



Land of Cheese, Trees and Ocean Breeze

**PARTITION #851-24-000402-PLNG:
ARD SERVICES, LLC / TECH ENGINEERING
Administrative Decision & Staff Report**

Decision: Approved with Conditions

Decision Date: December 4, 2024

Report Prepared By: Angela Rimoldi, Planning Permit Technician

I. GENERAL INFORMATION:

Request: Partition request to create three (3) residential parcels (Exhibit B).

Location: Located northeast of the Unincorporated Community of Beaver via Sandlake Road, a county road. The subject property is designated as Tax Lot 1207 of Section 11, Township 3 South, Range 10 West of the Willamette Meridian, Tillamook County Oregon. (Exhibit A).

Zone: The subject property is zoned Rural Residential 2-Acre (RR-2) Zone (Exhibit A).

Applicant: Tech Engineering, P.O. Box 80483, Portland, OR. 97280

Property Owner: Ard Services LLC (G. Demers), P.O. Box 34, Veneta, OR. 97487

Description of Site and Vicinity: The subject property is accessed via Sandlake Road., is irregular in shape, approximately 10 acres in size, holds no improvements, and is slightly vegetated with grass and trees (Exhibit A). The topography of the subject property is generally sloped with some flat areas. The subject property is located within the Rural Residential (RR-2) zone; is surrounded by properties also zoned RR-2 to the south and east, zoned Forest (F) to the north, and Farm (F-1) to the south and west (Exhibit A).

The subject property is within an area of geologic hazard, contains some mapped 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 the FEMA Flood Insurance Rate Map (FIRM 41057C0725F) (Exhibit A).

Given the size and topography of the subject property and subsequent parcels, staff finds that the standards of TCLUO Section 4.130: Development Requirements for Geologic Hazard Areas are not applicable at this time, however 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 request is governed through the following Sections of the Tillamook County Land Use Ordinance (TCLUO). 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. TCLUO Section 3.010: Rural Residential 2-Acre (RR-2) Zone
- C. TCLUO 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 agencies on November 4, 2024. One response was received from the Oregon Department of State Lands acknowledging the presence of natural features and the permit requirements for removal and/or fill activities (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: The applicability of the RR-2 Zone is addressed below. Plat and the submitted supplemental information confirm the criteria above are met.

- (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 developments 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: The preliminary plat outlines access to the subject property and subsequent parcels remain via Sandlake Road, a county road (Exhibit B).

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 Sections 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 and subsequent parcels are to be served by a well; a water availability letter from Oregon Water Resources Department is included with submittal (Exhibit B). For the proposed parcels onsite wastewater services, a notation can be placed on the plat stating that the allowance of the partition does not warrant that site evaluation approval is or will be available to the approved parcels if site evaluation approval has not yet been obtained (Exhibit B).

The subject property is also served by the Tillamook Fire District and Tillamook County Sheriff's Office. Given the location of the property, availability of public services existing in the area and absence of natural features on the subject property, staff conclude these criteria have been met or can be met through compliance with the Conditions of Approval.

B. TCLUO Section 3.010: Rural Residential 2-Acre (RR-2) Zone

- 4. STANDARDS:** *Land divisions and development in the RR-2 and RR-10 zone shall conform to the following standards, unless more restrictive supplemental regulations apply:*
- (a) The minimum lot size is two acres for parcels zoned before October 4, 2000.*
 - (b) The minimum parcel/lot size is 10 acres for lots/parcels re-zoned Rural Residential on or after October 4, 2000.*
 - (c) Parcels less than two acres in size that were legally established prior to December 18, 2002 may be built upon provided that all other requirements of this Ordinance and other applicable development requirements are met.*
 - (d) Lots in an approved preliminary subdivision plat that is being maintained in an active status as of the date adopted of this Ordinance may be built upon after approval and recording of the final plat.*
 - (e) The minimum lot width and depth shall both be 100 feet.*
 - (f) The minimum front yard shall be 20 feet.*
 - (g) The minimum side yard shall be 5 feet; on the street side of a corner lot, it shall be no less than 15 feet.*
 - (h) The minimum rear yard shall be 20 feet; on a corner lot, it shall be no less than 5 feet.*

Findings: The preliminary plat confirms the three (3) parcels created by the partition meet the minimum requirements for lot size and dimension standards as outlined above (Exhibit B). The subject property and subsequent parcels have no existing improvements (Exhibit B).

Staff find these standards have been met.

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:*
- (a) *Active landslides identified in Oregon Department of Geology and Mineral Industries (DOGMI) Bulletins 74 and 79;*
 - (b) *Inactive landslides, landslide topography and mass movement topography identified in DOGMI bulletins 74 and 79 where slopes are greater than 19 percent;*
-
- (2) *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 within an area of geologic hazard (Exhibit A). Future development of the subject property may be subject to development standards of the TCLUO Section 4.130: Development Requirements for Geologic Hazard Areas. A Condition of Approval has been outlined below in Section V.

IV. DECISION: APPROVED WITH CONDITIONS

Staff concludes, based on the findings of fact and other relevant information in the record, the Applicant has satisfied, or is able to satisfy the applicable ordinance requirements through the Conditions of Approval, and therefore approves the request subject to the provisions in Section V below.

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

This decision may be appealed to the Tillamook County Planning Commission, who will hold a public hearing. Forms and fees must be filed in the office of this Department before **4:00 PM on December 16, 2024**.

V. CONDITIONS OF APPROVAL:

Failure to comply with the Conditions of Approval and Ordinance provisions could result in nullification of this approval.

1. The applicant shall obtain all Federal, State, and Local permits, as applicable.
2. All easements necessary to serve the proposed parcels for access and utilities shall be clearly identified on the Final Plat.
3. The applicant shall comply with all requirements of the Tillamook County Surveyor's Office.

4. The applicant 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 Preliminary Plat approval.
5. The applicant shall record the Final Plat within ninety (90) days from the date of final signature of the partition plat.
6. Future development is subject to standards required by TCUO Section 3.010: Rural Residential 2-Acre zone and TCUO Section 4.130: Development Requirements for Geologic Hazard Areas.

VI. EXHIBITS:

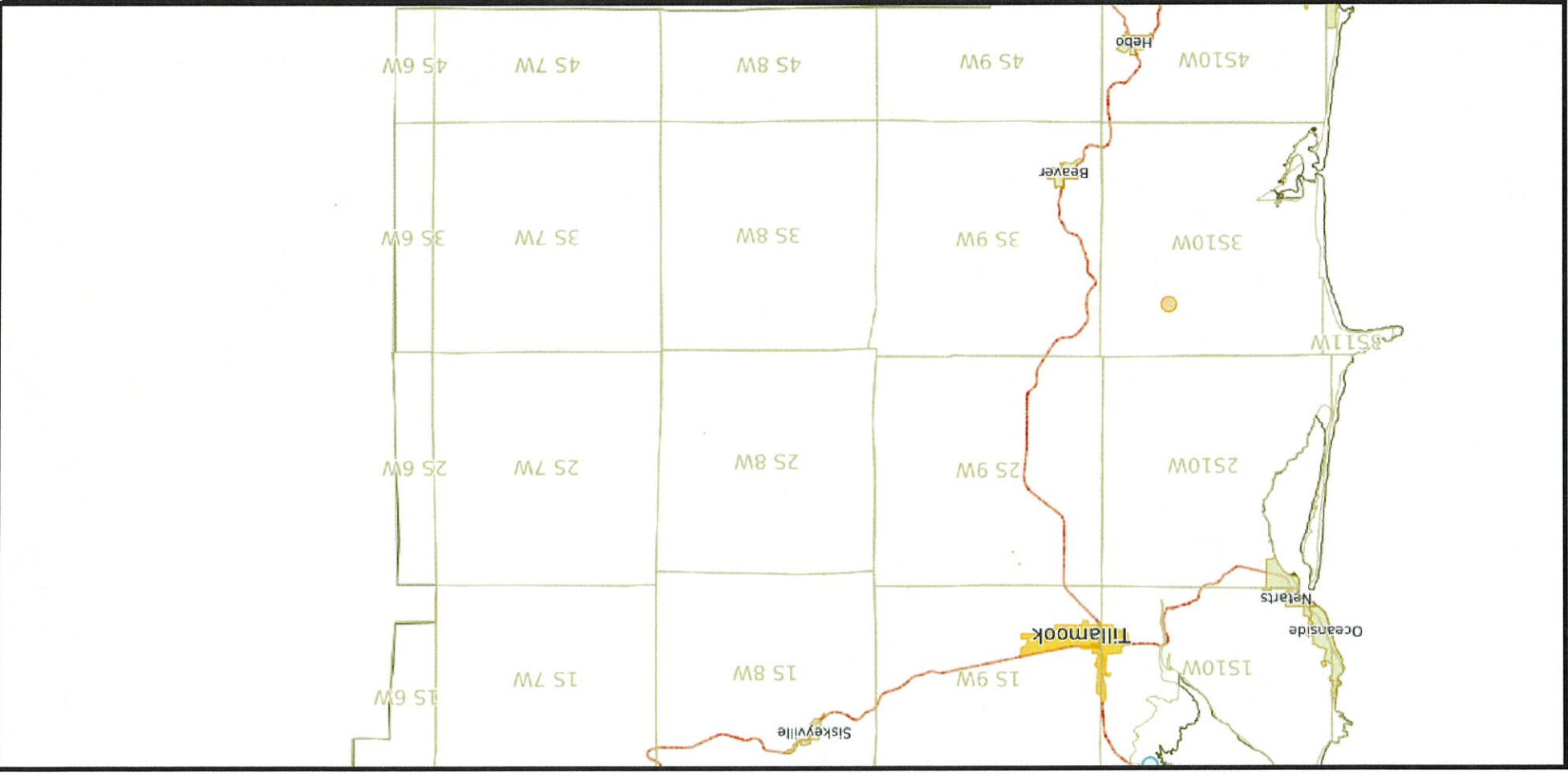
All Exhibits referenced herein are, by this reference, made a part hereof:

- A. Property Identification Maps and Assessor's Summary Report
- B. Applicant's Submittal

EXHIBIT A



This page is best when printed in Landscape mode
[Click to Print This Page](#)

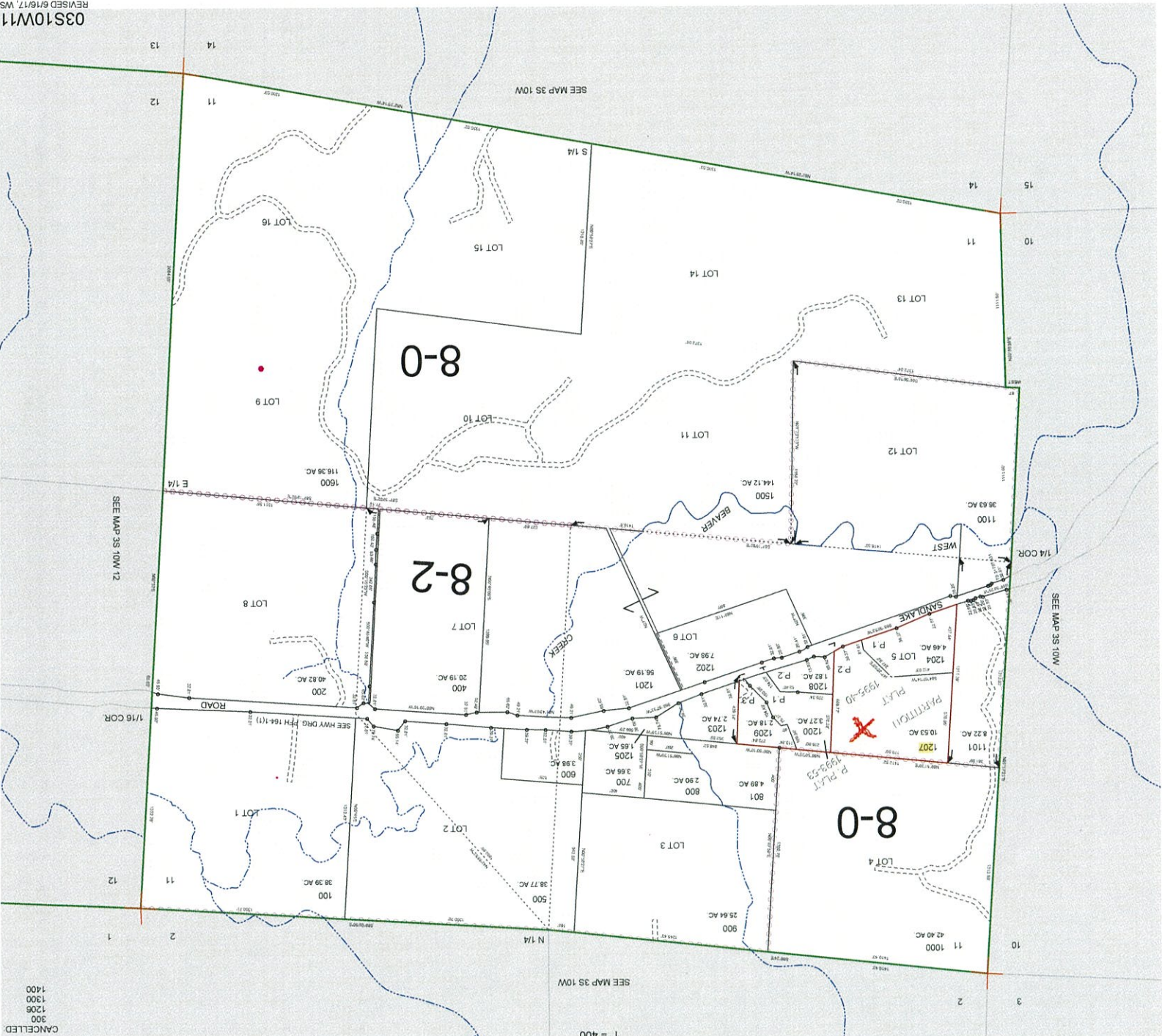


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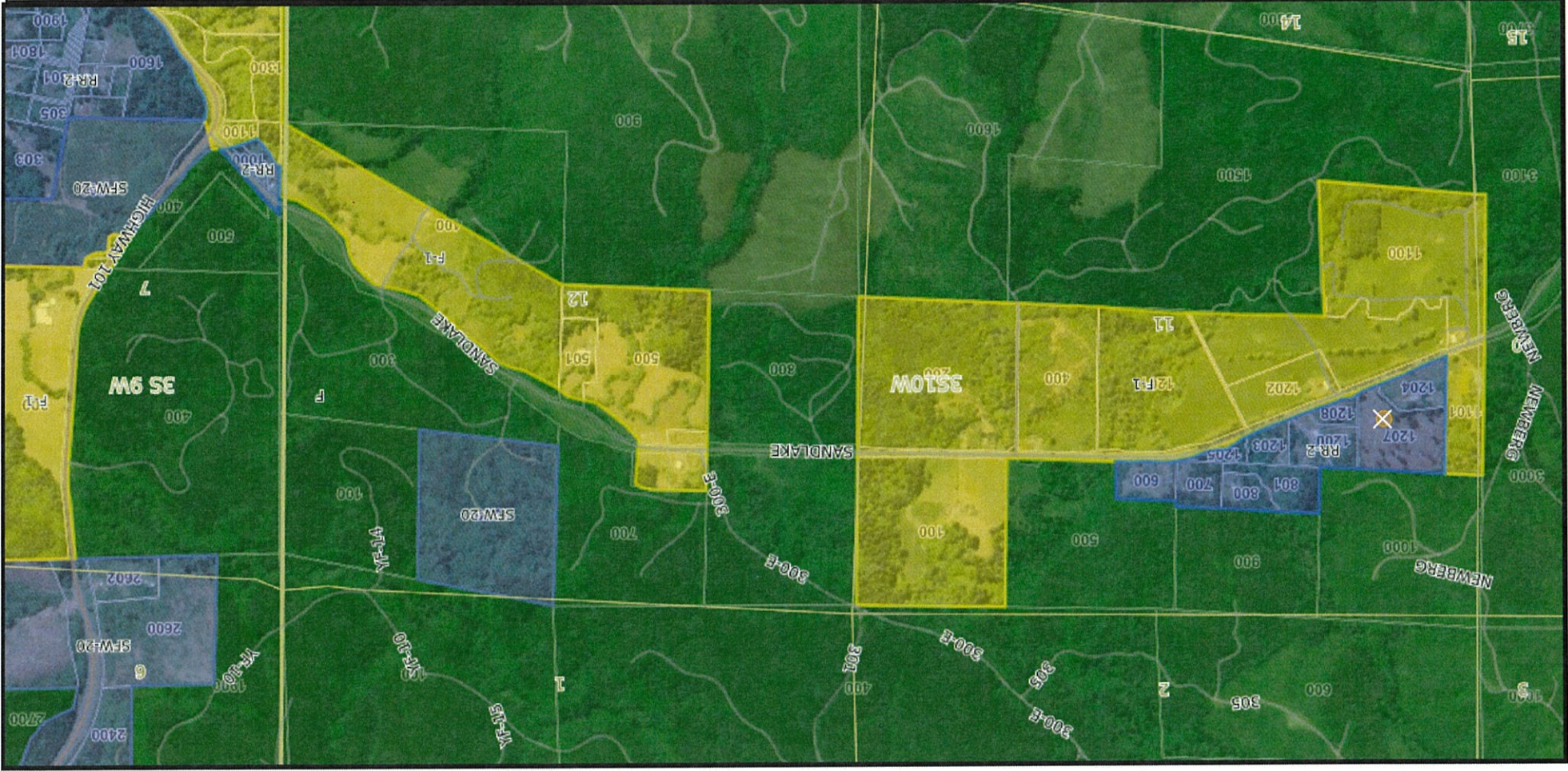
FOR ASSESSMENT AND TAXATION ONLY, NOT SUITABLE FOR
LEGAL, ENGINEERING, OR SURVEY PURPOSES

SECTION 11 T.3S. R.10W. W.M.
Tillamook County
1" = 400'

03S10W11
CANCELLED
300
1305
1400



03S10W11
REVISED 6/16/17, WS



Created: Tue Oct 29 2024-17:53:53
 Active Layers:ags, County_Boundary, Fed_state_highways, citylimit, community_polygon, TaxlotOwner, Tillamook_County_Zoning, Township_Range_Section, Road_Centerline
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National Flood Hazard Layer FIRMette



Legend

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

	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

	NO SCREEN
	Area of Minimal Flood Hazard Zone X
	Effective LOMRs
	Area of Undetermined Flood Hazard Zone
	Channel, Culvert, or Storm Sewer
	Levee, Dike, or Floodwall

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

	Digital Data Available
	No Digital Data Available
	Unmapped

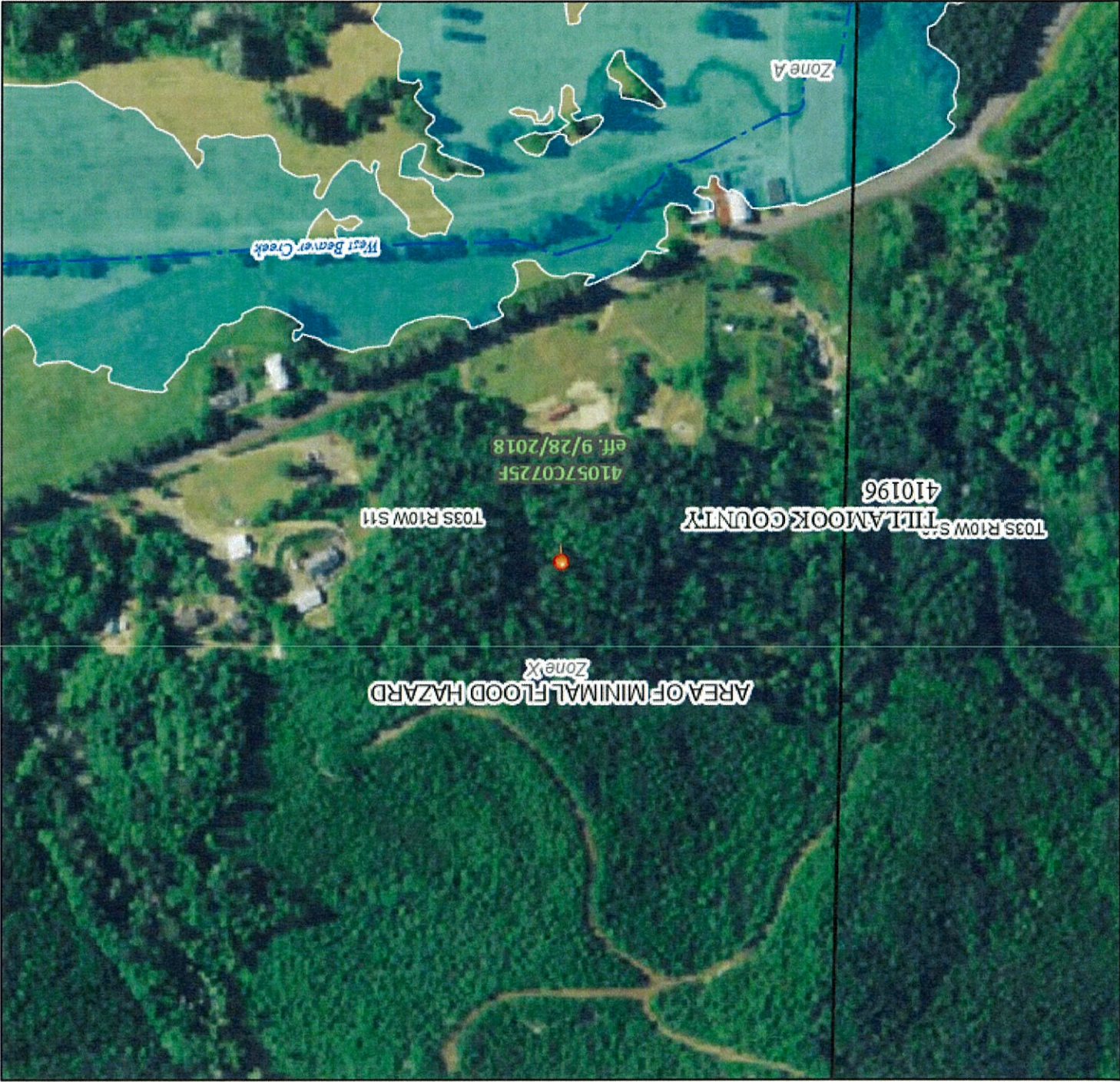


The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

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 11/26/2024 at 7:14 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.

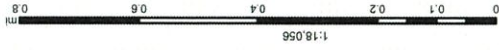


123°53'14"W 45°19'52"N

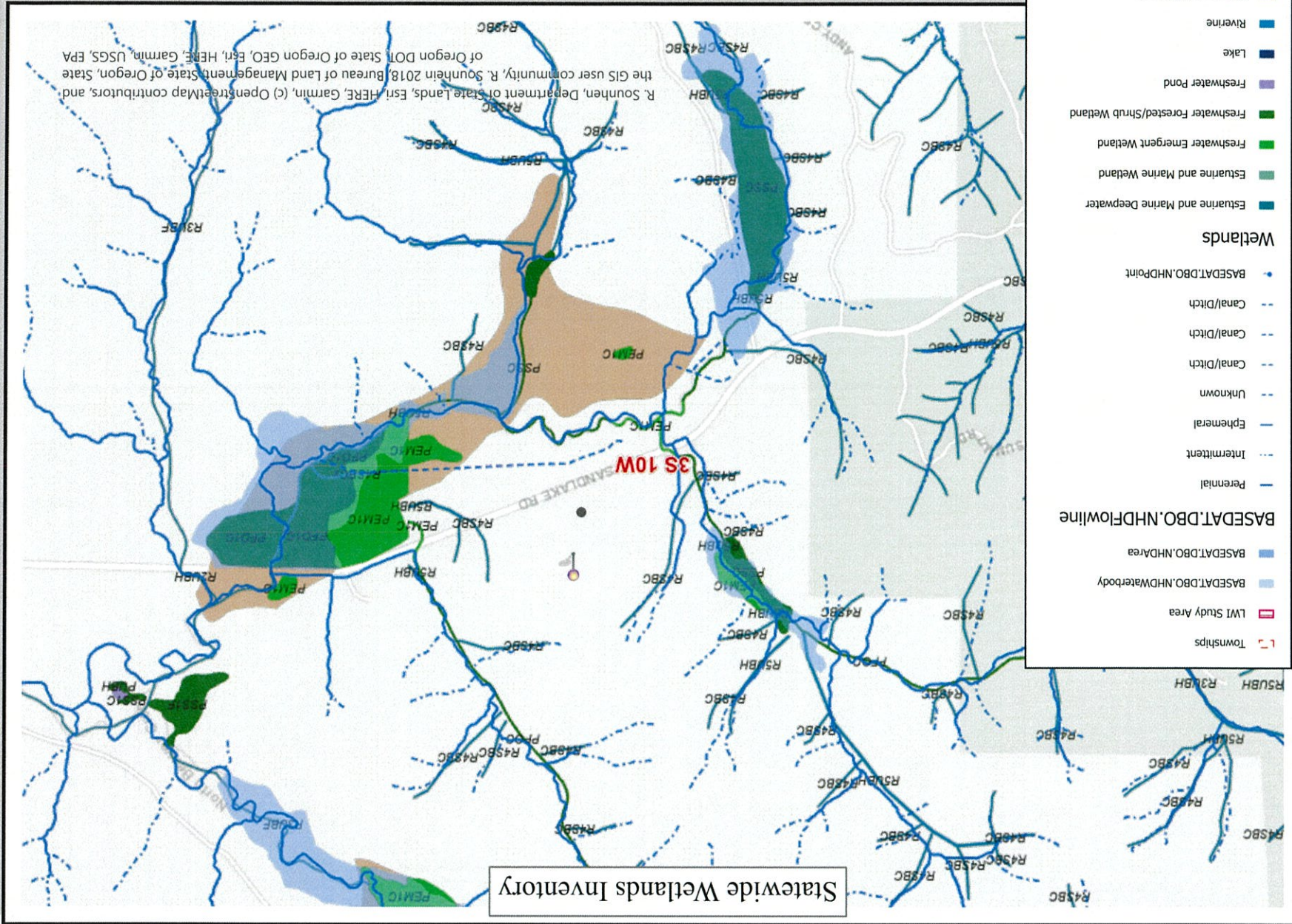
0 250 500 1,000 1,500 2,000 Feet 1:6,000 123°52'36"W 45°19'26"N

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

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.

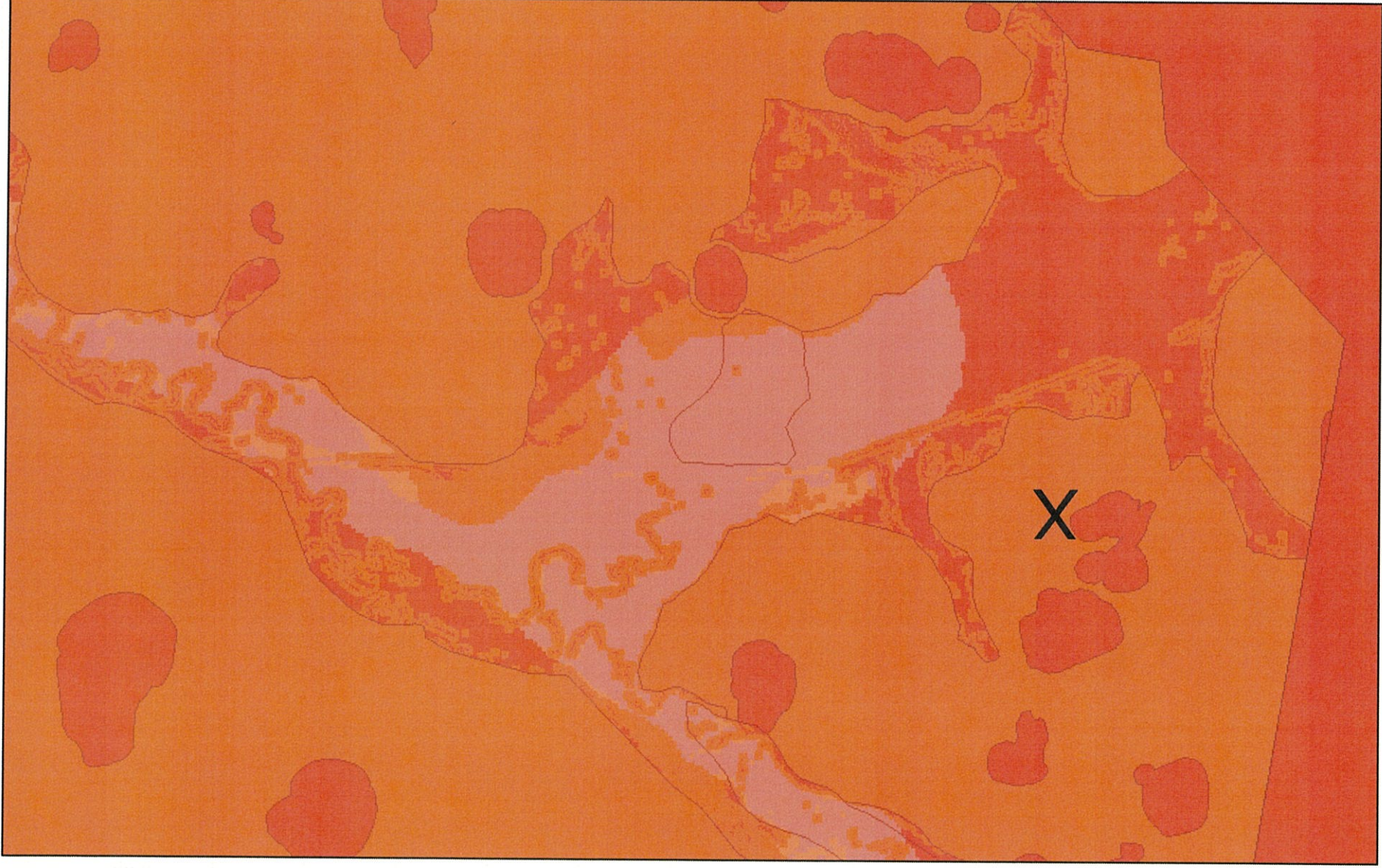


- SWI Predominantly Hydric Soil Map Units
- SWI Agate-Windlo Soils
- Riverine
- Lake
- Freshwater Pond
- Freshwater Forested/Shrub Wetland
- Freshwater Emergent Wetland
- Estuarine and Marine Wetland
- Estuarine and Marine Deepwater
- Wetlands
- BASEDAT.DBO.NHDFlowline
- BASEDAT.DBO.NHDArea
- BASEDAT.DBO.NHDWaterbody
- LWI Study Area
- Townships
- Perennial
- Intermittent
- Ephemeral
- Unknown
- Canal/Ditch
- Canal/Ditch
- Canal/Ditch
- BASEDAT.DBO.NHPoint



Statewide Wetlands Inventory

PARTITION #851-24-000402-PLNG



November 26, 2024

Earthquake_Epicenter_1841_2022

- 5 - 6
- 4 - 5
- 3 - 4
- 2 - 3
- 1 - 2
- 0 - 1
- 6 - 7
- Active_Faults
- P2475_Instrumental_Intensity_Map
- Moderate (V)
- Strong (VI)
- Very Strong (VII)
- Severe (VIII)
- Violent (IX)
- Extreme (X)
- Detailed Susceptibility Reference Maps
- Deep Susceptibility
- Low susceptibility to deep landslides
- Moderate susceptibility to deep landslides
- Very High
- High
- Moderate
- Shallow Susceptibility
- High susceptibility to shallow landslides
- Low susceptibility to shallow landslides
- Moderate susceptibility to shallow landslides
- High susceptibility to shallow landslides
- Deep Susceptibility
- Low susceptibility to deep landslides
- Statewide Landslide Susceptibility Overview Map
- Moderate susceptibility to deep landslides
- Low

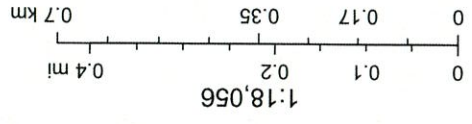


EXHIBIT B



Tillamook County Department of Community Development
 1510-B Third Street, Tillamook, OR 97141 | Tel: 503-842-3408
www.co.tillamook.or.us

Fax: 503-842-1819

LAND DIVISION APPLICATION

Applicant (Check Box if Same as Property Owner)

Name: Tech Engineering Phone: (503) 819- 6494
 Address: PO Box 80483
 City: Portland State: Oregon Zip: 97280
 Email: technicalengineeringinc@yahoo.com

Property Owner

Name: Ard Services LLC (G. Demers) Phone: 1 (541) 953- 7866
 Address: PO Box 34
 City: Veneta State: Oregon Zip: 97487
 Email: gq9825@aol.com

Location:

Site Address: Sand Lake Road, Tillamook County

Map Number: 03W 10W 11 # 1207
Township Range Section Tax Lot(s)

OFFICE USE ONLY
Date Stamp
<input type="checkbox"/> Approved <input type="checkbox"/> Denied
Received by:
Receipt #:
Fees:
Permit No: 85124-000102-PLNG

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 define its location, boundaries, and a legal description of the site.
- 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

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

Existing Conditions

- 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:

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

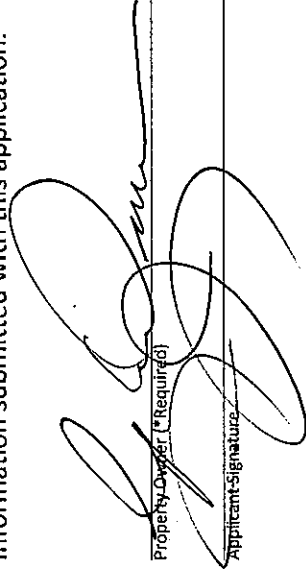
Certificates:

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

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.



Property Owner (Required)

6/26/24

Date

6/26/24

Date

Applicant Signature

Proposed 3 Parcel Partition (MLP)
 Tax Map 03W 10W 11, Tax Lot # 1207
 Tillamook County, Oregon

Owner :

Ard Services, LLC (Greg Demers)
 PO Box 34
 Veneta, Oregon 97487
 Phone 1 (541) 953-7866

Land Planning - Engineer :

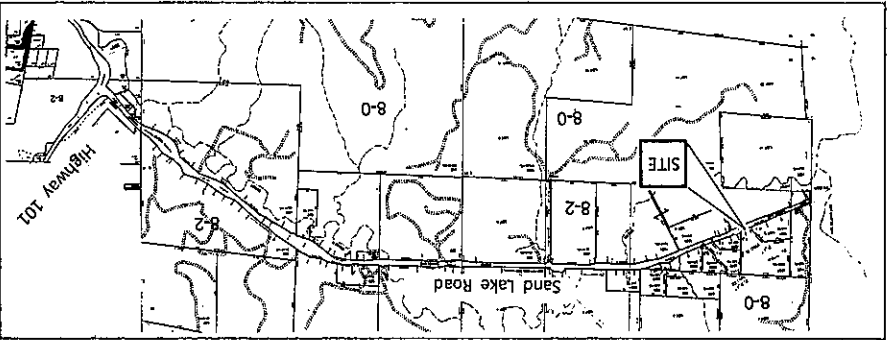
Tech Engineering
 PO Box 80483
 Portland, Oregon 97280
 Phone (503) 819-6494 (John)

Land Surveyor :

KLS Surveying, Inc.
 1224 Alder Street
 Vernonia, Oregon 97064
 Phone (503) 429-6115 (Don or Steve)

Existing Zoning :

RR2



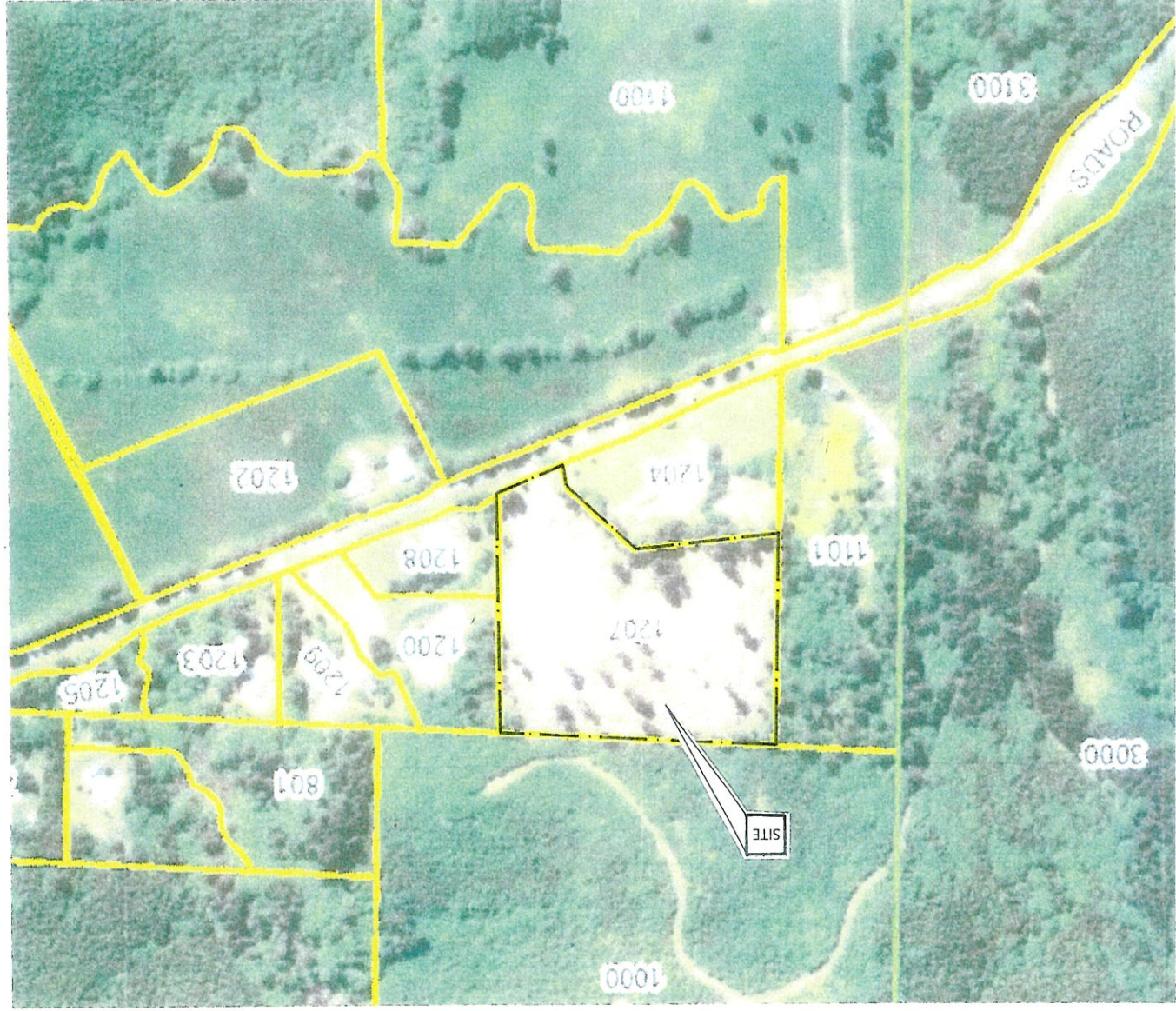
Vicinity Map
 Not to Scale

INDEX TO DRAWINGS

Sheet No.	Description
Sheet 1 of 6	Cover Sheet, Vicinity Map and General Information
Sheet 2 of 6	Aerial Photo
Sheet 3 of 6	Existing Conditions Plan
Sheet 4 of 6	Preliminary Plat
Sheet 5 of 6	Proposed Street Plan
Sheet 6 of 6	Proposed Street Profile


<p>TECH, ENGINEERING PO Box 80483 Portland, Oregon 97280 Phone (503) 819-6494</p>		Owner - Developer :				
		Ard Services, LLC PO Box 34 Veneta, Oregon 97487				
		Project :				
		Demers Ridge Tillamook County, Oregon				
		Sheet Title :				
Cover Sheet, Vicinity Map and General Information		Drawn By : JDI	Checked By : TLA	Date : May, 2024	Project : ARD - 2024	Sheet 1 of 6

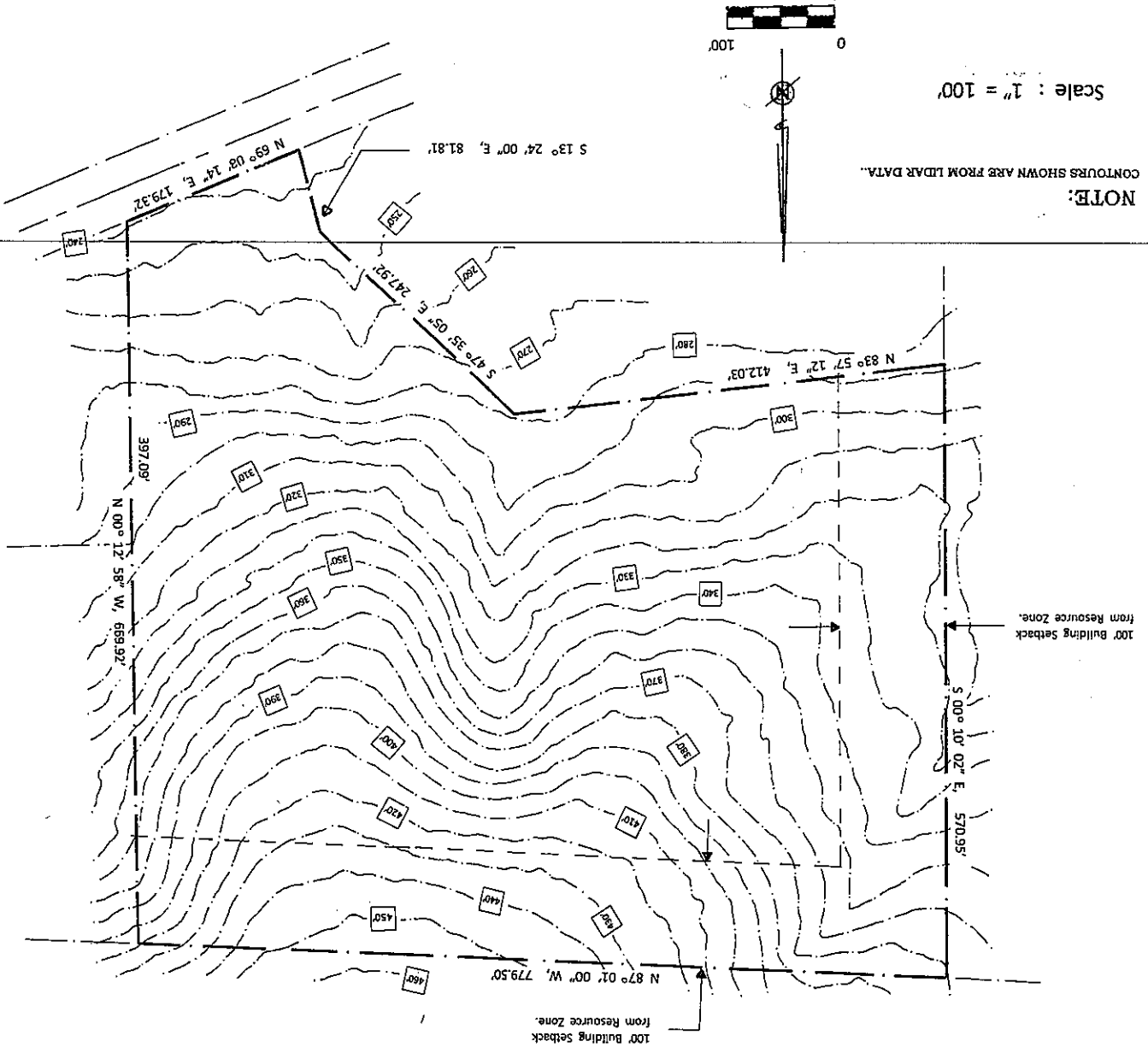
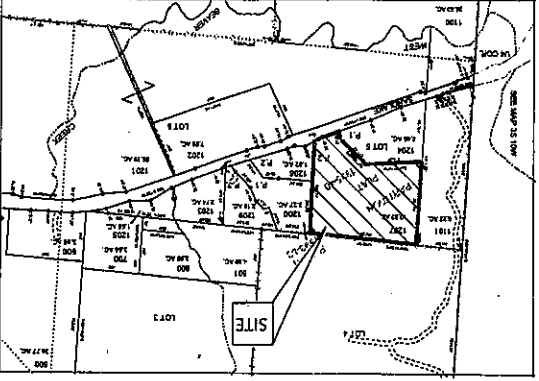
Sheet 2 of 6	
Project : ARD - 2024	
Date : May, 2024	
Checked By : TLA	
Drawn By : JDI	
Aerial Photo	
Sheet Title :	
Project :	
Demers Ridge Tillamook County, Oregon	
Owner - Developer :	
Ard Services, LLC PO Box 34 Veneta, Oregon 97487	
TECH, ENGINEERING PO Box 80483 Portland, Oregon 97280 Phone (503) 819-6494	



Scale : 1" = 300'

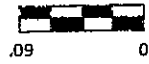
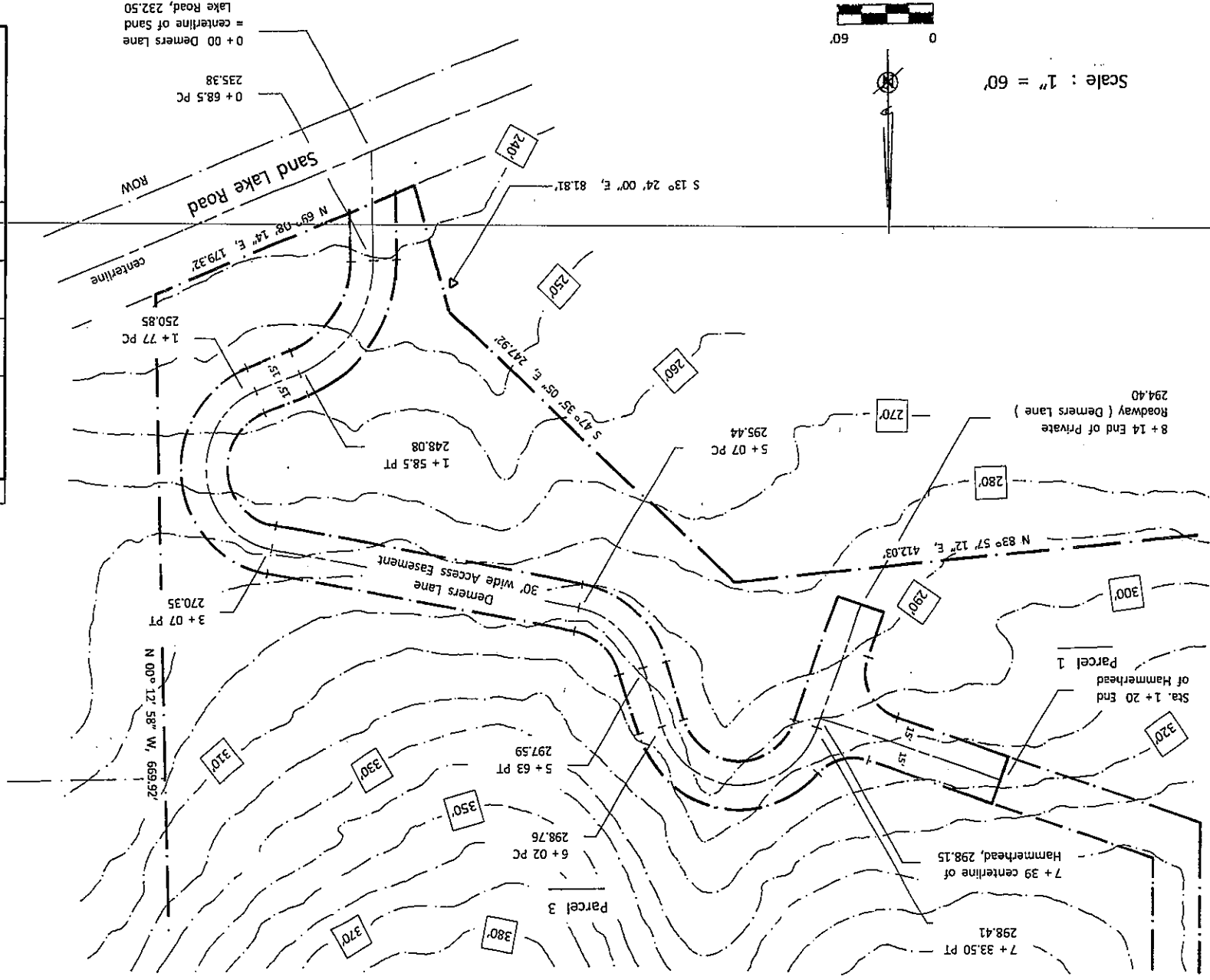


 <p>TECH. ENGINEERING PO Box 80483 Portland, Oregon 97280 Phone (503) 819-6494</p>	Owner - Developer :	Ard Services, LLC PO Box 34 Veneta, Oregon 97487
	Project :	Demers Ridge Tillamook County, Oregon
	Sheet Title :	Existing Conditions Plan
	Drawn By :	JDI
	Checked By :	TLA
Date :	May, 2024	
Project :	ARD - 2024	
Sheet 3 of 6		



TECH. ENGINEERING PO Box 80483 Portland, Oregon 97280 Phone (503) 819-6494		Owner - Developer : Ard Services, LLC PO Box 34 Veneta, Oregon 97487		Project : Demers Ridge Tillamook County, Oregon		Sheet Title : Proposed Street Plan	
		Drawn By : JDJ		Checked By : TJA		Date : May, 2024	
		Project : ARD - 2024		Sheet 5 of 6			

Note :
See Sheet 5A of 6 for
Typical Roadway Sections



Scale : 1" = 60'


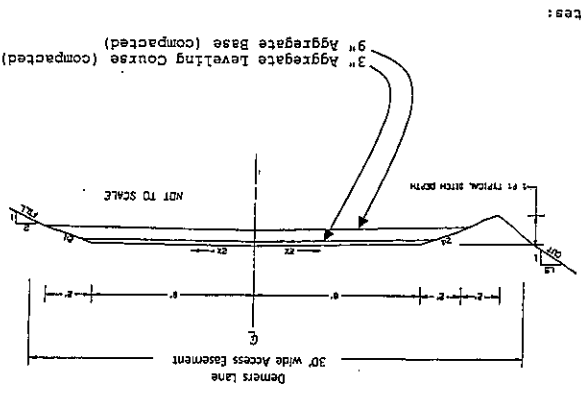
 <p>TECH, ENGINEERING PO Box 80483 Portland, Oregon 97280 Phone (503) 819-6494</p>		<p>Owner - Developer : Ard Services, LLC PO Box 34 Veneta, Oregon 97487</p>	<p>Project : Demers Ridge Tillamook County, Oregon</p>	<p>Sheet Title : Typical Roadway Sections</p>
Drawn By : JDI	Checked By : TJA	Date : May, 2024	Project : ARD - 2024	Sheet 5A of 6

EXHIBIT "B"
TILLAMOOK COUNTY ROAD IMPROVEMENT ORDINANCE
MINIMUM ROADWAY SECTION
Not to Scale
Typical Roadway Sections



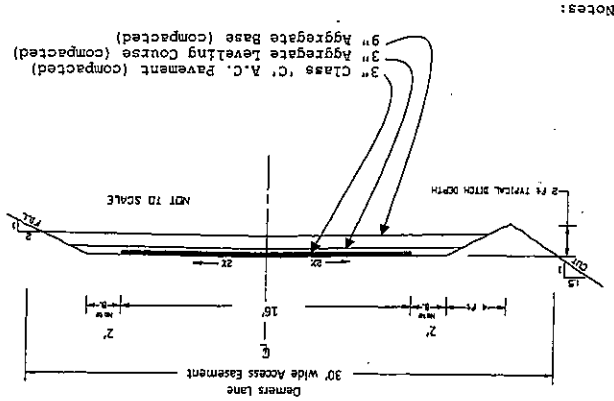
- A. This minimum roadway section applies in accordance with Sections XI and XII of the Ordinance.
- B. Width of traveled way centered in the right of way.
- C. Aggregate and asphalt specifications in accordance with Materials specifications as outlined in Section XI.

Minimum Roadway Section from
Sta. 5 + 07 to Sta. 8 + 14, Plus
Hammerhead Turnaround

- 3. "Traveled way" shall be paved.
- 4. Left Turn Pockets and Right Turn Tapers may be required based on traffic warrants.
- 5. Minimum Roadway Section. The typical road section found in Exhibit "B" is the minimum improvement requirements. The minimum typical road section applies to road improvements when the future use of the improved portion of road will serve 1, 2, 3 or 4 lots. Any proposed road improvement greater than 12% grade shall require asphalt pavement. Any additional site department requirements shall take precedence over public works requirements.

EXHIBIT "A"


TILLAMOOK COUNTY ROAD IMPROVEMENT ORDINANCE
STANDARD ROADWAY SECTION

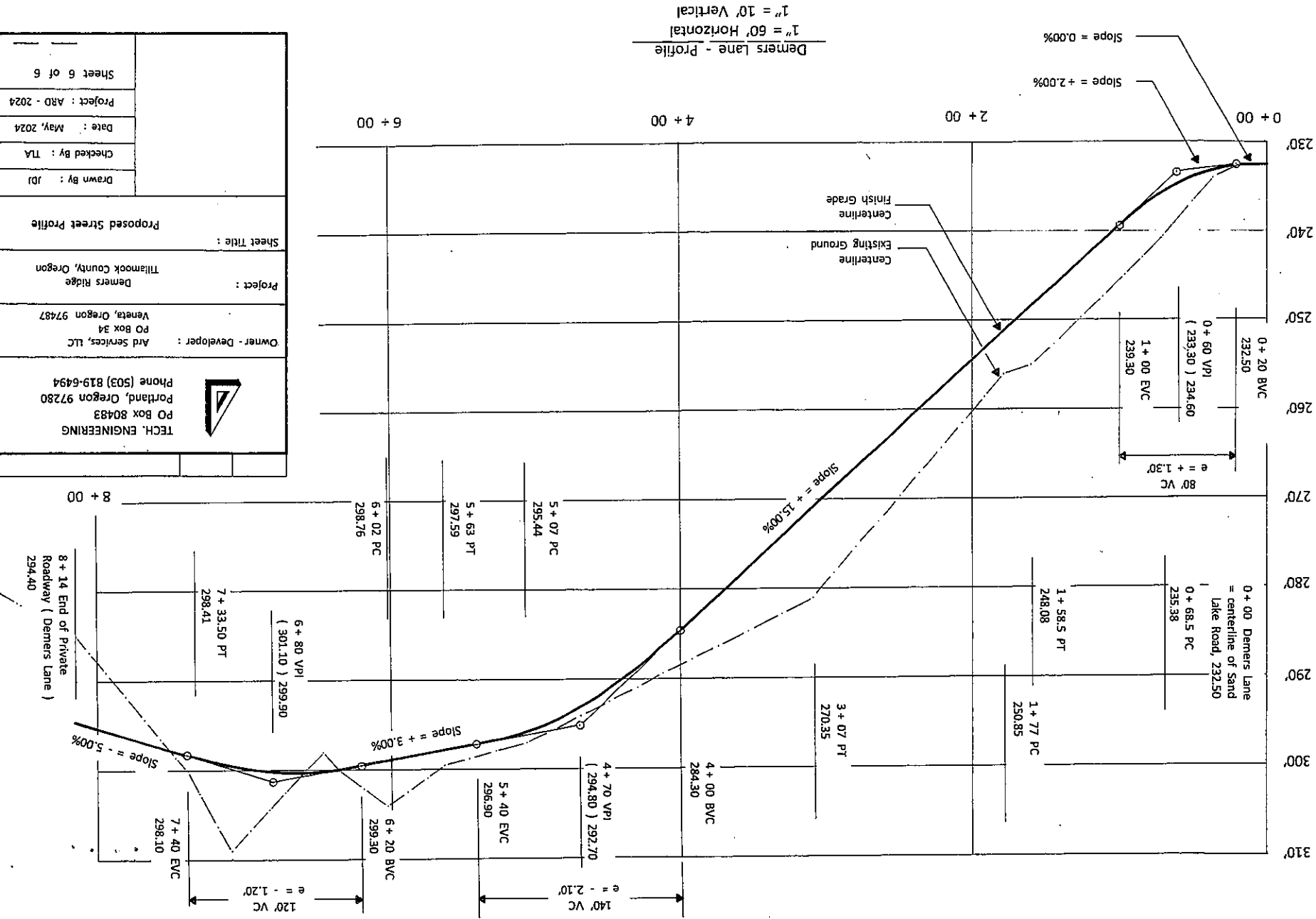



- A. Width of traveled way in accordance with ASHTO Manual centered in the right of way.
- B. Width of shoulders in accordance with ASHTO Manual.
- C. Build up shoulders to match pavement level & slope using aggregate leveling course.
- D. Aggregate and asphalt specifications in accordance with Materials specifications as outlined in Section XI.
- E. The County Engineer may require a higher standard. See Section XII of the Ordinance for details. Additional improvement requirements shall be in conformance with ASHTO Manual.
- F. Left Turn Pockets and Right Turn Tapers may be required based on traffic warrants.

Minimum-Roadway-Section-from
Sta. 0 + 00 to Sta. 5 + 07

- A. Road Improvement Standard Roadway Section. The Standard Roadway Section found in Exhibit "A" is the basic County standard for road improvements in existing undeveloped public right of ways. The following notes apply:
- 1. Average Daily Traffic (ADT) for design is to be determined based on anticipated future usage of the roadway based on the maximum density allowed by the zoning for residential developments the ADT is assumed to be 10 vehicles per day per residence.
- 2. Additional improvement requirements shall be in conformance with ASHTO Manual.

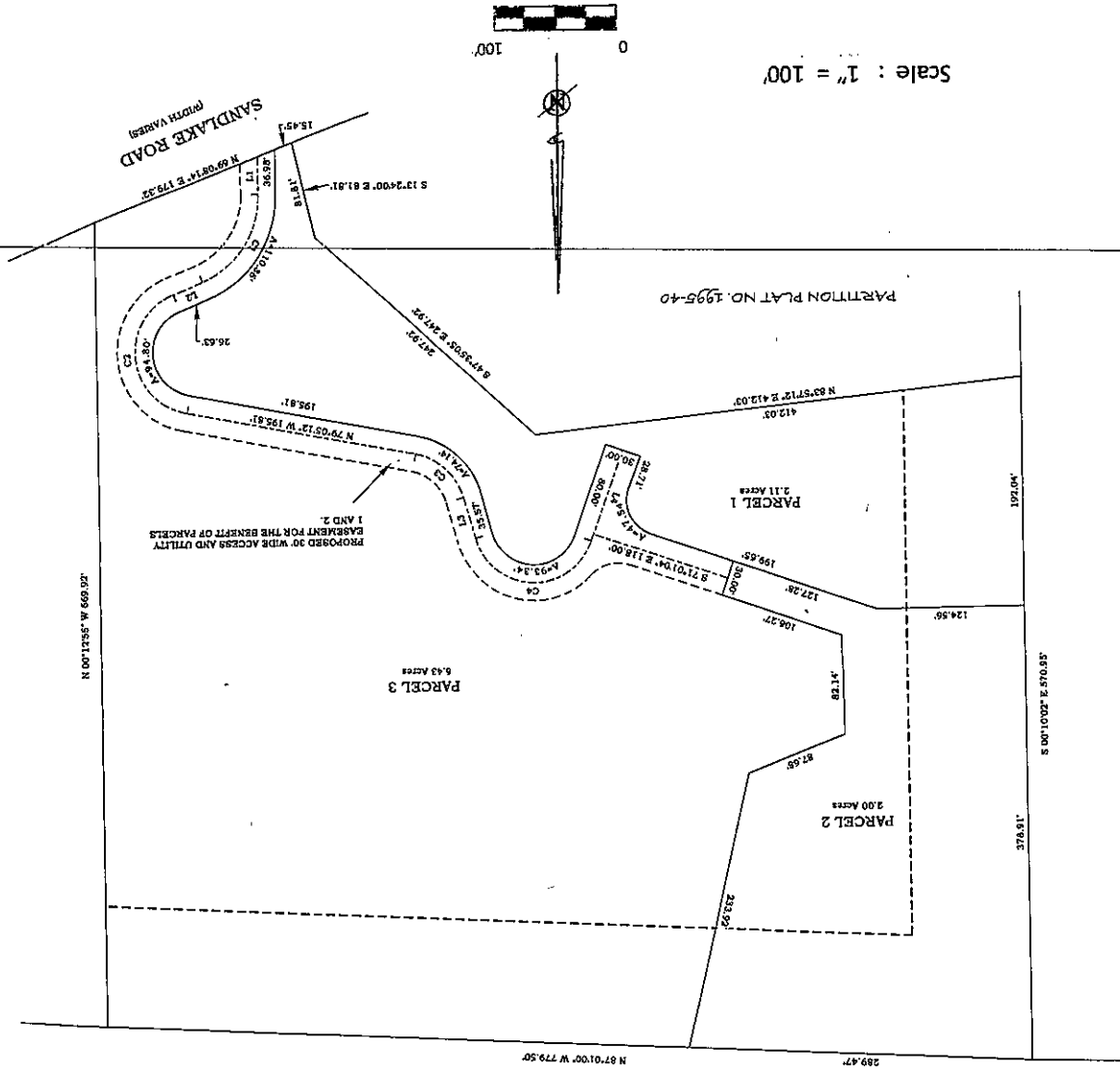
 TECH. ENGINEERING PO Box 80483 Portland, Oregon 97280 Phone (503) 819-6494	Owner - Developer : Ard Services, LLC PO Box 34 Veneta, Oregon 97487	Project : Demers Ridge Tillamook County, Oregon	Sheet Title : Proposed Street Profile	Drawn By : JDJ Checked By : TJA Date : May, 2024 Project : ARD - 2024	Sheet 6 of 6



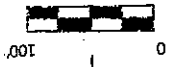
 TECH ENGINEERING PO Box 80483 Portland, Oregon 97280 Phone (503) 819-6494		Owner - Developer : Ard Services, LLC PO Box 34 Veneta, Oregon 97487	Project : Demers Ridge Tillamook County, Oregon	Sheet Title : Preliminary Plat
Drawn By : JDI	Checked By : TLA	Date : May, 2024	Project : ARD - 2024	Sheet 4 of 6

CURVE	ARC LENGTH	RADIUS	DELTA	BEARING	DISTANCE
C1	92.51'	77.71'	68°12'34"	N33°36'07"E	87.14'
C2	133.23'	52.00'	146°47'36"	N5°41'24"W	99.66'
C3	57.54'	52.00'	63°23'51"	N47°23'16"W	54.65'
C4	131.17'	52.00'	144°32'01"	N87°57'21"W	99.06'

LINE	BEARING	DISTANCE
L1	N0°30'10"W	31.41'
L2	N67°42'24"E	26.63'
L3	N15°41'21"W	35.57'
L4	S19°46'38"W	80.00'



Scale : 1" = 100'





1510 Third St. Suite B
Tillamook, Oregon 97141
(503) 842-3408

Land of Cheese, Trees and Ocean Breeze

VERIFICATION OF WATER SOURCE WITHIN TILLAMOOK COUNTY

T0: TILLAMOOK COUNTY DCD, 1510-B THIRD ST, TILLAMOOK, OR 97141
RE: WATER SOURCE REVIEW

This letter is valid for one (1) year from the date of issue.

The water source identified below can be used under Oregon Water Law to supply the following lot(s) within Tillamook County:

Township: 03 Range: 10 West Section: 11 Tax Lot(s): #1207

Situs address (if known): No address assigned

According to records, the legal owner is/are: Ard Services LLC

Contact telephone number: (503) 819- 6494 (John)

Water Source: Well will be placed for building permits a well(s) will be installed in the future

Comments: The proposed MLP is attached to this application

Building permit applicants who will be using a private water source will be required to have District 1 Watermaster verify proof of a legal water source and sign below. An order adopted by the Tillamook County Board of Commissioners on September 1, 2009 states that a fee of \$75 shall be collected when a private water source verification is required. This fee is collected by Community Development.

Landowners are responsible for maintaining water sources, waterline easements, water rights, and wells. The information provided in this form does not guarantee that a water source will be available forever. Due to climatic conditions water sources can decline and wells can go dry. The information provided by the District 1 Watermaster is the result of a search of OWRD records and field inspections. Although a property may have water rights of record, if the water right has undergone five successive years of non-use it may be subject to cancellation under ORS 540.610. The official water right of record is kept in Salem at OWRD.

Building permit applicants who will be connecting to a local water district will be required to have the water district provider verify proof of service from the water district.

Nikki Hendricks

Issue Date: 10-28-2024

Nikki Hendricks
Oregon Water resources Department (OWRD)
District 1 Watermaster
4000 Blimp Blvd Ste 400, Tillamook, OR 97141
Phone: (503) 815-1967 Email: Nikki.M.Hendricks@water.oregon.gov



*****FOR OFFICE USE ONLY*****

DATE: _____ RECEIVED BY: _____ FEE PAID: \$ _____ RECEIPT: _____



Ticor Title - Oregon
802 Main Ave., Tillamook, OR 97141

Preliminary Report

Ticor Title - Oregon
802 Main Ave., Tillamook, OR 97141

File No.: 360422000132

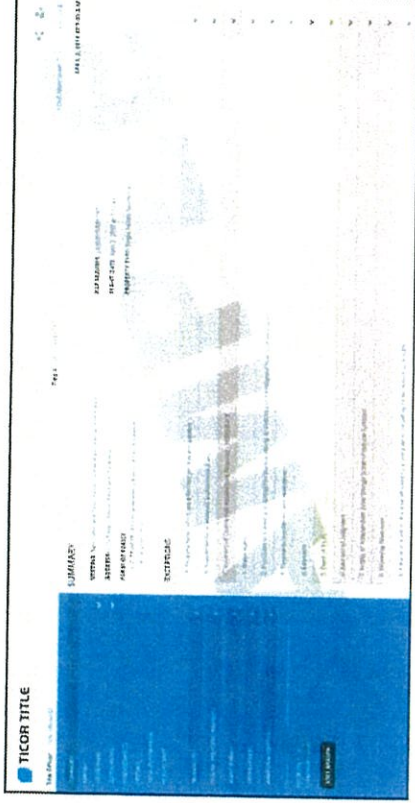
Property Address: Vacant Land on Sandlake Road, Cloverdale, OR 97112

Introducing LiveLOOK

LiveLOOK title document delivery system is designed to provide 24/7 real-time access to all information related to a title insurance transaction.

Access title reports, exception documents, an easy-to-use summary page, and more, at your fingertips and your convenience.

[To view your new Ticor Title LiveLOOK report, Click Here](#)



Effortless, Efficient, Compliant, and Accessible





PRELIMINARY REPORT

In response to the application for a policy of title insurance referenced herein Ticor Title Company of Oregon hereby reports that it is prepared to issue, or cause to be issued, as of the specified date, a policy or policies of title insurance describing the land and the estate or interest hereinafter set forth, insuring against loss which may be sustained by reason of any defect, lien or encumbrance not shown or referred to as an exception herein or not excluded from coverage pursuant to the printed Schedules, Conditions and Stipulations or Conditions of said policy forms.

The printed Exceptions and Exclusions from the coverage of said policy or policies are set forth in Exhibit One. Copies of the policy forms should be read. They are available from the office which issued this report.

This report (and any supplements or amendments hereto) is issued solely for the purpose of facilitating the issuance of a policy of title insurance and no liability is assumed hereby.

The policy(s) of title insurance to be issued hereunder will be policy(s) of Chicago Title Insurance Company, a/an Florida corporation.

Please read the exceptions shown or referred to herein and the Exceptions and Exclusions set forth in Exhibit One of this report carefully. The Exceptions and Exclusions are meant to provide you with notice of matters which are not covered under the terms of the title insurance policy and should be carefully considered.

It is important to note that this preliminary report is not a written representation as to the condition of title and may not list all liens, defects and encumbrances affecting title to the land.

This preliminary report is for the exclusive use of the parties to the contemplated transaction, and the Company does not have any liability to any third parties nor any liability until the full premium is paid and a policy is issued. Until all necessary documents are placed of record, the Company reserves the right to amend or supplement this preliminary report.

Countersigned





802 Main Ave., Tillamook, OR 97141
(503)842-5533 FAX (855)394-1486

PRELIMINARY REPORT

TITLE OFFICER: Nathan Hobbs
nathan.hobbs@titlegroup.fntg.com
ORDER NO.: 360422000132
CUSTOMER NO.: EU22-0044

TO: Cascade Escrow
Julie Johnson
811 Willamette Street
Eugene, OR 97401

OWNER/SELLER: Paul T. Parnell and Christina A. Romanik
BUYER/BORROWER: ARD Services, LLC OR Assings
PROPERTY ADDRESS: Vacant Land on Sandlake Road, Cloverdale, OR 97112

EFFECTIVE DATE: January 7, 2022, 08:00 AM

1. THE POLICY AND ENDORSEMENTS TO BE ISSUED AND THE RELATED CHARGES ARE:

	<u>AMOUNT</u>	<u>PREMIUM</u>
ALTA Owner's Policy 2006 Owner's Standard	\$ 235,000.00	\$ 788.00
Government Lien Search		\$ 15.00

2. THE ESTATE OR INTEREST IN THE LAND HEREINAFTER DESCRIBED OR REFERRED TO COVERED BY THIS REPORT IS:

A Fee

3. TITLE TO SAID ESTATE OR INTEREST AT THE DATE HEREOF IS VESTED IN:

Paul T. Parnell and Christina A. Romanik, as tenants by the entirety

4. THE LAND REFERRED TO IN THIS REPORT IS SITUATED IN THE COUNTY OF TILLAMOOK, STATE OF OREGON, AND IS DESCRIBED AS FOLLOWS:

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

Order No.: 360422000132

EXHIBIT "A"

[Legal Description](#)

Parcel 2 of PARTITION PLAT NO. 1995-040, situated in the Northwest quarter of Section 11, Township 3 South, Range 10 West, Willamette Meridian, County of Tillamook, State of Oregon, recorded October 31, 1995 in Partition Plat Cabinet B454-1, Tillamook County Records.

AS OF THE DATE OF THIS REPORT, ITEMS TO BE CONSIDERED AND EXCEPTIONS TO COVERAGE IN ADDITION TO THE PRINTED EXCEPTIONS AND EXCLUSIONS IN THE POLICY FORM WOULD BE AS FOLLOWS:

GENERAL EXCEPTIONS:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Any facts, rights, interests or claims, which are not shown by the Public Records but which could be ascertained by an inspection of the Land or by making inquiry of persons in possession thereof.
3. Easements, or claims of easement, which are not shown by the Public Records; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
4. Any encroachment (of existing improvements located on the Land onto adjoining land or of existing improvements located on adjoining land onto the subject Land), encumbrance, violation, variation or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the subject Land.
5. Any lien or right to a lien for services, labor, material, equipment rental or workers compensation heretofore or hereafter furnished, imposed by law and not shown by the Public Records.

SPECIFIC ITEMS AND EXCEPTIONS:

6. Rights of the public to any portion of the Land lying within the area commonly known as Sandlake Road.
7. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to:	Tillamook People's Utility District
Purpose:	Public utilities
Recording Date:	October 21, 1947
Recording No:	Book 109, page 14
Affects:	Reference is hereby made to said document for full particulars
8. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to:	Tillamook People's Utility District
Purpose:	Public utilities
Recording Date:	September 22, 1970
Recording No:	Book 220, page 775
Affects:	Reference is hereby made to said document for full particulars
9. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to:	Tillamook People's Utility District
Purpose:	Public utilities
Recording Date:	September 22, 1970
Recording No:	Book 220, page 776
Affects:	Reference is hereby made to said document for full particulars

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

Granted to: Tillamook People's Utility District
Purpose: Public utilities
Recording Date: June 2, 1976
Recording No: [Book 245, page 361](#)
Affects: Reference is hereby made to said document for full particulars

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

Granted to: Tillamook County
Purpose: Maintenance and utilities
Recording Date: March 8, 2001
Recording No: [Book 424, page 8](#)
Affects: Reference is hereby made to said document for full particulars

12. Please be advised that our search did not disclose any open Deeds of Trust of record. If you should have knowledge of any outstanding obligation, please contact the Title Department immediately for further review prior to closing.

ADDITIONAL REQUIREMENTS/NOTES:

A. Note: Property taxes for the fiscal year shown below are paid in full.

Fiscal Year: 2021/22
Amount: \$628.37
Levy Code: 0800
[Account No.:](#) 397332
Map No.: 3S10 11 01207

Prior to close of escrow, please contact the Tax Collector's Office to confirm all amounts owing, including current fiscal year taxes, supplemental taxes, escaped assessments and any delinquencies.

B. In addition to the standard policy exceptions, the exceptions enumerated above shall appear on the final 2006 ALTA Policy unless removed prior to issuance.

C. Note: There are no matters against the party(ies) shown below which would appear as exceptions to coverage in a title insurance product:

Parties: ARD Services, LLC

D. The Company will require the following documents for review prior to the issuance of any title insurance predicated upon a conveyance or encumbrance from the entity named below.

Limited Liability Company: ARD Services, LLC

- a. A copy of its operating agreement, if any, and any and all amendments, supplements and/or modifications thereto, certified by the appropriate manager or member.
- b. If a domestic Limited Liability Company, a copy of its Articles of Organization and all amendment thereto with the appropriate filing stamps.
- c. If the Limited Liability Company is member-managed a full and complete current list of members certified by the appropriate manager or member.
- d. A current dated certificate of good standing from the proper governmental authority of the state in which the entity was created
- e. If less than all members, or managers, as appropriate, will be executing the closing documents, furnish evidence of the authority of those signing.

The Company reserves the right to add additional items or make further requirements after review of the requested documentation.

E. Notice: Please be aware that due to the conflict between federal and state laws concerning the cultivation, distribution, manufacture or sale of marijuana, the Company is not able to close or insure any transaction involving Land that is associated with these activities.

F. Note: There are NO conveyances affecting said Land recorded within 24 months of the date of this report.

G. Note: No utility search has been made or will be made for water, sewer or storm drainage charges unless the City/Service District claims them as liens (i.e. foreclosable) and reflects them on its lien docket as of the date of closing. Buyers should check with the appropriate city bureau or water service district and obtain a billing cutoff. Such charges must be adjusted outside of escrow.

H. THE FOLLOWING NOTICE IS REQUIRED BY STATE LAW: YOU WILL BE REVIEWING, APPROVING AND SIGNING IMPORTANT DOCUMENTS AT CLOSING. LEGAL CONSEQUENCES FOLLOW FROM THE SELECTION AND USE OF THESE DOCUMENTS. YOU MAY CONSULT AN ATTORNEY ABOUT THESE DOCUMENTS. YOU SHOULD CONSULT AN ATTORNEY IF YOU HAVE QUESTIONS OR CONCERNS ABOUT THE TRANSACTION OR ABOUT THE DOCUMENTS. IF YOU WISH TO REVIEW TRANSACTION DOCUMENTS THAT YOU HAVE NOT SEEN, PLEASE CONTACT THE ESCROW AGENT.

I. Recording Charge (Per Document) is the following:

County	First Page	Each Additional Page
Tillamook	\$87.00	\$5.00

Note: When possible the company will record electronically. An additional charge of \$5.00 applies to each document that is recorded electronically.

RECORDING CHARGES ARE SUBJECT TO CHANGE WITHOUT NOTICE.

ANY ADDITIONAL FEES CHARGED BY THE TILLAMOOK COUNTY RECORDING CLERK FOR NONCONFORMING DOCUMENTS WILL BE BILLED SEPARATE FROM THE ABOVE DESCRIBED RECORDING FEES.

DOCUMENTS IN WHICH REAL PROPERTY IS TRANSFERRED OR CONVEYED MUST HAVE NOTED ON SAID DOCUMENTS THE TILLAMOOK COUNTY ASSESSOR'S ACCOUNT NUMBER, I.D. NUMBER AND SITUS ADDRESS OF THE SUBJECT PROPERTY. FAILURE TO COMPLY WILL INCUR AN ADDITIONAL \$20.00 RECORDING FEE.

All recording packets for Tillamook County property should be sent to:

Ticor Title Company
Attn: Recorder
1433 SW 6th Ave.
Portland, OR. 97201

J. Note: This [map/plat](#) is being furnished as an aid in locating the herein described Land in relation to adjoining streets, natural boundaries and other land. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the Company does not insure dimensions, distances or acreage shown thereon.

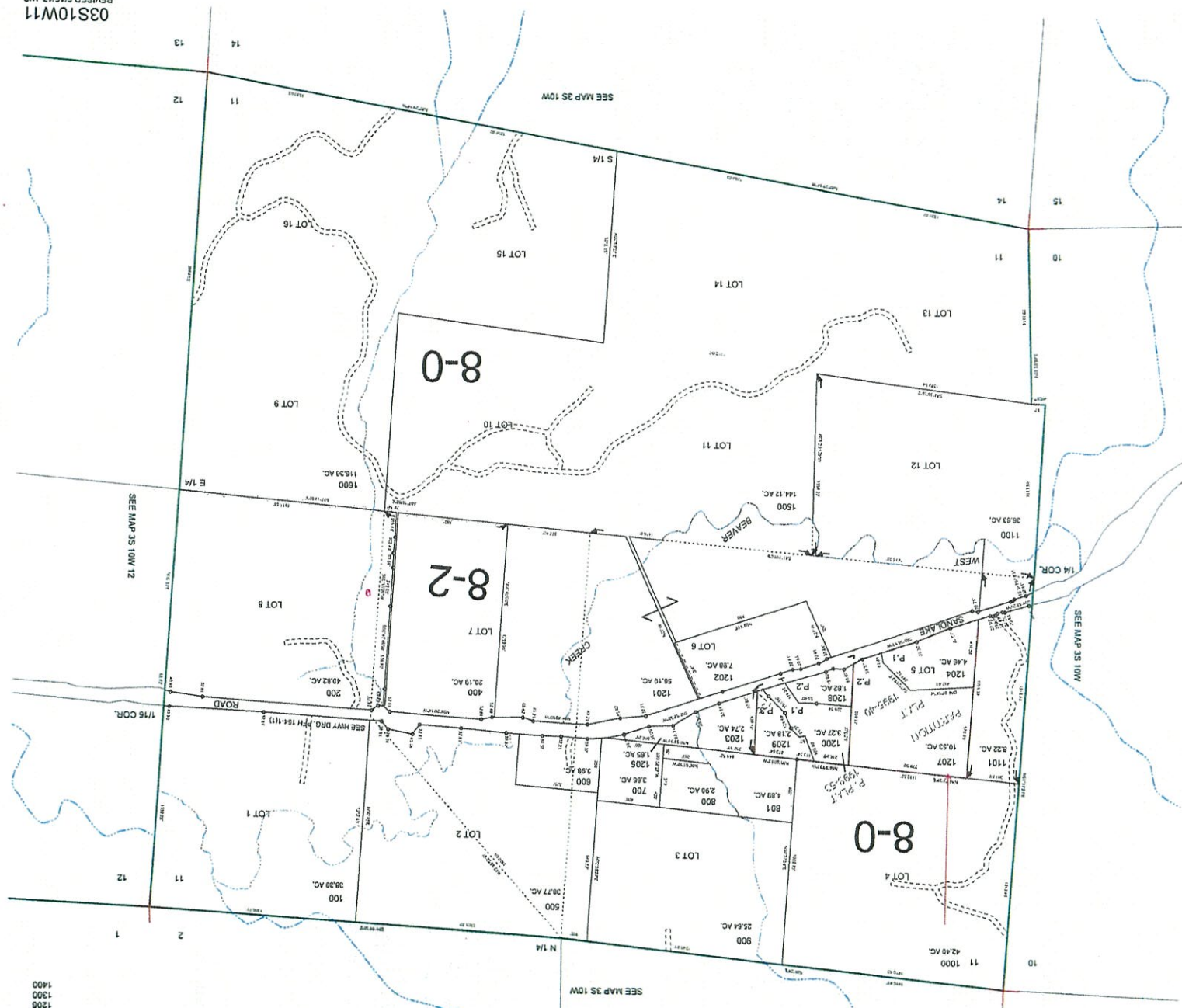
K. Note: Effective January 1, 2008, Oregon law (ORS 314.258) mandates withholding of Oregon income taxes from sellers who do not continue to be Oregon residents or qualify for an exemption. Please contact your Escrow Closer for further information.

FOR ASSESSMENT AND TAXATION ONLY, NOT SUITABLE FOR LEGAL, ENGINEERING, OR SURVEY PURPOSES

SECTION 11 T.3S, R.10W, W.M., Tillamook County

This maplet is being furnished as part of an instrument, if any, the Company does not insure dimensions, distances, location of easements, acreage, or other matters shown thereon. of the insurance is expressly modified by endorsement. Except to the extent a policy

03S10W11
 CANCELLED:
 300
 1200
 1300
 1400



03S10W11
 REVISED 6/15/17, WS

L. NOTE: IMPORTANT INFORMATION REGARDING PROPERTY TAX PAYMENTS:

Fiscal Year:

July 1st through June 30th
July 1st October 15th

Taxes become a lien on real property, but are not yet payable:

Taxes become certified and payable (approximately on this date):

First one third payment of taxes is due: November 15th

Second one third payment of taxes is due: February 15th

Final payment of taxes is due: May 15th

Discounts: If two thirds are paid by November 15th, a 2% discount will apply. If the full amount of the taxes are paid by November 15th, a 3% discount will apply.

Interest: Interest accrues as of the 15th of each month based on any amount that is unpaid by the due date. No interest is charged if the minimum amount is paid according to the above mentioned payment schedule.

EXHIBIT ONE
2006 AMERICAN LAND TITLE ASSOCIATION LOAN POLICY (06-17-06)
EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses that arise by reason of:

1. (a) Any law, ordinance or governmental regulation (including but not limited to building and zoning) restricting, regulating, prohibiting or relating to:
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions or location of any improvement erected on the land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;or the effect of any violation of these laws, ordinances or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 6.
 - (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 7 or 8.
2. Defects, liens, encumbrances, adverse claims, or other matters
 3. (a) created, suffered, assumed or agreed to by the Insured Claimant;
 - (b) not known to the Company, not recorded in the Public Records at Date of Policy, but known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage.

SCHEDULE B - GENERAL EXCEPTIONS FROM COVERAGE

- This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:
1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
 2. Facts, rights, interests or claims which are not shown by the Public Records but which could be ascertained by an inspection of the Land or by making inquiry or persons in possession thereof.
 3. Easements, or claims of easement, not shown by the Public Records; reservations or exceptions in patents or in Acts authorizing the issuance thereof, water rights, claims or title to water.

2006 AMERICAN LAND TITLE ASSOCIATION OWNER'S POLICY (06-17-06)
EXCLUSIONS FROM COVERAGE

- The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses that arise by reason of:
1. (a) Any law, ordinance or governmental regulation (including but not limited to building and zoning) restricting, regulating, prohibiting or relating to:
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions or location of any improvement erected on the land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;or the effect of any violation of these laws, ordinances or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
 - (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
 3. Defects, liens, encumbrances, adverse claims, or other matters
 - (a) created, suffered, assumed or agreed to by the Insured Claimant;

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage.

SCHEDULE B - GENERAL EXCEPTIONS FROM COVERAGE

- This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Facts, rights, interests or claims which are not shown by the Public Records but which could be ascertained by an inspection of the Land or by making inquiry of persons in possession thereof.
3. Easements, or claims of easement, not shown by the Public Records; reservations or exceptions in patents or in Acts authorizing the issuance thereof, water rights, claims or title to water.

- (c) resulting in no loss or damage to the Insured Claimant;
 - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 11, 13, or 14); or
 - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an insured to comply with the applicable debt-business laws of the state where the Land is situated.
 5. Invalidity or unenforceability in whole or in part of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury or any consumer credit protection or truth-in-lending law.
 6. Any claim, by reason of the operation of federal bankruptcy, state insolvency or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
(a) a fraudulent conveyance or fraudulent transfer, or
(b) a preferential transfer for any reason not stated in the Covered Risk 13(b) of this policy.
 7. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the Insured Mortgage in the Public Records. This Exclusion does not modify or limit the coverage provided under Covered Risk 11(b).

4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land. The term "encroachment" includes encroachments of existing improvements located on the Land onto adjoining land, and encroachments onto the Land of existing improvements located on adjoining land.
5. Any lien for services, labor or material heretofore or hereafter furnished, or for contributions due to the State of Oregon for unemployment compensation or worker's compensation, imposed by law and not shown by the Public Records.

- (b) not known to the Company, not recorded in the Public Records at Date of Policy, but known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - (c) resulting in no loss or damage to the Insured Claimant;
 - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 9 and 10); or
 - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Title.
4. Any claim, by reason of the operation of federal bankruptcy, state insolvency or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
(a) a fraudulent conveyance or fraudulent transfer, or
(b) a preferential transfer for any reason not stated in the Covered Risk 9 of this policy.
 7. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.



Inquire before you wire!

WIRE FRAUD ALERT

This Notice is not intended to provide legal or professional advice. If you have any questions, please consult with a lawyer.

All parties to a real estate transaction are targets for wire fraud and many have lost hundreds of thousands of dollars because they simply relied on the wire instructions received via email, without further verification. **If funds are to be wired in conjunction with this real estate transaction, we strongly recommend verbal verification of wire instructions through a known, trusted phone number prior to sending funds.**

In addition, the following non-exclusive self-protection strategies are recommended to minimize exposure to possible wire fraud.

- **NEVER RELY** on emails purporting to change wire instructions. Parties to a transaction rarely change wire instructions in the course of a transaction.
- **ALWAYS VERIFY** wire instructions, specifically the ABA routing number and account number, by calling the party who sent the instructions to you. **DO NOT** use the phone number provided in the email containing the instructions, use phone numbers you have called before or can otherwise verify. **Obtain the number of relevant parties to the transaction as soon as an escrow account is opened.** **DO NOT** send an email to verify as the email address may be incorrect or the email may be intercepted by the fraudster.
- **USE COMPLEX EMAIL PASSWORDS** that employ a combination of mixed case, numbers, and symbols. Make your passwords greater than eight (8) characters. Also, change your password often and do NOT reuse the same password for other online accounts.
- **USE MULTI-FACTOR AUTHENTICATION** for email accounts. Your email provider or IT staff may have specific instructions on how to implement this feature.

For more information on wire-fraud scams or to report an incident, please refer to the following links:

Federal Bureau of Investigation:

<http://www.fbi.gov>

Internet Crime Complaint Center:

<http://www.ic3.gov>

FIDELITY NATIONAL FINANCIAL PRIVACY NOTICE

Effective January 1, 2021

Fidelity National Financial, Inc. and its majority-owned subsidiary companies (collectively, "FNF," "our," or "we") respect and are committed to protecting your privacy. This Privacy Notice explains how we collect, use, and protect personal information, when and to whom we disclose such information, and the choices you have about the use and disclosure of that information.

A limited number of FNF subsidiaries have their own privacy notices. If a subsidiary has its own privacy notice, the privacy notice will be available on the subsidiary's website and this Privacy Notice does not apply.

Collection of Personal Information

FNF may collect the following categories of Personal Information:

- contact information (e.g., name, address, phone number, email address);
- demographic information (e.g., date of birth, gender, marital status);
- identity information (e.g. Social Security Number, driver's license, passport, or other government ID number);
- financial account information (e.g. loan or bank account information); and
- other personal information necessary to provide products or services to you.

We may collect Personal Information about you from:

- information we receive from you or your agent;
- information about your transactions with FNF, our affiliates, or others; and
- information we receive from consumer reporting agencies and/or governmental entities, either directly from these entities or through others.

Collection of Browsing Information

FNF automatically collects the following types of Browsing Information when you access an FNF website, online service, or application (each an "FNF Website") from your Internet browser, computer, and/or device:

- Internet Protocol (IP) address and operating system;
- browser version, language, and type;
- domain name system requests; and
- browsing history on the FNF Website, such as date and time of your visit to the FNF Website and visits to the pages within the FNF Website.

Like most websites, our servers automatically log each visitor to the FNF Website and may collect the Browsing Information described above. We use Browsing Information for system administration, troubleshooting, fraud investigation, and to improve our websites. Browsing Information generally does not reveal anything personal about you, though if you have created a user account for an FNF Website and are logged into that account, the FNF Website may be able to link certain browsing activity to your user account.

Other Online Specifics

Cookies. When you visit an FNF Website, a "cookie" may be sent to your computer. A cookie is a small piece of data that is sent to your Internet browser from a web server and stored on your computer's hard drive. Information gathered using cookies helps us improve your user experience. For example, a cookie can help the website load properly or can customize the display page based on your browser type and user preferences. You can choose whether or not to accept cookies by changing your Internet browser settings. Be aware that doing so may impair or limit some functionality of the FNF Website.

Web Beacons. We use web beacons to determine when and how many times a page has been viewed. This information is used to improve our websites.

Do Not Track. Currently our FNF Websites do not respond to "Do Not Track" features enabled through your browser.

Links to Other Sites. FNF Websites may contain links to unaffiliated third-party websites. FNF is not responsible for the privacy practices or content of those websites. We recommend that you read the privacy policy of every website you visit.

Use of Personal Information

FNF uses Personal Information for three main purposes:

- To provide products and services to you or in connection with a transaction involving you.
- To improve our products and services.
- To communicate with you about our, our affiliates', and others' products and services, jointly or independently.

When Information Is Disclosed

We may disclose your Personal Information and Browsing Information in the following circumstances:

- to enable us to detect or prevent criminal activity, fraud, material misrepresentation, or nondisclosure;
- to nonaffiliated service providers who provide or perform services or functions on our behalf and who agree to use the information only to provide such services or functions;
- to nonaffiliated third party service providers with whom we perform joint marketing, pursuant to an agreement with them to jointly market financial products or services to you;
- to law enforcement or authorities in connection with an investigation, or in response to a subpoena or court order; or
- in the good-faith belief that such disclosure is necessary to comply with legal process or applicable laws, or to protect the rights, property, or safety of FNF, its customers, or the public.

The law does not require your prior authorization and does not allow you to restrict the disclosures described above. Additionally, we may disclose your information to third parties for whom you have given us authorization or consent to make such disclosure. We do not otherwise share your Personal Information or Browsing Information with nonaffiliated third parties, except as required or permitted by law. We may share your Personal Information with affiliates (other companies owned by FNF) to directly market to you. Please see "Choices with Your Information" to learn how to restrict that sharing.

We reserve the right to transfer your Personal Information, Browsing Information, and any other information, in connection with the sale or other disposition of all or part of the FNF business and/or assets, or in the event of bankruptcy, reorganization, insolvency, receivership, or an assignment for the benefit of creditors. By submitting Personal Information and/or Browsing Information to FNF, you expressly agree and consent to the use and/or transfer of the foregoing information in connection with any of the above described proceedings.

Security of Your Information

We maintain physical, electronic, and procedural safeguards to protect your Personal Information.

Choices With Your Information

If you do not want FNF to share your information among our affiliates to directly market to you, you may send an "opt out" request as directed at the end of this Privacy Notice. We do not share your Personal Information with nonaffiliates for their use to direct market to you without your consent.

Whether you submit Personal Information or Browsing Information to FNF is entirely up to you. If you decide not to submit Personal Information or Browsing Information, FNF may not be able to provide certain services or products to you.

For California Residents: We will not share your Personal Information or Browsing Information with nonaffiliated third parties, except as permitted by California law. For additional information about your California privacy rights, please visit the "California Privacy" link on our website (<https://fnf.com/pages/californiaprivacy.aspx>) or call (888) 413-1748.

For Nevada Residents: You may be placed on our internal Do Not Call List by calling (888) 934-3354 or by contacting us via the information set forth at the end of this Privacy Notice. Nevada law requires that we also provide you with the following contact information: Bureau of Consumer Protection, Office of the Nevada Attorney General, 555 E. Washington St., Suite 3900, Las Vegas, NV 89101; Phone number: (702) 486-3132; email: BCPINFO@ag.state.nv.us.

For Oregon Residents: We will not share your Personal Information or Browsing Information with nonaffiliated third parties for marketing purposes, except after you have been informed by us of such sharing and had an opportunity to indicate that you do not want a disclosure made for marketing purposes.

For Vermont Residents: We will not disclose information about your creditworthiness to our affiliates and will not disclose your personal information, financial information, credit report, or health information to nonaffiliated third parties to market to you, other than as permitted by Vermont law, unless you authorize us to make those disclosures.

Information From Children

The FNF Websites are not intended or designed to attract persons under the age of eighteen (18). We do not collect Personal Information from any person that we know to be under the age of thirteen (13) without permission from a parent or guardian.

International Users

FNF's headquarters is located within the United States. If you reside outside the United States and choose to provide Personal Information or Browsing Information to us, please note that we may transfer that information outside of your country of residence. By providing FNF with your Personal Information and/or Browsing Information, you consent to our collection, transfer, and use of such information in accordance with this Privacy Notice.

FNF Website Services for Mortgage Loans

Certain FNF companies provide services to mortgage loan servicers, including hosting websites that collect customer information on behalf of mortgage loan servicers (the "Service Websites"). The Service Websites may contain links to both this Privacy Notice and the mortgage loan servicer or lender's privacy notice. The sections of this Privacy Notice titled When Information is Disclosed, Choices with Your Information, and Accessing and Correcting Information do not apply to the Service Websites. The mortgage loan servicer or lender's privacy notice governs use, disclosure, and access to your Personal Information. FNF does not share Personal Information collected through the Service Websites, except as required or authorized by contract with the mortgage loan servicer or lender, or as required by law or in the good-faith belief that such disclosure is necessary: to comply with a legal process or applicable law, to enforce this Privacy Notice, or to protect the rights, property, or safety of FNF or the public.

Your Consent To This Privacy Notice: Notice Changes; Use of Comments or Feedback

By submitting Personal Information and/or Browsing Information to FNF, you consent to the collection and use of the information in accordance with this Privacy Notice. We may change this Privacy Notice at any time. The Privacy Notice's effective date will show the last date changes were made. If you provide information to us following any change of the Privacy Notice, that signifies your assent to and acceptance of the changes to the Privacy Notice.

Accessing and Correcting Information: Contact Us

If you have questions, would like to correct your Personal Information, or want to opt-out of information sharing for affiliate marketing, visit FNF's [Opt Out Page](#) or contact us by phone at (888) 934-3354 or by mail to:

Fidelity National Financial, Inc.
601 Riverside Avenue,
Jacksonville, Florida 32204
Attn: Chief Privacy Officer

July 22, 2024

RE: Incomplete application for a Partition Application # 851-24-000402-PLNG

To Whom It May Concern:

As indicated in the attached correspondence, your application has been deemed to be incomplete.

Please acknowledge, in writing, your intent to provide the material required to complete the application, as identified in the attached correspondence.

Tillamook County Department of Community Development
Attn: Angela Rimoldi – Planning Permit Technician
1510 B Third Street
Tillamook, OR 97141

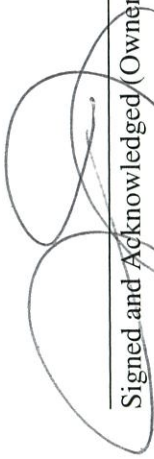
Or email: angela.rimoldi@tillamookcounty.gov

If you indicate your intent to complete the application, you will have 180 days from the date the application was originally submitted (**July 10, 2024**) to submit the required material. If you fail to submit the material within 180 days, your application will be deemed void. The case file regarding the application will then be closed.

If you do not return this acknowledgment, by the above date, such action will be considered to be a refusal to complete the application under the meaning accorded in ORS 215.428. Your application will then be processed based upon the information you have previously submitted. Note that failure to submit sufficient evidence or material to demonstrate compliance with the applicable criteria is grounds for denial of the application.

ACKNOWLEDGMENT

- I intend to provide the additional material identified in the attached correspondence from the Department of Community Development.
- I refuse to provide the additional material identified in the attached correspondence from the Department of Community Development.



Signed and Acknowledged (Owner and/or Applicant)
7-30-24

Date

Signed and Acknowledged (Owner and/or Applicant)

Date



EXHIBIT C



Response Page

Department of State Lands (DSL) WN#*
WN2024-0771

Responsible Jurisdiction

Staff Contact
Angela Rimoldi **Jurisdiction Type**
County **Municipality**
Tillamook Co.

Local case file #
851-24-000402-PLNG **County**
Tillamook

Activity Location

Township
03S **Range**
10W **Section**
11 **QQ section**

Tax Lot(s)
1207

Street Address
Sand Lake Rd **State / Province / Region**
Address Line 2
City
Tillamook **Country**
Tillamook

Latitude
45.3277149 **Longitude**
-123.882084

Wetland/Waterway/Other Water Features

There are/may be wetlands, waterways or other water features on the property that are subject to the State Removal-Fill Law 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.

DSL Review

Wetland Ecologist Comments

Based on a review of the available information, there may be small streams on Parcel 2 and 3 that may be jurisdictional to the Department. Removal and/or fill activities within these streams may require a permit for removal/fill impacts that are 50 cubic yards or greater.

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.

Response Date

11/21/2024

Response by:

Chris Stevenson

Response Phone:

503-798-7622

Wetland Land Use Notification

OREGON DEPARTMENT OF STATE LANDS
775 Summer Street NE, Suite 100, Salem, OR 97301-1279
Phone: (503) 986-5200

This form is to be completed by planning department staff for mapped wetlands and waterways.

*** Required Field** (?) **Tool Tips**

Activity Location

Township * (?)

03S

Range * (?)

10W

Section * (?)

11

Quarter-quarter Section (?)

Tax Lot(s) *

01207

You can enter multiple tax lot numbers within this field. i.e. 100, 200, 300, etc.

To add additional tax map and lot information, please click the "add" button below.

Address

Street Address

Address Line 2

City

State

Postal / Zip Code

Country

County *

Tillamook

Adjacent Waterbody

Geolocation *

45.327125, -123.880708

Proposed Activity

Prior to submitting, please ensure proposed activity will involve physical alterations to the land and/or new construction or expansion of footprint of existing structures.

Phone (?)

Email (?)

Is the Property Owner name and address the same as the Applicant?*

No Yes

Property Owner

First Name*

Last Name*

ARD SERVICES

G. DEMERS

Property Owner Organization Name

(if applicable)

Mailing Address (If different than Applicant Address)

Street Address

PO BOX 34

Address Line 2

City

VENETA

State

OR

Postal / Zip Code

97487

Country

UNITED STATES

Phone (?)

Email (?)

Responsible Jurisdiction

*

Municipality*

Date*

City of County of

TILLAMOOK CO.

11/4/2024

Staff Contact

First Name*

Last Name*

ANGELA

RIMOLDI

Phone* (?)

Email*

503-842-3408

ANGELA.RIMOLDI@TILLAMOOKCOUNT
Y.GOV