



BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR THE COUNTY OF TILLAMOOK IN THE STATE OF OREGON

FILED

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TASSI O'NEIL
COUNTY CLERK

In the Matter of Annexation of Land to the)
Hebo Joint Water and Sanitary Authority) **ORDER #09 - 020**

This matter came before the Board of Commissioners on the Board's own motion to annex certain County-owned property to the Hebo Joint Water and Sanitary Authority (HWJSA). Being fully advised of the premises, records and files herein, the Board of Commissioners makes the following findings of fact and order:

1. The Board of County Commissioners has jurisdiction over this matter pursuant to ORS 198.795. Joint Water and Sanitary Authority Annexations are governed by ORS 198.800-198.820 and 198.850-198.867.
2. Public notice of this proposed annexation was given by publishing the Notice of Public Hearing before the Board of Commissioners, including publication of the legal description of the property to be annexed. 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 annexed and one at the County Courthouse.
3. The Affidavit of Paul Levesque as to the posting of Notice of Public Hearing and the Affidavit of Publication for the Public Hearing are attached as exhibits and incorporated by reference to this Order.
4. The County-owned property to be annexed is known as Parcel 2, Partition Plat 2002-21, less that Portion Conveyed to Richard A. Heathershaw and Debbie E. Heathershaw, in Deed Record 2004-005773.
5. The Board of Directors of the Hebo Joint Water and Sanitary Authority endorses the annexation of this area and its incorporation within the boundaries of the District as evidenced by its action on February 18, 2008.
6. The property proposed to be annexed lies entirely within the unincorporated area of Tillamook County.
7. The property to be annexed consists primarily of property zoned Community Public Use (CPU).
8. The proposed annexation will have no adverse or contradictory impact on the present land use, or on the Zoning Ordinances and Comprehensive Plan for Tillamook County. The proposed annexation is consistent with the Oregon statewide land use planning goals, as the annexation will not allow any use of land which is inconsistent with the existing Land Use Ordinances and Comprehensive Plan.

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9. It is in the best interests of the health, safety and welfare of Tillamook County that the proposed annexation be approved.

NOW THEREFORE, IT IS HEREBY ORDERED THAT:

10. The real property known as Parcel 2, Partition Plat 2002-21, less that Portion Conveyed to Richard A. Heathershaw and Debbie E. Heathershaw, in Deed Record 2004-005773 be and is annexed to and made a part of the Hebo Joint Water and Sanitary Authority effective on the date that this annexation is approved by the Oregon Department of Revenue and is subject to the District's outstanding indebtedness, bonded or otherwise, as provided by law and existing on the effective date of the annexation.

11. Two (2) certified copies of this Order shall be provided to the Oregon Department of Revenue. One (1) certified copy of this Order shall be provided to the Oregon Secretary of State. One (1) certified copy shall be filed with the Tillamook County Clerk in the Clerk's records pertaining to the District. One (1) certified copy shall be provided to the Tillamook County Assessor. One (1) certified copy shall be provided to the Hebo Joint Water and Sanitary Authority.

DATED this 2nd day of March, 2009.

THE BOARD OF COMMISSIONERS FOR TILLAMOOK COUNTY, OREGON

[Signature]
Tim Josi, Chair

Aye Nay Abstain/Absent
✓ _____ _____ / _____

[Signature]
Mark Laphart, Vice-Chair

✓ _____ _____ / _____

Charles J. Hurliman, Commissioner

_____ _____ _____ / ✓

ATTEST: Tassi O'Neil
County Clerk

APPROVED AS TO FORM:

By [Signature]
Special Deputy

[Signature]
William K. Sargent, County Counsel



Affidavit of Publication

State of Oregon, County of Tillamook, -ss.

I, Shannon L. Gunder, being first duly sworn, depose and say that I am a Clerk of the Headlight-Herald, a newspaper of general circulation as defined by ORS 193.010 and 193.020. state; that

H09-077

Tillamook County Commissioners

Notice of Public Hearing Regarding Proposed Annexation of Certain County-Owned Property to the Hebo Joint Water and Sanitary Authority

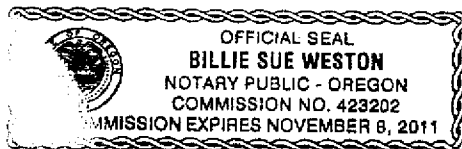
a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for 2 successive and consecutive weeks in the following issues:

02/11/09 & 02/18/09

Shannon Gunder

Subscribed and sworn to before me this
18th day of February, 2009

Billie Sue Weston
Notary Public of Oregon



H09-077
NOTICE OF
PUBLIC HEARING
REGARDING
PROPOSED
ANNEXATION OF
CERTAIN
COUNTY-OWNED
PROPERTY TO THE
HEBO JOINT
WATER AND
SANITARY
AUTHORITY

Notice is hereby given, pursuant to ORS 198.800, that a Public Hearing will be held in the Commissioners' Meeting Room B at the Tillamook County Courthouse, 201 Laurel Avenue, in the City of Tillamook, Oregon, on the 2nd day of March, 2009 at the hour of 9:30 a.m., by the Board of County Commissioners for Tillamook County for the purpose of considering and acting on an Annexation of County-owned property known as Parcel 2, Partition Plat 2002-21, in Tillamook County, Oregon.

Construction of the Cedar Creek Child Care Center (CC) is nearing completion on said described parcel. Sewer and water connections cannot be made to the Hebo Joint Water and Sanitary Authority

(HJWSA) unless and until the said County-owned parcel is annexed into the boundaries of the HJWSA. On February 18, 2009 the HJWSA Board endorsed the annexation of said parcel into its District boundaries.

If the County Board of Commissioners approves the annexation as presented or as modified, the County Board of Commissioners shall annex the said property to the HJWSA.

All interested persons may appear at the March 2, 2009 Public Hearing and be heard.

Price charge for this notice \$ 70.50

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 the proposed Annexation of)
Certain County-owned property to the Hebo)
Joint Water and Sanitary Authority) AFFIDAVIT OF POSTING NOTICE

I, Paul Levesque, 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 the 19th day of February, 2009, I personally posted four (4) 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 Joint Water and Sanitary Authority:

1. On the bulletin board at the outside front door of the Nestucca Valley Sporting Goods in Hebo, Oregon.
2. On the inside bulletin board at the front door of Hebo Market in Hebo, Oregon.
3. On the bulletin board inside this front door of the Hebo Post Office in Hebo, Oregon.
4. On the bulletin board at the north lobby of the Tillamook County Courthouse in Tillamook, Oregon.

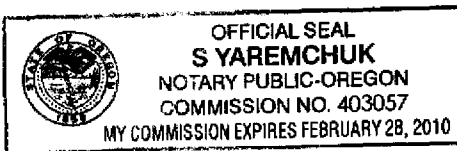
All such notices were posted in public and conspicuous places and in such a manner that they could be easily read by all persons passing such places.

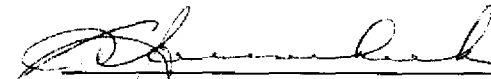
DATED this 23rd day of February, 2009.



PAUL LEVESQUE

Subscribed and sworn before me this 23rd day of February, 2009.





Notary Public for the State of Oregon
My Commission Expires: _____