



Land of Cheese, Trees and Ocean Breeze

1510 Third Street Suite B  
Tillamook, Oregon 97141  
www.tillamook.or.us

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

**PARTITION #851-23-000536-PLNG: M & P SUNRISE, LLC / WALLACE  
Administrative Decision & Staff Report**

**Decision:** Approved with Conditions  
**Decision Date:** February 23, 2024  
**Report Prepared By:** Angela Rimoldi, Planning Permit Technician

**I. GENERAL INFORMATION:**

- Request:** Partition request to create two (2) residential parcels (Exhibit B).
- Location:** Located north of the City of Tillamook via Sollie Smith Road, a county road. The subject property is designated as Tax Lot 600 of Section 15, Township 1 South, Range 09 West of the Willamette Meridian, Tillamook County Oregon. (Exhibit A).
- Zone:** The subject property is primarily zoned Rural Residential 2-Acre (RR-2) with a slight area of Farm (F-1) zone (Exhibit A).
- Applicant:** Don Wallace of KLS Surveying, Inc., 1224 Alder Street, Vernonia, OR. 97064
- Property Owner:** M & P Sunrise, LLC, 7640 Northwood Drive, Tillamook, OR. 97141

**Description of Site and Vicinity:** The subject property is accessed via Sollie Smith Road, is irregular in shape, approximately 25 acres in size, improved with residential and accessory structures and is vegetated with grass and trees (Exhibit A). Topography of the subject property slightly varies but is gentle in slope with some flat areas. The subject property is located within an area primarily devoted to residential use, with surrounding farm and forest management. The subject property is surrounded by properties also zoned RR-2 to the south and west. Properties to the east are primarily zoned Farm (F-1) and properties to the north are primarily zoned Forest (F) (Exhibit A).

The subject property is within an area of geologic hazard, does not contain any mapped wetlands or natural features as indicated on the State Wetlands Inventory map, and is not located within an Area of Special Flood Hazard as depicted on FEMA Flood Insurance Rate Map (FIRM 41057C0582F) (Exhibit A).

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

## II. APPLICABLE ORDINANCE AND COMPREHENSIVE PLAN PROVISIONS:

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

- A. Land Division Ordinance Section 070: Preliminary Plat Approval Criteria
- B. TCLUO Section 3.010: Rural Residential 2-Acre (RR-2) with partial Section 3.002: Farm (F-1) zone
- C. TCLUO 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 January 12, 2024. 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 applicability of the RR-2 Zone is addressed below. Farm (F-1) zone standards do not apply to this request. Plat and the submitted supplemental information confirm the criteria above are met.

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

**Findings:** The preliminary plat confirms access to the subject property and subsequent parcels remains via Sollie Smith Road, a county road, with a private access and utility easement across proposed Parcels 1 and 2 for the benefit of both proposed parcels (Exhibit B). The submitted plat also depicts an existing overhead power line easement across proposed Parcel 1 (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 currently served by an onsite spring and on-site wastewater system and shall benefit proposed Parcel 1 only. (Exhibit B).

Proposed Parcel 2 findings: Water availability has been confirmed by Oregon Water Resources that an available water source from the abutting north lot #500, owned by M&P Sunrise, LLC, may be obtained for proposed Parcel 2 (Exhibit B). An easement to the well source must be depicted on the final plat as outlined in the Conditions of Approval. A notation can be placed on the plat stating that the allowance of the proposed partition does not warrant that site evaluation approval is or will be available to the Proposed Parcel 2 if approval has not yet been obtained.

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

**B. TCLUO Section 3.010: Rural Residential 2-Acre and 10-Acre (RR-2 and RR-10) Zone**

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

- (a) The minimum lot size is two acres for parcels zoned before October 4, 2000.*
- (b) The minimum parcel/lot size is 10 acres for lots/parcels re-zoned Rural Residential on or after October 4, 2000.*
- (c) Parcels less than two acres in size that were legally established prior to December 18, 2002 may be built upon provided that all other requirements of this Ordinance and other applicable development requirements are met.*
- (d) Lots in an approved preliminary subdivision plat that is being maintained in an active status as of the date adopted of this Ordinance may be built upon after approval and recording of the final plat.*
- (e) The minimum lot width and depth shall both be 100 feet.*
- (f) The minimum front yard shall be 20 feet.*

(g) *The minimum side yard shall be 5 feet; on the street side of a corner lot, it shall be no less than 15 feet.*

(h) *The minimum rear yard shall be 20 feet; on a corner lot, it shall be no less than 5 feet.*

**Findings:** Applicant has provided a preliminary plat confirming the two (2) parcels created by the partition meet the minimum requirements for lot size and dimensions as outlined above (Exhibit B). Staff finds these standards have been met.

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

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

(a) *Active landslides identified in Oregon Department of Geology and Mineral Industries (DOGMI) Bulletins 74 and 79;*

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

.....

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

(a) *For building or mobile home or manufactured home permits in areas identified in (1)*

(b) *reports are needed for lots 20,000 square feet or larger only where the proposed structure is to be situated on slopes greater than 29 percent or if (1) (f) applies*

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

**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 March 6, 2024**.

**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 Sollie Smith Road is adequate or that the necessary improvements to the Road Approach have been completed. The letter shall be provided to the Department at the time of consolidated Zoning and Building Permit submittal for development of proposed Parcel 2.
3. The applicant shall obtain a letter from the Oregon Water Resources Department confirming water source for proposed Parcel 2 be sourced from the abutting north lot #500 at the time of consolidated Zoning and Building Permit submittal.
4. The applicant shall comply with all requirements of the Tillamook County Surveyor's Office.
5. 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.
6. The applicant shall record the Final Plat within ninety (90) days from the date of final signature of the partition plat.
7. Future development is subject to standards required by TCLUO Section 3.010: Rural Residential 2-Acre and 10-Acre zone and TCLUO Section 4.130: Development Requirements for Geologic Hazard Areas.

**VI. EXHIBITS:**

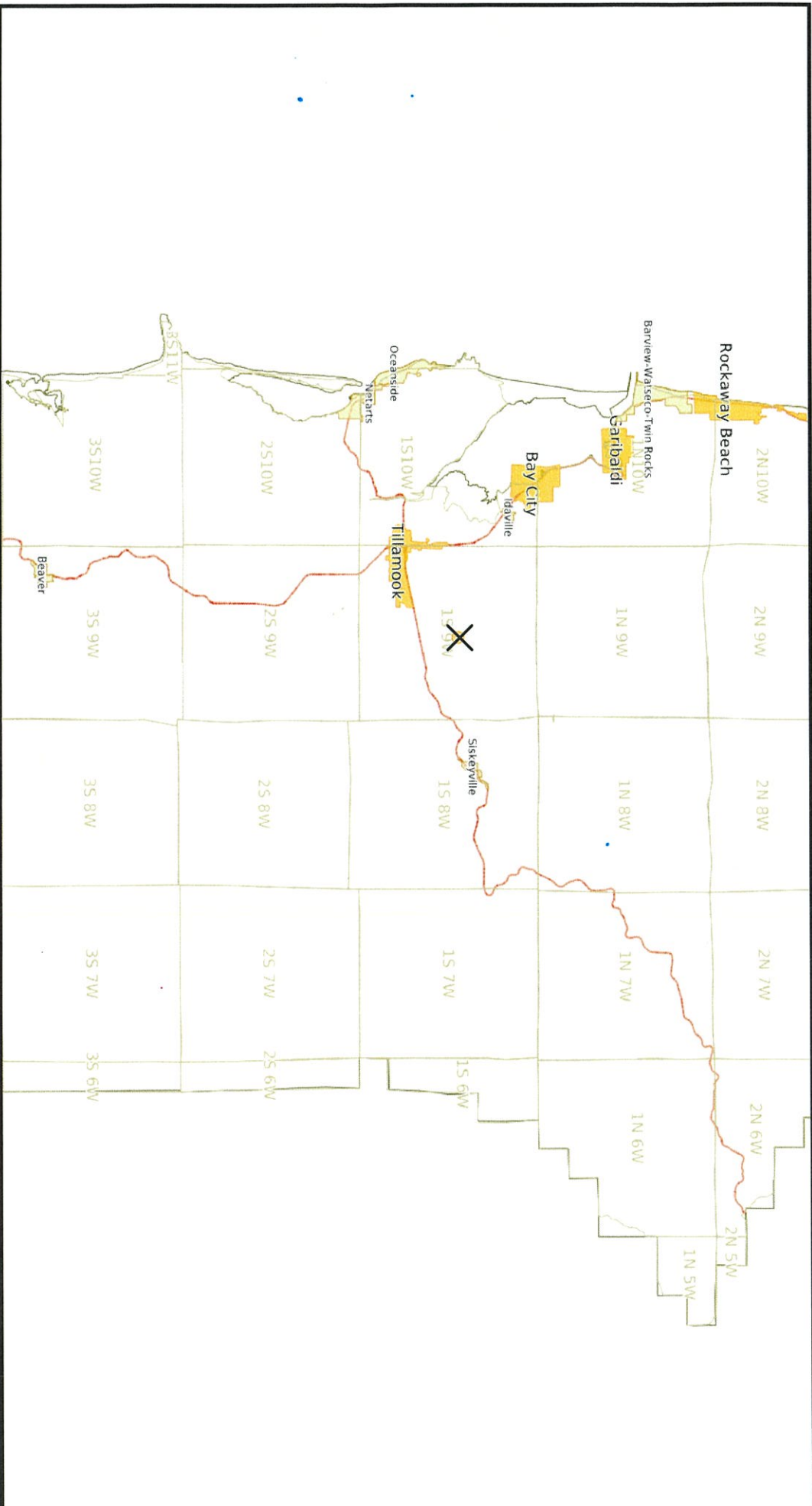
All Exhibits referenced herein are, by this reference, made a part hereof:

- A. Property Identification Maps and Assessor's Summary Report
- B. Applicant's Submittal
- C. Agency Comment

# EXHIBIT A



# Tillamook County GIS

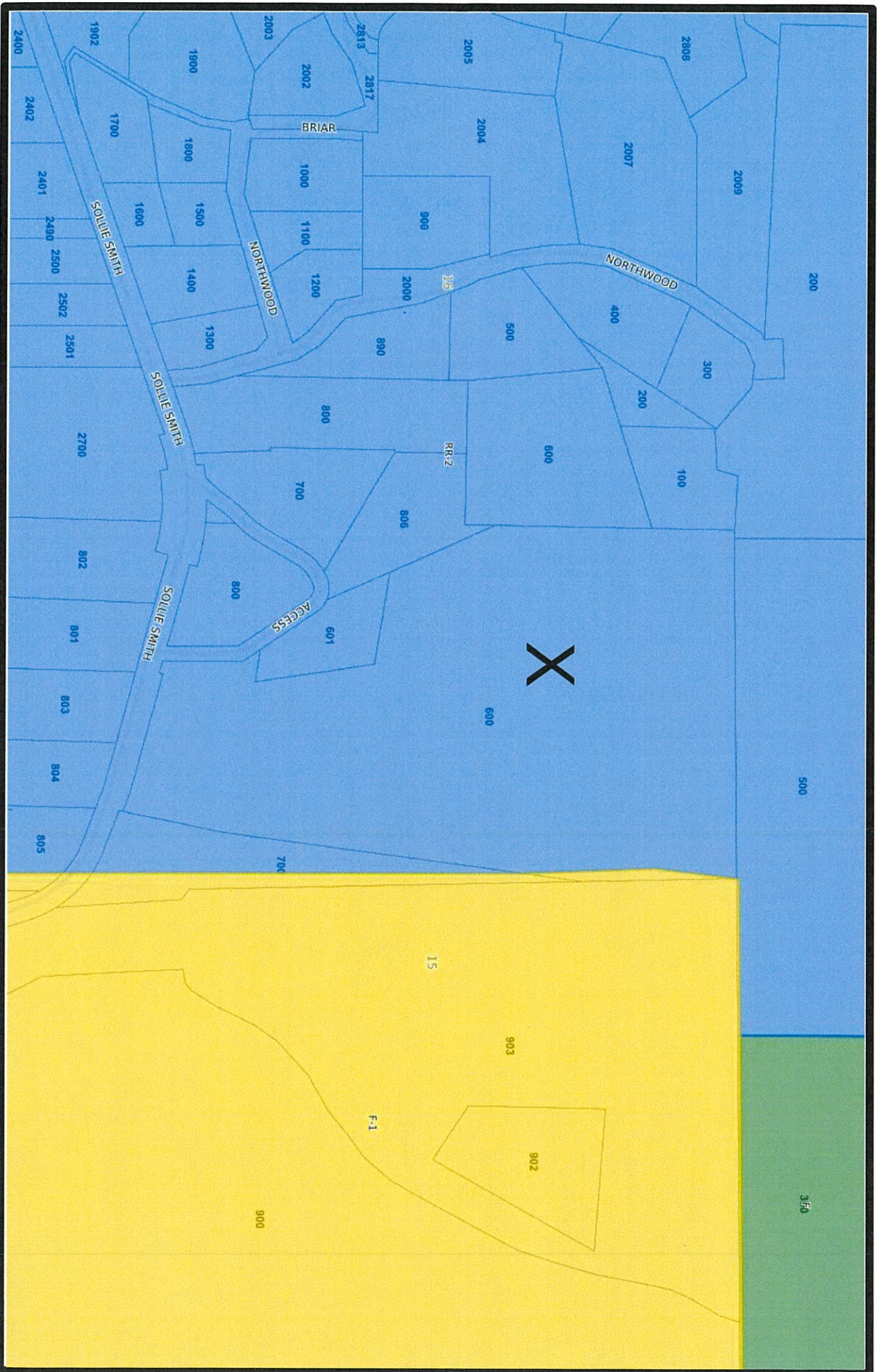


Created: Mon Jan 08 2024-13:37:10  
Active Layers: County\_Boundary, Fed\_state\_highways, city/limit, community\_polygon, TaxlotOwner, Township\_Range\_Section, Road\_Centerline  
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# Map

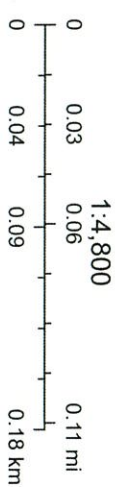


# PARTITION #851-23-000536-PLNG



February 20, 2024

- Earthquake\_Epicenter\_1841\_2022
  - 0 - 1
  - 1 - 2
  - 2 - 3
  - 3 - 4
  - 4 - 5
- Active Faults
  - 6 - 7
- P2475\_Instrumental\_Intensity\_Map
  - Very Strong (VII)
  - Severe (VIII)
  - Violent (IX)
  - Extreme (X)
  - Detailed Susceptibility Reference Maps
  - Deep Susceptibility
  - Low susceptibility to deep landslides
- Statewide Landslide Susceptibility Overview Map Deposits
  - Moderate susceptibility to deep landslides
  - High susceptibility to deep landslides
  - Shallow Susceptibility
  - Low susceptibility to shallow landslides
  - Moderate susceptibility to shallow landslides
  - High susceptibility to shallow landslides
  - Very High
  - Scarp
  - Head Scarp
- Talus-Colluvium
- Fan
- Landslide



# Statewide Wetlands Inventory

**Townships**

- LWI Study Area

**BASEDAT.DBO.NHDPoint**

**BASEDAT.DBO.NHDFlowline**

- Perennial
- Intermittent
- Ephemeral
- Unknown
- Canal/Ditch

**BASEDAT.DBO.NHDArea**

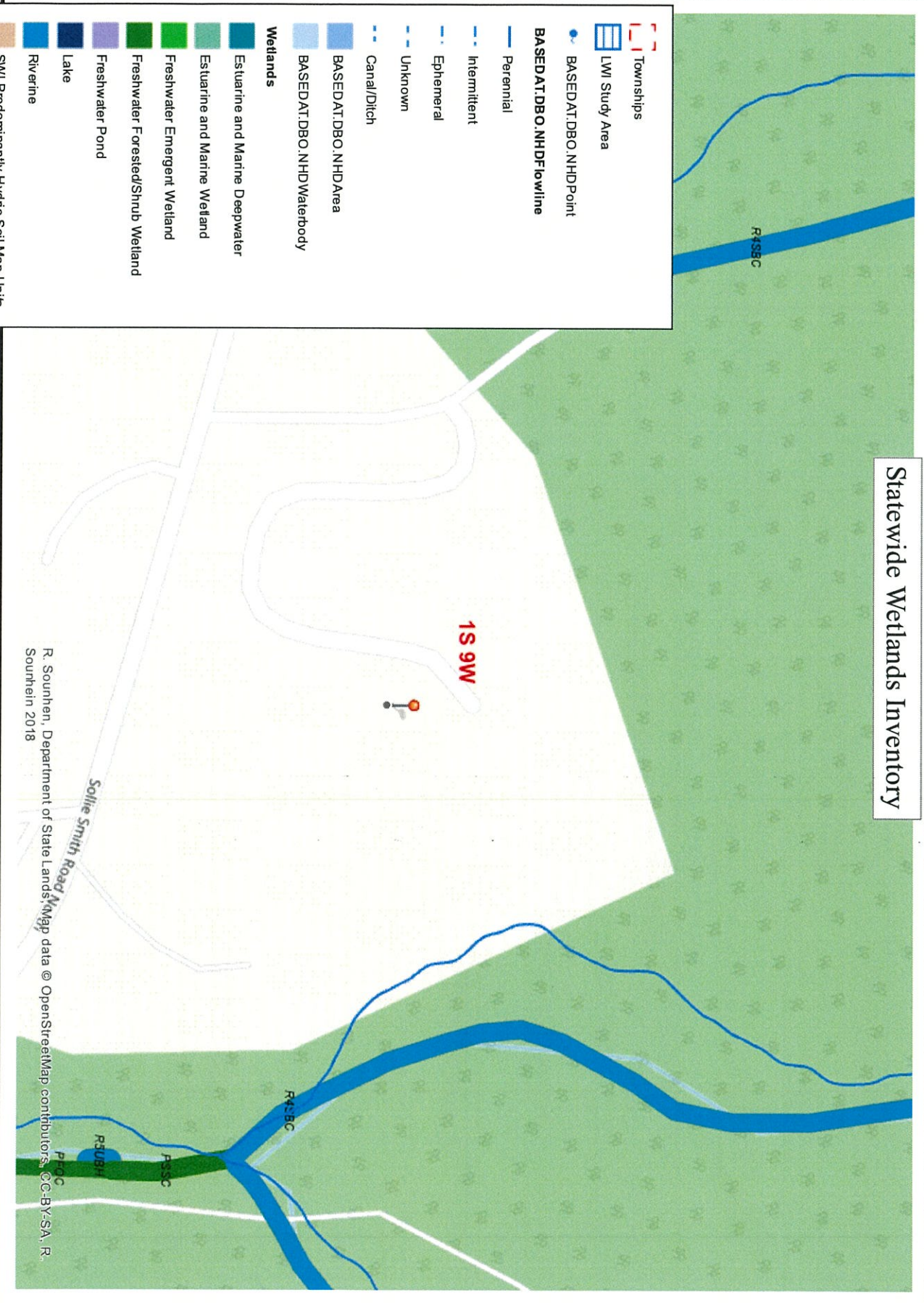
**BASEDAT.DBO.NHDWaterbody**

**Wetlands**

- 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**

- SWI Agate-Wirlo Soils



R. Sounhein, Department of State Lands, Map data © OpenStreetMap contributors, ©C-BY-SA, R. Sounhein 2018

The Statewide Wetlands Inventory (SWI) represents the best data available at the time the map was published and is updated as new data becomes available. In all cases, actual field conditions determine the presence, absence and boundaries of wetlands and waters (such as ditches and ponds). An onsite investigation by a wetland professional can verify actual field conditions.



# National Flood Hazard Layer FIRMeTte

123°47'5"W, 45°29'3"N



## Legend

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

	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 draining areas of less than one square mile Zone.
	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

	Area of Minimal Flood Hazard Zone X
	Effective LOMRS

	Area of Undetermined Flood Hazard Zone D
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	Channel, Culvert, or Storm Sewer
	Levee, Dike, or Floodwall

	20.2 17.5 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

	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 **2/20/2024 at 1:53 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 unmapped areas cannot be used for regulatory purposes.

# EXHIBIT B



## LAND DIVISION APPLICATION

### Applicant (Check Box if Same as Property Owner)

Name: Don Wallace Phone: 503-429-6115  
 Address: 1224 Alder Street  
 City: Vernonia State: OR Zip: 97064  
 Email: [dwallace\\_kls@msn.com](mailto:dwallace_kls@msn.com)

### Property Owner

Name: Mike Lehman Phone: 503-812-5281  
 Address: 7640 Northwood Drive  
 City: Tillamook State: OR Zip: 97141  
 Email: [sunshinemike23@yahoo.com](mailto:sunshinemike23@yahoo.com)

### Location:

Site Address: 8260 Sollie Smith Road

Map Number: 1S 9W 15 600  
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  
 NOV 28 2023  
 BY: \_\_\_\_\_

Approved  Denied

Received by: \_\_\_\_\_

Receipt #: \_\_\_\_\_

Fees: 13245.-

Permit No:  
 851-23 - 0005300-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:

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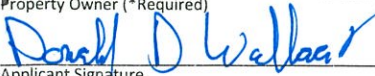
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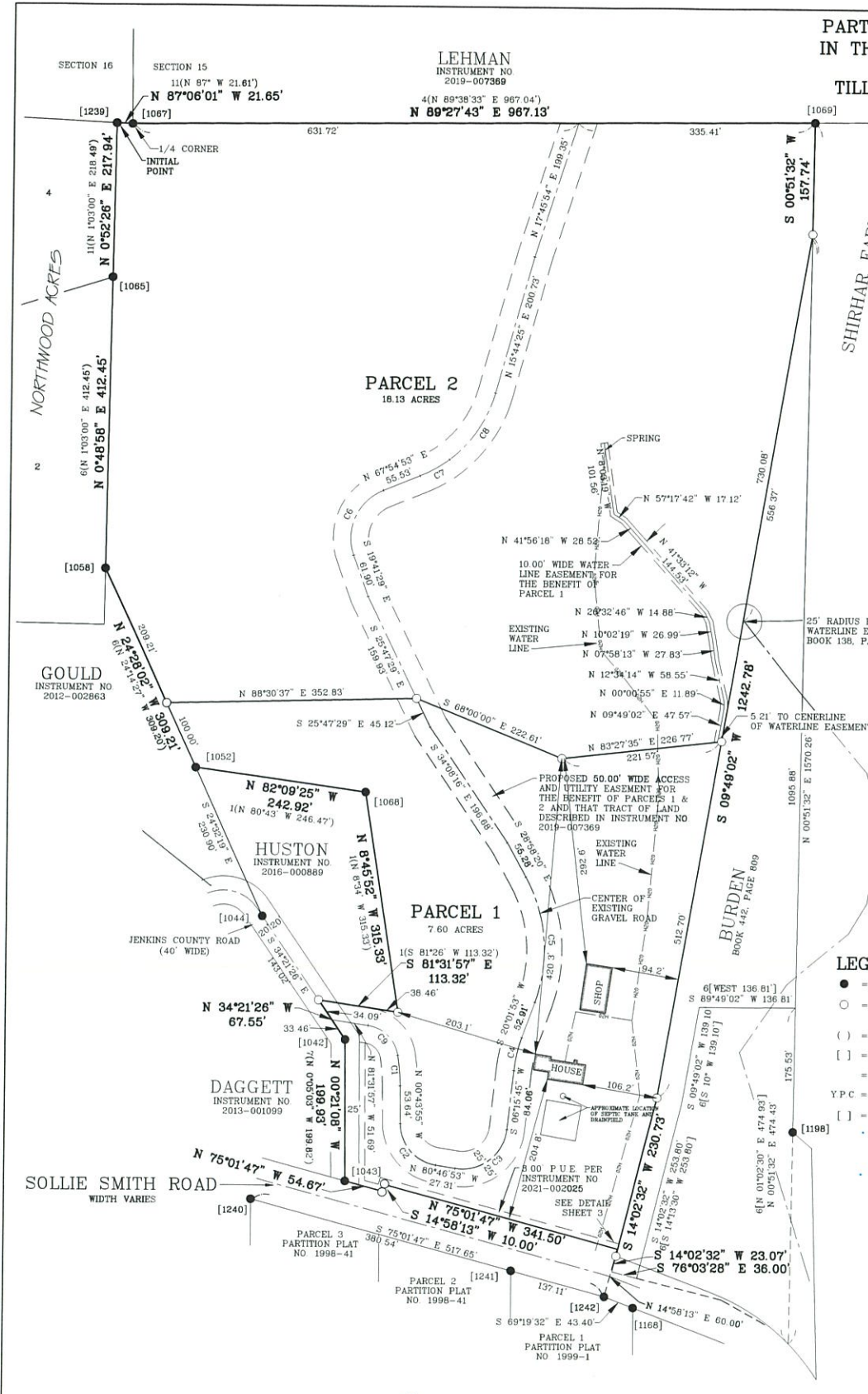
**Authorization**

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.

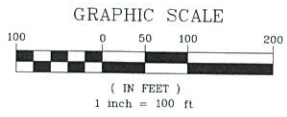
		11-28-23
<small>Property Owner (*Required)</small>		<small>Date</small>
		11/03/2023
<small>Applicant Signature</small>		<small>Date</small>



PARTITION PLAT No. \_\_\_\_\_  
 IN THE SW 1/4 OF SECTION 15,  
 T1S, R9W, W.M.  
 TILLAMOOK COUNTY, OREGON  
 NOVEMBER 6, 2023



**RECEIVED**  
 DEC 12 2023  
 BY: \_\_\_\_\_



- LEGEND:**
- = MONUMENT FOUND AS NOTED
  - = SET 5/8" X 30" IRON ROD WITH A Y.P.C. MARKED "K.L.S. SURVEYING INC"
  - ( ) = RECORD SURVEY DATA
  - [ ] = RECORD DEED DATA
  - [ ] = RECORD SURVEY NUMBER
  - Y.P.C. = YELLOW PLASTIC CAP
  - [ ] = MONUMENT POINT NUMBER (SEE MONUMENT NOTES)

- REFERENCES:**
- SURVEYS:**
- 1 = CS NO A-845
  - 2 = CS NO A-1100
  - 3 = CS NO A-5317
  - 4 = CS NO B-897
  - 5 = CS NO B-2647
  - 6 = CS NO B-2827
  - 7 = CS NO B-3484
  - 8 = CS NO F-26-10
  - 9 = PARTITION PLAT NO 1998-41
  - 10 = PARTITION PLAT NO 1999-1
  - 11 = NORTHWOODS ACRES
- DEEDS:**
- 1 = BOOK 442 PAGE 809
  - 2 = INSTRUMENT NO 2013-001099
  - 3 = INSTRUMENT NO 2016-000889
  - 4 = INSTRUMENT NO 2019-007369
  - 5 = INSTRUMENT NO 2012-002863

CURVE	DELTA	LENGTH	RADIUS	BEARING	CHORD
C1	87°43'	43.15	300.00	N 04°51'11" W	43.12
C2	80°02'58"	83.83	60.00	S 40°46'24" E	77.17
C3	92°57'23"	102.77	63.35	N 52°44'26" E	91.87
C4	13°46'08"	48.06	200.00	S 13°08'49" W	47.96
C5	49°00'13"	183.88	215.00	N 04°28'13" W	178.33
C6	87°36'22"	111.62	73.00	S 24°06'42" W	101.06
C7	15°07'33"	47.52	180.00	N 60°21'07" E	47.38
C8	37°02'55"	116.39	180.00	N 34°15'53" E	114.37
C9	72°33'31"	63.32	50.00	N 45°15'12" W	59.17

REGISTERED PROFESSIONAL LAND SURVEYOR  
 Donald D Wallace  
 OREGON  
 JANUARY 19, 1993  
 DONALD D WALLACE JR  
 2601  
 RENEWS 6/30/24

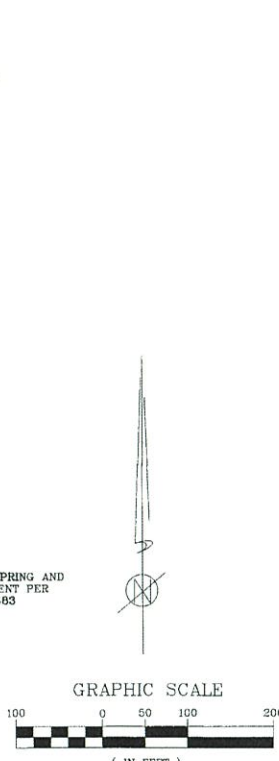
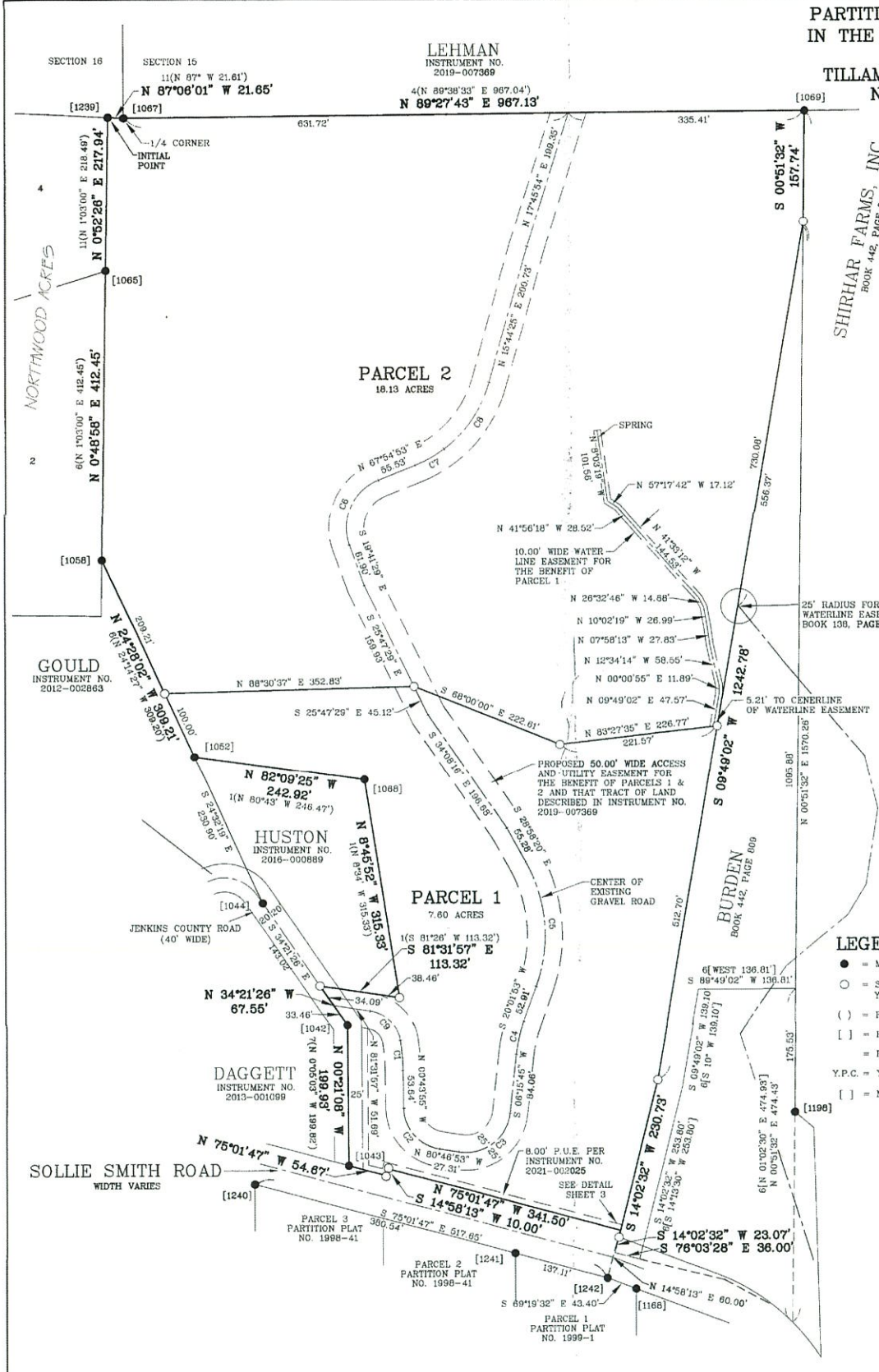


**SHEET 2 OF 3**

JOB No 20-230  
 PROJECT No 20-230  
 DRAWN BY SWM  
 FIELD SWMJR/CAM  
 EQUIPMENT NIKON / HYPER  
 REVISED 12/12/2023



PARTITION PLAT No. \_\_\_\_\_  
 IN THE SW 1/4 OF SECTION 15,  
 T1S, R9W, W.M.  
 TILLAMOOK COUNTY, OREGON  
 NOVEMBER 6, 2023



- LEGEND:**
- = MONUMENT FOUND AS NOTED
  - = SET 5/8" X 30" IRON ROD WITH A Y.P.C. MARKED "K.L.S. SURVEYING INC"
  - ( ) = RECORD SURVEY DATA
  - [ ] = RECORD DEED DATA
  - [ ] = RECORD SURVEY NUMBER
  - Y.P.C. = YELLOW PLASTIC CAP
  - [ ] = MONUMENT POINT NUMBER (SEE MONUMENT NOTES)

- REFERENCES:**
- SURVEYS:**
- 1 = CS NO. A-845
  - 2 = CS NO. A-1100
  - 3 = CS NO. A-5317
  - 4 = CS NO. B-897
  - 5 = CS NO. B-2847
  - 6 = CS NO. B-2827
  - 7 = CS NO. B-3484
  - 8 = CS NO. F-26-10
  - 9 = PARTITION PLAT NO. 1998-41
  - 10 = PARTITION PLAT NO. 1999-1
  - 11 = NORTHWOODS ACRES
- DEEDS:**
- 1 = BOOK 442, PAGE 809
  - 2 = INSTRUMENT NO. 2013-001099
  - 3 = INSTRUMENT NO. 2016-000889
  - 4 = INSTRUMENT NO. 2019-007369
  - 5 = INSTRUMENT NO. 2012-002863

**CURVE TABLE**

CURVE	DELTA	LENGTH	RADIUS	BEARING	CHORD
C1	87°4'31"	43.16'	300.00'	N 04°51'11" W	43.12'
C2	80°02'58"	83.83'	60.00'	S 40°46'24" E	77.17'
C3	92°57'23"	102.77'	63.35'	N 52°44'26" E	91.87'
C4	13°46'08"	48.06'	200.00'	S 13°06'49" W	47.95'
C5	49°09'13"	183.88'	215.00'	N 04°28'13" W	178.33'
C6	87°38'22"	111.62'	73.00'	S 2°38'42" W	101.06'
C7	16°07'23"	47.52'	180.00'	N 60°21'07" E	47.36'
C8	37°02'55"	116.39'	180.00'	N 34°15'53" E	114.37'
C9	72°33'31"	83.32'	50.00'	N 45°15'12" W	59.17'

RECEIVED

NOV 28 2023

BY: .....

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

DONALD D. WALLACE JR.  
2601

RENEWS 6/30/24

**K.L.S. SURVEYING INC.**  
124 ALDER STREET  
VERNONIA, OR 97064  
(503)429-6115

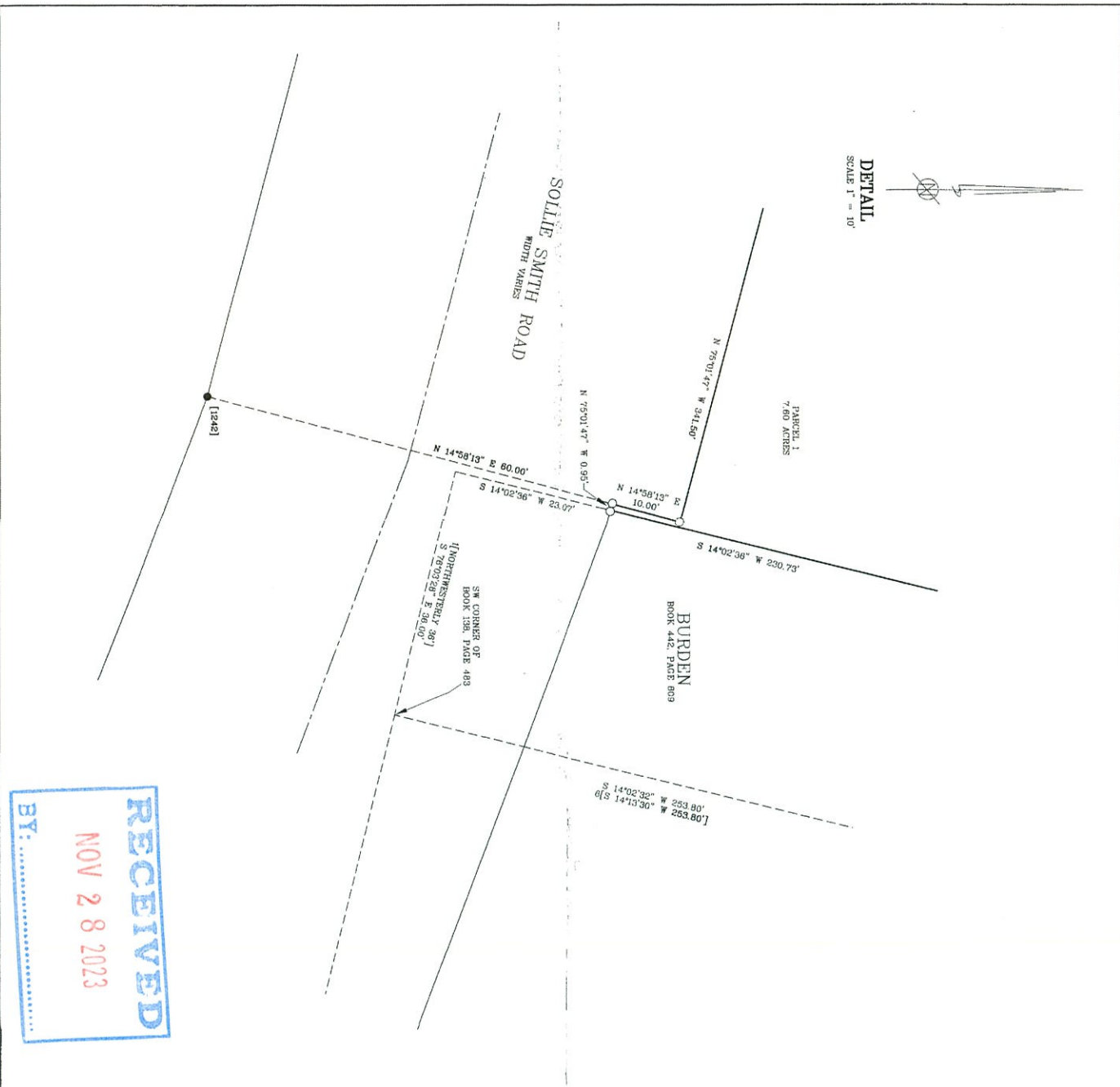
SHEET 2 OF 3

JOB No. 20-230  
PROJECT No. 20-230  
DRAWN BY: SWM  
FIELD: SWM/CAM  
EQUIPMENT: NIKON / HYPER  
REVISED: 11/06/2023

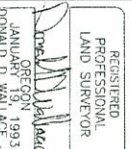
PARTITION PLAT NO. \_\_\_\_\_  
 IN THE SW 1/4 OF SECTION 15,  
 T1S, R9W, W.M.  
 TILLAMOOK COUNTY, OREGON  
 NOVEMBER 6, 2023

**MONUMENT NOTES:**

- [1042] FOUND A 5/8" IRON ROD WITH AN ILLUSION Y.P.C. PER CS NO. B-2827. (HELD).
- [1043] FOUND A 5/8" IRON ROD WITH A SMASHERD Y.P.C. PER CS NO. B-2827. (HELD).
- [1044] FOUND AN ALUMINUM NAIL (SHINER MISSING) AS NOTED ON CS NO. B-2827. (HELD).
- [1052] FOUND A 1" IRON PIPE PER CS NO. A-846. (HELD).
- [1058] FOUND A 5/8" IRON ROD WITH A Y.P.C. MARKED "A. DUNCAN LS 793" PER CS NO. B-2827. (HELD).
- [1062] FOUND NORTHEAST CORNER LOT 2, NORTHWOOD ACRES. PER CS NO. C-294. (HELD).
- [1067] 1/4 CORNER COMMON TO SECTIONS 15 & 16. (HELD).
- [1068] FOUND A 3" BRASS DISC IN CONCRETE AS SHOWN ON CS NO. A-1100. (HELD).
- [1069] FOUND A 1" IRON PIPE PER CS NO. A-846. (HELD).
- [1090] FOUND A 1 1/2" IRON PIPE PER CS NO. B-997. (HELD).
- [1168] FOUND A 5/8" IRON ROD WITH A Y.P.C. MARKED "C. WAYNE COOK PLS 1095" PER PARTITION PLAT NO. 1992-1. CS NO. F-500. (HELD).
- [1191] FOUND A 5/8" IRON ROD WITH A Y.P.C. MARKED "KLS SURVEYING INC." PER CS NO. 2847. (HELD).
- [1230] NORTHEAST CORNER LOT 4, NORTHWOOD ACRES. PER CS NO. C-294. (HELD).
- [1240] FOUND A 5/8" IRON ROD WITH A Y.P.C. MARKED "R. LARSON LS 2102" PER CS NO. A-5317. (HELD).
- [1241] FOUND A 5/8" IRON ROD WITH A Y.P.C. MARKED "C. WAYNE COOK PLS 1095" PER PARTITION PLAT NO. 1992-1. CS NO. F-469. MONUMENT BEARS N 14°58'13" E 0.14' FROM THE SOUTHERLY RIGHT OF WAY LINE OF SOLLEE SMITH ROAD.
- [1242] FOUND A 5/8" IRON ROD WITH A Y.P.C. MARKED "C. WAYNE COOK PLS 1095" PER PARTITION PLAT NO. 1992-1. CS NO. F-469. (HELD).



**RECEIVED**  
 NOV 28 2023  
 BY: .....

REGISTERED PROFESSIONAL LAND SURVEYOR  JANUARY 1993 DONALD D. WALLACE JR. 2601 RENEWS 6/30/24	<b>SHEET 3 OF 3</b> JOB No. 20-230 PROJECT No. 20-230 DRAWN BY: SWM FIELD SMALL/CAM EQUIPMENT: NIKON / TRIBRE KLS SURVEYING INC. TILLAMOOK, OR 97144 (503)429-6175 REVISED 11/09/2023
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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: 1 Range: 09 West Section: 15 Tax Lot(s): 500

Situs address (if known): 8280 SOLLIE SMITH ROAD

According to records, the legal owner is/are: MICHAEL & PEGGY LEHMAN

Contact telephone number: 503 812-5281

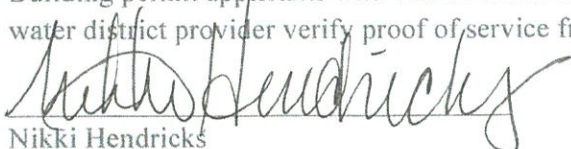
Water Source: Till 52994

Comments: share with parcel # 2 from being split off H1600

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.

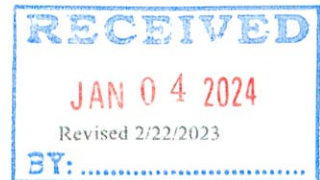
Landowners are responsible for maintaining water sources, waterline easements, water rights, and wells. The information provided in this form does not guarantee that a water source will be available forever. Due to climatic conditions water sources can decline and wells can go dry. The information provided 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

Issue Date: 1.4.2024

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: \_\_\_\_\_



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: 1 Range: 09 West Section: 15 Tax Lot(s): 600/new lot

Situs address (if known): 8260 Sollice Smith Road

According to records, the legal owner is/are: Michael R Lehman & Peggy Lehman

Contact telephone number: 503-812-5281

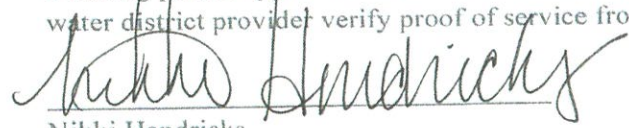
Water Source: Permit # 24430 SPRING for 600/TILL 52994 the well on #500

Comments: Domestic USE FOR ONE household only, will be for new tax lot

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

Issue Date: 1.4.2024

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)





After recording return to:  
Albright Kittell PC  
2308 3rd Street  
Tillamook, OR 97141

Tillamook County, Oregon 2019-007369  
11/27/2019 02:48:52 PM  
DEED-DBS  
\$20.00 \$11.00 \$61.00 \$10.00 - Total = \$102.00



00196244201900073690040044

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

Until a change is requested, all  
tax statements shall be sent to  
the following address:  
M&P Sunrise LLC  
7640 Northwood Dr. N  
Tillamook, OR 97141

Map and tax lot: 1S0915-00-00600

**BARGAIN AND SALE DEED**

Michael Lehman and Peggy Lehman, Trustees of the Michael Lehman and Peggy Lehman Joint Living Trust ("Grantors") convey to M&P Sunrise LLC ("Grantee"), all that real property with improvements and structures situated thereon located in Tillamook County, Oregon, as more particularly described in Exhibit A ("Property").

The true and actual consideration for this instrument is \$0.00; instead, this deed is given as the Grantors' initial capital investment in M&P Sunrise LLC.

RESERVING TO THE GRANTORS, and their successors in title, a perpetual non-exclusive appurtenant utility and access easement on, under and across the Property for utility services and vehicular and pedestrian ingress and egress to Grantors' property described in Exhibit B.

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, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009. 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, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009 AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

EXECUTED by Grantors on the date set forth below.





**Exhibit A**

**(Property)**

Beginning at the quarter Section corner between Sections 15 and 16, Township 1 South, Range 9 West of the Willamette Meridian, County of Tillamook, State of Oregon;  
thence South 1° 02' 30" West 758.98 feet;  
thence South 24° 20' East 448.08 feet to the North sideline of Wilson River County Road (Sollie Smith Road); thence Southeasterly along said road to a point 36 feet Northwesterly from the Southwest corner of that tract conveyed to Hayden Haupt by Deed recorded in Book 138, page 483, Tillamook County Records;  
thence North 14 ° 13' 30" East 253.80 feet;  
thence North 10° East to the West line of the Alton J. Swett tract conveyed by Deed recorded April 16, 1945 in Book 90, page 454, Tillamook County Records;  
thence North along said Swett West line to the East-West centerline of Section 15, Township 1 South, Range 9 West of the Willamette Meridian;  
thence Westerly along said centerline to the point of beginning.

EXCEPTING THEREFROM that tract of land described in Deed recorded September 29, 1960 in Book 173, page 115, Tillamook County Records.

**Exhibit B**

**(Grantors' Property)**

The Southwest quarter of the Northwest quarter of Section 15, Township 1 South, Range 9 West of the Willamette Meridian, County of Tillamook, State of Oregon.

December 8, 2023

RE: Incomplete application for a Partition Application # 851-23-000536-PLNG

To Whom It May Concern:

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

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

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


Or email: [angela.rimoldi@tillamookcounty.gov](mailto:angela.rimoldi@tillamookcounty.gov)

If you indicate your intent to complete the application, you will have 180 days from the date the application was originally submitted (**November 28, 2023**) to submit the required material. If you fail to submit the material within 180 days, your application will be deemed void. The case file regarding the application will then be closed.

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

**ACKNOWLEDGMENT**

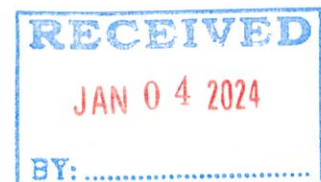
- I intend to provide the additional material identified in the attached correspondence from the Department of Community Development.
- I refuse to provide the additional material identified in the attached correspondence from the Department of Community Development.

Michael R Lehman   
Signed and Acknowledged (Owner and/or Applicant)

Jan 4 2024  
Date

Regina Lehman  
Signed and Acknowledged (Owner and/or Applicant)

1/4/2024  
Date





*Land of Cheese, Trees and Ocean Breeze*

**PARTITION REQUEST #851-23-000536-PLNG:  
M & P SUNRISE, LLC / WALLACE**  
*NOTICE TO MORTGAGEE, LIENHOLDER, VENDOR OR SELLER:  
ORS 215 REQUIRES THAT IF YOU RECEIVE THIS NOTICE,  
IT MUST BE PROMPTLY FORWARDED TO THE PURCHASER*

February 23, 2024

Dear Property Owner:

This is to confirm that the Tillamook County Department of Community Development **APPROVED WITH CONDITIONS** the above-cited partition on February 23, 2024. 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 March 6, 2024**. This decision will become final on March 6, 2024, 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 two (2) residential parcels (Exhibit B).
- Location:** Located north of the City of Tillamook via Sollie Smith Road, a County road. The subject property is designated as Tax Lot 600 of Section 15, Township 1 South, Range 09 West of the Willamette Meridian, Tillamook County Oregon. (Exhibit A).
- Zone:** The subject property is primarily zoned Rural Residential 2-Acre (RR-2) with a slight area of Farm (F-1) zone (Exhibit A).
- Applicant:** Don Wallace of KLS Surveying, Inc., 1224 Alder Street, Vernonia, OR. 97064
- Property Owner:** M & P Sunrise, LLC, 7640 Northwood Drive, Tillamook, OR. 97141

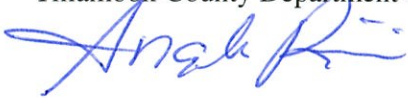
**CONDITIONS OF APPROVAL:**

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:**

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 Sollie Smith Road is adequate or that the necessary improvements to the Road Approach have been completed. The letter shall be provided to the Department at the time of consolidated Zoning and Building Permit submittal for development of proposed Parcel 2.
3. The applicant shall obtain a letter from the Oregon Water Resources Department confirming water source for proposed Parcel 2 be sourced from the abutting north lot #500 at the time of consolidated Zoning and Building Permit submittal.
4. The applicant shall comply with all requirements of the Tillamook County Surveyor's Office.
5. 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.
6. The applicant shall record the Final Plat within ninety (90) days from the date of final signature of the partition plat.
7. Future development is subject to standards required by TCLUO Section 3.010: Rural Residential 2-Acre and 10-Acre zone and TCLUO Section 4.130: Development Requirements for Geologic Hazard Areas.

Sincerely,  
Tillamook County Department of Community Development



Angela Rimoldi, Planning Permit Technician

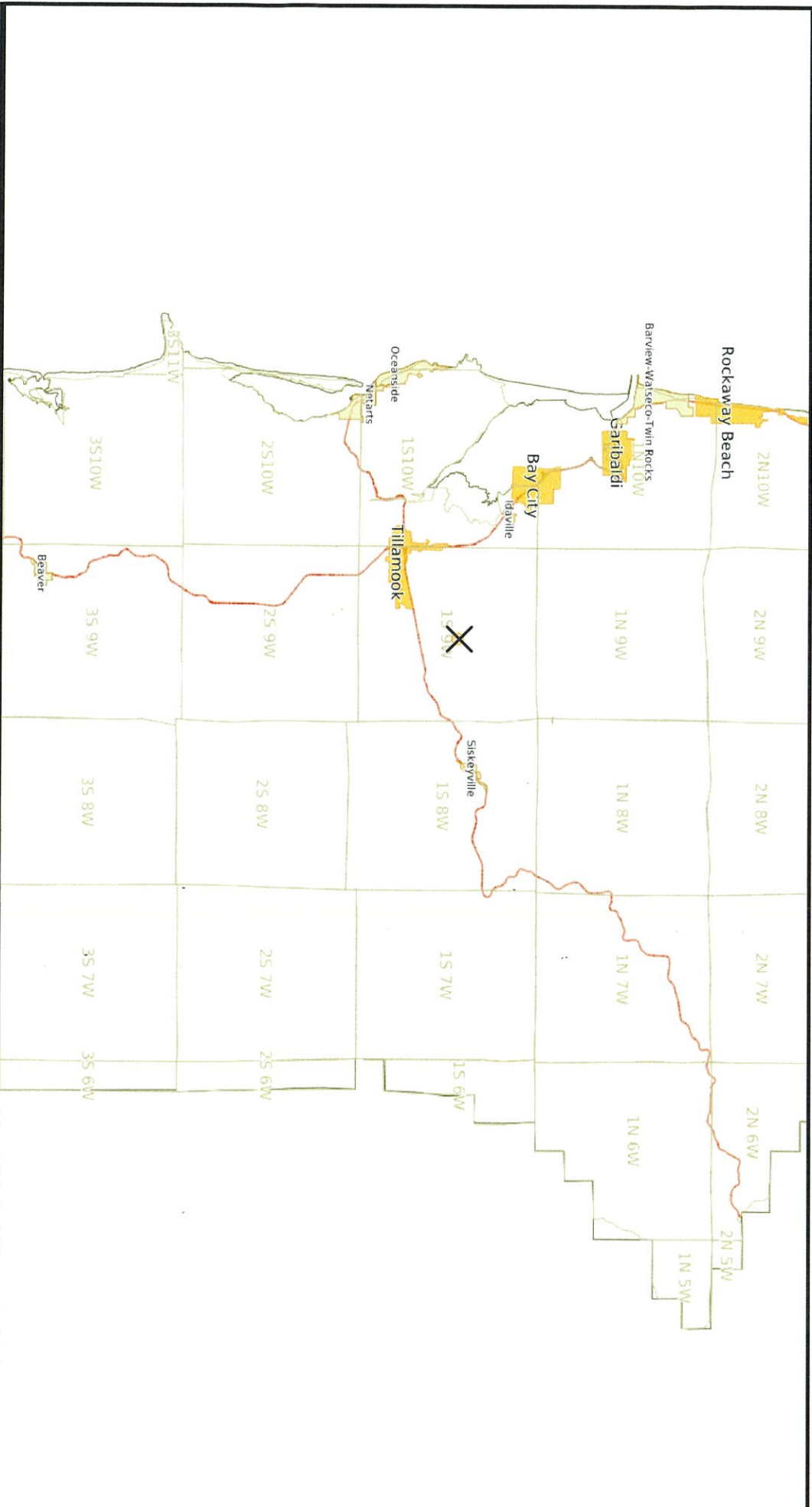


Sarah Absher, CFM, Director

Encl.: Property Identification Maps  
Preliminary Partition Plat



# Tillamook County GIS



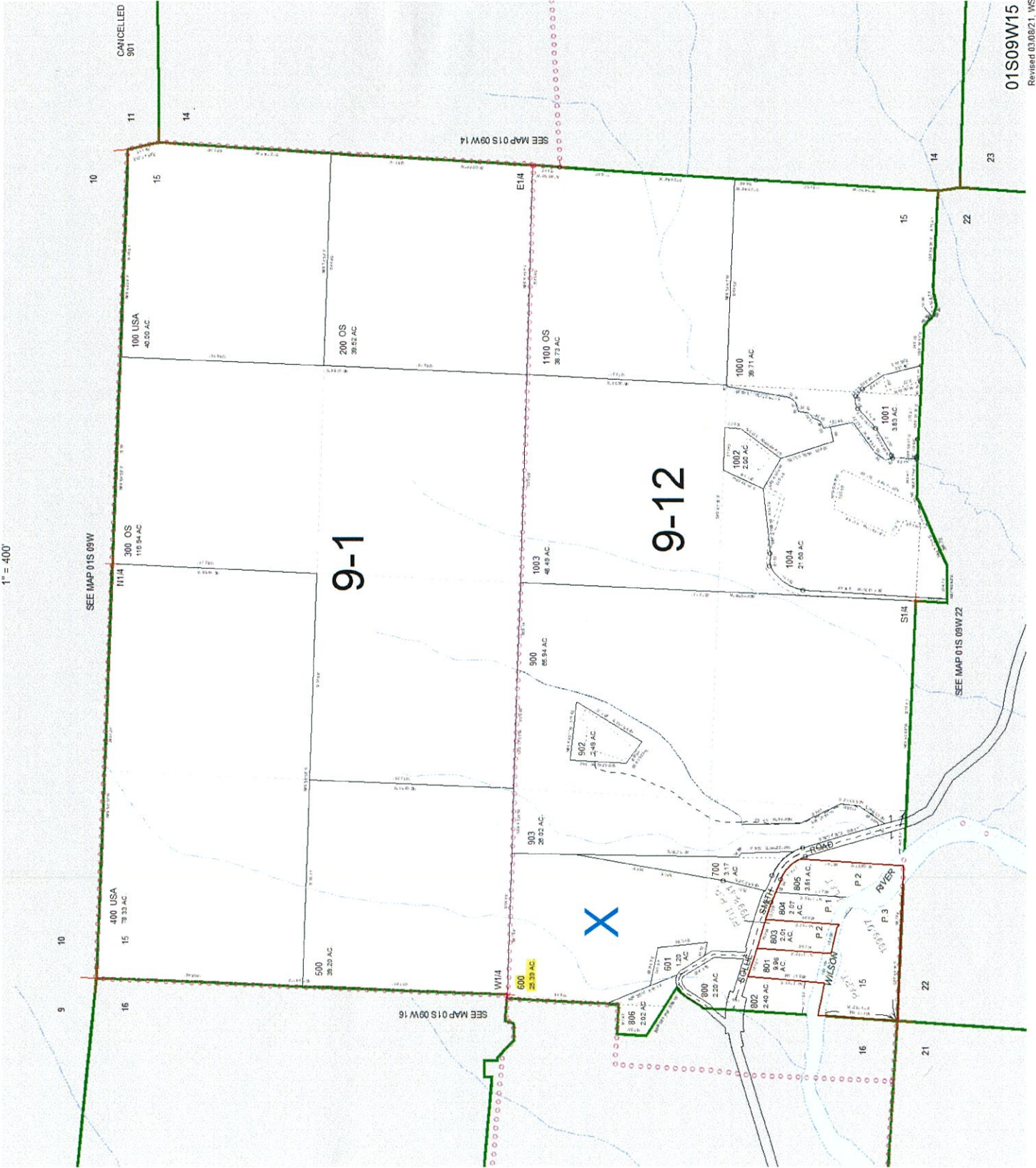
Created: Mon Jan 08 2024 13:37:10  
Active Layers: County\_Boundary, Fed\_state\_highways, citylimit, community\_polygon, TaxlotOwner, Township\_Range\_Section, Road\_Centerline  
Extent: -13828184.994565, 5662433.8382159, -13708408.171259, 5725112.2014011

THIS MAP WAS PREPARED FOR  
ASSESSMENT PURPOSE ONLY

SECTION 15 T.1S. R.9W. W.M.  
TILLAMOOK COUNTY

1" = 400'

01S09W15



01S09W15  
Revised 03/08/21, WS

# Map

