

351 pm FILED  
9w MAR 28 2018

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR TILLAMOOK COUNTY, OREGON

TASSI O'NEIL  
COUNTY CLERK

In the Matter of Withdrawing Land and )  
Territory from the Neskowin Regional ) ORDER #18- 038  
Sanitary Authority )

This matter came before the Board of Commissioners under a Petition of the Pacific Sand Heights Subdivision to withdraw certain real property from the Neskowin Regional Sanitary Authority.

The Board of Commissioners being fully apprised of the premises, records, and files herein finds as follows:

1. The Board of Commissioners has jurisdiction over this matter pursuant to ORS 198.795. Sanitary Authority District withdrawals are governed by ORS 198.870 – 198.882.
2. The property proposed for withdrawal is more particularly described in the attached Exhibit A, incorporated herein by reference.
3. Pursuant ORS 198.800(2), public notice of the proposed withdrawal was given by publishing the Notice of Public Hearing before the Board of Commissioners in two (2) insertions in a newspaper, including publication of the legal description of the property to be withdrawn. The Affidavit of Publication for the Public Hearing is attached as Exhibit B, incorporated herein by reference.
4. Pursuant ORS 198.800(2), additional Notice of the Public Hearing was made by posting a Notice of Public Hearing in three (3) public places in the vicinity of the area proposed to be withdrawn and at the County Courthouse. The Affidavit of Susan Corbisiero as to the posting of the Notice of Public Hearing is attached as Exhibit C, incorporated herein by reference.
5. Pursuant to the herein referenced Public Notices, a Public Hearing was held by the Board of Commissioners on March 28, 2018, at which time testimony was received as to whether the proposed withdrawal should take place.
6. The property proposed to be withdrawn lies entirely within the unincorporated area of Tillamook County.

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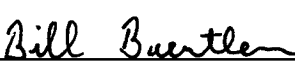
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NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

7. Approves the petition for withdrawal from the Neskowin Regional Sanitary Authority the land and territory described in Exhibit A, and
8. Declares its intention to initiate the withdrawal from the Neskowin Regional Sanitary Authority the land and territory set forth in Exhibit A, and
9. Directs that public notice be given that a Final Public Hearing shall be held on April 18, 2018 at the hour of 10:30 a.m. in Commissioners' Meeting Room A, Tillamook County Courthouse, 201 Laurel Avenue, Tillamook, Oregon, and
10. Declares that if written requests for an election are not filed as provided by ORS 198.875(2), the Board, at the time of the Final Public Hearing, will enter its Order withdrawing the real property described in Exhibit A from the Neskowin Regional Sanitary Authority.

DATED this 28<sup>th</sup> day of March, 2018.

THE BOARD OF COMMISSIONERS  
FOR TILLAMOOK COUNTY, OREGON

	Aye	Nay	Abstain/Absent
 _____ Tim Josi, Chair	✓	_____	____/____
 _____ David Yamamoto, Vice-Chair	_____	_____	____/____
 _____ Bill Baertlein, Commissioner	✓	_____	____/____

ATTEST: Tassi O'Neil  
County Clerk

APPROVED AS TO FORM:

By:   
\_\_\_\_\_  
Special Deputy

  
\_\_\_\_\_  
William G. Sargent, County Counsel



## EXHIBIT A

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

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

# Affidavit of Publication

State of Oregon, County of Tillamook, -ss.

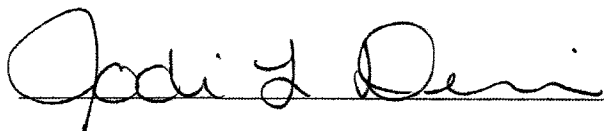
I, Jodi Lynn Derrick, being first duly sworn, depose and say that I am a Clerk of the Headlight Herald, 1908 Second St., Tillamook, Or 97141 a newspaper of general circulation as defined by ORS 193.010 and 193.020 state; that

HH18-76  
Tillamook County  
NOTICE OF PUBLIC HEARING

a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for 2 successive and consecutive weeks in the following issues:

03/14/18, 03/21/18

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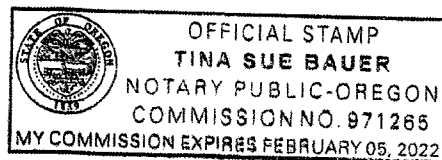


Subscribed and sworn to before me this  
21st day of March, 2018.



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Notary Public of Oregon



Price charge for this notice \$ 268.80

HH18-76  
NOTICE OF PUBLIC  
HEARING  
REGARDING PRO-  
POSED WITHDRAWAL  
OF TERRITORY FROM  
THE  
NESKOWIN REGION-  
AL SANITARY AU-  
THORITY

Notice is hereby given pursuant to ORS 198.800(2) that the Tillamook County Board of Commissioners will hold a Public Hearing on Wednesday, March 28, 2018 at 10:30 a.m. in the Commissioners' Meeting Room A in the Tillamook County Courthouse, 201 Laurel Avenue, Tillamook, Oregon. The purpose of the hearing is to consider and act on a Petition that the hereinafter described real property, as more particularly described on the attached Exhibit A and also known as the Pacific Sand Heights Subdivision, be withdrawn from the Neskowin Regional Sanitary Authority. All interested persons may appear and be heard.

This notice is posted and published pursuant to a Petition to Withdraw said property from the Neskowin Regional Sanitary Authority. Publish 3/14/18 and 3/21/18.

**EXHIBIT A**

Legal Description for the Withdrawal from the Neskowin Regional Sanitary Authority Beginning at the Initial Corner of this Subdivision, which is a section of galvanized iron pipe 2 inches in diameter and 36 inches in length set 6 inches below the surface of the ground, at a point on the North line of Section 25 in Town-

ship 5 South, Range 11 West of the Willamette Meridian in Tillamook County, Oregon, said point being 522.34 feet East of the 1/4 corner on the North line of said Section, thence South 19°12' East 198.05 feet, thence South 60°49'11" West 109.07 feet, thence South 43°51'36" West 100.61 feet, thence South 25°36'50" West 180.66 feet, thence South 64°29'38" West 183.19 feet, thence South 17°11' West 83.74 feet to an iron pipe set for the initial corner of Neskowin Crest Addition in said County and State, thence South 89°00' East along the North line of said Neskowin Crest Addition and the extension thereof 1200.88 feet to a point on the Westerly line of U.S. Highway No. 101, thence Northeasterly along the arc of a 2291.83 foot radius curve to the left (the chord of which bears North 25°15'34" East 179.19 feet) to a point opposite to Engineers center line station 65 + 12.55 P.C.S., thence Northeasterly along the arc of a spiral curve to the left (the chord of which bears North 19°40' East 391.13 feet) to a point opposite to Engineers center line station 69 + 12.55 P.T. thence North 17°55' East 122.45 feet to a point on the North line

of said Section, thence West 1096.53 feet to the place of beginning and containing 15.97 acres of land.

Exhibit C

THE BOARD OF COUNTY COMMISSIONERS

FOR THE COUNTY OF TILLAMOOK IN THE STATE OF OREGON

In the Matter of the Notice of Public Hearing Regarding Proposed Withdrawal From the Neskowin Regional Sanitary Authority ) AFFIDAVIT OF POSTING NOTICE

I, Susan Corbisiero, being first duly sworn, do depose and say that I am an employee of the County of Tillamook for the Board of Commissioners and that on March 15, 2018, I personally posted six (6) copies of the Notice of Public Hearing, a copy of which is attached hereto and made part hereof, at the following places, all in Tillamook County, in the vicinity of the proposed withdrawal of territory from the Neskowin Regional Sanitary Authority:

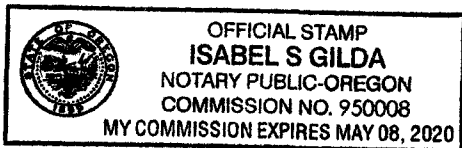
- 1. On the front porch bulletin board at the Neskowin Trading Company marketplace in Neskowin, Oregon.
2. On the inside of the glass front door (facing out) of the Neskowin Regional Sanitary Authority Office in Neskowin, Oregon.
3. On the bulletin board inside the front door of the Neskowin Post Office in Neskowin, Oregon.
4. On the bulletin board inside the north lobby of the Tillamook County Courthouse, in Tillamook, Oregon.

All such notices were posted in public and conspicuous places and in such a manner that they could be easily read by all persons passing such places.

Dated this 27th day of March, 2018.

Susan Corbisiero signature and name: SUSAN CORBISIERO

Subscribed and sworn before me this 27th day of March, 2018.



Notary Public for the State of Oregon signature and name: My Commission Expires: 5/8/2020