



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

Land of Cheese, Trees and Ocean Breeze

**PARTITION REQUEST #851-24-000046-PLNG:
NEHALEM POINT, INC.**

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

**NOTICE OF ADMINISTRATIVE REVIEW
Date of Notice: March 29, 2024**

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

#851-24-000046-PLNG: A Partition request to create three (3) parcels. Located at Tax Lot 202 of Section 34, Township 3 North, Range 10 West on a property primarily zoned Nehalem Low-Density Residential (NH-RL) with area part of Tillamook County Recreational Management Zone (RM) and Estuary Natural Zone (EN). The subject property is accessed via Nehalem Point Dr., a private road. The applicant, and owner, is Nehalem Point, Inc.

Written comments received by the Department of Community Development **prior to 4:00p.m. on April 12, 2024**, will be considered in rendering a decision. Comments should address the criteria upon which the Department must base its decision. A decision will be rendered no sooner than April 15, 2024.

Notice of the application, a map of the subject area, and the applicable criteria are being mailed to all property owners within 250-feet of the exterior boundaries of the subject parcel for which an application has been made and other appropriate agencies at least 14 days prior to this Department rendering a decision on the request.

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 website under The Department of Community Development: <https://www.tillamookcounty.gov/commdev/landuseapps> and is also available for inspection at the Department of Community Development office located at: 1510-B Third Street, Tillamook, Oregon 97141.

If you have any questions about this application, please call the Department of Community Development at: 503-842-3408 or email: angela.rimoldi@tillamookcounty.gov

Sincerely,

Angela Rimoldi, Planning Permit Technician

Sarah Absher, CFM, Director

Included: Applicable Ordinance Criteria
Vicinity, Assessor and Zoning Maps

REVIEW CRITERIA

TILLAMOOK COUNTY LAND DIVISION ORDINANCE

SECTION 070: PRELIMINARY PLAT APPROVAL CRITERIA

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

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

CITY OF NEHALEM DEVELOPMENT ORDINANCE

City of Nehalem Development Ordinance 157.204 Low-Density Residential – RL Zone:

Section .05 Dimensional Standards

Unless otherwise required by this Chapter, the following minimum dimensional standards shall be required for all development in the RL zone:

- (A) The minimum lot size shall be 10,000 square feet for a single-family home and duplex. Each additional unit shall require 5,000 square feet for an additional unit.
- (B) The minimum lot width shall be 60 feet; except on a corner lot, it shall be 75 feet.
- (C) The minimum lot depth shall be 100 feet.

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City of Nehalem Development Ordinance 157.404 Land Divisions

Section .03 Standards for Lots and Parcels

Section .05 Improvement Requirements – Partition

Section .07 Improvement Procedures

NEHALEM, OREGON

CITY ZONING MAP

DRAFT

- A1 - Low Density Residential, Agricultural, Forests and Recreation
- R - Low Density Residential
- RM - Medium Density Residential
- RL - Single-Family Residential
- MR - Medium Density Residential
- C - Commercial
- LM - Light Manufacturing
- EC1 - Employment, General
- EC2 - Employment, General
- F - Public Use
- Nehalem City Limits
- Nehalem Urban Growth Boundary



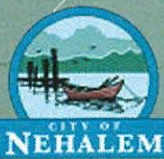
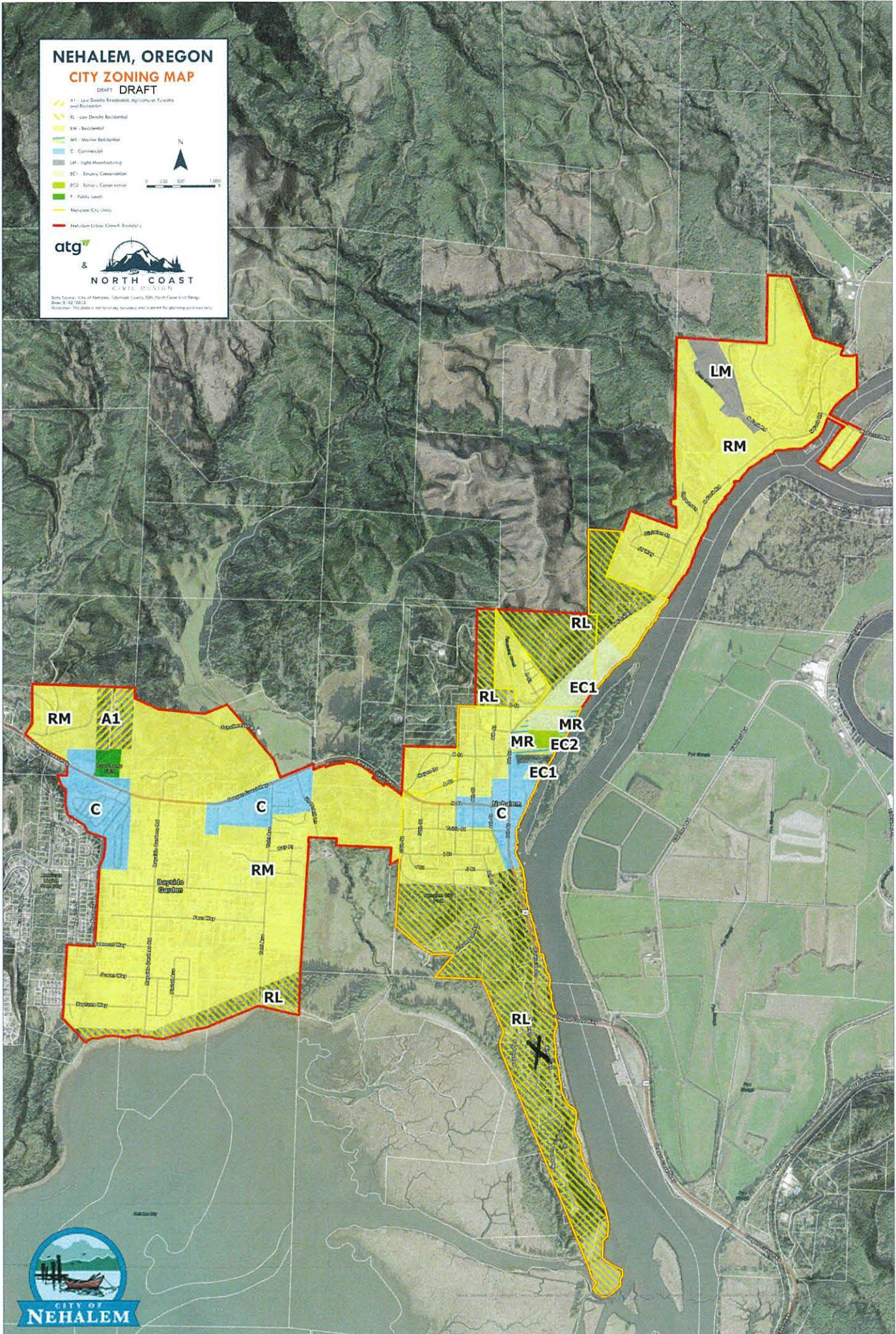
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atg

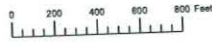


NORTH COAST

Scale Source: City of Nehalem, Clatsop County GIS, North Coast Civil Design
Date: 9/19/2023
Disclaimer: This plan is not to be used, copied, or printed for planning or construction.

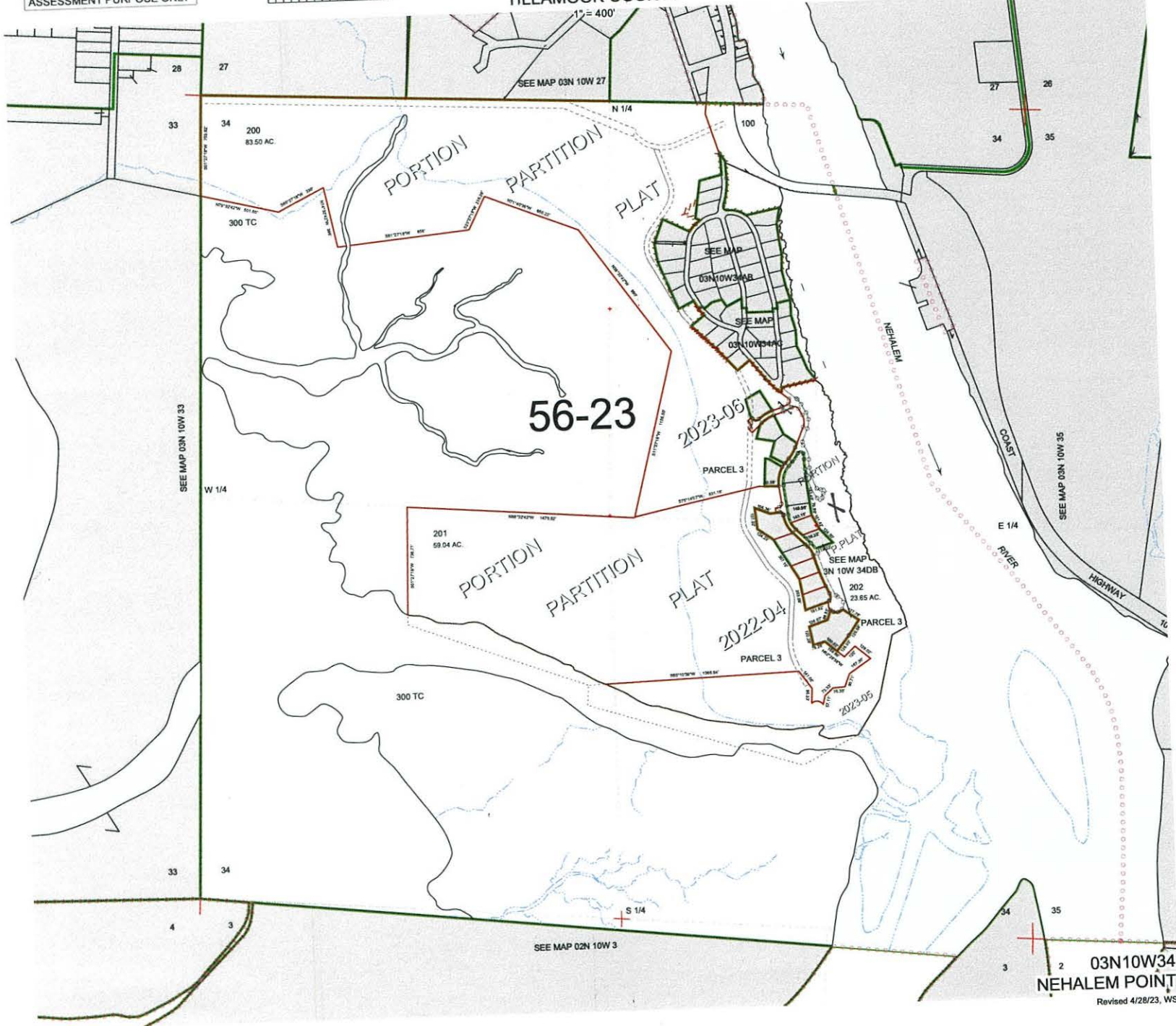


THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY



SECTION 34 T.3N. R.10W. W.M.
TILLAMOOK COUNTY

03N10W34
NEHALEM POINT



56-23

2023-06

2022-04

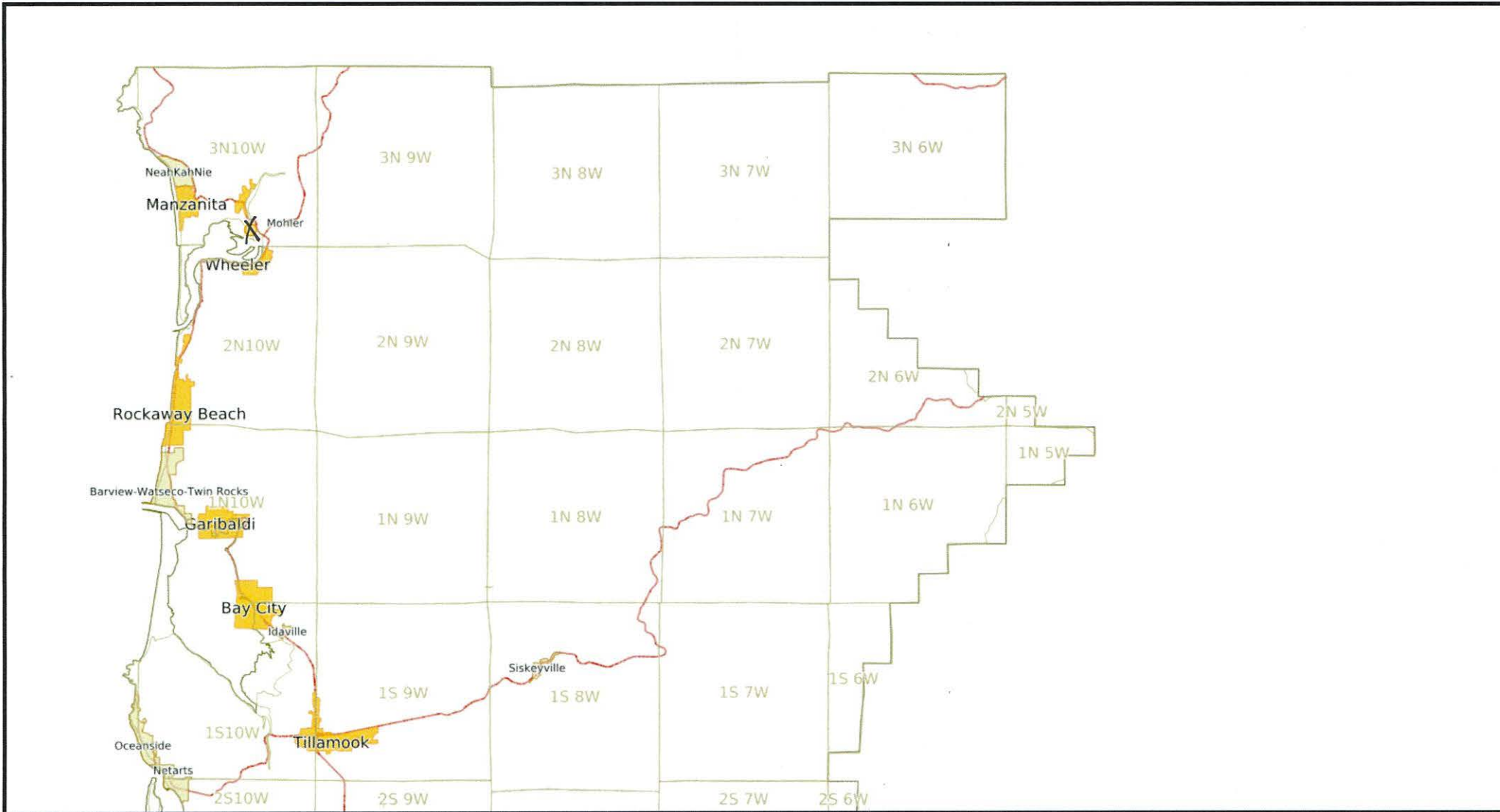
2023-05

03N10W34
NEHALEM POINT

Revised 4/28/23, WS



Tillamook County GIS



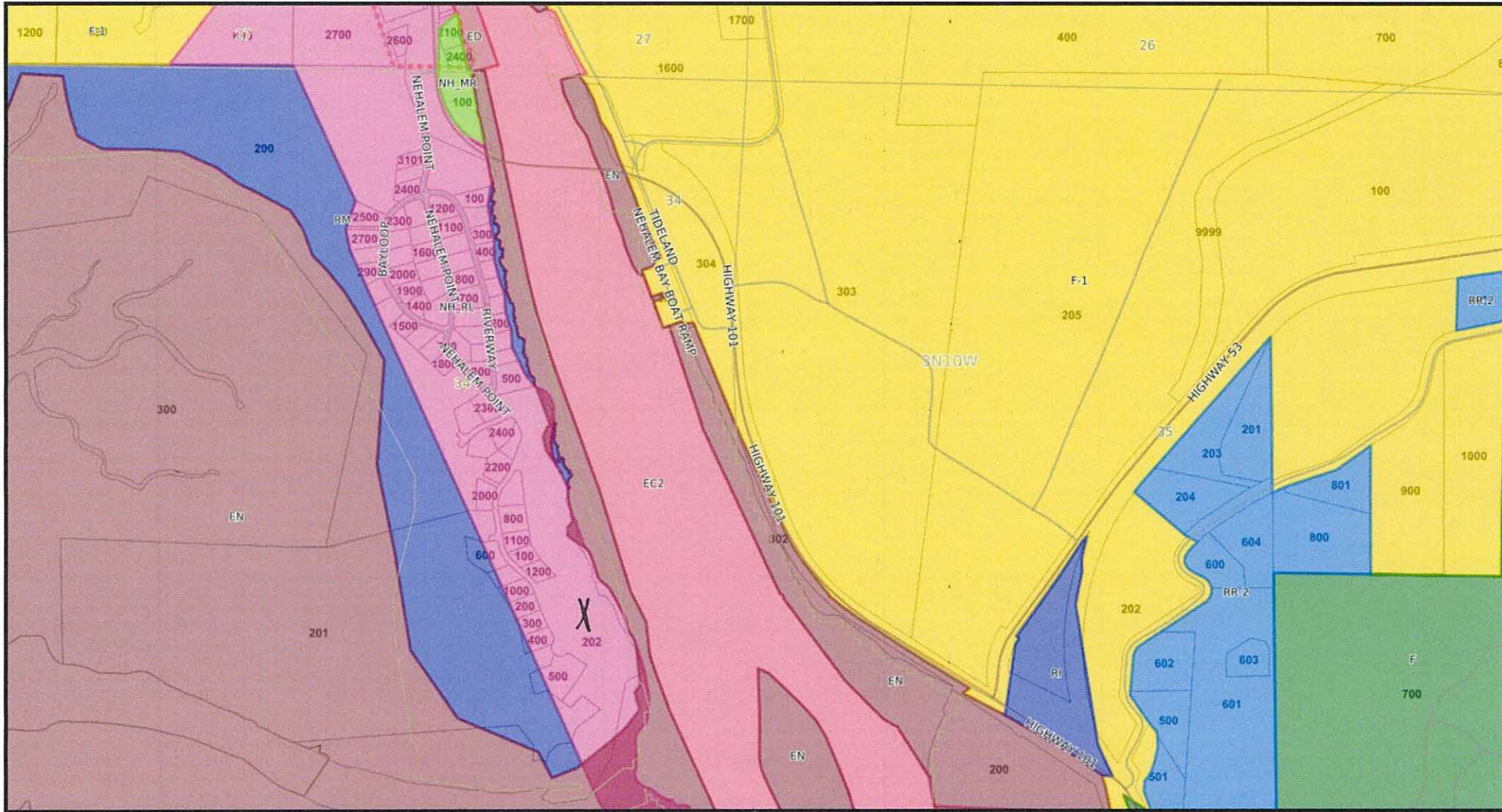
Created: Mon Mar 18 2024-15:19:10

Active Layers:County_Boundary, Fed_state_highways, citylimit, community_polygon, TaxlotOwner, Township_Range_Section, Road_Centerline

Extent:-13810320.813872, 5687720.151476, -13690543.990566, 5750398.5146612



Tillamook County GIS



Created: Mon Mar 18 2024-15:17:38

Active Layers: County_Boundary, Fed_state_highways, citylimit, community_polygon, TaxlotOwner, Tillamook_County_Zoning, Township_Range_Section, Road_Centerline

Extent: -13792662.652067, 5732297.2569579, -13788919.626339, 5734255.9558075



LAND DIVISION APPLICATION

Applicant (Check Box if Same as Property Owner)

Name: _____ Phone: _____
 Address: _____
 City: _____ State: _____ Zip: _____
 Email: _____

Property Owner

Name: Nehalem Point, Inc Phone: 503-368-6363
 Address: P.O. Box 86
 City: Nehalem State: OR Zip: 97130
 Email: pacprop@nehalem.tel.net

Location:

Site Address: Vacant Land - Nehalem Point Drive, partition plat 2023-05

Map Number:	3N	10W	34	202
	Township	Range	Section	Tax Lot(s)

Land Division Type: Partition (Two or Three Lots, Type II) Subdivision (Four or More Lots, Type III)
 Preliminary Plat (Pages 1-2) Final Plat (Page 3)

PRELIMINARY PLAT (LDO 060(1)(B))

- For subdivisions, the proposed name.
- Date, north arrow, scale of drawing.
- Location of the development sufficient to development sufficient to define its location, boundaries, and a legal description of the site.

- Existing streets with names, right-of-way, pavement widths, access points.
- Width, location and purpose of existing easements
- The location and present use of all structures, and indication of any that will remain after platting.
- Location and identity of all utilities on and abutting the site. If water mains and sewers are not on site, show distance to the nearest one and how they will be brought to standards
- Location of all existing subsurface sewerage systems, including drainfields and associated easements

General Information

- Parcel zoning and overlays
- Title Block
- Clear identification of the drawing as "Preliminary Plat" and date of preparation
- Name and addresses of owner(s), developer, and engineer or surveyor

Existing Conditions

- Ground elevations shown by contour lines at 2-foot vertical interval. Such ground elevations shall be related to some established benchmark or other datum approved by the County Surveyor
- The location and elevation of the closest benchmark(s) within or adjacent to the site
- Natural features such as drainage ways, rock outcroppings, aquifer recharge areas, wetlands, marshes, beaches, dunes and tide flats
- For any plat that is 5 acres or larger, the Base Flood Elevation, per FEMA Flood Insurance Rate Maps

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

Other information:

OFFICE USE ONLY
Date Stamp
RECEIVED JAN 23 2024
<input type="checkbox"/> Approved <input type="checkbox"/> Denied
Received by:
Receipt #:
Fees:
Permit No: 851-24-000046-PLNG

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

Proposed Development

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

Additional Information Required for Subdivisions

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

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

Certificates:

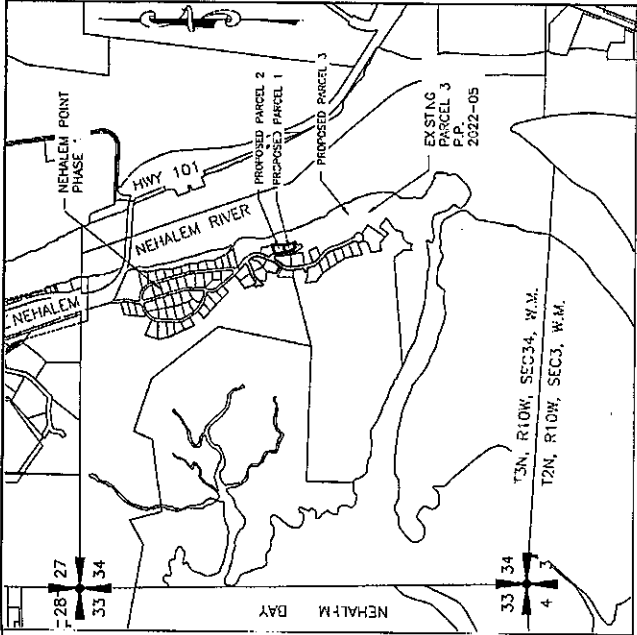
- Title interest & consent
- Dedication for public use
- Engineering/Survey
- Water
- Public Works

Additional Information:

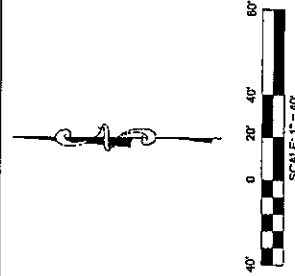
Authorization

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

Nehalem Point, Inc. 1/18/24
Property Owner (*Required) Date
By: Doug Carter - President,
Applicant Signature Date



VICINITY MAP IN TILLAMOOK COUNTY, OREGON
SCALE 1"=1000'



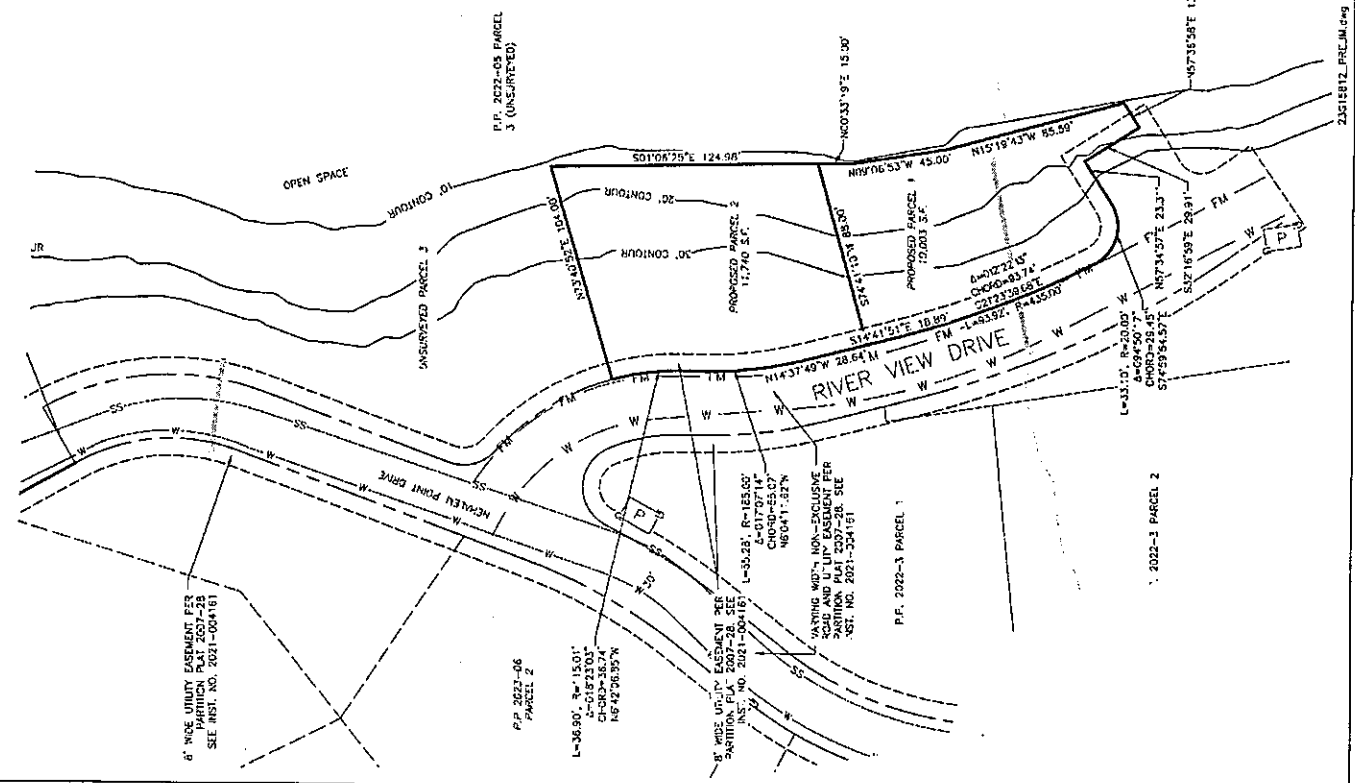
- LEGEND**
- NEW PARCEL LINE AS NOTED
 - EXISTING EASEMENT LINE AS NOTED
 - SAVING SEWER LINE
 - SANITARY FORCE MAIN
 - FORM DRAIN LINE
 - WATER LINE
 - P.P.
 - PARTITION PLAT
 - POWER VAULT
 - CATCH BASIN
 - TRANS-OWNER
- SECTION CORNER (NOT LOCATED - THIS SURVEY)
- X X X X X

ZONING
SUBJECT PROPERTY LOCATED IN THE FOLLOWING LAND USE ZONES:
LOW-DENSITY RESIDENTIAL ZONE (RD); THIS ZONE IS DEFINED AS "ALL AREA ABOVE THE 10' MGD 29 ELEVATION LINE."
RECREATIONAL MANAGEMENT ZONE (RM); THIS ZONE IS OUTSIDE THE NEHALEM UGB. THIS ZONE IS DEFINED AS "ALL AREAS ABOVE THE LINE OF AQUATIC VEGETATION OR 150' HIGHER HIGH WATER, WHICHEVER IS MOST LANDWARD, AND BELOW 10' MGD 29 ELEVATION LINE."
ESLARY NATURAL ZONE (EN); THIS ZONE IS ALSO OUTSIDE THE NEHALEM UGB AND DEFINED AS "ALL AREAS BELOW THE LINE OF NON-AQUATIC VEGETATION OR MEAN HIGHER HIGH WATER, WHICHEVER IS MOST LANDWARD."
FLOOD HAZARD ZONE (FH); A PORTION OF THE SUBJECT PROPERTY IS LOCATED IN AN AE FLOOD ZONE WITH A BASE FLOOD ELEVATION OF 13.1' MGD 88 PER FEMA MAP 4105702009F, 13.1' MGD88 = 8.5' NGVD29

NARRATIVE
THE PURPOSE OF THIS PRELIMINARY PARTITION PLAT IS TO CREATE THREE (3) NEW PARCELS FROM PARCEL 3 OF PARTITION PLAT 2022-05. THE NEW PARCELS WILL BE CREATED AS A PART OF THIS PARTITION PLAT. THE NEW PARCELS WILL BE CREATED AS PARCELS 1, 2 AND 3 FOR PREVIOUSLY CREATED ROAD RIGHT OF WAYS AND EASEMENTS. NO NEW UTILITY CONSTRUCTION IS PROPOSED WITH THIS PARTITION PLAT.

LEGAL DESCRIPTION
P.P. 3, PARTITION PLAT 2022-05, TILLAMOOK COUNTY, OREGON.

PARCEL ACRAGE
PROPOSED PARCEL 1: 13,003 S.F. (0.23 ACRES)
PROPOSED PARCEL 2: 11,740 S.F. (0.45 ACRES)
PROPOSED PARCEL 3: APPROXIMATELY 23 ACRES
OWNER
NEHALEM POINT, INC.
DARRYL CARTER, PRESIDENT
PO BOX 85
NEHALEM, OR 97130
PHONE: (503) 358-4353



S&F Land Services
PORTLAND, VANCOUVER, BEND, SEASIDE
ST. & S.W. 2021-06-161
(503) 738-3425

PRELIMINARY PARTITION PLAT FOR:
NEHALEM POINT, INC.
DARRYL CARTER, PRESIDENT
PARCEL 3, P.P. 2022-05
INSTRUMENT NO. 2022-067125
TILLAMOOK COUNTY CLERK'S RECORDS
NW 1/4, S. 26, NE 1/4, SEC. 34, T.1N, R.10W, W.M.
CITY OF NEHALEM, TILLAMOOK COUNTY, OREGON

REGISTERED PROFESSIONAL LAND SURVEYOR
ALLAN ASHBY
OREGON
SEPTEMBER 19, 2019
JANUARY 19, 2023
RENEWALS 6/30/24

FILED: 01/17/2024
2023-0159-12
MGR/FR
TLD
JCF
FIRM: INFO@S&FLANDS.COM
DRAWN: CHECKED



Date: January 30, 2024

To: TILLAMOOK COUNTY BUILDING DEPARTMENT

Re: WATER SERVICE AVAILABILITY

Attn: Building Department

I confirm that the property listed below is within the City's water service area, and may be served water through the City's Water System under the Terms and Conditions governed by the latest version of the City's Water Ordinance. Please note: This Water Service Availability letter does not certify, approve or acknowledge any specific development plans, water or other utility installations that may be necessary for the subject property to actually physically connect to the City's water system to receive service. This letter only certifies that the subject property may receive (or may already receive) water from the City's Water System.

TOWNSHIP 3N RANGE 10 SECTION 34 TAX LOT(S) 00202

SITUS ADDRESS: Vacant Land

NAME: Nehalem Point, Inc. PHONE: _____

MAILING ADDRESS: P.O. Box 86
Manzanita, OR 97130

Single Family Duplex/Multi-Family Other

Comments: _____

Signed: Lori Longfellow City Manager
Name Title

NEHalem point

PP 2023-05 parcel 3



**PUBLIC RECORD REPORT
FOR NEW SUBDIVISION
OR LAND PARTITION**

THIS REPORT IS ISSUED BY THE ABOVE-NAMED COMPANY ("THE COMPANY") FOR THE EXCLUSIVE USE OF THE FOLLOWING CUSTOMER:

Pacific Properties
Phone No.: (999)999-9999

Date Prepared: November 20, 2023
Effective Date: November 13, 2023 / 12:00 AM
Charge: \$300.00
Order No.: 360423004007
Reference:

The information contained in this report is furnished to the Customer by Tigor Title Company of Oregon (the "Company") as an information service based on the records and indices maintained by the Company for the county identified below. This report is not title insurance, is not a preliminary title report for title insurance, and is not a commitment for title insurance. No examination has been made of the Company's records, other than as specifically set forth in this report ("the Report"). Liability for any loss arising from errors and/or omissions is limited to the lesser of the fee paid or the actual loss to the Customer, and the Company will have no greater liability by reason of this report. This report is subject to the Definitions, Conditions and Stipulations contained in it.

REPORT

- A. The Land referred to in this report is located in the County of Tillamook, State of Oregon, and is described as follows:
As fully set forth on Exhibit "A" attached hereto and by this reference made a part hereof.
- B. As of the Effective Date, the tax account and map references pertinent to the Land are as follows:
As fully set forth on Exhibit "B" attached hereto and by this reference made a part hereof.
- C. As of the Effective Date and according to the Public Records, we find title to the land apparently [vested in:](#)
As fully set forth on Exhibit "C" attached hereto and by this reference made a part hereof.
- D. As of the Effective Date and according to the Public Records, the Land is subject to the following liens and encumbrances, which are not necessarily shown in the order of priority:
As fully set forth on Exhibit "D" attached hereto and by this reference made a part hereof.

Ticor Title Company of Oregon
Public Record Report for New Subdivision or Land Partition
Order No. 360423004007

EXHIBIT "A"
(Land Description)

For APN/Parcel ID(s): 417121
For Tax Map ID(s): 3N10 34 00202

Parcel 3 of PARTITION PLAT NO., 2023-005, situated in Section 34, Township 3 North, Range 10 West, Willamette Meridian, County of Tillamook, State of Oregon, recorded April 4, 2023 as Instrument No. 2023-001362, Tillamook County Records; together with that non-exclusive roadway easement as delineated on Partition Plat No. 2007-028, Tillamook County Records.

Ticor Title Company of Oregon
Public Record Report for New Subdivision or Land Partition
Order No. 360423004007

EXHIBIT "B"
(Tax Account and Map)

[APN/Parcel ID\(s\) 417121 as well as Tax/Map ID\(s\) 3N10 34 00202](#)

Ticor Title Company of Oregon
Public Record Report for New Subdivision or Land Partition
Order No. 360423004007

EXHIBIT "C"
(Vesting)

Nehalem Point, Inc., an Oregon corporation

EXHIBIT "D"
(Liens and Encumbrances)

1. Unpaid Property Taxes are as follows:

Fiscal Year: 2023/24
Amount: \$2,054.90, plus interest, if any
Levy Code: 5623
Account No.: [417121](#)
Map No.: 3N10 34 00202

Please contact the Tax Collector's Office to confirm all amounts owing, including current fiscal year taxes, supplemental taxes, escaped assessments and any delinquencies.

2. Regulations, levies, liens, assessments, rights of way and easements of Nehalem Bay Wastewater Agency.

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

4. 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 Nehalem River.

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 Nehalem River.

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 Nehalem River.

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

Granted to: State of Oregon, for the use and benefit of its Board of Forestry
Purpose: Telephone line
Recording Date: July 20, 1937
Recording No: [Book 74, page 226](#)
Affects: Reference is hereby made to said document for full particulars

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

Granted to: Tillamook Peoples' Utility District
Purpose: Public utilities
Recording Date: May 26, 1964
Recording No: [Book 191, page 555](#)
Affects: Reference is hereby made to said document for full particulars

EXHIBIT "D"
(Liens and Encumbrances)
(continued)

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

Granted to: Owners of adjoining property
Purpose: Access roadway and utilities
Recording Date: November 21, 1985
Recording No: [Book 301, page 405](#)
Affects: Reference is hereby made to said document for full particulars

Said Easement was corrected by instrument, including the terms and provisions thereof,

Recording Date: May 19, 1986
Recording No.: [Book 303, page 872](#)

8. Covenants, conditions, restrictions and easements but 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, as set forth in the document

Recording Date: June 12, 1998
Recording No: [Book 397, page 351](#)

Amendment(s)/Modification(s) of said covenants, conditions and restrictions

Recording Date: May 24, 2007
[Recording No: 2007-004330](#)

9. Liens and assessments, if any, by the Nehalem Point Homeowners Association.

10. Easement(s) for the purpose(s) shown below and rights incidental thereto as delineated or as offered for dedication, on [Partition Plat No. 2007-028](#);

Purpose: Roadway, utilities, and drainage
Recording Date: August 17, 2007
Recording No: 2007-006988
Affects: Reference is hereby made to said document for full particulars

11. Roadway Easement Agreement, including the terms and provisions thereof,

Executed by: Nehalem Point Homeowners Association; and Nehalem Point, Inc.
Recording Date: August 23, 2016
[Recording No.: 2016-004705](#)
Affects: Reference is hereby made to said document for full particulars

EXHIBIT "D"
(Liens and Encumbrances)
(continued)

12. Roadway Easement Agreement, including the terms and provisions thereof,
- Executed by: Nehalem Point Homeowners Association; and Nehalem Point, Inc.
Recording Date: August 30, 2016
[Recording No.:](#) [2016-004861](#)
Affects: Reference is hereby made to said document for full particulars
13. Covenants, conditions, restrictions and easements but 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, as set forth in the document
- Recording Date: May 4, 2018
[Recording No.:](#) [2018-002524](#)
14. Covenants, conditions, restrictions and easements but 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, as set forth in the document
- Recording Date: January 24, 2020
[Recording No.:](#) [2020-000448](#)
15. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:
- Granted to: Tillamook People's Utility District
Purpose: Public utilities
Recording Date: May 11, 2021
[Recording No.:](#) [2021-004161](#)
Affects: Reference is hereby made to said document for full particulars
16. Covenants, conditions, restrictions and easements but 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, as set forth in the document
- Recording Date: December 16, 2021
[Recording No.:](#) [2021-010292](#)

EXHIBIT "D"
(Liens and Encumbrances)
(continued)

17. Covenants, conditions, restrictions and easements but 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, as set forth in the document

Recording Date: February 9, 2022
[Recording No:](#) [2022-000975](#)

18. Please be advised that our search did not disclose any open Deeds of Trust of record.
19. Terms and provisions of the governing documents under which the Vestee herein holds title.

Boundary Deeds:

EXHIBIT "D"
(Liens and Encumbrances)
(continued)

Warranty Deed from Nehalem Point, Inc. to Timothy Liem and Sandra A. Antonovic recorded September 25, 2007 as [Instrument No. 2007-008136](#), Tillamook County Records.

Bargain and Sale Deed from Nehalem Point, Inc. to Nehalem Point, Inc. recorded March 19, 2018 as [Instrument No. 2018-001599](#), Tillamook County Records.

Warranty Deed from Nehalem Point, Inc. to Patricia Graham Collier recorded May 31, 2018 as [Instrument No. 2018-003122](#), Tillamook County Records.

Warranty Deed from Nehalem Point, Inc. to Andrew Montgomery recorded March 5, 2020 as [Instrument No. 2020-001474](#), Tillamook County Records.

Warranty Deed from Nehalem Point, Inc. to Michael McCulloch and Maryellen Hockensmith by Deed recorded September 9, 2021 as [Instrument No. 2021-007636](#), Tillamook County Records.

Warranty Deed from Lonny T. Hamic to Patricia McMahon-Fisher and Douglas H. Fisher recorded November 24, 2021 as [Instrument No. 2021-009769](#), Tillamook County Records.

Nehalem Point, Inc. to Wilfried Ernst Fleuthmann and Jadine Nell Starmer Fleuthmann recorded March 15, 2022 as [Instrument No. 2022-001776](#), Tillamook County Records.

Warranty Deed from Nehalem Point, Inc. to Sandra Sue Ozols and Andrew Kriss Ozols recorded April 29, 2022 as [Instrument No. 2022-002904](#), Tillamook County Records.

Warranty Deed from Nehalem Point, Inc. to Carr Onstott and Sarah Onstott recorded June 6, 2022 as [Instrument No. 2022-003598](#), Tillamook County Records.

Warranty Deed from Peter Grimm and Bryan Kolburn recorded Minglewood, LLC recorded February 13, 2023 as [Instrument No. 2023-000612](#), Tillamook County Records.

Warranty Deed from Michael Denis Reed and Carol Mayer-Reed to Michael D. Reed and Carol Mayer-Reed, Trustees of the Michael and Carol Mayer-Reed Trust recorded July 24, 2023 as [Instrument No. 2023-003237](#), Tillamook County Records.

January 18, 2024

Tillamook County Planning
1510 3rd St. Suite B
Tillamook, OR 97141

RE: Partition application – Darryl Carter Nehalem Point


Greetings,

I am submitting an application for a partition of parcel 3 of partition plat 2023-05 at Nehalem Point along with a title report, sewer availability letter, copies of the proposed partition and a check for \$1,100 to cover the application fee.

Please note that the Water availability letter is pending and I will email it as soon as I get it (they are very slow to respond)

If you have any questions, please call me at 503-738-3425 or email me at jack.white@sflands.com

Sincerely,



Jack White, PLS
S&F Land Services