## DEPARTMENT OF COMMUNITY DEVELOPMENT BUILDING, PLANNING & ON-SITE SANITATION SECTIONS



1510 – B Third Street Tillamook, Oregon 97141 www.tillamookcounty.gov (503) 842-3408

Land of Cheese, Trees and Ocean Breeze

# NOTICE OF ADMINISTRATIVE REVIEW PARTITION REQUEST #851-25-000209-PLNG: RICE & ROOS

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

Date of Notice: May 16, 2025

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

#851-25-000124-PLNG: A partition request to create three (3) residential parcels. Located within the Community of Beaver, and accessed via an easement from Berkshire Road, a private road, and Highway 101 S., a state highway. The subject property is designated as Tax Lot 100 of Section 29CB, Township 3 South, Range 09 West of the Willamette Meridian, Tillamook County Oregon. The subject property is zoned Community Single Family Residential (CSFR). The owner of the property is Case Roos, and the applicant is Michael Rice.

Written comments received by the Department of Community Development **prior to 4:00p.m.** on May 30, 2025, will be considered in rendering a decision. Comments should address the attached criteria upon which the Department must base its decision. 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 property 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. The decision will be rendered no sooner than June 2, 2025.

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 Department of Community Development website: <a href="https://www.tillamookcounty.gov/commdev/landuseapps">https://www.tillamookcounty.gov/commdev/landuseapps</a> 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

Enc. Applicable Ordinance Criteria Vicinity, Assessor and Zoning Maps

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#### **REVIEW CRITERIA**

#### TILLAMOOK COUNTY LAND DEVELOPMENT ORDINANCE

#### SECTION 3.011: COMMUNITY SINGLE FAMILY RESIDENTIAL ZONE (CSFR)

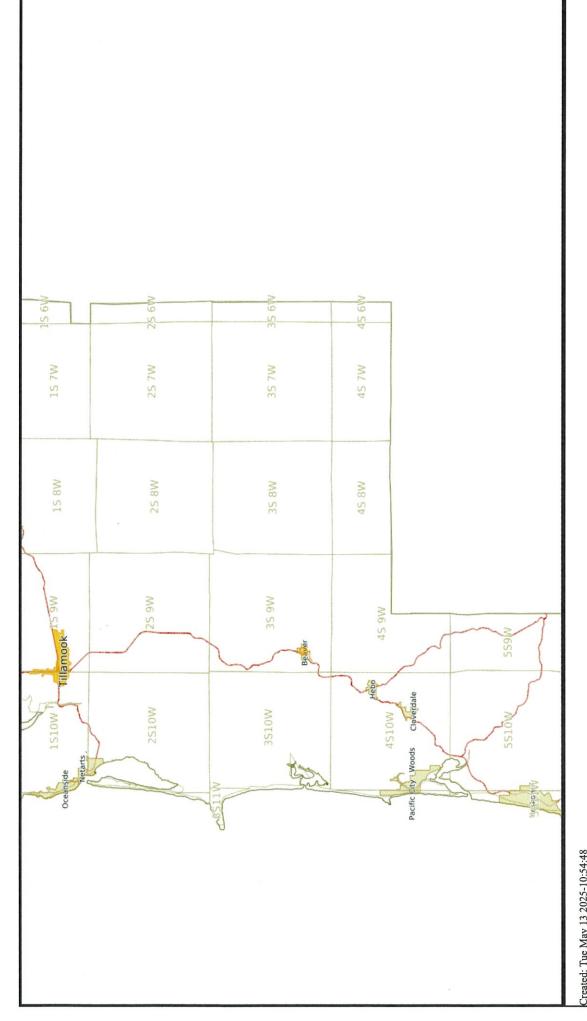
- (4) STANDARDS: Land divisions and development in the CSFR zone shall conform to the following standards, unless more restrictive supplemental regulations apply:
  - (a) The minimum lot size is 20,000 for permitted uses.
  - (b) The minimum lot width and depth shall both be 100 feet.
  - (c) The minimum front yard shall be 20 feet.
  - (d) The minimum side yard shall be 5 feet; on the street side of a corner lot, it shall be no less than 15 feet.
  - (e) The minimum rear yard shall be 20 feet; on a corner lot, it shall be no less than 5 feet.

. . . . . . . .

#### TILLAMOOK COUNTY LAND DIVISION ORDINANCE

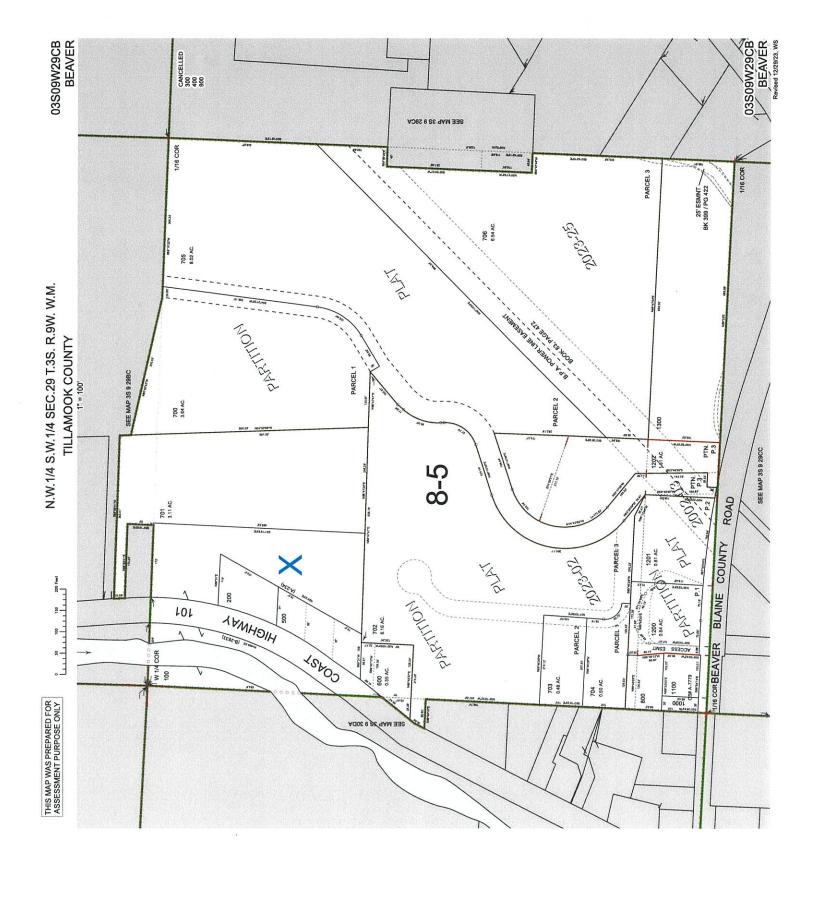
#### SECTION 070: PRELIMINARY PLAT APPROVAL CRITERIA

- (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.

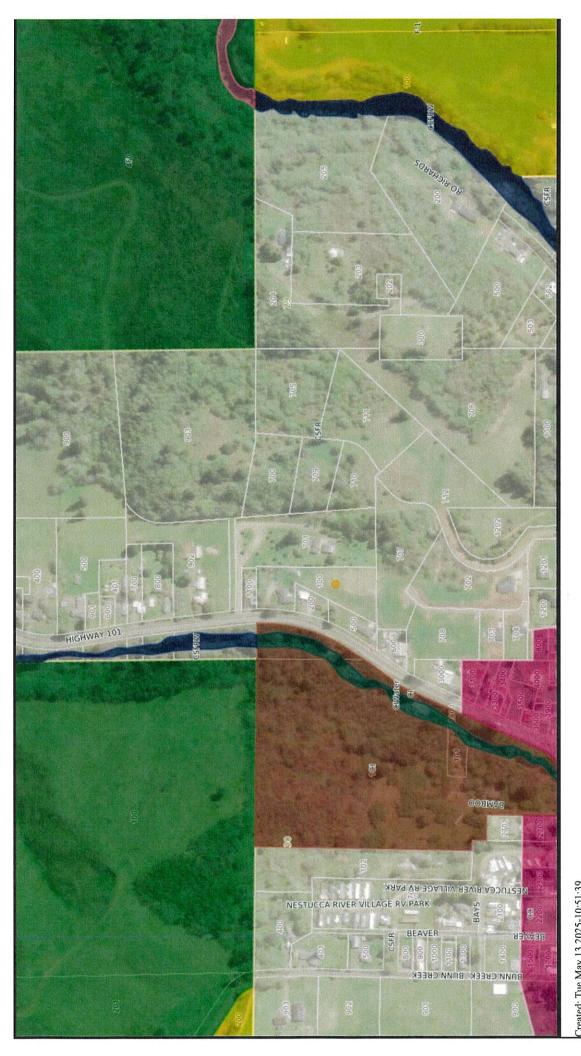


Created: Tue May 13 2025-10:54:48
Active Layers:County\_Boundary, Fed\_state\_highways, citylimit, community\_polygon, TaxlotOwner, Township\_Range\_Section, Road\_Centerline Extent:-13824281.606749, 5636181.8371431, -13701447.302311, 5697942.9559889

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Tillamook County Department of Community Development 1510-B Third Street. Tillamook, OR 97141 | Tel: 503-842-3408 www.co.tillamook.or.us

Fax: 503-842-1819

Date Stamp

**OFFICE USE ONLY** 

RECEIVED

#### LAND DIVISION APPLICATION

					APR 2 5 2025
Applicant □ (Ch		31 5. 31 5.			RY. 54
Name: Michael R. Ri		Phone: 503-801	-7901		
Address: P.O. Box 5	21				☐Approved ☐Denied
City: Tillamook	To the district of the second	State: OR	Zip: 97141	and the same the same	Received by:
Email: ricesurveying@	Doutlook.com		y y gyth managen y m		Receipt #:
Property Owner	•				Fees:
Name: Case Roos		Phone: 503-812	2-7865		Permit No: 851-26-100209-PLNG
Address: 20165 Blai	ne Road		······································	nerodonije obiosite do zastantena	831-KO-100M) 1-FEING
City: Beaver		State: OR	Zip: 97108	in the	
Email: case.roos7@gr	mail.com		and the second of the second o	nin nghi milan kanan nganara nganinan are	
Location: Site Address: 24	005 Hwy. 101	I S			
Map Number:	3S	9W	and the Call	29CE	3 #100
	, the proposed na w, scale of drawin development elopment sufficie on, boundaries, an	Gener  Ime. Parcel z  Ing. Title Blo  Clear ic  ont to "Prelim  Ind a Name a	al Information coning and overlays ock dentification of the inary Plat" and dat and addresses of over, and engineer of	drawing as te of preparatio wner(s),	☐ Fifteen (15) legible "to scale" hard copies ☐ One digital copy
■ Width, location existing easeme ■ The location and structures, and i will remain after □ Location and ide and abutting the and sewers are in distance to the right they will be brounded. ■ Location of all existence system	widths, access po and purpose of nts present use of all ndication of any to platting. entity of all utilities e site. If water ma not on site, show nearest one and hall aght to standards kisting subsurface	of- Ground ints. contour interval shall be benchme approved approved closest adjacer ways, recharge beaches For any the Bas	ng Conditions I elevations shown I lines at 2-foot ver I. Such ground eleve I related to some enark or other datured by the County Station and elevation benchmark(s) with to the site I features such as dock outcroppings, as areas, wetlands, so, dunes and tide file plat that is 5 acres e Flood Elevation, asurance Rate Map	rtical rations stablished m urveyor n of the in or  rainage aquifer marshes, lats s or larger, per FEMA	Other information:
Land Division Pe	ermit Application	Rev 9/1	1/15		Page 1

Proposed Development						
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	<ul> <li>➡ Proposed uses of including all areas dedicated as public or reserved as op</li> <li>➡ On slopes exceed grade of 10%, as submitted topograpreliminary location development on demonstrating the development can required setbacks engineering desig</li> <li>➡ Preliminary utility water and storm these utilities are</li> </ul>	s proposed to be lic right-of-way en space ing an average shown on a raphic survey, the ion of lots at future meet minimum s and applicable en standards plans for sewer, drainage when	identity of the location fixtures, as Evidence of applicable of but not lim Hazard Over Evidence of applicable of proposed in Certificates companies they are ca	f compliance with overlay zones, including ited to the Flood erlay (FH) zone f contact with the road authority for new street connections or letters from utility or districts stating that pable of providing he proposed		
Additio	nal Information Re	guired for Subdiv	isions/	,		
Preliminary street layout of undivided		☐ Profiles of prop		ways		
Special studies of areas which appear due to local geologic conditions Where the plat includes natural feature conditions or requirements contained Land Use Ordinance, materials shall be demonstrate that those conditions are requirements can be met Approximate center line profiles of stextensions for a reasonable distance of the proposed Subdivision, showing finished grades and the nature and exconstruction	to be hazardous  ures subject to the d in the County's pe provided to nd/or  creets, including beyond the limits g the proposed	☐ In areas subject submitted to do the Flood Haza Land Use Ordin ☐ If lot areas are nature of cuts a character of th ☐ Proposed methodomeon impro	t to flooding, memonstrate that and Overlay (FHC nance will be me to be graded, a and fills, and inf e soil nod of financing	aterials shall be t the requirements of )) zone of the County's et plan showing the formation on the the construction of as street, drainage		
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☐ FINAL PLAT (LDO 090(1))	
☐ Date, scale, north arrow, legend, highways, and	Certificates:
railroads contiguous to the plat perimeter	☐ Title interest & consent ☐ Water
☐ Description of the plat perimeter	☐ Dedication for public use ☐ Public Works
☐ The names and signatures of all interest holders in	☐ Engineering/Survey
the land being platted, and the surveyor	
☐ Monuments of existing surveys identified, related	☐ Additional Information:
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	
Authorization	
This permit application does not assure permit appro	val. The applicant and/or property owner shall be
responsible for obtaining any other necessary federal, s	
review and approval, all final plats for land divisions	
except as required otherwise for the filing of a plat to I	awfully 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.	
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alle	4/23/25
Property Owner (*Required)	4/21/25
Marrael Philip	4/21/25
Applicant Signature	Dete /

#### LOCATED IN THE NW 1/4 OF THE SW 1/4 OF SECTION 29 NOTE: THIS PARTITION WILL NOT BE FINALIZED UNTIL THE PROPER PLAT HAS BEEN RECORDED WITH THE TILLAMOOK COUNTY CLERK'S THE LINES WERE THEN PROPOSED AS DIRECTED BY THE LANDOWNER AND APPROVED BY TILLAMOOK COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT NO. THE BASIS OF BEARINGS FOR THIS PROPOSAL IS ACROSS FOUND, ORIGINAL PARTITION PLAT MONUMENTS ALONG THE MORTHLINE OF PARCEL 3, PARTITION PLAT #2023-02 (P-1197), TILLAMONK COUNTY SURVEY RECORDS BEING DESCRIPTIONS. THIS PROPOSAL WAS CONDUCTED AS A DEPENDENT RESURVEY OF THE SUBJECT PROPERTY DESCRIBED AS INST. #2025-0938, TILLAMOOK COUNTY CLERK'S RECORDS. OFFICE XXX-XX-XXXXXXX-PLNG. (N88°47'41"E). BASIS OF BEARINGS: PARTITION PLAT PROPOSAL NARRATIVE: LEGEND: TILLAMOOK COUNTY, OREGON RENEWAL 12-31-2026 T. 3 S., R. 9 W., W.M. INST. #2025-00938 LAND SURVEYOR APRIL 21st, 2025 MICHAEL R, RICE 86926 **PROFESSIONAL** DECEMBER 11, 2012 REGISTERED (SO-1532"E 1310.12) SEC. 39 SEC. 29 SEC. 29 BIG NESTUCCA RIVER S88°56'43"W 381.05' (S89°38'52"W 381.38')2 S88\*47\*41\*W 381.35 (S88\*47\*Z\*W 381.35) Tasmon was a supplied to the s PROPOSED PARCELS \$88°47'41"W 179.96 BERKSHIRE ROAD, PRIVATE, 40' WIDE, NON-EXCLUSIVE, PERPETUAL, ACCESS & UTILITY EASEMENT. PER P.P. #2023-02 ACCESS & UTIL, EAS. PARCEL 2 P.E. #2025-0X 140.02 CCESS & UTIL. EAS. 06'417 (40°16'50"W 495.625) (S88°55'41"W 5.00')1 120 BASIS OF BEARINGS (N88°47'41"E 635.16") 8 SCALE: I" = 120" 248.24' (248.29')] 0 (27.23.20.H 22078) N88°55'43"E 1283.93" (N88°55'41"E 1284.30')1 120 CM IVE

# FOUND MONUMENTS.

PROPOSED SET MONUMENTS

0

() RECORD PER PARTITION PLATS, TILLAMOOK COUNTY SURVEY RECORDS.

NO ( ) EQUALS MEASURED VALUE MEASURED EQUALS RECORD TILLAMOOK COUNTY SURVEY RECORDS UNLESS OTHERWISE NOTED.

## PROPOSAL FOR: CASE ROOS

LANDS DESCRIBED IN THE NW 1/4 OF THE SW 1/4 OF SECTION 29, T. 3 S., R. 9 W., W.M. INST. #2025-00938 TILLAMOOK COUNTY CLERK'S RECORDS

RSC

RICE SURVEYING AND CONSULTING
PO. BOX 521
TILLAMOOK, OREGON 97141
CELL: (503) 801-7901

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#### Beaver Water District PO Box 306 Cloverdale, OR 97112 503-457-3570

beaverwaterdistrict@outlook.com

#### WATER AVAILABILITY

Date:04/24/2025
To Whom it May Concern:
This letter is to inform you that Water service is available to the following lot within our District:
Township: 3S Range: 09 Section: 29CB Tax Lot: 00100
Physical Address: 24005 Highway 101 S
According to our records the legal owner is: Case Roos
Outstanding liens against the property listed above for Water: \$0.00
System Development Fees: SDC Fee will be paid upon approved Application for Service
Water In District: \$\frac{12,500.00}{*Per Unit} \text{Received By:}
Check Number: Acct. No.:
COMMENTS: This availability letter is for a partition of of TL 00100. A new tax lot number
will be submitted to the District upon the split and an SDC will be assigned to the new parcel.
11.00
Signature of Authorized Representative, Title

\*\*No connection shall be made to water lines without a written agreement between the Beaver Water District and owner of the property. Line and connection inspections are required by the Water Operator, fees may apply. All connections shall be made in accordance with State, County, DEQ, OHA, and current plumbing guidelines.

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802 Main Ave. Tillamook, OR 97141

**GRANTOR'S NAME:** 

Kaitlyn Payne, Trustee of The Revocable Living Trust of Allan D. Duley

**GRANTEE'S NAME:** 

Case Roos

**AFTER RECORDING RETURN TO:** 

Order No.: 360424004077-SS

Case Roos 20165 Blaine Rd Beaver, OR 97108

SEND TAX STATEMENTS TO:

Case Roos 20165 Blaine Rd Beaver, OR 97108

APN/Parcel ID(s): 214208

24005 Highway 101 S, Cloverdale, OR

97112-9697

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Tillamook County, Oregon

03/14/2025 02:23:01 PM

\$25.00 \$11.00 \$10.00 \$61.00 - Total =\$107.00

I hereby certify that the within instrument was received for record and recorded in the County of Tillamook,

Christy Nyseth, Tillamook County Clerk

DEED,DWARR

2025-00938

#### STATUTORY WARRANTY DEED

Kaitlyn Payne, Trustee of The Revocable Living Trust of Allan D. Duley, Grantor, conveys and warrants to Case Roos, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Tillamook, State of Oregon:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS TWO HUNDRED SEVENTY THOUSAND AND NO/100 DOLLARS (\$270,000.00). (See ORS 93.030).

Subject to:

SEE EXHIBIT "B" ATTACHED HERETO AND MADE A PART HEREOF

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009. AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930. AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

LV1474014077

TICOR TITLE

### STATUTORY WARRANTY DEED (continued)

IN WITNESS WHEREOF, the undersigned have executed forth below.	this document on the date(s) set
Dated: 12/24/24	
Revocable Living Trust of Alian D. Duley	
BY: Carllyn Payne Trustee	
State of OREGON County of TILLAMOOK  This instrument was acknowledged before me on Trustee of The Revocable Living Trust of Allan D. Duley.  Notary Public - State of Oregon  My Commission Expires:	H124 by Kaitlyn Payne,
<u> </u>	OFFICIAL STAMP BRIANNA ROSE KOTTRE NOTARY PUBLIC - OREGON COMMISSION NO. 1012569 MY COMMISSION EXPIRES MAY 13, 2025

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#### **EXHIBIT "A"**

#### Legal Description

Beginning at a point which is North 814.7 feet and East 133.3 feet from the Southwest corner of the Northwest quarter of the Southwest quarter of Section 29, Township 3 South, Range 9 West of the Willamette Meridian, in Tillamook County, Oregon;

Thence South 89° 31' West to the West line of said Section 29;

Thence North to the quarter section corner in the West boundary of said Section

29;

Thence East to a point 175 feet East of the intersection of the Easterly right of way line of U.S. Highway No. 101 with the North line of the Northwest quarter of the Southwest quarter of said Section 29;

Thence South parallel with the West line of said Section 29 to a point which is North 89° 31' East of the point of beginning;

Thence South 89° 31' West to the point of beginning.

EXCEPTING a tract described as beginning at a point which is North 814.7 feet and East 133.3 feet from the Southwest corner of the Northwest quarter of the Southwest quarter of Section 29, Township 3 South, Range 9 West of the Willamette Meridian in Tillamook County, Oregon;

Thence North 26° 20' East 383 feet;

Thence South 89° 31' West 119.5 feet to the Easterly right of way line of U.S. Highway No. 101;

thence Southerly along said right of way line to a point which is South 89° 31' West of the point of beginning;

Thence North 89° 31' East 105.3 feet to the point of beginning.

FURTHER EXCEPTING THEREFROM that portion within the U.S. Highway No. 101 right of way.

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#### EXHIBIT "B"

#### Exceptions

#### Subject to:

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

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 Unnamed Creek.

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 Unnamed Creek.

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 Unnamed Creek.

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

Granted to: Purpose:

B. L. Becker Water pipeline Recording Date: January 24, 1946 Recording No: Book 93 Page 539

Affects:

Reference is hereby made to said document for full particulars

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

Granted to:

Edward G. King and Maude King

Purpose: Water pipeline Recording Date: June 10, 1947

Recording No: Book 106, Page 182

Affects:

Reference is hereby made to said document for full particulars

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

Granted to:

Tillamook People's Utility District, a Municipal corporation

Recording Date: October 21, 1947 Recording No: Book 109 Page 138

Affects: Reference is hereby made to said document for full particulars

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

Granted to:

United State of America

Purpose: Access road Recording Date: August 20, 1957 Recording No: Book 158 Page 511

Reference is hereby made to said document for full particulars Affects:

#### **EXHIBIT "B"**

#### Exceptions

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

Granted to: Beaver Water District No. 49

Purpose: Water Pipeline
Recording Date: November 29, 1983
Recording No: Book 290, Page 368

Affects: Reference is hereby made to said document for full particulars

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