

TILLAMOOK COUNTY PLANNING COMMISSION

LOCATION

Port of Tillamook Bay Conference Center
4000 Blimp Boulevard, Tillamook, OR 97141

HEARING DATE

May 22, 2025 - BEGINNING AT 7:00P.M.

VIRTUAL & TELECONFERENCE MEETING INFORMATION

*For teleconference access the evening of the hearing, please call 971-254-3149. Conference ID: 887 242 77#. Virtual Meeting Access: <https://www.tillamookcounty.gov/commdev>. Click on Virtual Teams Link. *Microsoft Teams Meeting Format.*

I. CALL TO ORDER

II. ROLL CALL

III. OLD BUSINESS: N/A

IV. NEW BUSINESS:

#851-25-000031-PLNG: A Variance request to reduce the required 60-foot width requirement to 55.02-feet for a Neskowin Low Density Residential (Nesk R-1) zoned property, together with **#851-25-000030-PLNG**, a Property Line Adjustment to adjust a portion of Tax Lot 220 into Tax Lot 231 in the Nesk R-1 zone. Located in the Unincorporated Community of Neskowin, the subject properties are accessed via South Beach Road, a private road, zoned Neskowin Low Density Residential (Nesk R-1) and Small Farm and Woodlot (SFW-20) and designated as Tax Lot 220 and 231 of Section 36BC, Township 5 South, Range 11 West of the Willamette Meridian, Tillamook County, Oregon. The Applicant is Robert Fultz.

V. AUTHORIZATION FOR CHAIR TO SIGN APPROPRIATE ORDERS, IF NECESSARY

VI. ADMINISTRATIVE DECISIONS: Administrative Decisions are available for public review on the Tillamook County Department of Community Development website:
<https://www.tillamookcounty.gov/commdev/landuseapps>

VII. HOUSING COMMISSION UPDATE

VIII. STATUS OF REAPPOINTMENT FOR PLANNING COMMISSION MEMBERS

IX. DEPARTMENT OF COMMUNITY DEVELOPMENT REPORT

X. ADJOURNMENT

The Port of Tillamook Bay Conference Center is accessible to citizens with disabilities. If special accommodations are needed for persons with hearing, visual, or manual impairments that wish to participate in the meeting, please contact 1-800-488-8280x3423 at least 24 hours prior to the meeting in order that appropriate communications assistance can be arranged.



Land of Cheese, Trees and Ocean Breeze

MEMO

Date: May 15, 2025
To: Tillamook County Planning Commission
From: Melissa Jenck, CFM, Senior Planner
Subject: May 22, 2025, Planning Commission Hearing

Included in this packet is a copy of the staff report and related materials regarding Variance application **#851-25-000031-PLNG**, together with **851-25-000030-PLNG**, a Property Line Adjustment application. The proposal is for an exception to the 60-foot lot width standard for a NeskR-1 property, which if approved, would allow for concurrent Property Line Adjustment request between Tax Lot 220 and 231. The Property Line Adjustment proposal would be contingent on the Planning Commissions approval of the Variance request.

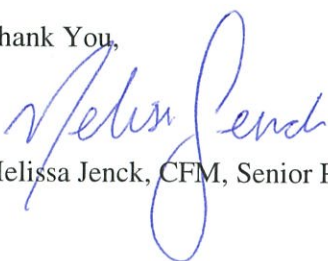
The subject properties included parcels within the Neskowin Unincorporated Community Boundary, along with area outside the Neskowin UCB.

No comments were received from the public, agencies or CAC, who were notified of this request. The request was published in the May 6, 2025 edition of the Headlight Herald.

Both properties in this request are currently vacant. There are numerous property owners, who are listed in the request. Mr. Robert B. Fultz is the Applicant for this request.

If you have any questions about the information received, please do not hesitate to contact me.

Thank You,



Melissa Jenck, CFM, Senior Planner



Land of Cheese, Trees and Ocean Breeze

**VARIANCE REQUEST #851-25-000031-PLNG
& PROPERTY LINE ADJUSTMENT REQUEST
#851-25-000030-PLNG: FULTZ
Staff Report**

Date: May 15, 2025

(This is not Building or Placement Permit Approval)

Report Prepared by: Melissa Jenck, Senior Planner, CFM

I. GENERAL INFORMATION:

Request: A Variance request to reduce the required 60-foot width requirement to 55.02-feet for a Neskowin Low Density Residential (Nesk R-1) zoned property, together with **#851-25-000030-PLNG**, a Property Line Adjustment to adjust a portion of Tax Lot 220 into Tax Lot 231 in the Nesk R-1 zone.

Location: Located in the Unincorporated Community of Neskowin, the subject properties are accessed via South Beach Road, a private road, and designated as Tax Lot 220 and 231 of Section 36BC, Township 5 South, Range 11 West of the Willamette Meridian, Tillamook County, Oregon.

Zone: Neskowin Low Density Residential (NeskR-1), Small Farm and Woodlot (SFW-20)

Applicant: Robert B. Fultz, 865 Highland Drive, Boulder Creek, CA 95005

Property Owners: Jay Julien 2012 Irrevocable Trust, Sherry Kalish Irrevocable Trust, Seabreeze Associates Limited Partnership, Heather Gobet-Pomeroy, & Thomas Bates

Description of Site and Vicinity: The subject properties are an irregular rectangular shape, maintain variable slope with lower lying areas to the west, well vegetated, and are unimproved except for South Beach Road, a private road, which bisects Tax Lot 220. Tax lot 220 encompasses 10.37 acres and Tax Lot 231 encompasses 8,164.3 acres, according to Applicants survey (Exhibit A & B). Access to the subject properties is from South Beach Road, a private road. The surrounding area is zoned NeskR-1 and SFW-20, and the general area consists of single-family residential uses (Exhibit A).

The subject properties bisect the Neskowin Unincorporated Community Boundary (UCB), with Tax Lot 231 entirely within the Neskowin UCB, and Tax Lot 220 maintaining area both inside and outside of the Neskowin UCB (Exhibit A).

The subject properties are located in an area of known geologic hazard and future development may be subject to the provisions of TCLUO Section 4.130: Development Requirements for Geologic Hazard Areas. Mapped hydric soils are present in the northwesterly portion of Tax Lot 220, with a mapped perennial stream flowing east/west on the southerly portion of the lot. The subject properties do not maintain Area of Special Flood Hazard as shown on FEMA Flood Insurance Rate Map (FIRM) Panel No. 41057C1005F dated September 28, 2018 (Exhibit A).

The applicant is proposing to reduce the minimum lot width requirement for the Neskowin Low Density Residential (NeskR-1) Zone, from sixty (60) feet to 55.02-feet, to allow for a Property Line Adjustment between Tax Lot 220 and 231 (Exhibit B). The Applicant states the Variance request is necessary to merge a small portion of a larger parcel that is orphaned by the presence of South Beach Road (Exhibit B).

II. APPLICABLE ORDINANCE AND COMPREHENSIVE PLAN PROVISIONS:

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

- A. TCLUO Section 3.006: Small Farm and Woodlot (SFW-20)
- B. TCLUO Section 3.322: Neskowin Low Density Residential (NeskR-1) Zone
- C. TCLUO Article VIII: Variance Procedures and Criteria
- D. TCLUO Section 4.005: Residential and Commercial Zone Standards
- E. TCLDO Section 130: Property Line Adjustments

III. ANALYSIS:

A. TCLUO Section 3.006: Small Farm and Woodlot (SFW-20)

Section 3.006(1(a)), The purpose of the SFW-20 zone is to protect and promote farm and forest uses much in the same way as do the Farm and Forest zones, on lands which have resource value, but which are not suited for the F-1 or the F zones because of smaller parcel size, conflicting adjacent uses, adverse physical features or other limiting factors.

Section 3.006(4), DEVELOPMENT STANDARDS

(a) The minimum lot width at the front building line for all uses except farm or forest uses shall be 100 feet.

(b) The minimum lot depth for all uses except farm or forest uses shall be 100 feet.

Section 3.006(5), LAND DIVISIONS

New land divisions shall conform to either the standards contained in Article 3.002 – Farm Zone (F-1), or the standards of Article 3.004 – Forest Zone (F), based on the predominant use of the tract on January 1, 1993.

Findings: Tax lot 220 maintains a predominate area of SFW-20 zoned land on its current 10.37-acre lot (Exhibit A & B). The proposed Property Line Adjustment would not reduce or enlarge that area zoned SFW-20 (Exhibit B). The existing area maintained in Tax Lot 220 zoned SFW-20 currently exceeds the minimum lot width and depth standards.

The SFW-20 portion of the property is predominately maintained in vegetated trees and aerial imagery from 1994 would indicate the same. The County does not maintain records of active farm uses of the property in 1993. The subject property shall demonstrate compliance with Forest (F) zone standards. The Forest (F)

zone, TCLUO Section 3.004, maintains a minimum parcel size of 80-acres. Staff find the existing lot area of Tax Lot 220 is under 80-acres in size, and contains area in both the Neskowin Low Density Residential (NeskR-1) zone and Small Farm and Woodlot (SFW-20) zone. While the overall size of Tax Lot 220 is proposed to be further reduced, there is no proposed reduction of the lot area dedicated to SFW-20 zone or transfer of such zone to Tax Lot 231 (Exhibit A & B).

Property Line Adjustments standards contained in the Land Division Ordinance would allow for adjustments for properties smaller than the minimum lot size for the applicable zone. Discussions regarding compliance with Property Line Adjustment standards are contained in Subsection E, below in this report.

B. TCLUO Section 3.322: Neskowin Low Density Residential (NeskR-1) Zone

Section 3.322(1), The purpose of the NeskR-1 zone is to designate areas for low-density single-family residential development and other, compatible, uses. Suitability of land for low-density uses is determined by the availability of public sewer service, and such limitations to density such as geologic and flood hazards, shoreline erosion, and the aesthetic or resource values of nearby natural features.

Section 3.322 (4), STANDARDS: Land divisions and development in the NeskR-1 zone shall conform to the following standards, unless more restrictive supplemental regulations apply:

- (a) The minimum lot size for permitted uses shall be 7,500 square feet, except that the minimum lot size for a two-family dwelling shall be 10,000 square feet. Where public sewers are not available, the County Sanitarian may require lot sizes greater than the minimum if necessary for the installation of adequate on-site subsurface sewage disposal systems, or for adequate protection of public health or sensitive water bodies.*
- (b) The minimum lot width shall be 60 feet.*
- (c) The minimum lot depth shall be 75 feet.*

Findings: Subsection 4 of Section 3.322 outlines various development standards including dimensional requirements. Applicants' proposal includes a Property Line Adjustment between Tax Lot 220 and 231, which both contain lot area dedicated to the Neskowin Low Density Residential (NeskR-1) zone.

Tax Lot 231 exceeds 7,500 square feet of NeskR-1 zoned property and demonstrates compliance with minimum lot size standards. Tax Lot 231 current complies with minimum lot width and depth standards for the NeskR-1 zone. Tax Lot 220 maintains two non-contiguous areas of NeskR-1 zoned property (Exhibit A). Applicant proposed a Property Line Adjustment between Tax Lot 231 and 220, which would result in additional NeskR-1 zoned property from Tax Lot 220 to be added to Tax Lot 231, but the additional land area will reduce the Lot Width of Tax Lot 231 from the current 60-foot compliant standard to 55.02-feet (Exhibit A & B).

While the NeskR-1 zone area is reduced on Tax Lot 220, the property will maintain adequate lot width, depth and area of NeskR-1 zone property contained in the overall parent parcel (Exhibit B).

Staff find the Applicant has requested a Variance to allow for the reduction to the minimum Lot Width standards of the NeskR-1 zone for Tax Lot 231, for the proposed adjustment between Tax Lot 220 and 231 (Exhibit B).

Staff find the requested Variance may be permitted only by finding the criteria of TCLUO Article 8 have been satisfied. TCLUO Article 8, 'Variance Procedures and Criteria', is addressed below. The request for a Property Line Adjustment may be permitted if the criteria of Article 8 have been satisfied, addressed below.

C. TCLUO Article VIII: Variance Procedure and Criteria; including Section 4.005 Residential and Commercial Zone Standards

The purpose of a VARIANCE is to provide relief when a strict application of the dimensional requirements for lots or structures would cause an undue or unnecessary hardship by rendering the parcel incapable of reasonable economic use. No VARIANCE shall be granted to allow a use of property not authorized by this Ordinance.

Article VIII of the Tillamook County Land Use Ordinance governs the applications of Variances within the County. Article IV, Section 4.005 lists the purposes of the land use standards in each of the residential and commercial zones.

SECTION 8.020, 'PROCEDURE'

The following procedure shall be observed in applying for and acting on a VARIANCE request:

- (1) A request may be initiated for a VARIANCE, or the modification of an approved VARIANCE, by filing an application with the Department. The Department may require any information necessary for a complete understanding of the proposed VARIANCE and its relationship to surrounding properties.*
- (2) The Director shall act administratively according to the procedure set forth in Article 10, or shall refer the application to the Commission for a public hearing and decision. The application shall be referred to the Commission if the Director determines that the proposed use would have significant impacts that extend beyond the abutting properties, and that those impacts are not likely to be adequately addressed by response to public notice required by Section 10.070. If the Director elects to refer the application to the Commission, it shall be heard at the next available Commission hearing, unless the applicant requests otherwise.*
- (3) No approved VARIANCE request shall be invalidated because of failure to receive the notice provided for in Section 10.070.*

Findings: The Director referred this Variance request to the Planning Commission. The application is therefore considered a Type III land use review, and shall demonstrate procedures in accordance with TCLUO Section 10.080, 'Type III Procedures'.

SECTION 10.080 TYPE III PROCEDURES

(1) Notice for Type III Decisions.

(a) Notice of Review. The County shall provide notice of a public hearing on a Quasi-Judicial application at least 28 days prior to the first hearing date. If two or more hearings are allowed, then notice shall be provided at least 10 days prior to first hearing. The County Planning Director shall prepare an affidavit of notice, which shall be made part of the file. This affidavit shall state the date that the notice was mailed. Notice of a public hearing shall be provided to the following parties:

- ...*
- ii. Property owners within 250 feet of subject property if the subject property is outside UGB and not in farm or forest zone.*
- ...*
- iv. Property owners within 750 feet of subject property if the subject property is outside UGB and in a farm or forest zone.*
- v. Any affected government agency or public district, including affected city if subject site is inside a UGB.*
- vi. Any citizen's advisory committee or community organization whose boundaries include, or are adjacent to, the subject site.*
- ...*

(c) Newspaper notice. Notice of the public hearing shall be published in a newspaper of general circulation in the County at least ten (10) calendar days prior to the date of a quasi-judicial public hearing. An affidavit or other formal certification of publication shall be made part of the record.

Findings: Notice of Public Hearing was mailed out on April 24, 2025, to all landowners within 750 feet of the subject property, and affected agencies, districts and other parties. Newspaper Notice of Public Hearing was published on May 6, 2025, in the Tillamook County Headlight Herald. No comments were received on this request.

SECTION 8.030 states that a Variance may be authorized if the applicants/property owners adequately demonstrate that the proposed use satisfies all relevant requirements, including all four review criteria in Section 8.030. These criteria, including Section 4.005 Residential and Commercial Zone Standards, along with Staff's findings and conclusions are indicated below:

(1) Circumstances attributable either to the dimensional, topographical, or hazardous characteristics of legally existing lot, or to the placement of structures thereupon, would effectively preclude the enjoyment of a substantial property right enjoyed by the majority of landowners in the vicinity, if all applicable standards were to be met. Such circumstances may not be self-created.

Findings: The proposed Variance is to allow for the reduction of the minimum lot width standard in the NeskR-1 zone, for Tax Lot 231 to take possession of portions of Tax Lot 220 (Exhibit B). Applicant's submittal states three parties border the portion of Tax Lot 220 which is affected by the proposed Variance request (Exhibit B).

Staff find that the subject property, Tax Lot 231, maintains the minimum lot width of 60-feet, lot depth of 75-feet, and lot size of 7,500-square feet for a NeskR-1 zoned property (Exhibit A & B). Applicant is proposing to increase the lot size of Tax Lot 231, which due to the irregular shape of the existing parcel and the area to be added from Tax Lot 220, would result in a reduced lot width to 55.02-feet (Exhibit B).

Lot width is defined in the Tillamook County Land Use Ordinance as *"The average horizontal distance between the side lot lines, ordinarily measured parallel to the front lot line."* The Applicant has prepared findings of the proposed width, using multiple intersects to prepare the average across the horizontal distance between side lot lines (Exhibit B).

Staff finds dimensional layout of the properties and the surrounding area are due to a series of historical Lots of Record, easement locations, property line adjustments, and partitions (Exhibit A). Tax Lot 220 and Tax Lot 231 are the result of previous Partitions and Property Line Adjustments, including a Partition in 2006, a Property Line Adjustment in 2012, and a recent Partition in 2024 (Exhibit C).

South Beach Road, a private road, is maintained through an easement located upon Tax Lot 220, primarily abutting its westerly property boundary, and bisects through both the NeskR-1 and SFW-20 zone (Exhibit A & B).

Staff find there are properties located throughout the Neskowin Low Density Residential (NeskR-1) zone which do not comply with minimum lot width standards, including properties nearby off Nescove Drive located at 5S11-35BC-03201 and 5S11-36BC-03100. Additional properties which do not maintain minimum lot width standards include numerous properties zoned NeskR-1 zoned located off Carlton Avenue, Salem Avenue, Independence Avenue and Silverton Avenue (Exhibit A).

(2) A variance is necessary to accommodate a use or accessory use on the lot which can be reasonably expected to occur within the zone or vicinity.

Findings: Applicant states it can be reasonably expected that development of a residence can be expected upon Tax Lot 220 and 231 (Exhibit B). Applicant argues that development of Tax Lot 220 would result with an orphaned area of NeskR-1 zoned properties adjacent to Tax lot 231, and is opposite of South Beach Road, which is not large enough to create its own legal lot (Exhibit B).

Single-family dwellings are an outright allowed use in the NeskR-1 zone and this use is consistent with uses on the surrounding properties expected to reasonably occur in the zone and vicinity. Both properties, Tax Lot 220 and Tax Lot 231, are currently unimproved (Exhibit A).

Staff find that the subject property, Tax Lot 231, maintains the minimum lot width of 60-feet, lot depth of 75-feet, and lot size of 7,500-square feet for a NeskR-1 zoned property (Exhibit A & B). Applicant is proposing to increase the lot size, which due to the irregular shape of the existing parcel and the area to be added from Tax Lot 220, would result in a reduced lot width to 55.02-feet (Exhibit B).

(3) The proposed variance will comply with the purposes of relevant development standards as enumerated in Section 4.005 and will preserve the right of adjoining property owners to use and enjoy their land for legal purposes.

Findings: See Subsection D, below, which addresses Section 4.005 standards.

(4) There are no reasonable alternatives requiring either a lesser or no variance.

Findings: Applicant concludes that due to a legacy process that created this situation, we do not see any other reasonable alternative to a variance that does not involve extending the legacy situation to an even worse situation (Exhibit B).

Staff find that the subject property, Tax Lot 231, maintains the minimum lot width of 60-feet, lot depth of 75-feet, and lot size of 7,500-square feet for a NeskR-1 zoned property (Exhibit A & B). Applicant is proposing to increase the lot size, which due to the irregular shape of the existing parcel and the area to be added from Tax Lot 220, would result in a reduced lot width to 55.02-feet (Exhibit B). Tax Lot 231 currently maintains an area of 8,164.3-square feet, with the proposed adjustment to include an additional 2,241.4-square feet, for a total of 10,405.7-square feet. The resulting reduction in square footage to Tax Lot 220 would adjust the parcel size from 10.37-acres to 10.32-acres (Exhibit B).

Staff find the area proposed for adjustment from Tax Lot 220 to Tax Lot 231 is zoned NeskR-1 and is currently unimproved. The portion of the property is located on the north side of South Beach Road, a private road, adjacent to Tax Lot 231. A recent partition, P-1232, in 2024 created Tax Lot 231 which is currently compliant with the NeskR-1 lot width, depth and lot size standards. The area of 2,241.4-square feet NeskR-1 zoned property remained with its parent parcel, Tax Lot 220, which is now proposed to be adjusted into Tax Lot 231 (Exhibit A & C).

D. TCLUO Section 4.005: Residential and Commercial Zone Standards

- (1) To ensure the availability of private open spaces;*
- (2) To ensure that adequate light and air are available to residential and commercial structures;*
- (3) To adequately separate structures for emergency access;*
- (4) To enhance privacy for occupants or residences;*
- (5) To ensure that all private land uses that can be reasonably expected to occur on private land can be entirely accommodated on private land, including but not limited to dwellings,*

- shops, garages, driveway, parking, areas for maneuvering vehicles for safe access to common roads, alternative energy facilities, and private open spaces;*
- (6) *To ensure that driver visibility on adjacent roads will not be obstructed;*
- (7) *To ensure safe access to and from common roads;*

Findings: The applicant summarizes that the area proposed through the Property Line Adjustment and therefore would result in a reduction of the Lot Width for Tax Lot 231 to be under the minimum 60-foot standard (Exhibit B). Applicant infers that this area, zoned NeskR-1, currently does not and would not as a result of the adjustment affect neighboring properties enjoyment of private open space as a neighboring residential parcel is already improved (Exhibit B). Applicant provides that emergency access to the properties is satisfied through the existing South Beach Road, and the lot line adjustment would not impair visibility on such road system (Exhibit B).

The applicant's submittal includes a survey map which identifies the proposed area from Tax Lot 220 to be adjusted into Tax Lot 231 (Exhibit B). Staff find the subject properties, Tax Lot 220 and 231, are currently unimproved except for the existing South Beach Road, a private road, maintained within an existing easement along the westerly portion of Tax Lot 220 (Exhibit A & B).

- (8) *To ensure that pleasing view are neither unreasonably obstructed nor obtained;*

Findings: Applicant states, the portion of adjusted property is "*hidden behind an outbuilding* from the adjacent residential property to the north improved with a residence and accessory building (Exhibit A & B).

Staff find that Tax Lot 231 and 220 are currently unimproved with development (Exhibit A). Future development upon the proposed adjusted Tax Lot 231 may allow for structure improvements to be sited within the proposed area added from Tax Lot 220 (Exhibit B).

No public comments were received on this request at the time of publishing this Staff Report.

- (9) *To separate potentially incompatible land uses;*

Findings: Applicant states the proposed adjustment area from Tax Lot 220 to Tax Lot 231 would be more appropriate to remain with NeskR-1 zoned area, whereas a predominate portion of Tax Lot 220 is zoned SFW-20 (Exhibit B).

Residential uses are allowed outright in the NeskR-1 zone and development of properties for residential use is expected to occur in this area.

- (10) *To ensure access to solar radiation for the purpose of alternative energy production.*

Findings: County records do not indicate any such facilities are in the vicinity of the subject property. Staff find that future construction of a single-family dwelling on Tax Lot 231 would not unreasonably shadow or otherwise inhibit access to solar radiation on adjacent properties.

E. TCLDO Section 130: Property Line Adjustments

A Property Line Adjustment is the modification of a parcel or lot boundary where no parcel or lot is created. Review of the proposed Property Line Adjustment is in accordance with those approval criteria contained in TCLDO Section 130(1)(b).

Proposed Unit	Existing Area	Proposed Area
Unit A (Tax Lot 220)	10.37 acres	10.32 acres
Unit B (Tax Lot 231)	8,164.3-sq. ft.	10,405.7-sq.ft.

(b) *Approval Criteria. The Director shall approve or deny a request for a property line adjustment in writing based on all of the following criteria:*

i. Parcel Creation. No additional parcel or lot is created by the lot line adjustment;

Findings: Staff find that no new parcel is being created as a result of the proposed property line adjustment (Exhibit B). A portion of Tax Lot 220 will be non-contiguous as a result of the proposed adjustment, but would remain as a portion of the parent parcel. Staff find this criterion is met.

ii. Lot standards.

- 1. All lots and parcels conform to the applicable lot standards of the zone including lot area, dimensions, setbacks, and coverage, except where 2. or 3. applies.*
- 2. For properties entirely outside an Unincorporated Community Boundary, where one or both of the abutting properties are smaller than the minimum lot or parcel size for the applicable zone before the property line adjustment, one property shall be as large or larger than the minimum lot or parcel size for the applicable zone after the adjustment.*
- 3. For properties entirely outside an Unincorporated Community Boundary, both abutting properties are smaller than the minimum lot size for the applicable zone before and after property line adjustment.*

Findings: Staff find Tax Lot 220 maintains a predominate area of SFW-20 zoned land on its current 10.37-acre lot (Exhibit A & B). The proposed Property Line Adjustment would not reduce or enlarge that area zoned SFW-20 (Exhibit B). The existing area maintained in Tax Lot 220 zoned SFW-20 currently exceeds the minimum lot width and depth standards. The resulting reduction in square footage to Tax Lot 220 would adjust the parcel size from 10.37-acres to 10.32-acres (Exhibit B). Tax Lot 220 does not comply with the minimum lot size of 80-acres for an SFW-20 zoned property. The proposed adjustment does not further decrease the lot size of the SFW-20 portion of Tax Lot 220. The lot standard for Tax Lot 220 is met for the SFW-20 zone. While the NeskR-1 zone area is reduced on Tax Lot 220, the property will maintain adequate lot width, depth and area of NeskR-1 zone property contained in the overall parent parcel (Exhibit B).

Staff find that the subject property, Tax Lot 231, maintains the minimum lot width of 60-feet, lot depth of 75-feet, and lot size of 7,500-square feet for a NeskR-1 zoned property which complies with the minimum standards of the NeskR-1 zone as identified in Subsection B above in this report (Exhibit A & B). Applicant is proposing to increase the lot size of Tax Lot 231, which due to the irregular shape of the existing parcel and the area to be added from Tax Lot 220, would result in a reduced lot width to 55.02-feet (Exhibit B). Tax Lot 231 currently maintains an area of 8,164.3-square feet, with the proposed adjustment to include an additional 2,241.4-square feet, for a total of 10,405.7-square feet (Exhibit B).

Section 080 of the Tillamook County Land Division Ordinance (TCLDO) contains LAND DIVISION-RELATED VARIANCES. Section 080 concludes that Variances shall be processed in accordance with Article 8 of the Land Use Ordinance, and applications for a variance shall be submitted at the same time as an application for a property line adjustment. Staff find the applicant has submitted a concurrent review of a Property Line Adjustment and Variance application, contained in this report.

Staff find Tax Lot 231 as proposed with an adjusted lot width of 55.02-feet would not comply with the minimum lot width standard of 60-feet for the Neskowin Low Density Residential (NeskR-1) zone, though it currently complies. Staff find demonstrations of compliance with the Variance process contained in Article 8 of the Land Use Ordinance are required, to allow for a proposed adjustment which does not comply with the lot standards of TCLDO Section 130.

4. As applicable, all lots and parcels shall conform the Tillamook County Flood Hazard Overlay Zone.

Findings: The subject properties do not maintain Area of Special Flood Hazard as shown on FEMA Flood Insurance Rate Map (FIRM) Panel No. 41057C1005F (Exhibit A). Staff conclude this criterion has been met.

iii. Access and Road authority Standards. All lots and parcels conform to the standards or requirements of Section 150: Development Standards for Land Divisions, and all applicable road authority requirements are met. If a lot is nonconforming to any road authority standard, it shall not be made less conforming by the property line adjustment.

Findings: Staff find Tax Lot 220 and 231 both continue to abut South Beach Road, a private road, both before and after the proposed adjustment (Exhibit B). Staff conclude this criterion has been met.

IV. RECOMMENDED CONDITIONS OF APPROVAL

RECOMMENDED CONDITIONS FOR PROPERTY LINE ADJUSTMENT:

1. The existing zoning designations for all Units, Tax Lot 220 and Tax Lot 231, shall remain the same and the standards for each zone will continue to apply, following the proposed adjustment.
2. No further reduction to Neskowin Low Density Residential (NeskR-1) zone portioned of the property maintained in the southwesterly corner of Tax Lot 220 shall be permissible. This area shall remain with its parent parcel, currently maintained as Tax Lot 220.
3. If the adjusted units of land are less than ten acres in size, a survey to monument the new common boundary is required and shall be filed with the Tillamook County Surveyor's Department.
4. The property owner(s) shall record all proper documents, including descriptions of all access and utility easements necessary to serve the properties, in the Tillamook County Clerk's Office. Copies of the recorded documents shall be submitted to this Department.
5. A copy of the filed survey identifying all easements for access and utilities shall be submitted to this Department.
6. The property owner(s) shall fulfill the requirements for recording and filing above and shall submit any required map and documents within one year of the date of this approval. An extension of tentative approval may be available.

RECOMMENDED CONDITIONS OF APPROVAL FOR VARIANCE:

Section 8.060: COMPLIANCE WITH CONDITIONS, and 8.070: TIME LIMIT requires compliance with approved plans and Conditions of this decision, and all other ordinance provisions, and allows 24 months

for compliance with Conditions and start of construction/division. Failure to comply with the Conditions of Approval and ordinance provisions could result in nullification of this approval.

1. The applicant/property owner shall obtain all Federal, State, and Local permits, as applicable.
2. Development of each lot shall otherwise conform to the development standards outlined in TCLUO Section 3.006: Small Farm and Woodlot (SFW-20) zone, and TCLUO Section 3.322 Neskowin Low Density Residential (NeskR-1) zone, as applicable.
3. Lot width of Tax Lot 231 shall not be less than 55.02-feet, as measured in accordance with Tillamook County Land Use Ordinance for Lot Width in the NeskR-1 zone. Documentation provided evidence of lot width calculation shall be provided at time of recording proper documents for the Property Line Adjustment.
4. This approval shall be void two years from the date of approval, unless construction/division of approved plans has begun, or an extension is requested from, and approved by this Department.

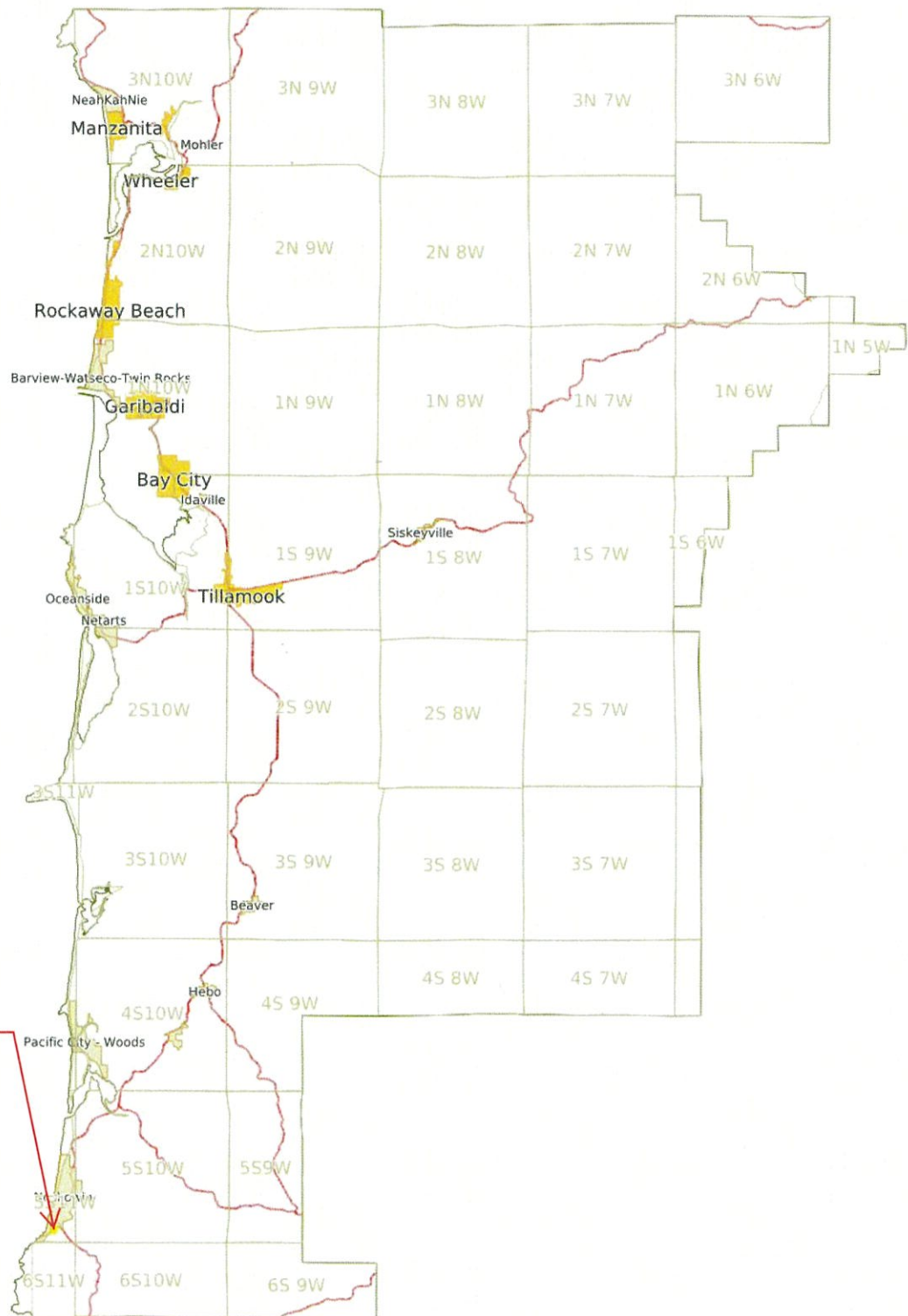
V. EXHIBITS:

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

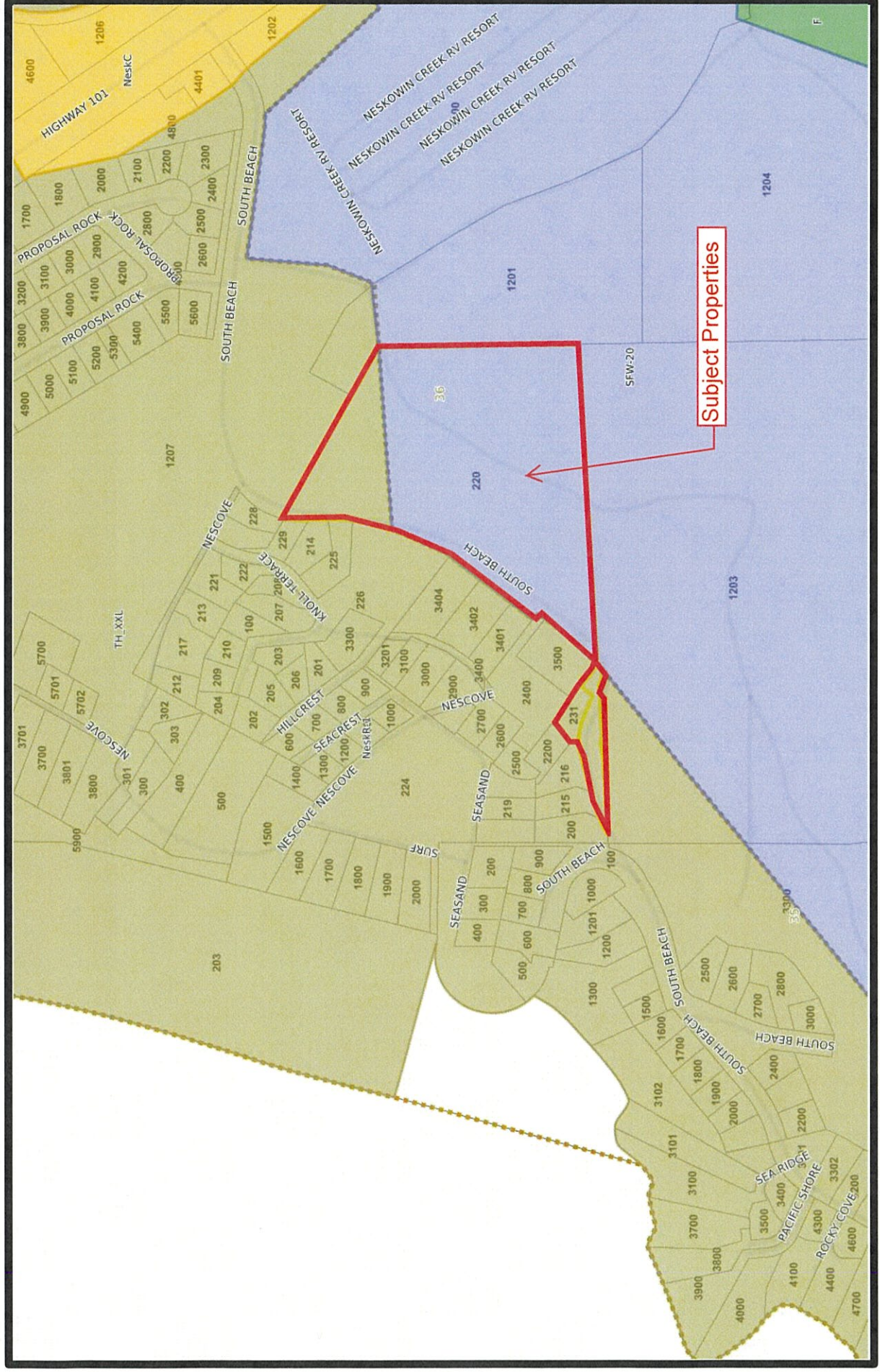
- A. Vicinity map, Assessor map, Zoning map, FEMA FIRM, NWI Map
- B. Applicant's submittal
- C. Maps: P-842, B-500 & P-1232

EXHIBIT A

Vicinity Map



Zoning Map



THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY

S.W.1/4 N.W.1/4 SEC.36 T.5S. R.11W. W.M.

TILLAMOOK COUNTY



1" = 100'

05S11W36BC

CANCELLED
2100
2300
2500
2700
2900
3100
3300
3501
227

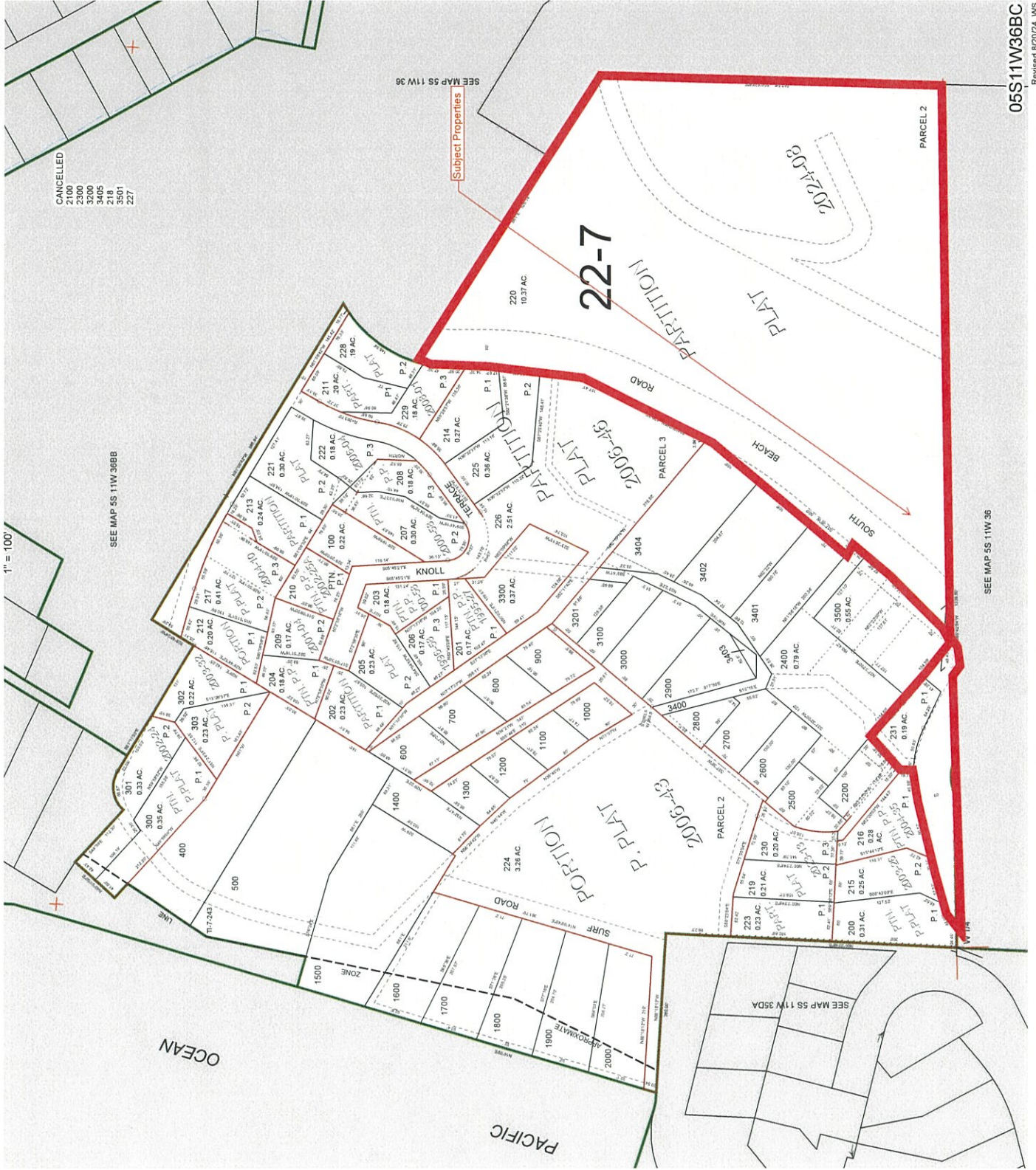
SEE MAP 5S 11W 36B8

Subject Properties
SEE MAP 5S 11W 36

SEE MAP 5S 11W 36

05S11W36BC

Revised 8/2024, WS



Tillamook County
2024 Real Property Assessment Report
Account 410233

Map	5S1136BC00220	Tax Status	Assessable
Code - Tax ID	2207 - 410233	Account Status	Active
		Subtype	NORMAL
Legal Descr	PARTITION PLAT 2024-08		
	Lot - PARCEL 2		
Mailing	JULIEN, ANN C TRUSTEE & KALISH, LAWRENCE J TRUSTEE & 9 SOUTH RD CHEBEAGUE ISLAND ME 04017-3000		
	Deed Reference #	2024-2960	
	Sales Date/Price	07-18-2024 / \$0	
	Appraiser	BRITTANY MCINTYRE	
Property Class	010	MA	SA
		NH	
RMV Class	010	09	UB
		UBL	

Site Situs Address	City
--------------------	------

Value Summary					
Code Area		RMV	MAV	AV	RMV Exception CPR %
2207	Land	18,980		Land	0
	Impr	0		Impr	0
Code Area Total		18,980	139,540	18,980	0
Grand Total		18,980	139,540	18,980	0

Land Breakdown									
Code Area	ID #	RFPD	Ex	Plan Zone	Value Source	Trend %	Size	Land Class	Trended RMV
2207		<input checked="" type="checkbox"/>		NESKR-1	Market	100	1.41 AC		2,580
				SFW20	Market	100	5.05 AC		9,240
	1	<input checked="" type="checkbox"/>		SFW20	Market	100	3.91 AC		7,160
Code Area Total							10.37 AC		18,980

Improvement Breakdown									
Code Area	ID #	Year Built	Stat Class	Description	Trend %	Total Sqft	Ex%	MS Acct	Trended RMV

Exemptions / Special Assessments / Notations				
Notations				
■ ADJUDICATION - 5 YEARS EXPIRED 309.115 ADDED 2015				
Fire Patrol		Amount	Acres	Year
■ FIRE PATROL SURCHARGE		0.00		2024
Code Area 2207				
Fire Patrol		Amount	Acres	Year
■ FIRE PATROL NORTHWEST		18.75	5.05	2024

Tillamook County
2024 Real Property Assessment Report
Account 410233

Comments

04/29/05 Land to market after Partition Plat 2004-35 from Tax lot 216. dv.
04/11/06 Acreage change only after lot line adjustment to tax lot 2200. dv.
06/29/07 Land to market after Partition to tax lots 223 & 224. dv.
08/31/07 Seg. by deed to Tax Lot 227. Apportioned value is market value. dv.
03/8/10 BOPTA petition 2009 #30, Board reduced RMV to \$1000 per acre due to SFW zoning and wetlands.
Changed to unbuildable hood. Carried values forward. dv
04/15/14 Reappraised land; apportioned values between each fragment and applied the overrides due to BOPTA's adjudicated values in 2009. RBB
05/2015 Chkd. zoning and wetland area/Removed notation for 2009 BOPTA and input 5 yr. notation/RMV will reflect UBL status due to above factors. RCW
08/7/23 Due to a LLA, a portion of this TL is now carried in TL 219. No change in value. acreage adjustment only. KF
03/14/24 Due to a LLA a small portion of TL 220 is now being carried in TL 2200. Updated acreage only. See JV-24-3167549. KF
08/19/24 Due to partition plat 2024-08, a portion of TL 5S11 36BC 220 will now be carried in the new TL 231. See JV # 24-3169429. Brought land to market and apportioned MAV, reset MAV 96/25. BDM

Tillamook County
2024 Real Property Assessment Report
Account 419064

Map	5S1136BC00231	Tax Status	Assessable
Code - Tax ID	2207 - 419064	Account Status	Active
		Subtype	NORMAL
Legal Descr	PARTITION PLAT 2024-08 Lot - PARCEL 1		
Mailing	GOBET-POMEROY, HEATHER J & BATES, THOMAS A 22011 S PENMAN RD OREGON CITY OR 97045	Deed Reference #	2024-3971
		Sales Date/Price	08-23-2024 / \$125,000
		Appraiser	BRITTANY MCINTYRE
Property Class	100 MA SA NH		
RMV Class	100 09 ST 981		

Site	Situs Address	City
-------------	----------------------	-------------

Value Summary					
Code Area		RMV	MAV	AV	RMV Exception CPR %
2207	Land	90,090		Land	0
	Impr	0		Impr	0
Code Area Total		90,090	2,560	2,560	0
Grand Total		90,090	2,560	2,560	0

Land Breakdown								
Code Area	ID #	RFPD	Ex	Plan Zone	Value Source	Trend %	Size	Land Class Trended RMV
2207	1	<input checked="" type="checkbox"/>		NESKR-1	Market	117	0.19 AC	90,090
Code Area Total							0.19 AC	90,090

Improvement Breakdown								
Code Area	ID #	Year Built	Stat Class	Description	Trend %	Total Sqft	Ex% MS Acct	Trended RMV

Comments 08/19/24 Due to partition plat 2024-08, a portion of TL 5S11 36BC 220 will now be carried in the new TL 231. See JV # 24-3169429. Brought land to market and apportioned MAV, reset MAV 96/25. BDM ..

National Flood Hazard Layer FIRMette



123°59'19"W 45°5'53"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, AE, AH, VE, AR
- 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 X)

GENERAL STRUCTURES

- Channel, Culvert, or Storm Sewer
- Levee, Dike, or Floodwall

Cross Sections with 1% Annual Chance

- Water Surface Elevation
- Coastal Transect
- Base Flood Elevation Line (BFE)
- Limit of Study
- Coastal Transect Baseline
- Profile Baseline
- Hydrographic Feature

OTHER FEATURES

- Digital Data Available
- No Digital Data Available
- Unmapped

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.

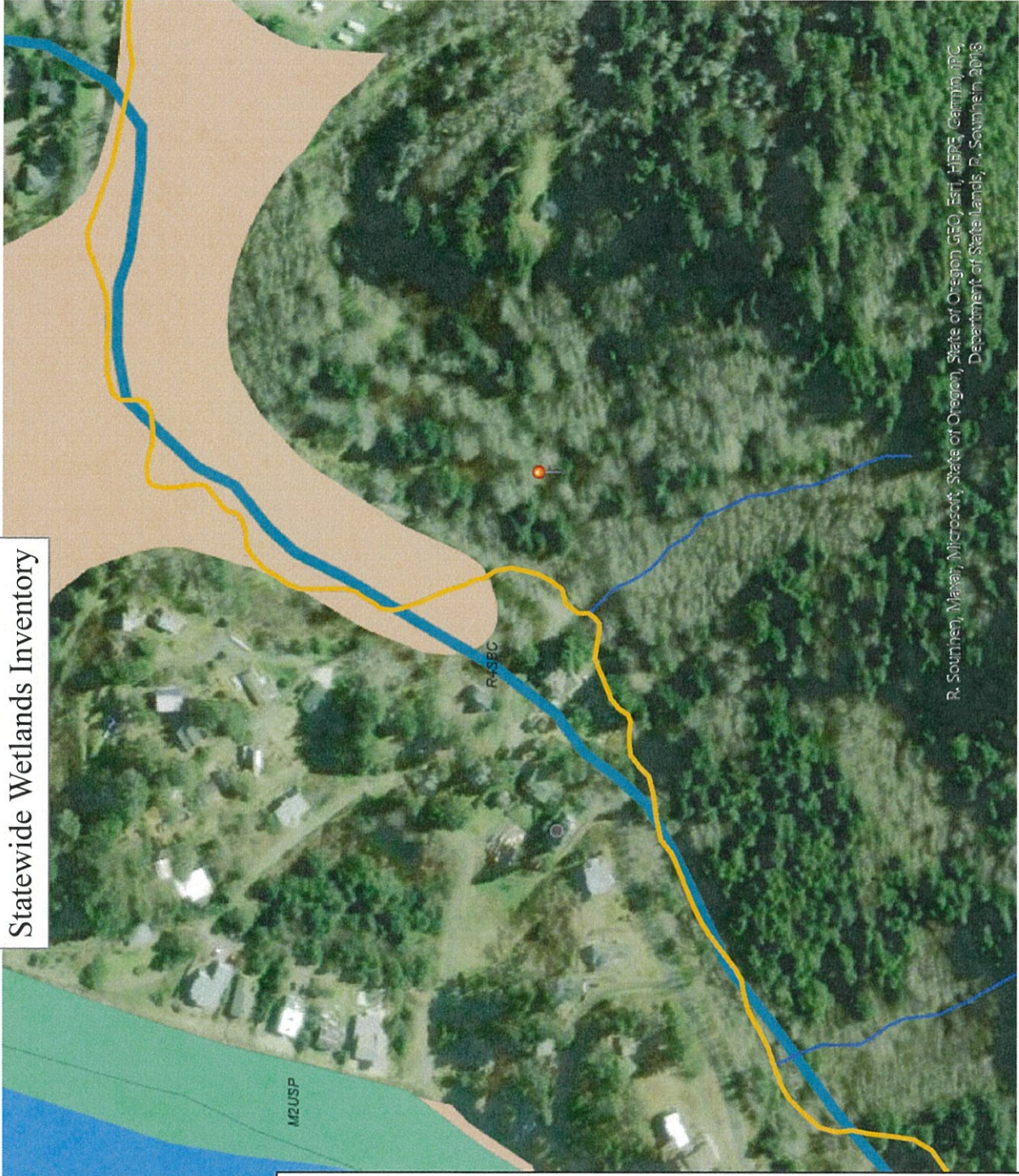
This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards.

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 4/24/2025 at 6:34 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.



Statewide Wetlands Inventory



- Oregon Scenic Waterway - Water Courses
- Essential Salmonid Habitat
- Townships
- LWI Study Area
- BASEDAT.DBO.NHDIWaterbody
- BASEDAT.DBO.NHDIarea
- BASEDAT.DBO.NHDIFlowline
- Perennial
- Intermittent
- Ephemeral
- Unknown
- Canal/Ditch
- Canal/Ditch
- Canal/Ditch
- BASEDAT.DBO.NHDIPoint
- Wetlands**
- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland
- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Lake
- Riverine
- SWI Agate-Winlo Soils
- SWI Predominantly Hydric Soil Map Units

R. Sounther, Mayday, Microsoft, State of Oregon, State of Oregon GEO, EST, HIRE, Camm, JRC,
Department of State Lands, P. Souther, 2018

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



Date: 4/24/2025



State of Oregon
Department of State Lands
775 SW NE, Ste 100
Salem, OR 97301-1279

Hazard Map

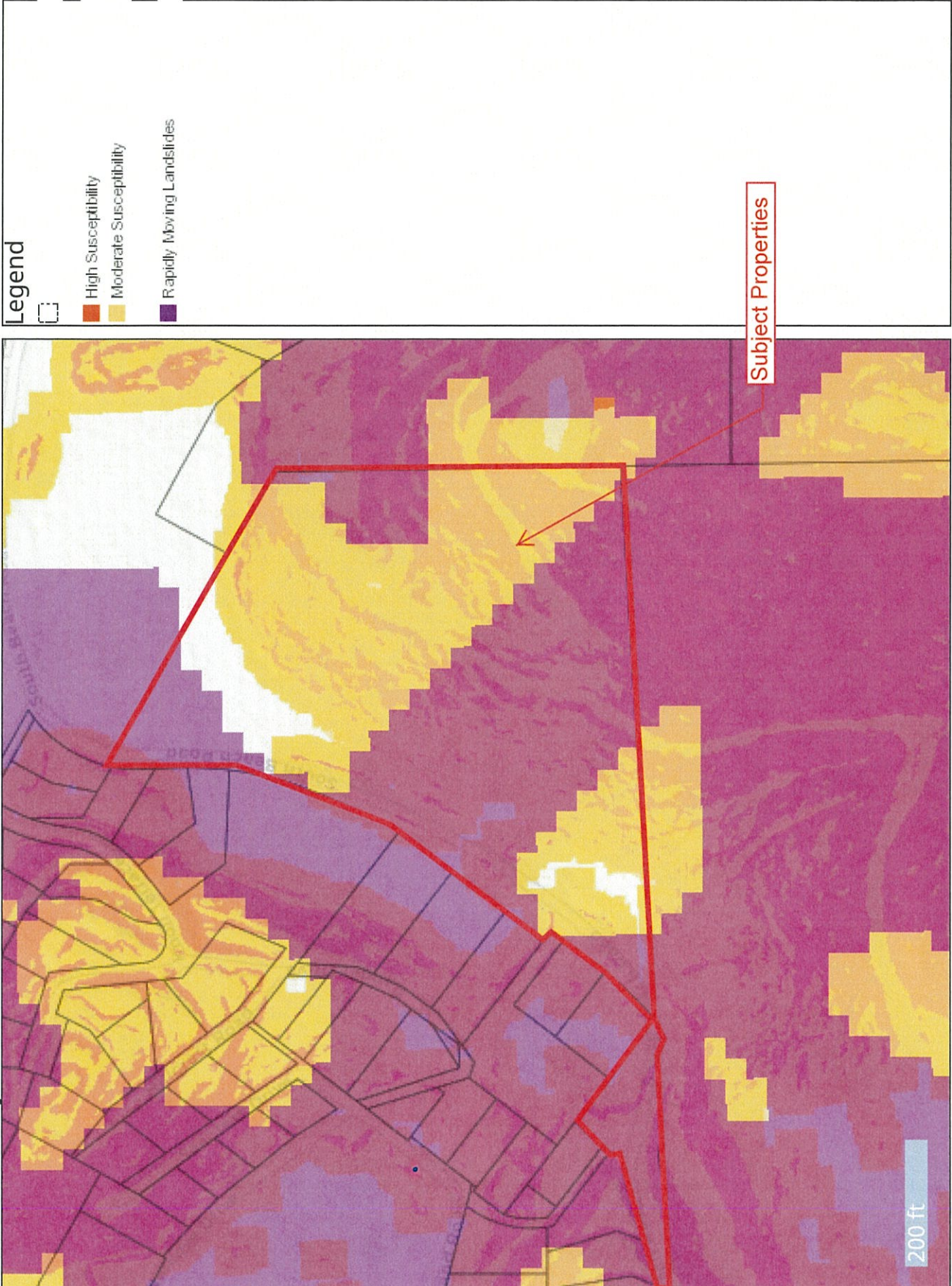


EXHIBIT B

EXHIBIT B.1

VARIANCE APPLICATION

#851-25-000031-PLNG



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

PLANNING APPLICATION

Applicant ☐ (Check Box if Same as Property Owner)

Name: Robert B. Fultz Phone: 4157788700x212

Address: 865 Highland Drive

City: Boulder Creek State: CA Zip: 95006

Email: neskowin@pacbell.net

Property Owner ☒ (s) - see next page

Name: Seabreeze Associates LP Phone: Same

Address: Same

City: State: Zip:

Email: Same

OFFICE USE ONLY	
Date Stamp	
RECEIVED	
JAN 23 2025	
BY: _____	
<input type="checkbox"/> Approved	<input type="checkbox"/> Denied
Received by: _____	
Receipt #: 1,995.00	
Fees: 142414	
Permit No: 851-25 - 000031 -PLNG	

Request: Due to a form defect that copies the second line into the third line, see next page.

Type II

- ☐ Farm/Forest Review
- ☐ Conditional Use Review
- ☒ Variance
- ☐ Exception to Resource or Riparian Setback
- ☐ Nonconforming Review (Major or Minor)
- ☐ Development Permit Review for Estuary Development
- ☐ Non-farm dwelling in Farm Zone
- ☐ Fore-dune Grading Permit Review
- ☐ Neskowin Coastal Hazards Area

Location:

Site Address: No address - in South Beach area

Map Number:	5S	11W	36BC	220, 231
	Township	Range	Section	Tax Lot(s)

Clerk's Instrument #: _____

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. The applicant verifies that the information submitted is complete, accurate, and consistent with other information submitted with this application.

Property Owner Signature (Required)

11/7/24

Date

Applicant Signature

11/7/24

Date

Applicant Signature and property owner

Lawrence Kalish
Trustee, Sherry Kalish Irrevocable Trust

11-7-24

Date

Land Use Application

Rev. 6/9/23

Page 1

Applicant Signature and property owner

Lawrence Kalish
Trustee, Jay I. Julien Irrevocable Trust

Date

Type II Variance Application

Other property owners

Jay I. Julien Irrevocable Trust
Lawrence Kalish, Trustee
17029 Brookwood Drive
Boca Raton, FL 33496

Sherry Kalish Irrevocable Trust
Lawrence Kalish, Trustee
17029 Brookwood Drive
Boca Raton, FL 33496

Request: To merge a small part of a larger parcel, that is effectively orphaned by the presence of South Beach Road (see map), into an existing parcel. Doing this lot line adjustment will result in a parcel that does not meet the size requirements for the Nesk-R1 zone. Therefore, this variance is being requested in conjunction with an LLA.

Overview:

To merge a small part of a larger parcel, which is effectively orphaned by the presence of South Beach Road (see map), into an existing parcel. Doing this lot line adjustment will result in a parcel that does not meet the size requirements for the Nesk-R1 zone. Therefore, a variance is being requested in conjunction with an LLA. Since this small part of a larger parcel cannot be made into a legal lot, not doing this lot line adjustment will result in a further sub-optimal future situation. We recognize that this situation is a legacy situation that is the result of earlier development that did not take this possibility into account. However, we cannot change the past—we are merely looking for the simplest way to ensure this land is not permanently orphaned.

SECTION 8.030: REVIEW CRITERIA

A VARIANCE shall be granted, according to the procedures set forth in Section 8.020, if the applicant adequately demonstrates that the proposed VARIANCE satisfies all of the following criteria:

- (1) Circumstances attributable either to the dimensional, topographic, or hazardous characteristics of a legally existing lot, or to the placement of structures thereupon, would effectively preclude the enjoyment of a substantial property right enjoyed by the majority of landowners in the vicinity, if all applicable standards were to be met. Such circumstances may not be self-created.

Response: This criterion doesn't apply given that there are only three parties bordering this very small piece of property, two of whom are involved in the overall application.

- (2) A VARIANCE is necessary to accommodate a use or accessory use on the parcel which can be reasonably expected to occur within the zone or vicinity.

Response: It can be reasonably expected that development of some kind will occur in the parcel T5S R11W 36BC 220, even a single-family residence. It can also be reasonably expected that such development will involve the creation of a legal parcel for South Beach Road as part of that development. The net effect of those actions will be to create a very small bit of orphan property on the west side of South Beach Road that will be difficult to address. This very small bit of orphan property is not large enough to create a legal parcel by itself. The only logical solution is to join this very small bit of orphan property to an existing parcel—T5S R11W 36BC-231.

- (3) The proposed VARIANCE will comply with the purposes of relevant development standards as enumerated in Section 4.005 and will preserve the right of adjoining property owners to use and enjoy their land for legal purposes.

Response: As detailed below, the only other parcel bordering this property will not be affected by this change at all. The owners of that parcel, which is to the north of the subject property, have already constructed an outbuilding which is on the north side of the common property line.

- (4) There are no reasonable alternatives requiring either a lesser or no VARIANCE.

Response: Given the legacy process that created this situation, we do not see any other reasonable alternative to a variance that does not involve extending the legacy situation to an even worse situation.

ARTICLE IV
SUPPLEMENTARY REGULATIONS
SECTION 4.005: RESIDENTIAL AND COMMERCIAL ZONE STANDARDS

PURPOSE: In all RESIDENTIAL AND COMMERCIAL ZONES, the purpose of land use standards are the following:

- (1) To ensure the availability of private open space;

Response: This very small bit of orphan property borders two legal parcels, one of which already has a legal dwelling. There is no immediate neighboring private open space other than the neighbor's yard and this variance does not impact their quiet enjoyment of their yard.

- (2) To ensure that adequate light and air are available to residential and commercial structures;

Response: This very small bit of orphan property will not impede the legal dwelling and is, in fact, hidden behind an outbuilding.

- (3) To adequately separate structures for emergency access;

Response: Adequate emergency access to all adjacent dwellings is provided by South Beach Road. This variance does not affect that access.

- (4) To enhance privacy for occupants of residences;

Response: This very small bit of orphan property will not impede the legal dwelling to the north and is, in fact, hidden behind an outbuilding.

- (5) To ensure that all private land uses that can be reasonably expected to occur on private land can be entirely accommodated on private land, including but not limited to dwellings, shops, garages, driveways, parking, areas for maneuvering vehicles for safe access to common roads, alternative energy facilities, and private open spaces;

Response: The adjacent neighbor has already constructed both a dwelling and outbuilding. This variance will not affect their quiet enjoyment of both structures.

- (6) To ensure that driver visibility on adjacent roads will not be obstructed;

Response: Neither South Beach Road nor driveway visibility is impacted by this variance.

- (7) To ensure safe access to and from common roads;

Response: Safe access from all adjacent driveways is not impacted by this variance.

- (8) To ensure that pleasing views are neither unreasonably obstructed nor obtained;

Response: Since this very small bit of orphan property is hidden behind an outbuilding, any views of the adjacent neighbor are not impacted.

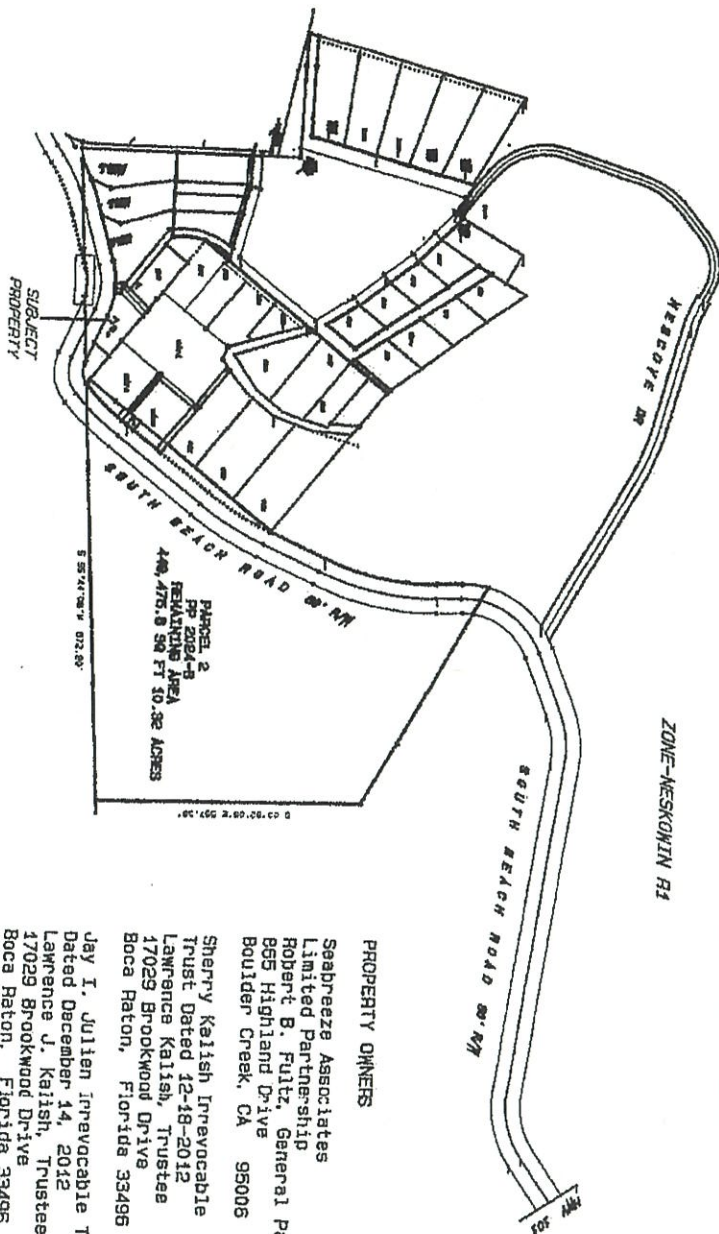
- (9) To separate potentially incompatible land uses;

Response: This very small bit of orphan property is zone Nesk-R1, where as the majority of the larger parcel to which it is attached is SFW-20. It makes sense to break off the Nesk-R1 parts from the SFW-20 parts of a parcel. This will make for smoother processes in the future.

- (10) To ensure access to solar radiation for the purpose of alternative energy production.

Response: This very small bit of orphan property does not impede the adjacent properties and their potential generation of alternative energy. It is also heavily shaded most of the year.

ZONE-NESKOWIN R1



Seabreeze Associates
Limited Partnership
Robert B. Fultz, General Partner
865 Highland Drive
Boulder Creek, CA 95006

Sherry Kalish Irrevocable
Trust Dated 12-18-2012
Lawrence Kalish, Trustee
17029 Brookwood Drive
Boca Raton, Florida 33496

Day I. Julien irrevocable Trust,
Dated December 14, 2012
Lawrence J. Kaish, Trustee
17029 Brookwood Drive
Boca Raton, Florida 33496

OWNER PCL 1 PP 2024-8
Heather Gobet-Pomeroy
2201 S. Penman Rd
Oregon City, Or. 97045

NOVEMBER 1, 2024
SCALE: 1"=300'
SHEET 2 OF 2

PREPARED BY
DARIUS K. FERGUSON P.L.S.
LAND SURVEYING
6062 S.E. HWY. 104, SUITE B
LINCOLN CITY, OR. 97367
PH: (541) 994-5854
DFERGUSON@SURVEYING.NE.KAL

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 16, 1987
DARIUS K. FERGUSON
2279

REF ID: A62865

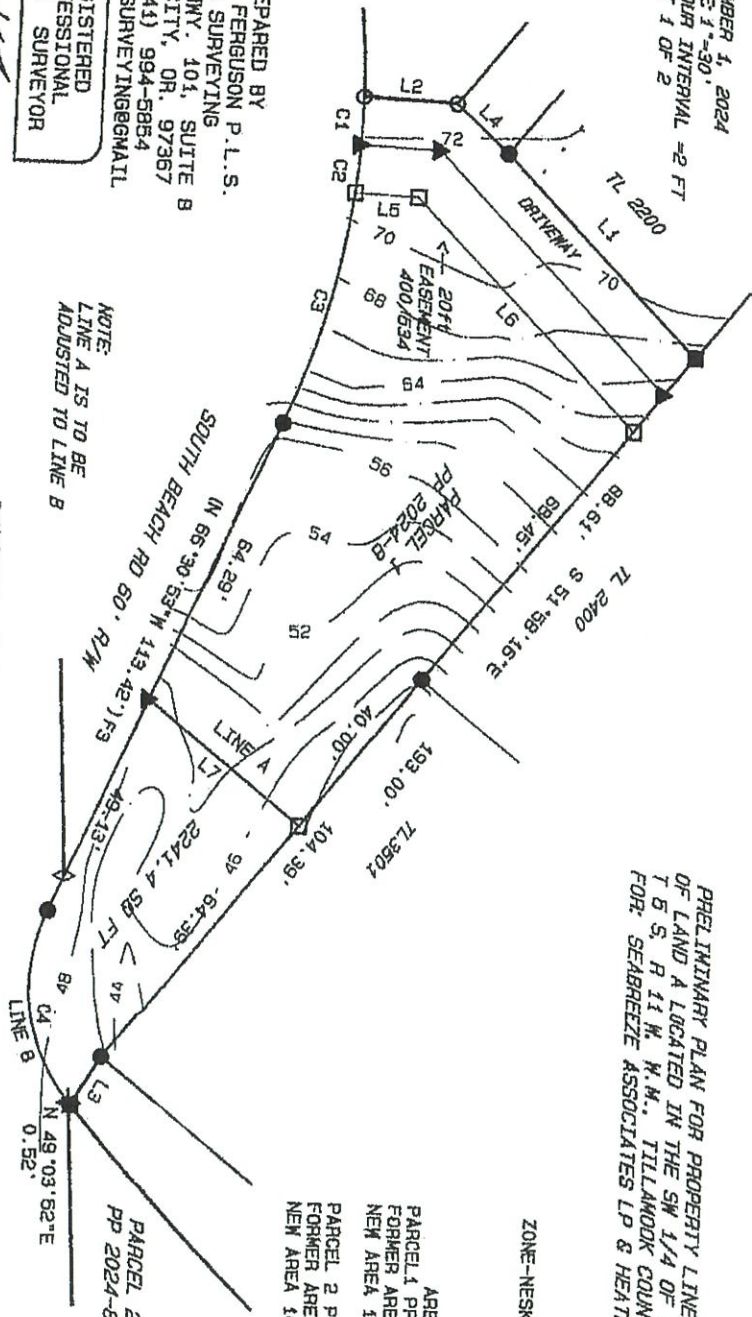
NOVEMBER 4, 2024
SCALE 1"=30'
CONTIGUOUS INTERVAL = 2 FT
SHEET 1 OF 2

PREPARED BY
DARIUS K. FERGUSON P.L.S.
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REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 16, 1987
DARIUS K. FERGUSON
2279
RENEWALS 12-31-25

NOTE:
LINE A IS TO BE
ADJUSTED TO LINE B



PRELIMINARY PLAN FOR PROPERTY LINE ADJUSTMENT OF A TRACT
OF LAND A LOCATED IN THE SW 1/4 OF THE NW 1/4 OF SECTION 36,
T 6 S, R 11 W, M.M., TILLAMOOK COUNTY, OREGON
FOR: SEABREEZE ASSOCIATES LP & HEATHER GOSSET-POWEROY

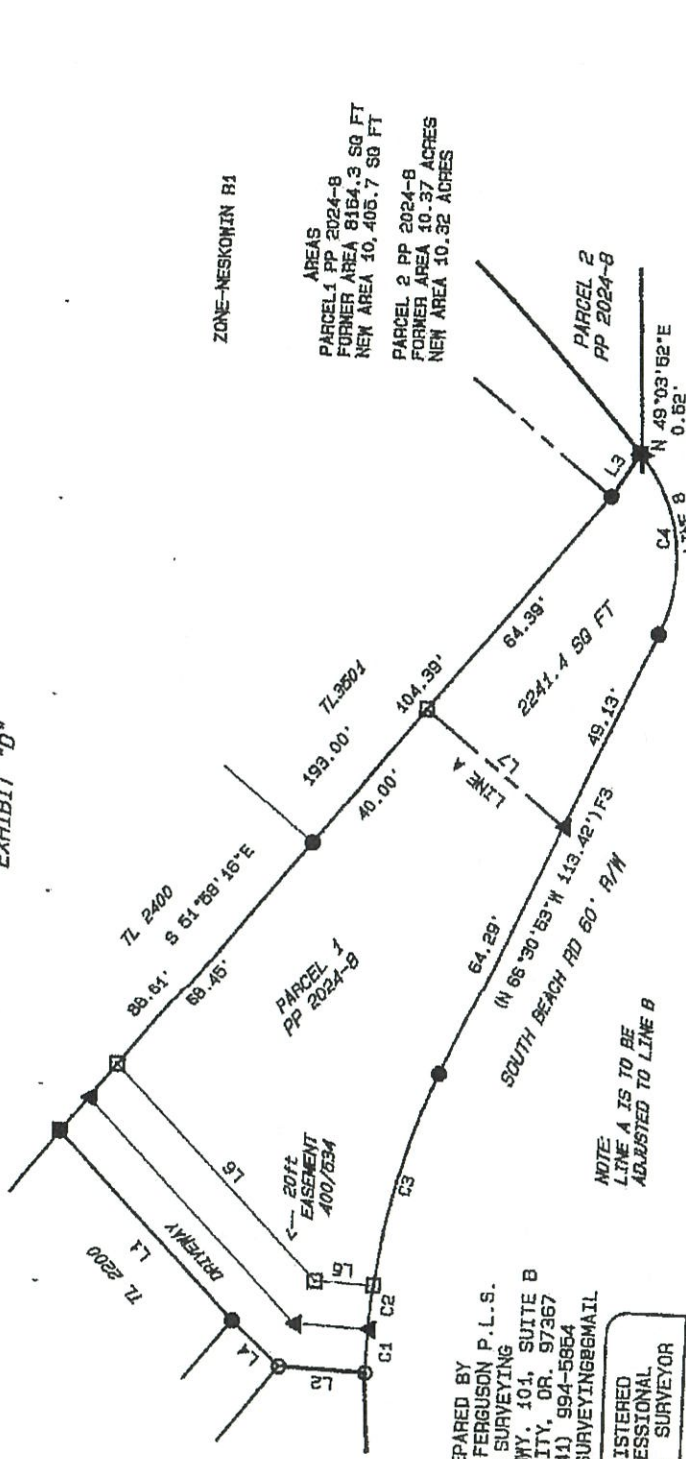
ZONE-NESKOMIN R1

AREAS
PARCEL 1, PP 2024-B
FORMER AREA 8164.3 SQ FT
NEW AREA 10,405.7 SQ FT
PARCEL 2, PP 2024-B
FORMER AREA 10.37 ACRES
NEW AREA 10.32 ACRES

CURVE#	RADIUS	DELTA	ARC LENGTH	CHORD
C1	(167.88'	03°24'50"	10.00'	N 88°59'17" W 10.00') F3
C2	(167.88'	03°25'00"	10.01'	N 85°34'19" W 10.01') F3
C3	(167.88'	17°20'59"	50.83'	N 75°11'22" W 50.84') F3
C4	(39.35'	63°30'43"	43.62'	S 81°43'52" W 41.42') F3

LINE	TABLE
L1 =	S 45°01'44" W 58.44'
L2 =	(S 01°55'34" W 19.74') F5
L3 =	(N 59°11'00" W 12.01') F3
L4 =	S 41°40'27" W 45.03'
L5 =	N 01°55'34" E 13.39'
L6 =	N 45°01'44" E 67.07'
L7 =	S 37°59'10" W 41.26'

EXHIBIT "D"



CURVE#	RADIUS	DELTA	ARC LENGTH	CHORD
C1	(167.88'	03°24'50"	10.00'	N 88°59'17"W 10.00' F3
C2	(167.88'	03°25'00"	10.01'	N 85°34'19"W 10.01' F3
C3	(167.88'	17°20'59"	50.83'	N 75°11'22"W 50.64' F3
C4	(39.35'	63°30'43"	43.62'	S 81°43'52"W 41.42' F3

LINE TABLE

L1 =	S 45°01'44"W 66.44'
L2 =	(S 01°55'34"W 19.74') F5
L3 =	(N 69°11'00"W 12.01') F3
L4 =	S 41°40'27"W 15.03'
L5 =	N 01°55'34"E 13.39'
L6 =	N 45°01'44"E 67.07'
L7 =	S 37°59'10"W 41.28'

PREPARED BY
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REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 16, 1987
DARIUS K. FERGUSON
2279
RENEW 12-31-25

PARCEL 3
P.P. 2023-13
SEPTEMBER 21, 2023
REVISED 4-18-25
SCALE 1"=50'
SHEET 1 OF 3

NOTE:
LINE A IS TO BE
ADJUSTED TO LINE B

PREPARED BY
DARIUS K. FERGUSON P.L.S.
LAND SURVEYING
6062 S.E. HWY. 101, SUITE B
LINCOLN CITY, OR. 97367
PH: (541) 994-5854
DFERGUSONSURVEYING@GMAIL

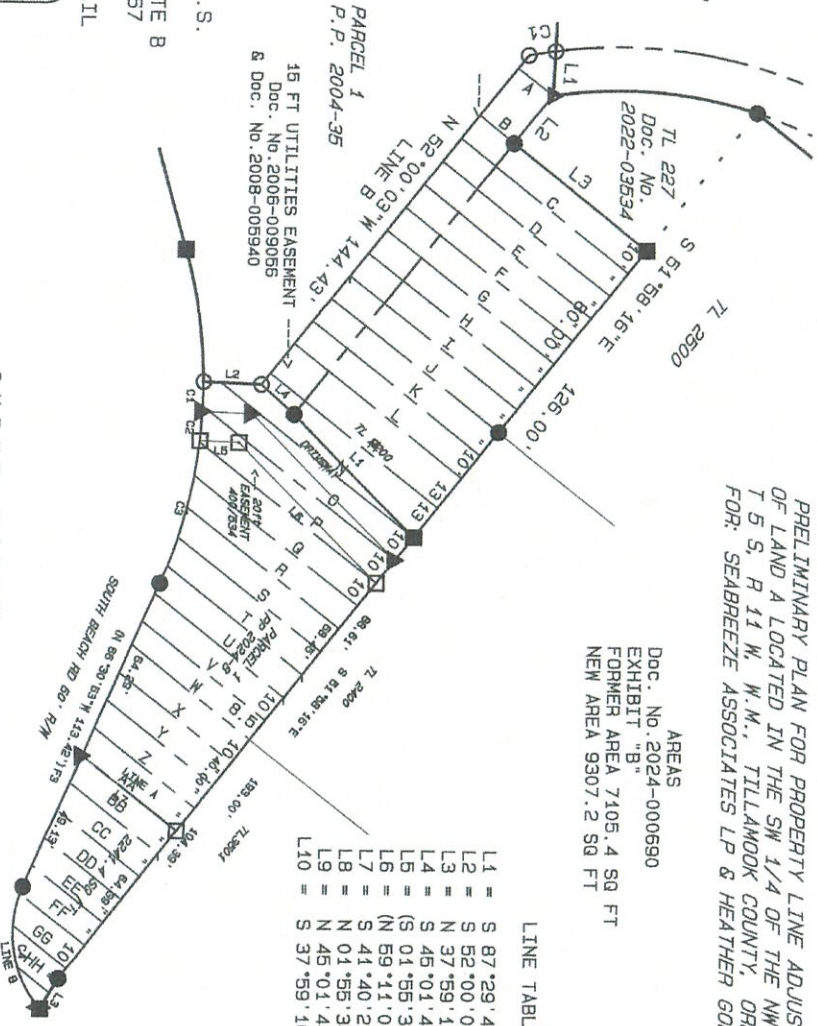
REGISTERED
PROFESSIONAL
LAND SURVEYOR

Darius K. Ferguson
OREGON
JULY 16, 1987
DARIUS K. FERGUSON
2279
RENEWS 12-31-23

PRELIMINARY PLAN FOR PROPERTY LINE ADJUSTMENT OF A TRACT
OF LAND A LOCATED IN THE SW 1/4 OF THE NW 1/4 OF SECTION 36,
T 5 S, R 11 W, W.M., TILLAMOOK COUNTY, OREGON
FOR: SEABREEZE ASSOCIATES LP & HEATHER GOBET-POMEROY

AREAS
DOC. NO. 2024-000690
EXHIBIT "B"
FORMER AREA 7105.4 SQ FT
NEW AREA 9307.2 SQ FT

LINE TABLE
L1 = S 87°29'42"E 15.30'
L2 = S 52°00'03"E 20.88'
L3 = N 37°59'10"E 58.07'
L4 = S 45°01'44"W 58.44'
L5 = (S 01°55'34"W 19.74') F5
L6 = (N 59°11'00"W 12.01') F3
L7 = S 41°40'27"W 15.03'
L8 = N 01°55'34"E 13.39'
L9 = N 45°01'44"E 67.07'
L10 = S 37°59'10"W 41.28'



CURVE TABLE

CURVE#	RADIUS	DELTA	ARC LENGTH	CHORD
C1	(165.00'	03°10'17"	9.13'	N 09°57'42"W 9.13') F5
C2	(167.88'	03°24'50"	10.00'	N 88°59'17"W 10.00') F3
C3	(167.88'	03°25'00"	10.01'	N 85°34'19"W 10.01') F3
C4	(167.88'	17°20'59"	50.83'	N 75°11'22"W 50.64') F3
C5	(39.35'	64°16'17"	44.14'	S 81°20'58"W 41.86') F3

PROPOSED NEW
AVERAGE LOT MIDTHITS

- A= 15.00'
- B= 73.07'
- C= 73.06'
- D= 73.06'
- E= 73.05'
- F= 73.05'
- G= 73.04'
- H= 73.04'
- I= 73.03'
- J= 73.03'
- K= 73.03'
- L= 73.03'
- M= 73.01'
- N= 84.17'
- O= 83.93'
- P= 77.18'
- Q= 71.46'
- R= 66.60'
- S= 62.52'
- T= 59.14'
- U= 56.44'
- V= 53.65'
- W= 51.66'
- X= 49.06'
- Y= 46.47'
- Z= 43.88'
- AA= 41.28'
- BB= 38.69'
- CC= 36.09'
- DD= 33.50'
- EE= 30.91'
- FF= 28.23'
- GG= 23.27'
- HH= 14.03'

SUM=1870.82' / 34=55.02'

EXHIBIT B.2

PROPERTY LINE
ADJUSTMENT
APPLICATION

#851-25-000030-PLNG



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

PROPERTY LINE ADJUSTMENT APPLICATION

Applicant/Representative

Name: Robert B. Fultz Phone: 4157788700x212
Address: 865 Highland Drive
City: Boulder Creek State: CA Zip: 95006
Email: neskowin@pacbell.net

Property Owner (Unit A)

Three owners - see page 4

Name: Seabreeze Associates Limited Partnership Phone: 4157788700x212
Address: 865 Highland Drive
City: Boulder Creek State: CA Zip: 95006
Email: neskowin@pacbell.net

Property Owner (Unit B)

Two owners - see page 4

Name: Heather J. Gobet-Pomeroy Phone:
Address: 22011 South Penman Road
City: Oregon City State: OR Zip: 97045
Email:

Property Owner (Unit C)

Name: N/A Phone:
Address:
City: State: Zip:
Email:

Describe the purpose of the proposed property line adjustment(s)

To merge a small part of a larger parcel, that is effectively orphaned by the presence of South Beach Road (see map), into an existing parcel. Doing this lot line adjustment will result in a parcel that does not meet the size requirements for the Nesk-R1 zone. Therefore, a variance is being requested in conjunction with this LLA. Since this small part of a larger parcel cannot be made into a legal lot, not doing this lot line adjustment will result in a further sub-optimal future situation.

Unit A Location:

Site Address: No address - South Beach area in Neskowin

Map Number:	5S	11W	36BC	220
	Township	Range	Section	Tax Lot(s)

Zoning: Nesk-R1

Existing Use of Sites: Bare land

Unit B Location:

Site Address: No address - South Beach area in Neskowin

Map Number:	5S	11W	36BC	231
	Township	Range	Section	Tax Lot(s)

Zoning: Nesk-R1

Existing Use of Sites: Bare land

OFFICE USE ONLY	
Date Stamp	
RECEIVED	
JAN 23 2025	
BY:	
<input type="checkbox"/> Approved	<input type="checkbox"/> Denied
Received by:	
Receipt #: 142058	
Fees: 514.80	
Permit No:	
851-25-00030-PLNG	

Unit C Location:

Site Address: _____

Map Number: _____

Township

Range

Section

Tax Lot(s)

Zoning: _____

Existing Use of Sites: _____

Taxlot (Units)	Existing Size	New Size
T5S R11W 36BC-220	10.37 Ac	10.32 Ac
T5S R11W 36BC-231	8,164.3 sq ft	10,405.7 sq ft

Preliminary Property Line Map Checklist

☒ Identification of all existing and proposed lot lines and dimensions

N/A

☐ Footprints and dimensions of existing structures (including accessory structures)

☒ Location and dimensions of driveways and streets

N/A

☐ Location of lands subject to the Tillamook County Flood Hazard Overlay

N/A

☐ Existing fences and walls

N/A

☐ Sewage Disposal System

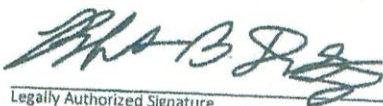
☒ Other information:

Concurrent variance application _____

Maps and legal descriptions included _____

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 approval, all deeds necessary to execute a property line adjustment shall be filed and recorded with the Tillamook County Department of Records. The applicant verifies that the information submitted is complete, accurate, and consistent with other information submitted with this application.



Robert B. Fultz
General Partner, Seabreeze Associates LP

Legally Authorized Signature

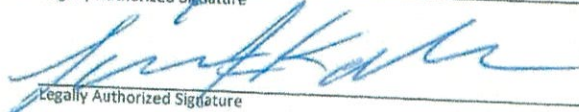
11/6/2024
Date



Legally Authorized Signature

Lawrence Kalish
Trustee, Sherry Kalish Irrevocable Trust

11-07-24
Date



Legally Authorized Signature

Lawrence Kalish
Trustee, Jay I. Julien Irrevocable Trust

11-07-24
Date

Heather J. Gobet-Pomeroy
Legally Authorized Signature
Thomas A. Bates
Legally Authorized Signature

Heather J. Gobet-Pomeroy

11/25/24
Date

Thomas A. Bates

11/25/24
Date

APPROVAL STANDARDS:

1. All property sizes, setbacks and other dimensional attributes resulting from a property line adjustment shall conform to the provisions of the Tillamook County Land Use Ordinance and the Tillamook County Land Division Ordinance.
2. A property line adjustment shall not result in the creation of a new lot or a replat of an existing subdivision or partition.
3. When one or more of the properties is larger than the minimum lot size in the zone, the same number of properties shall be as large or larger than the minimum lot size after the adjustment. When all properties are as large or larger than the minimum property size prior to the adjustment, no adjusted properties shall be reduced below the minimum lot size.

APPROVAL-CRITERIA FOR ADJUSTMENTS IN RESOURCE AND COMMERCIAL ZONES:

In addition to the approval standards listed above, property line adjustments in resource zones (Farm and Forest) must comply with the following criteria. Please use a separate sheet of paper to explain how the proposed adjustment complies with these criteria. Other information such as air photos (available through the GIS database) that would help to show how the adjustment complies with the criteria may also be submitted.

1. In commercial zones, properties to be adjusted shall be shown to be of a size that is at least as appropriate to maintain the existing commercial enterprise and remain in compliance with Section 4.030: Off-Street Parking & Off-Street Loading Requirements of the Tillamook County Land Use Ordinance.
2. If the proposed adjustment involves the transfer of a dwelling from one property to another, the property that will acquire the dwelling must either receive land use approval for the dwelling, or a deed affidavit shall be recorded by the owner of the property where the dwelling was originally located, prohibiting the establishment of any new principal dwellings on that property.
3. On land zoned for exclusive farm use, forest use or mixed farm and forest use, a property line adjustment may not be used to:
 - a. Decrease the size of a tract that, before the relocation or elimination of the common property line, is smaller than the minimum lot or parcel size for the applicable zone and contains an existing dwelling or is approved for the construction of a dwelling, if the abutting vacant tract would be increased to a size as large as or larger than the minimum tract size required to qualify the vacant tract for a dwelling;
 - b. Decrease the size of a tract that contains an existing dwelling or is approved for construction of a dwelling to a size smaller than the minimum lot or parcel size, if the abutting vacant tract would be increased to a size as large as or larger than the minimum tract size required to qualify the vacant tract for a dwelling; or
 - c. Allow an area of land used to qualify a tract for a dwelling based on an acreage standard to be used to qualify.

THE APPLICATION MUST INCLUDE:

1. Completed application form, signed by the applicant and all property owners.
2. Application Fee.
3. Completed preliminary map/survey.
4. Written explanation of how the adjustment complies with the standards for a property line adjustment in a resource zone.
5. Copy of most recent deed or contract for each parcel involved.

LLA Application

Other property owners – Unit A

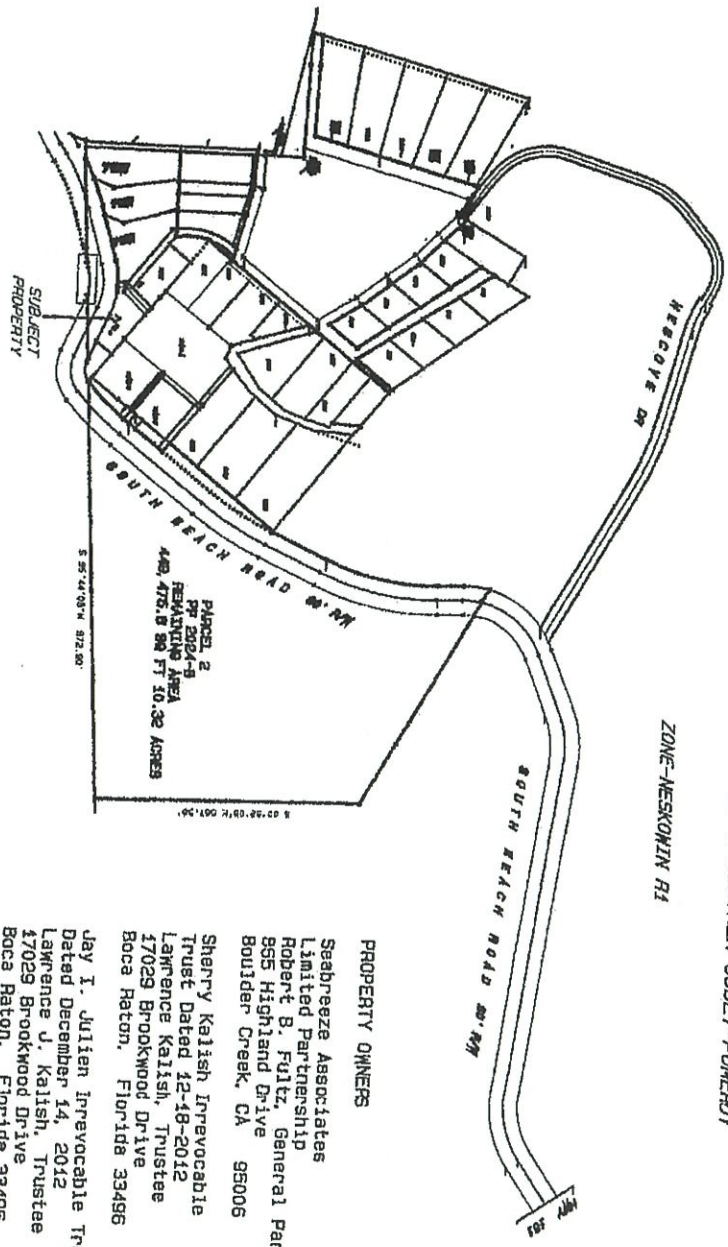
Jay I. Julien Irrevocable Trust
Lawrence Kalish, Trustee
17029 Brookwood Drive
Boca Raton, FL 33496

Sherry Kalish Irrevocable Trust
Lawrence Kalish, Trustee
17029 Brookwood Drive
Boca Raton, FL 33496

Other property owner – Unit B

Thomas A. Bates
22011 South Penman road
Oregon City, OR 97045

PRELIMINARY PLAN FOR PROPERTY LINE ADJUSTMENT OF A TRACT
OF LAND A LOCATED IN THE SW 1/4 OF THE NW 1/4 OF SECTION 36,
T 5 S., R 11 W., W.M., TILLAMOOK COUNTY, OREGON
FOR: SEABREEZE ASSOCIATES LP & HEATHER GOBET-POWERDY



ZONE-MESKONIN R4

PROPERTY OWNERS

Seabreeze Associates
Limited Partnership
Robert B. Fultz, General Partner
855 Highland Drive
Boulder Creek, CA 95006

Sherry Kalish Irrevocable
Trust Dated 12-18-2012
Lawrence J. Kalish, Trustee
17029 Brookwood Drive
Boca Raton, Florida 33496

Jay I. Julien Irrevocable Trust,
Dated December 14, 2012
Lawrence J. Kalish, Trustee
17029 Brookwood Drive
Boca Raton, Florida 33496

OWNER PCL 1 PP 2024-8
Heather Gobet-Powerdy
22011 S. Penman Rd
Oregon City, Or. 97045

NOVEMBER 1, 2024
SCALE: 1"=300'
SHEET 2 OF 2



PREPARED BY
DARLUS K. FERGUSON P.L.S.
LAND SURVEYING
6062 S.E. HWY. 101, SUITE B
LINCOLN CITY, OR. 97367
PH: (541) 964-5854
DFERGUSON@SURVEYINGBGMAIL

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 16, 1987
DARLUS K. FERGUSON
2279

REVISIONS 12-31-25

NOVEMBER 1, 2024
 SCALE 1"=30'
 CONTOUR INTERVAL = 2 FT
 SHEET 1 OF 2

PREPARED BY
 DARIUS K. FERGUSON P.L.S.
 LAND SURVEYING
 6062 S.E. HWY. 101, SUITE 8
 LINCOLN CITY, OR. 97367
 PH: (541) 994-5854
 DFERGUSONSURVEYING@GMAIL

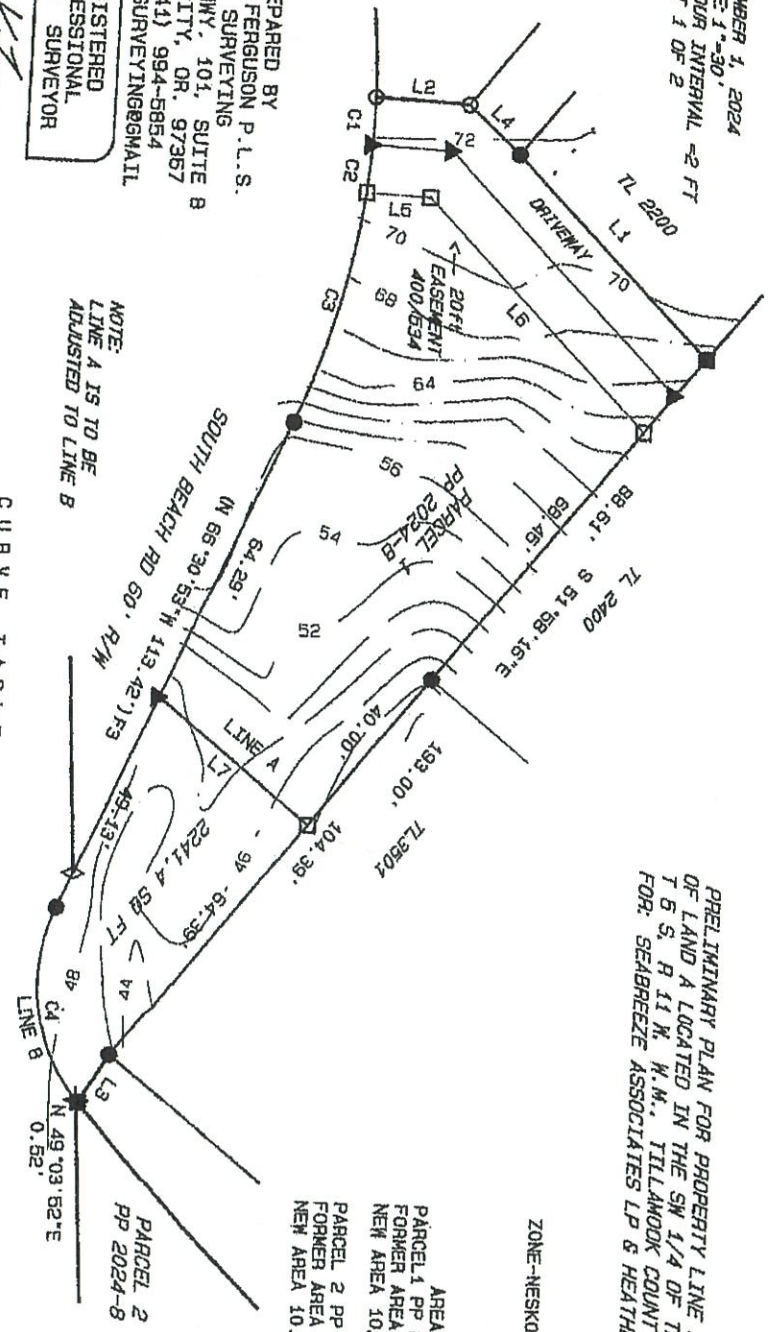
REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

OREGON
 JULY 16, 1987
 DARIUS K. FERGUSON
 2279
 RENEWS 12-31-25

PRELIMINARY PLAN FOR PROPERTY LINE ADJUSTMENT OF A TRACT
 OF LAND A LOCATED IN THE SW 1/4 OF THE NW 1/4 OF SECTION 36,
 T 6 S, R 11 W, N.M., TILLAMOOK COUNTY, OREGON
 FOR: SEABREEZE ASSOCIATES LP & HEATHER GOBET-POWERROY

ZONE-NESKOMIN R1

AREAS
 PARCEL 1 PP 2024-8
 FORMER AREA 8154.3 SQ FT
 NEW AREA 10,405.7 SQ FT
 PARCEL 2 PP 2024-8
 FORMER AREA 10.37 ACRES
 NEW AREA 10.32 ACRES



NOTE:
 LINE A IS TO BE
 ADJUSTED TO LINE B

CURVE TABLE

CURVE#	RADIUS	DELTA	ARC LENGTH	CHORD
C1	(167.88)	03°24'50"	10.00'	N 88°59'17"W 10.00' F3
C2	(167.88)	03°25'00"	10.01'	N 88°59'17"W 10.01' F3
C3	(167.88)	17°20'59"	50.83'	N 75°11'22"W 50.84' F3
C4	(39.35)	63°30'43"	43.62'	S 81°43'52"W 41.42' F3

LINE TABLE

L1 =	S 45°01'44"W 58.44'
L2 =	(S 01°55'34"W 19.74') F5
L3 =	(N 59°11'00"W 12.01') F3
L4 =	S 44°40'27"W 15.03'
L5 =	N 01°55'34"E 13.39'
L6 =	N 45°01'44"E 57.07'
L7 =	S 37°59'10"W 41.28'

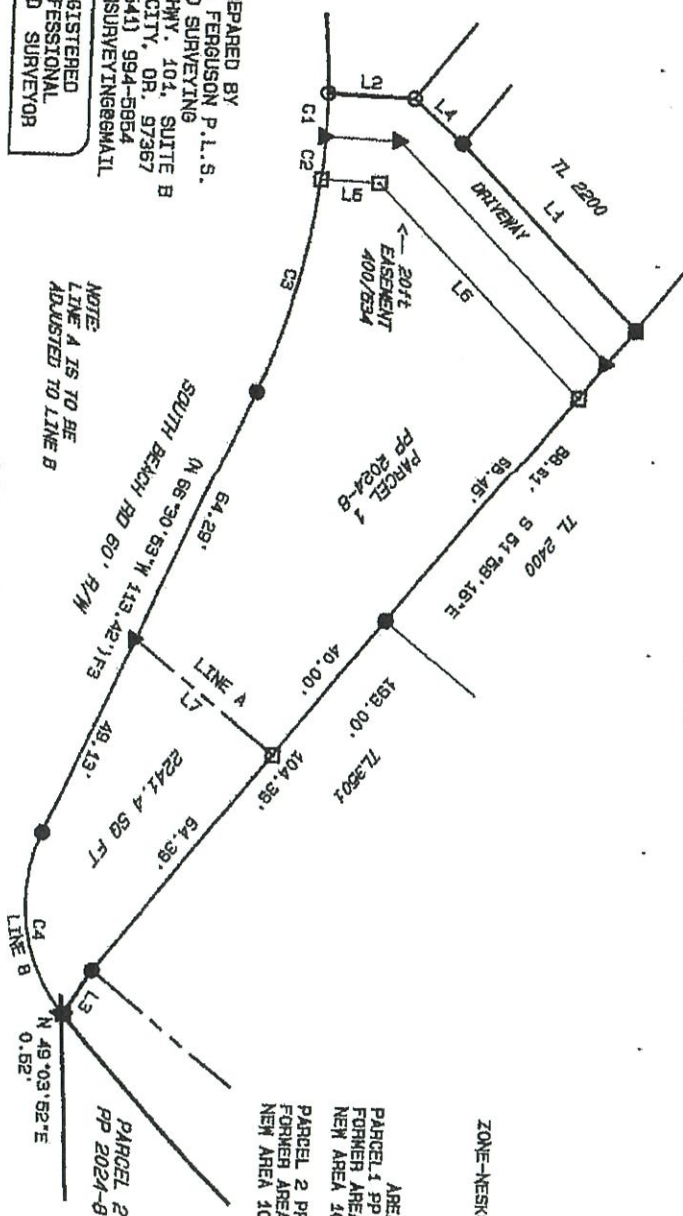
EXHIBIT "D"

ZONE-NESKOMIN R4

AREAS

PARCEL 1 PP 2024-B
FORMER AREA 8154.3 SQ. FT
NEW AREA 10,405.7 SQ. FT

PARCEL 2 PP 2024-B
FORMER AREA 10.37 ACRES
NEW AREA 10.32 ACRES



NOTE:
LINE A IS TO BE
ADJUSTED TO LINE B

CURVE TABLE

CURVE#	RADIUS	DELTA	ARC LENGTH	CHORD
C1	1367.88'	03°24'50"	10.00'	N 88°59'47"W 10.00') F3
C2	1367.88'	03°25'00"	10.01'	N 86°34'19"W 10.01') F3
C3	1367.88'	17°20'59"	50.83'	N 75°11'22"W 50.84') F3
C4	139.35'	63°30'43"	43.62'	S 81°43'52"W 41.42') F3

LINE TABLE

L1 =	S 45°31'44"W 58.44'
L2 =	(S 01°55'34"W 19.74') F6
L3 =	(N 59°11'00"W 12.01') F3
L4 =	S 41°40'27"W 15.03'
L5 =	N 04°55'34"E 13.39'
L6 =	N 45°01'44"E 67.07'
L7 =	S 37°59'10"W 41.28'

REGISTERED
PROFESSIONAL
LAND SURVEYOR

PREPARED BY
DARIUS K. FERGUSON P.L.S.
LAND SURVEYING
8062 S.E. HWY. 101, SUITE B
LINCOLN CITY, OR. 97367
PH (541) 994-5854
DFERGUSON@YIMBYINGMAIL

OREGON
JULY 16, 1997
DARIUS K. FERGUSON
2273
RENEW 12-31-26

EXHIBIT "A"

**LEGAL DESCRIPTION
FOR
A PROPERTY LINE ADJUSTMENT
TO BE ADDED TO
PARCEL 1 PARTITION PLAT 2024-8
AND REMOVED FROM
PARCEL 2, PARTITION PLAT 2024-8**

A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 36, TOWNSHIP 5 SOUTH, RANGE 11 WEST, WILLAMETTE MERIDIAN, TILLAMOOK COUNTY OREGON; BEING A PORTION OF PARCEL 2, PARTITION PLAT 2024-8 TILLAMOOK COUNTY PLAT RECORDS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 5/8 INCH IRON ROD AT THE NORTHEAST CORNER OF PARCEL 1, PARTITION PLAT 2024-35, TILLAMOOK COUNTY PLAT RECORDS, THENCE SOUTH 51°58'16"EAST 64.39 FEET TO A 3/4 INCH IRON PIPE; THENCE SOUTH 59°11'00"EAST 12.01 FEET TO A 5/8 INCH IRON ROD; THENCE SOUTH 49°03'52"WEST 0.52 FEET TO A 5/8 INCH IRON ROD ON THE SOUTH LINE OF SAID PARCEL 2 PARTITION PLAT 2024-8; THENCE ON A 167.88 FOOT RADIUS CURVE RIGHT (LONG CHORD BEARS SOUTH 81°43'52"WEST 41.42 FEET) AN ARC DISTANCE OF 43.62 FEET; THENCE NORTH 66°30'53"WEST 49.13 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL 1 PARTITION PLAT 2024-8; THENCE NORTH 37°59'10"EAST 41.28 FEET TO THE POINT OF BEGINNING.

EXHIBIT "B"

**RESULTANT LEGAL DESCRIPTION
OF A TRACT OF LAND
AFTER A PROPERTY LINE ADJUSTMENT TO
PARCEL 1 PARTITION PLAT 2024-8**

PARCEL 1 PARTITION PLAT 2024-8, TILLAMOOK COUNTY PLAT RECORDS,
TOGETHER WITH A PORTION OF PARCEL 2 PARTITION PLAT 2024-8,
TILLAMOOK COUNTY PLAT RECORDS MORE PARTICULARLY DESCRIBED
AS FOLLOWS;

BEGINNING AT A 5/8 INCH IRON ROD AT THE NORTHEAST CORNER OF
PARCEL 1, PARTITION PLAT 2024-35, TILLAMOOK COUNTY PLAT RECORDS,
THENCE SOUTH 51°58'16"EAST 64.39 FEET TO A 3/4 INCH IRON PIPE; THENCE
SOUTH 59°11'00"EAST 12.01 FEET TO A 5/8 INCH IRON ROD; THENCE SOUTH
49°03'52"WEST 0.52 FEET TO A 5/8 INCH IRON ROD ON THE SOUTH LINE OF
SAID PARCEL 2 PARTITION PLAT 2024-8; THENCE ON A 167.88 FOOT RADIUS
CURVE RIGHT (LONG CHORD BEARS SOUTH 81°43'52"WEST 41.42 FEET) AN ARC
DISTANCE OF 43.62 FEET; THENCE NORTH 66°30'53"WEST 49.13 FEET TO THE
SOUTHEAST CORNER OF SAID PARCEL 1 PARTITION PLAT 2024-8; THENCE
NORTH 37°59'10"EAST 41.28 FEET TO THE POINT OF BEGINNING.

CONTAINING 10,405.7 SQ. FT

EXHIBIT "B" CONTINUED

TOGETHER WITH a perpetual, non-exclusive easement for ingress and egress over the following described tract:

A strip of land, 20 feet in width, lying 10.0 feet on either side of the centerline located in the Southwest One-Quarter of the Northwest One-Quarter of Section 36, Township 5 South, Range 11 West of the Willamette Meridian, in Tillamook County, Oregon, more particularly described as follows:

Commencing at the most Easterly corner of that tract of land conveyed to Bruce Nolf, by Instrument recorded July 2, 1969, in Book 216, Page 200, Tillamook County Deed Records; thence South 52° 22' 00" East 10.08 feet, along the South line of that tract of land conveyed to Ralph T. Dawson, et ux, by Instrument recorded February 27, 1980, in Book 268, Page 163, Tillamook County Deed Records, to the true point of beginning; thence South 44° 38' 00" West 69.79 feet, parallel to the Southeast line of that tract of land described to Bruce Nolf, by Instrument recorded in Book 216, Page 200, Tillamook County Deed Records; thence South 01° 31' 50" West 15 feet, more or less, to the Northerly right-of-way line of that private roadway commonly known as South Beach Road and more particularly described as follows:

A strip of land 60.0 feet in width lying 30.0 feet on either side of the centerline described as: Beginning at Engineer's right-at-way station 267+20 on the Southerly right-of-way line of Relocated Oregon Coast Highway No. 101; thence South 55° 25' 00" West, 110.00 feet; thence on a 200 foot radius curve right (long chord bears South 76° 43' 10" West, 145.32 feet) an arc distance of 148.72 feet; thence North 81° 58' 40" West 705.43 feet; thence on a 222.96 foot radius curve left (long chord bears South 82° 57' 38" West, 115.88 feet) an arc distance of 117.22 feet; thence South 67° 53' 56" West, 125.68 feet; thence on a 171.52 foot radius curve to the left (the long chord bears South 32° 54' 58" West, 196.65 feet) an arc distance of 209.42 feet; thence South 2° 15' 11" East, 55.24 feet; thence on a 550.61 foot radius curve right (long chord bears South 11° 01' 53" West, 253.04 feet) an arc distance of 255.32 feet; thence South 24° 18' 57" West, 130.79 feet; thence on a 702.11 foot radius curve right (long chord bears South 30° 48' 57" West, 158.93 feet) an arc distance of 159.30 feet; thence South 37° 18' 57" West 226.05 feet; thence on a 395.02 foot radius curve right (long chord bears South 42° 31' 52" West, 133.31 feet) an arc distance of 134.33 feet; thence on a 74.10 foot radius curve right (long chord bears South 85° 37' 14" West, 70.40 feet) an arc distance of 73.36 feet; thence North 65° 50' 33" West, 111.46 feet; thence on a 138.31 foot radius curve left (long chord bears North 85° 50' 33" West, 94.04 feet) an arc distance of 95.96 feet; thence South 74° 16' 57" West, 116.77 feet; thence on a 409.28 foot radius curve left an arc distance of 125 feet, more or less, to the Easterly right-of-way line of the private roadway designated as Lot 99, NESKOWIN HEIGHTS, in Tillamook County, Oregon, according to the official plat thereof, recorded in Book 3, Page 13, Plat Records of Tillamook County, Oregon.

The side lines of the above 20 foot easement are to be extended or shortened to begin at the South line of that parcel described in Book 268, Page 163, Tillamook County Deed Records, and to terminate at the Northerly right-of-way line of that private roadway commonly known as South Beach Road and described above.

EXHIBIT "B" CONTINUED

ALSO TOGETHER WITH a perpetual, non-exclusive easement for ingress and egress over the following described tract, more particularly described as follows:

A strip of land 60.0 feet in width lying 30.0 feet on either side of the centerline described as: Beginning at Engineer's right-of-way station 267+20 on the Southerly right-of-way line of Relocated Oregon Coast Highway No. 101; thence South 55° 25' 00" West, 110.00 feet; thence on a 200 foot radius curve right (long chord bears South 76° 43' 10" West, 145.32 feet) an arc distance of 148.72 feet; thence North 81° 58' 40" West 705.43 feet; thence on a 222.96 foot radius curve left (long chord bears South 82° 57' 38" West, 115.88 feet) an arc distance of 117.22 feet; thence South 67° 53' 56" West, 125.68 feet; thence on a 171.52 foot radius curve to the left (the long chord bears South 32° 54' 58" West, 196.65 feet) an arc distance of 209.42 feet; thence South 2° 15' 11" East, 55.24 feet; thence on a 550.61 foot radius curve right (long chord bears South 11° 01' 53" West, 253.04 feet) an arc distance of 255.32 feet; thence South 24° 18' 57" West, 130.79 feet; thence on a 702.11 foot radius curve right (long chord bears South 30° 48' 57" West, 158.93 feet) an arc distance of 159.30 feet; thence South 37° 18' 57" West, 226.05 feet; thence on a 395.02 foot radius curve right (long chord bears South 42° 31' 52" West, 133.31 feet) an arc distance of 134.33 feet; thence on a 74.10 foot radius curve right (long chord bears South 85° 37' 14" West, 70.40 feet) an arc distance of 73.36 feet; thence North 65° 50' 33" West, 111.46 feet; thence on a 138.31 foot radius curve left (long chord bears North 85° 50' 33" West, 94.04 feet) an arc distance of 95.96 feet; thence South 74° 16' 57" West, 116.77 feet; thence on a 409.28 foot radius curve left an arc distance of 125 feet, more or less, to the Easterly right-of-way line of the private roadway designated as Lot 99, NESKOWIN HEIGHTS, in Tillamook County, Oregon, according to the official plat thereof, recorded in Book 3, Page 13, Plat Records of Tillamook County, Oregon.

EXHIBIT "C"

**RESULTANT LEGAL DESCRIPTION
OF A TRACT OF LAND
AFTER A PROPERTY LINE ADJUSTMENT**

PARCEL 3, PARTITION PLAT 2006-43, TILLAMOOK COUNTY DEED RECORDS;
EXCEPTING THEREFROM A PORTION OF SAID PARCEL 2 MORE
PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT A 5/8 INCH IRON ROD AT THE NORTHEAST CORNER OF
PARCEL 1, PARTITION PLAT 2024-35, TILLAMOOK COUNTY PLAT RECORDS,
THENCE SOUTH 51°58'16"EAST 64.39 FEET TO A 3/4 INCH IRON PIPE; THENCE
SOUTH 59°11'00"EAST 12.01 FEET TO A 5/8 INCH IRON ROD; THENCE SOUTH
49°03'52"WEST 0.52 FEET TO A 5/8 INCH IRON ROD ON THE SOUTH LINE OF
SAID PARCEL 2 PARTITION PLAT 2024-8; THENCE ON A 167.88 FOOT RADIUS
CURVE RIGHT (LONG CHORD BEARS SOUTH 81°43'52"WEST 41.42 FEET) AN ARC
DISTANCE OF 43.62 FEET; THENCE NORTH 66°30'53"WEST 49.13 FEET TO THE
SOUTHEAST CORNER OF SAID PARCEL 1 PARTITION PLAT 2024-8; THENCE
NORTH 37°59'10"EAST 41.28 FEET TO THE POINT OF BEGINNING.

FIRST AMERICAN 4098815



After recording return to:
Heather J. Gobet-Pomeroy and
Thomas A. Bates
22011 S Penman Rd
Oregon City, OR 97045

Until a change is requested all tax
statements shall be sent to the
following address:
Heather J. Gobet-Pomeroy and
Thomas A. Bates
22011 S Penman Rd
Oregon City, OR 97045

File No.: 7101-4098815 (LG)
Date: August 13, 2024

THIS SPACE RESERVED FOR RECORDER'S USE

Tillamook County, Oregon
09/18/2024 03:03:02 PM
DEED-DWARR
\$35.00 \$11.00 \$10.00 \$61.00 - Total =\$117.00
I hereby certify that the within instrument was received
for record and recorded in the County of Tillamook,
State of Oregon.
Christy Nyseth, Tillamook County Clerk

2024-03971

STATUTORY WARRANTY DEED

SeaBreeze Associates limited partnership, and Lawrence J. Kalish, Trustee of the Sherry Kalish Irrevocable Trust dated December 18, 2012, and Aaron Julien and Lawrence Kalish, Trustees of the Jay I. Julien 2012 Irrevocable Trust, Grantor, conveys and warrants to **Heather J. Gobet-Pomeroy and Thomas A. Bates not as tenants in common, but with rights of survivorship,** Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

See Legal Description attached hereto as Exhibit A and by this reference incorporated herein.

Subject to:

1. Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.
2. The **2024-2025** Taxes, a lien not yet payable.

The true consideration for this conveyance is **\$125,000.00.** (Here comply with requirements of ORS 93.030)

APN: 410233

Statutory Warranty Deed
- continued

File No.: 7101-4098815 (LG)

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

Dated this 23 day of August, 2024.

Jay I. Julien 2012 Irrevocable Trust

Please See attached
Lawrence J. Kalish, Trustee

Please See attached
Aaron Julien, Trustee

The Sherry Kalish Irrevocable Trust, Dated
12-18-2012

Please See attached
Lawrence J. Kalish, Trustee

Seabreeze Associates Limited Partnership

By: Robert B. Fultz
Name: Robert B. Fultz
Title: General Partner

APN: 410233

Statutory Warranty Deed
- continued

File No.: 7101-4098815 (LG)

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

Dated this 22nd day of August, 2024.

Jay I. Julien 2012 Irrevocable Trust

x Lawrence J. Kalish

Lawrence J. Kalish, Trustee

x Aaron Julien

Aaron Julien, Trustee

The Sherry Kalish Irrevocable Trust, Dated
12-18-2012

x Lawrence J. Kalish

Lawrence J. Kalish, Trustee

Seabreeze Associates Limited Partnership

By: Please see attached

Name: Robert B. Fultz

Title: General Partner

APN: 410233

Statutory Warranty Deed
- continued

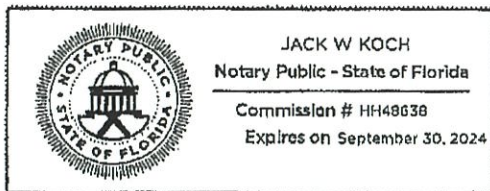
File No.: 7101-4098815 (LG)

STATE OF Florida

County of Pasco

)
)ss.
)

This instrument was acknowledged before me on this 23rd day of August, 2024
by Robert B Fultz as General Partner of SeaBreeze Associates limited partnership, on behalf of
the limited partnership. Identified by a California driver license.



[Signature]

Jack W Koch
Notary Public for Florida
My commission expires: 09/30/2024

Notarized remotely online using communication technology via Proof.

STATE OF

County of

)
)ss.
)

This instrument was acknowledged before me on this ____ day of _____, 20____
by Lawrence J. Kalish as trustee of Jay I. Julien 2012 Irrevocable Trust, on behalf of the trust.

Notary Public for
My commission expires:

STATE OF

County of

)
)ss.
)

This instrument was acknowledged before me on this ____ day of _____, 20____
by Aaron Julien as trustee of Jay I. Julien 2012 Irrevocable Trust, on behalf of the trust.

Notary Public for
My commission expires:

APN: 410233

Statutory Warranty Deed
- continued

File No.: 7101-4098815 (LG)

STATE OF Oregon

County of

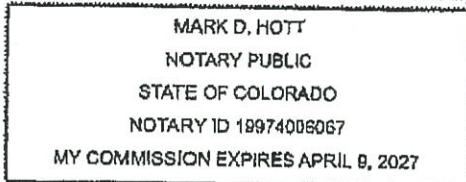
This instrument was acknowledged before me on this _____ day of _____, 20____
by Robert B Fultz as General Partner of SeaBreeze Associates limited partnership, on behalf of
the limited partnership.

Notary Public for Oregon
My commission expires:

STATE OF Colorado

County of Jefferson

This instrument was acknowledged before me on this 22nd day of August, 2024
by Lawrence J. Kalish as trustee of Jay I. Julien 2012 Irrevocable Trust, on behalf of the trust.



Mark D. Hott

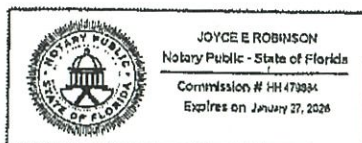
Notary Public for
My commission expires: 04/09/2027

Notarized remotely using audio-video communication technology via Proof.

STATE OF Florida

County of Marion

This instrument was acknowledged before me on this 27th day of August, 2024
by Aaron Julien as trustee of Jay I. Julien 2012 Irrevocable Trust, on behalf of the trust.



J. Robinson

Joyce E Robinson

Notary Public for Florida
My commission expires: 04/09/2027

1/27/2028

Page 3 of 5

Notarized remotely online using communication technology via Proof.

APN: 410233

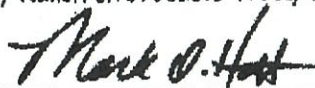
Statutory Warranty Deed
- continued

File No.: 7101-4098815 (LG)

STATE OF Colorado)
)ss.
County of Jefferson)

This instrument was acknowledged before me on this 22nd day of August, 2024
by Lawrence J. Kalish as trustee of The Sherry Kalish Irrevocable Trust, on behalf of the trust.

MARK D. HOTT
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 19974006067
MY COMMISSION EXPIRES APRIL 9, 2027



Notary Public for
My commission expires: 04/09/2027

Notarized remotely using audio-video communication technology via Proof.

APN: **410233**

Statutory Warranty Deed
- continued

File No.: **7101-4098815 (LG)**

EXHIBIT A

LEGAL DESCRIPTION: Real property in the County of Tillamook, State of Oregon, described as follows:

Parcel 1, Partition Plat 2024-8, Tillamook County Deed Records.



After recording return to:
First American Title
405 NW 5th St. Suite A
Corvallis, OR 97330

Until a change is requested all tax statements shall
be sent to the following address: No change,,
NO CHANGE FROM CURRENT
ADDRESS ON FILE

Tillamook County, Oregon

06/06/2023 11:31:01 AM

2023-02349

DEED-DBS

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

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

Tassi O'Neil, Tillamook County Clerk

THIS SPACE PROVIDED FOR RECORDER'S USE

BARGAIN AND SALE DEED FOR PROPERTY LINE ADJUSTMENT

Aaron Julien and Larry Kalish, Trustees of the Jay I. Julien 2012 Irrevocable Trust, Larry Kalish, Trustee of the Sherry Kalish Irrevocable Trust, and Seabreeze Associates Limited Partnership Grantors, convey to Aaron Julien and Larry Kalish, Trustee of the Jay I. Julien 2012 Irrevocable Trust, Larry Kalish, Trustee of the Sherry Kalish Irrevocable Trust, and Seabreeze Associates Limited Partnership Grantees the following described real property:

SEE EXHIBIT A FOR TRANSFER PARCEL LEGAL DESCRIPTION
SEE EXHIBIT B FOR ADJUSTED GRANTEE'S LEGAL DESCRIPTION
SEE EXHIBIT C FOR ADJUSTED GRANTORS LEGAL DESCRIPTION

Grantor is vested by Doc. No.s 2012-7263 (Sherry Kalish Trust), 2012-7117 (Jay I Julien Trust), and Book 320, Page 363 (Seabreeze Associates Limited Partnership), Tillamook County Deed Records

Grantee is vested by Doc. No. 2012-7263 (Sherry Kalish Trust), 2012-7117 (Jay I Julien Trust), and Book 320, Page 363 (Seabreeze Associates Limited Partnership), Tillamook County Deed Records

Grantor and Grantee execute this deed to facilitate an approved Property Line Adjustment per Case File No. #851-22-000379-PLNG and #851-22-000355-PLNG Unincorporated Community of Neskowin County of Tillamook

This property is free of liens and encumbrances, EXCEPT: THOSE OF PUBLIC RECORD, IF ANY.


True consideration for this conveyance is \$To effect property line adjustment (Here comply with the requirements of ORS 93.030)

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

FIRST AMERICAN 4063430

Dated this 5th day of May, 2023

GRANTORS


Robert B. Fultz, General Partner
Seabreeze Associates Limited Partnership

Aaron Julien
Aaron Julien, Trustee

Larry Kalish
Larry Kalish, Trustee

Larry Kalish, Trustee

GRANTEES


Robert B. Fultz, General Partner
Seabreeze Associates Limited Partnership

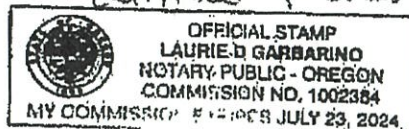
Aaron Julien
Aaron Julien, Trustee

Larry Kalish
Larry Kalish, Trustee

Larry Kalish, Trustee

State of Oregon)
County of Benton) ss.

This instrument was acknowledged before me on May 26 2023, by Robert B Foltz, general partner, Seabreeze Associates Limited Partnership



Gavriel D. Dabwini
Notary Public - State of Oregon

State of _____)
County of _____) ss.

Florida
Marion

This instrument was acknowledged before me on 06/05/2023, by
Aaron Julien, trustee of the Jay I. Julien 2012 Irrevocable Trust

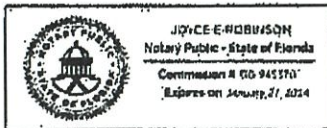


[Signature]
Notary Public - State of Florida

Notarized online using audio-video communication

State of Florida)
County of Marion) ss.

This instrument was acknowledged before me on 06/05/2023, by
Larry Kalish, trustee of the Jay I. Julien 2012 Irrevocable Trust and Larry Kalish, trustee of the Sherry Kalish Irrevocable Trust



[Signature]
Notary Public - State of Florida

Notarized online using audio-video communication.

EXHIBIT "A"

LEGAL DESCRIPTION OF TRANSFER PARCEL

A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 36, TOWNSHIP 5 SOUTH, RANGE 11 WEST, WILLAMETTE MERIDIAN, TILLAMOOK COUNTY, OREGON; BEING A PORTION OF PARCEL 3, PARTITION PLAT 2006-43 TILLAMOOK COUNTY PLAT RECORDS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 5/8 INCH IRON ROD AT THE NORTHEAST CORNER OF PARCEL 2, PARTITION PLAT 2004-35, TILLAMOOK COUNTY PLAT RECORDS; THENCE SOUTH 75°03'04"EAST 26.52 FEET TO A 5/8 INCH IRON ROD; THENCE SOUTH 37°56'57"WEST 64.37 FEET TO A 3/4 INCH IRON PIPE AT THE MOST NORTHERLY CORNER OF THAT TRACT OF LAND AS DESCRIBED IN Doc. No. 2022-03534, TILLAMOOK COUNTY DEED RECORD; THENCE ALONG THE WEST LINE OF SAID TRACT ON A 150.00 FOOT RADIUS CURVE LEFT (LONG CHORD BEARS SOUTH 04°01'30"WEST 70.06 FEET) AN ARC DISTANCE OF 70.71 FEET; THENCE NORTH 87°29'42"WEST 15.30 FEET TO A 5/8 INCH IRON ROD AT THE SOUTHEAST CORNER OF SAID PARCEL 2 PARTITION PLAT 2004-35; THENCE ALONG THE EAST LINE OF SAID PARCEL 2 ON A 165.00 FOOT RADIUS CURVE RIGHT (LONG CHORD BEARS NORTH 15°04'34"EAST 131.33 FEET TO THE POINT OF BEGINNING.

EXHIBIT "B"

PARCEL 2, PARTITION PLAT 2004-35, TILLAMOOK COUNTY PLAT RECORDS,
TOGETHER WITH A PORTION OF PARCEL 3 PARTITION PLAT 2006-43,
TILLAMOOK COUNTY DEED RECORDS, MORE PARTICULARLY DESCRIBED AS
FOLLOWS:

BEGINNING AT A 5/8 INCH IRON ROD AT THE NORTHEAST CORNER OF
PARCEL 2, PARTITION PLAT 2004-35, TILLAMOOK COUNTY PLAT RECORDS;
THENCE SOUTH 75°03'04"EAST 26.52 FEET TO A 5/8 INCH IRON ROD; THENCE
SOUTH 37°56'57"WEST 64.37 FEET TO A 3/4 INCH IRON PIPE AT THE MOST
NORTHERLY CORNER OF THAT TRACT OF LAND AS DESCRIBED IN Doc. No.
2022-03534, TILLAMOOK COUNTY DEED RECORD; THENCE ALONG THE WEST
LINE OF SAID TRACT ON A 150.00 FOOT RADIUS CURVE LEFT (LONG CHORD
BEARS SOUTH 04°01'30"WEST 70.06 FEET) AN ARC DISTANCE OF 70.71 FEET;
THENCE NORTH 87°29'42"WEST 15.30 FEET TO A 5/8 INCH IRON ROD AT THE
SOUTHEAST CORNER OF SAID PARCEL 2 PARTITION PLAT 2004-35; THENCE
ALONG THE EAST LINE OF SAID PARCEL 2 ON A 165.00 FOOT RADIUS CURVE
RIGHT (LONG CHORD BEARS NORTH 15°04'34"EAST 131.33 FEET TO THE POINT
OF BEGINNING.

EXHIBIT "C"

PARCEL 3, PARTITION PLAT 2006-43, TILLAMOOK COUNTY DEED RECORDS;
EXCEPTING THEREFROM THAT TRACT OF LAND AS DESCRIBED IN Doc.
No. 2022-03534, TILLAMOOK COUNTY DEED RECORDS; ALSO EXCEPTING
THEREFROM THE FOLLOWING DESCRIBED TRACT OF LAND;

BEGINNING AT A 5/8 INCH IRON ROD AT THE NORTHEAST CORNER OF
PARCEL 2, PARTITION PLAT 2004-35, TILLAMOOK COUNTY PLAT RECORDS;
THENCE SOUTH 75°03'04"EAST 26.52 FEET TO A 5/8 INCH IRON ROD; THENCE
SOUTH 37°56'57"WEST 64.32 FEET TO A 3/4 INCH IRON PIPE AT THE MOST
NORTHERLY CORNER OF THAT TRACT OF LAND AS DESCRIBED IN Doc. No.
2022-03534, TILLAMOOK COUNTY DEED RECORD; THENCE ALONG THE WEST
LINE OF SAID TRACT ON A 150.00 FOOT RADIUS CURVE LEFT (LONG CHORD
BEARS SOUTH 04°01'30"WEST 70.06 FEET) AN ARC DISTANCE OF 70.71 FEET;
THENCE NORTH 87°29'42"WEST 15.30 FEET TO A 5/8 INCH IRON ROD AT THE
SOUTHEAST CORNER OF SAID PARCEL 2 PARTITION PLAT 2004-35; THENCE
ALONG THE EAST LINE OF SAID PARCEL 2 ON A 165.00 FOOT RADIUS CURVE
RIGHT (LONG CHORD BEARS NORTH 15°04'34"EAST 131.33 FEET TO THE POINT
OF BEGINNING.

RECORDING REQUESTED BY:


Western Title & Escrow

3469 NW Highway 101
Lincoln City, OR 97367

AFTER RECORDING RETURN TO:

Order No.: WT0183398-KB
Thomas A. Bates and Heather J. Gobet-Pomeroy
22011 S. Penman Rd.
Oregon City, OR 97045

SEND TAX STATEMENTS TO:

Thomas A. Bates and Heather J. Gobet-Pomeroy
22011 S. Penman Rd.
Oregon City, OR 97045

APN: 258063
Map: 5S1136BC02200

Tillamook County, Oregon

02/26/2020 12:11:02 PM

2020-01245

DEED-DWARR

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

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

Tassi O'Neil, Tillamook County Clerk

SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY WARRANTY DEED

Elizabeth Duane Vergeer Crist and Tonie I. Tollen as Trustee of the Tonie I. Tollen Trust under agreement dated September 19, 2007, Grantor, conveys and warrants to Thomas A. Bates and Heather J. Gobet-Pomeroy, not as tenants in common, but with the rights of survivorship, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Tillamook, State of Oregon:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS SIX HUNDRED EIGHTY-FIVE THOUSAND AND NO/100 DOLLARS (\$685,000.00). (See ORS 93.030).

Subject to:

SEE EXHIBIT "B" ATTACHED HERETO AND MADE A PART HEREOF

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

STATUTORY WARRANTY DEED

(continued)

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

Dated: 2/24/2020

Elizabeth Duane Vergeer Crist
Elizabeth Duane Vergeer Crist

Tonie I. Tollen Trust under agreement dated September 19, 2007

BY: Tonie I. Tollen
Trustee

State of OR
County of Lincoln

This instrument was acknowledged before me on February 24 2020 by Elizabeth Duane Vergeer Crist and *
Tonie I. Tollen Trust under agreement dated September 19, 2007.

K Bighill
Notary Public - State of Oregon
My Commission Expires: 12/20/21



*Tonie I. Tollen, as Trustee of the

EXHIBIT "A"
Legal Description

PARCEL I:

Beginning at a point South 52° 22' 00" East 100 feet from the Southwest corner of the tract of land owned by Aletta M. Brigham in Section 36, Township 5 South, Range 11 West of the Willamette Meridian and recorded in Volume 43 at Page 453, Deed Records of Tillamook County, Oregon, said Southwest corner being South 37° 38' 00" West 300 feet from an iron pipe set 964.8 feet West and 2063.5 feet South of the Northeast corner of the Northwest Quarter of the Northwest Quarter of said Section 36 and 697 feet South and 192.4 feet East of the Northeast corner of a tract conveyed to Dan J. Fry and R.E.L. Steiner by deed recorded April 24, 1913, in Book 26, at Page 75, Deed Records of Tillamook County, Oregon; thence South 52° 22' 00" East 60 feet along the South line of the above mentioned tract; thence South 37° 38' 00" West 50 feet to a point; thence North 52° 22' 00" West 100 feet to a point; thence North 37° 38' 00" East 50 feet to a point; thence South 52° 22' 00" East 40 feet to the point of beginning.

PARCEL II:

Beginning at a point which is South 52° 22' 00" East 186 feet from the Southwest corner of the O.A. Place tract, which Southwest corner is South 37° 38' 00" West 300 feet from a point which is South 2063.5 feet, and West 964.8 feet, from the Northeast corner of the Northwest Quarter of the Northwest Quarter of Section 36, Township 5 South, Range 11 West of the Willamette Meridian; and running thence North 52° 22' 00" West, 26 feet to the Southeast corner of the tract presently owned by Bruce Nolf; thence South 37° 38' 00" West, along the Nolf Southerly line, 50 feet; thence South 52° 22' 00" East, to a point which is South 44° 38' 00" West, and on the line of the road across the O.A. Place property, if extended, from the point of beginning; and running thence North 44° 38' 00" East, to the point of beginning.

PARCEL III:

A tract of land lying in the Southwest Quarter of the Northwest Quarter of Section 36, Township 5 South, Range 11 West of the Willamette Meridian, Tillamook County, Oregon, said tract being a portion of Parcel 3 of Partition Plat No. 2004-35 as recorded in Plat Cabinet B-864-0 of Partition Plat Records of Tillamook County, Oregon, recorded December 27, 2004, as Instrument No. 2004-010779, said portion of Parcel 3 being more particularly described as follows:

Beginning at the Southwesterly corner of that certain tract of land conveyed to Bruce Owen Nolf by deed recorded in Book 354, Page 608, Deed Records of Tillamook County, Oregon, said point also being an angle point in a Northerly line of the aforesaid Parcel 3; and running thence South 52° 22' 00" East, along that certain boundary line common to the aforesaid Parcel 3 and Nolf tract, a distance of 119.86 feet to an iron rod, said point also being the Southeasterly corner of that certain tract of land conveyed to Bruce Nolf by deed recorded in Book 216, Page 200, Deed Records of Tillamook County, Oregon; thence South 44° 38' 00" West a distance of 8.06 feet to an iron rod; thence North 52° 22' 00" West a distance of 118.88 feet to an iron rod; thence North 37° 38' 00" East a distance of 8.00 feet to the point of beginning.

TOGETHER WITH a perpetual, non-exclusive easement for ingress and egress over the following described tract:

A strip of land, 20 feet in width, lying 10.0 feet on either side of the centerline located in the Southwest One-Quarter of the Northwest One-Quarter of Section 36, Township 5 South, Range 11 West of the Willamette Meridian, in Tillamook County, Oregon, more particularly described as follows:

Commencing at the most Easterly corner of that tract of land conveyed to Bruce Nolf, by Instrument recorded July 2, 1969, in Book 216, Page 200, Tillamook County Deed Records; thence South 52° 22' 00" East 10.08 feet, along the South line of that tract of land conveyed to Ralph T. Dawson, et ux, by Instrument recorded February 27, 1980, in Book 268, Page 163, Tillamook County Deed Records, to the true point of beginning; thence South 44° 38' 00" West 69.79 feet, parallel to the Southeast line of that tract of land described to Bruce Nolf, by Instrument recorded in Book 216, Page 200, Tillamook County Deed Records; thence South 01° 31' 50" West 15 feet, more or less, to the Northerly right-of-way line of that private roadway commonly known as South Beach Road and more

EXHIBIT "A"
Legal Description

particularly described as follows:

A strip of land 60.0 feet in width lying 30.0 feet on either side of the centerline described as: Beginning at Engineer's right-of-way station 267+20 on the Southerly right-of-way line of Relocated Oregon Coast Highway No. 101; thence South 55° 25' 00" West, 110.00 feet; thence on a 200 foot radius curve right (long chord bears South 76° 43' 10" West, 145.32 feet) an arc distance of 148.72 feet; thence North 81° 58' 40" West 705.43 feet; thence on a 222.96 foot radius curve left (long chord bears South 82° 57' 38" West, 115.88 feet) an arc distance of 117.22 feet; thence South 67° 53' 56" West, 125.68 feet; thence on a 171.52 foot radius curve to the left (the long chord bears South 32° 54' 58" West, 196.65 feet) an arc distance of 209.42 feet; thence South 2° 15' 11" East, 55.24 feet; thence on a 550.61 foot radius curve right (long chord bears South 11° 01' 53" West, 253.04 feet) an arc distance of 255.32 feet; thence South 24° 18' 57" West, 130.79 feet; thence on a 702.11 foot radius curve right (long chord bears South 30° 48' 57" West, 158.93 feet) an arc distance of 159.30 feet; thence South 37° 18' 57" West 226.05 feet; thence on a 395.02 foot radius curve right (long chord bears South 42° 31' 52" West, 133.31 feet) an arc distance of 134.33 feet; thence on a 74.10 foot radius curve right (long chord bears South 85° 37' 14" West, 70.40 feet) an arc distance of 73.36 feet; thence North 65° 50' 33" West, 111.46 feet; thence on a 138.31 foot radius curve left (long chord bears North 85° 50' 33" West, 94.04 feet) an arc distance of 95.96 feet; thence South 74° 16' 57" West, 116.77 feet; thence on a 409.28 foot radius curve left an arc distance of 125 feet, more or less, to the Easterly right-of-way line of the private roadway designated as Lot 99, NESKOWIN HEIGHTS, in Tillamook County, Oregon, according to the official plat thereof, recorded in Book 3, Page 13, Plat Records of Tillamook County, Oregon.

The side lines of the above 20 foot easement are to be extended or shortened to begin at the South line of that parcel described in Book 268, Page 163, Tillamook County Deed Records, and to terminate at the Northerly right-of-way line of that private roadway commonly known as South Beach Road and described above.

ALSO TOGETHER WITH a perpetual, non-exclusive easement for ingress and egress over the following described tract, more particularly described as follows:

A strip of land 60.0 feet in width lying 30.0 feet on either side of the centerline described as: Beginning at Engineer's right-of-way station 267+20 on the Southerly right-of-way line of Relocated Oregon Coast Highway No. 101; thence South 55° 25' 00" West, 110.00 feet; thence on a 200 foot radius curve right (long chord bears South 76° 43' 10" West, 145.32 feet) an arc distance of 148.72 feet; thence North 81° 58' 40" West 705.43 feet; thence on a 222.96 foot radius curve left (long chord bears South 82° 57' 38" West, 115.88 feet) an arc distance of 117.22 feet; thence South 67° 53' 56" West, 125.68 feet; thence on a 171.52 foot radius curve to the left (the long chord bears South 32° 54' 58" West, 196.65 feet) an arc distance of 209.42 feet; thence South 2° 15' 11" East, 55.24 feet; thence on a 550.61 foot radius curve right (long chord bears South 11° 01' 53" West, 253.04 feet) an arc distance of 255.32 feet; thence South 24° 18' 57" West, 130.79 feet; thence on a 702.11 foot radius curve right (long chord bears South 30° 48' 57" West, 158.93 feet) an arc distance of 159.30 feet; thence South 37° 18' 57" West, 226.05 feet; thence on a 395.02 foot radius curve right (long chord bears South 42° 31' 52" West, 133.31 feet) an arc distance of 134.33 feet; thence on a 74.10 foot radius curve right (long chord bears South 85° 37' 14" West, 70.40 feet) an arc distance of 73.36 feet; thence North 65° 50' 33" West, 111.46 feet; thence on a 138.31 foot radius curve left (long chord bears North 85° 50' 33" West, 94.04 feet) an arc distance of 95.96 feet; thence South 74° 16' 57" West, 116.77 feet; thence on a 409.28 foot radius curve left an arc distance of 125 feet, more or less, to the Easterly right-of-way line of the private roadway designated as Lot 99, NESKOWIN HEIGHTS, in Tillamook County, Oregon, according to the official plat thereof, recorded in Book 3, Page 13, Plat Records of Tillamook County, Oregon.

EXHIBIT "B"
Exceptions

Subject to:

SPECIFIC ITEMS AND EXCEPTIONS:

1. Rights of the public to any portion of the Land lying within the limits of streets, roads and highways.
2. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: R. E. Lee Steiner
Purpose: water pipe
Recording Date: October 28, 1920
Recording No: Book 3, Page 409 Miscellaneous Records

An assignment of the easement rights we assigned by instrument:

Assignee: South Neskowin Water Company
Recording Date: December 3, 1924
Recording No.: Book 52, Page 345
3. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: E. C. Apperson and Alves N. Apperson, husband and wife
Purpose: as mentioned in said easement
Recording Date: September 10, 1917
Recording No: Book 36, Page 238
4. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Mrs. Nellie G. Rogers
Purpose: as mentioned in said easement
Recording Date: March 15, 1918
Recording No: Book 37, Page 101
5. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Lilly Litchfield Shirley
Purpose: as mentioned in said easement
Recording Date: August 30, 1920
Recording No: Book 42, Page 25
6. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Alleta M. Brigham
Purpose: as mentioned in said easement
Recording Date: August 11, 1921
Recording No: Book 43, Page 453
7. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Mary E. Webster
Purpose: as mentioned in said easement
Recording Date: July 21, 1922

EXHIBIT "B"
Exceptions

Recording No: Book 44, Page 625

8. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: The Pacific Telephone and Telegraph Company
Purpose: as mentioned in said easement
Recording Date: November 1, 1928
Recording No: Book 59, Page 630

9. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: O. A. Place and Marjorie J. Place, husband and wife
Purpose: as mentioned in said easement
Recording Date: August 7, 1951
Recording No: Book 129, Page 203

10. Agreement, including the terms and provisions thereof,

Recording Date: March 31, 1965
Recording No.: Book 196, Page 237

11. Easement(s) for the purpose(s) shown below and rights incidental thereto as reserved in a document:

Reserved by: Peter O. Place and Phyllis Place, husband and wife
Purpose: as stated in said document
Recording Date: July 2, 1969
Recording No: Book 216, Page 200

12. Terms, provisions and conditions, including, but not limited to, maintenance provisions, as contained in Agreement for Easement

Recording Date: September 24, 1998
Recording No.: Book 400, Page 534

13. Terms, provisions and conditions, including, but not limited to, maintenance provisions, as contained in Agreement for Easement

Recording Date: September 24, 1998
Recording No.: Book 400, Page 535

14. Terms, provisions and conditions, including, but not limited to, maintenance provisions, as contained in Warranty Deed

Recording Date: September 24, 1998
Recording No.: Book 400, Page 537

15. Covenants, conditions, restrictions and easements but omitting any covenants or restrictions, if any, including but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, source of income, gender, gender identity, gender expression, medical condition or genetic information, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law, as set forth in the document

Recording Date: August 29, 2005
Recording No: 2005-007708

EXHIBIT C

REG. CURRENT THRU 12-31-07

SHEET 3 OF 3

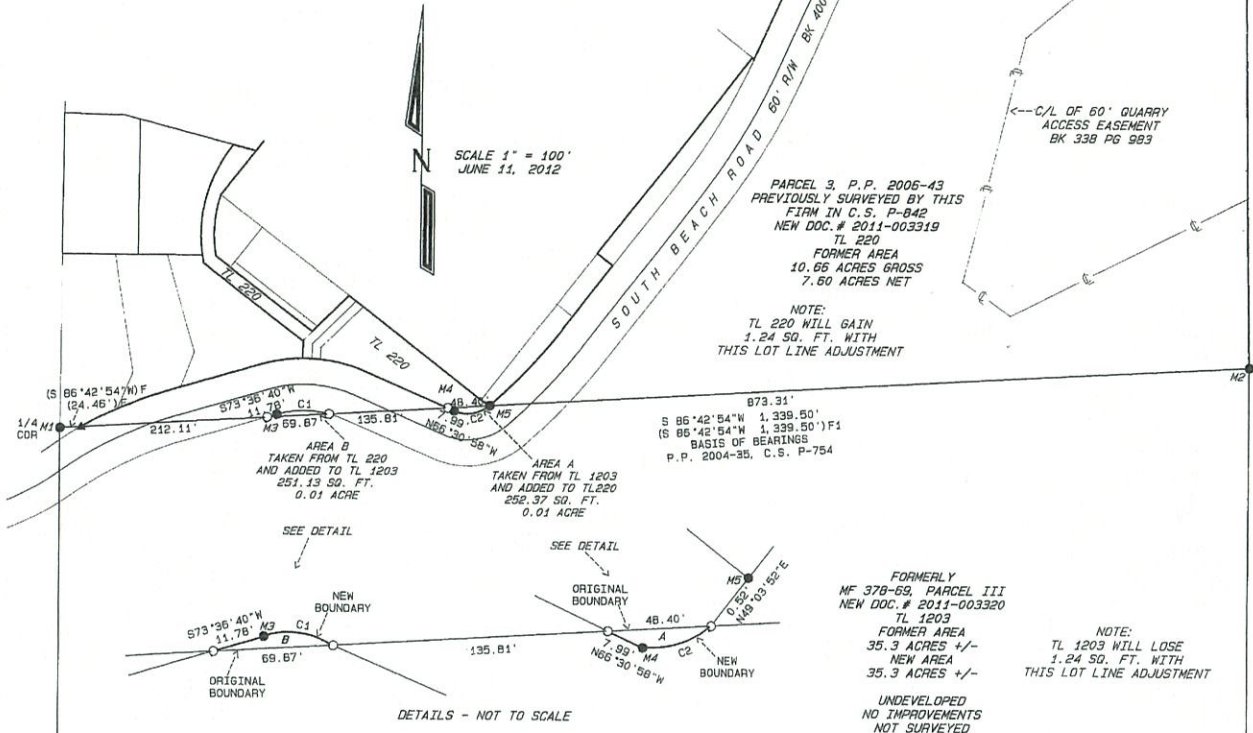


SURVEY OF A LOT LINE ADJUSTMENT BETWEEN TWO TRACTS OF LAND
LOCATED IN THE SW 1/4 OF THE NW 1/4 OF SECTION 36, T 5 S, R 11 W, W.M., (TAX LOT 220)
AND THE NW 1/4 OF THE SW 1/4 OF SECTION 36, T 5 S, R 11 W, W.M., (TAX LOT 1203)
TILLAMOOK COUNTY, OREGON

TAX LOT 220 FOR:
MR. ROBERT FULTZ, SEABREEZE ASSOCIATES LP
865 HIGHLAND DRIVE, BOULDER CREEK, CALIFORNIA 95006
(PHONE) 408-482-4650
TAX LOT 1203 FOR:
R.F. WILSON, TRUSTEE
P.O. BOX 98, LYONS, OREGON 97358
(PHONE) 503-859-2011

NARRATIVE

THE PURPOSE OF THIS SURVEY IS TO MONUMENT CORNERS FOR A LOT LINE ADJUSTMENT BETWEEN THAT TRACT OF LAND AS DESCRIBED IN NF 378 PAGE 69 TILLAMOOK COUNTY DEED RECORDS AND PARCEL 3 OF PARTITION PLAT 2006-43 AS DESCRIBED IN Doc. No. 2011-003319 AND Doc. No. 2011-003320. MONUMENTS AND DATA OF PARTITION PLAT 2006-43, BY THIS FIRM, WAS HELD TO LOCATE POSITIONS TO MONUMENT CORNERS FOR SAID LOT LINE ADJUSTMENT.



CURVE TABLE	
C 1 R =	107.88'
Δ =	31°26'29"
L =	59.20'
C =	59.46'
CHB =	S 89°19'58"W
C 2 R =	39.35'
Δ =	25°30'43"
L =	43.62'
C =	41.42'
CHB =	S 81°43'52"W

LEGEND

- I.P. = IRON PIPE
I.R. = IRON ROD
YPC = YELLOW PLASTIC ID CAP
● = CALCULATED POINTS - NOT SET
○ = MONUMENTS FOUND AS NOTED - SEE MONUMENT TABLE
○ = MONUMENTS SET 5/8" x 30" I.R. W/YPC MARKED
"FERGUSON P.L.S. 2279"
C.S.xxxx = REFERENCE NUMBER OF SURVEY RECORDED WITH TILLAMOOK COUNTY SURVEYOR
(xxxxx) F = DATA OF RECORD SURVEY BY THIS FIRM (FERGUSON) C.S. B-2629
(xxxxx) F1 = DATA OF RECORD SURVEY BY THIS FIRM (FERGUSON) PARTITION PLAT 2004-35 C.S. P-754
xxxxxx = DATA OBSERVED BY THIS SURVEY WHERE MEASURED OR CALCULATED DIFFERENT THAN RECORD & NEW DATA

FOUND MONUMENT TABLE

- M1 = BRASS CAP 1/4 CORNER SEC35/SEC36 MARKED "1/4, S35/S36, RS287, 1975" PERPETUATED CORNER OF SURVEY A-1341
REWITNESS CARD #846
M2 = 3/4" I.P. SE CORNER OF SW 1/4 OF NW 1/4 = CN 1/16 CORNER C.S. A-1340
M3 = 5/8" I.R. W/YPC MARKED "FERGUSON P.L.S. 2279" C.S. B-2629 BY THIS FIRM
M4 = 1/2" I.R. W/YPC MARKED "PLS 1425" C.S. A-5528
M5 = 5/8" I.R. W/YPC MARKED "FERGUSON P.L.S. 2279" C.S. B-2629 BY THIS FIRM



SURVEY BY
DARIUS K. FERGUSON P.L.S.
LAND SURVEYING
6062 SE HWY 101, SUITE B
LINCOLN CITY, OR. 97307
PH: (541) 984-5854

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Darius K. Ferguson

OREGON
JULY 16, 1987
DARIUS K. FERGUSON
2279
REG. CURRENT THRU 12-31-13

SURVEY OF A PROPERTY LINE ADJUSTMENT AND REPLAT OF A PORTION
OF PARCEL 3 PARTITION PLAT 2005-43 C.S. P-842 LOCATED IN THE SW 1/4
OF THE NW 1/4 OF SECTION 36, T 5 S, R 11 N. N.M.,
TILLAMOOK COUNTY, OREGON
FOR: MR. ROBERT FULTZ, SEABREEZE ASSOCIATES, LP

DECLARATION

[illegible]

SURVEYORS CERTIFICATE

[illegible]

NARRATIVE

[illegible]

BASIS OF BEARINGS M6 TO M3 C. S. 8-2406

I, DARIUS K. FERGUSON, P.L.S., HEREBY CERTIFY THAT
THIS IS A TRUE AND ACCURATE COPY OF THE ORIGINAL PLAT.
Darius K. Ferguson 6-28-24
DARIUS K. FERGUSON, P.L.S. 2279

Darius K. Ferguson
DARIUS K. FERGUSON, P. S. 2279

FOUND MONUMENT TABLE

[illegible]

STATE OF OREGON

COUNTY OF TILLAMOOK

I, DO HEREBY CERTIFY I AM THE QUALIFIED CLERK OF TILLAMOOK COUNTY, OREGON
AND THAT THIS PARTITION PLAT IS THE FULL, COMPLETE, AND TRUE COPY OF THE
ORIGINAL PLAT OF THE SAME, AS RECORDED IN PLAT CABINET B 1273 OF PLAT
RECORDS OF TILLAMOOK COUNTY, OREGON RECORDED ON May 18th 2024
at 9:00AM CLOCK AND AS RECORDED IN PLAT CABINET B 1213 IN PLAT
RECORDS OF TILLAMOOK COUNTY AND RECORDED AS
INSTRUMENT NUMBER 2014-7400.

CairnMurray, Chief Deputy Clerk
CHRISTY NYSETH, COUNTY CLERK

TAXES HAVE BEEN PAID IN FULL TO JUNE 30th, 2025

David Depew
TILLAMOOK TAX COLLECTOR

PLANNING APPROVAL

PARTITION- #651-22-000379 PLNG
BOUNDARY LINE ADJ. -#651-22-000355 PLNG

STILLAMOOK COUNTY DEPARTMENT OF
DATE July 16, 2024

W. J. [Signature] JULY 17TH, 2024
WILLAMOOK/COUNTY SURVEYOR DATE

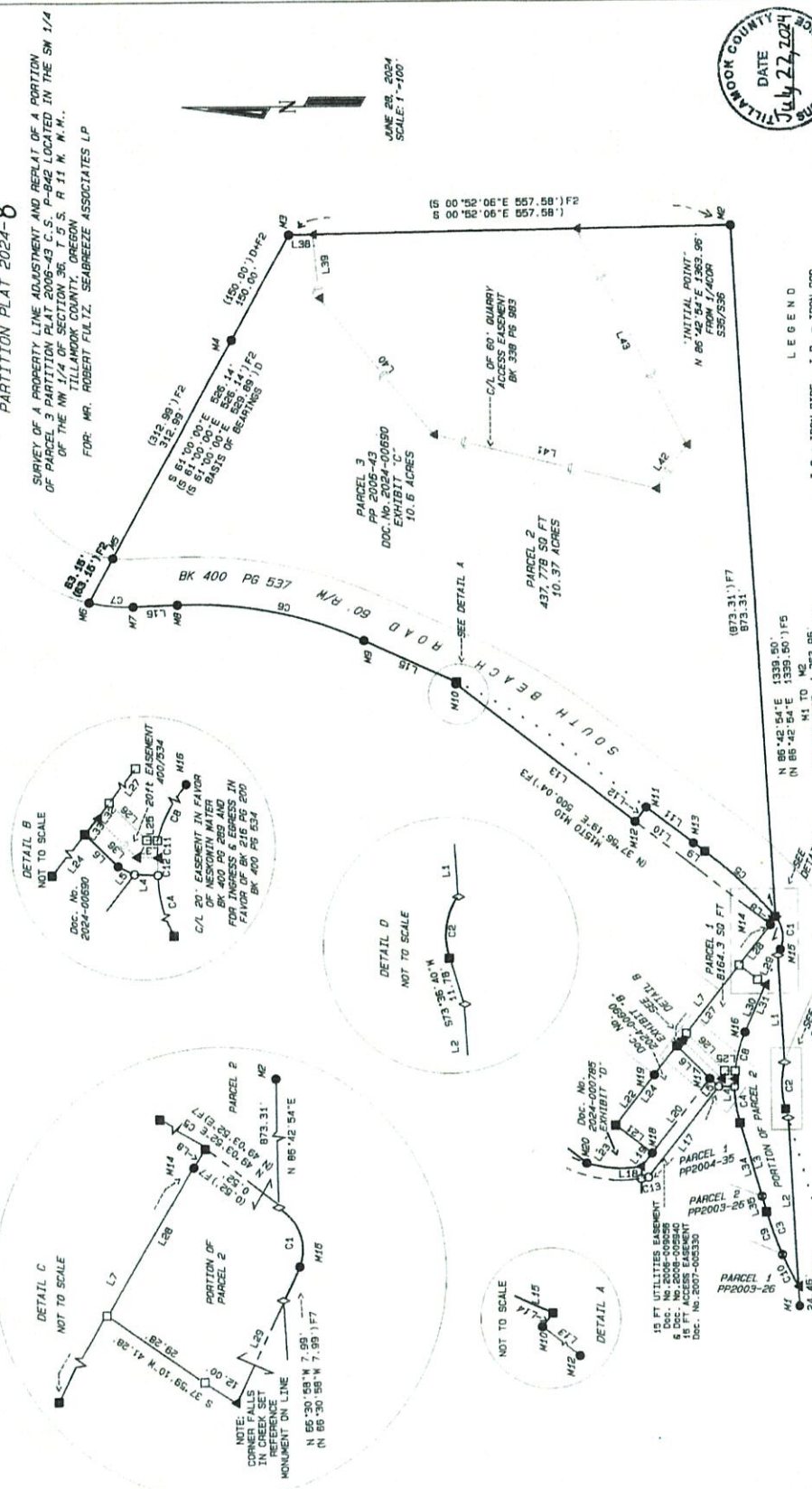


LINE TABLE

L1=	S 86°42'54"E	136.81'
L2=	S 86°42'54"E	136.81'
L3=	S 86°42'54"E	212.11'
L4=	S 86°42'54"E	212.11'
L5=	S 86°42'54"E	116.77'
L6=	S 86°42'54"E	15.74'
L7=	S 86°42'54"E	15.74'
L8=	S 86°42'54"E	15.74'
L9=	S 86°42'54"E	15.74'
L10=	S 86°42'54"E	15.74'
L11=	S 86°42'54"E	15.74'
L12=	S 86°42'54"E	15.74'
L13=	S 86°42'54"E	15.74'
L14=	S 86°42'54"E	15.74'
L15=	S 86°42'54"E	15.74'
L16=	S 86°42'54"E	15.74'
L17=	S 86°42'54"E	15.74'
L18=	S 86°42'54"E	15.74'
L19=	S 86°42'54"E	15.74'
L20=	S 86°42'54"E	15.74'
L21=	S 86°42'54"E	15.74'
L22=	S 86°42'54"E	15.74'
L23=	S 86°42'54"E	15.74'
L24=	S 86°42'54"E	15.74'
L25=	S 86°42'54"E	15.74'
L26=	S 86°42'54"E	15.74'
L27=	S 86°42'54"E	15.74'
L28=	S 86°42'54"E	15.74'
L29=	S 86°42'54"E	15.74'
L30=	S 86°42'54"E	15.74'
L31=	S 86°42'54"E	15.74'
L32=	S 86°42'54"E	15.74'
L33=	S 86°42'54"E	15.74'
L34=	S 86°42'54"E	15.74'
L35=	S 86°42'54"E	15.74'
L36=	S 86°42'54"E	15.74'
L37=	S 86°42'54"E	15.74'
L38=	S 86°42'54"E	15.74'
L39=	S 86°42'54"E	15.74'
L40=	S 86°42'54"E	15.74'
L41=	S 86°42'54"E	15.74'
L42=	S 86°42'54"E	15.74'
L43=	S 86°42'54"E	15.74'

PARTITION PLAT 2024-8

SURVEY OF A PROPERTY LINE ADJUSTMENT AND REPLAT OF A PORTION OF PARCEL 3 PARTITION PLAT 2006-43 C.S. P-842 LOCATED IN THE SW 1/4 OF THE NW 1/4 OF SECTION 36, T.5 S. R. 11 N. M.M., TILLAMOOK COUNTY, OREGON FOR MR. ROBERT FULTZ, SEABREEZE ASSOCIATES LP



CURVE TABLE

CURVE	RADIUS	DELTA	ARC LENGTH	CHORD	CHORD DIST
C1	39.35'	53.30°43'	43.92'	51.43'52"	41.42'
C2	107.68'	13.26°28'	43.92'	51.43'52"	41.42'
C3	435.28'	13.22°14'	102.51'	51.43'52"	41.42'
C4	435.28'	13.22°14'	102.51'	51.43'52"	41.42'
C5	435.28'	13.22°14'	102.51'	51.43'52"	41.42'
C6	435.28'	13.22°14'	102.51'	51.43'52"	41.42'
C7	435.28'	13.22°14'	102.51'	51.43'52"	41.42'
C8	435.28'	13.22°14'	102.51'	51.43'52"	41.42'
C9	435.28'	13.22°14'	102.51'	51.43'52"	41.42'
C10	435.28'	13.22°14'	102.51'	51.43'52"	41.42'
C11	435.28'	13.22°14'	102.51'	51.43'52"	41.42'
C12	435.28'	13.22°14'	102.51'	51.43'52"	41.42'
C13	435.28'	13.22°14'	102.51'	51.43'52"	41.42'

SURVEY BY DARIUS K. FERGUSON, P.L.S.

LAND SURVEYING P.L.S.
6062 SE HWY 101, SUITE B
LINCOLN CITY, OR 97367
DKFERGUSON@GMAIL.COM

REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON
JULY 16, 1987
DARIUS K. FERGUSON
2279

RENEWS 12-31-26

