

FILED

APR 5 2017

TASSI O'NEIL
COUNTY CLERK

COUNTY COURT JOURNAL

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR TILLAMOOK COUNTY, OREGON

In the Matter of Withdrawing)
Land and Territory from the)
Neskowin Regional Sanitary Authority)

ORDER #17-031

This matter came before the Board of Commissioners under a Petition of the Hills of Neskowin Owners' Association to withdraw certain real property from the Neskowin Regional Sanitary Authority. The Board being fully apprised of the representations, the records, and files herein, finds as follows:

1. The Board of Commissioners has jurisdiction over this matter pursuant to ORS 198.795. Sanitary Authority District withdrawals are governed by ORS 198.870 – 198.882.
2. The property proposed for withdrawal is more particularly described in the attached Exhibit A, incorporated herein by reference.
3. The property proposed to be withdrawn lies entirely within the unincorporated area of Tillamook County.
4. At the conclusion of a public hearing held on November 2, 2016, the Board executed Order #16-055 calling a final public hearing to be held on November 23, 2016, and declaring that if written requests for an election were not filed as provided by ORS 198.875(2), the Board, at the time of the final hearing, would enter its order withdrawing the real property incorporated herein by reference from the Neskowin Regional Sanitary Authority.
5. There were sufficient requests for an election filed, as provided by ORS 198.875(2), at the time of the final hearing held on November 23, 2016.
6. Pursuant to ORS 198.815(2) and Board Order #16-059, on March 14, 2017 an election was held in the Neskowin Regional Sanitary Authority District.
7. Electors within the Neskowin Regional Sanitary Authority District approved the withdrawal, 108 supporting votes and 34 opposing votes.

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NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

8. The land and territory as more particularly described in Exhibit A, incorporated herein by reference, be withdrawn from the Neskowin Regional Sanitary Authority.
9. The Board Assistant file a copy of this Order with the Secretary of the Neskowin Regional Sanitary Authority.

DATED this 5th day of April, 2017.

THE BOARD OF COMMISSIONERS
FOR TILLAMOOK COUNTY, OREGON

	Aye	Nay	Abstain/Absent
<u>Bill Baertlein</u> Bill Baertlein, Chair	✓		/
<u>Tim Josi</u> Tim Josi, Vice-Chair	✓		/
<u>David Yamamoto</u> David Yamamoto, Commissioner	✓		/
ATTEST: Tassi O'Neil County Clerk	APPROVED AS TO FORM:		
By: <u>Isabel Gilda</u> Isabel Gilda, Special Deputy	<u>William K. Sargent</u> William K. Sargent, County Counsel		

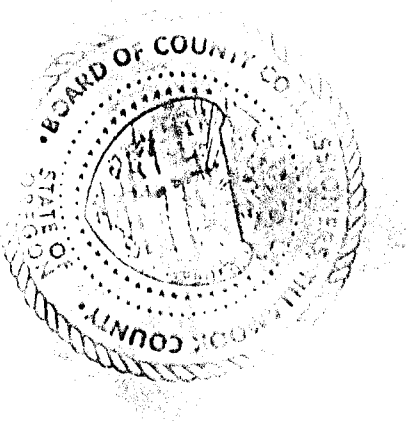


EXHIBIT A

Legal Description for the
Withdrawal from the Neskowin Regional Sanitary Authority

All property located within the "The Hills of Neskowin", filed in the plat records of Tillamook County, Oregon recorded on February 4, 1997 Instrument No.: 97356936 in Plat Cabinet B 510-0 Plat Records and "The Hills of Neskowin, Phase II" filed in the Plat Records of Tillamook County, Oregon on November 25, 1998, Instrument No.: 98374999, in Plat Cabinet B 576-0, Plat Records.