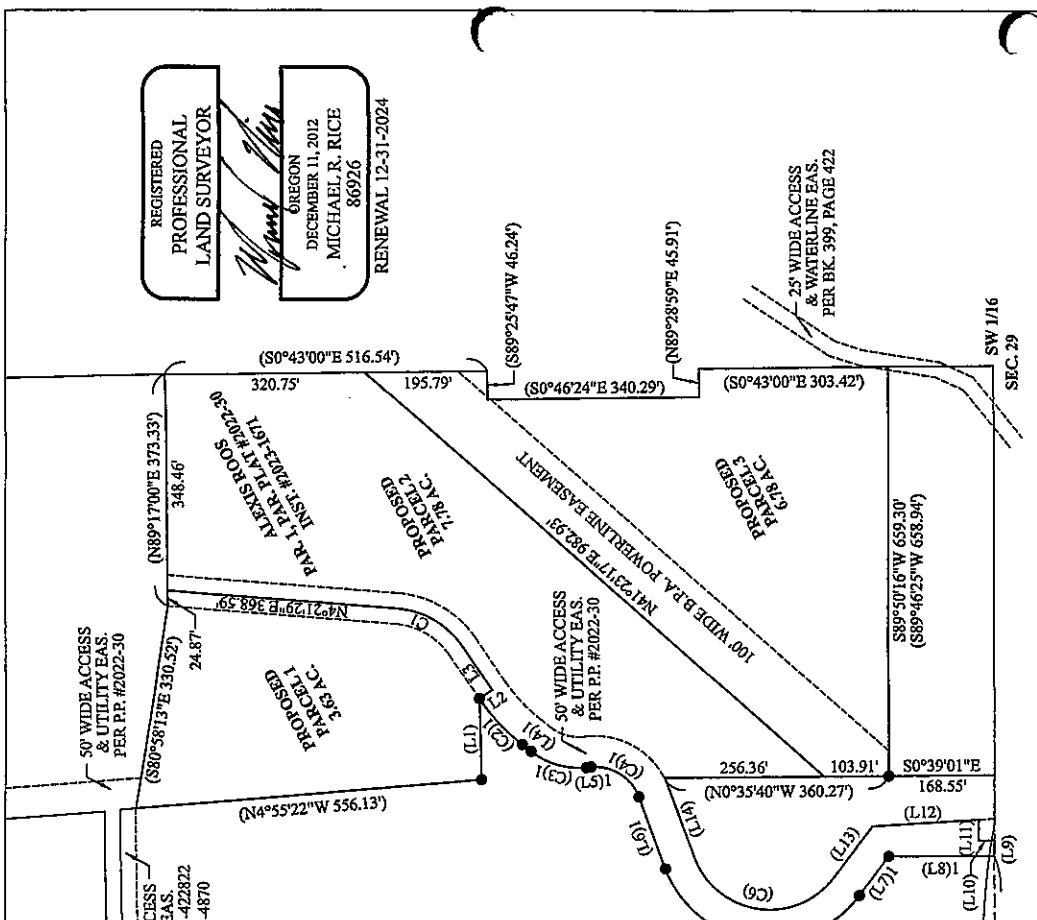
NO () EQUALS MEASURED VALUE MEASURED EQUALS RECORD TILLAMOOK COUNTY SURVEY RECORDS UNLESS OTHERWISE NOTED.

SHORT LINE TABLE		
NUM	BEARING	DIST.
(L1)	(N88°31'01"E)	(130.48')
L2	S33°52'58"E	25.00'
L3	N56°06'20"E	83.92'
(L4)	(S38°05'04"W)	(17.98')
(L5)	(S°38'07"E)	(7.94')
(L6)	(S69°19'37"W)	(124.15')
(L7)	(S5°27'58"E)	(78.92')
(L8)	(S0°22'27"E)	(168.50')
(L9)	(N89°46'25"E)	(25.00')
(L10)	(N0°22'27"W)	(24.75')
(L11)	(N89°46'25"E)	(33.63')
(L12)	(N3°44'08"W)	(169.55')
(L13)	(S5°16'02"W)	(103.43')
(L14)	(N69°13'37"E)	(138.44')

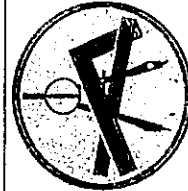
CURVE TABLE			
NUM	DELTA	ARC RADIUS	BEARING
(C1)	(51°44'51")	(126.44')	(N30°13'55"E)
(C2)	(18°01'09")	(100.64')	(S47°09'05"W)
(C3)	(43°33'54")	(95.04')	(S16°16'09"W)
(C4)	(74°40'21")	(97.75')	(S31°54'43"W)
(C5)	(123°04'12")	(384.49')	(S7°46'23"W)
(C6)	(122°35'11")	(276.00')	(N7°55'51"E)



SCALE: 1" = 200'



REGISTERED PROFESSIONAL LAND SURVEYOR
 OREGON
 DECEMBER 11, 2012
 MICHAEL R. RICE
 86926
 RENEWAL 12-31-2024



RSC
 RICE SURVEYING AND CONSULTING
 P.O. BOX 521
 TILLAMOOK, OREGON 97141
 CELL: (503) 801-7901

PROPOSAL FOR:
ALEXIS ROOS
 LANDS DESCRIBED IN THE NW 1/4 AND THE SW 1/4 OF SECTION 29,
 T. 3 S., R. 9 W., W.M.
 PARCEL 1, PARTITION PLAT #2022-30
 INSTRUMENT #2023-1671
 TILLAMOOK COUNTY CLERK'S RECORDS



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

Land of Cheese, Trees and Ocean Breeze

Building (503) 842-340
Planning (503) 842-340
On-Site Sanitation (503) 842-340
FAX (503) 842-181
Toll Free 1-(800) 488-828

RECEIVED
JUN 20 2023
BY:

DATE: 6/6/2023

TO: Tillamook County One-Stop Permit Counter

FROM: Beaver Water district

RE: Sewer/Water Availability (CIRCLE)

Dear Sir:

I confirm that sewer/water is available to the following lot(s) within our district: T 35 R 9W SEC 29CB TL# 700

According to our records, the legal owner is Case Roos

COMMENTS: _____

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.

[Signature]
Signature of Authorized Representative

Manager
Title

(503) 801-3338
Phone #

cc: Property Owner

47823124648 TICOR TITLE 360423001241

RECORDING REQUESTED BY:



1215 NE Baker Street
McMinnville, OR 97128

GRANTOR'S NAME:
Peter Schons

GRANTEE'S NAME:
Alexis Roos

AFTER RECORDING RETURN TO:
Order No.: 471823124648-CW
Alexis Roos
20295 Beaver Creek Road
Cloverdale, OR 97112

SEND TAX STATEMENTS TO:
Alexis Roos
20295 Beaver Creek Road
Cloverdale, OR 97112

APN: 213673
213003
Map: r3s929bc00900
3s929cb00700
Vacant Land, Beaver, OR 97108

Tillamook County, Oregon
04/21/2023 01:22:02 PM 2023-01671
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

Peter Schons, Grantor, conveys and warrants to Alexis Roos, a married person, 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:

- PARCEL NO. 1:
Parcel 1 of PARTITION PLAT NO. 2022-030, situated in the West half of Section 29, Township 3 South, Range 9 West, Willamette Meridian, County of Tillamook, State of Oregon, recorded December 30, 2022 as Instrument No. 2022-007503, Tillamook County Records; together with those access easements as delineated on said Partition Plat No. 2022-030.
- PARCEL NO. 2:
Parcel 2 of PARTITION PLAT NO. 2022-030, situated in the West half of Section 29, Township 3 South, Range 9 West, Willamette Meridian, County of Tillamook, State of Oregon, recorded December 30, 2022 as Instrument No. 2022-007503, Tillamook County Records; together with those access easements as delineated on said Partition Plat No. 2022-030.

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS THREE HUNDRED FIFTY THOUSAND AND NO/100 DOLLARS (\$350,000.00). (See ORS 93.030).

Subject to: See Attached Exhibit "A"

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: 4/20/2023

[Signature]
Peter Schons

State of Oregon
County of Gambell

This instrument was acknowledged before me on April 20, 2023 by Peter Schons.

[Signature]
Notary Public - State of Oregon

My Commission Expires: March 9 2026

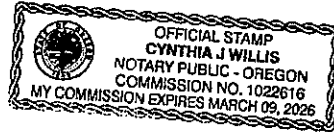


Exhibit "A"

Regulations, levies, liens, assessments, rights of way and easements of Beaver Water District.

Rights of the public to any portion of the Land lying within the area commonly known as streets, roads, and highways.

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

Granted to: United States of America
Purpose: Transmission line
Recording Date: September 9, 1942
Recording No: Book 83, page 472
Affects: Reference is hereby made to said document for full particulars

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

Granted to: B. L. Becker
Purpose: Water pipeline
Recording Date: February 24, 1946
Recording No: Book 93, page 539
Affects: Reference is hereby made to said document for full particulars

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

Granted to: B. L. Becker
Purpose: Water pipeline
Recording Date: February 24, 1946
Recording No: Book 93, page 540
Affects: Reference is hereby made to said document for full particulars

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

Granted to: Edward O. King and Wanda King
Purpose: Water pipeline
Recording Date: June 10, 1947
Recording No: Book 106, page 182
Affects: Reference is hereby made to said document for full particulars

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

Granted to: Tillamook Peoples' Utility District
Purpose: Public utilities
Recording Date: September 16, 1947
Recording No: Book 108, page 597
Affects: Reference is hereby made to said document for full particulars

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

Granted to: Tillamook Peoples' Utility District
Purpose: Public utilities
Recording Date: October 21, 1947
Recording No: Book 109, page 138
Affects: Reference is hereby made to said document for full particulars

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

Granted to: Tillamook Peoples' Utility District
Purpose: Public utilities
Recording Date: August 9, 1951
Recording No: Book 129, page 226
Affects: Reference is hereby made to said document for full particulars

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

Granted to: United States of America
Purpose: Access road
Recording Date: August 20, 1957
Recording No: Book 158, page 511
Affects: Reference is hereby made to said document for full particulars

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

Granted to: United States of America
Purpose: Access road
Recording Date: September 27, 1957
Recording No: Book 159, page 193
Affects: Reference is hereby made to said document for full particulars

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

Granted to: Keith M. Woods and Sheryl Woods
Purpose: Water pipeline
Recording Date: April 2, 1973
Recording No.: Book 231, page 390
Affects: Reference is hereby made to said document for full particulars

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

Granted to: B. L. Becker and Olga Becker
Purpose: Water pipeline
Recording Date: April 5, 1973
Recording No.: Book 231, page 436
Affects: Reference is hereby made to said document for full particulars

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

Granted to: Beaver Water District
Purpose: Public utilities
Recording Date: December 6, 1982
Recording No.: Book 284, page 742
Affects: Reference is hereby made to said document for full particulars

Easement Agreement, including the terms and provisions thereof,

Executed by: Arlene J. Erickson; and American Tower Management Inc.
Recording Date: January 12, 2001
Recording No.: Book 422, page 762
Affects: Reference is hereby made to said document for full particulars

First Amendment to Easement Agreement, including the terms and provisions thereof,

Executed by: High Heaven Investments, Inc. and RLC Inc, successors-in-interest to Arlene J. Erickson; and American Tower, L.P.
Recording Date: October 18, 2004
Recording No.: 2004-008902
Affects: Reference is hereby made to said document for full particulars

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

Granted to: Tillamook People's Utility District
Purpose: Public utilities
Recording Date: January 17, 2001
Recording No.: Book 422, page 860
Affects: Reference is hereby made to said document for full particulars

Matters contained in that certain Road Maintenance Agreement which document, among other things, may provide for liens and charges.

Executed by: High Heaven Investments, Inc., and RLC, Inc.
Recording Date: July 14, 2003
Recording No.: 2003-422822

Reference is hereby made to said document for full particulars.

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

Granted to: William L. Duval and Susan K. Holmes
Purpose: Access and utilities
Recording Date: July 14, 2003
Recording No.: 2003-422823
Affects: Reference is hereby made to said document for full particulars

Easements as contained in Deed, including the terms and provisions thereof,

Executed by: RLC, Inc., and High Heaven Investments, Inc.
Recording Date: June 3, 2005
Recording No.: 2005-004670
Affects: Reference is hereby made to said document for full particulars

Easement Agreement, including the terms and provisions thereof,

Executed by: High Heaven Investments, Inc. and RLC, Inc.; and David Wassmer and Virginia Wassmer
Recording Date: October 29, 2021
Recording No.: 2021-009077
Affects: Reference is hereby made to said document for full particulars

Restrictions, but omitting restrictions, if any, based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said restriction is permitted by applicable law, as shown on that certain plat

Name of Plat: Partition Plat No. 2022-030
Recording Date: December 30, 2022
Recording No.: 2022-007503

Easement(s) for the purpose(s) shown below and rights incidental thereto as delineated or as offered for dedication, on Partition Plat No. 2022-030;

Purpose: Access and utilities
Recording Date: December 30, 2022
Recording No.: 2022-007503
Affects: Reference is hereby made to said document for full particulars

5/4

SURVEYOR'S CERTIFICATE:

I, HAROLD P. SALO, A REGISTERED LAND SURVEYOR IN THE STATE OF OREGON, CERTIFY THAT I HAVE... THE ORIGINAL PLAT AS REFERENCED ABOVE...

REGISTERED PROFESSIONAL LAND SURVEYOR OREGON JANUARY 15, 1987 HAROLD P. SALO EXPIRES: JUNE 30, 2024

DECLARATION:

KNOW ALL PEOPLE BY THESE PRESENTS THAT R.L.C., INC., AN OREGON CORPORATION AND HIGH HEAVEN INVESTMENTS, INC., AN OREGON CORPORATION ARE THE OWNERS OF THE LAND...

BETTE GRIMAL - PRESIDENT HIGH HEAVEN INVESTMENTS, INC. AN OREGON CORPORATION

DAVE GRIMAL - PRESIDENT R.L.C., INC. AN OREGON CORPORATION

ACKNOWLEDGEMENT

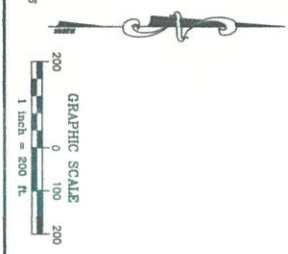
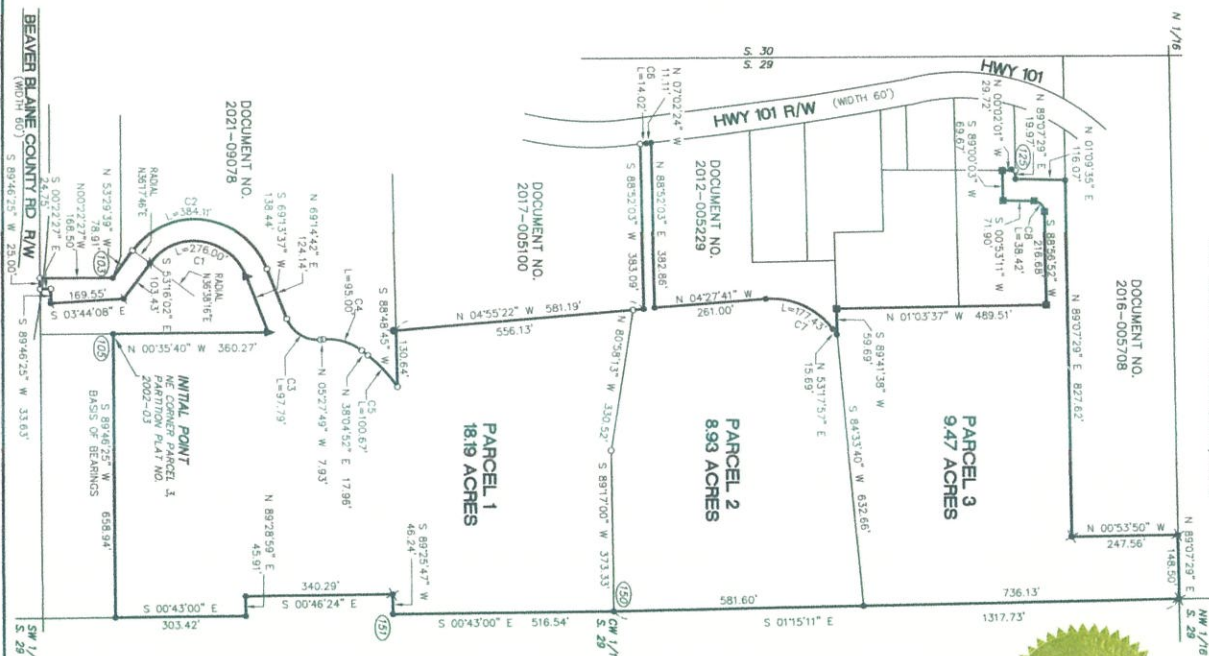
STATE OF OREGON)) S.S. COUNTY OF MARSHALL))

KNOW ALL PEOPLE BY THESE PRESENTS, ON THIS 29th DAY OF DECEMBER, 2022, PERSONALLY APPEARING before me, the undersigned, a Notary Public in and for the State of Oregon...

Carlyle J. Ladd COMMISSIONER NO. 102816 MY COMMISSION EXPIRES March 09 2026

PARTITION PLAT NO. 2072-30

SITUATED IN THE NW 1/4 AND SW 1/4 OF SECTION 29, T.3S, R.9W, W.M. TILLAMOOK COUNTY, OREGON NOVEMBER 3, 2022 DEPARTMENT OF COMMUNITY DEVELOPMENT PARTITION #851-21-000410-PLNG HIGH HEAVEN INVESTMENT, INC./GRIMAL

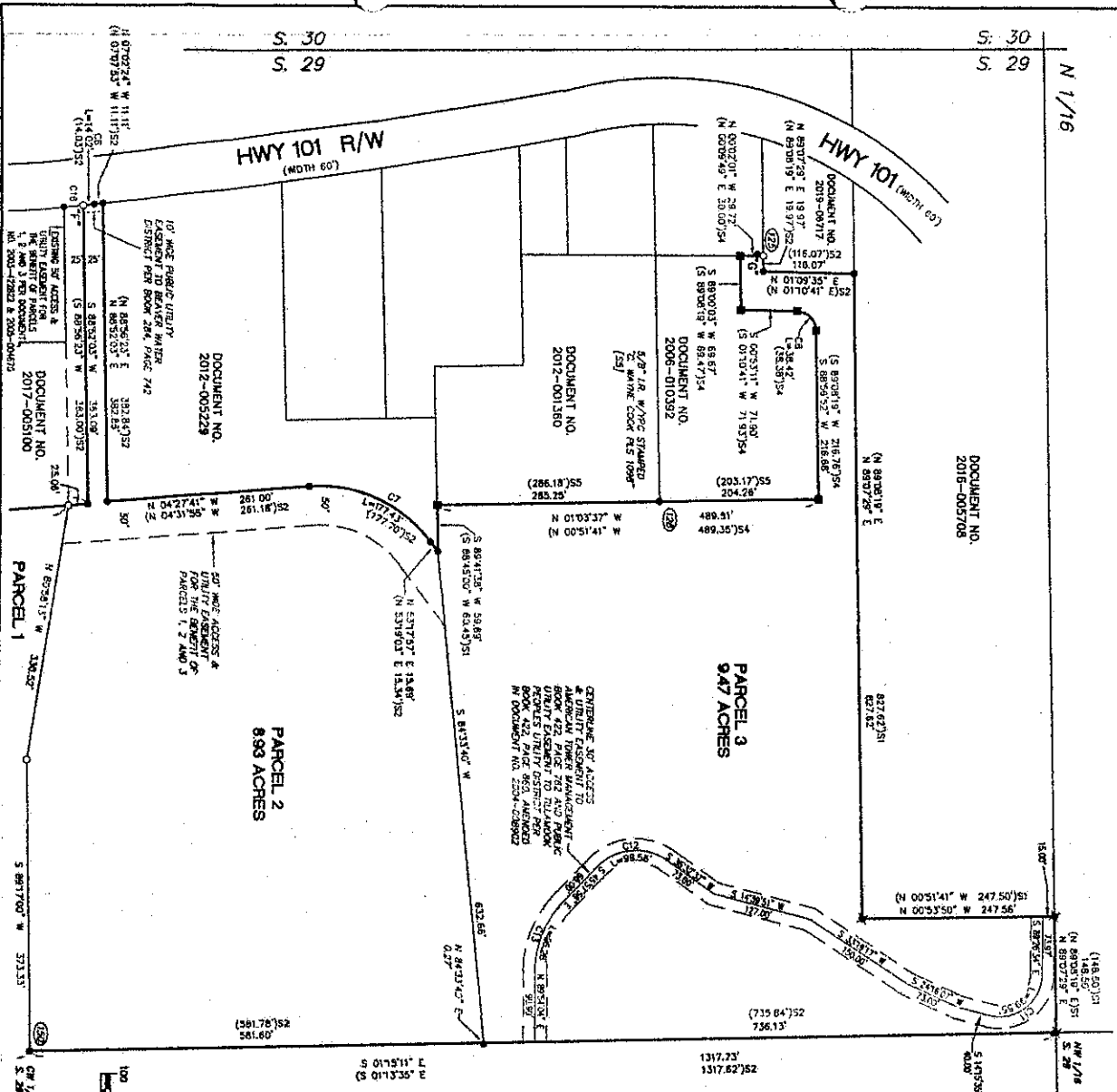


ANDY PARRS AND ASSOCIATES INC. PROFESSIONAL LAND SURVEYORS 116057 BOONES FERRY ROAD LAKE OSWEGO, OREGON 97035 PH: 503-638-3341 WWW.ANDYPARRS.COM PROJECT: 21201 DRAWING: 21201P.L.DWG DRAFTED: HPS 11/17/22 SHEET 1 OF 3

APPROVALS: APPROVED JULY 21, 2022 AS PARTITION 851-21-000410-PLNG DATE: October 29, 2022 APPROVED THIS 28th DAY OF DECEMBER, 2022 BY: [Signature] DATE: 12/8/22 TAXES HAVE BEEN PAID IN FULL TO: [Signature] DATE: 12/8/22 TILLAMOOK COUNTY TAX COLLECTOR DATE: 12/8/22 CERTIFICATE OF COUNTY CLERK STATE OF OREGON)) COUNTY OF TILLAMOOK)) I, TASSI O'NEIL, DO HEREBY CERTIFY THAT I AM THE QUALIFIED CLERK OF TILLAMOOK COUNTY, OREGON AND THIS COPY OF PARTITION PLAT NO. 2072-30 IS THE FULL, COMPLETE AND TRUE COPY OF THE ORIGINAL PLAT OF SAID PLAT, AS RECORDED IN PLAT CABINET B-860 OF PARTITION PLAT RECORDS OF TILLAMOOK COUNTY, OREGON RECORDED ON DECEMBER 30th, 2022 AT 8:51:02AM, OREGON, AS INSTRUMENT NO. 1022-7905. Daria Wuerneley, Deputy Clerk TASSI O'NEIL, TILLAMOOK COUNTY CLERK



PARTITION PLAT NO. 2022-50
 SITUATED IN THE NW 1/4 AND SW 1/4 OF
 SECTION 29, T3S, R9W, W.M.
 TILLAMOOK COUNTY, OREGON
 NOVEMBER 3, 2022



CURVE DATA TABLE				RECORD DATA					
CHAIN/LENGTH	RADIUS	DELTA	CH BEARING	CH LEN	LENGTH	RADIUS	DELTA	REFERENCE	
C1	276.00'	128.00'	122°25'11"	507°53'51"	323.53'	384.11'	178.00'	127°26'52"	S1
C2	384.11'	178.00'	122°58'56"	107°46'14"	314.54'	384.11'	178.00'	127°26'52"	S1
C3	97.72'	78.00'	74°42'28"	143°32'36"	91.01'	97.72'	78.00'	74°42'28"	S1
C4	95.00'	125.00'	43°32'41"	181°53'22"	92.75'	95.00'	125.00'	43°32'41"	S1
C5	106.67'	120.00'	180°17'28"	147°25'36"	102.25'	106.67'	120.00'	180°17'28"	S1
C6	14.02'	1094.55'	00°45'30"	106°33'42"	14.02'	14.02'	1094.55'	00°45'30"	S2
C7	177.43'	178.00'	57°43'39"	124°25'08"	170.01'	177.70'	178.00'	57°50'55"	S2
C8	38.42'	25.00'	80°33'40"	54°45'02"	34.78'	38.28'	25.00'	87°27'28"	S4
C9	102.04'	129.00'	45°19'22"	54°53'56"	99.40'	102.04'	129.00'	45°19'22"	S3
C10	173.86'	128.00'	77°15'44"	51°44'35.6"	161.07'	173.81'	128.00'	77°12'28"	S2
C11	98.58'	58.00'	103°42'18"	147°35'24"	98.51'	98.58'	58.00'	103°42'18"	D1
C12	98.58'	70.00'	81°09'26"	50°52'36"	91.39'	98.58'	70.00'	81°09'26"	D1
C13	98.58'	125.00'	44°07'53"	56°01'34"	93.62'	98.58'	125.00'	44°07'53"	D1
C14	102.00'	178.00'	32°00'32"	53°71'58.7"	98.70'				D1
C15	71.12'	128.00'	31°50'17"	52°73'00.6"	70.22'				D1
C16	25.00'	1058.55'	01°21'32"	103°51'41"	25.00'	25.00'	1058.55'	01°21'32"	S2
C17	126.44'	102.00'	31°44'31"	120°33'55.7"	122.19'				S2

LEGEND:

- SET 5/8" X 30" IR W/PC STAMPED
- 2"00" PINS & ASSOC. M.C. ON 11/4/22
- FOUND AND HELD 5/8" IR W/PC STAMPED
- 2" VANG COOK PLS 1089 PER B-2853 TC94 (UNLESS OTHERWISE NOTED)
- FOUND AND HELD 5/8" IR W/PC STAMPED
- 2" VANG COOK PLS 1089 PER B-2853 TC94
- FOUND AND HELD 5/8" IR W/PC STAMPED
- 2" VANG COOK PLS 1089 PER B-2853 TC94
- ▲ FOUND AND HELD 5/8" IR W/PC STAMPED
- ▲ 2" VANG COOK PLS 1089 PER B-4428 TC98
- ▬ IR
- ▬ IRON PIPE
- ▬ IRON ROD
- ▬ W/PC WITH YELLOW PLASTIC CAP
- () PROBABLE ORIGIN OF MONUMENT
- () SURVEY NO. B-4041, TILLAMOOK COUNTY SURVEY RECORDS
- () SURVEY NO. B-2831, TILLAMOOK COUNTY SURVEY RECORDS
- () SURVEY NO. B-2831, TILLAMOOK COUNTY SURVEY RECORDS
- () SURVEY NO. B-4458, TILLAMOOK COUNTY SURVEY RECORDS
- () SURVEY NO. A-9137, TILLAMOOK COUNTY SURVEY RECORDS
- () SURVEY NO. B-3443, TILLAMOOK COUNTY SURVEY RECORDS
- () PARTITION PLAT NO. 2022-50
- () TILLAMOOK COUNTY SURVEY RECORDS
- () BOOK 422 PAGE 782, TILLAMOOK COUNTY DEED RECORDS



REGISTERED PROFESSIONAL LAND SURVEYOR
 JAMES E. 1082
 HAROLD F. SAID
 2264
 EXPIRES: JUNE 30, 2024

ANDY PARR AND ASSOCIATES, INC.
 REGISTERED PROFESSIONAL LAND SURVEYORS
 16057 BOONIES FERRY ROAD
 LAKE OSWEGO, OREGON 97035
 PH: 503-636-3341
 www.andyparr.com

INDEXED

AFTER RECORDING RETURN TO:
FIRST AMERICAN TITLE
802 MAIN STREET
TILLAMOOK OR 97141

BOOK 399 PAGE 422

1050771

EASEMENT AGREEMENT

Cathy Jean Jordan, James D. McKillip, Kathleen M. McKillip, Lori K. Woods, Wayne E. Woods, D. Howard Fitch, Wallace Harold Fitch, Raymond L. Cloud, Edythe M. Petite, and Ella Woods,

Grantors,

and

Cathy Jean Jordan, James D. McKillip, Kathleen M. McKillip, Lori K. Woods, Wayne E. Woods, D. Howard Fitch, Wallace Harold Fitch, Raymond L. Cloud, Edythe M. Petite, and Ella Woods,

Grantees.

Whereas, this agreement is intended to provide recorded legal access for all parties who own property adjacent to the existing roadway which lies within the boundaries of the right-of-way described in Exhibit A.

Whereas, the existing road currently provides access to the parties' respective properties and runs across portions of all parties' properties; and

Whereas, the parties have agreed to grant the necessary easement rights to provide for continued use of the entire road by all parties; and

Whereas, each party has the unrestricted right to grant an easement across his or her respective section of the right-of-way described in Exhibit A;

Now, therefore, in consideration of the mutual grant of easement, the parties agree as follows:

1. Cathy Jean Jordan hereby grants James D. McKillip, Kathleen M. McKillip, Lori K. Woods, Wayne E. Woods, D. Howard Fitch, Wallace Harold Fitch, Raymond L. Cloud, Edythe M. Petite, and Ella Woods, or their successors or assigns, an easement for purposes of ingress and egress across the section of right-of-way described in Exhibit A which crosses the following described real property:

Commencing at an iron pipe on the East line of the United Brethren Cemetery, said iron pipe being 650.21 feet North and 122.17 feet East from the Southwest corner of the Northeast quarter of the Southwest quarter of Section 29, Township 3 South, Range 9 West of the Willamette Meridian and said one-sixteenth

corner being marked by a Tillamook County Brass Cap; thence following the East line of said Cemetery South 0°52' East 114.37 feet to an iron rod; thence South 61°50' East 296.93 feet to an iron rod; thence North 33°12'13" East 388.50 feet to an iron rod; thence North 43°46'04" East 188.52 feet to an iron rod and the true point of beginning; thence South 56°52'15" West 648.23 feet to an iron rod; thence North 61°50' West 70.40 feet to an iron rod on the East line of said Cemetery; thence North 0°52' West 278.60 feet to an iron pipe at the Northeast corner of said Cemetery; thence South 89° 08' West 139.46 feet to an iron rod at the Northwest corner of said Cemetery; thence North 1°23'38" West 516.60 feet to an iron pipe at the Center-West one-sixteenth corner of said Section 29; thence following the East-West centerline of said Section 29, North 88°15'10" East 950 feet, more or less, to the West bank of the Big Nestucca River; thence following said West bank in a Southerly direction to a point that bears South 73°33'28" East from the true point of beginning; thence North 73°33'28" West 211.71 feet, more or less, to the true point of beginning.

LESS the following described tract; Beginning at an iron pipe on the East line of the United Brethren Cemetery, said iron pipe being 650.21 feet North and 122.17 feet East from the Southwest corner of the Northeast quarter of the Southwest quarter of Section 29, Township 3 South, Range 9 West, of the Willamette Meridian and said one-sixteenth corner being marked by a Tillamook County Brass Cap; thence North 0°52' West 164.23 feet to an iron pipe; thence North 78°09'40" East 70.66 feet to an iron rod and the true point of beginning; thence North 89°08' East 100 feet to an iron rod; thence South 0°52' East 100 feet to an iron rod; thence South 89°08' West 100 feet to an iron rod; thence North 0°52' West 100 feet to the true point of beginning.

TOGETHER WITH easement for powerline, including the terms and provisions thereof, disclosed by deed recorded July 20, 1983 in Book 288, page 173, Tillamook County Records.

2. James D. McKillip and Kathleen M. McKillip hereby grant Cathy Jean Jordan, Lori K. Woods, Wayne E. Woods, D. Howard Fitch, Wallace Harold Fitch, Raymond L. Cloud, Edythe M. Petite, and Ella

Woods, or their successors or assigns, an easement for purposes of ingress and egress across the section of right-of-way described in Exhibit A which crosses the following described real property:

Beginning at the Southwest corner of the Northwest quarter of the Southwest quarter of Section 29, Township 3 South Range 9 West of the Willamette Meridian in Tillamook County, Oregon, said point being a spike in the center line of the County Road #M-18; thence North 89°33' East 635.01 feet to the true point of beginning of the tract herein described; thence North 89°33' East 658.59 feet to the Southeast corner of the Northwest quarter of the Southwest quarter of section 29; said point being marked by an iron pipe; thence North 0°52' West along the East boundary of said Northwest quarter of the Southwest quarter 168.5 feet; thence South 89°33' West parallel to the South boundary of the herein described tract, 658.59 feet to a point North 0°52' West of the point of beginning; thence South 0°52' East 168.5 feet to the point of beginning. LESS that portion in the County Road right of way, being all in Tillamook County, Oregon.

3. Lori K. Woods and Wayne E. Woods hereby grant Cathy Jean Jordan, James D. McKillip, Kathleen M. McKillip, D. Howard Fitch, Wallace Harold Fitch, Raymond L. Cloud, Edythe M. Petite, and Ella Woods, or their successors or assigns, an easement for purposes of ingress and egress across the section of right-of-way described in Exhibit A which crosses the following described real property:

Beginning at the Southwest corner of the Northeast quarter of the Southwest quarter of Section 29, Township 3 South, Range 9 West of the Willamette Meridian, in Tillamook County, Oregon; thence North 0°52' West 314.92 feet along the 1/16th line of said Section to the TRUE POINT OF BEGINNING of the tract herein described; thence continuing North 0°52' West along said 1/16th line to the Southwest corner of that tract conveyed to the Trustees of the United Brethren Church, as a cemetery, by deed recorded December 14, 1903, in Book 1, Page 95, Tillamook County Records; thence North 89°08' East 132 feet to the Southeast corner of said cemetery tract; thence North 0°52' West along the West line of said cemetery tract to the Southerly line of that tract conveyed to Robert O. Stewart, et ux, recorded

August 30, 1963 in Book 187, Page 585, Tillamook County Records; thence South 61°50' East along said Stewart South line to the West bank of the Big Nestucca River; thence Southwesterly along said river to a point South 61°50' East of the point of beginning; thence North 61°50' West to the POINT OF BEGINNING. EXCEPTING THEREFROM any portion lying within the County Road.

4. D. Howard Fitch, Wallace Harold Fitch, and Raymond L. Cloud hereby grant Cathy Jean Jordan, James D. McKillip, Kathleen M. McKillip, Lori K. Woods, Wayne E. Woods, Edythe M. Petite, and Ella Woods, or their successors or assigns, an easement for purposes of ingress and egress across the section of right-of-way described in Exhibit A which crosses the following described real property:

Beginning at the Southwest corner of the Northeast quarter of the Southwest quarter of Section 29, Township 3 South, Range 9 West of the Willamette Meridian, in Tillamook County, Oregon; thence North 0°52' West 150.53 feet along the one-sixteenth line of said section to the point of beginning of the tract herein described; thence continuing North 0°52' West 164.39 feet; thence South 61°50' East to the West bank of the Big Nestucca River; thence Southwesterly along said river to a point South 61°50' East of the point of beginning; thence North 61°50' West to the point of beginning. EXCEPTING the easement to the Trustees of the United Brethren Church, as a cemetery road, by deed recorded December 14, 1903 in Book 1, page 95, Tillamook County Records; EXCEPTING FURTHER any portions lying in the County Road in Tillamook County, Oregon.

5. Edythe M. Petite hereby grants Cathy Jean Jordan, James D. McKillip, Kathleen M. McKillip, Lori K. Woods, Wayne E. Woods, D. Howard Fitch, Wallace Harold Fitch, Raymond L. Cloud and Ella Woods, or their successors or assigns, an easement for purposes of ingress and egress across the section of right-of way described in Exhibit A which crosses the following described real property:

Beginning at the Southwest corner of the Northeast quarter of the Southwest quarter of Section 29 in Township 3 South, Range 9 West of the Willamette Meridian; thence South 33°44' East 163.8 feet to the Big Nestucca River; thence following said river upstream

North 45°57' East 118.27 feet North 53°47'
East 106.73 feet; thence North 61°50' West
299.81 feet to the West line of said Northeast
quarter of Southwest quarter; thence along
said West line south 0°52' East 150.53 feet to
the point of beginning, all situated in
Tillamook County, Oregon.

6. Ella Woods hereby grants Cathy Jean Jordan, James D. McKillip, Kathleen M. McKillip, Lori K. Woods, Wayne E. Woods, D. Howard Fitch, Wallace Harold Fitch, Raymond L. Cloud and Edythe M. Petite, or their successors or assigns, an easement for purposes of ingress and egress across the section of right-of way described in Exhibit A which crosses the following described real property:

All that portion of the Southwest quarter of
the Southwest quarter of Section 29, Township
3 South, Range 9 West of the Willamette
Meridian, in Tillamook County, Oregon, which
is situated NORTH of the Beaver-Blaine County
Road.

7. The easements created by this document shall be permanent and appurtenant to the property owned by the grantees, as described in paragraphs 1 through 6 above. This agreement shall bind and inure to the benefit of the parties, their successors or assigns.

This easement is not intended to restrict the use by Grantors of the land in any way, as long as that use does not materially interfere with the Grantees' use and enjoyment of this easement for purposes of ingress and egress.

This easement shall continue in perpetuity and run with the land.

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.

IN WITNESS WHEREOF, the parties hereto have subscribed this instrument on the date indicated below.

Cathy Jean Jordan
Cathy Jean Jordan

STATE OF OREGON, County of Lincoln ss.

Personally appeared the above named Cathy Jean Jordan and, on July 14, 1998, acknowledged the foregoing instrument to be her voluntary act and deed.

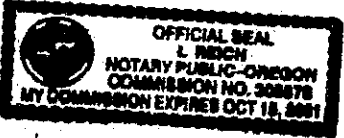


Sara L. Dennis
Notary public for Oregon
My commission expires: _____

James D. McKillip
James D. McKillip

STATE OF OREGON, County of Tillamook ss.

Personally appeared the above named James D. McKillip and, on July 20, 1998, acknowledged the foregoing instrument to be his voluntary act and deed.

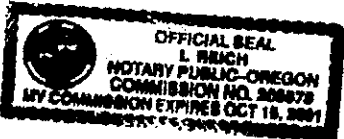


L. Rich
Notary public for Oregon
My commission expires: 10/15/2001

Kathleen M. McKillip
Kathleen M. McKillip

STATE OF OREGON, County of Tillamook ss.

Personally appeared the above named Kathleen M. McKillip and, on July 30, 1998, acknowledged the foregoing instrument to be her voluntary act and deed.



L. Rich
Notary public for Oregon
My commission expires: 10/15/2001

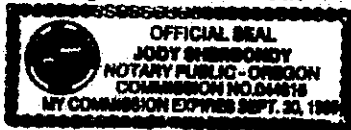
6

Lori K. Woods

Lori K. Woods

STATE OF OREGON, County of Tillamook) ss.

Personally appeared the above named Lori K. Woods and, on July 27, 1998, acknowledged the foregoing instrument to be her voluntary act and deed.



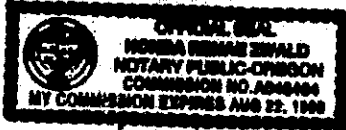
Jody Sherbondy
Notary public for Oregon
My commission expires: 9/30/99

Wayne E. Woods

Wayne E. Woods

STATE OF OREGON, County of Tillamook) ss.

Personally appeared the above named Wayne E. Woods and, on July 31, 1998, acknowledged the foregoing instrument to be his voluntary act and deed.



Nonda Renee Truitt
Notary public for Oregon
My commission expires: 8/22/99

D. Howard Fitch

D. Howard Fitch

STATE OF OREGON, County of Tillamook) ss.

Personally appeared the above named D. Howard Fitch and, on July 21, 1998, acknowledged the foregoing instrument to be his voluntary act and deed.

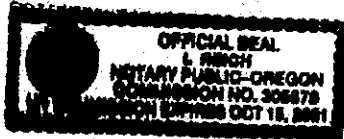


Jody Sherbondy
Notary public for Oregon
My commission expires: 9/30/99

Wallace Harold Fitch
Wallace Harold Fitch

STATE OF OREGON, County of Tillamook) ss.

Personally appeared the above named Wallace Harold Fitch and, on July 27th, 1998, acknowledged the foregoing instrument to be his voluntary act and deed.

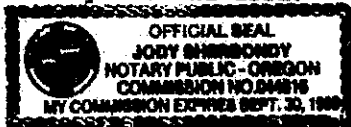


Fitch
Notary public for Oregon
My commission expires: 10/15/2001

Raymond L. Cloud
Raymond L. Cloud

STATE OF OREGON, County of Tillamook) ss.

Personally appeared the above named Raymond L. Cloud and, on July 20, 1998, acknowledged the foregoing instrument to be his voluntary act and deed.



Jody Sherbondy
Notary public for Oregon
My commission expires: 9/30/99

Edythe M. Petite
Edythe M. Petite

STATE OF OREGON, County of Tillamook) ss.

Personally appeared the above named Edythe M. Petite and, on July , 1998, acknowledged the foregoing instrument to be her voluntary act and deed.

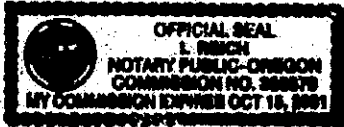


Nonda Renee Zwald
Notary public for Oregon
My commission expires: 8/22/99

Ella Woods
Ella Woods

STATE OF OREGON, County of Tillamook ss.

Personally appeared the above named Ella Woods and, on July 22, 1998, acknowledged the foregoing instrument to be her voluntary act and deed.



Finch
Notary public for Oregon
My commission expires: 10/15/2001

EXHIBIT "A"

A 25 foot wide non-exclusive access easement and water line easement, consistent with Major Partition approved December 7, 1983, by Vic Affolter, Tillamook County Planning Director, which is situated in the Southwest quarter of Section 29, Township 3 South, Range 9 West of the Willamette Meridian, in Tillamook County, Oregon, more particularly described as follows:

Beginning at an iron pipe on the East line of the United Bretheren Cemetery, said iron pipe being 650.21 feet North and 122.17 feet East from the Southwest corner of the Northeast quarter of the Southwest quarter of Section 29, Township 3 South, Range 9 West, Willamette Meridian, said Southwest 1/16th corner being marked by a Tillamook County Brass Cap; thence North 0° 52' West 164.23 feet to an iron pipe; thence North 78° 09' 40" East 70.66 feet to an iron rod; thence South 0° 52' East 50.00 feet to the TRUE POINT OF BEGINNING of a 25 foot wide access and water line easement, said easement being 12.5 feet on either side of the following described centerline; thence South 89° 08' West 17.04 feet; thence South 0° 52' East 48.49 feet; thence South 13° 08' 31" East 81.82 feet; thence South 15° 06' 29" West 268.67 feet; thence South 34° 12' 54" West 162.51 feet; thence South 18° 09' 20" West 50.12 feet; thence South 9° 24' 35" West 121.35 feet; thence South 25° 29' 58" West 54.43 feet; thence South 51° 43' 57" West 121.18 feet; thence South 64° 20' 36" West 78.23 feet; thence South 86° 25' 00" West 125.60 feet; thence North 76° 09' 13" West 94.26 feet; thence North 68° 44' 13" West 78.50 feet; thence North 78° 21' 23" West 58.44 feet; thence North 88° 24' 03" West 53.14 feet; thence South 80° 23' 14" West 110 feet, more or less, to a point on the Easterly right-of-way line of Beaver-Blaine County Road, said point being the terminus of said easement;

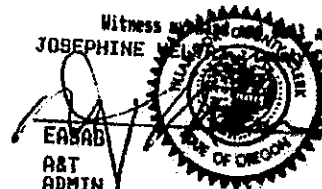
98372100

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

AUG. 17 2 58 PM '98

BOOK 399 PAGE 422

Witness not present and not affixed.
JOSEPHINE WELLS, County Clerk



EASAB
R&T
ADMIN
PLCP

DEPUTY
50.00
20.00
1.00
9.00