

V



After Recording Return To:
Tillamook County
201 Laurel Avenue
Tillamook, OR 97141

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

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR TILLAMOOK COUNTY, OREGON

FILED
2:08 pm
APR 28 2017
TASSI O'NEIL
COUNTY CLERK

In the Matter of Declaring Certain) ORDER
County Park Lands as Surplus and)
Authorizing their Alienation, Sale, or) #17-037
Conveyance)

COUNTY COURT JOURNAL

This matter came before the Tillamook County Board of Commissioners on April 26, 2017 at the request of Rachel Hagerty, General Services Administrator. Being fully apprised of the records and files herein, the Board finds as follows:

1. On January 20, 1941, Tillamook County acquired by deed from the Hammond Lumber Company a tract of land (Deed Book 80, page 243).
2. On April 9, 1941, the Tillamook County Court set aside and dedicated said tract by order for the purposes of parks and recreation (County Court Order, Book P, Page 242; recorded in Deed Book 215, page 719).
3. On December 29, 1975, the County acquired an additional triangular-shaped property adjoining said tract (Deed Book 244, Page 44), which was dedicated for park and recreation purposes in Order #05-107, dated July 6, 2005.
4. On November 23, 2005, pursuant to Order #05-107, the County conveyed the lands described in Exhibit A to the City of Garibaldi (Tillamook County Deed Record #2005-010726), subject to the condition that said lands be used by the City solely for park and recreation purposes.
5. The City of Garibaldi has no intentions to use said lands for park and recreation purposes. The City deeded said lands back to the County on March 20, 2017 (Tillamook County Deed Record #2017-001740).
6. ORS 275.330(2) and (3) authorizes the sale of lands dedicated for park and recreation with the proceeds to be held for maintenance and improvement of existing park and recreation lands or future acquisition of lands to be set aside for park or recreational purposes.
7. On April 26, 2017 the Board conducted a public hearing pursuant to ORS 275.330(3) for the purpose of hearing objections to the sale of said lands.
8. Notice of said public hearing was published for two consecutive weeks (April 12 and 19, 2017) in the Headlight Herald, a newspaper of general circulation within

the county, as required by ORS 275.330(3). The Affidavit of Publication is attached as Exhibit B and is incorporated herein by reference.

- 9. The Board hereby determines pursuant to ORS 275.330(2) that an alienation, sale, or conveyance of the lands described in Exhibit A is in the best public interest.

NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

- 10. The surplus park and recreation lands described in Exhibit A be and are hereby authorized for alienation, sale, or conveyance pursuant to ORS Chapters 271 and 275 as appropriate.
- 11. This Order shall be recorded in the Tillamook County deed records to memorialize the extinguishments of prior declarations for park and recreation or otherwise.

DATED this 26th day of April, 2017.

THE BOARD OF COMMISSIONERS
FOR TILLAMOOK COUNTY, OREGON

Aye Nay Abstain/Absent

Bill Baertlein
Bill Baertlein, Chair

✓ — — / —

Tim Josi
Tim Josi, Vice-Chair

— — — / ✓

David Yamamoto
David Yamamoto, Commissioner

✓ — — / —

ATTEST: Tassi O'Neil
County Clerk

APPROVED AS TO FORM:

By: Special Deputy

William K. Sargent
William K. Sargent, County Counsel

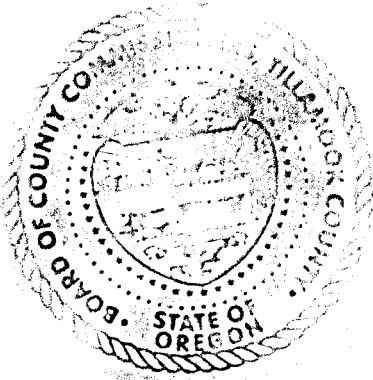


Exhibit A

Lots 21, 22, 23, Block 2, RUSSELL HAWKINS ADDITION TO GARIBALDI, in Tillamook County, Oregon, according to the official plat thereof, recorded in Book 2, Page 17, Plat Records of Tillamook County, Oregon. Together with the following described parcel: Beginning at the SW corner of Lot 19, Block 2, RUSSELL HAWKINS ADDITION TO GARIBALDI, thence East 85.0 feet; thence North to a point which is North $75^{\circ} 08''$ East from the point of beginning; thence South $75^{\circ} 08''$ West to the point of beginning.

Affidavit of Publication

State of Oregon, County of Lincoln, -ss.

I, Joe Warren, being first duly sworn, depose and say that I am a Clerk of the Headlight-Herald, 1908 Second St., Tillamook, OR 97141 a newspaper of general circulation as defined by ORS 193.010 and 193.020 state; that

HH17-148
Tillamook County Board of Commissioners
NOTICE OF PUBLIC HEARING

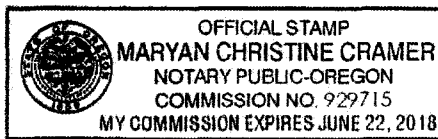
a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for 2 successive and consecutive weeks in the following issues:

4/12/17, 4/19/17

Joe Warren - publisher

Subscribed and sworn to before me this 25th day of April 2017.

Maryan Christine Cramer
Notary Public of Oregon



H17-148
NOTICE OF PUBLIC HEARING
REGARDING DE-CLARING CERTAIN COUNTY PARK LANDS AS SURPLUS AND AUTHORIZING THEIR ALIENATION, SALE, OR CONVEYANCE.
Notice is hereby given pursuant to ORS 275.330(3) that a Public Hearing will be held in the Commissioners' Meeting Room, Tillamook County Courthouse, 201 Laurel Avenue in Tillamook, Oregon on April 26, 2016 at 10:30 a.m. by the Board of County Commissioners for Tillamook County.
The purpose of the Hearing is to consider and act on a request to declare certain county park lands, as more particularly described in the attached Exhibit A, as surplus and to authorize their alienation, sale, or conveyance.
All interested persons may appear and be heard.
Posted 4/12/17 and 4/19/17.
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Lots 21, 22, 23, Block 2, RUSSELL HAWKINS ADDITION TO GARIBALDI, in Tillamook County, Oregon, according to the official plat thereof, recorded in Book 2, Page 17, Plat Records of Tillamook County, Oregon. Together with the following described parcel: Beginning at the SW corner of Lot 19, Block 2, RUSSELL HAWKINS ADDITION TO GARIBALDI, thence East 85.0 feet; thence North to a point which is North 75; 08" East from the point of beginning; thence South 75; 08" West to the point of beginning.

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