

FILED  
FEB 21 2018 3:45pm  
TASSI O'NEIL  
COUNTY CLERK

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR TILLAMOOK COUNTY, OREGON

In the Matter of the Formation )  
of the Mid-County Park and ) ORDER #18-023  
Recreation District )

This matter came before the Tillamook County Board of Commissioners on February 21, 2018 at which time it appears that on December 27, 2017 and January 31, 2018 the Board entered Order #17-100 and Order #18-018, respectively, on its own motion declaring its intention to initiate the formation of a Park and Recreation District pursuant to provisions of ORS 198.835. Having heard the testimony of witnesses and examined the exhibits presented as part of the two public hearings held, and based on the records and files herein, the Board finds as follows:

1. The Board of Commissioners has jurisdiction over this matter pursuant to ORS 198.705 to 198.955.
2. Pursuant to Order #17-100, the Board of Commissioners initiated the formation of a Park and Recreation District pursuant to the provisions of ORS Chapter 266 – Park and Recreation Districts and ORS Chapter 198 – Special Districts Generally to be located entirely within the boundaries of Tillamook County.
3. The name of the proposed Park and Recreation District shall be the Mid-County Park and Recreation District.
4. The boundaries of the proposed Park and Recreation District shall be identical to the exterior boundaries of Tillamook School District No. 9, as more particularly described in the attached Exhibit A, incorporated herein by reference.
5. Pursuant to said Order #17-100, a formation election for such district was not called as there is no permanent tax rate being created.
6. Pursuant to said Order #17-100, a public hearing was held on January 31, 2018 at which time testimony was received as to whether the Mid-County Park and Recreation District should be formed.
7. Pursuant to ORS 198.800(2) and 198.840, public notice of the January 31, 2018 hearing was given by publishing the notice of public hearing. The affidavit of publication for the notice of public hearing is attached as Exhibit B, incorporated herein by reference.
8. Pursuant to ORS 198.800(2) and 198.840, additional notice of public hearing was made by posting a notice of public hearing in four (4) public places in the vicinity of the proposed formation and at the county courthouse. The affidavit of Susan Corbisiero as to the posting of public hearing is attached as Exhibit C, incorporated herein by reference.

9. At the conclusion of the public hearing on January 31, 2018, the Board of Commissioners executed Order #18-018 approving the formation of the district, calling a second and final public hearing to be held on February 21, 2018, and declaring that if written requests for an election were not filed as provided by ORS 198.810(2) and (3), the Board, at the time of the second and final public hearing, would enter its order forming the Mid-County Park and Recreation District.
10. Pursuant to Order #18-018, the second and final public hearing was held on February 21, 2018 at which time testimony was received as to whether the Mid-County Park and Recreation District should be formed.
11. Pursuant to ORS 198.800(2) and 198.840, public notice of the February 21, 2018 hearing was given by publishing the notice of public hearing. The affidavit of publication for the notice of the second and final public hearing is attached as Exhibit D, incorporated herein by reference.
12. Pursuant to ORS 198.810(2) and (3), there was an insufficient number of written requests for an election on the question of formation filed at the time of or before the second and final public hearing on February 21, 2018.

NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

13. Pursuant to ORS 198.820(1), the Board of Commissioners establishes and forms the Mid-County Park and Recreation District as there shall be no permanent tax rate and there was an insufficient number of written requests for an election on the question of formation filed at the time of or before the final public hearing on February 21, 2018; and
14. The boundaries of the District shall be identical to the exterior boundaries of Tillamook School District No. 9, as more particularly described in the attached Exhibit A, incorporated herein by reference; and
15. Pursuant to ORS 198.825(1), the question of the election of the first members of the District board, which shall consist of five (5) members, shall be submitted to the voters residing within the boundaries of the District at the special election to be held on May 15, 2018; and
16. Persons interested in being a candidate for election as a member of the District board shall be nominated by a petition or a declaration of candidacy pursuant to ORS 255.235; and

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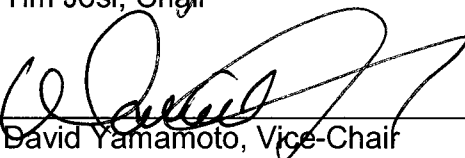
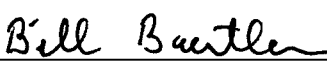
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17. Pursuant to ORS 198.825(2) and ORS 255.075(1), the County election official shall cause notice of the election to be published by one insertion in the Headlight Herald, a newspaper of general circulation within the county, and may publish a notice on Tillamook County's website for a minimum of seven days.

DATED this 21<sup>st</sup> day of February, 2018.

THE BOARD OF COMMISSIONERS  
FOR TILLAMOOK COUNTY, OREGON

	Aye	Nay	Abstain/Absent
 _____ Tim Josi, Chair	✓	_____	_____/_____
 _____ David Yamamoto, Vice-Chair	_____	_____	_____/_____
 _____ Bill Baertlein, Commissioner	✓	_____	_____/_____

ATTEST: Tassi O'Neil  
County Clerk

APPROVED AS TO FORM:

By:   
\_\_\_\_\_  
Special Deputy

  
\_\_\_\_\_  
William K. Sargent, County Counsel



## EXHIBIT A

### LEGAL DESCRIPTION – Mid-County Park & Recreation District

Beginning at the Northwest corner of Section 19, Township 1 North, Range 9 West of the Willamette Meridian, in Tillamook County, Oregon, on the Township line between Ranges 9 and 10 West, Township 1 North;

thence East 6 miles to the Northeast corner of Section 24, Township 1 North, Range 9 West;

thence South on Range line between Ranges 8 and 9 West, 3 miles to the Southeast corner of Section 36, Township 1 North, Range 9 West on the base line;

thence East on base line 5 miles to the Southeast corner of Section 35, Township 1 North, Range 8 West;

thence North 3 miles to the Northwest corner of Section 24, said Township and Range;

thence East 1 mile to the Northwest corner of Section 19, Township 1 North, Range 7 West;

thence North 1 mile to the Northwest corner of Section 18, said Township and Range;

thence East 1 mile to the Southwest corner of Section 8, said Township and Range;

thence Northerly along the West section line of Sections 8 and 5, said Township and Range, 2 miles to the Northwest corner of Section 5, said Township and Range;

thence East 7 miles along Sections 5, 4, 3, 2 and 1, Township 1 North, Range 7 West, and Sections 6 and 5, Township 1 North, Range 6 West, to the Northeast corner of Section 5, said Township and Range;

thence South 1 mile to the Northwest corner of Section 9, said Township and Range;

thence East 6 miles along Sections 9, 10, 11 and 12, Township 1 North, Range 6 West, and Sections 7 and 8, Township 1 North, Range 5 West;

thence 1 mile South to the Southeast corner of Section 8, said Township and Range;

thence West 2 miles along Sections 7 and 8 to the Southeast corner of Section 12, Township 1 North, Range line between Range 6 West and Range 5 West;

thence South 2 miles to the Southeast corner of Section 24, Township 1 North, Range 6 West of the Willamette Meridian;

thence West 2 miles to the Northeast corner of Section 27, said Township and Range;

thence South 1 mile to the Southeast corner of said Section 27;

thence West 1 mile to the Northeast corner of Section 33, said Township and Range;

thence South 1 mile to the Southeast corner of said Section 33;

thence West 1 mile to the Northeast corner of Section 5, Township 1 South, Range 6 West of the Willamette Meridian;

## EXHIBIT A

### LEGAL DESCRIPTION – Mid-County Park & Recreation District

thence South 2 miles to the Southeast corner of Section 8, said Township and Range;

thence West 1 mile to the Northeast corner of Section 18, said Township and Range;

thence South 3 miles to the Southeast corner of Section 30, said Township and Range;

thence West 1 mile to the Northeast corner of Section 36, Township 1 South, Range 7 West;

thence South 1 mile to the Southeast corner of said Section 36, Township 1 South, Range 7 West and on the Township line between Townships 1 and 2 South, Range 7 West;

thence East 1 mile to the Northeast corner of Section 6, Township 2 South, Range 6 West;

thence South 4 miles to the Southeast corner of Section 19, said Township and Range;

thence West 7 miles to the Southwest corner of Section 19, Township 2 South, Range 7 West;

thence South on jog to the Southeast corner of Section 24, Township 2 South, Range 8 West;

thence West 6 miles to the Southwest corner of Section 19, said Township and Range;

thence North on a jog to the Southeast corner of Section 24, Township 2 South, Range 9 West;

thence West 2 miles to the Southwest corner of Section 23, said Township and Range;

thence South 2 miles to the Southeast corner of Section 34, said Township and Range;

thence West on Township line 1 mile to the Northeast corner of Section 4, Township 3 South, Range 9 West;

thence South 1 mile to the Southeast corner of said Section 4;

thence West 1 mile to the Southwest corner of said Section 4;

thence South on jog to the Southeast corner of Section 5, said Township and Range;

thence West 1 mile to the Southwest corner of said Section 5;

thence North ½ mile to the East quarter section corner of Section 6, said Township and Range;

thence West on quarter section line through the center of said Section 6, 1 mile to the West quarter section corner of said Section 6;

thence North ½ mile and more to the Northwest corner of said Section 6 on the Township line between Townships 2 and 3 South;

thence West on jog to the Southwest corner of Section 31, Township 2 South, Range 9 West;

thence West on Township line 6 ½ miles, more or less, to the meander line of the Pacific Ocean in Section 36, Township 2 South, Range 11 West;

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### LEGAL DESCRIPTION – Mid-County Park & Recreation District

thence Northerly along the meander line of the Pacific Ocean  $5 \frac{3}{4}$  miles, more or less, to the Northwest corner of Lot 3, Section 6, Township 2 South, Range 10 West of the Willamette Meridian;

thence across the mouth of Netarts Bay Northeasterly to the meander corner of the East shore of Netarts Bay on the line between Section 6, Township 2 South, Range 10 West of the Willamette Meridian and Section 31, Township 1 South, Range 10 West of the Willamette Meridian at the Southwest corner of Lot 4 of said Section 31 and changing at the intersection of the shoreline of the Pacific Ocean with the Township line between Townships 1 and 2 South, Range 10 West of the Willamette Meridian;

thence Northwesterly, along the shoreline of the Pacific Ocean, to the meander corner between Section 13 and 24, Township 1 South, Range 11 West of the Willamette Meridian;

thence continuing along the shoreline of the Pacific Ocean in a Northwesterly and Northeasterly direction to the mouth of Tillamook Bay on the North meander line of Lot 2 of Section 20, Township 1 North, Range 10 West;

thence following the West and South shoreline of Tillamook Bay in a general Southwesterly and Southeasterly direction to the intersection of said shoreline of said Tillamook Bay to the East Section line of Section 22, Township 1 South, Range 10 West;

thence North on said Section line approximately  $\frac{1}{2}$  mile to the meander corner on Tillamook Bay between Sections 22 and 23, at the Southeast corner of Government Lot 5 of said Section 22, said Township and Range on the shoreline of the Tillamook Bay;

thence in a general Northwesterly and Northeasterly and Northwesterly direction following the East shoreline of Tillamook Bay in Sections 22, 15, 14, 11, 2 and 3, Township 1 South, Range 10 West to the intersection of the West line of Adams Street and the South line of Kelchis Street in Barview Addition to Bay City;

thence Easterly 1668.48 feet to a point which is Southerly 523.38 feet of the Southeast corner of Block 16, Barview Addition;

thence Northerly 523.38 feet to the Southeast corner of said Block 16;

thence Northerly on the east of Barview Addition to the Northeast corner thereof, which point is also on the North line of the Hiram Smith Donation Land Claim and the South line of the Obed S. Thomas Donation Land Claim;

thence East  $\frac{1}{3}$  mile, more or less, to the Southeast corner of said Thomas Claim and reentrant corner of said Smith Claim in said section 2;

thence North on line between said Smith and Thomas Claims  $\frac{1}{16}$  mile, more or less, to the intersection of the North line of the Smith Claim and the East line of the Thomas Claim at the Southwest corner of Lot 2 of Section 2, Township 1 South, Range 10 West;

thence East on quarter section line of said Section 2 and Section 1, 1 mile to the center quarter section corner on the East and West quarter Section line of Section 1, said Township and Range, to the Southeast corner of Lot 3 of said Section;

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### LEGAL DESCRIPTION – Mid-County Park & Recreation District

thence North on quarter section line ½ mile to the North quarter Section corner of said Section 1 on the base line;

thence East ½ mile to the Southwest corner of Section 31, Township 1 North, Range 9 West on the range line between Ranges 9 and 10 West;

thence North on Range line 3 miles to the Northwest corner of Section 19, said Township and Range and the place of beginning, together with the tidelands fronting and abutting thereon.

Also, a tract of land in Government Lot 2, Section 1, Township 1 South, Range 10 West of the Willamette Meridian, Tillamook County, Oregon, said tract being more particularly described as Beginning at the Southeast corner of the West 650 feet of said Government Lot 2; thence North 208.7 feet along the East line of said West 650 feet of Government Lot 2; thence West 208.7 feet; thence South 208.7 feet to the South line of said Government Lot 2; thence East 208.7 feet to the point of beginning.

Less the following described property:

Beginning at the Southeast corner of the Thomas Donation Land Claim, thence along the common line of the Hiram Smith and Obed S. Thomas Donation Claim in Section 2, Township 1 South, Range 10 West N. 89° 33' 24" W. 666.18 feet to the initial point of Smith's addition to Bay City; thence South 472.48 feet to the North line of Alderbrook Road; thence Northwesterly along said road to a point which is South of the Southeast corner of Lot 36, Block 12 of Cone's subdivision; thence North 331 feet, more or less, to the Common line of the Smith and Thomas claims; thence Easterly to the point of beginning.

Exhibit B

**Affidavit of Publication**

State of Oregon, County of Tillamook, -ss.

I, Tina Sue Bauer, 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

HH18-05  
Tillamook County  
NOTICE OF PUBLIC HEARING

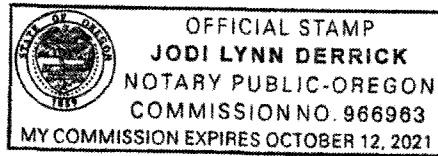
a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for 2 successive and consecutive weeks in the following issues:

01/17/18, 01/24/18

Tina Sue Bauer

Subscribed and sworn to before me this 24th day of January 2018.

Jodi Lynn Derrick  
Notary Public of Oregon



Price charge for this notice \$ 132.30



**HH18-05  
NOTICE OF PUBLIC  
HEARING  
REGARDING FORMA-  
TION OF THE MID-  
COUNTY PARK AND  
RECREATION DIS-  
TRICT**

Notice is hereby given pursuant to ORS 198.800(2) and 198.840 that the Tillamook County Board of Commissioners will hold a Public Hearing on January 31, 2018 at 10:30 a.m. in the Commissioners' Meeting Room A in the Tillamook County Courthouse, 201 Laurel Avenue, Tillamook, Oregon. The purpose of the hearing is to consider the formation of a park and recreation district with no permanent tax rate under ORS Chapter 266 - Park and Recreation Districts. The boundaries of the proposed district shall be identical to the exterior boundaries of Tillamook School District #9. The complete legal description is available at the Tillamook County Board of Commissioners' Office, 201 Laurel Avenue, Tillamook, Oregon. The name of the proposed district shall be the Mid-County Park and Recreation District.

All interested persons may appear and be heard.

The Tillamook County Board of Commissioners has entered an order declaring its intention to initiate formation of said district.

Noticed 1/17/18 &  
1/24/18

# Exhibit C

## THE BOARD OF COUNTY COMMISSIONERS

### FOR THE COUNTY OF TILLAMOOK IN THE STATE OF OREGON

In the Matter of the Formation                    )  
of the Mid-County Park and                    )     AFFIDAVIT OF POSTING NOTICE  
Recreation District                            )

I, Susan Corbisiero, being first duly sworn, do depose and say that I am an employee of the County of Tillamook for the Board of Commissioners and that on January, 17, 2018, I personally posted six (6) copies of the Notice of Public Hearing, a copy of which is attached hereto and made part hereof, at the following places, all in Tillamook County, in the vicinity of the proposed Mid-County Park and Recreation District:

1. On the bulletin board inside the lobby of the Tillamook City Hall building in Tillamook, Oregon.
2. On the bulletin board inside the lobby of the Tillamook Main Branch Library in Tillamook, Oregon.
3. On the bulletin board inside the Fred Meyer grocery store in Tillamook, Oregon.
4. On the bulletin board inside the Rosenberg Builders Supply store in Tillamook, Oregon.
5. On the bulletin board outside of the Board of Commissioners office in the Tillamook County Courthouse in Tillamook, Oregon.
6. On the bulletin board inside the north lobby of the Tillamook County Courthouse in Tillamook, Oregon.

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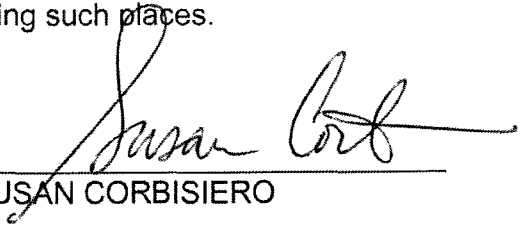
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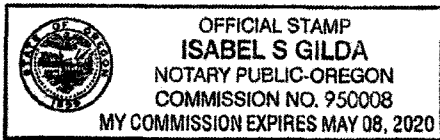
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All such notices were posted in public and conspicuous places and in such a manner that they could be easily read by all persons passing such places.

Dated this 18<sup>th</sup> day of January, 2018.

  
\_\_\_\_\_  
SUSAN CORBISIERO

Subscribed and sworn before me this 23<sup>rd</sup> day of January, 2018.



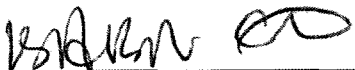
  
\_\_\_\_\_  
Notary Public for the State of Oregon  
My Commission Expires: May 08, 2020

Exhibit D

**Affidavit of Publication**

State of Oregon, County of Tillamook, -ss.

I, Tina Sue Bauer, 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

HH18-45  
Tillamook County  
NOTICE OF PUBLIC HEARING

a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for 1 successive and consecutive week in the following issue:

02/14/18

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*Tina Sue Bauer*

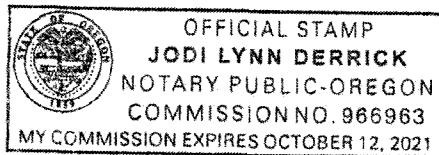
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Subscribed and sworn to before me this  
14th day of February, 2018.

*Jodi Lynn Derrick*

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Notary Public of Oregon



Price charge for this notice \$ 65.10

**HH18-45  
NOTICE OF PUBLIC  
HEARING**

**REGARDING FORMA-  
TION OF THE MID-  
COUNTY PARK AND  
RECREATION DIS-  
TRICT**

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County Park and Recreation District.

All interested persons may appear and be heard.

The Tillamook County Board of Commissioners has entered an order declaring its intention to initiate formation of said district.

Noticed 2/14/18