



Building	(503) 842-3407
Planning	(503) 842-3408
On-Site Sanitation	(503) 842-3409
Fax	(503) 842-1819
Toll Free	+1 (800) 488-8280

**PARTITION #851-24-000003-PLNG:
NEAHKAHNIE FARM PROPERTY / BAYSIDE SURVEYING
Administrative Decision & Staff Report**

Decision: Approved with Conditions
Decision Date: May 13, 2024
Report Prepared By: Angela Rimoldi, Planning Technician

I. GENERAL INFORMATION:

- Request:** A partition request to create two (2) separate parcels.
- Location:** Located east of the City of Manzanita accessed via Highway 101 N., a state highway. The subject area is designated as Tax Lot 100 of Section 29, Township 3 North, Range 10 West of the Willamette Meridian, Tillamook County Oregon.
- Zone:** Tillamook County’s Forest (F) zone and the City of Manzanita UGB (MZ_R) zone. Tillamook County’s decision is based on applicable Tillamook County Land Division Ordinance criteria.
- Applicant:** Bayside Surveying, 11765 Hwy. 101 S., Tillamook, OR. 97141
- Property Owner:** Neahkahniefarm Property, 36765 Highway 101 N., Nehalem, OR. 97131

Description of Site and Vicinity: The subject property is accessed via Highway 101 N., a state highway, is irregular in shape, approximately +/- 215 acres in size, is improved by a single-family dwelling and accessory structure, and vegetated with grasses, bushes, and trees (Exhibit A). The residential improvements are within the City of Manzanita’s UGB (MZ_R) zone. The topography of the subject property varies, however, is generally sloped with some flat areas. The subject property is located within an area primarily devoted to residential and forest use. The subject property is surrounded by properties zoned Forest (F) to the north and east, and properties zoned the City of Manzanita UGB (MZ_R) Lower Density Residential (MZ-C1) zone to the south and west (Exhibit A).

The subject property is located within an area of geologic hazard, contains mapped wetlands and natural features as indicated on the Statewide Wetlands Inventory map, and is located within Zone X an Area of

Minimal Flood Hazard, as depicted on the FEMA Flood Insurance Rate Map (FIRM 41057C0206F) (Exhibit A).

II. APPLICABLE ORDINANCE AND COMPREHENSIVE PLAN PROVISIONS:

The request is governed through the following Sections of the Tillamook County Land Use Ordinance (TCLUO). The suitability of the proposed use, in light of these criteria, is discussed in Section III of this report:

- A. Land Division Ordinance Section 070: Preliminary Plat Approval Criteria
- B. TCLUO Section 3.004: Forest (F) Zone
- C. TCLUO Section 4.130: Development Requirements for Geologic Hazard Areas
- D. TCLUO Section 4.140 Requirements for Protection of Water Quality and Streambank Stabilization
- E. TCLUO Section 3.550 Freshwater Wetlands Overlay (FW)

III. ANALYSIS:

Notice of the request was mailed to property owners within 750 feet of the subject property and agencies on March 8, 2024. Three comments were received from the Oregon Department Fish and Wildlife (ODFW), a neighboring property and Oregon Department of State Lands (Exhibit C).

No comment was provided in opposition to the proposed partition, however, acknowledgement made to the existing natural features within the property and direction for any/all future development to adhere to applicable standards. A Condition of Approval has been outlined below in Section V.

A. 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;*

Findings: The preliminary Plat maps depict the creation of two (2) parcels (Exhibit B). The applicability of the Forest (F) zone is addressed below. Plat and submitted supplemental information confirm the criteria above are met.

- (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;*

Findings: The preliminary plat confirms access to the subject property and subsequent parcels remains via Highway 101 N., a state highway (Exhibit B).

Land Division Ordinance Section 150 outlines development standards for partitions. Standards within this section either do not apply, evidence submitted by the Applicant confirms the standards are met or that the standards can be met through compliance with the Conditions of Approval.

Staff concludes the above standards and the standards in Sections 150 and 160 of the Land Division Ordinance have been met or can be met through the Conditions of Approval.

- (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.*

Findings: The subject property is served by the City of Manzanita for water availability; a verification letter signed by the City of Manzanita is included in the Applicant’s submittal (Exhibit B). Proposed parcel 1 is served with an existing onsite wastewater system (Exhibit B). Proposed parcel 2 holds no system improvements, however, a notation can be placed on the plat stating that the allowance of the partition does not warrant that site evaluation approval is or will be available to the approved parcel if site evaluation approval has not yet been obtained.

The subject property is also served by Nehalem Bay Fire Rescue, Oregon Department of Forestry, and the Tillamook County Sheriff’s Office. Given the location of the property, and the availability of public services existing in the area, staff conclude these criteria have been met or can be met through compliance with the Conditions of Approval.

B. TCLUO Section 3.004: Forest (F) Zone

(12) LAND DIVISIONS

- (a) *The minimum parcel size for new forest parcels is 80 (eighty) acres.*

(13) USE TABLE

Table 1 identifies the uses permitted in the F zone. This table applies to all new uses, expansions of existing uses, and changes of use when the expanded or changed use would require a Type 1, 2, or 3 review, unless otherwise specified on Table 1. All uses are subject to the general provisions, special conditions, additional restrictions and exceptions set forth in this ordinance.

Findings: The subject property is comprised of 3 lots of record (map details: 3N10000004900, 3N1028B000400 and 3N10290000100); however, the primary area being partitioned is part of 3N10290000100 which is zoned both Tillamook County’s Forest (F) zone and the City of Manzanita UGB (MZ_R) zone (Exhibit A and B).

The applicant has provided a preliminary plat confirming that proposed parcel 2 meets the 80-acre minimum lot size requirements of the Forest (F) zone (Exhibit B). Proposed parcel 1 will maintain the existing improvements which are located within the City of Manzanita's UGB (MZ_R) zone (Exhibit B). The portion of each proposed parcel which remains in the City of Manzanita UGB (MZ_R) zone will be required to continue the Partition approval with the City of Manzanita (Exhibit B). Staff finds these standards have been met or may be met through Conditions of Approval.

C. Land Use Ordinance Section 4.130: Development Requirements for Geologic Hazard Areas

- (1) *The following are GEOLOGIC HAZARD AREAS to which the standards of this Section apply:*
 - (a) *Active landslides identified in Oregon Department of Geology and Mineral Industries (DOGMI) Bulletins 74 and 79;*
 - (b) *Inactive landslides, landslide topography and mass movement topography identified in DOGMI bulletins 74 and 79 where slopes are greater than 19 percent;*
 - ...
- (2) *A GEOLOGIC HAZARD report is required prior to approval of planned developments, coast resorts, subdivisions and partitions governed by the Land Division Ordinance, building permits, mobile home permits, sand mining, occurring in areas identified in (1) with the following exception:*
 - (a) *For building or mobile home or manufactured home permits in areas identified in (1)*
 - (b) *, reports are needed for lots 20,000 square feet or larger only where the proposed structure is to be situated on slopes greater than 29 percent or if (1) (f) applies*

Findings: The subject property is within an area of geologic hazard (Exhibit A). Future development of the proposed parcels remains subject to development standards within, but not limited to, the TCLUO Section 4.130: Development Requirements for Geologic Hazard Areas. A Condition of Approval has been outlined below in Section V.

D. Land Use Ordinance Section 4.140: Requirements for Protection of Water Quality and Streambank Stabilization

- (1) *The following areas of riparian vegetation are defined:*
 - ...
- (2) *All development shall be located outside of areas listed in (1) above, unless:*
 - ...
- (3) *Exemptions from (2) above and from the applicable setback requirement for the front or rear yard that is opposite the riparian area may be granted without a variance for uses on:*
 - ...
- (4) *All trees and at least 50 percent of the understory vegetation shall be retained within areas listed in (1) above, with the following exceptions:*
 - ...

Findings: Future development of the proposed parcels is subject to the applicable standards outlined within TCLUO Section 4.140. A Condition of Approval has been outlined below in Section V.

E. Land Use Ordinance Section 3.550: Freshwater Wetlands Overlay (FW)

(1) *PURPOSE AND AREAS INCLUDED: The purpose of this zone is to protect significant areas of freshwater wetlands, marshes and swamps from filling, drainage or other alteration which would destroy or reduce their biological value. Areas included in this zone are:*

...

(2) *USES PERMITTED:*

...

(3) *STANDARDS: The following standard shall be met in addition to the standards of the underlying zone.*

Findings: Future development of the proposed parcels is subject to the applicable standards outlined within TCLUO Section 3.550. A Condition of Approval has been outlined below in Section V.

IV. DECISION: APPROVED WITH CONDITIONS

Staff concludes, based on the findings of fact and other relevant information in the record, the Applicant has satisfied or is able to satisfy the applicable ordinance requirements through the Conditions of Approval, and therefore, approves the request subject to the provisions in Section V below.

By accepting this approval, the applicants/property owners agree to indemnify, defend, save and hold harmless Tillamook County, and its officers, agents, and employees from any claim, suit, action or activity undertaken under this approval, including construction under a Building Permit approved subject to this approval. The applicants/property owners shall obtain all of the necessary local, state, and federal permits and comply with all applicable regulations for the proposed building site.

This decision may be appealed to the Tillamook County Planning Commission, who will hold a public hearing. Forms and fees must be filed in the office of this Department before **4:00 PM on May 28, 2024**.

V. CONDITIONS OF APPROVAL:

Failure to comply with the Conditions of Approval and ordinance provisions could result in nullification of this approval.

1. Prior to development of the parcels, the applicant/property owner shall obtain all Federal, State, and Local permits, as applicable.
2. This approval confirms the land division criteria outlined in the Tillamook County Land Division Ordinance have been met. This approval does not imply or guarantee any other approvals for the proposed partition have been granted.
3. Prior to final plat approval, a copy of the land use approval from the City of Manzanita shall be submitted to the Department of Community Development confirming the city has completed review of the partition proposal and that preliminary partition plat approval has been granted. Recording of the final plat shall not occur until evidence has been submitted to the Department that all necessary City of Manzanita approvals have been obtained.
4. The applicant shall record the Final Plat within two (2) years from the approval date of the Preliminary Plat or apply for an extension of time from this Department prior to expiration of Preliminary Plat approval.
5. The applicant shall record the Final Plat within ninety (90) days from the date of final signature of the partition plat.

6. All easements necessary to serve the Parcels for access and utilities shall be clearly identified on the Final Plat.
7. Future development is subject to standards required by TCLUO Section 3.004: Forest (F) Zone.
8. Future development is subject to standards required by TCLUO Section 4.130: Development Requirements for Geologic Hazard Areas.
9. Future development is subject to standards required by TCLUO 4.140 Requirements for Protection of Water Quality and Streambank Stabilization.
10. Future development is subject to standards required by TCLUO 3.550: Freshwater Wetlands Overlay (FW) zone.

VI. EXHIBITS:

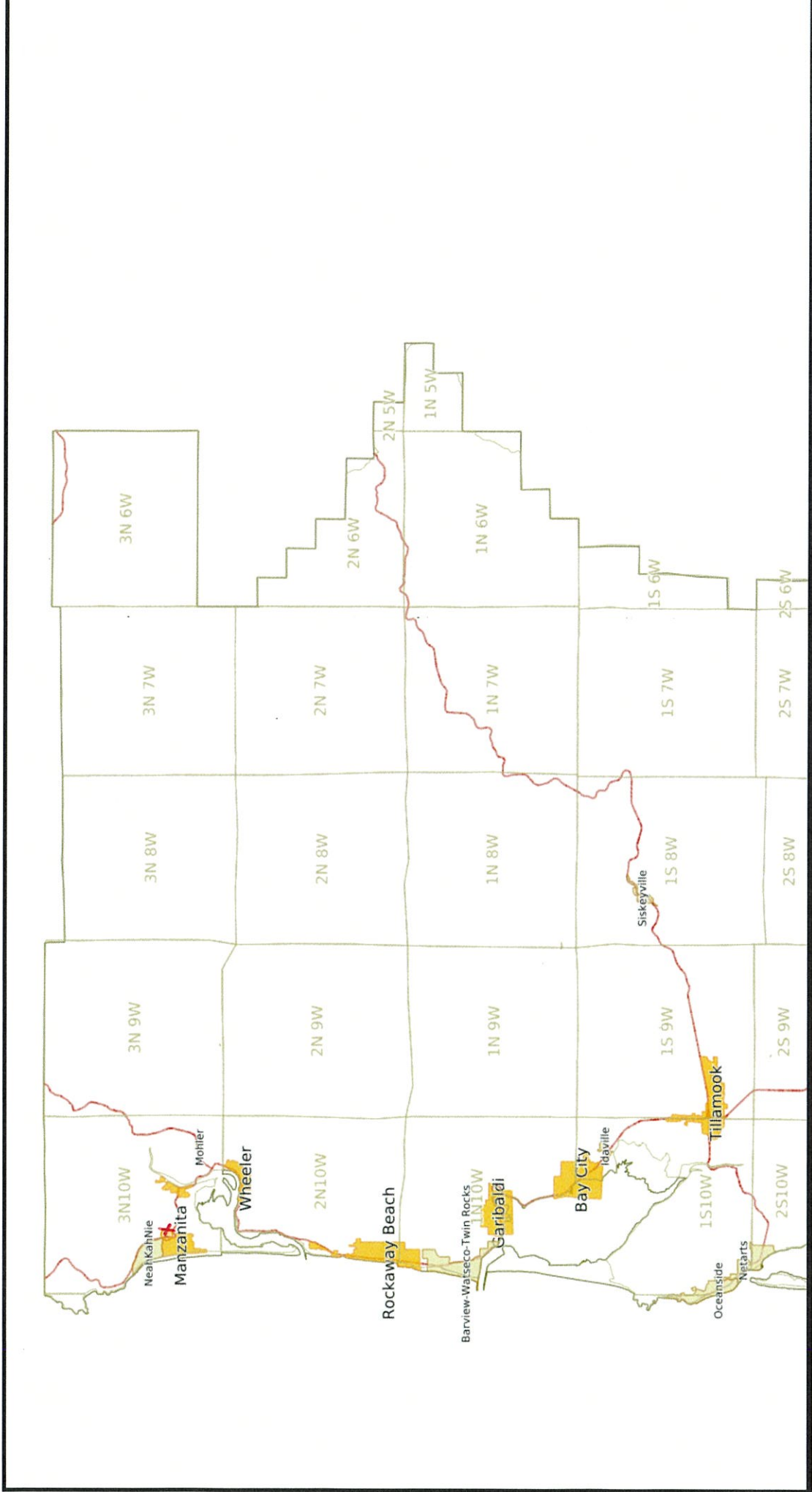
All Exhibits referenced herein are, by this reference, made a part hereof:

- A. Property identification maps and Assessor's Summary Report
- B. Applicant's submittal
- C. Public Comments

EXHIBIT A



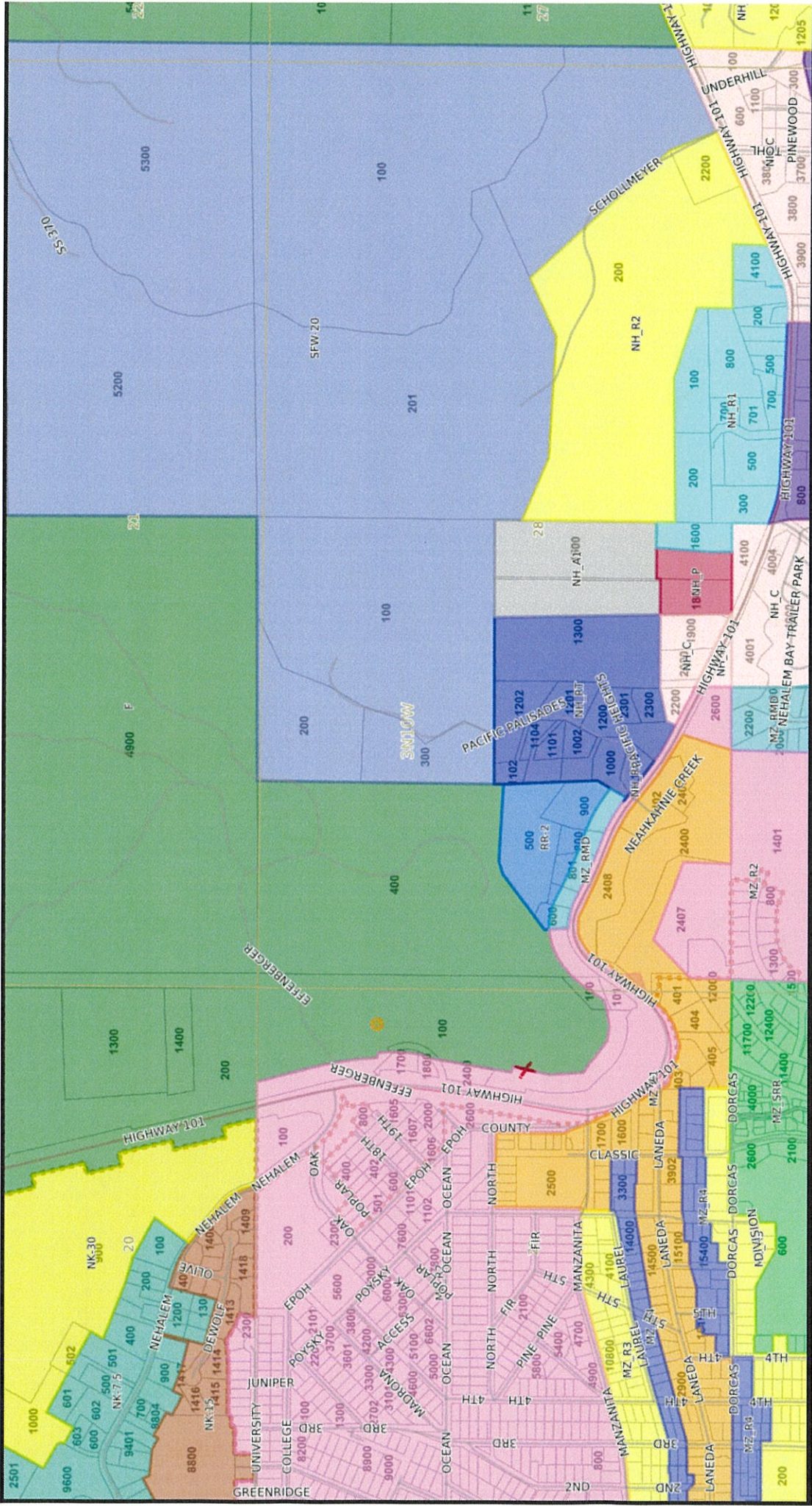
Tillamook County GIS



Created: Thu Mar 07 2024-13:27:25
Active Layers: County Boundary, Fed state highways, city limit, community polygon, TaxlotOwner, Township_Range_Section, Road_Centerline
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Tillamook County GIS



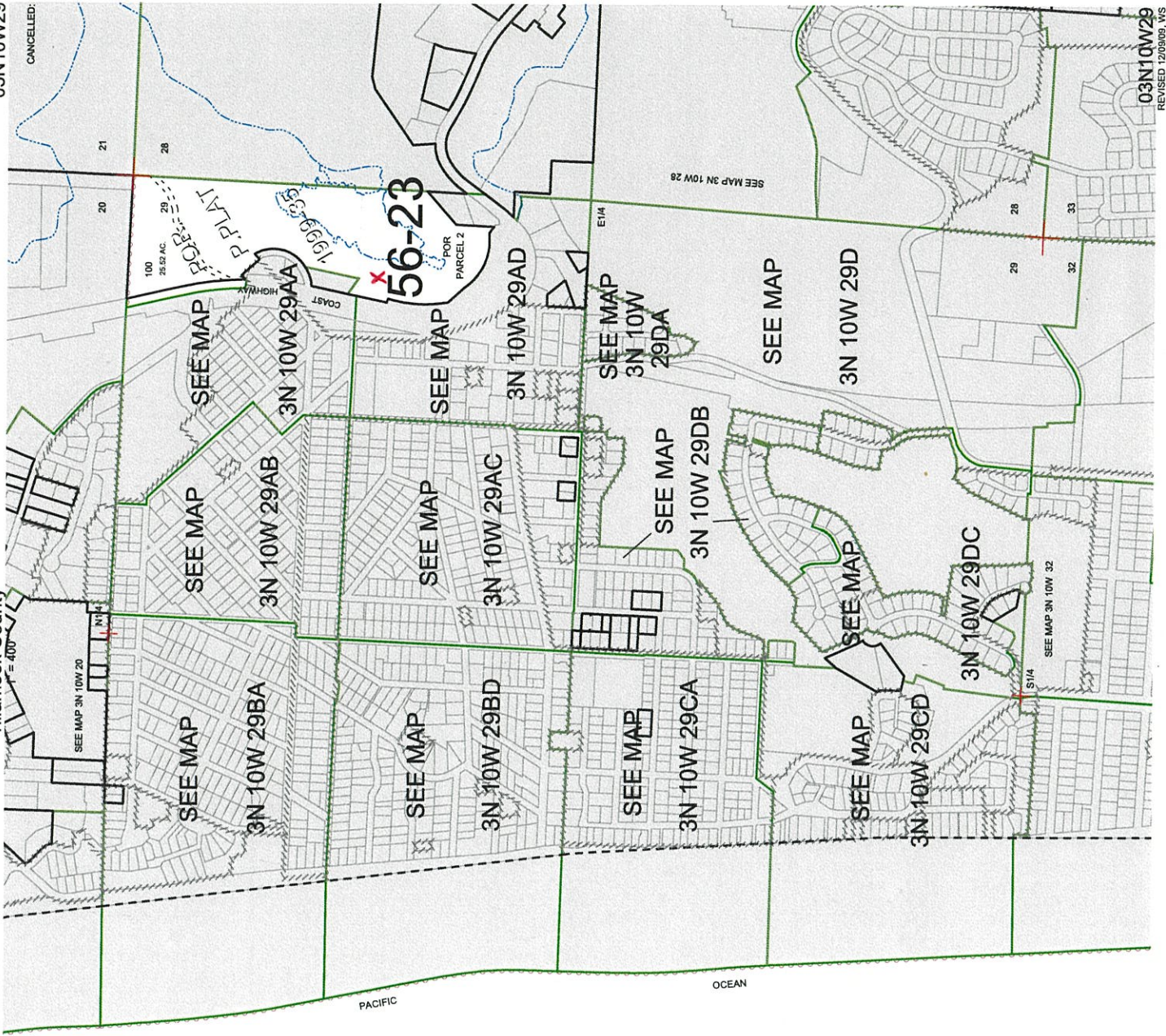
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FOR ASSESSMENT AND TAXATION ONLY, NOT SUITABLE FOR
LEGAL, ENGINEERING, OR SURVEY PURPOSES

SECTION 29 T.3N. R. 10W. W.M.
Tillamook County

03N10W29

CANCELLED:

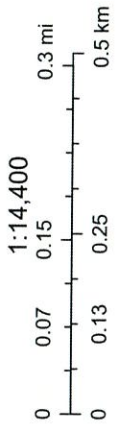


03N10W29
REVISED 12/08/09, WS

PARTITION #851-24-000003-PLNG

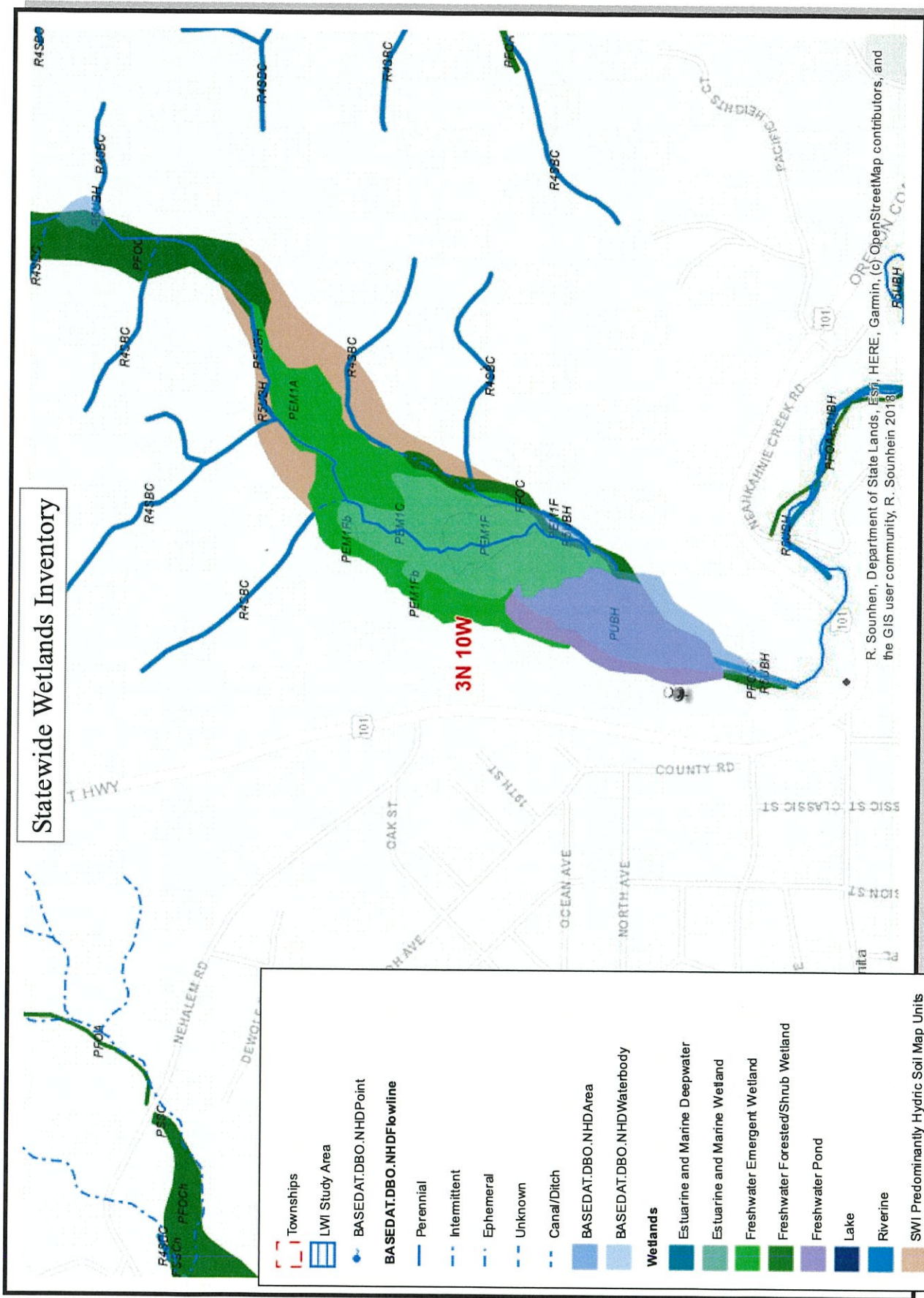


April 11, 2024



- 0-1
- 1-2
- 2-3
- 3-4
- 4-5
- 5-6
- 6-7
- Active Faults
- P2475 Instrumental Intensity Map
- Moderate (V)
- Strong (VI)
- Very Strong (VII)
- Severe (VIII)
- Violent (IX)
- Extreme (X)
- Detailed Susceptibility Reference Maps
- Deep Susceptibility
- Low susceptibility to deep landslides
- Moderate susceptibility to deep landslides
- High susceptibility to deep landslides
- Shallow Susceptibility
- Low susceptibility to shallow landslides
- Moderate susceptibility to shallow landslides
- High susceptibility to shallow landslides
- Statewide Landslide Susceptibility Overview Map
- Low
- Moderate
- High
- Very High
- Highest Hi-Lidar Hillshade
- 11244
- 21

Statewide Wetlands Inventory



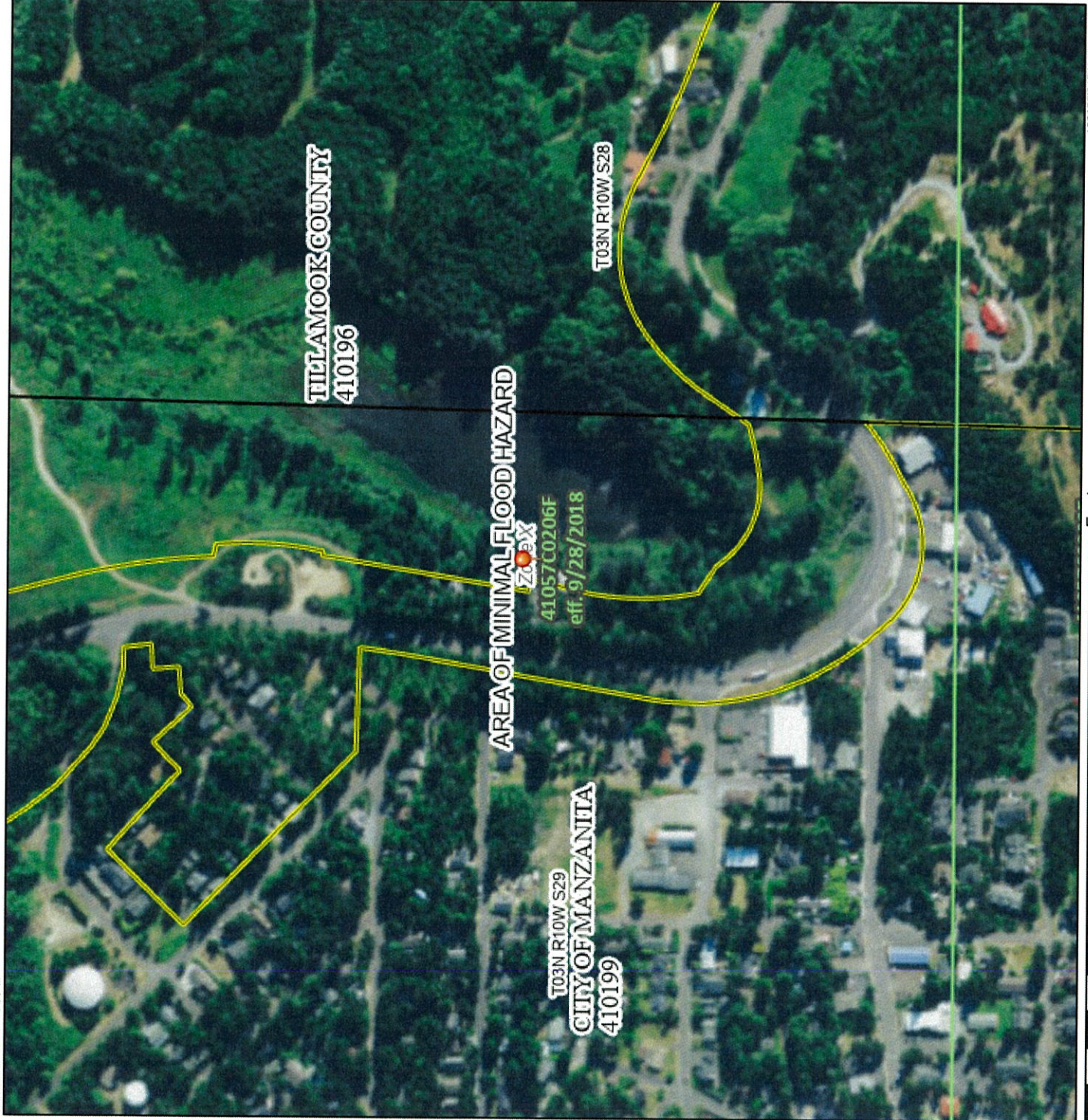
	Townships
	LWI Study Area
	BASEDAT.DBO.NHDPoint
	BASEDAT.DBO.NHDFlowline
	Perennial
	Intermittent
	Ephemeral
	Unknown
	Canal/Ditch
	BASEDAT.DBO.NHDArea
	BASEDAT.DBO.NHDWaterbody
Wetlands	
	Estuarine and Marine Deepwater
	Estuarine and Marine Wetland
	Freshwater Emergent Wetland
	Freshwater Forested/Shrub Wetland
	Freshwater Pond
	Lake
	Riverine
	SWI Predominantly Hydric Soil Map Units
	SWI Agate-Winlo Soils

R. Sounhen, Department of State Lands, Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community, R. Sounhein 2018

The Statewide Wetlands Inventory (SWI) represents the best data available at the time the map was published and is updated as new data becomes available. In all cases, actual field conditions, elevations, and boundaries of wetlands and waters (such as creeks and ponds). A notable investigation by a wetland professional can verify actual field conditions.

National Flood Hazard Layer FIRMette

123°55'58"W 45°43'30"N



0 250 500 1,000 1,500 2,000 Feet 1:6,000

123°55'52.1"W 45°43'5"N

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

- SPECIAL FLOOD HAZARD AREAS**
 - Without Base Flood Elevation (BFE) Zone A, V, A99
 - With BFE or Depth Zone AE, AO, AH, VE, AR
 - Regulatory Floodway
- OTHER AREAS OF FLOOD HAZARD**
 - 0.2% Annual Chance Flood Hazard, Area of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
 - Future Conditions 1% Annual Chance Flood Hazard Zone X
 - Area with Reduced Flood Risk due to Levee. See Notes, Zone X
 - Area with Flood Risk due to Levee Zone D
- OTHER AREAS**
 - NO SCREEN Area of Minimal Flood Hazard Zone X
 - Effective LOMRs
 - Area of Undetermined Flood Hazard Zone
- GENERAL STRUCTURES**
 - Channel, Culvert, or Storm Sewer
 - Levee, Dike, or Floodwall
- OTHER FEATURES**
 - Cross Sections with 1% Annual Chance Water Surface Elevation
 - Coastal Transect
 - Base Flood Elevation Line (BFE)
 - Limit of Study
 - Jurisdiction Boundary
 - Coastal Transect Baseline
 - Profile Baseline
 - Hydrographic Feature
- MAP PANELS**
 - Digital Data Available
 - No Digital Data Available
 - Unmapped

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 4/11/2024 at 5:46 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

EXHIBIT B



Tillamook County Department of Community Development
 1510-B Third Street, Tillamook, OR 97141 | Tel: 503-842-3408 Fax: 503-842-1819
www.co.tillamook.or.us

LAND DIVISION APPLICATION

Applicant (Check Box if Same as Property Owner)

Name: DALLAS ESPLIN Phone: 503-842-5551
 Address: P.O. BOX 880
 City: TILLAMOOK State: OR Zip: 97141
 Email: BAYSIDESURVEYING@GMAIL.COM

Property Owner

Name: Patricia Rinehart Phone: 503-801-3534
 Address: 36765 HWY 101 N
 City: Nehalem State: OR Zip: 97131
 Email: PATTYRINEHART@NEHALEMTEL.NET

Location:

Site Address: 36765 HWY 101 N Nehalem 97131

Map Number: 3N	10W	29	00100
<small>Township</small>	<small>Range</small>	<small>Section</small>	<small>Tax Lot(s)</small>

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 type="checkbox"/> Date, north arrow, scale of drawing. | <input type="checkbox"/> Title Block | <input type="checkbox"/> One digital copy |
| <input type="checkbox"/> Location of the development sufficient to development sufficient to define its location, boundaries, and a legal description of the site. | <input type="checkbox"/> Clear identification of the drawing as "Preliminary Plat" and date of preparation | |
| | <input type="checkbox"/> Name and addresses of owner(s), developer, and engineer or surveyor | |

Existing Conditions

- | | | |
|---|---|---|
| <input 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:

_____ |
| <input 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 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 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"/> Location of all existing subsurface sewerage systems, including drainfields and associated easements | <input type="checkbox"/> For any plat that is 5 acres or larger, the Base Flood Elevation, per FEMA Flood Insurance Rate Maps | |

OFFICE USE ONLY
Date Stamp RECEIVED DEC 21 2023
<input type="checkbox"/> Approved <input type="checkbox"/> Denied
Received by:
Receipt #:
Fees: 1155 -
Permit No: 851-24-00003-PLNG

- FINAL PLAT (LDG 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:

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.

Patricia Rinehart
Property Owner (Required)

Dallas Esplin

11-20-2023

Applicant Signature

Date

Date

Angela Rimoldi

From: Bayside Surveying LLC <baysidesurveying@gmail.com>
Sent: Monday, January 29, 2024 10:07 AM
To: Angela Rimoldi; Melissa Jenck
Subject: EXTERNAL: Rinehart Follow-up Information
Attachments: acknowledgment.pdf



[NOTICE: This message originated outside of Tillamook County -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

Hello all,

After looking over Forest Zone Section 3.004 we would like to submit the following responses as we believe this qualifies.

Section 3.004

2. For the establishment of a parcel for a dwelling that has existed since before June 1, 1995, subject to the following requirements:

-House was built before 1995 (tax assessors report indicates 1980)

a. The parcel established may not be larger than five acres, except as necessary to recognize physical factors such as roads or streams, in which case the parcel shall not be larger than 10 acres; and

-Parcel is smaller than 5 acres

b. The parcel that does not contain the dwelling is not entitled to a dwelling unless subsequently authorized by law or goal and the parcel either: i. Meets the minimum land division standards of the zone; or ii. Is consolidated with another parcel, and together the parcels meet the minimum land division standards of the zone.

-Not applicable at this time

c. The minimum tract eligible under Subsection (2) is 40 acres.

-The original tract is larger than the minimum 40 acres.

d. The tract shall be predominantly in forest use and that portion in forest use qualified for special assessment under a program under ORS chapter 321.

-Most of the track is in forest use

e. The remainder of the tract does not qualify for any uses allowed under ORS 215.213 and 215.283 that are not allowed on forestland.

-No other uses are needed or will be used.

Thank you,

Angelina M. Rivera, Administrative Assistant

Bayside Surveying LLC

WE HAVE A NEW MAILING ADDRESS. PLEASE UPDATE YOUR RECORDS TO THE ADDRESS BELOW

P.O. BOX 880

Tillamook, OR 97141

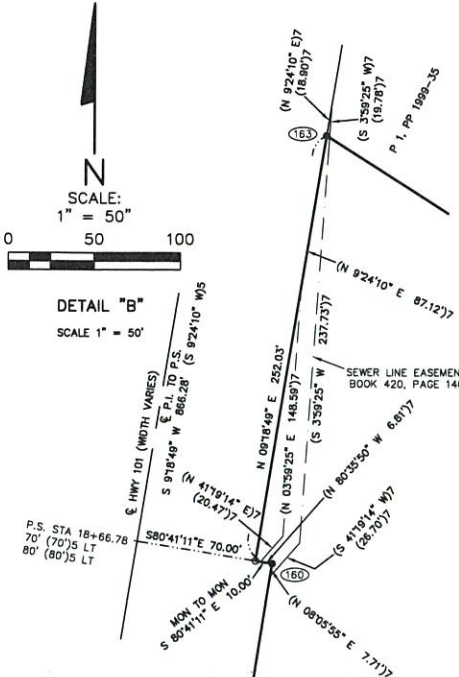
P: 503-842-5551

<https://www.baysidesurveyingllc.com>

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PARTITION PLAT 2024-
RE-PLAT OF PARCEL 2, PARTITION PLAT 1999-35



CERTIFICATE OF COUNTY CLERK

STATE OF OREGON
COUNTY OF TILLAMOOK

I, HEREBY CERTIFY THAT THE ABOVE DESCRIBED PARTITION PLAT NO. _____ OF _____ IS THE FULL, COMPLETE AND TRUE COPY OF THE ORIGINAL PLAT OF SAME, AS RECORDED AND RECORDED AS PARTITION PLAT NO. _____ IN PLAT CABINET B _____ OF PARTITION PLAT RECORDS OF TILLAMOOK COUNTY, OREGON, RECORDED _____, 2024 AT _____ O'CLOCK, AS INSTRUMENT NO. _____.

BY: KRISTY BIGGS, COUNTY CLERK
KRISTY BIGGS

I, DALLAS W ESPLIN, DO HEREBY CERTIFY THAT THIS A FULL, COMPLETE AND TRUE COPY OF THE ORIGINAL PLAT AS REFERENCED ABOVE.

DALLAS W ESPLIN, PLS 83627

APPROVALS

APPROVED AS 851-24 -PLNG.

TILLAMOOK COUNTY DEPT. OF COMMUNITY DEVELOPMENT DATE

NOTE: THE ABOVE SIGNATURE DOES NOT WARRANT THAT SEWER OR SITE EVALUATION APPROVAL IS OR WILL BE AVAILABLE TO PARCEL 2.

APPROVED THIS _____ DAY OF _____, 2024.

TILLAMOOK COUNTY SURVEYOR

TAXES HAVE BEEN PAID IN FULL TO JUNE 30, 2024.

TILLAMOOK COUNTY TAX COLLECTOR

DECLARATION

KNOW ALL PEOPLE BY THESE PRESENTS THAT NEAHKAH NIE FARM PROPERTY, LLC, IS THE OWNER OF THE LAND REPRESENTED ON THE ANNEXED MAP AND MORE PARTICULARLY DESCRIBED IN THE ACCOMPANYING SURVEYOR'S CERTIFICATE, AND HAS CAUSED THE SAME TO BE SURVEYED AND PARTITIONED INTO TWO (2) PARCELS, AS SHOWN ON THE ANNEXED MAP.

PATRICIA RINEHART, MEMBER

HARRY H RINEHART, MEMBER

ACKNOWLEDGMENT

STATE OF OREGON
COUNTY OF TILLAMOOK

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON _____, 2024 BY PATRICIA RINEHART, MEMBER AND HARRY H RINEHART, MEMBER

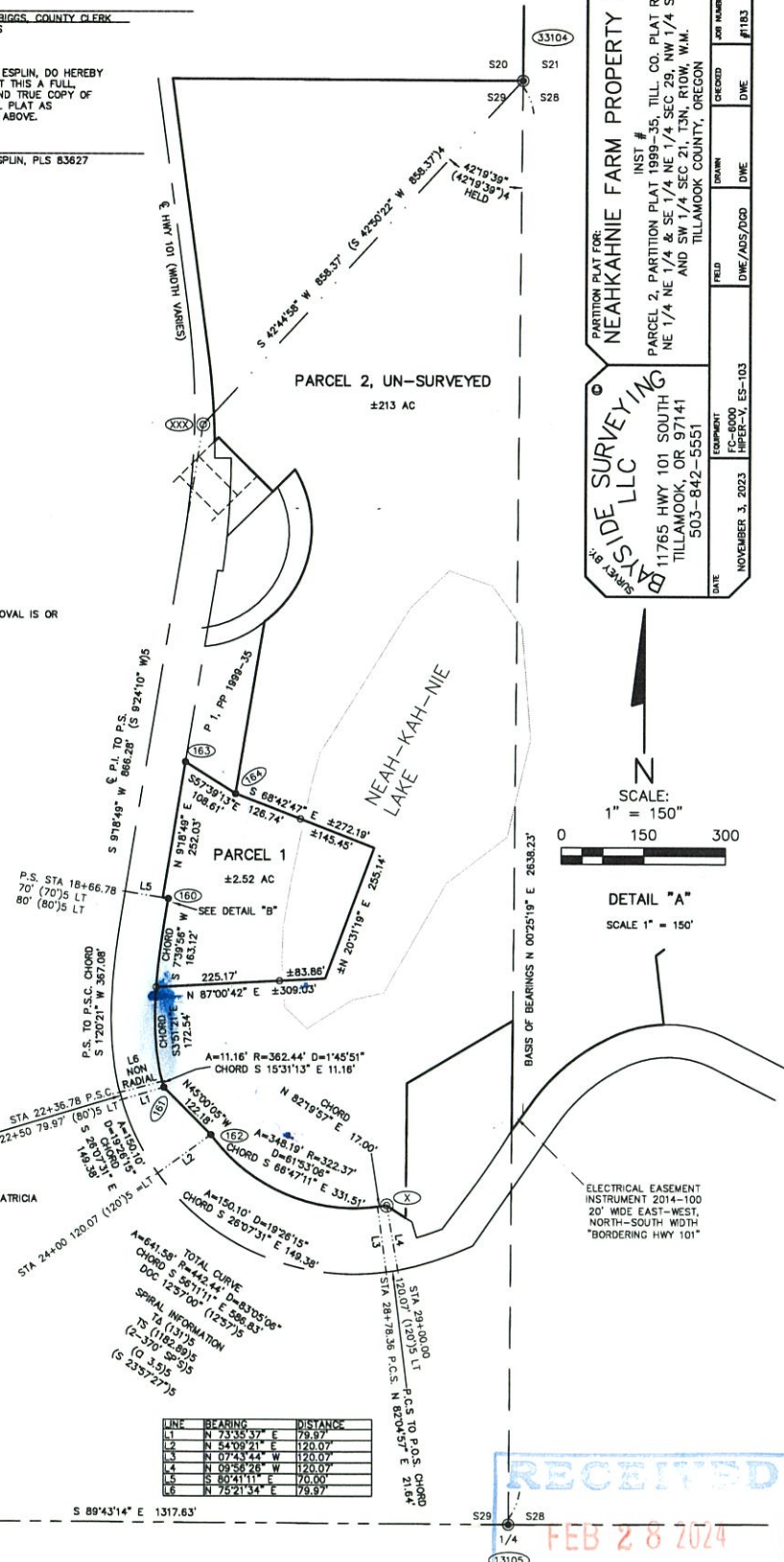
(SIGN)

(PRINT)

NOTARY PUBLIC - OREGON

COMMISSION NO. _____

MY COMMISSION EXPIRES: _____ DAY OF _____, 20____



LINE	BEARING	DISTANCE
L1	N 75°05'37" E	126.97'
L2	N 54°09'21" E	120.07'
L3	N 07°43'44" W	120.07'
L4	N 09°59'28" W	120.07'
L5	S 80°41'11" E	70.00'
L6	N 75°21'34" E	79.97'

PAGE 1 OF 2
PARVINEHART-1183.DWG
RINEHART-22.CRS

PARTITION PLAT FOR:
NEAHKAH NIE FARM PROPERTY LLC
INST # _____
PARCEL 2, PARTITION PLAT 1999-35, TILL. CO. PLAT RECORDS
NE 1/4 NE 1/4 & SE 1/4 NE 1/4 SEC 29, NW 1/4 SEC 28,
AND SW 1/4 SEC 21, T3N, R10W, W.M.
TILLAMOOK COUNTY, OREGON

BLAYSIDE SURVEYING LLC
11765 HWY 101 SOUTH
TILLAMOOK, OR 97141
503-842-5551

DATE NOVEMBER 3, 2023
EQUIPMENT FC-6000
HPPC-V, ES-103
DRAWN DWE
CHECKED DWE
JOB NUMBER #1183

RECEIVED
FEB 28 2024
UT

NARRATIVE

THIS IS A DEPENDENT SURVEY OF PARCEL 2, PARTITION PLAT 1999-35, TILLAMOOK COUNTY DEED RECORDS. THE PURPOSE OF THIS SURVEY IS TO RE-PLAT THE TRACT INTO TWO (2) PARCELS AS SHOWN HEREON.

FOUND MONUMENTS FROM MAP P-528 WERE HELD AS ORIGINAL MONUMENTS.

HIGHWAY 101

HIGHWAY 101 WAS LAID OUT FROM FOUND OR CALCULATED MONUMENTS AS FOLLOWS:

CENTERLINE HWY 101

THE PI MONUMENT XXX WAS SEARCHED FOR AND NOT FOUND. THE POSITION WAS CALCULATED FROM MONUMENT 33104 BY HOLDING RECORD VALUES FROM MAP P-528, ROTATED 0°5'24" COUNTERCLOCKWISE TO MY BASIS OF BEARINGS.

MONUMENT 160 WAS HELD FOR THE PS AT STATION 18+66.78 AND 80' FROM CENTERLINE. THE CENTERLINE WAS THEN LAID OUT USING VALUES FROM MAP 10C-52-6 OR 6B-26-7 ODOT MAP RECORDS AND ROTATED TO THE PI, (MONUMENT XXX).

RIGHT-OF-WAY HWY 101

MONUMENTS 160, 161, AND 162 WERE ALL HELD FOR RIGHT-OF-WAY.

THE RIGHT-OF-WAY NORTH OF MONUMENT 160 WAS HELD 10.00' WESTERLY OF MONUMENT 160 AND PARALLEL TO THE CALCULATED CENTERLINE OF THE HIGHWAY.

MONUMENT 180 WAS HELD AS 80.00' FROM CENTERLINE AND AS THE BEGINNING OF THE SPIRAL. MONUMENT 161 WAS HELD AS A POINT ON THE CURVE. THE CENTERLINE WAS OFFSET 80.00' AND THEN ROTATED BETWEEN MONUMENTS 160 AND 161, HOLDING MONUMENT 160 AS THE BEGINNING OF THE SPIRAL. THIS RESULTED IN MAKING THE RIGHT-OF-WAY NOT PARALLEL TO THE CENTERLINE BETWEEN MONUMENTS 160 AND 161. THIS RESULTED IN THE P.S.C. OF THE CENTERLINE AND THE P.S.C. OF THE RIGHT-OF-WAY LINE TO NOT BE ON THE SAME RADIAL LINE.

THE RIGHT-OF-WAY WAS HELD AS A STRAIGHT LINE BETWEEN MONUMENTS 161 AND 162.

MONUMENT 162 IS 120.07' FROM THE CALCULATED CENTERLINE AND WAS HELD FOR RIGHT-OF-WAY.

THE RIGHT-OF-WAY BETWEEN MONUMENTS 162 AND CORNER X WAS CALCULATED BY OFFSETTING THE CALCULATED CENTERLINE 120.07'.

LEGEND

- SET 5/8" X 40" REBAR WITH PLASTIC CAP MARKED "DALLAS ESPLIN LS 83627"
- FOUND MONUMENT AS NOTED, HELD
- FOUND MONUMENT AS NOTED
- MONUMENT SEARCHED FOR NOT FOUND.
- (J1) RECORD VALUE FROM MAP B-299
- (J2) RECORD VALUE FROM MAP B-1750, THIS WAS A BOUNDARY LINE AGREEMENT RECORDED IN BOOK 361 PAGE 92
- (J3) RECORD VALUE FROM MAP A-5527
- (J4) RECORD VALUE FROM MAP P-528
- (J5) RECORD VALUE FROM MAP 10C-52-6 OR 6B-26-7 ODOT MAP RECORDS
- (J6) RECORD VALUE FROM MAP B-2853
- (J7) RECORD VALUE FROM DEED BOOK 430, PAGE 140
- NO () MEASURED VALUE

EASEMENTS OF RECORD

EASEMENTS FROM THE PRELIMINARY TITLE REPORT NOT SHOWN ON THIS MAP

BOOK 63, PAGE 617 EASEMENT LOCATION IS 1/4 MILE AWAY FROM SUBJECT TRACT, NOT APPLICABLE

BOOK 298, PAGE 526 LIMITS ACCESS TO HIGHWAY 101, APPLICABLE

BOOK 419, PAGE 527 BLANKET EASEMENT FOR AN UNDERGROUND ELECTRICAL CONDUCTOR

BASIS OF BEARINGS

THE BASIS OF BEARINGS IS NORTH AS DETERMINED BY G.P.S. OBSERVATIONS USING THE OREGON COAST ZONE COORDINATE SYSTEM. THIS GIVES A BEARING OF NORTH 00°25'19" EAST BETWEEN MONUMENTS 13105 AND 33104.

THIS IS A ROTATION OF 0°5'24" COUNTERCLOCKWISE FROM MAP P-528.

**OREGON COORDINATE REFERENCE SYSTEM
OREGON COAST ZONE**

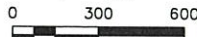
OBLIQUE MERCATOR PROJECTION
NORTH AMERICAN DATUM OF 1983

LATITUDE OF LOCAL ORIGIN: 44°45'00" N
LONGITUDE OF LOCAL ORIGIN: 124°03'00" W
FALSE NORTHING: -4,500,000.000 METERS
FALSE EASTING: -300,000.000 METERS
SKEW AXIS SCALE: 1.000 000 (EXACT)
SKEW AXIS AZIMUTH AT LOCAL ORIGIN: +5°00'00"

(THE ABOVE INFORMATION IS RECORD FROM "OREGON COORDINATE REFERENCE SYSTEM HANDBOOK AND MAP SET", VERSION 3.01 2-28-2017, APPENDIX A, PAGE A-52, SEE ODOT RECORDS)

PAGE 2 OF 2
PARVINGHART-1183.DWG
RINEHART-22.CRS

SCALE:
1" = 300'



NEAKAHNIE FARM PROPERTY LLC

INST #

PARCEL 2, PARTITION PLAT 1999-35, TILL. CO. PLAT RECORDS
NE 1/4 NE 1/4 & SE 1/4 NE 1/4 SEC 29, NW 1/4 SEC 28,
AND SW 1/4 SEC 21, T3N, R10W, W.M.
TILLAMOOK COUNTY, OREGON

BAYSIDE SURVEYING

11765 HWY 101 SOUTH
TILLAMOOK, OR 97141
503-842-5551

DATE	NOVEMBER 3, 2023	EQUIPMENT	FC-8000 RIPPER-V, ES-103
DRAWN	DWE	CHECKED	DWE
JOB NUMBER	PT183		

PARTITION PLAT 2024-
RE-PLAT OF PARCEL 2, PARTITION PLAT 1999-35

SURVEYOR'S CERTIFICATE

I, DALLAS W. ESPLIN, CERTIFY THAT:

1. I HAVE CORRECTLY SURVEYED AND MARKED WITH PROPER MONUMENTS (PARCEL 1, PARCEL 2 BEING UN-SURVEYED), THE LAND REPRESENTED ON THE ATTACHED PARTITION PLAT, BEING THAT PARCEL 2, PARTITION PLAT 1999-35, TILLAMOOK COUNTY PLAT RECORDS.

THE INITIAL POINT OF WHICH IS THE SECTION CORNER BETWEEN SECTIONS 20, 21, 29, AND 28, BEING MONUMENTED WITH A TILLAMOOK COUNTY BRASS CAP STAMPED "T3N R10W S20 S21 S29 S28 RS 287 1974", IN CONCRETE.

PARCEL 2, UN-SURVEYED

±213 AC

MONUMENT NOTES

- (160) FOUND 1 1/2" ALUMINUM CAP STAMPED "OSHD", SEE MAP 10C-52-6 ODOT MAP RECORDS, HELD FOR RIGHT-OF-WAY AND AS 80.00' EASTERLY OF CENTERLINE
- (161) FOUND 1 1/2" ALUMINUM CAP STAMPED "OSHD", SEE MAP 10C-52-6 ODOT MAP RECORDS, HELD FOR RIGHT-OF-WAY
- (162) FOUND 1 1/2" ALUMINUM CAP STAMPED "OSHD", SEE MAP 10C-52-6 ODOT MAP RECORDS, HELD FOR RIGHT-OF-WAY
- (163) FOUND 5/8" REBAR WITH PLASTIC CAP MARKED "R LARSON LS 2102" SEE MAPS B-1244 AND P-528, ON RIGHT-OF-WAY LINE AND HELD FOR PARCEL CORNER
- (164) FOUND 5/8" REBAR WITH PLASTIC CAP MARKED "HLB ASSOC INC" SEE MAP P-528, HELD.
- (33104) FOUND TILLAMOOK COUNTY BRASS CAP STAMPED "T3N R10W S20 S21 S29 S28 RS 287 1974", IN CONCRETE, TOP FLUSH WITH GROUND, SEE REWITNESS CARD 130, HELD
- (33105) FOUND TILLAMOOK COUNTY BRASS CAP STAMPED "1/4 S29 S28 RS 287 1970", SEE REWITNESS CARD 145, HELD
- (37119) FOUND TILLAMOOK COUNTY BRASS CAP STAMPED "NE1/16 S29 1996", IN MONUMENT BOX AT APPROXIMATE CENTERLINE-CENTERLINE OF NORTH AVE AND DIVISION ST, SEE REWITNESS BOOK 7, PAGE 101, HELD
- (37120) FOUND TILLAMOOK COUNTY SURVEYOR BRASS CAP STAMPED "INITIAL PT MANZ BEACH LS49230 2005", FLUSH WITH AC, AT SOUTH SIDE OF INTERSECTION OF LANEDA AVE AND DIVISION ST, SEE MAP A-7954, HELD
- (37121) FOUND TILLAMOOK COUNTY SURVEYOR BRASS CAP STAMPED "RESET 2003 LS 49230 E 1/16 C-C S29 RS 793 1970", SEE MAP A-7948, HELD
- (37158) FOUND TILLAMOOK COUNTY SURVEYOR BRASS CAP IN CONCRETE STAMPED "1/4 S20 S29 RS 287 1976", 0.2' BELOW GRADE, SEE REWITNESS CARD #131, HELD
- (87104) FOUND 3" TILLAMOOK COUNTY BRASS CAP STAMPED "T3N R10W C 1/4 S28 LS 798 1993", IN CONCRETE, SEE BOOK 7, PAGE 165, HELD

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Dallas Espin

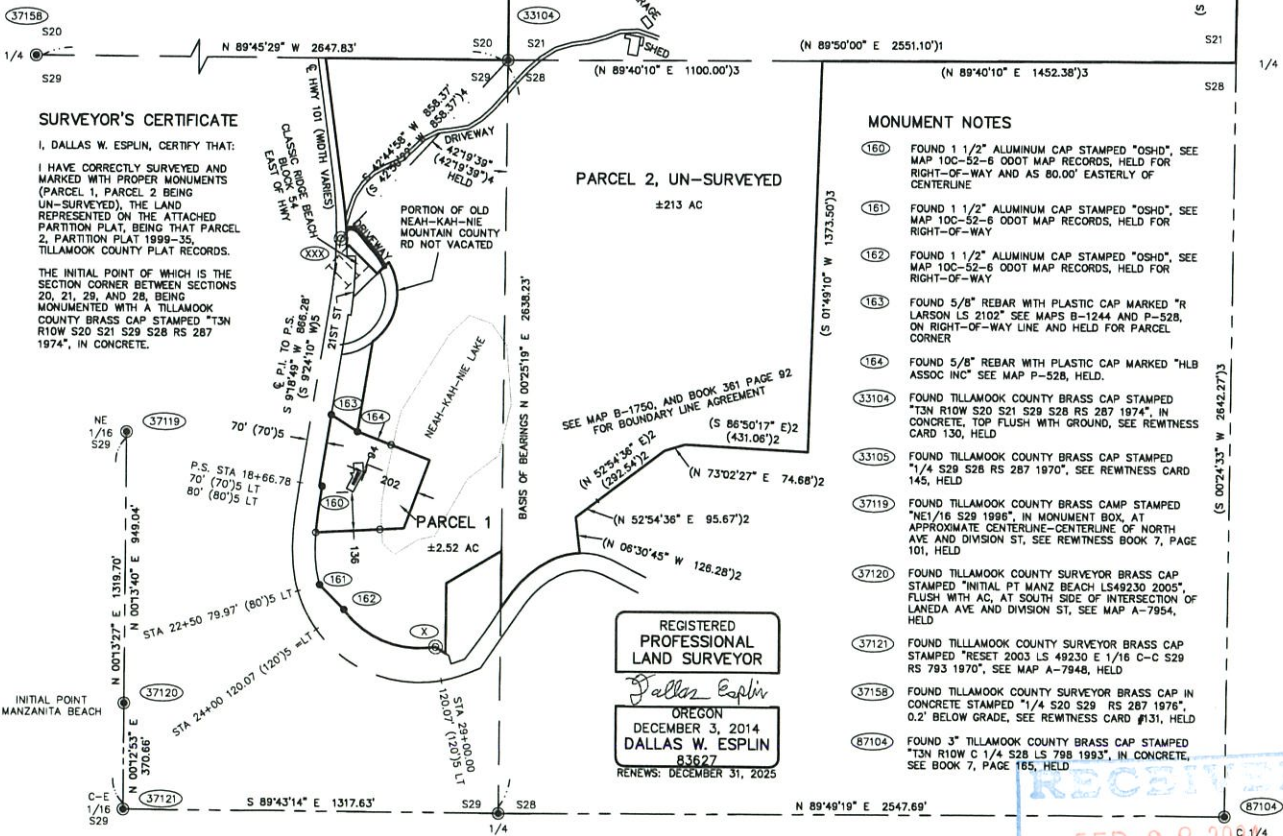
OREGON
DECEMBER 3, 2014
DALLAS W. ESPLIN
83627

RENEWS: DECEMBER 31, 2025

RECEIVED

FEB 28 2024

BY: _____





CITY OF MANZANITA

P.O. Box 129, Manzanita, OR 97130-0129
Phone (503) 368-5343 Fax (503) 368-4145 TTY Dial 711
ci.manzanita.or.us

Date: February 1st, 2024

To: Tillamook County One-Stop Permit Counter

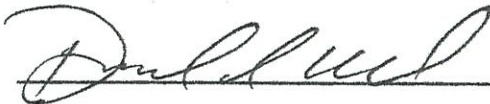
From: City of Manzanita Public Works Department

Re: Water Availability

Dear Sir

This letter is to inform you that the Manzanita Water System currently services and will continue to service water to the home located at 36765 Hwy 101 (Parcel 1). Water service is available in areas located with the Urban Growth Boundary of parcel 2. Service may require developer to extend water supply mains.

This letter shall not create a liability on the part of City of Manzanita or by an officer, or employee thereof, for the services described above.

 *Donald Wood* Public Works Director

Signature and Title of Authorized Representative

cc: Property Owner

EOB

NO PART OF ANY STEVENS-NESS FORM MAY BE REPRODUCED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM.

Tillamook County, Oregon 02/23/2009 11:10:15 AM 2009-001215

DEED-DQUIT \$10.00 \$11.00 \$10.00 - Total = \$31.00



NEAHKAHNE FARM PROPERTY LLC
PO BOX 656
MANZANITA, OR 97130

STA
(

PATRICIA RINEHART & DIANE GIBSON, CO-TRUSTEES
OF THE PATRICIA RINEHART REVOCABLE LIVING
TRUST, DATED JUNE 22, 1994 PO BOX 656, MANZANITA
OR, 97130

I hereby certify that the within
Instrument was received for record and
recorded in the County of Tillamook,
State of Oregon.
Tassi O'Neil, Tillamook County Clerk

SPACE RESERVED
FOR
RECORDER'S USE

After recording, return to (Name, Address, Zip):

PATRICIA RINEHART
PO BOX 656
MANZANITA, OR, 97130

Until requested otherwise, send all tax statements to (Name, Address, Zip):

PATRICIA RINEHART & DIANE GIBSON, CO-TRUSTEES
OF THE PATRICIA RINEHART REVOCABLE LIVING
TRUST, DATED JUNE 22, 1994
PO BOX 656, MANZANITA, OR 97130

Witness my hand and seal of County affixed.

NAME TITLE

By _____, Deputy.

QUITCLAIM DEED - STATUTORY FORM

NEAHKAHNE FARM PROPERTY L.L.C.

releases and quitclaims to PATRICIA RINEHART & DIANE GIBSON, CO-TRUSTEES OF THE
PATRICIA RINEHART REVOCABLE LIVING TRUST, DATED JUNE 22, 1994,
all right, title and interest in and to the following described real property situated in TILLAMOOK
Oregon, to-wit:

CODE: 5622

MAP: 3N1029000010051

ACRES: 1.00

SITUS: 36765 HWY 101 NORTH COUNTY

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE)

The true consideration for this conveyance is \$1.00 (Here, comply with the requirements of ORS 93.030.)

DATED _____; if a corporate grantor, it has caused its name to be signed and its seal, if
any, affixed by an officer or other person duly authorized to do so by order of its board of directors.

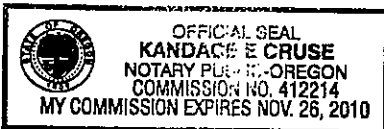
BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING
FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS
195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424,
OREGON LAWS 2007. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY
DESCRIBED IN THIS 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.

Harry H. Rinehart MEMBER LLC
Patricia Rinehart MEMBER LLC

STATE OF OREGON, County of Tillamook ss.

This instrument was acknowledged before me on February 23, 2009
by Kandace E. Cruse

This instrument was acknowledged before me on
by HARRY H. RINEHART, MEMBER LLC, PATRICIA RINEHART, MEMBER LLC
as MEMBER
of NEAHKAHNE FARM PROPERTY LLC



Kandace E. Cruse
Notary Public for Oregon
My commission expires Nov 26, 2010

PUBLISHER'S NOTE: If using this form to convey real property subject to ORS 92.027, include the required reference.

EXHIBIT A

All of the Southwest quarter of Section 21, Township 3 North, Range 10 West of the Willamette Meridian in Tillamook County, Oregon, and a tract of land described as follows:

Beginning at the Northwest corner of Section 28, Township 3 North, Range 10 West of the Willamette Meridian in Tillamook County, Oregon; thence Easterly along the Section line 1,100 feet; thence South 120 feet; thence South 1° 57' West 1250.24 feet; thence North 86° 45' West 433 feet; thence South 69° 0' East 75 feet; thence South 52° 30' West 368 feet; thence South 3° 30' West 174 feet more or less to the North boundary line of U. S. Highway #101; (formerly referred to as Old County Road; thence following said U. S. Highway #101 North boundary line Westerly and Northerly to its intersection with the East boundary of the State Highway as built at station 117+37.85; thence Northerly along the East boundary of said highway to its intersection with the line between Sections 20 and 29, Township 3 North of Range 10 West of the Willamette Meridian; thence Easterly along the section line 660 feet more or less to the point of beginning; being situated in the Northwest quarter of the Northwest quarter and the Southwest quarter of the Northwest quarter of Section 28 and the East half of the Northeast quarter of Section 29.

ALSO INCLUDING all that portion of the Northeast quarter of the Northeast quarter and the Southeast quarter of the Northeast quarter of Section 29, Township 3 North, Range 10 West of the Willamette Meridian lying Easterly of the Old County Road and Westerly of U. S. Highway 101.

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PARCELS OF LAND;
Any portion of the above described property lying South of U. S. Highway 101 that is located in Section 28 and 29, Township 3 North, Range 10 West of the Willamette Meridian.

LESS all that portion of the plat of CLASSIC RIDGE BEACH which lies East of the Easterly right of way line of the Oregon Coast Highway;

LESS all that portion of the old Neah-Kah-Nie Mountain County Road which is not vacated and which lies East of the Easterly right of way line of the Oregon Coast Highway;

LESS that certain tract of land which lies West of that portion of the Old Neah-Kah-Nie Mountain County Road which is not vacated and which lies Southeast of that portion of the plat of CLASSIC RIDGE BEACH which lies East of the Easterly right of way line of the Oregon Coast Highway.

FURTHER EXCEPTING that tract of land conveyed to Dorothy W. Rinehart Trustee by deed recorded May 3, 1988 in Book 315, page 334, Tillamook County Records;

ALSO EXCEPTING any portion of the above described parcel lying within any County Road or the State Highway. - - - -

Tillamook County, Oregon
11/15/2022 03:40:01 PM **2022-06847**
DEED-DBS
\$15.00 \$11.00 \$10.00 \$61.00 - Total = \$97.00
I hereby certify that the within Instrument was received
for record and recorded in the County of Tillamook,
State of Oregon.
Tassi O'Neil, Tillamook County Clerk

AFTER RECORDING, RETURN TO:
Breakwater Law
9900 SW Wilshire St., Suite 200
Portland, OR 97225

TAX STATEMENTS TO:
Neahkahnie Farm Property LLC
PO Box 446
Manzanita, OR 97130

Informational purposes only (does not affect conveyance):
Map and tax lots (2022) (including all subaccounts): 3N1029-00-00100, 3N1000-00-04900, and 3N1028-00-00400

BARGAIN AND SALE DEED
(Supersedes deed recorded at Instrument No. 2022-06534
Tillamook County Deed Records)

Patricia Rinehart, Trustee of the Patricia Rinehart Revocable Living Trust dated June 22, 1994 ("Grantor") hereby conveys to Neahkahnie Farm Property, LLC, a limited liability company organized under the laws of the State of Oregon ("Grantee"), all of Grantor's interest in the real property described as follows, Tillamook County, Oregon:

Parcel 2 of PARTITION PLAT NO. 1999-035, recorded August 25, 1999 in Partition Plat Cabinet B608-0, Tillamook County Records.

The true consideration for this instrument is \$0.00, but consists of other good and valuable consideration. The purpose of this instrument is to undue the conveyance described in Instrument No. 2009-001215, Tillamook County Deed Records, which conveyance was done by mistake.

This deed is intended to and shall supersede in its entirety the Bargain and Sale Deed recorded at Instrument No. 2022-06534, Tillamook County Deed Records, as the legal description in that previous deed was incorrect.

A certification of trust for Grantor is attached as Exhibit 1.

This conveyance is subject to all encumbrances of record.

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.

In witness whereof, the Grantor executes this instrument on the date referenced herein.

Patricia Rinehart 11-8-2022

Patricia Rinehart Date
Trustee of the Patricia Rinehart Revocable Living
Trust dated June 22, 1994

STATE OF OREGON)
) ss.
County of Tillamook)

This instrument was acknowledged before me on this 8th day of November, 2022 by Patricia Rinehart, Trustee of the Patricia Rinehart Revocable Living Trust dated June 22, 1994.




[Signature]
NOTARY PUBLIC FOR OREGON
My Commission Expires: March 7, 2025

Exhibit 1

CERTIFICATION OF TRUST

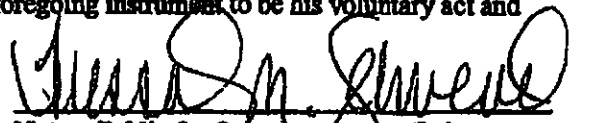
1. The Patricia Rinehart Revocable Living Trust was established under agreement dated February 4, 2011 (the "Trust").
2. The Settlor of the Trust is Patricia Rinehart.
3. The current acting Trustee of the Trust is Patricia Rinehart.
4. The trust powers include all those trust powers set forth in ORS 130.720-130.725.
5. The Trust is revocable.
6. The Trust's taxpayer identification number is 542-52-8171.
7. Trust assets should be held in the name of Patricia Rinehart Trustee of the Patricia Rinehart Revocable Living Trust under agreement dated February 4, 2011, as amended and restated.
8. The Trust has not been revoked, modified, or amended in any manner that would cause the representations contained in this certification to be incorrect.
9. The Trust was established under the laws of the State of Oregon.

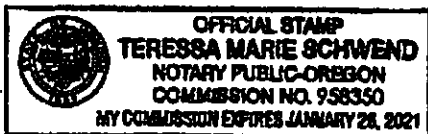
DATED: October 23, 2019.


 Patricia Rinehart, Trustee of the
 Patricia Rinehart Revocable Living Trust
 Dated February 4, 2011

STATE OF OREGON)
) ss.
 County of Tillamook)

On October 23, 2019 personally appeared before me Patricia Rinehart, Trustee of the Patricia Rinehart Revocable Living Trust dated February 4, 2011, under agreement dated October 23, 2019, as amended and restated, and acknowledged the foregoing instrument to be his voluntary act and deed.


 Notary Public for Oregon
 My commission expires: 9-26-2021



January 19, 2024

RE: Incomplete application for a Partition Application # 851-24-000003-PLNG

To Whom It May Concern:

As indicated in the attached correspondence, your application has been deemed to be incomplete.

Please acknowledge, in writing, your intent to provide the material required to complete the application, as identified in the attached correspondence.

Tillamook County Department of Community Development
Attn: Angela Rimoldi – Planning Permit Technician
1510 B Third Street
Tillamook, OR 97141

Or email: angela.rimoldi@tillamookcounty.gov

If you indicate your intent to complete the application, you will have 180 days from the date the application was originally submitted (**December 21, 2023**) to submit the required material. If you fail to submit the material within 180 days, your application will be deemed void. The case file regarding the application will then be closed.

If you do not return this acknowledgment, by the above date, such action will be considered to be a refusal to complete the application under the meaning accorded in ORS 215.428. Your application will then be processed based upon the information you have previously submitted. Note that failure to submit sufficient evidence or material to demonstrate compliance with the applicable criteria is grounds for denial of the application.

ACKNOWLEDGMENT

- I intend to provide the additional material identified in the attached correspondence from the Department of Community Development.
- I refuse to provide the additional material identified in the attached correspondence from the Department of Community Development.

Dallas Espin

Signed and Acknowledged (Owner and/or Applicant)

1/29/24
Date

Signed and Acknowledged (Owner and/or Applicant)

Date





CITY OF MANZANITA

P.O. Box 129, Manzanita, OR 97130-0129
Phone (503) 368-5343 | Fax (503) 368-4145 | TTY Dial 711
ci.manzanita.or.us

To: Patricia Rinehart
Bayview Surveying

April 12, 2023

Re: Water Availability

Patty,

I have reviewed information provided to me by Bayside Surveying (See Attached). The city will continue to provide water service to your home located at 36765 Hwy 101 as a majority of it falls in the Urban Growth Boundary (UGB). The remaining lot would be outside the UGB and the City would not be able to provide water this area, unless the home was on a lot within the UGB.

Sincerely,

Dan Weitzel

Public Works Director
Phone (503) 368-5347
Cell (503) 812-2727

NARRATIVE

THIS IS A DEPENDENT SURVEY OF PARCEL 2, PARTITION PLAT 1999-35, TILLAMOOK COUNTY DEED RECORDS. THE PURPOSE OF THIS SURVEY IS TO RE-PLAT THE TRACT INTO TWO (2) PARCELS AS SHOWN HEREON.

FOUND MONUMENTS FROM MAP P-528 WERE HELD AS ORIGINAL MONUMENTS.

HIGHWAY 101

HIGHWAY 101 WAS LAID OUT FROM FOUND OR CALCULATED MONUMENTS AS FOLLOWS:

CENTERLINE HWY 101

THE PI MONUMENT XXX WAS SEARCHED FOR AND NOT FOUND. THE POSITION WAS CALCULATED FROM MONUMENT 33104 BY HOLDING RECORD VALUES FROM MAP P-528, ROTATED 0°5'24" COUNTERCLOCKWISE TO MY BASIS OF BEARINGS.

MONUMENT 180 WAS HELD FOR THE PS AT STATION 18+66.78 AND 80' FROM CENTERLINE. THE CENTERLINE WAS THEN LAID OUT USING VALUES FROM MAP 100-52-6 OR 88-28-7 ODOT MAP RECORDS AND ROTATED TO THE PI, (MONUMENT XXX).

RIGHT-OF-WAY HWY 101

MONUMENTS 160, 161, AND 162 WERE ALL HELD FOR RIGHT-OF-WAY.

THE RIGHT-OF-WAY NORTH OF MONUMENT 160 WAS HELD 10.00' WESTERLY OF MONUMENT 160 AND PARALLEL TO THE CALCULATED CENTERLINE OF THE HIGHWAY.

MONUMENT 160 WAS HELD AS 80.00' FROM CENTERLINE AND AS THE BEGINNING OF THE SPIRAL. MONUMENT 161 WAS HELD AS A POINT ON THE CURVE. THE CENTERLINE WAS OFFSET 80.00' AND THEN ROTATED BETWEEN MONUMENTS 160 AND 161, HOLDING MONUMENT 160 AS THE BEGINNING OF THE SPIRAL. THIS RESULTED IN MAKING THE RIGHT-OF-WAY NOT PARALLEL TO THE CENTERLINE BETWEEN MONUMENTS 160 AND 161. THIS RESULTED IN THE P.S.C. OF THE CENTERLINE AND THE P.S.C. OF THE RIGHT-OF-WAY LINE TO NOT BE ON THE SAME RADIAL LINE.

THE RIGHT-OF-WAY WAS HELD AS A STRAIGHT LINE BETWEEN MONUMENTS 161 AND 162.

MONUMENT 162 IS 120.07' FROM THE CALCULATED CENTERLINE AND WAS HELD FOR RIGHT-OF-WAY.

THE RIGHT-OF-WAY BETWEEN MONUMENTS 162 AND CORNER X WAS CALCULATED BY OFFSETTING THE CALCULATED CENTERLINE 120.07'.

LEGEND

- SET 5/8" X 40" REBAR WITH PLASTIC CAP MARKED "DALLAS ESPLIN LS 83627"
- FOUND MONUMENT AS NOTED, HELD
- FOUND MONUMENT AS NOTED
- ⊙ MONUMENT SEARCHED FOR NOT FOUND.
- (1) RECORD VALUE FROM MAP B-289
- (2) RECORD VALUE FROM MAP B-1750, THIS WAS A BOUNDARY LINE AGREEMENT RECORDED IN BOOK 361 PAGE 92
- (3) RECORD VALUE FROM MAP A-5527
- (4) RECORD VALUE FROM MAP P-528
- (5) RECORD VALUE FROM MAP 100-52-6 OR 88-28-7 ODOT MAP RECORDS
- (6) RECORD VALUE FROM MAP B-2653
- (7) RECORD VALUE FROM DEED BOOK 430, PAGE 140
- NO () MEASURED VALUE

EASEMENTS OF RECORD

EASEMENTS FROM THE PRELIMINARY TITLE REPORT NOT SHOWN ON THIS MAP

BOOK 63, PAGE 617 EASEMENT LOCATION IS 1/4 MILE AWAY FROM SUBJECT TRACT, NOT APPLICABLE

BOOK 298, PAGE 526 LIMITS ACCESS TO HIGHWAY 101, APPLICABLE

BOOK 419, PAGE 527 BLANKET EASEMENT FOR AN UNDERGROUND ELECTRICAL CONDUCTOR

BASIS OF BEARINGS

THE BASIS OF BEARINGS IS NORTH AS DETERMINED BY G.P.S. OBSERVATIONS USING THE OREGON COAST ZONE COORDINATE SYSTEM. THIS GIVES A BEARING OF NORTH 00°25'19" EAST BETWEEN MONUMENTS 13105 AND 33104.

THIS IS A ROTATION OF 0°5'24" COUNTERCLOCKWISE FROM MAP P-528.

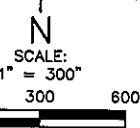
**OREGON COORDINATE REFERENCE SYSTEM
OREGON COAST ZONE**

OBLIQUE MERCATOR PROJECTION
NORTH AMERICAN DATUM OF 1983

LATITUDE OF LOCAL ORIGIN: 44°45'00" N
LONGITUDE OF LOCAL ORIGIN: 124°03'00" W
FALSE NORTHING: -4,600,000.000 METERS
FALSE EASTING: -500,000.000 METERS
SKEW AXIS SCALE: 1:000 000 (EXACT)
SKEW AXIS AZIMUTH AT LOCAL ORIGIN: +9°00'00"

(THE ABOVE INFORMATION IS RECORDED FROM "OREGON COORDINATE REFERENCE SYSTEM HANDBOOK AND MAP SET", VERSION 3.01 2-28-2017, APPENDIX A, PAGE A-52, SEE ODOT RECORDS)

PAGE 1 OF 3
PARTIAL SURVEY RECORD
REBUTABLE RECORD

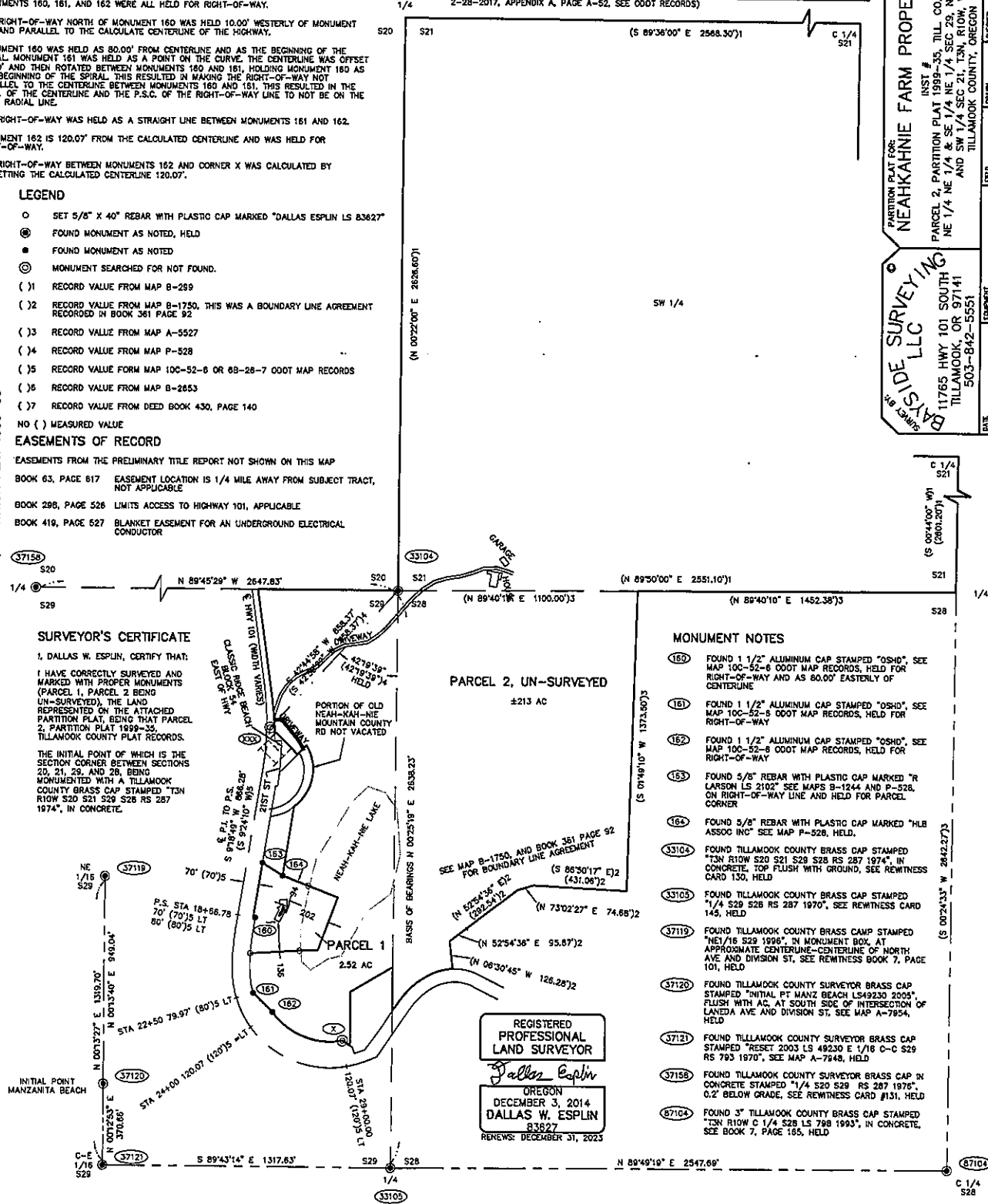


NEAKAHNIE FARM PROPERTY LLC
INST #
PARCEL 2, PARTITION PLAT 1999-35, TILL. CO. PLAT RECORDS
NE 1/4 NE 1/4 & SE 1/4 NE 1/4 SEC 29, RW 1/4 SEC 28,
AND SW 1/4 SEC 21, T3N, R10W, W.M.
TILLAMOOK COUNTY, OREGON

BAYSIDE SURVEYING LLC
11765 HWY 101 SOUTH
TILLAMOOK, OR 97141
503-842-5551

DATE	NOVEMBER 3, 2023	EQUIPMENT	FC-6000 HIPPER-V, ES-103
DRAWN	DWE	CHECKED	DWE
JOB NUMBER	F1183		

PARTITION PLAT 2024-
RE-PLAT OF PARCEL 2, PARTITION PLAT 1999-35



SURVEYOR'S CERTIFICATE

I, DALLAS W. ESPLIN, CERTIFY THAT:
I HAVE CORRECTLY SURVEYED AND MARKED WITH PROPER MONUMENTS (PARCEL 1, PARCEL 2 BEING UN-SURVEYED), THE LAND REPRESENTED ON THE ATTACHED PARTITION PLAT, BEING THAT PARCEL 2, PARTITION PLAT 1999-35, TILLAMOOK COUNTY PLAT RECORDS.
THE INITIAL POINT OF WHICH IS THE SECTION CORNER BETWEEN SECTIONS 20, 21, 22, AND 23, BEING MONUMENTED WITH A TILLAMOOK COUNTY BRASS CAP STAMPED "T3N R10W S20 S21 S22 S23 RS 287 1974", IN CONCRETE.

MONUMENT NOTES

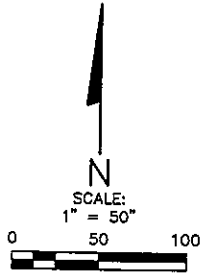
- (160) FOUND 1 1/2" ALUMINUM CAP STAMPED "OSHD", SEE MAP 100-52-6 ODOT MAP RECORDS, HELD FOR RIGHT-OF-WAY AND AS 80.00' EASTERLY OF CENTERLINE
- (161) FOUND 1 1/2" ALUMINUM CAP STAMPED "OSHD", SEE MAP 100-52-6 ODOT MAP RECORDS, HELD FOR RIGHT-OF-WAY
- (162) FOUND 1 1/2" ALUMINUM CAP STAMPED "OSHD", SEE MAP 100-52-6 ODOT MAP RECORDS, HELD FOR RIGHT-OF-WAY
- (163) FOUND 5/8" REBAR WITH PLASTIC CAP MARKED "R CARSON LS 2102" SEE MAPS B-1244 AND P-528, ON RIGHT-OF-WAY LINE AND HELD FOR PARCEL CORNER
- (164) FOUND 5/8" REBAR WITH PLASTIC CAP MARKED "HLB ASSCO 100" SEE MAP P-528, HELD.
- (33104) FOUND TILLAMOOK COUNTY BRASS CAP STAMPED "T3N R10W S20 S21 S22 S23 RS 287 1974", IN CONCRETE, TOP FLUSH WITH GROUND, SEE REWITNESS CARD 130, HELD
- (33105) FOUND TILLAMOOK COUNTY BRASS CAP STAMPED "1/4 S29 S28 RS 287 1970", SEE REWITNESS CARD 145, HELD
- (37119) FOUND TILLAMOOK COUNTY BRASS CAP STAMPED "NE1/16 S29 1996", IN MONUMENT BOX, AT APPROXIMATE CENTERLINE-CENTERLINE OF NORTH AVE AND DIVISION ST. SEE REWITNESS BOOK 7, PAGE 101, HELD
- (37120) FOUND TILLAMOOK COUNTY SURVEYOR BRASS CAP STAMPED "INITIAL PT MANZ BEACH LS49230 2005", FLUSH WITH AG. AT SOUTH SIDE OF INTERSECTION OF LANEDA AVE AND DIVISION ST. SEE MAP A-7954, HELD
- (37121) FOUND TILLAMOOK COUNTY SURVEYOR BRASS CAP STAMPED "RESET 2003 LS 49230 E 1/16 C-C S29 RS 793 1970", SEE MAP A-7948, HELD
- (37158) FOUND TILLAMOOK COUNTY SURVEYOR BRASS CAP IN CONCRETE STAMPED "1/4 S29 S28 RS 287 1976", 0.2' BELOW GRADE, SEE REWITNESS CARD #131, HELD
- (87104) FOUND 3" TILLAMOOK COUNTY BRASS CAP STAMPED "T3N R10W C 1/4 S28 LS 798 1993", IN CONCRETE, SEE BOOK 7, PAGE 185, HELD

REGISTERED
PROFESSIONAL
LAND SURVEYOR

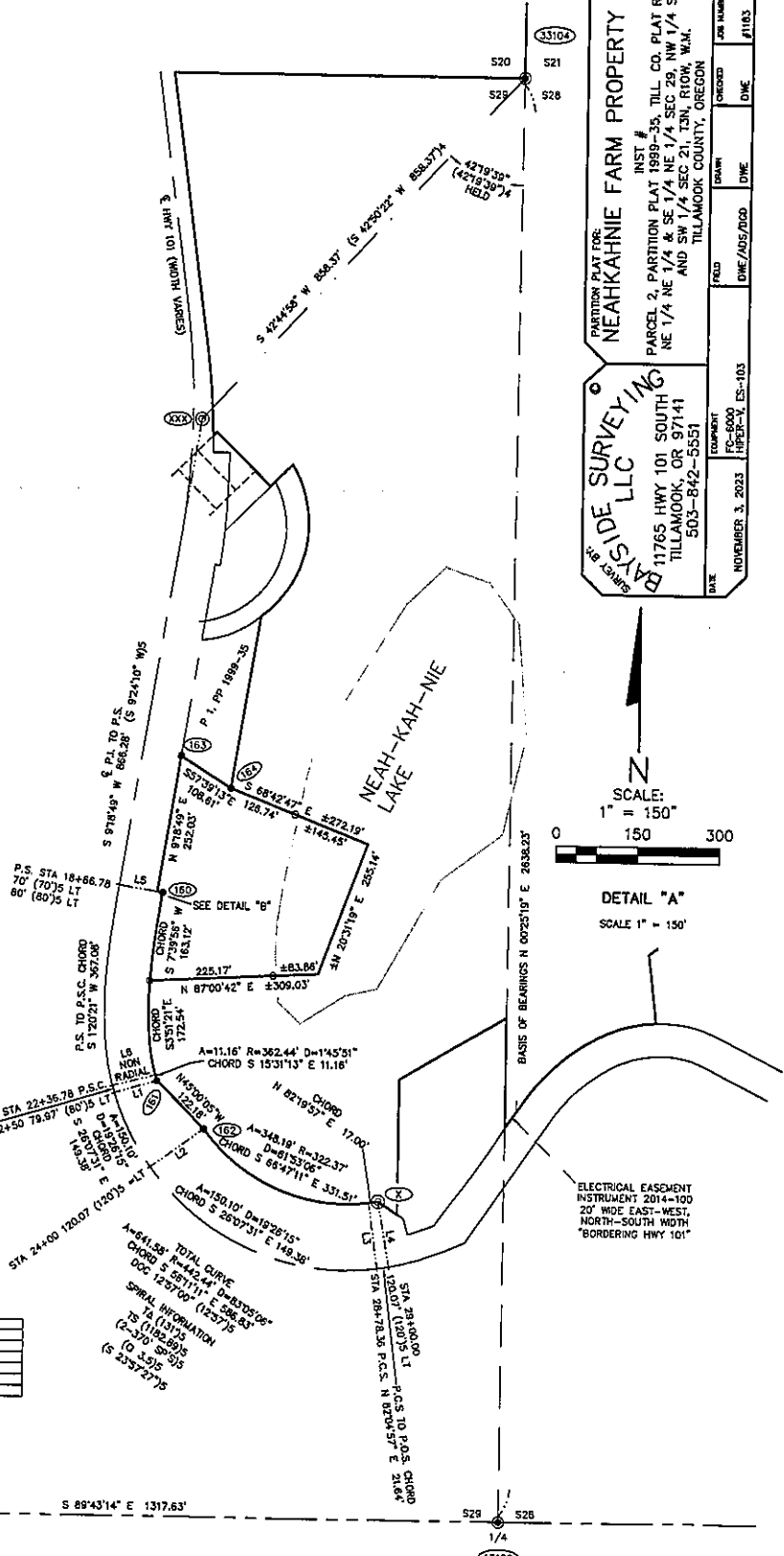
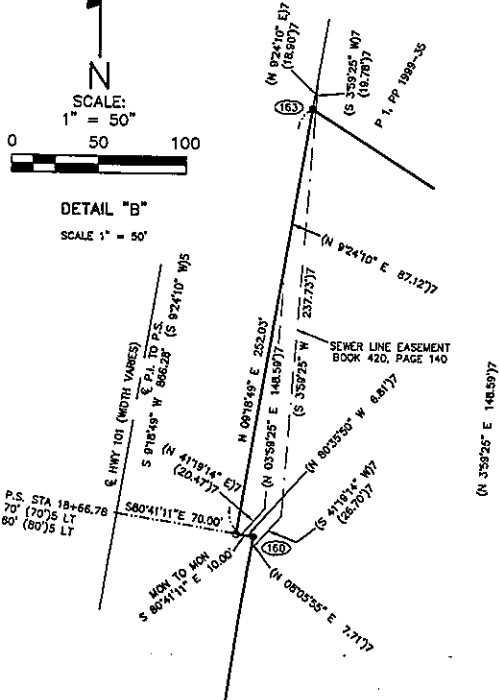
Dallas Espin

OREGON
DECEMBER 3, 2014
DALLAS W. ESPLIN
83627
RENEWS: DECEMBER 31, 2025

RE-PLAT OF PARCEL 2, PARTITION PLAT 1999-35
 PARTITION PLAT 2024-



DETAIL "B"
 SCALE 1" = 50'



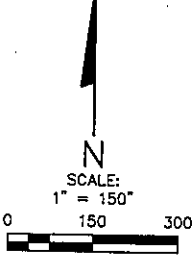
LINE	BEARING	DISTANCE
L.1	N 23°35'37" E	79.97
L.2	N 44°39'11" E	120.07
L.3	N 07°23'24" W	120.07
L.4	N 09°56'26" W	120.07
L.5	S 69°41'11" E	70.00
L.6	N 75°21'34" E	75.97

NEARSHORE SURVEYING LLC
 11765 HWY 101 SOUTH
 TILLAMOOK, OR 97141
 503-842-5551

NEARSHORE SURVEYING LLC
 INST. #
 PARCEL 2, PARTITION PLAT 1999-35, TILL. CO. PLAT RECORDS
 NE 1/4 NE 1/4 & SE 1/4 NE 1/4 SEC 20, NW 1/4 SEC 20,
 AND SW 1/4 SEC 21, T3N, R10W, W4E,
 TILLAMOOK COUNTY, OREGON

DATE: NOVEMBER 3, 2023
 COMMENT: FC-6000
 HYPER-V, ES-103

FIELD: DWE / ADE / ADO
 DRAWN: DWE
 CHECKED: DWE
 JOB NUMBER: #1183



DETAIL "A"
 SCALE 1" = 150'

C-E
 1/16
 529

528
 1/4
 528

EXHIBIT C

Angela Rimoldi

From: BRADLEY Robert * ODFW <Robert.BRADLEY@odfw.oregon.gov>
Sent: Friday, March 8, 2024 4:04 PM
To: Angela Rimoldi
Subject: EXTERNAL: RE: TILLAMOOK COUNTY: PARTITION APPLICATION

[NOTICE: This message originated outside of Tillamook County -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

Angela,

ODFW has no comment on the partition other than to note that there are aquatic resources present. Any future development should be planned to adhere to applicable riparian setbacks or other ordinance requirements for waterways to avoid impacts to those resources.

Robert

Robert W. Bradley
District Fish Biologist
Oregon Department of Fish and Wildlife
North Coast Watershed District
4907 Third St
Tillamook, OR 97141
503-842-2741 x18613 (w)
503-842-8385 (fax)

From: Angela Rimoldi <Angela.Rimoldi@tillamookcounty.gov>
Sent: Friday, March 8, 2024 3:33 PM
To: Michael R. Rice <Michael.Rice@tillamookcounty.gov>; Chris Chiola <Chris.Chiola@tillamookcounty.gov>; Denise Vandecoevering <Denise.Vandecoevering@tillamookcounty.gov>; NRSA01@CENTURYLINK.NET; laman@ci.manzanita.or.us; Frankie Knight <f.knight@nbfrd.org>; Tiffany Miller <tmiller@tillamook911.com>; ESTES Brett * DLCD <brett.estes@dlcd.oregon.gov>; FOOTE Hilary * DLCD <Hilary.FOOTE@dlcd.oregon.gov>; BRADLEY Robert * ODFW <Robert.BRADLEY@odfw.oregon.gov>; HUNTER Matthew V * ODFW <MATTHEW.V.HUNTER@ODFW.OREGON.GOV>; SKINNER Kate J * ODF <KATE.J.SKINNER@ODF.OREGON.GOV>; WALLMARK Edward H * ODF <EDWARD.H.WALLMARK@ODF.OREGON.GOV>; fw1ofwo@fws.gov; aswickham@fs.fed.us; TRACI.MERRITT@USDA.GOV; doryfreshfish@embarqmail.com
Subject: TILLAMOOK COUNTY: PARTITION APPLICATION

Some people who received this message don't often get email from angela.rimoldi@tillamookcounty.gov. [Learn why this is important](#)

851-24-000003-PLNG | [Tillamook County OR](#)

Hello,

Please see link for a Partition application received for review.



Angela Rimoldi | Permit Technician: Onsite and Planning

TILLAMOOK COUNTY | Department of Community Development

1510-B Third Street, Tillamook, OR 97141

Phone: (503) 842-3408 ext. 3440

angela.rimoldi@tillamookcounty.gov

Note, our email addresses are changing. Please update my contact in your database to angela.rimoldi@tillamookcounty.gov

This e-mail is a public record of Tillamook County and is subject to the State of Oregon Retention Schedule and may be subject to public disclosure under the Oregon Public Records Law. This e-mail, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure, or distribution is prohibited. If you are not the intended recipient, please send a reply e-mail to let the sender know of the error and destroy all copies of the original message.

To review the list of services provided and to schedule an appointment with us, please visit <https://www.co.tillamook.or.us/gov/ComDev/> to access the appointment scheduler portal.

Angela Rimoldi

From: Mark Kuestner <mkuestner10@gmail.com>
Sent: Monday, March 11, 2024 1:55 PM
To: Angela Rimoldi
Subject: EXTERNAL: Partition Request #851-24-000003-PLNG

[NOTICE: This message originated outside of Tillamook County -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

Dear Ms. Rimoldi;

I received the Notice of Administrative Review for the above-listed partition request, and wanted to respond as a property owner within 750 feet of its exterior boundaries.

I am in favor of granting the application, given how critical the shortage of available housing is.

Sincerely,

Mark Kuestner
PO Box 1132 Epoh Ave.,
Manzanita, OR 97130



Wetland Land Use Notice Response

Response Page

Department of State Lands (DSL) WN#*

WN2024-0168

Responsible Jurisdiction

Staff Contact Angela Rimoldi	Jurisdiction Type County	Municipality Tillamook
Local case file # 851-24-000003-PLNG	County Tillamook	

Activity Location

Township 03N	Range 10W	Section 29	QQ section	Tax Lot(s) 100
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Street Address

36765 Hwy 101 N

Address Line 2

City

Nehalem

Postal / Zip Code

97131

State / Province / Region

OR

Country

Tillamook

Latitude

45.722342

Longitude

-123.926797

Wetland/Waterway/Other Water Features



- There are/may be wetlands, waterways or other water features on the property that are subject to the State Removal-Fill Law based upon a review of wetland maps, the county soil survey and other available information.
- The National Wetlands Inventory shows wetland, waterway or other water features on the property
- The county soil survey shows hydric (wet) soils on the property. Hydric soils indicate that there may be wetlands.
- The property includes or is adjacent to designated Essential Salmonid Habitat.

Your Activity



- An onsite inspection by a qualified wetland consultant is recommended prior to site development to determine if the site has wetlands or other waters that may be regulated. The determination or delineation report should be submitted to DSL for review and approval. Approved maps will have a DSL stamp with approval date and expiration date.

Applicable Oregon Removal-Fill Permit Requirement(s)



- A state permit is required for 50 cubic yards or more of fill removal or other ground alteration in wetlands, below ordinary high water of waterways, within other waters of the state, or below highest measured tide.
- A state permit is required for any amount of fill, removal, and/or other ground alteration in Essential Salmonid Habitat and within adjacent off-channel rearing or high-flow refugia habitat with a permanent or seasonal surface water connection to the stream.

Closing Information



Additional Comments

Wetlands are present along the edges of Neahkahnie Lake and along Neahkahnie Creek. A wetland delineation is recommended prior to any work below the Ordinary High Water of the Lake or below Effenberger Rd. The lake, creek and associated wetlands are Essential Salmonid habitat. Any work in these areas may require a permit.

This tax lot may include habitat restoration projects.

This is a preliminary jurisdictional determination and is advisory only.

This report is for the State Removal-Fill law only. City or County permits may be required for the proposed activity.

- A Federal permit may be required by The Army Corps of Engineers: (503)808-4373

Contact Information

- For information on permitting, use of a state-owned water, wetland determination or delineation report requirements please contact the respective DSL Aquatic Resource, Proprietary or Jurisdiction Coordinator for the site county. The current list is found at: <http://www.oregon.gov/dsl/ww/pages/wwstaff.aspx>
- The current Removal-Fill permit and/or Wetland Delineation report fee schedule is found at: <https://www.oregon.gov/dsl/WW/Documents/Removal-FillFees.pdf>

Response Date

4/3/2024

Response by:

Chris Stevenson

Response Phone:

503-798-7622