

FILED

MAR 21 2018

TASSI O'NEIL  
COUNTY CLERK  
*Ty*

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR TILLAMOOK COUNTY, OREGON

In the Matter of a Land Exchange of )  
Certain Lands With the State of ) ORDER  
Oregon – Board of Forestry ) #18- 034  
)

This matter came before the Tillamook County Board of Commissioners on March 21, 2018 at the request of Rachel Hagerty, Chief of Staff. The Board of Commissioners, being fully apprised of the representations of the above-named person, and records and files herein, finds as follows:

1. The Board of Commissioners and the State of Oregon, hereinafter 'State' and acting by and through its Board of Forestry, desire to exchange certain lands within Tillamook County.
2. The County-owned real property set forth below, also known as Sprague Wayside, is approximately 154.5 acres.
3. Portions of the Sprague Wayside were included within a bargain and sale deed dated October 31, 1934 to Tillamook County from John B. and Vada Ebinger as a public recreational area, said deed being recorded in the Tillamook County Deed Records at Deed Book 69, Page 561. On November 15, 1935, a Board Order was entered that set apart and dedicated said Ebinger tract as a park and recreation area, said Order being recorded in the Tillamook County Deed Records at Deed Book 215, Page 714.
4. Other portions of the Sprague Wayside were included within a warranty deed to the County on September 8, 1937 from R.B. and Cora L. Miller, said deed being recorded in the Tillamook County Deed Records at Deed Book 66, Page 580. On July 14, 1993, Board Order #93-119 was entered that set aside the real property described in the Miller deed as a County forest.
5. In addition, Board Order #98-122B was entered on November 25, 1998 that dedicated the property described in the Miller deed and the Ebinger deed as a park and recreation area.
6. The State-owned real property set forth below, also known as Trask Park, is approximately 87 acres and is currently under an agreement for County Parks Department purposes. The County currently operates and maintains the Trask River Campground/Park under an Intergovernmental Agreement (#4206) with the State of Oregon.

7. The County desires to exchange the Sprague Wayside property for the State-owned Trask Park property for parks and recreation purposes.
8. ORS 275.330 authorizes the conveyance of lands dedicated for county forest, public park, or recreational areas.
9. It is in the best public interest of the County that such exchange of title with the State occurs.
10. On March 21, 2018, the Board conducted a public hearing pursuant to ORS 275.330(3) for the purposes of hearing objections to the exchange of said described properties.
11. Notice of said public hearing was published for two consecutive weeks on March 7 and 14, 2018 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 A and is incorporated herein by reference.

NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

12. Pursuant to ORS 530.010 and 530.040, the transfer of the following described lands, to wit:

County-Owned Property

(aka Sprague Wayside, portion of Township 1 South, Range 8 West, Section 11, Taxlot 1000)

*PARCEL 1:*

*That portion of the following described property lying and being South and East of the thread of the Wilson River;*

*The Southeast quarter of the Northwest quarter, the Northeast quarter of the Southwest quarter, the West one-half of the Southwest quarter of the Northeast quarter, and the West one-half of the Northwest quarter of the Southeast quarter of Section 11, Township 1 South, Range 8 West, Willamette Meridian, Tillamook County, Oregon.*

*ALSO:*

*That portion of the following described property lying and being South of the thread of the Wilson River;*


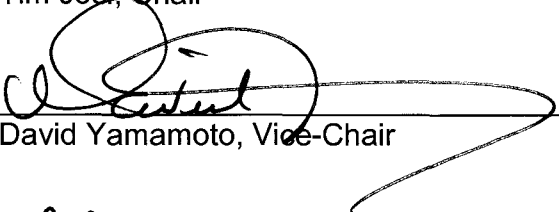

*The Southeast quarter of the Northeast quarter, the Northeast quarter of the Southeast quarter, the East one-half of the Southwest quarter of the Northeast*

IT IS FURTHER ORDERED THAT:

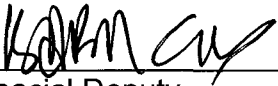
13. This order shall be recorded in the Tillamook County deed records to memorialize the extinguishment of all prior dedications made by Board order (Order entered in Tillamook County Deed Records at Deed Book 215, Page 714 and Orders #93-119 and #98-122B).
14. A property line adjustment be completed for the State-Owned Property to allow for the conveyance of portion of Township 1 South, Range 8 West, Section 25, Taxlot 300 and Township 1 South, Range 8 West, Section 36, Taxlot 6600.

Dated this 21st day of March, 2018.

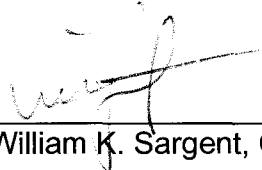
THE BOARD OF COMMISSIONERS  
FOR TILLAMOOK COUNTY, OREGON

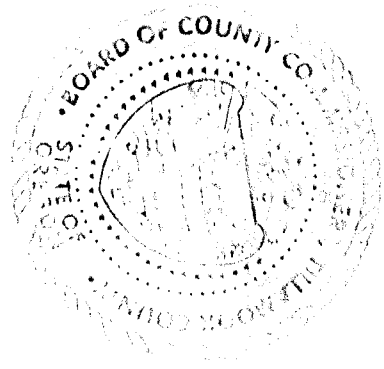
	Aye	Nay	Abstain/Absent
 _____ Tim Josi, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 _____ David Yamamoto, Vice-Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 _____ Bill Baertlein, Commissioner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ATTEST: Tassi O'Neil  
County Clerk

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

APPROVED AS TO FORM:

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



*quarter, and the East one-half of the Northwest quarter of the Southeast quarter of Section 11, Township 1 South, Range 8 West, Willamette Meridian, Tillamook County, Oregon.*

**PARCEL 2:**

*That portion of the following described property lying North of the thread of the Wilson River:*

*The Southeast quarter of the Northeast quarter and the East one-half of the Southwest quarter of the Northeast quarter of Section 11, Township 1 South, Range 8 West, Willamette Meridian, Tillamook County, Oregon.*

to STATE, from COUNTY, be and the same hereby is authorized and approved in exchange for the transfer of the following described lands, to-wit:

State-Owned Property

(aka Trask Park, portion of Township 1 South, Range 8 West, Section 25, Taxlot 300 and portion of Township 1 South, Range 8 West, Section 36, Taxlot 6600)

*A parcel of land containing 87 acres more or less, located in Sections 25 and 36, Township 1 South, Range 8 West, Willamette Meridian, Tillamook County, Oregon more particularly described as:*

*That portion of the northeast ¼ of the northeast ¼ of the northwest ¼ of Section 36 lying northerly and easterly of the thalweg of the Trask River;*

*And:*

*That portion of the north ½ of the northeast ¼ of Section 36 and the south ½ of the southeast ¼ of Section 25 lying westerly of the following described line:*

*Beginning at an Oregon Department of Forestry aluminum pipe and cap at the North 1/16 corner on the north-south centerline of Section 36 as established in Tillamook County Survey Record B-1805, thence North 89°56'51" East, 1473 feet along the south boundary of the north ½ of the northeast ¼ of said Section 36 to the true point of beginning; thence North to the centerline of the North Fork Trask River Road; thence southwesterly along the centerline of the North Fork Trask River Road to the intersection with the east boundary of the southwest ¼ of the southeast ¼ of Section 25; thence northerly along the east boundary of the southwest ¼ of the southeast ¼ to an Oregon Board of Forestry galvanized iron pipe with bronze cap at the Southeast 1/16<sup>th</sup> corner of Section 25 as established in Tillamook County Survey Record B-632*

to COUNTY, from STATE, be and the same hereby is authorized and approved.

Exhibit A

**Affidavit of Publication**

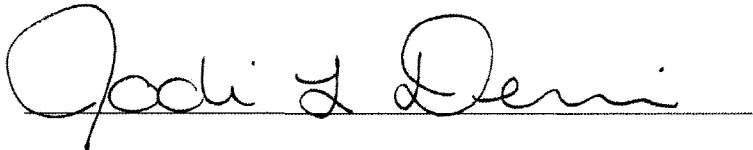
State of Oregon, County of Tillamook, -ss.

I, Jodi Lynn Derrick being first duly sworn, depose and say that I am a Clerk of the Headlight Herald, 1906 Second St., Tillamook, Or 97141 a newspaper of general circulation as defined by ORS 193.010 and 193.020 state; that

HH18-73  
Tillamook County  
NOTICE OF PUBLIC HEARING

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

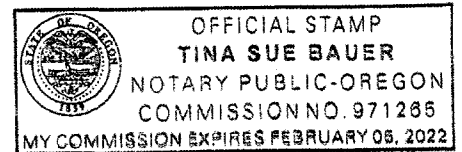
03/07/18, 03/14/18



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



Notary Public of Oregon



Price charge for this notice \$ 149.10

**HH18-73  
NOTICE OF PUBLIC  
HEARING  
REGARDING A PRO-  
POSED LAND EX-  
CHANGE BETWEEN  
TILLAMOOK COUNTY  
AND THE STATE OF  
OREGON BOARD OF  
FORESTRY**

Notice is hereby given pursuant to ORS 275.330(3) that the Tillamook County Board of Commissioners will hold a Public Hearing on Wednesday, March 21, 2018 at 10:30 a.m. in the Commissioners' Meeting Room A in the Tillamook County Courthouse, 201 Laurel Avenue, Tillamook, Oregon. The Board of Commissioners and the State of Oregon, acting by and through its Board of Forestry, desire to exchange certain lands within Tillamook County pursuant to ORS 530.010 and 530.040. The purpose of the hearing is to hear objections to the proposed land exchange. The county-owned real property, also known as Sprague Wayside, is approximately 154.5 acres. The state-owned real property, also known as Trask Park, is approximately 87 acres. At the

time of the proposed exchange, the county intends to dedicate Trask Park as a park and recreational area pursuant to ORS 275.320. The complete legal descriptions of the Sprague Wayside and the Trask Park are available at the Tillamook County Board of Commissioners Office, 201 Laurel Avenue, Tillamook, Oregon.

All interested persons may appear and be heard.

Noticed 3/7/18 &  
3/14/18.