

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR TILLAMOOK COUNTY, OREGON

FILED  
APR 19 2018 10:18  
TASSI O'NEIL  
COUNTY CLERK [Signature]

In the Matter of Withdrawing Land and )  
Territory from the Neskowin Regional ) ORDER #18-042  
Sanitary Authority )

This matter came before the Board of Commissioners under a Petition of the Pacific Sand Heights Subdivision to withdraw certain real property from the Neskowin Regional Sanitary Authority, and the Board having heard the testimony of witnesses given as part of a public hearing on March 28, 2018, and being fully apprised of the, premises, representations, records, and files herein, finds as follows:

1. The Board of Commissioners has jurisdiction over this matter pursuant to ORS 198.795. Sanitary Authority District withdrawals are governed by ORS 198.870 – 198.882.
2. The property proposed for withdrawal is more particularly described in the attached Exhibit A, incorporated herein by reference.
3. At the conclusion of said public hearing on March 28, 2018, the Board executed Order #18-038 calling a final public hearing to be held on April 18, 2018, and declaring that if written requests for an election were not filed as provided by ORS 198.875(2), the Board, at the time of the final hearing, would enter its order withdrawing the real property incorporated herein by reference from the Neskowin Regional Sanitary Authority.
4. Notice of said final public hearing was published in the Headlight Herald, a newspaper of general circulation within the county, in accordance with ORS 198.810(2). The affidavit of publication for the notice of said final public hearing is attached as Exhibit B and incorporated by reference to this Order.
5. There was an insufficient number of written requests for an election on the question of the proposed withdrawal from the district filed, as provided by ORS 198.875(2), at the time of or before the final hearing.
6. The property proposed to be withdrawn lies entirely within the unincorporated area of Tillamook County.

NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

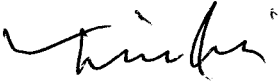
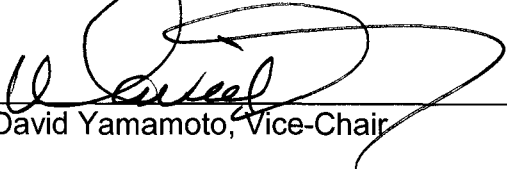

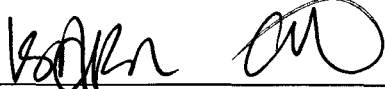
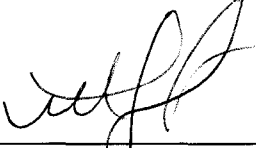
7. Pursuant to ORS 198.875(1), the Board of Commissioners withdraws the land and territory in the area known as the Pacific Sand Heights Subdivision as more particularly described in the attached Exhibit A, incorporated herein by reference, from the Neskowin Regional Sanitary Authority as there was an insufficient

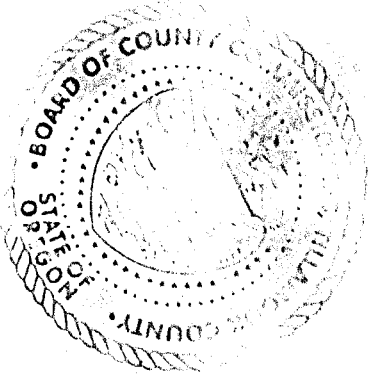
number of requests for an election on the question of the proposed withdrawal filed at the time of or before the final public hearing on April 18, 2018; and

- 8. The Board Secretary file a copy of this Order with the Secretary of the Neskowin Regional Sanitary Authority.

DATED this 18<sup>th</sup> day of April, 2018.

THE BOARD OF COMMISSIONERS  
FOR TILLAMOOK COUNTY, OREGON

	Aye	Nay	Abstain/Absent
 _____ Tim Josi, Chair	✓	_____	_____/_____
 _____ David Yamamoto, Vice-Chair	✗	_____	_____/_____
 _____ Bill Baertlein, Commissioner	✓	_____	_____/_____
ATTEST: Tassi O'Neil County Clerk	APPROVED AS TO FORM:		
By:  _____ Special Deputy	 _____ William K. Sargent, County Counsel		



## EXHIBIT A

### Legal Description for the Withdrawal from the Neskowin Regional Sanitary Authority

Beginning at the Initial Corner of this Subdivision, which is a section of galvanized iron pipe 2 inches in diameter and 36 inches in length set 6 inches below the surface of the ground, at a point on the North line of Section 25 in Township 5 South, Range 11 West of the Willamette Meridian in Tillamook County, Oregon, said point being 522.34 feet East of the 1/4 corner on the North line of said Section, thence South 19°12' East 198.05 feet, thence South 60°49'11" West 109.07 feet, thence South 43°51'36" West 100.61 feet, thence South 25°36'50" West 180.66 feet, thence South 64°29'38" West 163.19 feet, thence South 17°11' West 83.74 feet to an iron pipe set for the initial corner of Neskowin Crest Addition in said County and State, thence South 89°00' East along the North line of said Neskowin Crest Addition and the extension thereof 1200.88 feet to a point on the Westerly line of U.S. Highway No. 101, thence Northeasterly along the arc of a 2291.83 foot radius curve to the left (the chord of which bears North 25°15'34" East 179.19 feet) to a point opposite to Engineers center line station 65 + 12.55 P.C.S., thence Northeasterly along the arc of a spiral curve to the left (the chord of which bears North 19°40' East 391.13 feet) to a point opposite to Engineers center line station 69 + 12.55 P.T. thence North 17°55' East 122.45 feet to a point on the North line of said Section, thence West 1096.53 feet to the place of beginning and containing 15.97 acres of land.

# Affidavit of Publication

State of Oregon, County of Tillamook, -ss.

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

HH18-114  
Tillamook County  
NOTICE OF PUBLIC HEARING REGARDING PROPOSED  
WITHDRAWL OF TERRITORY FROM THE NESKOWIN  
REGINAL SANITARY AUTHORITY

a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for 1 successive and consecutive week in the following issue:

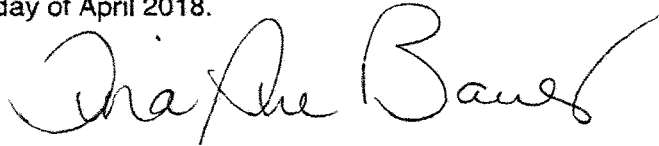
04/11/18

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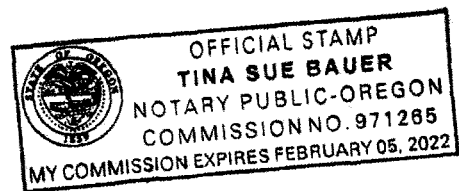
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Subscribed and sworn to before me this  
11th day of April 2018.



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Notary Public of Oregon



**HH18-114  
NOTICE OF PUBLIC  
HEARING REGARDING  
PROPOSED  
WITHDRAWAL OF  
TERRITORY FROM  
THE NESKOWIN RE-  
GIONAL SANITARY  
AUTHORITY**

Notice is hereby given pursuant to ORS 198.810(2) that the Tillamook County Board of Commissioners will

hold a Final Public Hearing on Wednesday, April 18, 2018 at 10:30 a.m. in the Commissioners' Meeting Room A in the Tillamook County Courthouse, 201 Laurel Avenue, Tillamook, Oregon.

The purpose of the hearing is to consider and act on a Petition that the hereinafter described real property,

as more particularly described on the attached Exhibit A and also known as the Pacific Sand Heights Subdivision, be withdrawn from

the Neskowin Regional Sanitary Authority. If the required number of written requests for an election on the question of the proposed

withdrawal are not filed with the Tillamook County Board of Commissioners as provided by ORS 198.875(2), the Board, at the time of the Final Hearing, will enter its Order withdrawing the said property from the Neskowin Regional Sanitary Authority.

All interested persons may appear and be heard.

This notice is posted and published pursuant to a Petition to Withdraw said property from the Neskowin Regional Sanitary Authority. Publish 4/11/18.

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said County and State, thence South 89°00' East along the North line of said Neskowin Crest Addition and the extension thereof 1200.88 feet to a point on the Westerly line of U.S. Highway No. 101, thence Northeasterly along the arc of a 2291.83 foot radius curve to the left (the chord of which bears North 25°15'34" East 179.19 feet) to a point opposite to Engineers center line station 65 + 12.55 P.C.S., thence Northeasterly along the arc of a spiral curve to the left (the chord of which bears North 19°40' East 391.13 feet) to a point opposite to Engineers center line station 69 + 12.55 P.T., thence North 17°55' East 122.45 feet to a point on the North line of said Section, thence West 1096.53 feet to the place of beginning and containing 15.97 acres of land.