



*Land of Cheese, Trees and Ocean Breeze*

**PARTITION REQUEST #851-23-000456-PLNG:  
ROOS / RICE**

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

December 1, 2023

Dear Property Owner:

This is to confirm that the Tillamook County Department of Community Development **APPROVED WITH CONDITIONS** the above-cited partition on December 1, 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: <https://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.

Appeal of this decision. 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 4:00pm on December 13, 2023**. This decision will become final on December 13, 2023, after 4:00pm unless an appeal is filed in accordance with Tillamook County Land Use Ordinance Article X.

**GENERAL INFORMATION:**

- Request:** Partition request to create three (3) residential parcels.
- Location:** Located east of the City of Tillamook via Wilson River Highway (Highway 6), a state highway. The subject property is designated as Tax Lot 200 of Section 8D, Township 1 South, Range 08 West of the Willamette Meridian, Tillamook County Oregon.
- 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

**CONDITIONS OF APPROVAL:**

Staff concludes that the applicant and property owner have satisfied the minimum application requirements and can satisfy all applicable requirements outlined in the Tillamook County Land Use Ordinance, Tillamook County Land Division Ordinance and ORS Chapter 92. The Preliminary Partition Plat is hereby **APPROVED**, subject to the conditions listed below.

**This approval is subject to the following conditions:**

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

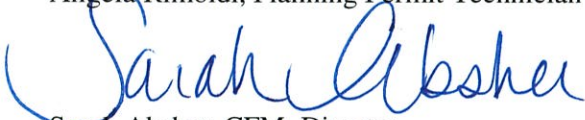
1. The applicant shall obtain all Federal, State, and Local permits, as applicable.
2. All easements necessary to serve the parcels for access and utilities shall be clearly identified on the final plat. Any modifications to the existing approach shall be reviewed and approved by the Oregon Department of Transportation (ODOT).
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

Sincerely,

Tillamook County Department of Community Development



Angela Rimoldi, Planning Permit Technician

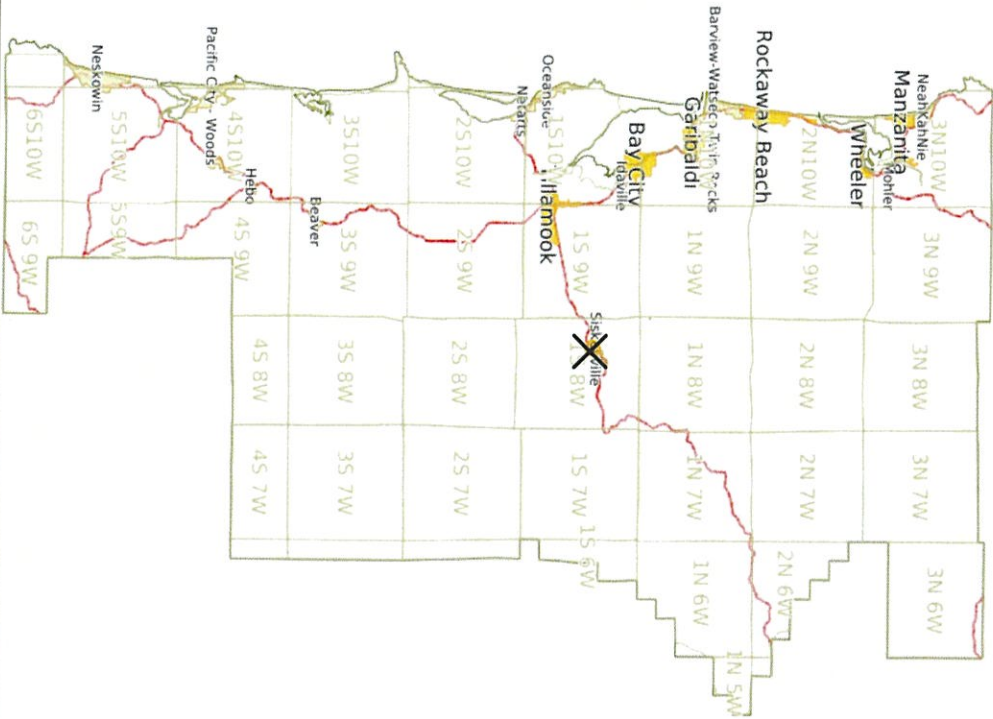


Sarah Absher, CFM, Director

Encl.: Property Identification Maps  
Preliminary Partition Plat



# Tillamook County GIS



Created: Thu Oct 19 2023-10:16:24  
Active Layers: County\_Boundary, Fed\_state\_highways, citylimit, community\_polygon, TaxlotOwner, Township\_Range\_Section, Road\_Centerline  
Extent: -13842502.636107, 5627943.4513795, -13602948.989495, 5753300.177497



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

S.E. 1/4 SEC. 8 T. 1S. R. 8W. W.M.  
Tillamook County  
1" = 200'

01S08W08D

SEE MAP 1S 8W 8

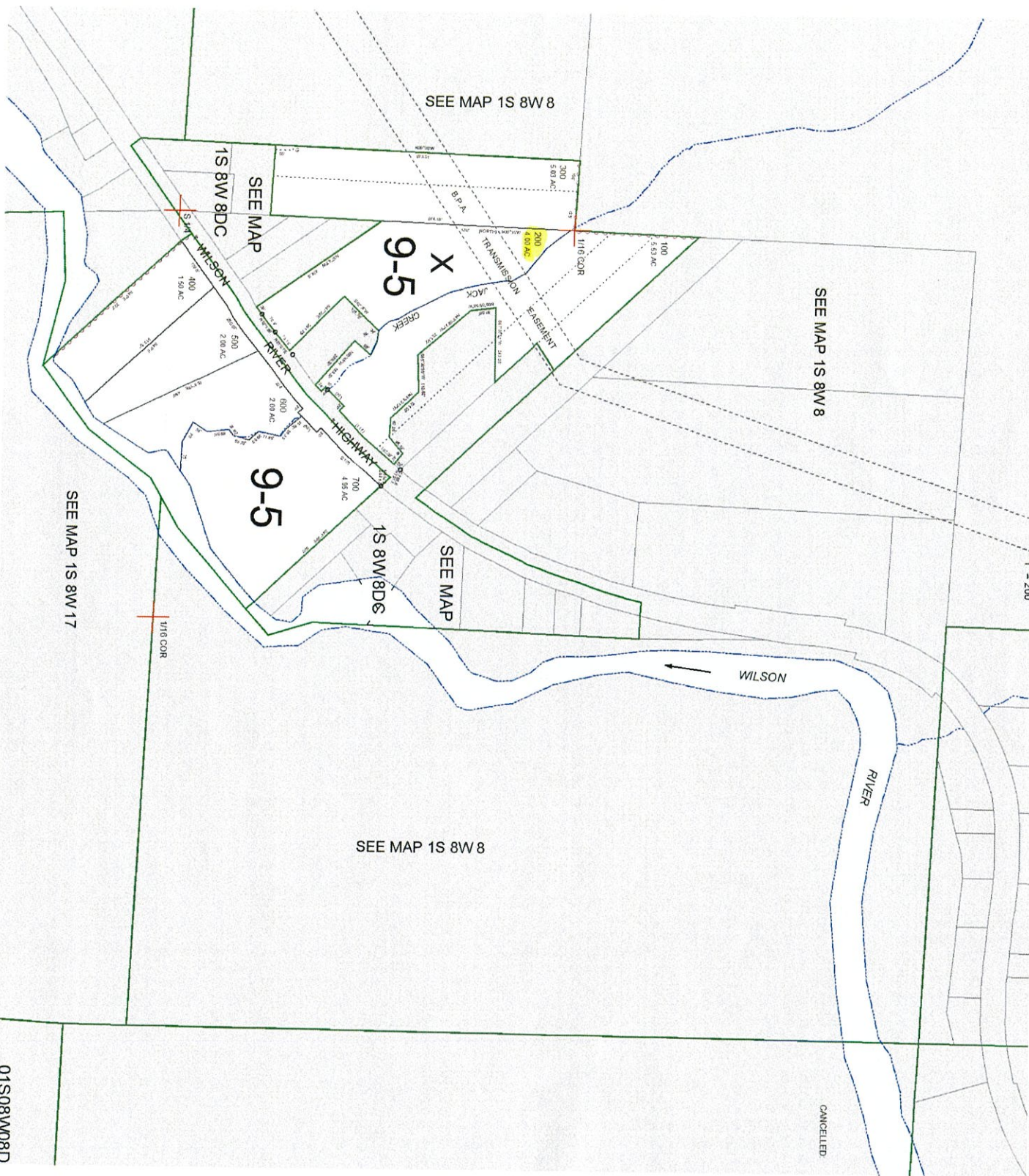
SEE MAP 1S 8W 8

9-5 X

9-5

SEE MAP 1S 8W 8

CANCELLED



01S08W08D  
REVISED 2/28/16, MS









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

**PARTITION REQUEST #851-23-000456-PLNG:  
ROOS / RICE  
ADMINISTRATIVE DECISION & STAFF REPORT**

**Decision:** Approved with Conditions  
**Decision Date:** December 1, 2023  
**Report Prepared By:** Angela Rimoldi, Planning Technician

**I. GENERAL INFORMATION:**

**Request:** Partition request to create three (3) residential parcels.

**Location:** Located east of the City of Tillamook via Wilson River Highway (Highway 6), a state highway. The subject property is designated as Tax Lot 200 of Section 8D, Township 1 South, Range 08 West of the Willamette Meridian, Tillamook County Oregon.

**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 Wilson River Highway (Highway 6), a state highway, is irregular in shape, holds no improvements, and is vegetated with grasses, shrubs, and trees (Exhibit A). The topography of the subject property is generally flat with some sloped areas. The subject property is located within an area primarily devoted to residential, commercial, 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 west, properties zoned Forest (F) to the north, south and east, as well as Community Commercial (CC) to the south, east and west (Exhibit A).

The subject property contains mapped wetlands or natural features as indicated on the Statewide Wetlands Inventory Map and is located within Zone X an Area of Minimal Flood Hazard as depicted on FEMA Flood Insurance Rate Map FIRM 41057C0605F (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 October 20, 2023. Three comments were received; comments received are from, the Oregon Department Fish and Wildlife (ODFW), Oregon Department of Transportation (ODOT), and a neighboring property (Exhibit C).

The comments received by ODFW and the neighboring property relate to concern and awareness to the waterways present on the property; ensuring that all future development adhere to standards set by local, state and/or federal regulations, while also maintaining all required setbacks (Exhibit C). The comment received from ODOT confirms the existing road approach will support the proposed parcels, with emphasis to any modifications requiring approval beforehand (Exhibit C). Conditions of Approval have been outlined below in Section V.

**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 accessed from Wilson River Highway (Highway 6), a state highway (Exhibit B).

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

Staff concludes the above standards and the standards in 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 a Well; a water availability letter from the Oregon Water Resources Department 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 Tillamook Fire District, Tillamook County Sheriff's Office, and the Oregon Department of Transportation. 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 any proposed parcel, therefore 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 December 13, 2023**.

#### **V. CONDITIONS OF APPROVAL:**

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

1. The applicant shall obtain all Federal, State, and Local permits, as applicable.
2. All easements necessary to serve the parcels for access and utilities shall be clearly identified on the final plat. Any modifications to the existing approach shall be reviewed and approved by the Oregon Department of Transportation (ODOT).
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:

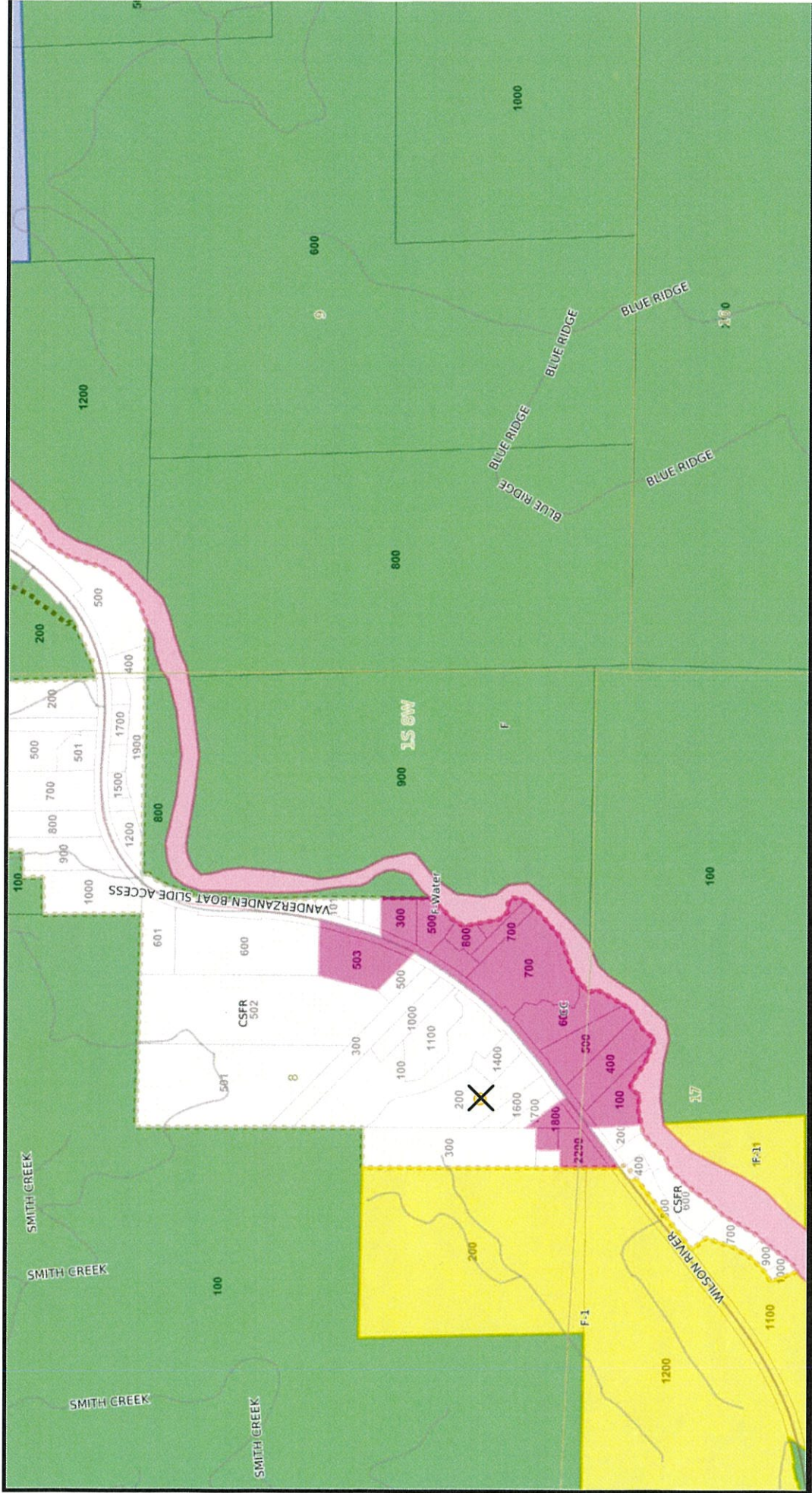
- A. Property identification maps and Assessor's Summary Report
- B. Applicant's submittal
- C. Comments



# EXHIBIT A



# Tillamook County GIS

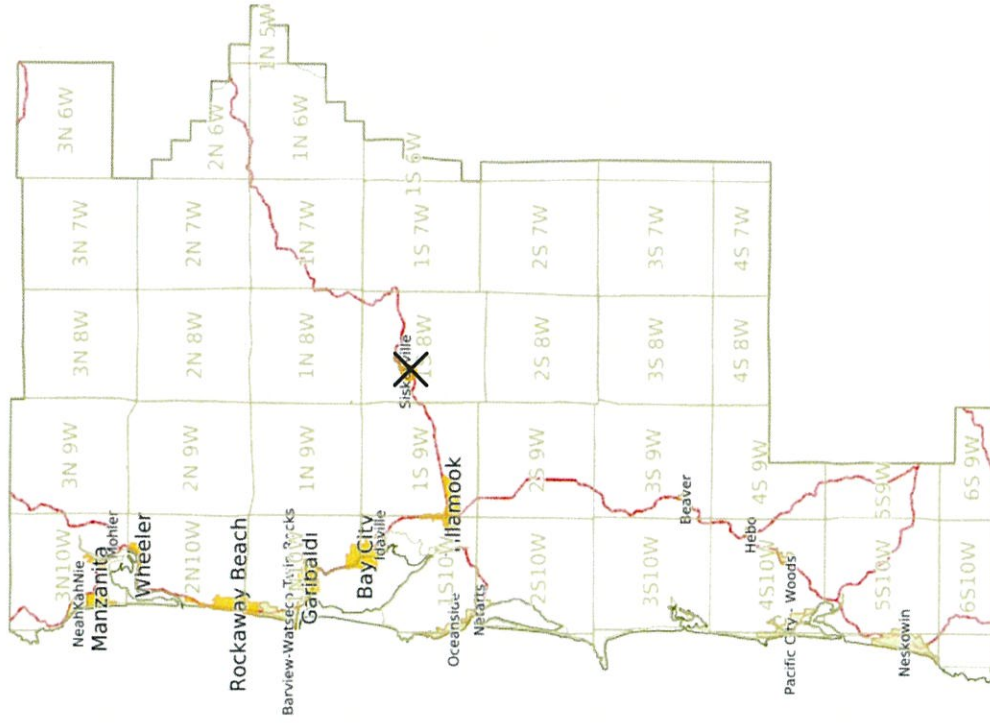


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# Tillamook County GIS

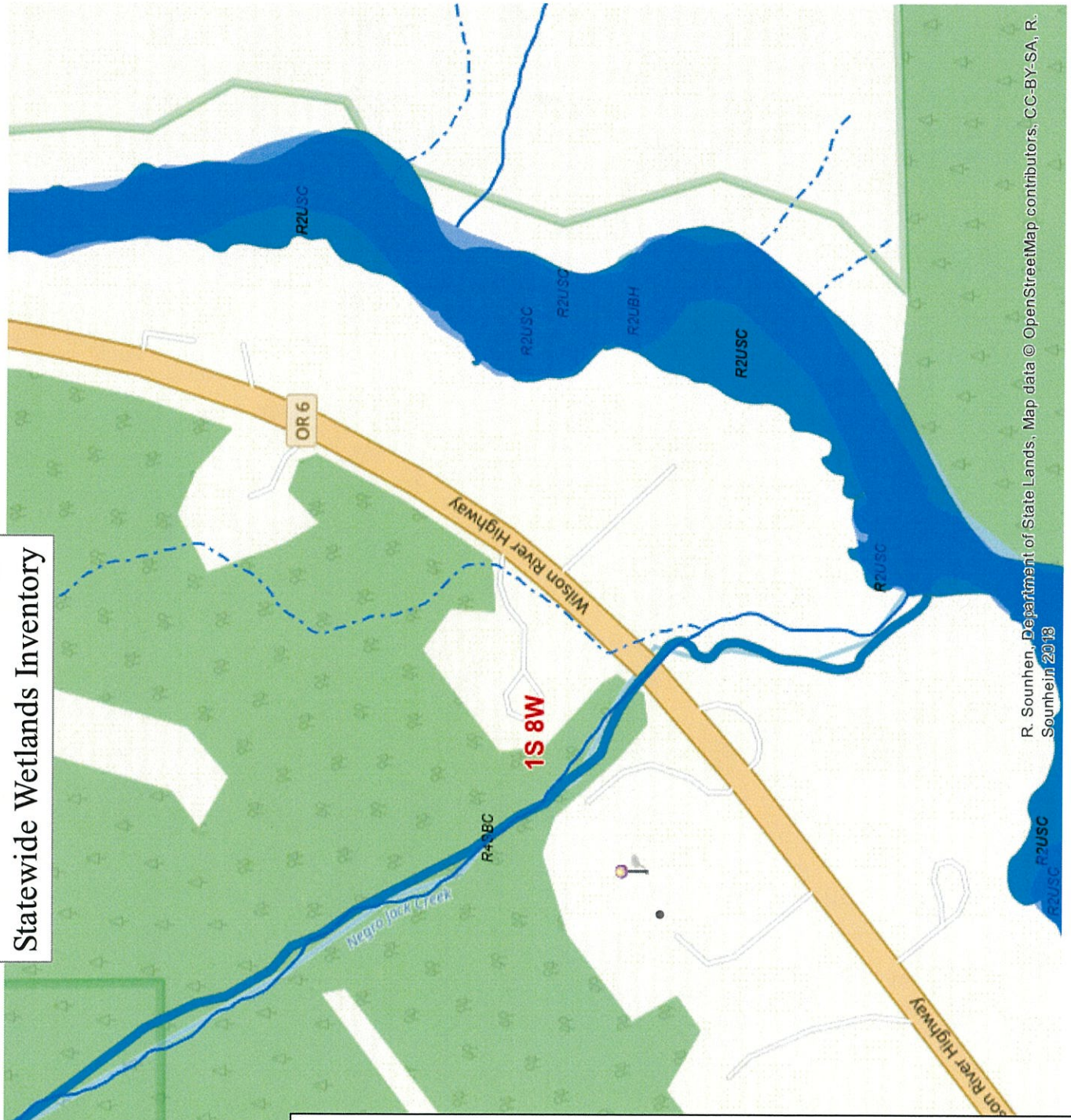


Created: Thu Oct 19 2023-10:16:24  
Active Layers: County\_Boundary, Fed\_state\_highways, city/limit, community\_polygon, TaxlotOwner, Township\_Range\_Section, Road\_Centerline  
Extent: -13842502.636107, 5627943.4513795, -13602948.989495, 5753300.1777497





# Statewide Wetlands Inventory



	Townships
	LWI Study Area
	BASEDAT.DBO.NHDP Point
<b>BASEDAT.DBO.NHDF lowline</b>	
	Perennial
	Intermittent
	Ephemeral
	Unknown
	Canal/Ditch
	BASEDAT.DBO.NHD Area
	BASEDAT.DBO.NHD Waterbody
<b>Wetlands</b>	
	Estuarine and Marine Deepwater
	Estuarine and Marine Wetland
	Freshwater Emergent Wetland
	Freshwater Forested/Shrub Wetland
	Freshwater Pond
	Lake
	Riverine
	SWI Predominantly Hydric Soil Map Units

R. Sounhen, Department of State Lands, Map data © OpenStreetMap contributors, CC-BY-SA, R. Sounheim 2018



# National Flood Hazard Layer FIRMette

123°41'47"W, 45°29'23"N

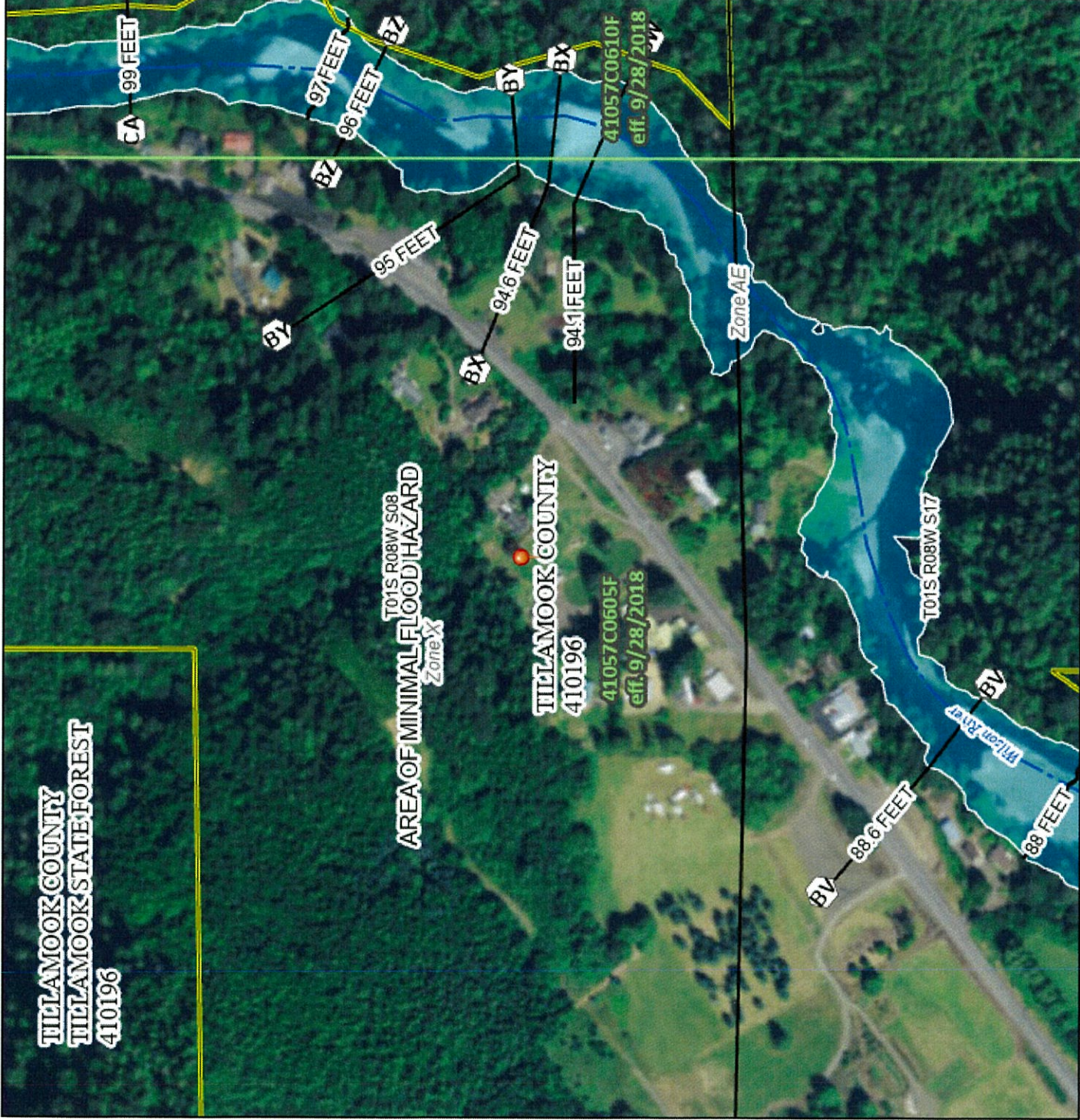
**TILLAMOOK COUNTY  
TILLAMOOK STATE FOREST  
410196**

**T01S, R08W, S08  
AREA OF MINIMAL FLOOD HAZARD  
Zone X**

**TILLAMOOK COUNTY  
410196  
41057C0605F  
eff. 9/28/2018**

**41057C0610F  
eff. 9/28/2018**

**Wilson River**



## Legend

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

- SPECIAL FLOOD HAZARD AREAS**
  - Without Base Flood Elevation (BFE) Zone A, V, A99
  - With BFE or Depth Zone AE, AO, AH, VE, AR
  - Regulatory Floodway
- OTHER AREAS OF FLOOD HAZARD**
  - 0.2% Annual Chance Flood Hazard. Area of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile. Zone Z
  - Future Conditions 1% Annual Chance Flood Hazard Zone X
  - Area with Reduced Flood Risk due to Levee. See Notes. Zone X
  - Area with Flood Risk due to Levee Zone D
- OTHER AREAS**
  - NO SCREEN
  - Area of Minimal Flood Hazard Zone X
  - Effective LOMFRs
  - Area of Undetermined Flood Hazard Zone
- GENERAL STRUCTURES**
  - Channel, Culvert, or Storm Sewer
  - Levee, Dike, or Floodwall
- OTHER FEATURES**
  - Cross Sections with 1% Annual Chance Water Surface Elevation
  - Coastal Transect
  - Base Flood Elevation Line (BFE)
  - Limit of Study
  - Jurisdiction Boundary
  - Coastal Transect Baseline
  - Profile Baseline
  - Hydrographic Feature
- MAP PANELS**
  - Digital Data Available
  - No Digital Data Available
  - Unmapped

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

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

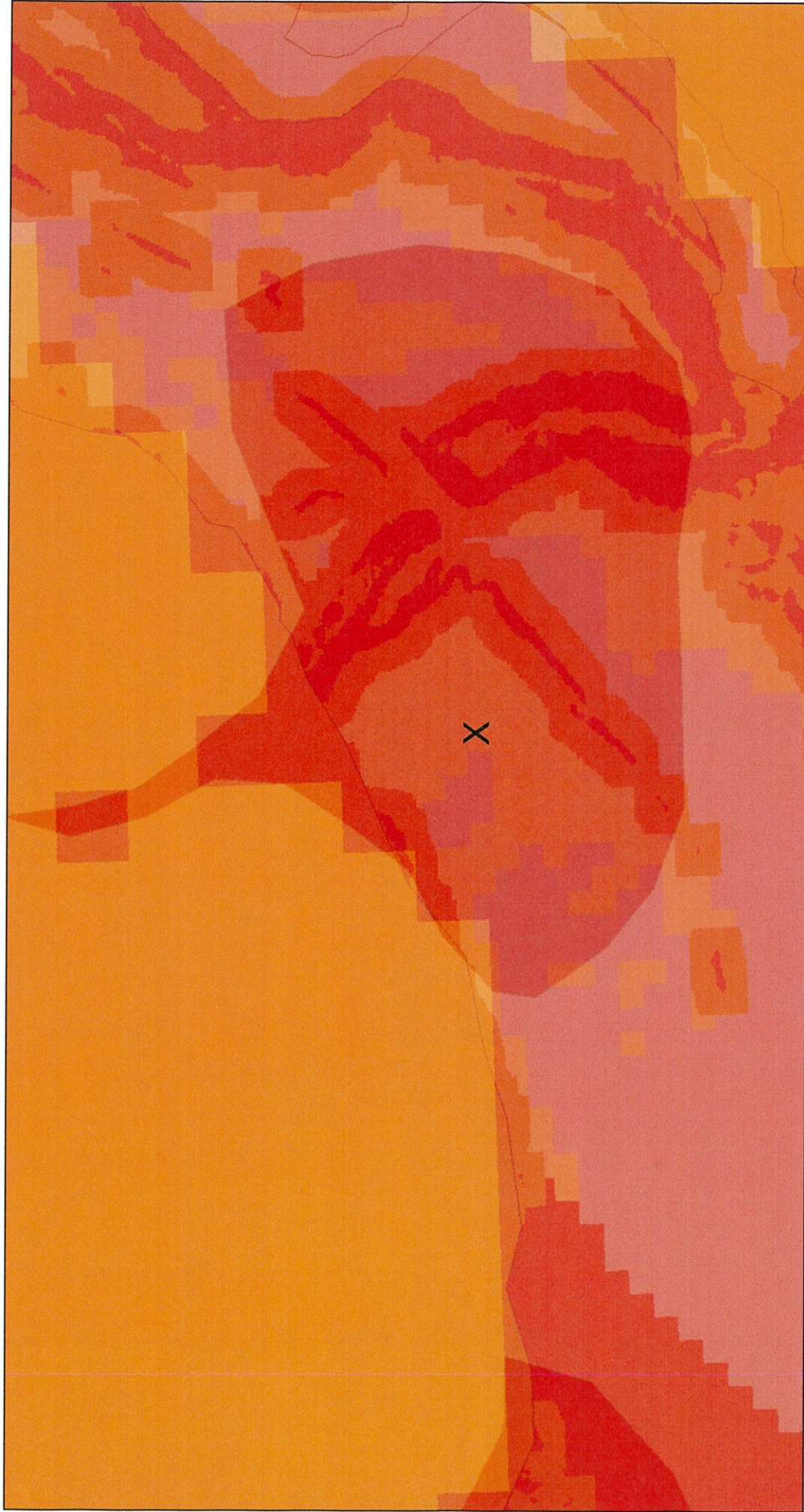
The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 11/29/2023 at 5:04 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by 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.

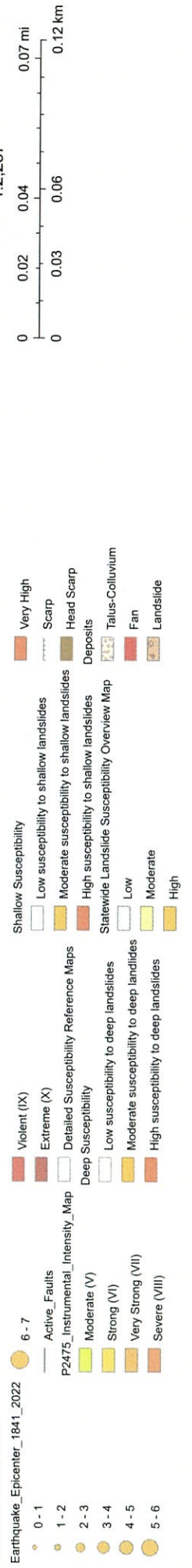




# PARTITION #851-23-000456-PLNG



November 29, 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: ricesurveying@outlook.com

**Property Owner**

Name: Case Roos Phone: (503) 812-7865

Address: 20295 Beaver Creek Road

City: Cloverdale State: OR Zip: 97112

Email: case.roos7@gmail.com

**Location:**

Site Address: 17120 Wilson River Hwy

Map Number:	1S	8	8D	#200
	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**

OCT 04 2023

Approved  Denied

Received by:

Receipt #:

Fees: 1155.-

Permit No:

85193 - 000456PLNG

### 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:

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**Authorization**

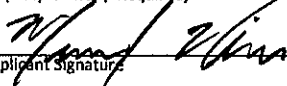
This permit application does not assure permit approval. The applicant and/or property owner shall be responsible for obtaining any other necessary federal, state, and local permits. Within two (2) years of final review and approval, all final plats for land divisions shall be filed and recorded with 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)

10/3/23

Date



Applicant Signature

10/2/23

Date

**PARTITION PLAT PROPOSAL**  
 LOCATED IN THE SW 1/4 OF THE SE 1/4 OF SECTION 8  
 T. 1 S., R. 8 W., W.M.  
 TILLAMOOK COUNTY, OREGON  
 OCTOBER 2nd, 2023

**BASIS OF BEARINGS:**

THE BASIS OF BEARINGS FOR THIS PROPOSAL IS CALCULATED ACROSS MONUMENTS FROM THE CENTER SOUTH 1/16 OF SECTION 8, SOUTHERLY TO THE SOUTH QUARTER CORNER OF SECTION 8 AND THE NORTH QUARTER CORNER OF SECTION 17. BEARING BEING S0°01'05"E FROM MAP B-1690, TILLAMOOK COUNTY SURVEY RECORDS. (N89°46'25"E) AND (N0°22'27"W) FROM MAP B-4043, TILLAMOOK COUNTY SURVEY RECORDS.

**NARRATIVE:**

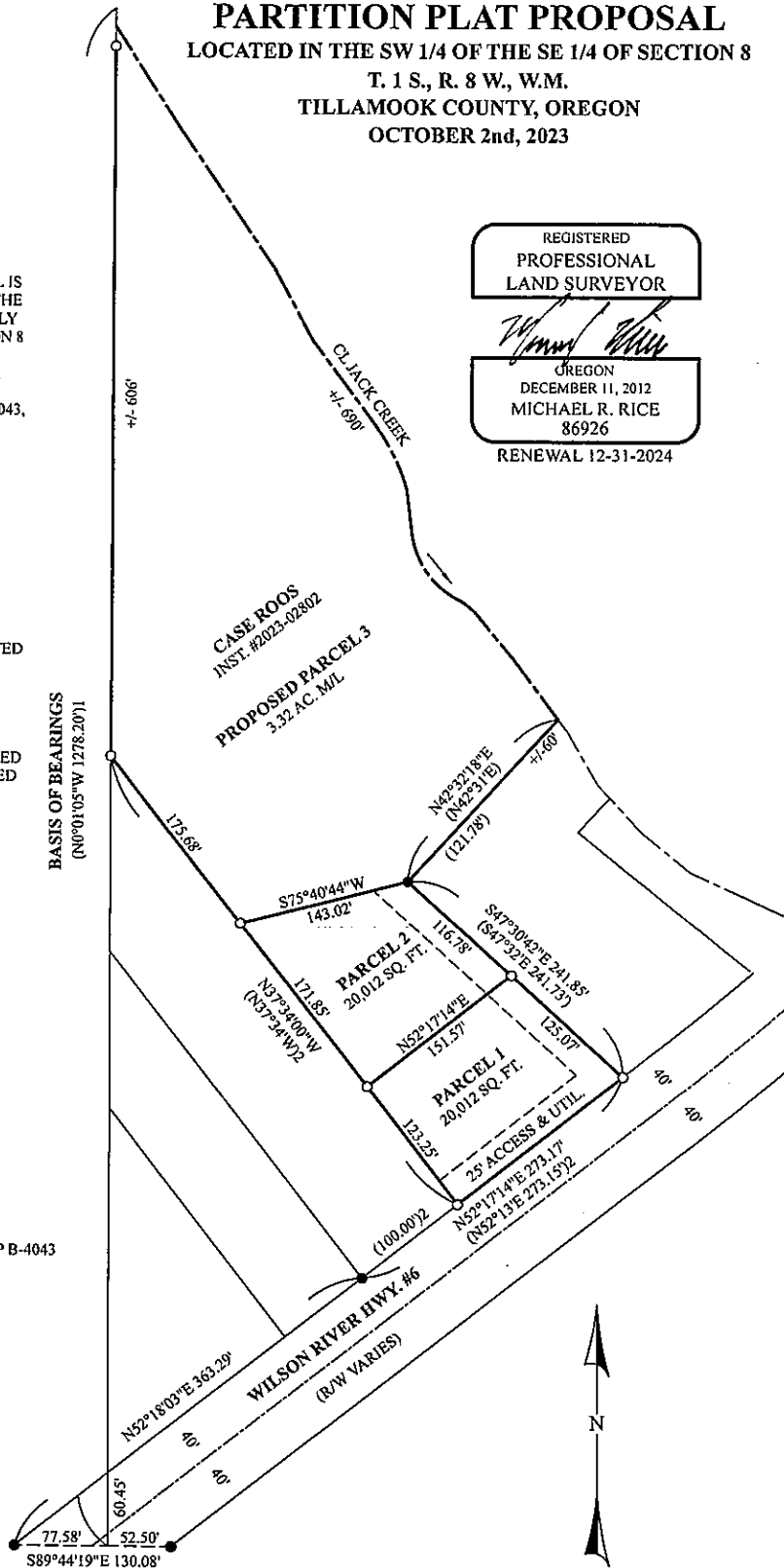
THIS PROPOSAL WAS CONDUCTED AS A DEPENDENT RESURVEY OF THE SUBJECT PROPERTY DESCRIBED AS INSTRUMENT #2023-02802, TILLAMOOK COUNTY CLERK'S RECORDS.

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.

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

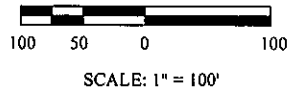
BASIS OF BEARINGS  
 (N0°01'05"W 1278.20'1)



**LEGEND:**

- FOUND MONUMENTS AS DESCRIBED ON MAP B-4043 AND MAP B-1690.
- PROPOSED SET MONUMENTS.
- ( ) RECORD PER SURVEY MAP B-272, TCSR.
- (1) RECORD PER SURVEY MAP B-1690, TCSR.
- (2) RECORD PER DEED INST. #2023-02802, TCCR.

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



PROPOSAL FOR:  
**CASE ROOS**  
 LANDS DESCRIBED IN THE SW 1/4 OF THE SE 1/4 OF SECTION 8,  
 T. 1 S., R. 8 W., W.M.  
 INSTRUMENT #2023-02802  
 TILLAMOOK COUNTY CLERK'S RECORDS



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



*Land of Cheese, Trees and Ocean Breeze*

**VERIFICATION OF WATER SOURCE WITHIN TILLAMOOK COUNTY**

TO: TILLAMOOK COUNTY DCD, 1510-B THIRD ST, TILLAMOOK, OR 97141  
RE: WATER SOURCE REVIEW

**This letter is valid for one (1) year from the date of issue.**

The water source identified below can be used under Oregon Water Law to supply the following lot(s) within Tillamook County:

Township: 15 Range: 8 West Section: 8 Tax Lot(s): 200  
Situs address (if known): 17120 Wilson River Hwy, Tillamook, OR 97141  
According to records, the legal owner is/are: Casa Roos  
Contact telephone number: 503-812-7865  
Water Source: Well  
Comments: TILL405

Building permit applicants who will be using a private water source will be required to have District 1 Watermaster verify proof of a legal water source and sign below. An order adopted by the Tillamook County Board of Commissioners on September 1, 2009 states that a fee of \$75 shall be collected when a private water source verification is required. This fee is collected by Community Development.

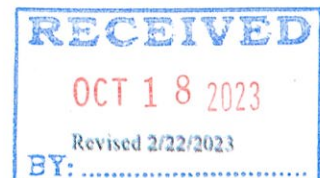
Landowners are responsible for maintaining water sources, waterline easements, water rights, and wells. The information provided in this form does not guarantee that a water source will be available forever. Due to climatic conditions water sources can decline and wells can go dry. The information provided by the District 1 Watermaster is the result of a search of OWRD records and field inspections. Although a property may have water rights of record, if the water right has undergone five successive years of non-use it may be subject to cancellation under ORS 540.610. The official water right of record is kept in Salem at OWRD.

Building permit applicants who will be connecting to a local water district will be required to have the water district provider verify proof of service from the water district.

Nikki Hendricks  
Nikki Hendricks

Issue Date: 10.18.2023

Oregon Water resources Department (OWRD)  
District 1 Watermaster  
4000 Blimp Blvd Ste 400, Tillamook, OR 97141  
Phone: (503) 815-1967 Email: [Nikki.M.Hendricks@water.oregon.gov](mailto:Nikki.M.Hendricks@water.oregon.gov)



\*\*\*\*\*FOR OFFICE USE ONLY\*\*\*\*\*

DATE: \_\_\_\_\_ RECEIVED BY: \_\_\_\_\_ FEE PAID: \$ \_\_\_\_\_ RECEIPT: \_\_\_\_\_



No 0380  
RECEIVED

204

"START CARD"

JAN 20 1988

**NOTICE OF BEGINNING OF WELL CONSTRUCTION**  
(as required by ORS 537.762)

WATER RESOURCES DEPT.  
SALEM, OREGON

This form must be completed, signed by both the owner (or authorized agent) and constructor, and the original delivered to the Water Resources Department prior to commencement of construction, alteration or abandonment of each well.

Owner's Name and Mailing Address Leo Musaraco  
17120 Wilson River Hwy  
Tillamook, Ore. 97141

Proposed Commencement Date 1-20-88

Proposed Well Depth 100 Diameter 6  
and Use:  
 Domestic  Community  Industrial  Irrigation  
 Thermal  Injection  Other Apartment

Proposed Well Location: County Tillamook  
Township S Range 8 W (E or W) Section 8  
1. NW 1/4 of SE 1/4 of above section

At least 2 of these must be provided

- street address of well location 17120 Wilson River Hwy  
Tillamook, Ore
- tax lot number of well location 1300
- attach approved map with location identified.  
(see reverse of this form for approved maps)

We hereby certify that we have read the back of this form, and that to the best of our knowledge the information provided herein is accurate and the well is being properly located from septic tanks and septic drain fields.

Leo Musaraco  
Owner's Signature

Larry C Evey  
Bonded Water Well Constructor

1-19-88  
Date

License No. 1221  
Company Larry Evey Well Drilling Inc.

Note: This is not a Water Right application. The owner is responsible for obtaining a Water Right through the Water Resources Department if required.

1261  
88-22-1

S.C.# 0380

RECEIVED

TILL 15/8W-8db  
405  
FEB 11 1988

STATE OF OREGON  
WATER WELL REPORT  
(as required by ORS 537.765)

(1) OWNER: Well Number: 1  
Name Leo Musaraco  
Address 17120 Wilson River Hwy.  
City Tillamook State Ore. Zip 97141

(2) TYPE OF WORK:  
 New Well  Deepen  Recondition  Abandon

(3) DRILL METHOD  
 Rotary Air  Rotary Mud  Cable  
 Other

(4) PROPOSED USE:  
 Domestic  Community  Industrial  Irrigation  
 Thermal  Injection  Other Apartments

BORE HOLE CONSTRUCTION:  
Special Construction approval Yes  No  Depth of Completed Well 155 ft.  
Explosives used Yes  No  Type \_\_\_\_\_ Amount \_\_\_\_\_

HOLE		SEAL		Amount	
meter	From To	Material	From To	sacks	or pounds
10	0 25	Bentonite	0 25	21	
6	25 46				
8	46 51	Cement	46 51	6	
6	51 155				

How was seal placed: Method  A  B  C  D  E.  
 Other Placed in dry + prodded  
Backfill placed from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Material \_\_\_\_\_  
Gravel placed from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Size of gravel \_\_\_\_\_

(6) CASING/LINER:

	Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing:	6	71	51	.250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Liner:	4	3	155	160	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Location of shoe(s) 51

(7) PERFORATIONS/SCREENS:

Perforations Method Drilled  
 Screens Type \_\_\_\_\_ Material \_\_\_\_\_

From	To	Slot size	Number	Diameter	Tele. size	Casing	Liner
15	155		320	9/16	4	<input type="checkbox"/>	<input checked="" type="checkbox"/>

(8) WELL TESTS: Minimum testing time is 1 hour

Yield gal/min	Drawdown	Drill stem at	Time
1.5	118	150	1 hr.

Pump  Bailer  Air  Flowing Artesian

Temperature of water 54 Depth Artesian Flow Found \_\_\_\_\_  
Was a water analysis done?  Yes By whom \_\_\_\_\_  
Did any strata contain water not suitable for intended use?  Too little  
 Salty  Muddy  Odor  Colored  Other \_\_\_\_\_  
Depth of strata: \_\_\_\_\_

(9) LOCATION OF WELL by legal description:  
County Tillamook Latitude \_\_\_\_\_ Longitude \_\_\_\_\_  
Township 15 Nor S, Range 8W E or W, WM.  
Section 8 NW 1/4 SE 1/4  
Tax Lot 1300 Lot \_\_\_\_\_ Block \_\_\_\_\_ Subdivision \_\_\_\_\_  
Street Address of Well (or nearest address) SAME

(10) STATIC WATER LEVEL:  
32 ft. below land surface. Date 1-26-88  
Artesian pressure \_\_\_\_\_ lb. per square inch. Date \_\_\_\_\_

(11) WATER BEARING ZONES:

Depth at which water was first found 80

From	To	Estimated Flow Rate	SWL
80	149	2	
149	155	13	

(12) WELL LOG: Ground elevation \_\_\_\_\_

Material	From	To	SWL
Top soil	0	1	
Brown Clay	1	11	
Brown Clay + lg. Boulders	11	19	
Black Rock	19	40	
Broken Black Rock	40	46	
Black Rock	46	149	32
Gray Claystone + Black Rock	149	155	32

Date started 1-21-88 Completed 1-25-88

(unbonded) Water Well Constructor Certification:  
I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon well construction standards. Materials used and information reported above are true to my best knowledge and belief.  
Signed \_\_\_\_\_ Date \_\_\_\_\_ WWC Number \_\_\_\_\_

(bonded) Water Well Constructor Certification:  
I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. all work performed during this time is in compliance with Oregon well construction standards. This report is true to the best of my knowledge and belief.  
Signed Larry C Evey WWC Number 1221 Date 1-26-88

360423001883  
TICOR TITLE™

RECORDING REQUESTED BY:



802 Main Ave.  
Tillamook, OR 97141

GRANTOR'S NAME:  
Talur Burgwin

GRANTEE'S NAME:  
Case Roos

AFTER RECORDING RETURN TO:  
Order No.: 360423001883-SS  
Case Roos  
20295 East Beaver Creek Road  
Cloverdale, OR 97112

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

APN: 136533R  
Map: 1S0808D00200  
17120 Wilson River Highway, Tillamook, OR 97141

Tillamook County, Oregon  
06/29/2023 02:35:01 PM 2023-02802  
DEED-DWARR  
\$15.00 \$11.00 \$10.00 \$61.00 - 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

SPACE ABOVE THIS LINE FOR RECORDER'S USE

### STATUTORY WARRANTY DEED

Talur Burgwin, Grantor, conveys and warrants to Case Roos, 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:

Beginning at a point on the Northwestery boundary of the Wilson River Highway, said point being 282.94 feet North and 289.32 feet East of the Quarter corner between Sections 8 and 17, Township 1 South, Range 8 West of the Willamette Meridian, Tillamook County, Oregon; thence North 37°34' West 474.5 feet to the Quarter section line running North and South through said Section 8; thence North, along said Quarter section line, 570 feet to its intersection with Jack Creek; thence Southeasterly along the center of said creek, to a point 669.55 feet North and 351.03 feet East of said Quarter corner; thence South 39°14' West 34 feet to the most Northerly corner of that tract conveyed to Norlyn P. Hoff et ux., recorded in Book 136, Page 394, Deed Records; thence South 42°31' West 121.78 feet to the most Westerly corner of said Hoff tract; thence South 47°32' East 241.73 feet, along the Westerly line of said Hoff tract to the Wilson River Highway; thence Southwesterly along said Highway, 173.15 feet to the Point of Beginning.

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS ONE HUNDRED FORTY-FIVE THOUSAND AND NO/100 DOLLARS (\$145,000.00). (See ORS 93.030).

Subject to:

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

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, 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: 6-29-23

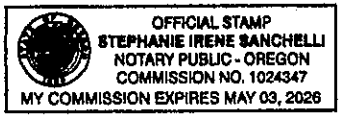
  
\_\_\_\_\_  
Talur Burgwin

State of OREGON  
County of TILLAMOOK

This instrument was acknowledged before me on 6-29-23 by Talur Burgwin.

  
\_\_\_\_\_  
Notary Public - State of Oregon

My Commission Expires: 05032026



**EXHIBIT "A"**  
Exceptions

**Subject to:**

Any adverse claim based on the assertion that any portion of the subject land has been removed from or brought within the subject land's boundaries by the process of accretion or reliction or any change in the location of Jack Creek.

Any adverse claim based on the assertion that any portion of the subject land has been created by artificial means or has accreted to such portions so created, or based on the provisions of ORS 274.905 through 274.940.

Any adverse claim based on the assertion that any portion of the subject land is now or at any time has been below the ordinary high water line of Jack Creek.

Rights of fishing, navigation, commerce, flood control, propagation of anadromous fish, and recreation, and other rights of the public, Indian tribes or governmental bodies in and to the waters of Jack Creek.

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: July 20, 1955  
Recording No: Book 148, Page 285  
Affects: Reference is hereby made to said document for full particulars

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

Entitled: Bargain and Sale Deed  
In favor of: Jack Creek Water District  
Purpose: Access to reservoir and water pipelines  
Recording Date: March 5, 1975  
Recording No: Book 239, Page 709

Omitting any covenants or restrictions, if any, including but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, source of income, gender, gender identity, gender expression, medical condition or genetic information, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law.

The exact location and extent of said easement is not disclosed of record.

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: Overhead and underground facilities  
Recording Date: September 25, 2015  
Recording No: 2015-05949  
Affects: Reference is hereby made to said document for full particulars

# EXHIBIT C



## Angela Rimoldi

---

**From:** BRADLEY Robert \* ODFW <Robert.BRADLEY@odfw.oregon.gov>  
**Sent:** Friday, October 20, 2023 2:59 PM  
**To:** Angela Rimoldi  
**Subject:** EXTERNAL: RE: Partition Request 851-23-000456-PLNG

[**NOTICE:** This message originated outside of Tillamook County -- **DO NOT CLICK** on links or open **attachments** unless you are sure the content is safe.]

Angela,

I have no substantive comments on the partition request, but recommend that any future development be planned such that there is no encroachment on the riparian setback of Jack Creek or any other waterways that might be on site.

Robert

Robert W. Bradley  
District Fish Biologist  
Oregon Department of Fish and Wildlife  
North Coast Watershed District  
4907 Third St  
Tillamook, OR 97141  
503-842-2741 x18613 (w)  
503-842-8385 (fax)



---

**From:** Lynn Tone <ltone@co.tillamook.or.us>  
**Sent:** Friday, October 20, 2023 2:50 PM  
**To:** Angela Rimoldi <arimoldi@co.tillamook.or.us>  
**Subject:** Partition Request 851-23-000456-PLNG

Please see link for Notice of Administrative Review, thank you.  
[851-23-000456-PLNG | Tillamook County OR](#)



**Lynn Tone** | Office Specialist II  
TILLAMOOK COUNTY | Surveyor's Office/Community Development  
1510 3<sup>rd</sup> Street Ste C  
Tillamook, OR 97141  
Phone (503) 842-3423  
[Lynn.Tone@tillamookcounty.gov](mailto:Lynn.Tone@tillamookcounty.gov)

This e-mail is a public record of Tillamook County and is subject to the State of Oregon Retention Schedule and may be subject to public disclosure under the Oregon Public Records Law. This e-mail, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure, or distribution is prohibited. If you are not the intended recipient, please send a reply e-mail to let the sender know of the error and destroy all copies of the original message.

## Angela Rimoldi

---

**From:** ODOT Reg 2 Planning Manager <ODOTR2PLANMGR@odot.oregon.gov>  
**Sent:** Wednesday, October 25, 2023 9:39 AM  
**To:** Lynn Tone; Angela Rimoldi  
**Cc:** KEARNS Richard A; WILLIAMS Virginia L  
**Subject:** EXTERNAL: RE: Partition Request 851-23-000456-PLNG

**[NOTICE: This message originated outside of Tillamook County -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]**

Lynn and Department of Community Development,

Thank you for notifying ODOT of the proposed partition TL 200. Please include these comments in the public record and notify ODOT of the decision by sending a copy to [odotr2planmgr@odot.state.or.us](mailto:odotr2planmgr@odot.state.or.us) when available.

The site is adjacent to Wilson River Highway, No. 037 (OR 6), and is subject to state laws administered by ODOT. The site has permitted direct access to the highway at MP 8.50. The existing approach is intended to use for all 3 parcels and such need to be properly recorded with county. The proposal also does not include any physical modifications to the existing highway approach, and as such, ODOT has no objections to the proposal. If the applicant needs to modify the approach in any way, please have them contact the ODOT District 1 Permits office Permit Specialists Richard Kearns at 503-986-2902 or Virginia Williams at 503-325-5853.

Thank you

Zdenek "Z" Vymazal, PE, PLS  
Development Review Coordinator (Area 1)  
ODOT – Region 2  
455 Airport Rd. SE, Bldg. B  
Salem, OR 97301  
(971)-345-1318 Cell/Office  
[zdenek.g.vymazal@odot.oregon.gov](mailto:zdenek.g.vymazal@odot.oregon.gov)  
Hours: 6:30 AM to 3:00 PM Monday – Friday



---

**From:** Lynn Tone <ltone@co.tillamook.or.us>  
**Sent:** Friday, October 20, 2023 2:50 PM  
**To:** Angela Rimoldi <arimoldi@co.tillamook.or.us>  
**Subject:** Partition Request 851-23-000456-PLNG

This message was sent from outside the organization. Treat attachments, links and requests with caution. Be conscious of the information you share if you respond.

Please see link for Notice of Administrative Review, thank you.

[851-23-000456-PLNG | Tillamook County OR](#)



**Lynn Tone** | Office Specialist II

**TILLAMOOK COUNTY** | Surveyor's Office/Community Development

1510 3<sup>rd</sup> Street Ste C

Tillamook, OR 97141

Phone (503) 842-3423

[Lynn.Tone@tillamookcounty.gov](mailto:Lynn.Tone@tillamookcounty.gov)

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## Angela Rimoldi

---

**From:** Joan Sager <rainforest@centurylink.net>  
**Sent:** Friday, November 3, 2023 3:45 PM  
**To:** Angela Rimoldi  
**Subject:** EXTERNAL: Partition Request

[**NOTICE:** This message originated outside of Tillamook County -- **DO NOT CLICK** on links or open attachments unless you are sure the content is safe.]

RE: Partition Request #851-23-000456-PLNG

Dear Angela Rimoldi,

My name is Joan Sager and I am the owner of Rainforest Nursery (700). Jack Creek is the west border of the property.. I have water rights on the creek and a spring at the same level as the creek which is my domestic water source.

In November 2008 the spring was destroyed by a mud/rock slide that came from high up the creek.

My concern is the heavy equipment that will be excavating for the structures, septic systems etc.and how this could destabilize the ground in the surrounding area.

The Contractors must be made aware of this possibility and initiate erosion control.

The Approval Criteria, a ,c, e, come closest to addressing my concerns.

Sincerely,  
Joan Sager  
Owner, Rainforest Nursery  
Lot 700

