



Land of Cheese, Trees and Ocean Breeze

**PARTITION REQUEST #851-24-000223-PLNG:
GILLIS / ONION PEAK DESIGN**

ADMINISTRATIVE DECISION AND STAFF REPORT

DECISION: Approved with Conditions

DECISION DATE: June 21, 2024

REPORT PREPARED BY: Angela Rimoldi, Planning Permit Technician

I. GENERAL INFORMATION:

Request: A Partition request to create three (3) residential parcels on a property located within the Unincorporated Community of Neahkahnie (Exhibit B)

Location: The subject property fronts Nehalem Road, Indian Gap Road and Hillcrest Street, all County Roads, and is designated as Tax Lot 9600 of Section 20CD in Township 3 North, Range 10 West, W.M., Oregon (Exhibit A)

Zone: Neahkahnie Urban Residential (NK-7.5) Zone (Exhibit A)

Applicant: Onion Peak Design, 11460 Evergreen Way, Nehalem, OR. 97131

Property Owner: Jane Gillis, 8350 Nehalem Road, Nehalem, OR. 97131

Description of Site and Vicinity: The subject property is irregular in shape, improved with an existing dwelling and accessory structures, and vegetated with shrubs, grasses, and trees (Exhibits A and B). The subject property fronts Nehalem Road, Indian Gap Road and Hillcrest Street, all County Roads (Exhibits A and B). The subject property is within an area primarily devoted to residential use, is located within the unincorporated community of Neahkahnie, zoned Neahkahnie Urban Residential (NK-7.5), and sits north of the City of Manzanita (Exhibit A). Surrounding areas to the north, south, east, and west are also zoned Neahkahnie Urban Residential (NK-7.5) zone, additionally an area to the west is zoned Neahkahnie Urban Residential (NK-30) zone (Exhibit A). Topography of the subject property varies but is generally flat with some sloped area (Exhibit B).

The subject property is located within an area of Geologic Hazard, contains no mapped wetlands and natural features as indicated on the Statewide Wetlands Inventory Map, and is located within Zone X an Area of Minimal Flood Hazard as depicted on FEMA Flood Insurance Rate Map (FIRM) Panel #41057C0206F (Exhibit A).

Staff finds that the standards of TCLUO Section 4.130: Development Requirements for Geological Hazard Areas may be applicable to future development of the properties and a Condition of Approval has been made to require relevant standards of this section be adhered to at the time of development.

II. APPLICABLE ORDINANCE AND COMPREHENSIVE PLAN PROVISIONS:

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

- A. Land Division Ordinance Section 070: Preliminary Plat Approval Criteria
- B. Land Use Ordinance Section 3.300: Neahkahnie Urban Residential (NK-7.5) Zone
- C. Land Use Ordinance Section 4.130: Development Requirements for Geologic Hazard Areas

III. ANALYSIS:

Notice of the request was mailed to property owners within 250 feet of the subject property and other agencies on May 13, 2024. One comment was received from The Oregon Department of State Lands noting the unlikelihood of jurisdictional wetlands or waterways in the property (Exhibit C).

A. Land Division Ordinance Section 070: Preliminary Plat Approval Criteria

(1) Approval Criteria. The Approval Authority (Director for partitions and Planning Commission for subdivisions) may approve, approve with conditions, or deny a preliminary plat. The Approval Authority decision shall be based on findings of compliance with all of the following approval criteria:

- (a) The land division application shall conform to the requirements of this ordinance;*
- (b) All proposed lots, blocks, and proposed land uses shall conform to the applicable provisions of the Land Use Ordinance – Article 3 Zone Regulations and the standards in Section 150 of this ordinance;*

Findings: Applicability of the Neahkahnie Urban Residential (NK-7.5) Zone is addressed below. Plat and submitted supplemental information confirm the criteria above are met (Exhibit B).

- (c) Access to individual lots, and public improvements necessary to serve the development, including but not limited to water, sewer and streets, shall conform to the standards in Sections 150 and 160 of this ordinance;*
- (d) The proposed plat name is not already recorded for another subdivision, does not bear a name similar to or pronounced the same as the name of any other subdivision within the County, unless the land platted is contiguous to and platted by the same party that platted the subdivision bearing that name or unless the party files and records the consent of the party that platted the contiguous subdivision bearing that name;*
- (e) The proposed streets, utilities, and surface water drainage facilities conform to Tillamook County's adopted master plans and applicable engineering standards and, within Unincorporated Community Boundaries, allow for transitions to existing and potential future development on adjacent lands. The preliminary plat shall identify all proposed public improvements and dedications;*
- (f) All proposed private common areas and improvements, if any, are identified on the preliminary plat and maintenance of such areas is assured through appropriate legal instrument;*
- (g) Provisions for access to and maintenance of off-right-of-way drainage, if any;*

Findings: Staff finds that the proposed partition maintains access for proposed parcel 3 from Nehalem Road, a county road (Exhibit B). Future improvements will be required to comply with Tillamook County Public Works to comply with applicable road approach permitting for the benefit of proposed parcels 2 and 3; a Condition of Approval has been made relevant for all future improvements.

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

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

- (h) Evidence that any required State and Federal permits, as applicable, have been obtained or can reasonably be obtained prior to development; and
- (i) Evidence that improvements or conditions required by the road authority, Tillamook County, special districts, utilities, and/or other service providers, as applicable to the project, have been or can be met, including but not limited to:
 - (i) Water Department/Utility District Letter which states that the partition or subdivision is either entirely excluded from the district or is included within the district for purposes of receiving services and subjecting the partition or subdivision to the fees and other charges of the district.
 - (ii) Subsurface sewage permit(s) or site evaluation approval(s) from the appropriate agency.

Findings: The subject property is served by the Neahkahnie Water District and the Nehalem Bay Wastewater Agency. Service letters were provided in the Applicant's submittal, confirming service availability to the areas (Exhibit B).

The subject property is served by the Nehalem Bay Fire and Rescue Department, Tillamook County Public Works, and Tillamook People's Utility District. Given the location of the property, availability of public services existing in the area, and absence of natural features on the subject property, staff concludes these criteria have been met, or can be met through compliance of the Conditions of Approval.

B. Land Use Ordinance Section 3.300: Neahkahnie Urban Residential (NK-7.5) Zone

(4) Standards: Land divisions in the NK-7.5, NK-15 and NK-30 zones shall conform to the following standards, unless more restrictive supplementary regulations apply:

- (a) The minimum size for the creation of new lots or parcels shall be 7,500 square feet in the NK-7.5 zone; 15,000 square feet in the NK-15 zone; and 30,000 square feet in the NK-30 zone with the following exceptions:
 - 1. The provisions of the cluster subdivision section of the Land Division Ordinance or of the PD Overlay zone in the Land Use Ordinance may be used to concentrate development on a portion of a contiguous ownership except that no lots shall be created that are less than 7,500 square feet.
 - 2. In the Neahkahnie Special Hazard Area, the minimum lot size shall be determined in accord with the requirements of Section 4.070 of the Land Use Ordinance, but such lots shall not be smaller than the minimums provided in the NK-7.5, NK-15 and NK-30 zones.
- (b) The minimum lot width shall be 60 feet.
- (c) The minimum lot depth shall be 75 feet.
- (d) The minimum front yard setback shall be 20 feet.
- (e) The minimum side yard setback shall be 5 feet, except on the street side of a corner lot where it shall be 15 feet.
- (f) The minimum rear yard shall be 20 feet, except on a street corner lot where it shall be 5 feet

.....

Findings: The Preliminary Plat confirms the lot size, lot width and lot depth minimums of the proposed partition shall conform to the Neahkahnie Urban Residential (NK-7.5) zone standards (Exhibit B). Staff finds that proposed parcels 1 and 2 are undeveloped; therefore, setbacks standards do not currently apply (Exhibit B). Staff finds that proposed Parcel 3 is developed with an existing dwelling and accessory structures and shall maintain all setback standards set by the Neahkahnie Urban Residential (NK-7.5) zone, respectively both before and after the proposed Partition (Exhibit B).

Staff concludes these criteria have been met or can be met through compliance with the Conditions of Approval.

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

(1) The following are GEOLOGIC HAZARD AREAS to which the standards of this Section apply:
 ...

(b) Inactive landslides, landslide topography and mass movement topography identified in DOGMI bulletins 74 and 79 where slopes are greater than 19 percent;

...

(3) A **GEOLOGIC HAZARD** report is required prior to approval of planned developments, coast resorts, subdivisions and partitions governed by the Land Division Ordinance, building permits, mobile home permits, sand mining, occurring in areas identified in (1) with the following exception:

(a) For building or mobile home or manufactured home permits in areas identified in (1) (b), reports are needed for lots 20,000 square feet or larger only where the proposed structure is to be situated on slopes greater than 29 percent or if (1) (f) applies.

Findings: The subject property is located within a geologic hazard area. Future development of the subject property may be subject to the development standards of the TCLUO Section 4.130.

IV. DECISION: APPROVED WITH CONDITIONS:

Staff concludes, based on the findings of fact and other relevant information in the record, that the applicant and property owner have satisfied the minimum application requirements and can satisfy all applicable requirements outlined in the Tillamook County Land Use Ordinance and Tillamook County Land Division Ordinance. The Preliminary Partition Plat is hereby **APPROVED**, subject to the Conditions of Approval listed below.

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

Appeal of this decision. This decision may be appealed to the Tillamook County Planning Commission, who will hold a public hearing. In such cases, forms and fees must be filed in the office of this Department before **4:00 PM on July 3, 2024**.

V. CONDITIONS OF APPROVAL:

Failure to comply with the Conditions of Approval and Ordinance Standards could result in nullification of this approval. This approval is subject to the following conditions:

1. The applicant and property owner shall obtain all Federal, State, and Local permits, as applicable.
2. The applicant and property owner shall adhere to requirements set forth by the Tillamook County Public Works Department for development of Parcels 1, 2 and 3. A copy of an approved road approach permit from the Tillamook County Public Works Department shall be submitted at the time of consolidated zoning/building permit application submittal for development of Parcels 2 and 3.
3. The applicant and property owner shall comply with all requirements of the Tillamook County Surveyor's Office.
4. The applicant and property owner shall record the Final Plat within two (2) years from the approval date of the Preliminary Plat or apply for an extension of time from this Department prior to expiration of tentative plat approval.
5. The applicant and property owner shall record the Final Plat within ninety (90) days from the date of final signature of the partition plat.
6. Future development of the subject property shall comply with the development standards required by TCLUO Section 3.300: Neahkahnne Urban Residential (NK-7.5) Zone.

7. Future development of the subject property is subject to the standards required by TCLUO Section 4.130: Development Requirements for Geologic Hazard Areas.

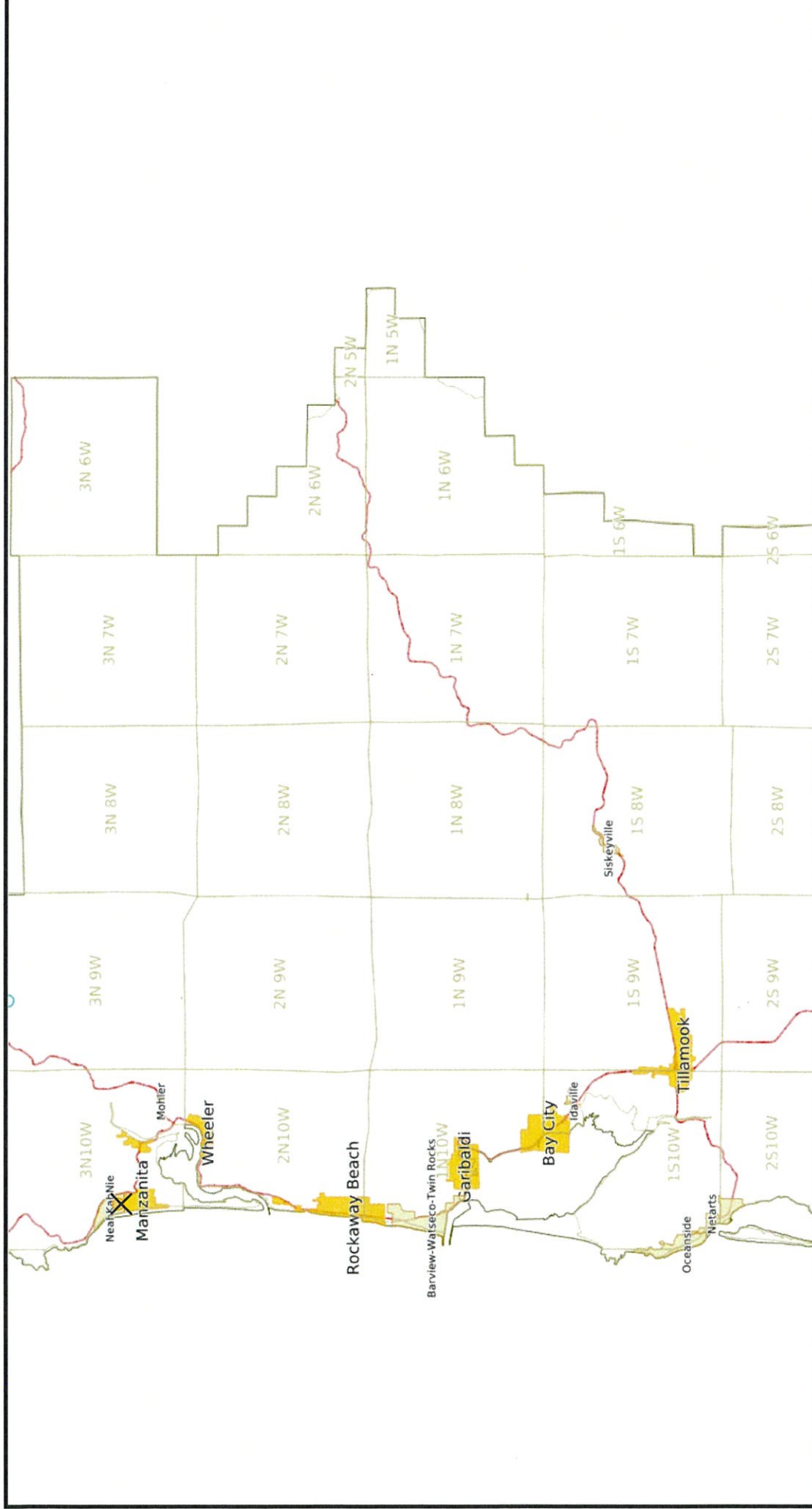
VI. EXHIBITS

- A. Property Identification Maps
- B. Applicant's Submittal
- C. Comments

EXHIBIT A



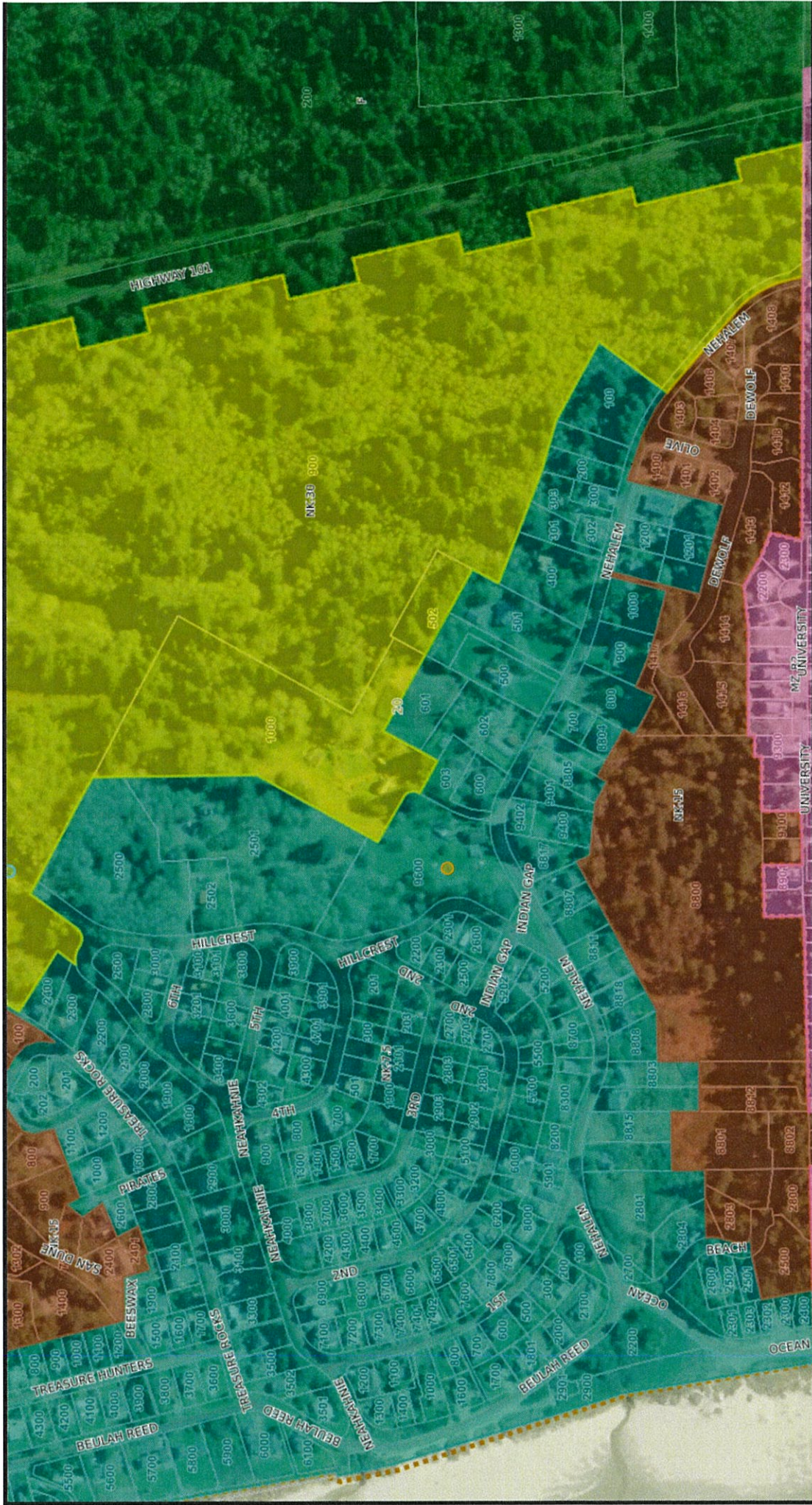
Tillamook County GIS



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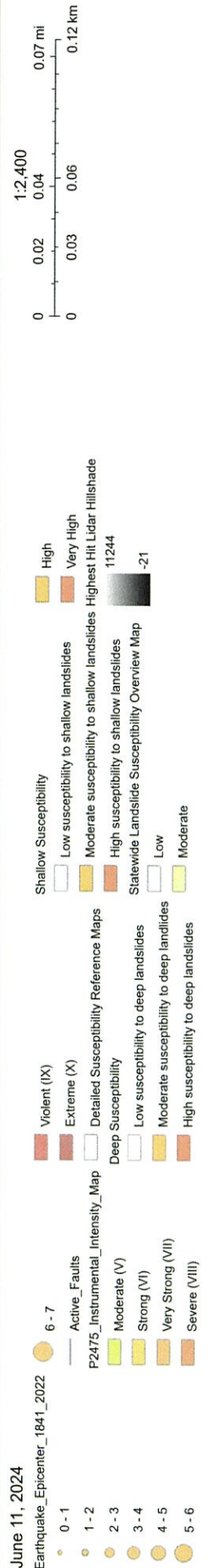
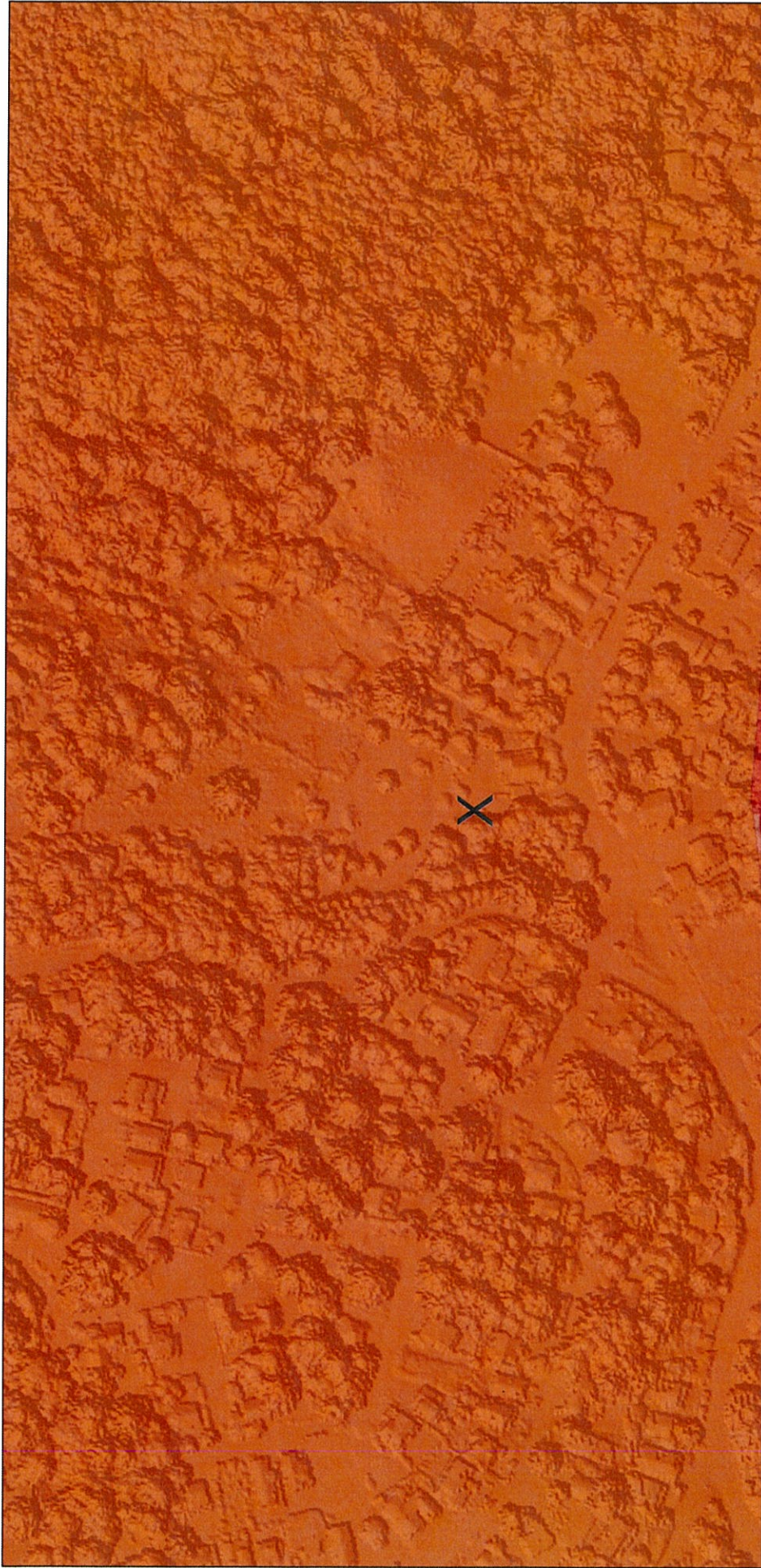


Tillamook County GIS



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Active Layers: sgs, County Boundary, City Limit, Community Polygon, TaxlotOwner, Tillamook County Zoning, Township Range Section, Road Centerline
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PARTITION #851-24-000223



Statewide Wetlands Inventory



R. Southern, Maxar, Microsoft, State of Oregon GEO, Esti, FERR, Garmin, IFC,
 Department of State Lands, R. Southern 2018

	Townships
	LWI Study Area
	BASEDAT.DBO.NHDWaterbody
	BASEDAT.DBO.NHDArea
BASEDAT.DBO.NHDFlowline	
	Perennial
	Intermittent
	Ephemeral
	Unknown
	Canal/Ditch
	Canal/Ditch
	Canal/Ditch
	BASEDAT.DBO.NHDPoint
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



Date: 6/11/2024



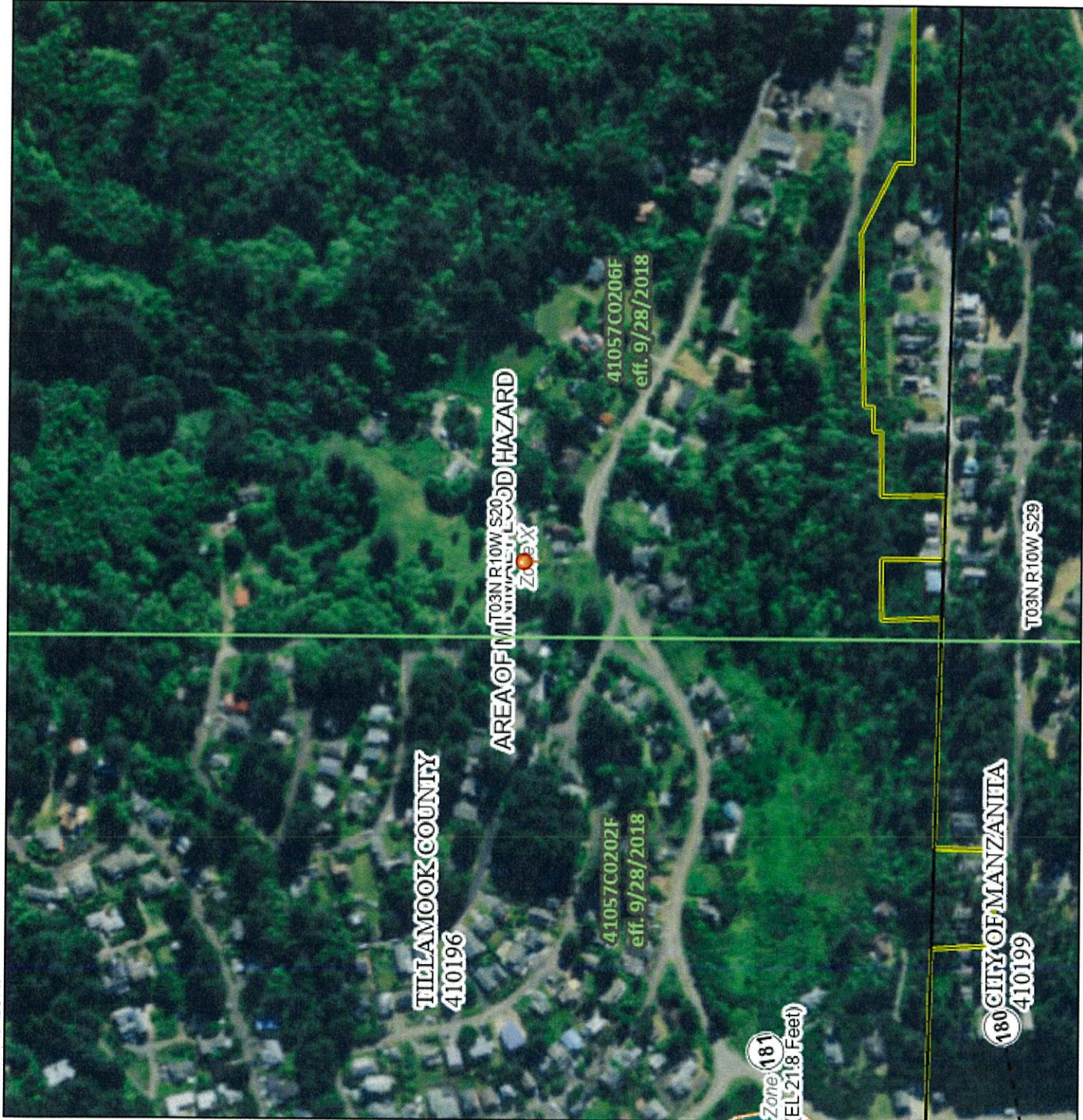
State of Oregon
 Department of State Lands
 775 Summer Street, NE, Ste 100
 Salem, OR 97301-1279

The Statewide Wetlands Inventory (SWI) represents the best data available at the time this map was published and is updated as new data becomes 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.

National Flood Hazard Layer FIRMette



123°56'31"W 45°43'54"N



Legend

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

SPECIAL FLOOD HAZARD AREAS

- Without Base Flood Elevation (BFE)
Zone A, V, A99
- With BFE or Depth *Zone AE, AO, AH, VE, AR*
- Regulatory Floodway

OTHER AREAS OF FLOOD HAZARD

- 0.2% Annual Chance Flood Hazard, Area of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile *Zone X*
- Future Conditions 1% Annual Chance Flood Hazard *Zone X*
- Area with Reduced Flood Risk due to Levee. See Notes. *Zone X*
- Area with Flood Risk due to Levee *Zone D*

OTHER AREAS

- Area of Minimal Flood Hazard *Zone X*
- Effective LOMRs
- Area of Undetermined Flood Hazard *Zone*

GENERAL STRUCTURES

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

OTHER FEATURES

- Cross Sections with 1% Annual Chance Water Surface Elevation
- Coastal Transect
- Base Flood Elevation Line (BFE)
- Limit of Study
- Jurisdiction Boundary
- Coastal Transect Baseline
- Profile Baseline
- Hydrographic Feature

MAP PANELS

- Digital Data Available
- No Digital Data Available
- Unmapped

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

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

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 6/11/2024 at 6:48 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.

123°55'54"W 45°43'28"N

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

1:6,000

EXHIBIT B



LAND DIVISION APPLICATION

Applicant (Check Box if Same as Property Owner)

Name: Onion Peak Design Phone: 503-440-4403
 Address: 11460 Evergreen Way
 City: Nehalem State: OR Zip: 97131
 Email: erick.opd@gmail.com

Property Owner

Name: Jane L. Gillis Phone: 503-812-6875
 Address: 8350 Nehalem Road
 City: Nehalem State: OR Zip: 97131
 Email: jdgillis@nehalem.tel.net

Location:

Site Address: 8350 Nehalem Road, Nehalem, OR 97131

Map Number:	3N	10W	20CD	9600
	Township	Range	Section	Tax Lot(s)

Land Division Type: Partition (Two or Three Lots, Type II) Subdivision (Four or More Lots, Type III)
 Preliminary Plat (Pages 1-2) Final Plat (Page 3)

PRELIMINARY PLAT (LDO 060(1)(B))

- For subdivisions, the proposed name.
- Date, north arrow, scale of drawing.
- Location of the development sufficient to development sufficient to define its location, boundaries, and a legal description of the site.

General Information

- Parcel zoning and overlays
- Title Block
- Clear identification of the drawing as "Preliminary Plat" and date of preparation
- Name and addresses of owner(s), developer, and engineer or surveyor

- Fifteen (15) legible "to scale" hard copies
- One digital copy

Existing Conditions

- Existing streets with names, right-of-way, pavement widths, access points.
- Width, location and purpose of existing easements
- The location and present use of all structures, and indication of any that will remain after platting.
- Location and identity of all utilities on and abutting the site. If water mains and sewers are not on site, show distance to the nearest one and how they will be brought to standards
- Location of all existing subsurface sewerage systems, including drainfields and associated easements

- Ground elevations shown by contour lines at 2-foot vertical interval. Such ground elevations shall be related to some established benchmark or other datum approved by the County Surveyor
- The location and elevation of the closest benchmark(s) within or adjacent to the site
- Natural features such as drainage ways, rock outcroppings, aquifer recharge areas, wetlands, marshes, beaches, dunes and tide flats
- For any plat that is 5 acres or larger, the Base Flood Elevation, per FEMA Flood Insurance Rate Maps

Other information:

OFFICE USE ONLY	
Date Stamp	
<input type="checkbox"/> Approved <input type="checkbox"/> Denied	
Received by:	
Receipt #:	
Fees: 1155.00	
Permit No:	851-24-00023-PLNG

Proposed Development

- Proposed lots, streets, tracts, open space and park land (if any); location, names, right-of-way dimensions, approximate radius of street curves; and approximate finished street center line grades. All streets and tracts that are being held for private use and all reservations and restrictions relating to private tracts identified
- Location, width and purpose of all proposed easements
- Proposed deed restrictions, if any, in outline form
- Approximate dimensions, area calculation (in square feet), and identification numbers for all proposed lots and tracts
- Proposed uses of the property, including all areas proposed to be dedicated as public right-of-way or reserved as open space
- On slopes exceeding an average grade of 10%, as shown on a submitted topographic survey, the preliminary location of development on lots demonstrating that future development can meet minimum required setbacks and applicable engineering design standards
- Preliminary utility plans for sewer, water and storm drainage when these utilities are to be provided
- The approximate location and identity of other utilities, including the locations of street lighting fixtures, as applicable
- Evidence of compliance with applicable overlay zones, including but not limited to the Flood Hazard Overlay (FH) zone
- Evidence of contact with the applicable road authority for proposed new street connections
- Certificates or letters from utility companies or districts stating that they are capable of providing service to the proposed development

Additional Information Required for Subdivisions

- Preliminary street layout of undivided portion of lot
- Special studies of areas which appear to be hazardous due to local geologic conditions
- Where the plat includes natural features subject to the conditions or requirements contained in the County's Land Use Ordinance, materials shall be provided to demonstrate that those conditions and/or requirements can be met
- Approximate center line profiles of streets, including extensions for a reasonable distance beyond the limits of the proposed Subdivision, showing the proposed finished grades and the nature and extent of construction
- Profiles of proposed drainage ways
- In areas subject to flooding, materials shall be submitted to demonstrate that the requirements of the Flood Hazard Overlay (FHO) zone of the County's Land Use Ordinance will be met
- If lot areas are to be graded, a plan showing the nature of cuts and fills, and information on the character of the soil
- Proposed method of financing the construction of common improvements such as street, drainage ways, sewer lines and water supply lines

- FINAL PLAT (LDO 090(1))**
- Date, scale, north arrow, legend, highways, and railroads contiguous to the plat perimeter
- Description of the plat perimeter
- The names and signatures of all interest holders in the land being platted, and the surveyor
- Monuments of existing surveys identified, related to the plat by distances and bearings, and referenced to a document of record
- Exact location and width of all streets, pedestrian ways, easements, and any other rights-of-way
- Easements shall be denoted by fine dotted lines, and clearly identified as to their purpose
- Provisions for access to and maintenance of off-right-of-way drainage
- Block and lot boundary lines, their bearings and lengths
- Block numbers
- Lot numbers
- The area, to the nearest hundredth of an acre, of each lot which is larger than one acre
- Identification of land parcels to be dedicated for any purpose, public or private, so as to be distinguishable from lots intended for sale

Certificates:

- Title interest & consent Water
- Dedication for public use Public Works
- Engineering/Survey

Additional Information:

Authorization

This permit application does not assure permit approval. The applicant and/or property owner shall be responsible for obtaining any other necessary federal, state, and local permits. Within two (2) years of final review and approval, all final plats for land divisions shall be filed and recorded with the County Clerk, except as required otherwise for the filing of a plat to lawfully establish an unlawfully created unit of land. The applicant verifies that the information submitted is complete, accurate, and consistent with other information submitted with this application.

<i>James D. Gillis</i> <small>Property Owner (*Required)</small>	4-17-24 <small>Date</small>
<i>Carl M. White</i> <small>Applicant Signature</small>	4-17-24 <small>Date</small>

NOTES

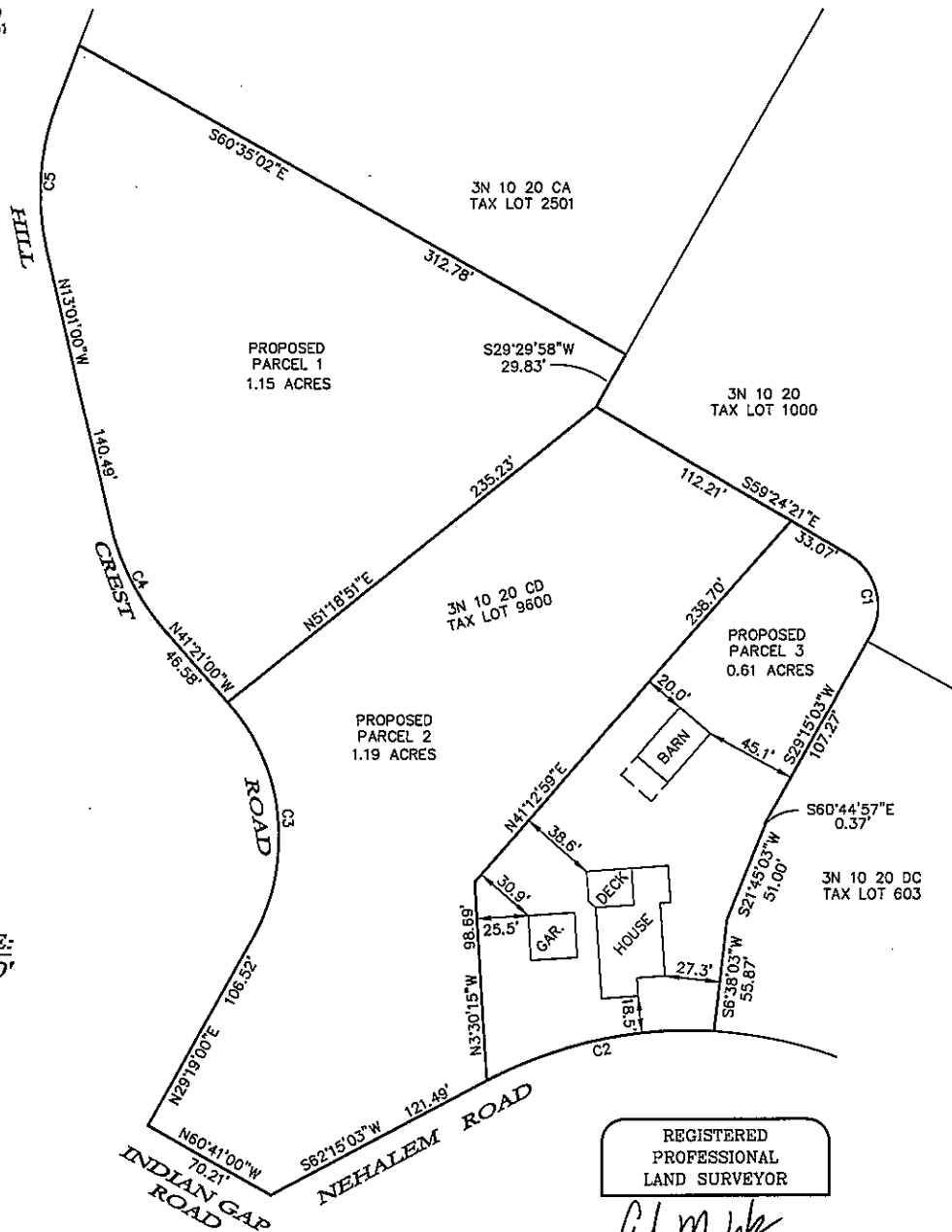
THIS MAP DOES NOT CONSTITUTE A BOUNDARY SURVEY OF THE SUBJECT PROPERTY. THE PURPOSE OF THIS MAP IS TO SHOW THE PROPOSED PARTITION AS PER TILLAMOOK COUNTY PLANNING DEPARTMENT PROCEDURES.
SEWER AND WATER ARE AVAILABLE THROUGH PUBLIC SYSTEMS WITHIN NEHALEM AVENUE AND HILL CREST DRIVE.

CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	CH. BEARING	CH. LENGTH
C1	30.00'	46.42'	88°39'25"	N15°04'39"W	41.93'
C2	213.50'	117.17'	31°26'43"	S77°58'25"W	115.71'
C3	102.10'	125.98'	70°40'00"	N06°01'00"W	118.14'
C4	123.40'	61.00'	28°20'00"	S27°11'00"E	60.38'
C5	123.40'	72.13'	33°30'00"	S03°44'00"W	71.11'

OWNER
JANE L. GILLIS
8350 NEHALEM RD
NEHALEM, OR 97131



SCALE:
1" = 60'



REGISTERED
PROFESSIONAL
LAND SURVEYOR

E.M.W.
OREGON
APRIL 28, 2014
ERICK M. WHITE
78572
RENEWS 6/30/2024

PROPOSED PARTITION FOR:
JANE L. GILLIS
3N 10 20 CD
TAX LOT
9600

SW 1/4, SECTION 20, T3N, R10W, W.M.
TILLAMOOK COUNTY
APRIL 16, 2024

**ONION PEAK
DESIGN**
11460 EVERGREEN WAY
NEHALEM, OR 97131
(503) 440-4403

GILLIS2404-EX.DWG



Nehalem Bay Wastewater Agency
SEWER AVAILABILITY

Date: April 16, 2024
To: Tillamook County Building Department (Fax#503-842-1819)
From: Nehalem Bay Wastewater Agency
RE: Sewer Availability

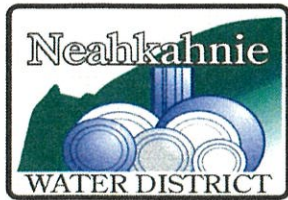
As an Agent of Nehalem Bay Wastewater Agency, I confirm that sewer is available to the following lot within our service area boundary:

3N 10 20 CD 9600

Owner of Record: Jane Gillis
Project Information: Partition

This letter shall not create a liability on the part of Nehalem Bay Wastewater Agency, or by an agent, or employee thereof, for the services described above.

Keri Scott, Executive Assistant
Nehalem Bay Wastewater Agency



9155 Nehalem Road a Nehalem Oregon 97131
(503) 368-7309

DATE: April 28, 2024

TO: Tillamook County One-Stop Permit Counter

Tillamook County Department of Community Development
1510 – B Third Street
Tillamook, Oregon 97141

FROM: Neahkahnie Water District

Re: Water Availability Letter – Jane Gillis-owner / Erick White-Onion Peak Design

Dear Sir/Madame,

The property identified in the above-captioned application is included within this District for purposes of receiving water services and is subject to the ordinances of this District:

Township: 3N Range: 10 Section: 20 CD Tax lot(s): 9600

According to our records, the legal owner is: Jane Gillis

8350 Nehalem Road ph. 503-812-6875

COMMENTS: Street number not yet assigned – pending.

Per District Water Regulations (see current ordinance in force) this letter in and of itself does not guarantee water service connections for any home built on this (these) lots in the future. Each proposed residence shall have an approved building permit from the county. A water service connection will be allowed following submittal of a completed District water service application, payment of fees, and certification of compliance with any and all other District regulations in place at the time water service is requested.

A handwritten signature in black ink, appearing to read "Carrie Mock", is written over a horizontal line.

Carrie Mock

General Manager
Signature and Title of Authorized Representative

4/28/24

503-368-7309
Phone

C: property owner, Architects



00145140201500016830020026

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

WARRANTY DEED

Tassi O'Neil, Tillamook County

KNOW ALL MEN BY THESE PRESENTS, Jane L. Gillis, trustee of The Jane L. Gillis Revocable Trust, hereinafter called the Grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto the Grantee, Jane L. Gillis, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the county of Tillamook, State of Oregon, described as follows, to-wit:

SEE EXHIBIT ONE ATTACHED HERETO AND MADE A PART HEREOF

To Have and to Hold the above described and granted premises unto the grantee.

Grantor hereby covenants that Grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances and that Grantor will warrant and forever defend the premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual value paid for this transfer, stated in terms of dollars, is \$0 as such conveyance was a transfer between the Jane L. Gillis Revocable Trust and Jane L. Gillis in her individual capacity as the Jane L. Gillis Revocable Trust has been terminated.

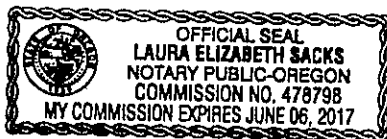
In Witness Whereof, the Grantors have executed this instrument this 29th day of March, 2015;

THIS INSTRUMENT WILL 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 APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FRAMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

STATE OF OREGON, County of Tillamook) ss.

This instrument was acknowledged before me on March 29, 2015,

by Jane L. Gillis, Trustee of the Jane L. Gillis Revocable trust.



Laura Sacks
Notary Public for Oregon
My commission expires June 6, 2017

AFTER RECORDING RETURN TO:
JANE L. GILLIS
8350 NEHALEM RD.
NEHALEM, OR 97131

SEND ALL TAX STATEMENTS TO:
JANE L. GILLIS
8350 NEHALEM RD.
NEHALEM, OR 97131

EXHIBIT A

LEGAL DESCRIPTION:

Tract I:

Commencing at an Iron pipe at the intersection of the centerline of Hill Crest Road and Nehalem Road in the Townsite of Neah-Kah-Nie Mountain, in Tillamook County, Oregon; thence North 61°54' East (equals North 62°09' East of meridian of plat of Neah-Kah-Nie Mountain) 124.2 feet; thence North 28°06' West 20 feet to the true point of beginning of land to be described; thence North 61°54' East 354.1 feet; thence on a curve to the left with a radius of 50 feet and a total angle of 33° and 26.6 feet; thence North 28°54' East 170 feet; thence on a curve to the left, with a radius of a 30 feet and a total angle of 90° 47.1 feet; thence North 61°06' West 145.5 feet; thence North 29°25' East 32.00 feet; thence North 60°35' West 300 feet, more or less, to an intersection with the Easterly line of Hill Crest Road; thence Southwesterly along the Easterly line of County Road and the Easterly line of Hill Crest Road of Neah-Kah-Nie Mountain Townsite, to the true place of beginning. Excepting a tract described as follows: Beginning at a point which is South 60°41' East 40 feet from the Southeast corner of Lot 3, Block 6, of Neah-Kah-Nie Mountain said point being on the Southeasterly boundary of Hill Crest Road; thence South 29°19' West 126.92 feet to the Northerly boundary of Nehalem Road; thence following said North boundary, North 67°09' East 160.7 feet; thence North 60°41' West 98.57 feet to the point of beginning.

Tract II:

Beginning at an Iron pipe which point is located at a gate post, on the Westerly side of a graveled road and which point is located South 60°56' East 121.9 feet; North 61°54' East 218.2 feet and North 26°22' East 96.8 feet from the Southeast corner of Lot 3, Block 6, Neah-Kah-Nie Mountain; thence South 21°24' West 51.0 feet; thence South 06°17' West 51.85 feet; thence North 56°43' West 22.6 feet, more or less, in the Southeast corner of the Batholomew property and thence Northeasterly to the point of beginning, in Tillamook County, Oregon.

Tract III:

Beginning at a point marked by a 3/4 Inch Iron pipe, which point is located at a gate post on the Westerly side of a graveled road, and which is located as follows: South 60°56' East 121.9 feet, North 61°54' East 218.2 feet, and North 26°22' East 96.8 feet from the Southeast corner of Lot 3, Block 6, Neah-Kah-Nie Mountain; thence South 21°24' West 51.0 feet; thence South 6°17' West 55.87 feet to a point on the Northerly right of way of Nehalem Road; thence 117.17 feet along the arc of a 213.50 foot radius curve to the left, the chord of which bears South 77°37'22" West 115.71 feet; thence North 61°54' East 92.5 feet; thence 28.80 feet along the arc of a 50 foot radius to the left, the chord of which bears North 45°24' East 28.40 feet; thence North 28°54' East 73.66 feet; thence South 61°06' East 0.37 feet to the point of beginning.

Together with an easement for Ingress and egress as follows: Beginning at a point marked by a 3/4 Inch Iron pipe, which point is located at a gate post on the Westerly side of a graveled road and which is located as follows: South 60°56' East 121.9 feet, North 61°54' East 216.2 feet, and North 26°22' East 96.8 feet from the Southeast corner of Lot 3, Block 6, Neah-Kah-Nie Mountain; thence South 21°24' West 51.0 feet; thence South 6°17' West 55.87 feet to a point on the Northerly right of way line of Nehalem Road; thence 25.01 feet along the arc of 213.50 foot radius curve to the right, the long chord of which bears South 63°17'55" East 25.00 feet; thence North 6°17' East 52.73 feet; thence North 21°24' East 47.68 feet; thence North 68°36' West 25.00 feet to the point of beginning. All being situated in Section 20, Township 3 North, Range 10 East of the Willamette Meridian, in Tillamook County, Oregon.

EXHIBIT C



Response Page

Department of State Lands (DSL) WN#*

WN2024-0343

Responsible Jurisdiction

Staff Contact	Jurisdiction Type	Municipality
ANGELA RIMOLDI	County	TILLAMOOK
Local case file #	County	
851-24-000223-PLNG	Tillamook	

Activity Location

Township	Range	Section	QQ section	Tax Lot(s)
03N	10W	20		9600

Street Address

8350 Nehalem Rd

Address Line 2

City

Nehalem

State / Province / Region

OR

Postal / Zip Code

97131

Country

Tillamook

Latitude

45.72838

Longitude

-123.93686

Wetland/Waterway/Other Water Features

It is unlikely that there are jurisdictional wetlands or waterways on the property based upon a review of wetland maps, the county soil survey and other available information.

Your Activity

A state permit will not be required for the proposed project because, based on the submitted site plan, the project avoids impacts to jurisdictional wetlands, waterways, or other waters.

Applicable Oregon Removal-Fill Permit Requirement(s)

A state permit is required for 50 cubic yards or more of fill removal or other ground alteration in wetlands, below ordinary high water of waterways, within other waters of the state, or below highest measured tide.

Closing Information



Additional Comments

This site does not appear to have any resources that would be considered jurisdictional by DSL.

This is a preliminary jurisdictional determination and is advisory only.

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

Contact Information

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

Response Date

6/10/2024

Response by:

Josh Goldsmith

Response Phone:

971-375-1675