

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR TILLAMOOK COUNTY, OREGON

In the Matter of Authorizing the) RESOLUTION
Execution of Documents Concerning) #R-21- 008
the Purchase of Real Property Owned)
by Faye M. Jensen, LLC, et al)

This matter came before the Tillamook County Board of Commissioners on April 28, 2021, at the request of Rachel Hagerty, Chief of Staff. The Board of Commissioners, the governing authority for Tillamook County, being fully apprised of the representations of the above-named person, and the records and files herein, finds as follows:

1. The county intends to purchase approximately six acres of land along Cape Kiwanda Drive in Pacific City owned by Faye M. Jensen, LLC, as to Parcels I through XIII, and Brock Stiles, Trustee of the Faye M. Jensen Revocable Living Trust as to Parcel XIV (collectively "the Seller"), as more particularly described in the attached Exhibit A.
2. The purchase will add to the county's property portfolio in Pacific City and provide new opportunities to further the goals of the *Cape Kiwanda Master Plan* and the *Pacific City/Woods Parking Management Plan*.
3. The county is purchasing the property from Seller, a voluntary willing seller, in accordance with a fully executed real estate sales agreement and addenda at a price negotiated by county and Seller, based on recent appraisals.
4. The board deems this real property purchase to be for the best interests of the county.

NOW, THEREFORE, IT IS HEREBY RESOLVED that:

5. The real property purchase is approved in accordance with applicable practices, procedures, rules, ordinances, and statutes including ORS 203.010 and ORS 192.610 – 192.650.
6. The Board of Commissioners' Chair, Mary Faith Bell, is authorized to execute a deed and such other instruments and documents as are necessary for the county to complete the purchase of the real property owned by the Faye M. Jensen, LLC and Brock Stiles, Trustee of the Faye M. Jensen Revocable Living Trust, as more particularly described on the attached Exhibit A, incorporated herein.

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DATED this 28th day of April, 2021.

THE BOARD OF COMMISSIONERS
FOR TILLAMOOK COUNTY, OREGON

Aye Nay Abstain/Absent

M-F Bell
Mary Faith Bell, Chair

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David Yamamoto
David Yamamoto, Vice-Chair

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Erin D. Skaar
Erin D. Skaar, Commissioner

✓ — — 1

ATTEST: Tassi O'Neil
County Clerk

By: Tassi O'Neil
Special Deputy

APPROVED AS TO FORM:

Joel W. Stevens
Joel W. Stevens, County Counsel

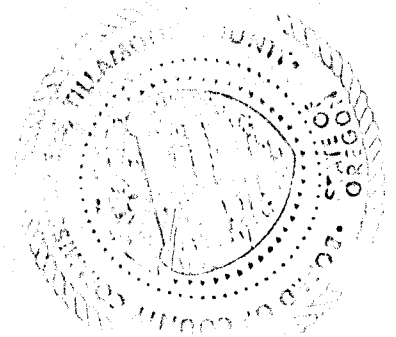


EXHIBIT A

Legal Description of Property

PARCELS I, III, IV, VI:

A tract of land located in Government Lots 3 and 4, Section 24, Township 4 South, Range 11 West of the Willamette Meridian, in Tillamook County, Oregon, more particularly described as follows:

Beginning at the Southeast corner of Government Lot 4, Section 24, Township 4 South, Range 11 West of the Willamette Meridian, Tillamook County, Oregon; thence West 90 feet and North 520 feet to the Southeast corner of the herein described parcel and the True Point of Beginning; thence West 120 feet; thence North 60 feet; thence West 30 feet; thence North 60 feet; thence East 30 feet; thence South 60 feet; thence East 30 feet; thence North 60 feet; thence East 30 feet; thence South 60 feet; thence East 30 feet; thence North 60 feet; thence East 30 feet; thence South 120 feet to the True Point of Beginning.

PARCELS II, V, XII:

TRACT A:

Part of Section 24, Township 4 South, Range 11 West of the Willamette Meridian, in Tillamook County, Oregon, more particularly described as follows:

Beginning at the Southeast corner of Lot 5, Block 3, FIRST ADDITION TO KIWANDA SHORES; thence Westerly along the South line of said Lot to the East line of Ocean Drive; thence Southerly along Ocean Drive and the sinuosities thereof to the Northeast corner of Lot 13, Block 10, FOURTH ADDITION TO KIWANDA SHORES; thence Westerly along the North line of said Lot 13 to the Zone line established by Oregon Statutes; thence Southerly along said Zone line to the South line of said Section 24; thence Easterly along the South line of said Section 24 to the Southeast corner thereof; thence North a distance of 60 feet; thence West a distance of 50 feet; thence North a distance of 270 feet; thence East a distance of 50 feet to the East line of said Section 24; thence North along the East line of said Section 24 a distance of 60 feet; thence West a distance of 50 feet; thence North a distance of 90 feet; thence East a distance of 50 feet to the East line of said Section 24; thence North a distance of 60 feet; thence West a distance of 50 feet; thence North a distance of 210 feet; thence East a distance of 50 feet to the East line of said Section 24; thence North to the Southeast corner of KIWANDA SHORES PLANNED UNIT DEVELOPMENT; thence South 89° 47' West a distance of 90 feet; thence North a distance of 30 feet; thence Westerly along the South line of said KIWANDA SHORES a distance of 60 feet; thence South a distance of 60 feet; thence West a distance of 150 feet; thence North to the South line of KIWANDA SHORES; thence West along the South line of KIWANDA SHORES to the Southwest corner thereof; thence Northerly along the Westerly line of KIWANDA SHORES to the Point of Beginning.

EXCEPTING THEREFROM:

Beginning at a point that is 360 feet North and 90 feet West of Section 24, Township 4 South, Range 11 West of the Willamette Meridian in Tillamook County, Oregon; thence West a distance of 270 feet; thence North a distance of 60 feet; thence East a distance of 150 feet; thence North 60 feet; thence East 60 feet; thence South 60 feet; thence East 60 feet; thence South 60 feet to the Point of Beginning.

ALSO EXCEPTING those tracts described in the following Deed Books and Pages in Tillamook County, Oregon; Book 126, Page 417; Book 124, Page 44; Book 107, Page 97; Book 107, Page 99; Book 107,

Page 93; Book 107, Page 95; Book 117, Page 491; Book 118, Page 346; Book 105 and Page 254; Book 330, Page 989.

ALSO EXCEPTING THEREFROM Parcels 1, 2 and 3, PARTITION PLAT NO. 1991-18, recorded May 8, 1991 in Plat Cabinet B 323-1, Partition Plat Records, Tillamook County, Oregon.

ALSO EXCEPTING THEREFROM:

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11, Block 15, SEVENTH ADDITION TO KIWANDA SHORES, in Tillamook County, Oregon.

ALSO EXCEPTING THEREFROM:

Lots 14 and 15, Block 10, FOURTH ADDITION TO KIWANDA SHORES, in Tillamook County, Oregon.

ALSO EXCEPTING THEREFROM:

A tract of land in the Southeast quarter of the Southeast quarter of Section 24, Township 4 South, Range 11 West of the Willamette Meridian, in Tillamook County, Oregon, said tract being more particularly described as follows:

Commencing at the Southeast corner of aforesaid Section 24; thence North $00^{\circ}13'00''$ East 750.00 feet along the East line of said Section 24; thence North $89^{\circ}47'00''$ West 210.00 feet to the Point of Beginning; thence North $00^{\circ}13'00''$ East 153.16 feet to a point on the South line of Unit 4 of PHASE II, KIWANDA SHORES PLANNED UNIT DEVELOPMENT; thence North $89^{\circ}47'41''$ West (record=North $89^{\circ}47'00''$ West) 212.18 feet to the Southwest corner of said Unit 4, in the East line of Parcel 3, PARTITION PLAT NO. 1991-18; thence South $04^{\circ}22'58''$ East 55.85 feet (record=South $04^{\circ}17'39''$ East 55.76 feet) to the Southeast corner of Parcel 2, PARTITION PLAT NO. 1991-18; thence South $04^{\circ}20'22''$ East 58.08 feet (record=South $04^{\circ}17'39''$ East 58.10 feet) to the Southeast corner of Parcel 1, PARTITION PLAT NO. 1991-18 and the Northeast corner of Lot 1, SEVENTH ADDITION TO KIWANDA SHORES; thence South $20^{\circ}18'50''$ East (record=South $20^{\circ}23'00''$ East) 42.23 feet along the East line of said Lot 1; thence South $89^{\circ}47'00''$ East 188.26 feet to the Point of Beginning.

ALSO EXCEPTING THEREFROM:

A tract of land in the Southeast quarter of the Southeast quarter of Section 24, Township 4 South, Range 11 West of the Willamette Meridian, in Tillamook County, Oregon, said tract being more particularly described as follows:

Commencing at the Southeast corner of aforesaid Section 24; thence North $00^{\circ}13'00''$ East 750.00 feet along the East line of said Section 24 to the Point of Beginning; thence North $89^{\circ}47'00''$ West 210.00 feet; thence North $00^{\circ}13'00''$ East 153.16 feet to a point on the South line of Unit 4, PHASE II, KIWANDA SHORES PLANNED UNIT DEVELOPMENT; thence South $89^{\circ}47'41''$ East (record=South $89^{\circ}47'00''$ East) 120.70 feet to the North angle point on the South boundary of Unit 3, PHASE II, KIWANDA SHORES PLANNED UNIT DEVELOPMENT; thence South $00^{\circ}09'49''$ West 29.99 feet (record=South $00^{\circ}13'00''$ West 30.00 feet) to the South angle point on the South boundary of Unit 3, PHASE II, KIWANDA SHORES PLANNED UNIT DEVELOPMENT; thence South $89^{\circ}43'39''$ East 89.27 feet (record=South $89^{\circ}47'00''$ East 90.00 feet) to the Southeast corner of said Unit 3; thence South $00^{\circ}13'00''$ West 123.11 feet to the Point of Beginning.

ALSO EXCEPTING THEREFROM:

A tract of Land located in the Southwest quarter of Section 24, Township 4 South, Range 11 West of the Willamette Meridian, in Tillamook County, Oregon, and more particularly described as follows:

Commencing at the Initial Point of KIWANDA SHORES FIRST ADDITION and running thence South 07° 57' 46" East 349.52 feet to the Southeast corner of Lot 5, Block 3, KIWANDA SHORES FIRST ADDITION; thence South 82° 32' 14" West 100.00 feet to the Southwest corner of Lot 5, Block 3, KIWANDA SHORES FIRST ADDITION and the True Point of Beginning of the tract to be described; thence Southeasterly along the Easterly right-of-way of Ocean Drive a distance of 66.0 feet; thence North 82° 02' 14" East along a line parallel to and 66.0 feet South of the South line of Lot 5, Block 3, KIWANDA SHORES FIRST ADDITION to a point which lies South 11° 15' 25" East from the Southeast corner of Lot 5, Block 3, KIWANDA SHORES FIRST ADDITION; thence North 11° 15' 25" West to the Southeast corner of Lot 5, Block 3, KIWANDA SHORES FIRST ADDITION; thence South 82° 02' 14" West 100.00 feet to the True Point of Beginning.

EXCEPTING THEREFROM, if any, the North 8 feet of even width as conveyed to Scott M. Culp, by Deed (to create lot line adjustment) recorded April 9, 1990 in Book 327, Page 449, Deed Records of Tillamook County, Oregon.

ALSO EXCEPTING THEREFROM:

A tract of land in the Southeast quarter of Section 24, Township 4 South, Range 11 West of the Willamette Meridian, in Tillamook County, Oregon, more particularly described as follows:

Beginning at the Southeast corner of Parcel II as described in Deed to Michael P. McGrath as recorded July 7, 1982, in Book 282, Page 490, Tillamook County Records, said corner being 390.00 feet North from the Southeast corner of Section 24, Township 4 South, Range 11 West of the Willamette Meridian; thence West 60.00 feet; thence South 60.00 feet; thence East 10.00 feet to the Northwest corner of that tract of land described in Bargain and Sale Deed from Hanover to Jones, recorded in Book 283, Page 263, Tillamook County Records; thence East 50.00 feet to the Northeast corner of said Jones tract; thence North 60.00 feet to the Point of Beginning.

ALSO EXCEPTING THEREFROM:

Known as tract of land which is 360 feet North and 210 feet West of the Southeast corner of Lots 3 and 4, in Section 24, Township 4 South, Range 11 West of the Willamette Meridian, in Tillamook County, Oregon.

Beginning at the Southeast corner of the tract described; thence North 60 feet; thence West 90 feet; thence South 60 feet; thence East 90 feet to the Southeast corner of the tract conveyed.

TRACT B:

Beginning at the intersection of the South line of Section 24, Township 4 South, Range 11 West of the Willamette Meridian, in Tillamook County, Oregon with the Zone line as defined by Oregon Statutes; thence Northerly along the Zone line a distance of 230 feet; thence West to the ordinary high water line of the Pacific Ocean; thence Southerly along said ordinary high water line to a point that is West of the point of beginning; thence East to the Point of Beginning.

PARCEL VII:

Known as tract of land located in Lots 3 and 4 Section 24, Township 4 South, Range 11 West of the Willamette Meridian, in Tillamook County, Oregon. Beginning at the Southeast corner of the above described land, thence North 420 feet; thence West 150 feet to the Southeast corner of that tract conveyed; thence West 60 feet; thence North 60 feet; thence East 60 feet; thence South 60 feet to the Southeast corner.

PARCEL VIII:

Known as tract of land which 360 feet North and 90 feet West of the Southeast corner of Lots 3 and 4 Section 24 Township 4 South, Range 11 west of the Willamette Meridian, in Tillamook County, Oregon. Beginning at the Southeast corner of tract; thence West 60 feet; thence North 60 feet; thence East 60 feet; thence South 60 feet to the Southeast corner of tract herein conveyed.

PARCEL IX:

A tract of land which is 360 feet North and 150 feet West of the Southeast corner of Lots 3 and 4, Section 24, Township 4 South, Range 11 West of the Willamette Meridian, in Tillamook County, Oregon. Beginning at the Southeast corner of tract, thence West 60 feet, North 60 feet, East 60 feet and South 60 feet to the Southeast corner of tract herein conveyed.

PARCEL X:

TRACT A:

Known as a tract of land located in Lots 3 and 4, Section 24, Township 4 South, Range 11 West of the Willamette Meridian, in Tillamook County, Oregon, Beginning at the Southeast corner of the above described land; thence North 270 feet to the Southeast corner of tract conveyed thence North 60 feet; thence West 50 feet; thence South 60 feet; thence East 50 feet to the Southeast corner.

TRACT B:

Known as a tract of land located in Lots 3 and 4, Section 24, Township 4 South, Range 11 West of the Willamette Meridian, in Tillamook County, Oregon, Beginning at the Southeast corner of the above described land; thence North 150 feet to the Southeast corner of tract conveyed thence North 120 feet; thence West 50 feet; thence South 120 feet; thence East 50 feet to the Southeast corner.

PARCEL XI:

A tract of land in the Southeast quarter of the Southeast quarter of Section 24, Township 4 South, Range 11 West of the Willamette Meridian, in Tillamook County, Oregon, said tract being described as follows:

Beginning at a point on the East line of said Section 24, said point being North 00°13'00" East 60.00 feet from the Southeast corner of Section 24; Thence North 89°47'00" West 75.00 feet; thence North 00°13'00" East 90.00 feet; thence South 89°47'00" East 75.00 feet to the East line of said Section 24; thence South 00°13'00" West 90.00 feet to the Point of Beginning.

PARCEL XIII:

The East one-half of the following described property:

Beginning at the Section corner common to Sections 19 and 30, Township 4 South, Range 10 West of the Willamette Meridian and Sections 24 and 25, Township 4 South, Range 11 West of the Willamette, in Tillamook County, Oregon; thence West along the Section line between Sections 24 and 25, 100 feet; thence South 57 feet, more or less, to intersect the North line of Pacific Avenue produced; thence South $81^{\circ}44'$ East along said North line of Pacific Avenue, 101 feet, more or less, to intersect the Section line between Sections 25 and 30; thence North along said Section line, 69.5 feet, more or less, to the Point of Beginning, all in Government Lot 1, Section 25, Township 4 South, Range 11 West of the Willamette Meridian.

PARCEL XIV:

A tract of land in the Southeast quarter of the Southeast quarter of Section 24 and the Northeast quarter of the Northeast quarter of Section 25, Township 4 South, Range 11 West of the Willamette Meridian, in Tillamook County, Oregon, said tract being more particularly described as follows:

Commencing at the Northeast corner of the aforesaid Section 25; thence North $89^{\circ}55'00''$ West 50.00 feet along the North line of said Section 25, to the Point of Beginning; thence South $00^{\circ}05'00''$ West 62.05 feet to the North boundary of Pacific Avenue; thence North $82^{\circ}46'00''$ West 245.27 feet along the North boundary of Pacific Avenue; thence North $00^{\circ}05'00''$ East 36.5 feet; thence South $89^{\circ}55'00''$ East, parallel with the North line of said Section 25, 243.36 feet; thence South $00^{\circ}05'00''$ West 5.00 feet to the Point of Beginning.