



**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 #851-26-000202-PLNG:  
LICHNER & RICE**

*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 20, 2026**

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

**#851-26-000202-PLNG:** A partition request to create three (3) residential parcels. Located southeast of the City of Tillamook, via Brickyard Road, a county road. The subject property is designated as Tax Lot 404 of Section 10B, Township 2 South, Range 09 West of the Willamette Meridian, Tillamook County Oregon. The subject property is zoned Rural Residential (RR-2). The owners are Robert & Vallie Lichner, and the applicant is Rice Surveying and Consulting.

Written comments received by the Department of Community Development **prior to 4:00p.m. on June 3, 2026**, 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 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 4, 2026.

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: <https://www.tillamookcounty.gov/commdev/landuseapps> 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 at [angela.rimoldi@tillamookcounty.gov](mailto:angela.rimoldi@tillamookcounty.gov).

Sincerely,

Angela Rimoldi, Planning Permit Technician

Sarah Absher, CFM, Director

Enc. Vicinity, Assessor and Zoning Maps  
Applicable Ordinance Criteria

## REVIEW CRITERIA

### **TILLAMOOK COUNTY LAND DEVELOPMENT ORDINANCE**

#### SECTION 3.010: RURAL RESIDENTIAL 2 ACRE AND 10 ACRE ZONE (RR-2) (RR-10)

4. STANDARDS: Land divisions and development in the RR-2 and RR-10 zone shall conform to the following standards, unless more restrictive supplemental regulations apply:

- (a) The minimum lot size is two acres for parcels zoned before October 4, 2000.
- (b) The minimum parcel/lot size is 10 acres for lots/parcels re-zoned Rural Residential on or after October 4, 2000.
- (c) Parcels less than two acres in size that were legally established prior to December 18, 2002 may be built upon provided that all other requirements of this Ordinance and other applicable development requirements are met.
- (d) Lots in an approved preliminary subdivision plat that is being maintained in an active status as of the date adopted of this Ordinance may be built upon after approval and recording of the final plat.
- (e) The minimum lot width and depth shall both be 100 feet.
- (f) The minimum front yard shall be 20 feet.
- (g) The minimum side yard shall be 5 feet; on the street side of a corner lot, it shall be no less than 15 feet.
- (h) 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**

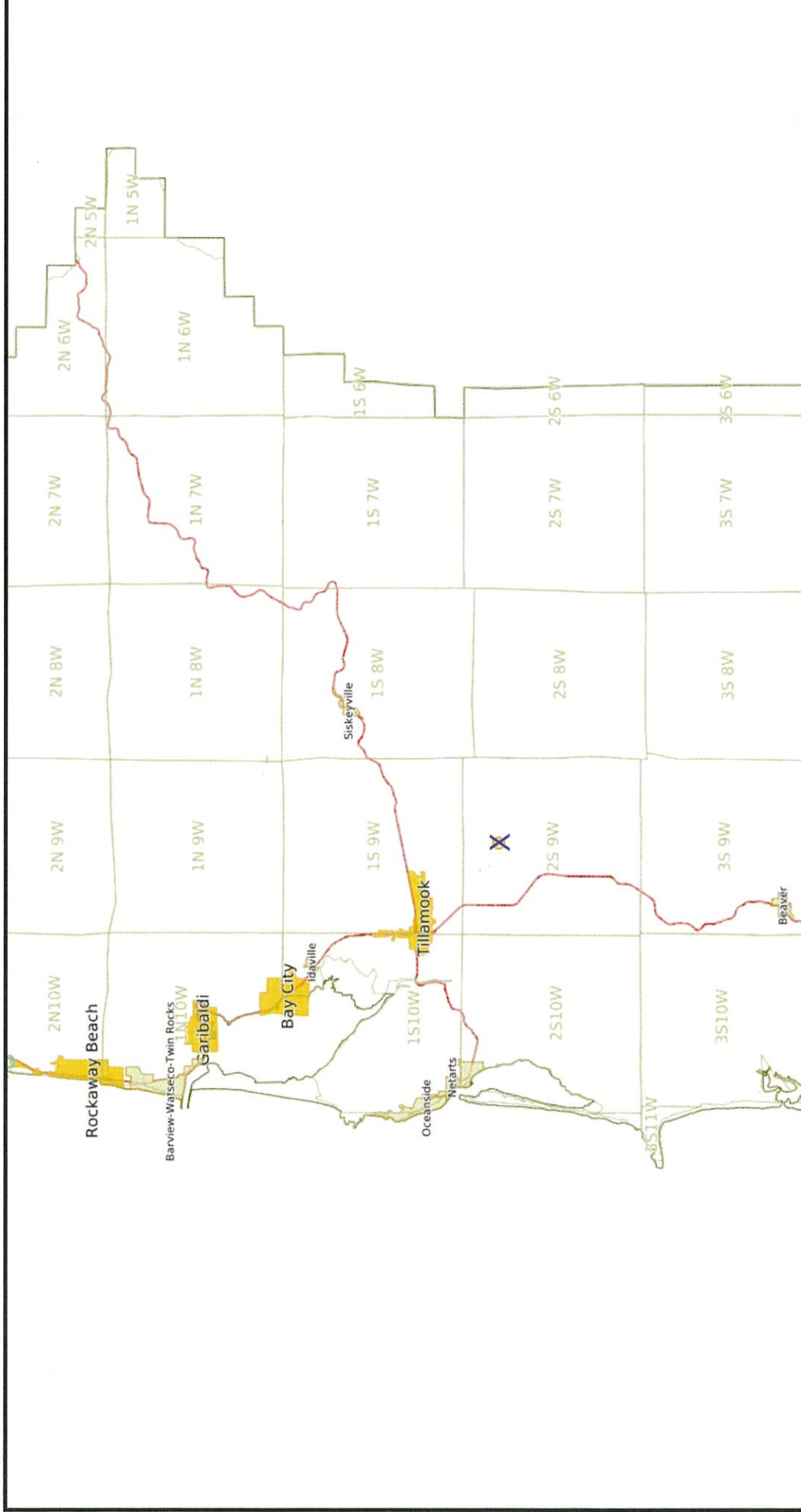
#### SECTION 070: PRELIMINARY PLAT APPROVAL CRITERIA

(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.



# Tillamook County GIS

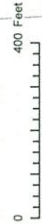


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THIS MAP IS FOR ASSESSMENT AND TAXATION PURPOSES ONLY

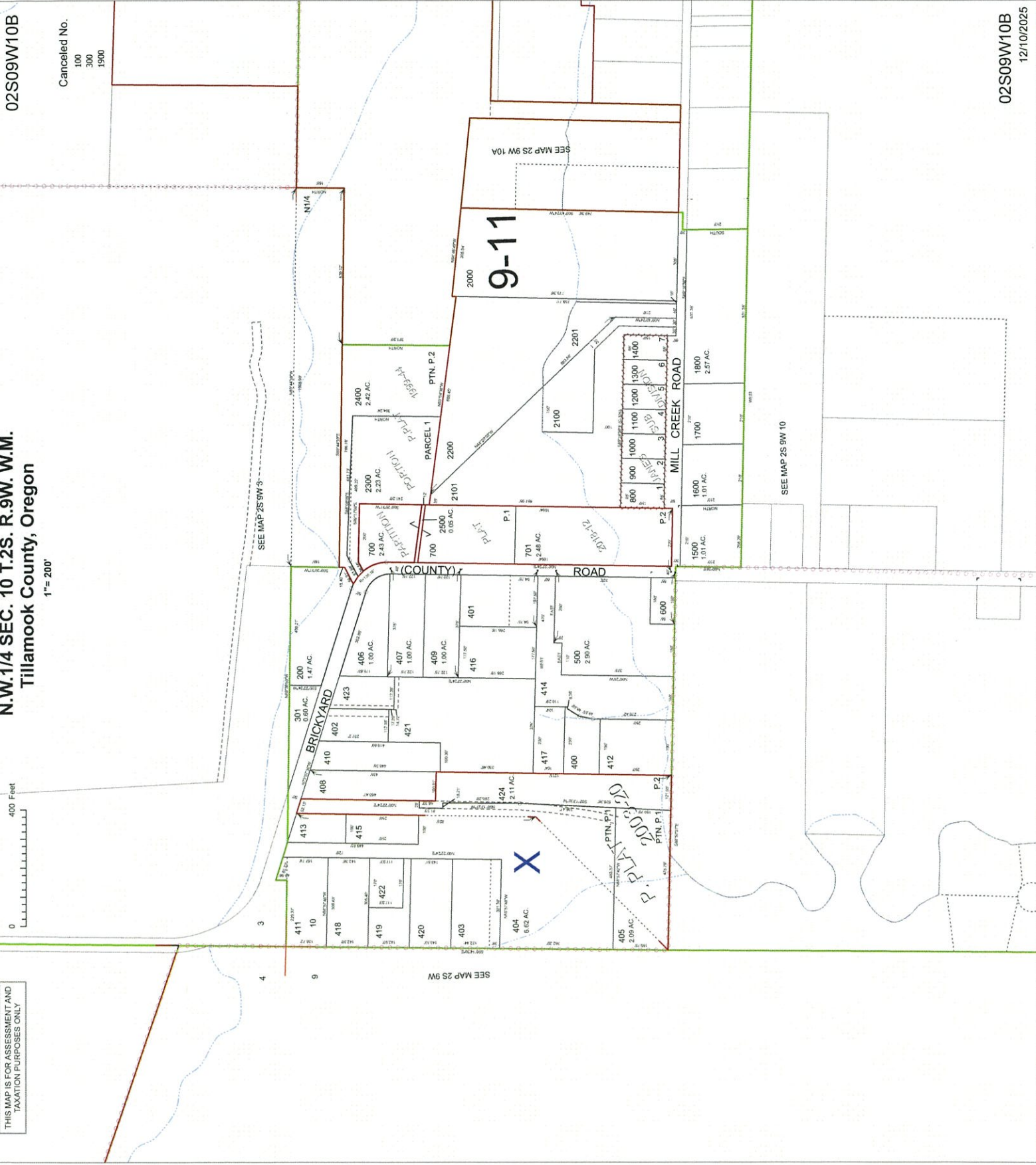
N.W.1/4 SEC. 10 T.2S. R.9W. W.M.  
Tillamook County, Oregon

1" = 200'



02S09W10B

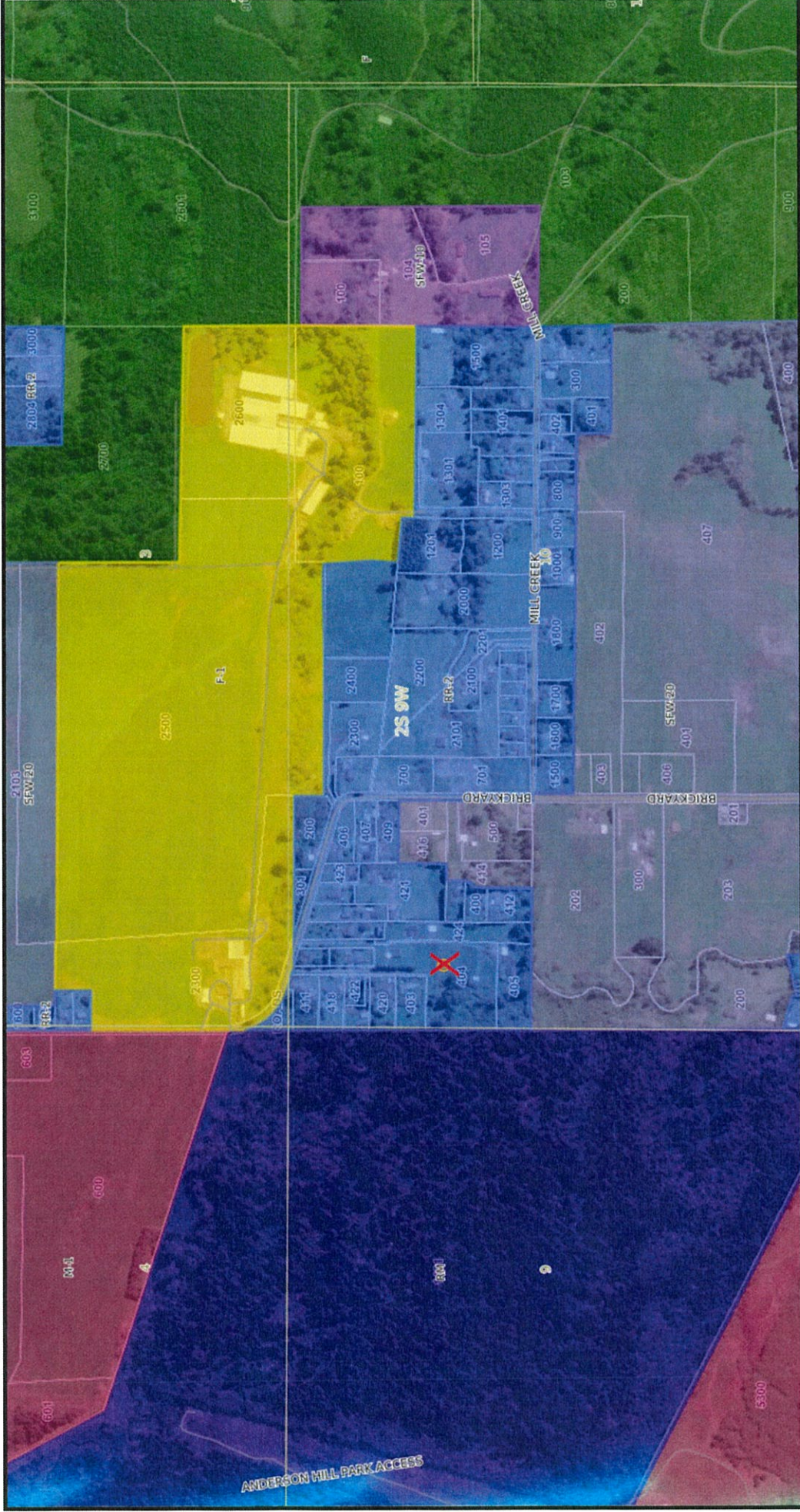
Canceled No.  
100  
300  
1300



02S09W10B  
12/10/2025



# Tillamook County GIS



Created: Thu May 14 2026-11:28:49  
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## LAND DIVISION APPLICATION

### Applicant (Check Box if Same as Property Owner)

Name: Michael R. Rice, PLS Phone: 503-801-7901  
 Address: P.O. Box 521  
 City: Tillamook State: OR Zip: 97141  
 Email: ricesurveying@outlook.com

### Property Owner

Name: Robert A. & Vallie K. Lichner Phone: 541-316-3092  
 Address: 2170 NW Sedgwick Ave.  
 City: Terrebonne State: OR Zip: 97760  
 Email: bob.lichner@gmail.com

### Location:

Site Address: 4644 Brickyard Road Tillamook, OR. 97141

Map Number:	2S	9W	10B	#404
	Township	Range	Section	Tax Lot(s)

Land Division Type:  Partition (Two or Three Lots, Type II)  Subdivision (Four or More Lots, Type III)  
 Preliminary Plat (Pages 1-2)  Final Plat (Page 3)

### PRELIMINARY PLAT (LDO 060(1)(B))

#### General Information

- |   |   |  |
|---|---|--|
| <input type="checkbox"/> For subdivisions, the proposed name.   | <input type="checkbox"/> Parcel zoning and overlays   | <input type="checkbox"/> Fifteen (15) legible "to scale" hard copies |
| <input checked="" type="checkbox"/> Date, north arrow, scale of drawing.  | <input checked="" type="checkbox"/> Title Block   | <input type="checkbox"/> One digital copy                            |
| <input checked="" type="checkbox"/> Location of the development sufficient to development sufficient to define its location, boundaries, and a legal description of the site. | <input checked="" type="checkbox"/> Clear identification of the drawing as "Preliminary Plat" and date of preparation |  |
|   | <input checked="" type="checkbox"/> Name and addresses of owner(s), developer, and engineer or surveyor               |  |

#### Existing Conditions

- |  |   |   |
|--|---|---|
| <input checked="" type="checkbox"/> Existing streets with names, right-of-way, pavement widths, access points.   | <input type="checkbox"/> Ground elevations shown by contour lines at 2-foot vertical interval. Such ground elevations shall be related to some established benchmark or other datum approved by the County Surveyor | <input type="checkbox"/> Other information:<br>_____<br>_____<br>_____<br>_____ |
| <input checked="" type="checkbox"/> Width, location and purpose of existing easements  | <input type="checkbox"/> The location and elevation of the closest benchmark(s) within or adjacent to the site  |   |
| <input checked="" type="checkbox"/> The location and present use of all structures, and indication of any that will remain after platting.   | <input type="checkbox"/> Natural features such as drainage ways, rock outcroppings, aquifer recharge areas, wetlands, marshes, beaches, dunes and tide flats  |   |
| <input checked="" type="checkbox"/> Location and identity of all utilities on and abutting the site. If water mains and sewers are not on site, show distance to the nearest one and how they will be brought to standards | <input type="checkbox"/> For any plat that is 5 acres or larger, the Base Flood Elevation, per FEMA Flood Insurance Rate Maps   |   |
| <input checked="" type="checkbox"/> Location of all existing subsurface sewerage systems, including drainfields and associated easements   |   |   |

<b>OFFICE USE ONLY</b>
Date Stamp <div style="border: 2px solid blue; padding: 5px; text-align: center;"> <b>RECEIVED</b>          APR 28 2026          BY: SAT-Counter       </div>
<input type="checkbox"/> Approved <input type="checkbox"/> Denied
Received by:
Receipt #:
Fees:
Permit No: 851-26-00202-PLNG

- 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

**Proposed Development**

- Proposed uses of the property, including all areas proposed to be dedicated as public right-of-way or reserved as open space
- On slopes exceeding an average grade of 10%, as shown on a submitted topographic survey, the preliminary location of development on lots demonstrating that future development can meet minimum required setbacks and applicable engineering design standards
- Preliminary utility plans for sewer, water and storm drainage when these utilities are to be provided
- The approximate location and identity of other utilities, including the locations of street lighting fixtures, as applicable
- Evidence of compliance with applicable overlay zones, including but not limited to the Flood Hazard Overlay (FH) zone
- Evidence of contact with the applicable road authority for proposed new street connections
- Certificates or letters from utility companies or districts stating that they are capable of providing service to the proposed development

**Additional Information Required for Subdivisions**

- Preliminary street layout of undivided portion of lot
- Special studies of areas which appear to be hazardous due to local geologic conditions
- Where the plat includes natural features subject to the conditions or requirements contained in the County's Land Use Ordinance, materials shall be provided to demonstrate that those conditions and/or requirements can be met
- Approximate center line profiles of streets, including extensions for a reasonable distance beyond the limits of the proposed Subdivision, showing the proposed finished grades and the nature and extent of construction
- Profiles of proposed drainage ways
- In areas subject to flooding, materials shall be submitted to demonstrate that the requirements of the Flood Hazard Overlay (FHO) zone of the County's Land Use Ordinance will be met
- If lot areas are to be graded, a plan showing the nature of cuts and fills, and information on the character of the soil
- Proposed method of financing the construction of common improvements such as street, drainage ways, sewer lines and water supply lines

- FINAL PLAT (LDO 090(1))**
- Date, scale, north arrow, legend, highways, and railroads contiguous to the plat perimeter
- Description of the plat perimeter
- The names and signatures of all interest holders in the land being platted, and the surveyor
- Monuments of existing surveys identified, related 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

**Certificates:**

- Title interest & consent       Water
- Dedication for public use       Public Works
- Engineering/Survey

Additional Information:

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**Authorization**

This permit application does not assure permit approval. The applicant and/or property owner shall be responsible for obtaining any other necessary federal, state, and local permits. Within two (2) years of final review and approval, all final plats for land divisions shall be filed and recorded with the County Clerk, except as required otherwise for the filing of a plat to lawfully 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.

\* Robert Richman  
 Property Owner (\*Required)

[Signature]  
 Applicant Signature

Date  
4/3/26  
 Date



# PARTITION PLAT PROPOSAL

LOCATED IN THE NW 1/4 OF SEC. 10 & SW 1/4 OF SEC. 3,  
T. 2 S., R. 9 W., W.M.  
TILLAMOOK COUNTY, OREGON  
MARCH 31st, 2026

**BASIS OF BEARINGS:**

THE BASIS OF BEARINGS FOR THIS PROPOSAL IS ACROSS FOUND MONUMENTS OF RECORD ALONG THE WESTERLY LINE OF SECTION 10, T. 2 S., R. 9 W., W.M. FROM THE NORTHWEST CORNER OF SECTION 10 TO THE WEST 1/4 OF SECTION 10. RECORD FROM P. PLAT #2003-20 (P-700), TILLAMOOK COUNTY SURVEY RECORDS. SAID BEARING IS (S0°06'22"E) AS SHOWN HEREON.

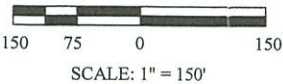
**NARRATIVE:**

THIS SURVEY WAS CONDUCTED AS A DEPENDENT RESURVEY OF THE SUBJECT PROPERTY DESCRIBED AS ADJUSTED TRACT A, INST. #2025-003634, TILLAMOOK COUNTY CLERK'S RECORDS.

HOLDING ALL MONUMENTS EXCEPT THE MOST NOTHERLY CORNER OF TRACT A, THE MOST SOUTHERLY CORNER OF PARCEL 1 AND THE MOST NORTHERLY CORNER OF PARCEL 2, P.P. #2003-20 (P-700).

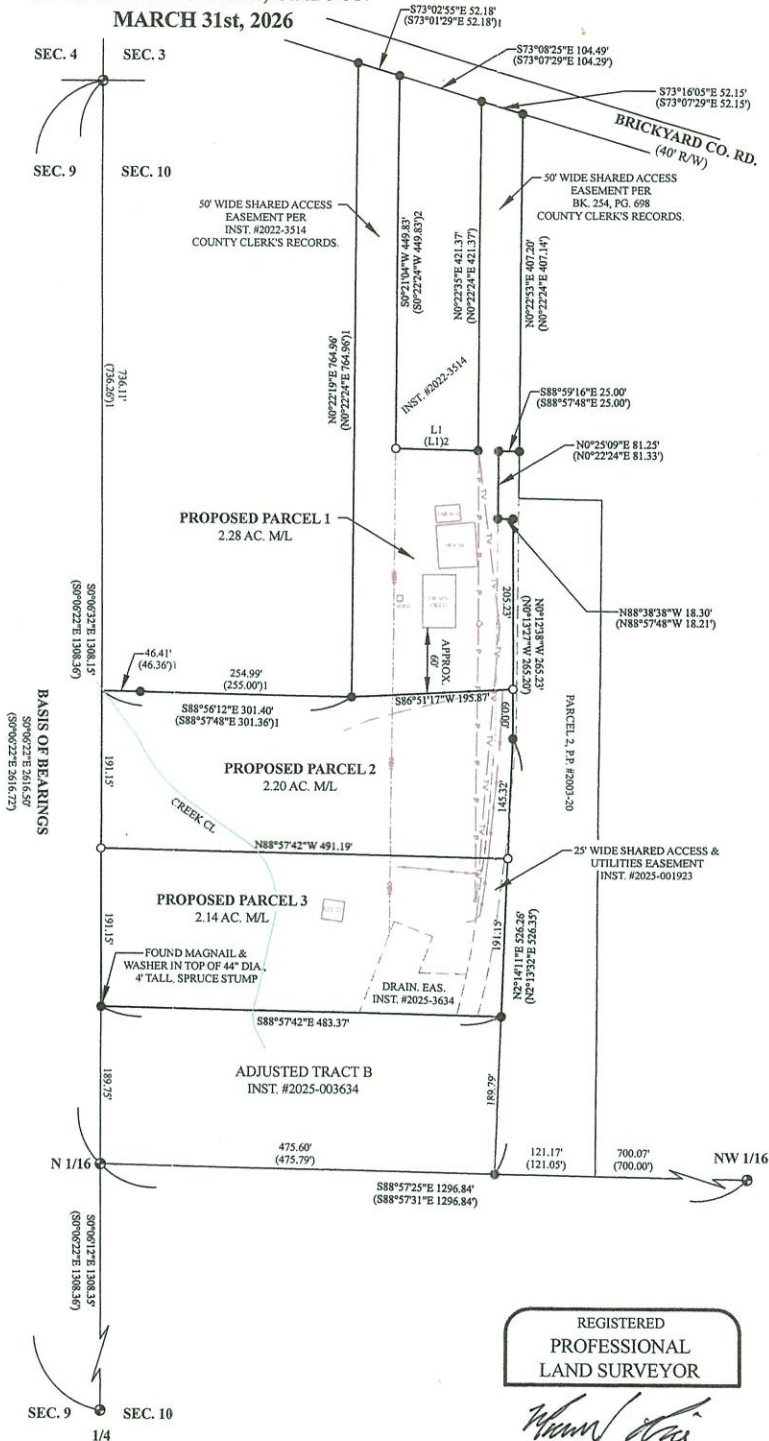
THE SHED ON PROPOSED PARCEL 3 TO BE REMOVED.

NUM	BEARING	DIST.
L1	S88°56'37"E	100.00'
(L1)	(S88°57'48"E)2	(100.00')2



**LEGEND:**

- PROPOSED SET MONUMENT.
  - FOUND MONUMENT AS SHOWN ON MAP B-4487, TILLAMOOK COUNTY SURVEY RECORDS, HELD.
  - ( ) RECORD PER P. PLAT #2003-20 (P-700), TILLAMOOK COUNTY SURVEY RECORDS.
  - (1) RECORD MAP B-3250, TILLAMOOK COUNTY SURVEY RECORDS.
- NO ( ) EQUALS MEASURED VALUE. MEASURED EQUALS RECORD TILLAMOOK COUNTY SURVEY RECORDS, UNLESS OTHERWISE NOTED.



REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*Michael R. Rice*  
OREGON  
DECEMBER 11, 2012  
MICHAEL R. RICE  
86926

RENEWAL 12-31-2026

PARTITION PLAT PROPOSAL FOR :  
**ROBERT A. & VALLIE K. LICHNER**  
LANDS DESCRIBED IN THE NW 1/4 OF THE NW 1/4 OF SECTION 10,  
T. 2 S., R. 9 W., W.M.  
ADJUSTED TRACT A, INST. #2025-003634,  
TILLAMOOK COUNTY CLERK'S RECORDS



**RSC**  
RICE SURVEYING AND CONSULTING  
P.O. BOX 521  
TILLAMOOK, OREGON 97141  
CELL: (503) 801-7901

*Clyde Wagner*  
*Wagner Waterworks*  
*clyde@wagnerwaterworks.com*  
7155 Vaughn Road  
Tillamook, Oregon 97141  
503-812-9751

April 24, 2026  
Mike Rice  
ricesurveying@outlook.com

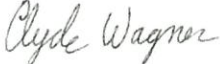
Re: Water Availability

Dear Mike Rice,

This letter is to inform you that Tillamook County tax lot **2S0910B0 00404**, owned by Robert & Vallie Lichner, lies within Long Prairie Water District boundaries and currently receives public water service.

Please contact me if you have any questions or concerns.

Sincerely,

  
Clyde Wagner  
Operator  
Long Prairie Water District  
503-812-9751  
clyde@wagnerwaterworks.com

DEED-PLAD  
\$30.00 \$11.00 \$61.00 \$10.00 - Total = \$112.00



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

Christy Nyseth, Tillamook County Clerk

After recording return to:

RICE SURVEYING  
P.O. Box 521  
TILLAMOOK, OR. 97141

Tax statements: no change

Informational Purposes Only (does not affect conveyance):

Map and tax lots: 250910-B0-00404 and 405 (2025)

Situs address: 4644 and 4650 Brickyard Road, Tillamook, Oregon

**BARGAIN AND SALE DEED  
(Property Line Adjustment)  
(ORS 92.190(4))**

Robert A. Lichner and Vallie K. Lichner (together, "Grantor") is the owner of the real property located at 4644 and 4650 Brickyard Road, Tillamook, Oregon, legally described in Exhibit A. Grantor hereby conveys unto Robert A. Lichner and Vallie K. Lichner, as tenants by the entirety ("Grantee") the real property described in Exhibits B and C, subject to all matters of record.

The true consideration for this conveyance is \$0.00. The purpose of this Bargain and Sale Deed is to perfect a property line adjustment, which has been reviewed and approved by the Tillamook County Department of Community Development, Property Line Adjustment Review, File #851-24-000367. A map of the adjustment is recorded at Survey B-4487, Tillamook County Survey Records.

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, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009. 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, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009 AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

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APN: 166251

Bargain and Sale Deed  
- continued

File No.: 7051-820230 (KMG)  
Date: 05/14/2007

**EXHIBIT A**

LEGAL DESCRIPTION:

TRACT A:

PART OF SECTION 10, TOWNSHIP 2 SOUTH, RANGE 9 WEST OF THE WILLAMETTE MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 10; THENCE SOUTH 700 FEET ALONG THE WEST LINE OF SAID SECTION 10 TO THE TRUE POINT OF BEGINNING OF THE TRACT TO BE DESCRIBED; THENCE IN AN EASTERLY DIRECTION ALONG THE SOUTH LINE OF THAT PARCEL OF LAND CONVEYED TO FRANK MCCOY, ET AL BY DEED RECORDED MAY 02, 1973 IN BOOK 231, PAGE 817 OF TILLAMOOK DEED RECORDS, TO THE SOUTHEAST CORNER THEREOF; THENCE NORTH 725 FEET TO BRICKYARD COUNTY ROAD; THENCE SOUTHEASTERLY ALONG SAID COUNTY ROAD 130 FEET; THENCE SOUTH 825 FEET; THENCE SOUTHWESTERLY 675 FEET TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 10; THENCE NORTH 620 FEET, MORE OR LESS, ALONG THE WEST LINE OF SAID SECTION 10 TO THE POINT OF BEGINNING, ALL BEING IN TILLAMOOK COUNTY, OREGON AND EXCEPTING THEREFROM THAT TRACT CONVEYED TO GERALD STELZIG BY DEED RECORDED IN BOOK 253, PAGE 44 OF TILLAMOOK DEED RECORDS.

TRACT B:

PARCEL 1, PARTITION PLAT NO. 2003-20, IN TILLAMOOK COUNTY, OREGON. TOGETHER WITH AN EASEMENT FOR INGRESS AND EGRESS AS DISCLOSED BY PARTITION PLAT 2003-20.

**EXHIBIT "B"**  
**ADJUSTED TRACT A**

A PORTION OF THAT LAND DESCRIBED AS TRACT A: INSTRUMENT #2007-008192 AND A PORTION OF PARCEL 1, PARTITION PLAT #2003-20 AS RECORDED IN PLAT CABINET B 800-0 ON AUGUST 22, 2003 AS INSTRUMENT #2003-424489, TILLAMOOK COUNTY CLERK'S RECORDS. LOCATED IN THE NW ¼ OF THE NW ¼ OF SECTION 10, TOWNSHIP 2 SOUTH, RANGE 9 WEST, WILLAMETTE MERIDIAN, TILLAMOOK COUNTY, OREGON. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH 1/16<sup>th</sup> CORNER COMMON TO SECTIONS 9 AND 10 OF THE ABOVE DESCRIBED TOWNSHIP 2 SOUTH, RANGE 9 WEST, WILLAMETTE MERIDIAN, SAID POINT BEING THE INITIAL POINT OF PARTITION PLAT #2003-20 AND BEING MARKED WITH A 5/8" IRON ROD WITH YELLOW PLASTIC CAP MARKED, "C WAYNE COOK PLS 1098"; THENCE ALONG SAID SECTION LINE BEARING NORTH 0°06'32" WEST A DISTANCE OF 189.75 FEET TO A MAGNAIL WITH A WASHER IN TOP OF A 44" DIAMETER, 4' TALL SPRUCE STUMP AND THE **TRUE POINT OF BEGINNING** OF THE TRACT HEREIN DESCRIBED; THENCE SOUTH 88°57'42" EAST A DISTANCE OF 483.37 FEET TO A 5/8" IRON ROD WITH A RED PLASTIC CAP MARKED, "RSC PLS 86926"; THENCE NORTH 2°14'11" EAST A DISTANCE OF 336.47 FEET TO A 5/8" IRON ROD WITH A YELLOW PLASTIC CAP MARKED, "C WAYNE COOK PLS 1098"; THENCE NORTH 0°12'38" WEST A DISTANCE OF 265.23 FEET TO A 5/8" IRON ROD WITH A YELLOW PLASTIC CAP MARKED, "C WAYNE COOK PLS 1098"; THENCE NORTH 88°38'38" WEST A DISTANCE OF 18.30 FEET TO A 5/8" IRON ROD WITH A YELLOW PLASTIC CAP MARKED, "C WAYNE COOK PLS 1098."; THENCE NORTH 0°25'09" EAST A DISTANCE OF 81.25 FEET TO A 5/8" IRON ROD WITH A YELLOW PLASTIC CAP MARKED, "C WAYNE COOK PLS 1098"; THENCE SOUTH 88°59'16" EAST A DISTANCE OF 25.00 FEET TO A 5/8" IRON ROD WITH A YELLOW PLASTIC CAP MARKED, "C WAYNE COOK PLS 1098"; THENCE NORTH 0°22'53" EAST A DISTANCE OF 407.20 FEET TO A 3/4" IRON ROD, SAID POINT BEING ON THE SOUTHERLY RIGHT-OF-WAY OF BRICKYARD COUNTY ROAD; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY BEARING NORTH 73°16'05" WEST A DISTANCE OF 52.15 FEET TO A 5/8" IRON ROD WITH A YELLOW PLASTIC CAP MARKED, "C WAYNE COOK PLS 1098"; THENCE SOUTH 0°22'35" WEST A DISTANCE OF 421.37 FEET TO A POINT; THENCE NORTH 88°56'37" WEST A DISTANCE OF 100.00 FEET TO A POINT; THENCE NORTH 0°21'04" EAST A DISTANCE OF 449.83 FEET TO A 5/8" IRON ROD WITH A YELLOW PLASTIC CAP MARKED, "C WAYNE COOK PLS 1098", SAID POINT BEING ON THE SOUTHERLY RIGHT-OF-WAY OF BRICKYARD COUNTY ROAD; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY BEARING NORTH 73°02'55" WEST A DISTANCE OF 52.18 FEET TO A POINT; THENCE SOUTH 0°22'19" WEST A DISTANCE OF 764.96 FEET TO A 5/8" IRON ROD WITH A YELLOW PLASTIC CAP MARKED, "TERRY JONES LS 2507"; THENCE NORTH 88°56'12" WEST A DISTANCE OF 301.40 FEET TO POINT; THENCE SOUTH 0°06'32" EAST A DISTANCE OF 382.29 FEET TO A MAGNAIL WITH A WASHER IN TOP OF A 44" DIAMETER, 4' TALL SPRUCE STUMP, SAID POINT BEING THE **TRUE POINT OF BEGINNING**.

**SUBJECT TO THE FOLLOWING:** AN EASEMENT FOR THE PURPOSES OF INSTALLING, OPERATING AND MAINTAINING A DRAINFIELD AND RELATED FACILITIES FOR AN

INDIVIDUAL ON-SITE SEWAGE DISPOSAL SYSTEM MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE POINT OF BEGINNING OF THE ABOVE-DESCRIBED TRACT OF LAND; THENCE BEARING SOUTH 88°57'42" EAST A DISTANCE OF 311.35 FEET TO THE **TRUE POINT OF BEGINNING** OF THE EASEMENT HEREIN DESCRIBED; THENCE NORTH 20°49'42" EAST A DISTANCE OF 118.30 FEET TO A POINT; THENCE SOUTH 69°10'18" EAST A DISTANCE OF 50.00 FEET TO A POINT; THENCE SOUTH 20°49'42" WEST A DISTANCE OF 47.17 FEET TO A POINT; THENCE SOUTH 88°57'42" EAST A DISTANCE OF 57.94 FEET TO A POINT; THENCE 51.25 FEET ALONG AN 875.00 FOOT RADIUS CURVE TO THE RIGHT, SAID CURVE HAVING A CHORD OF SOUTH 13°43'32" WEST 51.25 FEET AND A CENTRAL ANGLE OF 3°21'22"; THENCE NORTH 88°57'42" WEST A DISTANCE OF 117.81 FEET TO THE **TRUE POINT OF BEGINNING**.

**ALSO SUBJECT TO AND TOGETHER WITH THE FOLLOWING:**

RECIPROCAL ACCESS AND UTILITY EASEMENT MORE PARTICULARLY DESCRIBED IN INSTRUMENT #2025-001923, TILLAMOOK COUNTY CLERK'S RECORDS.

**EXHIBIT "C"**  
**ADJUSTED TRACT B**

A PORTION OF THAT LAND DESCRIBED AS TRACT A: INSTRUMENT #2007-008192 AND A PORTION OF PARCEL 1, PARTITION PLAT #2003-20 AS RECORDED IN PLAT CABINET B 800-0 ON AUGUST 22, 2003, AS INSTRUMENT #2003-424489, TILLAMOOK COUNTY CLERK'S RECORDS. LOCATED IN THE NW ¼ OF THE NW ¼ OF SECTION 10, TOWNSHIP 2 SOUTH, RANGE 9 WEST, WILLAMETTE MERIDIAN, TILLAMOOK COUNTY, OREGON. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING** AT THE NORTH 1/16<sup>th</sup> CORNER COMMON TO SECTIONS 9 AND 10 OF THE ABOVE DESCRIBED TOWNSHIP 2 SOUTH, RANGE 9 WEST, WILLAMETTE MERIDIAN, SAID POINT BEING THE INITIAL POINT OF PARTITION PLAT #2003-20 AND BEING MARKED WITH A 5/8" IRON ROD WITH YELLOW PLASTIC CAP MARKED, "C WAYNE COOK PLS 1098"; THENCE ALONG SAID SECTION LINE BEARING NORTH 0°06'32" WEST A DISTANCE OF 189.75 FEET TO A MAGNAIL WITH A WASHER IN TOP OF A 44" DIAMETER, 4' TALL SPRUCE STUMP; THENCE SOUTH 88°57'42" EAST A DISTANCE OF 483.37 FEET TO A 5/8" IRON ROD WITH A RED PLASTIC CAP MARKED, "RSC PLS 86926"; THENCE SOUTH 2°14'11" WEST A DISTANCE OF 189.79 FEET TO A POINT; THENCE NORTH 88°57'25" WEST A DISTANCE OF 475.60 FEET TO A 5/8" IRON ROD WITH A YELLOW PLASTIC CAP MARKED, "C WAYNE COOK PLS 1098", SAID POINT BEING THE **POINT OF BEGINNING** OF THE TRACT HEREIN DESCRIBED.

**TOGETHER WITH THE FOLLOWING:** AN EASEMENT FOR THE PURPOSES OF INSTALLING, OPERATING AND MAINTAINING A DRAINFIELD AND RELATED FACILITIES FOR AN INDIVIDUAL ON-SITE SEWAGE DISPOSAL SYSTEM MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE POINT OF BEGINNING OF THE ABOVE-DESCRIBED TRACT OF LAND; THENCE ALONG SAID SECTION LINE BEARING NORTH 0°06'32" WEST A DISTANCE OF 189.75 FEET TO A MAGNAIL WITH A WASHER IN TOP OF A 44" DIAMETER, 4' TALL SPRUCE STUMP; THENCE BEARING SOUTH 88°57'42" EAST A DISTANCE OF 311.35 FEET TO THE **TRUE POINT OF BEGINNING** OF THE EASEMENT HEREIN DESCRIBED; THENCE NORTH 20°49'42" EAST A DISTANCE OF 118.30 FEET TO A POINT; THENCE SOUTH 69°10'18" EAST A DISTANCE OF 50.00 FEET TO A POINT; THENCE SOUTH 20°49'42" WEST A DISTANCE OF 47.17 FEET TO A POINT; THENCE SOUTH 88°57'42" EAST A DISTANCE OF 57.94 FEET TO A POINT; THENCE 51.25 FEET ALONG AN 875.00 FOOT RADIUS CURVE TO THE RIGHT, SAID CURVE HAVING A CHORD OF SOUTH 13°43'32" WEST 51.25 FEET AND A CENTRAL ANGLE OF 3°21'22"; THENCE NORTH 88°57'42" WEST A DISTANCE OF 117.81 FEET TO THE **TRUE POINT OF BEGINNING**.

**ALSO TOGETHER WITH THE FOLLOWING:**

RECIPROCAL ACCESS AND UTILITY EASEMENT MORE PARTICULARLY DESCRIBED IN INSTRUMENT #2025-001923, TILLAMOOK COUNTY CLERK'S RECORDS.

DEED-EASAG  
\$40.00 \$11.00 \$61.00 \$10.00 - Total = \$122.00



00251197202500019230080083

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

Christy Nyseth, Tillamook County Clerk

After recording return to:

RICE SURVEYING  
P.O. Box 521  
TILLAMOOK, OR. 97141

## RECIPROCAL ACCESS AND UTILITY EASEMENT

THIS RECIPROCAL ACCESS AND UTILITY EASEMENT ("Easement") is given by and between Robert A. Lichner and Vallie K. Lichner (together, "Lichner") and Teddy J. Lane and Carrie A. Lane (together, "Lane"). The effective date of this Easement shall be the date on which it is last signed. The consideration is \$0.00 but consists of other good and valuable consideration.

### RECITALS

- A. Lichner is the owner of the following two properties, with the legal description provided in Exhibit A: (i) the real property with the situs address of 4650 Brickyard Road, also identified as map and tax lot 2S0910-B0-00405 (2025), Tillamook County, Oregon; and (ii) the real property with the situs address of 4644 Brickyard Road, Tillamook, OR also identified as 2S0910-B0-00404 (2025), Tillamook County, Oregon (together, "Lichner Property").
- B. Lane is the owner of that real property with the situs address of 4700 Brickyard Road, Tillamook, OR, also identified as map and tax lot 2S0910-B0-00424 (2025), Tillamook County, Oregon, which property is more specifically described in Exhibit B ("Lane Property").
- C. The Lichner Property and the Lane Property are each accessed by way of an existing gravel road that traverses the eastern edge of the Lichner Property, but also crosses and traverses a portion of the westernmost edge of the Lane Property. The parties desire to provide a reciprocal access and utility easement over and along this existing road, on the terms and conditions provided herein.

### AGREEMENT

The parties agree to the following terms and conditions:

1. Recitals. The text in the Recitals preceding this Section 1 is true and correct, and is hereby incorporated as a material part of this Easement.
2. Grant of Easement. Lichner hereby grants and conveys to Lane, and Lane hereby grants and conveys to Lichner, a 25'-wide nonexclusive and perpetual utility and access

easement over those portions of the Lichner Property and Lane Property described in Exhibit C ("Easement Area"). However, the aforementioned access and utility easement in favor of the Lane Property ends at, and does not extend any further south than, the current shop on the Lane Property; consequently, with respect to the Lane Property, the term "Easement Area" excludes any portion of the road south of the current shop on the Lane Property. This Easement shall be appurtenant to and run with both the Lichner Property and the Lane Property. A map of the Easement Area is provided in Exhibit D.

3. Maintenance and Repair. The maintenance and repair of the Easement shall be in accordance with ORS 105.170 *et seq.*, as such statutes may be amended or renumbered in the future. However, each party shall be solely responsible for the maintenance and repair of any utility facilities or portions of the access road that benefit only such party.
4. Improvements. Each party may install or upgrade utility facilities without the other party's consent, at their sole cost and with reasonable prior notice to the other party, provided that the Easement Area is promptly and substantially returned to the condition it was in prior to the installation or upgrade. Additionally, except in the mutual agreement of the parties to equally share costs, either party may pave or otherwise improve the surface or drainage of the road, or a portion thereof, at their sole cost, with reasonable prior notice to the other party.
5. Restrictions. Except in the mutual written agreement of the parties: (i) all utility facilities shall be underground; (ii) neither party may install a gate in the Easement Area; and (iii) except in the event of maintenance, repair or improvement of the Easement Area, no party may park, nor permit any of such party's licensees, invitees, guests, members, shareholders, employees, representatives or contractors to park, any vehicles or equipment, or place any other obstructions, in the Easement Area.
6. Representations and Warranties. Each party represents and warrants that: (i) each party is the lawfully vested owner of such party's respective property, and holds title free and clear of all security interests, liens, charges, levies, attachments, claims of any third party or governmental authority, or conflicting encumbrances; and (ii) each party has the legal power, right and authority to enter into this Easement without the consent or approval of any third party.
7. Reciprocal Indemnification. Each party shall indemnify and hold the other party (including the other party's licensees, invitees, guests, members, shareholders, employees, representatives or contractors) free and harmless from and against any and all claims, liability, losses (actual, incidental or consequential), including reasonable attorney fees, associated with or arising from (i) the use, inspection, repair, maintenance or improvement of the Easement Area by the indemnifying Party (or the indemnifying party's licensees, invitees, guests, members, shareholders, employees, representatives or contractors), or (ii) the breach of this Easement by the indemnifying party (or the

indemnifying party's licensees, invitees, guests, members, shareholders, employees, representatives or contractors).

- 8. Enforcement. In the event suit, action or proceedings are instituted or had to enforce the terms of this Easement, or to protect, assert or determine in any way either party's rights under this Easement, the party prevailing on an issue shall be entitled to recover with respect to such issue, in addition to costs, reasonable attorney fees incurred in preparation or in prosecution or defense of such arbitration, suit, or action as determined by the arbitrator or trial court, and if any appeal is taken from such decision, reasonable attorney fees as determined on appeal.
- 9. Binding on all Successors. This Easement is binding on the parties' successors, assigns, personal representatives, trustees, shareholders, directors, and representatives to the same extent as if such successors *et al.* were each named in this document.
- 10. Governing Law. The parties acknowledge that this Easement has been negotiated and entered into in the state of Oregon. The parties expressly agree that this Easement shall be governed by, interpreted under, and construed and enforced in accordance with the laws of the State of Oregon.

Robert A. Lichner 7-14-25  
Robert A. Lichner Date

Teddy J. Lane 5/12/25  
Teddy J. Lane Date

Vallie K. Lichner 7-14-'25  
Vallie K. Lichner Date

Carrie A. Lane 5/12/25  
Carrie A. Lane Date

STATE OF Alabama

)  
)ss.

Nicole Ann Baldwin 5/12/25  
Notary Public For Oregon

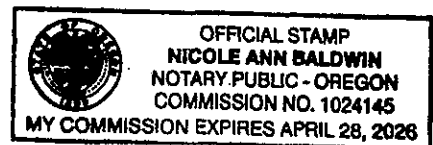
COUNTY OF Houston

) my Commission expires: April 28, 2026

This instrument was acknowledged before me on April 14, 2025, by Robert A. Lichner.

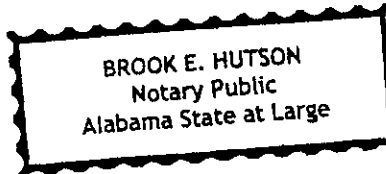
BROOK E. HUTSON  
Notary Public  
Alabama State at Large

Brook E. Hutson  
Notary Public for AL  
My commission expires: 02/10/2029



STATE OF Alabama )  
 )ss.  
COUNTY OF Houston )

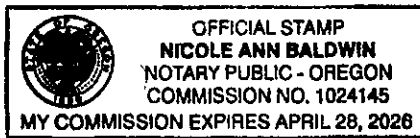
This instrument was acknowledged before me on April 14, 2025 by Vallie K. Lichner.



Brook E. Hutson  
Notary Public for ~~AL~~ ALBA  
My commission expires: 02/10/29

STATE OF Oregon )  
 )ss.  
COUNTY OF Tillamook )

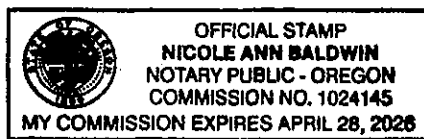
This instrument was acknowledged before me on May 12, 2025, by Teddy J. Lane.



Nicole Ann Baldwin  
Notary Public for Oregon  
My commission expires: April 28, 2026

STATE OF Oregon )  
 )ss.  
COUNTY OF Tillamook )

This instrument was acknowledged before me on May 12, 2025, by Carrie A. Lane.



Nicole Ann Baldwin  
Notary Public for Oregon  
My commission expires: April 28, 2026

APN: 166251

Bargain and Sale Deed  
- continued

File No.: 7051-820230 (KMG)  
Date: 05/14/2007

**EXHIBIT A**

**LEGAL DESCRIPTION:**

**TRACT A:**

PART OF SECTION 10, TOWNSHIP 2 SOUTH, RANGE 9 WEST OF THE WILLAMETTE MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 10; THENCE SOUTH 700 FEET ALONG THE WEST LINE OF SAID SECTION 10 TO THE TRUE POINT OF BEGINNING OF THE TRACT TO BE DESCRIBED; THENCE IN AN EASTERLY DIRECTION ALONG THE SOUTH LINE OF THAT PARCEL OF LAND CONVEYED TO FRANK MCCOY, ET AL BY DEED RECORDED MAY 02, 1973 IN BOOK 231, PAGE 817 OF TILLAMOOK DEED RECORDS, TO THE SOUTHEAST CORNER THEREOF; THENCE NORTH 725 FEET TO BRICKYARD COUNTY ROAD; THENCE SOUTHEASTERLY ALONG SAID COUNTY ROAD 130 FEET; THENCE SOUTH 825 FEET; THENCE SOUTHWESTERLY 675 FEET TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 10; THENCE NORTH 620 FEET, MORE OR LESS, ALONG THE WEST LINE OF SAID SECTION 10 TO THE POINT OF BEGINNING, ALL BEING IN TILLAMOOK COUNTY, OREGON AND EXCEPTING THEREFROM THAT TRACT CONVEYED TO GERALD STELZIG BY DEED RECORDED IN BOOK 253, PAGE 44 OF TILLAMOOK DEED RECORDS.

**TRACT B:**

PARCEL 1, PARTITION PLAT NO. 2003-20, IN TILLAMOOK COUNTY, OREGON. TOGETHER WITH AN EASEMENT FOR INGRESS AND EGRESS AS DISCLOSED BY PARTITION PLAT 2003-20.

**Exhibit B**  
**(Lane Property)**

Parcel 2 of PARTITION PLAT 2003-20, situated in the Northwest quarter of the Northwest quarter of Section 10, Township 2 South, Range 9 West, Willamette Meridian, County of Tillamook, State of Oregon, Tillamook County Records; TOGETHER WITH that access easement as delineated on said PARTITION PLAT 2003-20.

**Exhibit C**  
**(Easement Area)**

A 25 FOOT WIDE, RECIPROCAL, NON-EXCLUSIVE, PERPETUAL, ACCESS AND UTILITIES EASEMENT BETWEEN THOSE TRACTS OF LAND DESCRIBED IN INSTRUMENT #2007-8192 AND INSTRUMENT #2024-3927, TILLAMOOK COUNTY CLERK'S RECORDS, LOCATED IN THE NW ¼ OF THE NW ¼ OF SECTION 10, TOWNSHIP 2 SOUTH, RANGE 9 WEST, WILLAMETTE MERIDIAN, TILLAMOOK COUNTY, OREGON, BEING 12.5 FEET ON EITHER SIDE OF THE FOLLOWING CENTERLINE MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT BEING A 5/8" IRON ROD WITH A YELLOW PLASTIC CAP MARKED, "C WAYNE COOK PLS 1098", SAID POINT BEING THE MOST NORTHERLY, NORTHEAST CORNER OF PARCEL 2, PARTITION PLAT NO. 2003-20, TILLAMOOK COUNTY CLERK'S RECORD; THENCE N 88°59'16" W A DISTANCE OF 12.50' TO THE TRUE POINT OF BEGINNING OF THE EASEMENT HEREIN DESCRIBED:

THENCE S 0°25'09" W 346.26' TO A POINT;

THENCE S 4°22'54" W 100.18' TO A POINT;

THENCE S 6°58'11" W 111.88' TO A POINT;

THENCE 127.44' ALONG A 887.50' RADIUS CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 8°13'39" AND A CHORD THAT BEARS S11°05'01"W AND A CHORD DISTANCE OF 127.33' TO THE NORTH LINE OF ADJUSTED TRACT "B".

SEE ATTACHED MAP

# EXHIBIT "D"

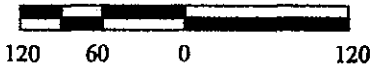
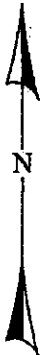
LOCATED IN THE NW 1/4 OF THE NW 1/4 OF SECTION 10  
 T. 2 S., R. 9 W., W.M.  
 TILLAMOOK COUNTY, OREGON  
 NOVEMBER 17th, 2024

REGISTERED  
 PROFESSIONAL  
 LAND SURVEYOR

*Michael R. Rice*

OREGON  
 DECEMBER 11, 2012  
 MICHAEL R. RICE  
 86926

RENEWAL 12-31-2024



SCALE: 1" = 120'

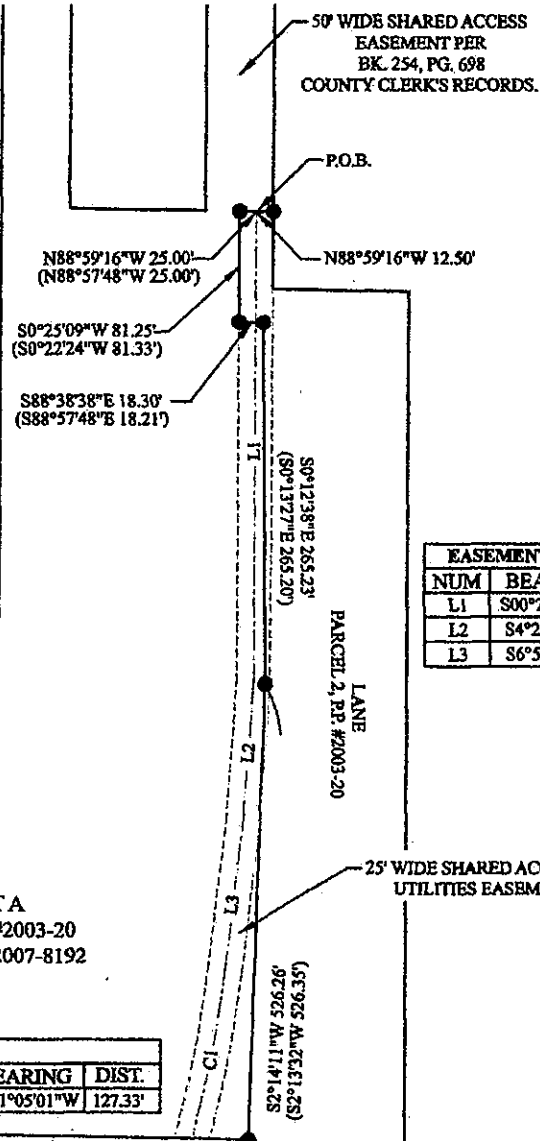
LICHNER  
 ADJUSTED TRACT A  
 POR. OF PARCEL 1, P.P. #2003-20  
 & POR. TRACT A INST. #2007-8192  
 6.62 AC. M/L

CURVE TABLE					
NUM	DELTA	ARC	RADIUS	BEARING	DIST.
C1	8°13'39"	127.44'	887.50'	S11°05'01"W	127.33'

LICHNER  
 ADJUSTED TRACT B  
 POR. OF PARCEL 1, P.P. #2003-20  
 & POR. TRACT A INST. #2007-8192  
 2.09 AC. M/L

N 1/16 475.60'  
(475.79') 189.79' 121.17  
(121.09') 700.07'  
(700.00') NW 1/16

N88°57'25"W 1296.84'  
 (N88°57'31"W 1296.84')



EASEMENT LINE TABLE		
NUM	BEARING	DIST.
L1	S00°25'09"W	346.26'
L2	S4°22'54"W	100.18'
L3	S6°58'11"W	111.88'