

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR TILLAMOOK COUNTY, OREGON

FILED
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DEC 28 2017
TASSI O'NEIL
COUNTY CLERK

In the Matter of the Formation)
of the Mid-County Park and) ORDER #17- 100
Recreation District)

This matter came before the Tillamook County Board of Commissioners on December 27, 2017 at which time it appears that Tillamook City Manager Paul Wyntergreen has requested that the Board undertake proceedings for the formation of a Mid-County Park and Recreation District for an area that is presently the boundaries of Tillamook School District No. 9.

The Board, being fully apprised of the representations of the above-named person, records and files herein, finds as follows:

1. The Board intends to initiate the formation of a Park and Recreation District to be located entirely within the boundaries of Tillamook County.
2. The Board intends to initiate the formation of a Park and Recreation District under and pursuant to ORS Chapter 266 – Park and Recreation Districts and ORS Chapter 198 – Special Districts Generally.
3. The name of the proposed Park and Recreation District shall be the Mid-County Park and Recreation District.
4. The boundaries of the proposed Park and Recreation District shall be identical to the exterior boundaries of Tillamook School District No. 9, as more particularly described in the attached Exhibit A, incorporated herein by reference.
5. The Board intends to hold a public hearing on the proposal on Wednesday, January 31, 2018 at 10:30 a.m. in the Commissioners' Meeting Room A in the Tillamook County Courthouse, 201 Laurel Avenue, Tillamook, Oregon.
6. The Board finds that a certified copy of the resolution of the governing body of the City of Tillamook is attached hereto as Exhibit B, incorporated herein by reference, and that the City of Tillamook approved this order initiating the formation of the Mid-County Park and Recreation District pursuant to ORS 198.835(3).
7. The Board does not intend to call for a formation election for the Mid-County Park and Recreation District as there is no permanent tax rate being created.
8. An economic feasibility statement pursuant to ORS 198.749 is not required as there is no permanent tax rate being created.

9. In accordance with ORS Chapter 198, all formation proceedings for the Park and Recreation District shall be initiated, conducted, and completed as provided by ORS 198.705 to 198.955.

NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

10. It is the intention of the Board of Commissioners to initiate the formation of a Park and Recreation District pursuant to the provisions of ORS Chapter 266 – Park and Recreation Districts and ORS Chapter 198 – Special Districts Generally; and

11. The name of the proposed district shall be the Mid-County Park and Recreation District and its boundaries shall be as described in Exhibit A, attached hereto; and

12. Public notice be given that a public hearing shall be held on Wednesday, January 31, 2018 at 10:30 a.m. in the Commissioners' Meeting Room A in the Tillamook County Courthouse, 201 Laurel Avenue, Tillamook, Oregon; and

13. A formation election for such district will not be called.

DATED this 27th day of December, 2017.

THE BOARD OF COMMISSIONERS
FOR TILLAMOOK COUNTY, OREGON

	Aye	Nay	Abstain/Absent
<u>Bill Baertlein</u> Bill Baertlein, Chair	✓	—	— / —
<u>Tim Josi</u> Tim Josi, Vice-Chair	✓	—	— / —
<u>David Yamamoto</u> David Yamamoto, Commissioner	☐	—	— / —

ATTEST: Tassi O'Neil
County Clerk

APPROVED AS TO FORM:

By: [Signature]
Special Deputy

[Signature]
William K. Sargent, County Counsel



EXHIBIT A

LEGAL DESCRIPTION – Mid-County Park & Recreation District

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

EXHIBIT A

LEGAL DESCRIPTION – Mid-County Park & Recreation District

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

EXHIBIT A

LEGAL DESCRIPTION – Mid-County Park & Recreation District

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

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

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

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

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

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

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

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

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

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

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

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

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

EXHIBIT A

LEGAL DESCRIPTION – Mid-County Park & Recreation District

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

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

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

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

Less the following described property:

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

EXHIBIT B

RESOLUTION NO. 1744

A RESOLUTION APPROVING THE MID-COUNTY PARK AND RECREATION DISTRICT AND REPEALING RESOLUTION 1454 AND RESOLUTION 1456

WHEREAS, City of Tillamook Resolutions 1454 and 1456 were adopted in 2006 in support of a parks and recreation district *with a tax base*; and

WHEREAS, the proposed district *with a tax base* was not formed at that time; and

WHEREAS, in 2017, the City Council sent a letter requesting the Board of County Commissioners (BOCC) form a parks and recreation district *without a permanent tax base*, and

WHEREAS, the BOCC has proposed that the City of Tillamook be included in the Mid-County Park and Recreation District, to include all property within the boundaries of the City of Tillamook and Tillamook School District No.9, and

WHEREAS, pursuant to ORS 198.835(3), no part of a city may be included within the boundaries of the District without a resolution by the City of Tillamook approving the inclusion; and

WHEREAS, the City Council of Tillamook wishes to be included in the Mid-County Park and Recreation District.

NOW, THEREFORE, the City of Tillamook Council resolves as follows:

Section 1:

City approves and consents to be included within the boundaries of the Mid-County Park and Recreation District, contingent upon the District's subsequent lawful formation.


Section 2:

A certified copy of this resolution shall be delivered to the County Board to accompany the petition for formation pursuant to ORS 198.835 (3).

Section 3:

Resolution 1454 and Resolution 1456 are repealed in their entirety.

ADOPTED AND APPROVED by the City Council this 18th day of December, 2017.

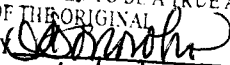


Suzanne Weber, Mayor
by John Sandusky, Council President

ATTEST:



Abigail Donowho, City Recorder

CERTIFIED TO BE A TRUE AND CORRECT COPY
OF THE ORIGINAL
BY  , CITY RECORDER
DATE 12/20/17

Resolution 1744--Mid-County Park & Recreation District
Page 1 of 1

RESOLUTION NO.1745

A RESOLUTION APPROVING THE FORM OF THE ORDER OF THE BOARD OF COUNTY COMMISSIONERS FOR TILLAMOOK COUNTY, OREGON, FOR THE FORMATION OF THE MID-COUNTY PARK AND RECREATION DISTRICT, WITHOUT A PERMANENT TAX BASE

WHEREAS, the City Council sent a letter of request to the Board of County Commissioners (BOCC) for Tillamook County, Oregon, asking for the formation of the Mid-County Park and Recreation District, *without a permanent tax base*; and

WHEREAS, the City Council approved and consented to being included in the Mid-County Park and Recreation District; and

WHEREAS, a copy of the proposed BOCC Order is attached hereto as Exhibit A.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Tillamook, Oregon, does hereby approve the form of the BOCC Order, attached hereto as Exhibit A.

ADOPTED AND APPROVED by the City Council this 18th day of December, 2017.

Suzanne Weber, Mayor

by John Sandusky, Council President

ATTEST:

Abigail Donowho, City Recorder

CERTIFIED TO BE A TRUE AND CORRECT COPY
OF THE ORIGINAL
BY Abigail Donowho, CITY RECORDER
DATE 12/21/17

Resolution 1745--Approving Form of BOCC Order

RESOLUTION 1745 - EXHIBIT A

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR TILLAMOOK COUNTY, OREGON

In the Matter of the Formation)
of the Mid-County Park and)
Recreation District) ORDER #17-_____

This matter came before the Tillamook County Board of Commissioners on December 27, 2017 at which time it appears that Tillamook City Manager Paul Wyntergreen has requested that the Board undertake proceedings for the formation of a Mid-County Park and Recreation District for an area that is presently the boundaries of Tillamook School District No. 9.

The Board, being fully apprised of the representations of the above-named person, records and files herein, finds as follows:

1. The Board intends to initiate the formation of a Park and Recreation District to be located entirely within the boundaries of Tillamook County.
2. The Board intends to initiate the formation of a Park and Recreation District under and pursuant to ORS Chapter 266 – Park and Recreation Districts and ORS Chapter 198 – Special Districts Generally.
3. The name of the proposed Park and Recreation District shall be the Mid-County Park and Recreation District.
4. The boundaries of the proposed Park and Recreation District shall be identical to the exterior boundaries of Tillamook School District No. 9, as more particularly described in the attached Exhibit A, incorporated herein by reference.
5. The Board intends to hold a public hearing on the proposal on Wednesday, January 31, 2018 at 10:30 a.m. in the Commissioners' Meeting Room A in the Tillamook County Courthouse, 201 Laurel Avenue, Tillamook, Oregon.
6. The Board finds that a certified copy of the resolution of the governing body of the City of Tillamook is attached hereto as Exhibit B, incorporated herein by reference, and that the City of Tillamook approved this order initiating the formation of the Mid-County Park and Recreation District pursuant to ORS 198.835(3).
7. The Board does not intend to call for a formation election for the Mid-County Park and Recreation District as there is no permanent tax rate being created.
8. An economic feasibility statement pursuant to ORS 198.749 is not required as there is no permanent tax rate being created.

9. In accordance with ORS Chapter 198, all formation proceedings for the Park and Recreation District shall be initiated, conducted, and completed as provided by ORS 198.705 to 198.955.

NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

- 10. It is the intention of the Board of Commissioners to initiate the formation of a Park and Recreation District pursuant to the provisions of ORS Chapter 266 – Park and Recreation Districts and ORS Chapter 198 – Special Districts Generally; and
- 11. The name of the proposed district shall be the Mid-County Park and Recreation District and its boundaries shall be as described in Exhibit A, attached hereto; and
- 12. Public notice be given that a public hearing shall be held on Wednesday, January 31, 2018 at 10:30 a.m. in the Commissioners’ Meeting Room A in the Tillamook County Courthouse, 201 Laurel Avenue, Tillamook, Oregon; and
- 13. A formation election for such district will not be called.

DATED this ___ day of _____, 2017.

THE BOARD OF COMMISSIONERS
FOR TILLAMOOK COUNTY, OREGON

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

ATTEST: Tassi O’Neil
County Clerk

APPROVED AS TO FORM:

By: _____
Special Deputy

William K. Sargent, County Counsel