



PARTITION REQUEST #851-25-000209-PLNG: ROOS / RICE

ADMINISTRATIVE DECISION & STAFF REPORT

Decision: Approved with Conditions

Decision Date: June 12, 2025

Report Prepared By: Angela Rimoldi, Planning Technician

I. GENERAL INFORMATION:

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

Location:

Located within the Unincorporated Community of Beaver, accessed via an easement from Berkshire Road, a private road, and Highway 101 S., a state highway. The subject property is designated as Tax Lot 100 of Section 29CB, Township 3 South, Range 09 West of the Willamette Meridian, Tillamook County Oregon.

Zone:

Community Single-Family Residential (CSFR)

Applicant:

Michael Rice, P.O. Box 521, Tillamook, OR. 97141

Property Owner:

Case Roos, 20295 E Beaver Creek Rd., Cloverdale, OR. 97112

Description of Site and Vicinity: The subject property is accessed via an easement from Berkshire Road, a private road, and Highway 101 S., a state highway, is irregular in shape, is improved with a single-family dwelling, and is vegetated with grass, shrubs, and trees (Exhibit A). Topography of the subject property varies, however, is generally flat with some sloped areas. The subject property is located within an area primarily devoted to residential, farm and forest use. The subject property is surrounded by properties also zoned CSFR to the north, south, east, and west (Exhibit A).

The subject property does not contain mapped wetlands or natural features as indicated on the Statewide Wetlands Inventory map and is located within Zone X an Area of Minimal Flood Hazard as depicted on FEMA Flood Insurance Rate Map FIRM 41057C0740F (Exhibit A).

The subject property is within an area of Geologic Hazard (Exhibit A). A Condition of Approval has been made to require relevant standards of TCLUO Section 4.130: Development Requirements for Geologic Hazard Areas 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 3.011: Community Single Family Residential (CSFR) Zone
- C. Land Use Ordinance Section 4.130: Development Requirements for Geologic Hazard Areas

III. ANALYSIS:

Notice of the request was mailed to property owners within 250 feet of the subject property and agencies on May 16, 2025. No comments were received.

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 preliminary Partition Plat proposes the creation of three (3) parcels (Exhibit B). The applicability of the CSFR zone is addressed below. Plat and 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 development on adjacent lands. The preliminary plat shall identify all proposed public improvements and dedications;*
- (f) All proposed private common areas and improvements, if any, are identified on the preliminary plat and maintenance of such areas is assured through appropriate legal instrument;*
- (g) Provisions for access to and maintenance of off-right-of-way drainage, if any;*

Findings: The preliminary plat outlines access to the subject property, and subsequent parcels, from a private easement, Berkshire Road, accessed from Blaine Road, a county-maintained road (Exhibit B).

Land Division Ordinance Sections 150 and 160 outline development standards for partitions. Standards within these sections 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 conclude the above criteria and relevant 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 is served by the Beaver Water District and on-site wastewater systems. A water availability letter from the Beaver Water District is included in the Applicant's submittal (Exhibit B). Proposed partition 1 is improved with an existing onsite wastewater system (Exhibit B). For the benefit of proposed partition 2 and 3, 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.

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

B. TCLUO Section 3.011: Community Single Family Residential (CSFR) Zone

(4) **STANDARDS:** Land divisions and development in the CSFR zone shall conform to the following standards, unless more restrictive supplemental regulations apply:

- (a) The minimum lot size is 20,000 for permitted uses.
- (b) The minimum lot width and depth shall both be 100 feet.
- (c) The minimum front yard shall be 20 feet.
- (d) The minimum side yard shall be 5 feet; on the street side of a corner lot, it shall be no less than 15 feet.
- (e) The minimum rear yard shall be 20 feet; on a corner lot, it shall be no less than 5 feet.

.....

Findings: The applicant has provided a preliminary plat confirming the three (3) parcels to be created by the partition meet the minimum requirements for lot size and dimensions as outlined above (Exhibit B). Proposed parcel 1 is improved with a single-family dwelling; all setbacks maintain compliance respectively before and after the proposed partition (Exhibit B) For the benefit of proposed parcel 2 and 3, there are no existing improvements, therefore the setbacks do not currently apply (Exhibit B).

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;

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- (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: Future development of the subject property will 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 officers, 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 June 24, 2025**.

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 parcels for access and utilities shall be clearly identified on the Final Plat. The name of any access easement shall be included in 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 TCLUO Section 3.011: Community Single Family Residential (CSFR) Zone and TCLUO Section 4.130: Development Requirements for Geologic Hazard Areas

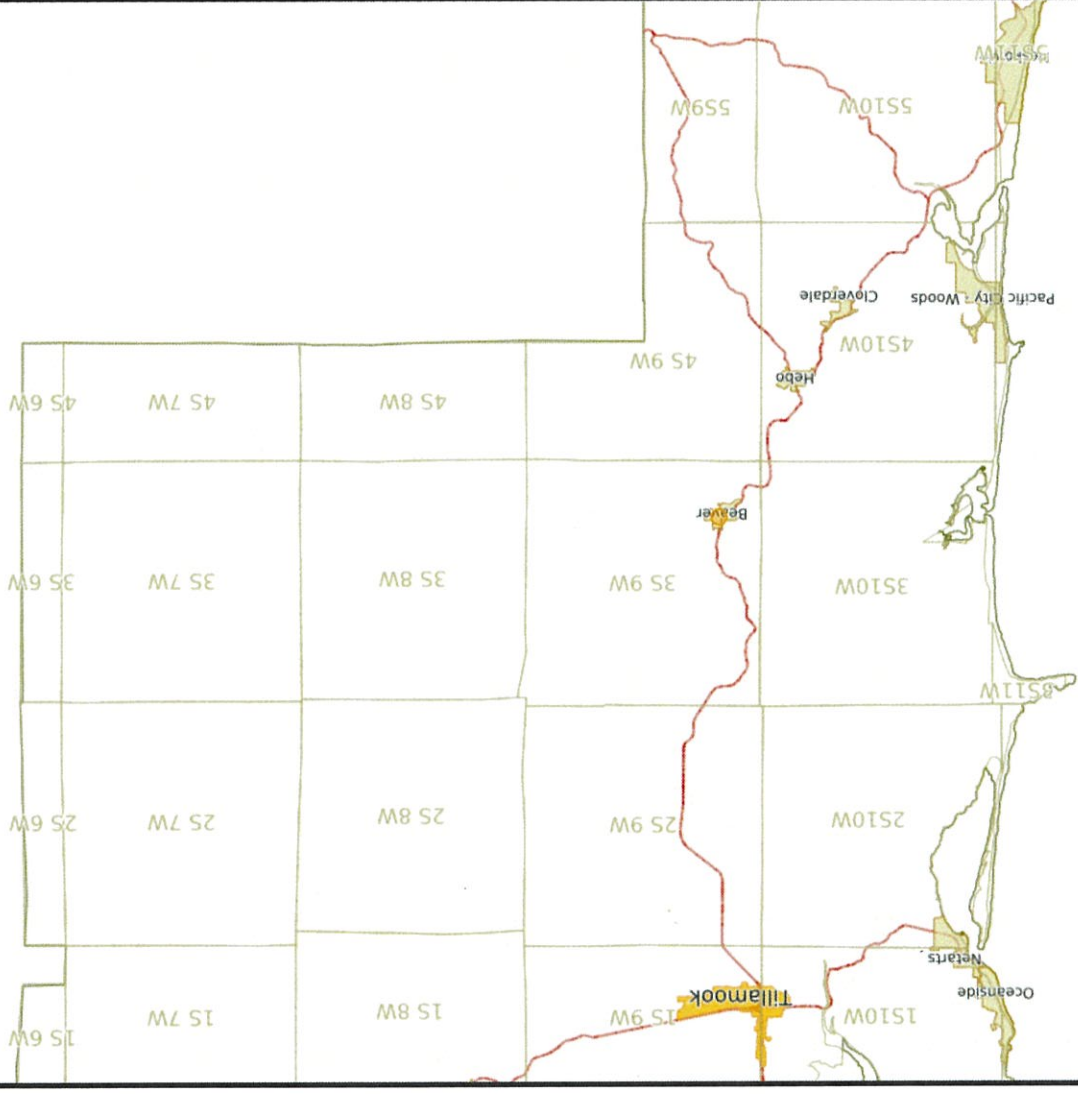
VI.

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 MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY



N.W. 1/4 S.W. 1/4 SEC. 29 T.3S. R.9W. W.M.

TILLAMOOK COUNTY

1" = 100'

SEE MAP 3S 9 29BC

700 3.64 AC.

PARTITION

PARCEL 1

705 8.02 AC.

PLAT

8-5

X

COAST
HIGHWAY
101

702 8.16 AC.

PARTITION

2023-02

PARCEL 3

704 0.50 AC.

703 0.48 AC.

700 1.00 AC.

701 1.00 AC.

BLAINE COUNTY
ROAD

PARTITION
2023-03

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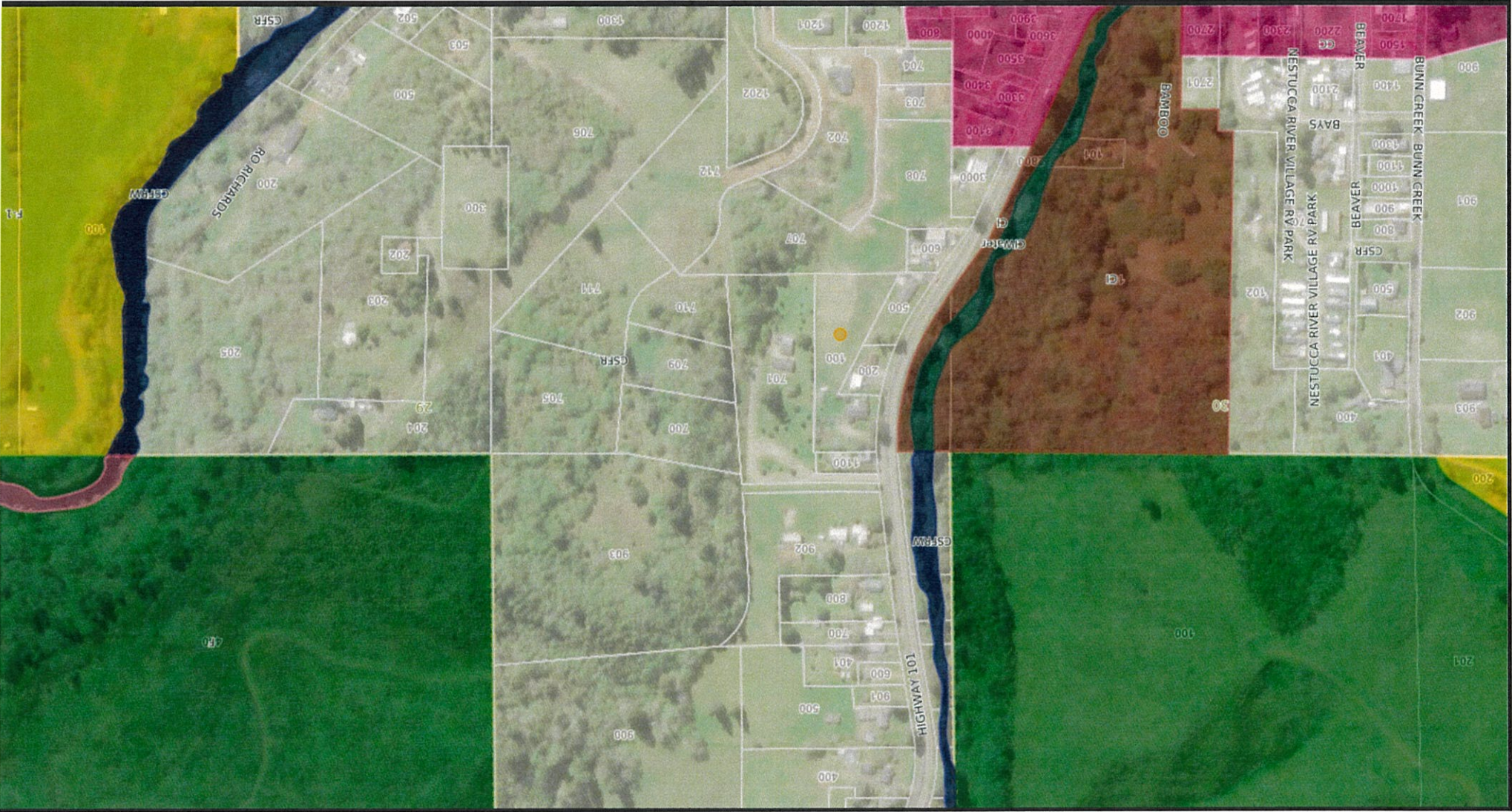
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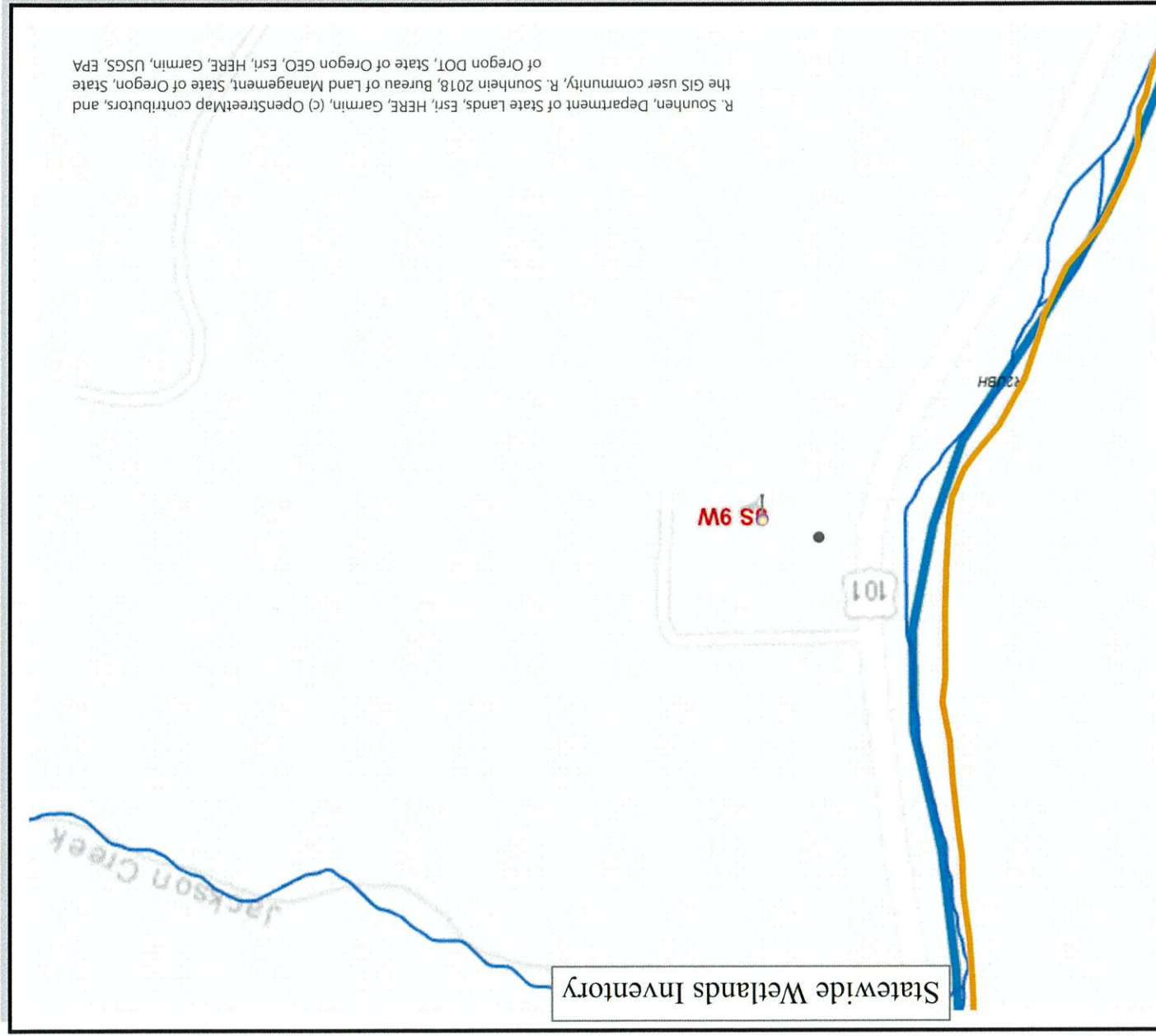


- SWI Predominantly Hydric Soil Map Units
- SWI Agate-Windlo Soils
- Riverine
- Lake
- Freshwater Pond
- Freshwater Forested/Shrub Wetland
- Freshwater Emergent Wetland
- Estuarine and Marine Wetland
- Estuarine and Marine Deepwater
- Wetlands
- BASEDAT.DBO.NHDFlowline
- BASEDAT.DBO.NHDArea
- BASEDAT.DBO.NHDWaterbody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

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.

1:4,514

0 0.03 0.06 0.11 0.17 0.22 mi



R. Sounhein, Department of State Lands, Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community, R. Sounhein 2018, Bureau of Land Management, State of Oregon, State of Oregon DOT, State of Oregon GEO, Esri, HERE, Garmin, USGS, EPA

National Flood Hazard Layer FIRMette



Legend

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

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

OTHER AREAS	
	Effective LOMRs
	Area of Undetermined Flood Hazard Zone D
GENERAL STRUCTURES	
	Channel, Culvert, or Storm Sewer
	Levee, Dike, or Floodwall

OTHER FEATURES	
	Cross Sections with 1% Annual Chance Water Surface Elevation 17.5
	Coastal Transect
	Base Flood Elevation Line (BFE)
	Limit of Study
	Jurisdiction Boundary
	Coastal Transect Baseline
	Profile Baseline
	Hydrographic Feature

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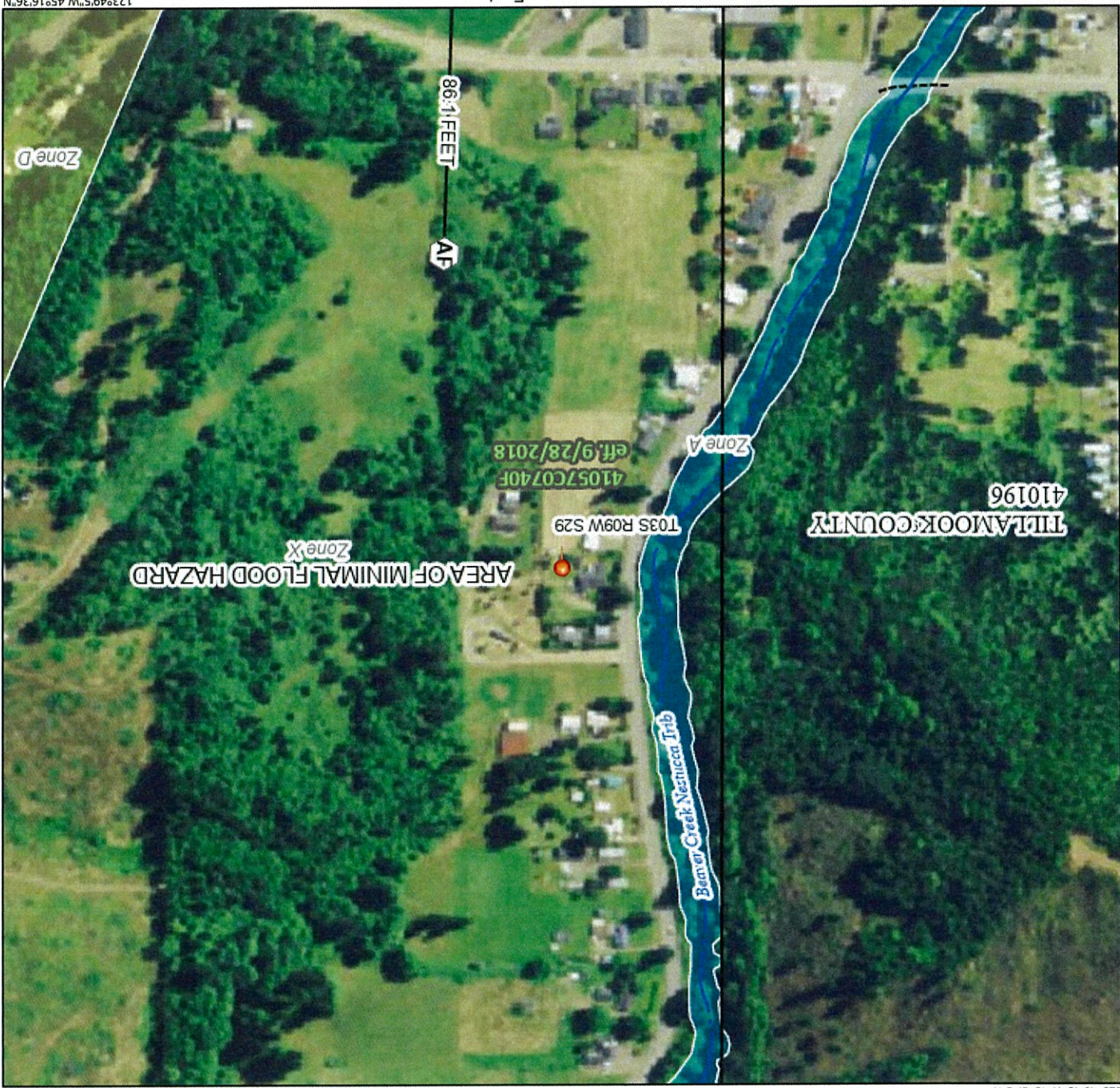
The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

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

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 6/9/2025 at 5:26 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.

Basemap Imagery Source: USGS National Map 2023





June 9, 2025

Earthquake Epicenter, 1841, 2022

6 - 7

Active Faults

P2475 Instrumental Intensity Map

1 - 2

2 - 3

3 - 4

4 - 5

5 - 6

Very Strong (VII)

Strong (VI)

Moderate (V)

Severe (VIII)

Violent (IX)

Extreme (X)

Deep Susceptibility

Detailed Susceptibility Reference Maps

Low susceptibility to deep landslides

Moderate susceptibility to deep landslides

High susceptibility to deep landslides

Shallow Susceptibility

Low susceptibility to shallow landslides

Moderate susceptibility to shallow landslides

High susceptibility to shallow landslides

Statewide Landslide Susceptibility Overview Map

Deposits

Talus-Colluvium

Head Scarp

Scarp

Very High

High

Moderate

Fan

Landslide

Highest Mt. Lidar Hillshade

11244

-21

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0.02

0.04

0.02 mi

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1:1,200

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: Michael R. Rice, PLS Phone: 503-801-7901
Address: P.O. Box 521
City: Tillamook State: OR Zip: 97141
Email: nicesurveying@outlook.com

Property Owner

Name: Case Roos Phone: 503-812-7865
Address: 20165 Blaine Road
City: Beaver State: OR Zip: 97108
Email: case.roos7@gmail.com

Location:

Site Address: 24005 Hwy. 101 S

Map Number:	3S	9W	29CB	#100
	Township	Range	Section	Tax Lot(s)

Land Division Type: ☒ Partition (Two or Three Lots, Type II) ☐ Subdivision (Four or More Lots, Type III)

☐ Preliminary Plat (Pages 1-2) ☐ Final Plat (Page 3)

☒ PRELIMINARY PLAT (LDO 060(1)(B))

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

General Information

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

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

Existing Conditions

- ☒ Existing streets with names, right-of-way, pavement widths, access points.
☒ Width, location and purpose of existing easements
☒ The location and present use of all structures, and indication of any that will remain after platting.
☐ Location and identity of all utilities on and abutting the site. If water mains and sewers are not on site, show distance to the nearest one and how they will be brought to standards
☒ Location of all existing subsurface sewerage systems, including drainfields and associated easements
- ☐ Ground elevations shown by contour lines at 2-foot vertical interval. Such ground elevations shall be related to some established benchmark or other datum approved by the County Surveyor
☐ The location and elevation of the closest benchmark(s) within or adjacent to the site
☐ Natural features such as drainage ways, rock outcroppings, aquifer recharge areas, wetlands, marshes, beaches, dunes and tide flats
☐ For any plat that is 5 acres or larger, the Base Flood Elevation, per FEMA Flood Insurance Rate Maps

☐ Other information:

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
- ☐ Profiles of proposed drainage ways
- ☐ Special studies of areas which appear to be hazardous
- ☐ 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
- ☐ 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
- ☐ 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
- ☐ 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

☐ **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
☐ Additional Information:

☐ Water
☐ Public Works

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)



Applicant Signature

4/23/25

Date

4/21/25

Date

PARTITION PLAT PROPOSAL

INST. #2025-00938
T 3 S., R. 9 W., W.M.
TILLAMOOK COUNTY, OREGON
APRIL 21st, 2025

BASIS OF BEARINGS:

THE BASIS OF BEARINGS FOR THIS PROPOSAL IS ACROSS FOUND, ORIGINAL PARTITION PLAT MONUMENTS ALONG THE NORTH LINE OF PARCEL 3, PARTITION PLAT #2023-02 (P-1197), TILLAMOOK COUNTY SURVEY RECORDS BEING (N88°47'41"E).

NARRATIVE:

THIS PROPOSAL WAS CONDUCTED AS A PROPERTY DESCRIBED AS INST. #2025-00938, TILLAMOOK COUNTY CLERK'S RECORDS.

THE LINES WERE THEN PROPOSED AS DIRECTED BY THE LANDOWNER AND APPROVED BY TILLAMOOK COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT NO. XXX-XX-XXXXXX-PLNG.

NOTE: THIS PARTITION WILL NOT BE FINALIZED UNTIL THE PROPER PLAT HAS BEEN RECORDED WITH THE TILLAMOOK COUNTY CLERKS OFFICE.

REGISTERED
LAND SURVEYOR

OREGON
MICHAEL R. RICE
86926

RENEWAL 12-31-2026

LEGEND:

- FOUND MONUMENTS.
- PROPOSED SET MONUMENTS.
- () RECORD PER PARTITION PLATS, TILLAMOOK COUNTY SURVEY RECORDS.
- NO () EQUALS MEASURED VALUE MEASURED EQUALS RECORD TILLAMOOK COUNTY SURVEY RECORDS UNLESS OTHERWISE NOTED.

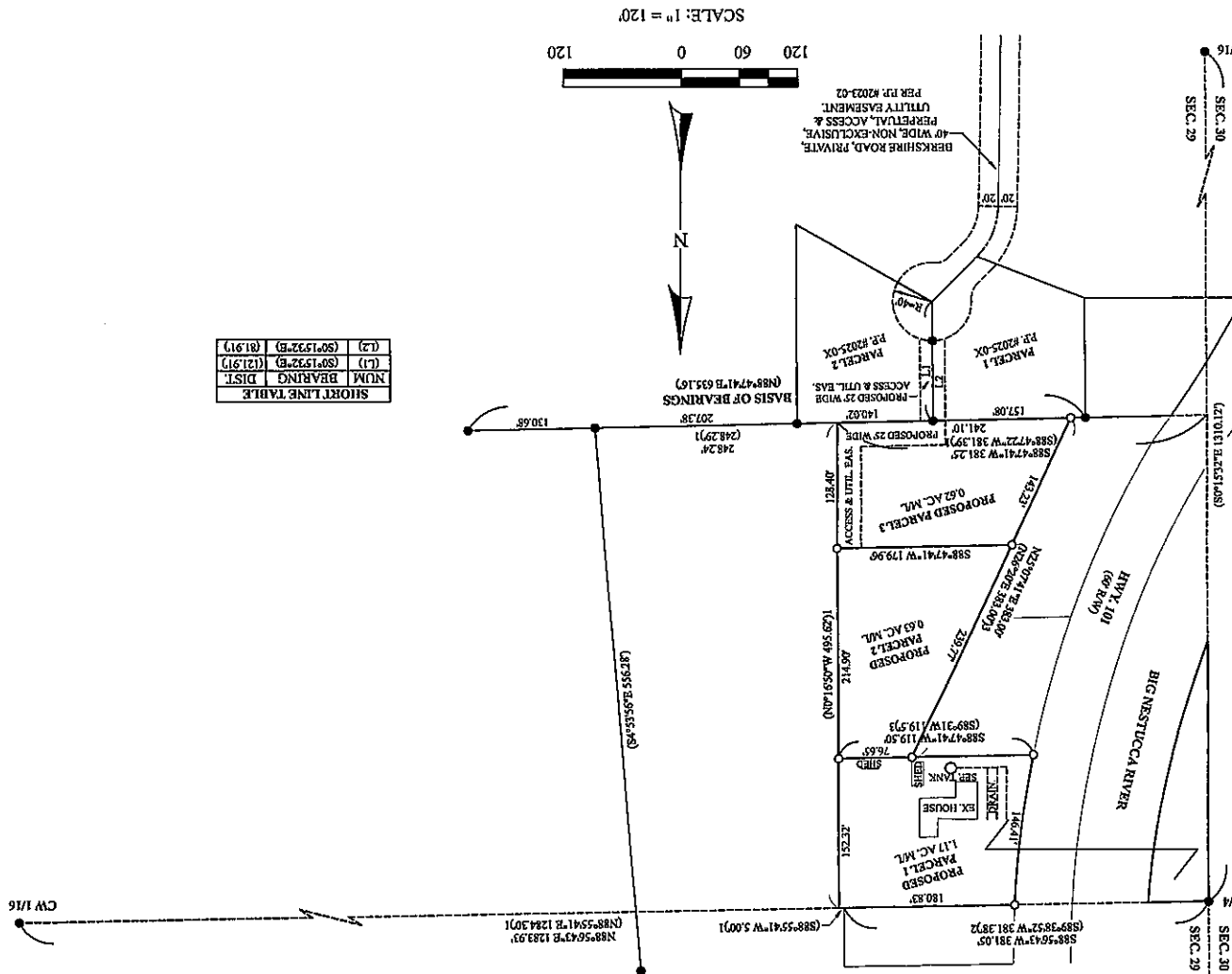
PROPOSAL FOR:
CASE ROOS
LANDS DESCRIBED IN THE NW 1/4 OF THE SW 1/4 OF SECTION 29,
T 3 S., R. 9 W., W.M.
INST. #2025-00938
TILLAMOOK COUNTY CLERK'S RECORDS



RSC
RICE SURVEYING AND CONSULTING
P.O. BOX 521
TILLAMOOK, OREGON 97141
CELL: (503) 801-7901

NUM.	BEARING	DIST.
(L2)	(S0°15'32"E)	(81.91')
(L1)	(S0°15'32"E)	(121.91')

SHORT LINE TABLE



Beaver Water District
PO Box 306
Cloverdale, OR 97112
503-457-3570
beaverwaterdistrict@outlook.com

WATER AVAILABILITY

Date: 04/24/2025

To Whom it May Concern:

This letter is to inform you that Water service is available to the following lot within our District:

Township: 3S Range: 09 Section: 29CB Tax Lot: 00100

Physical Address: 24005 Highway 101 S

According to our records the legal owner is: Case Roos

Outstanding liens against the property listed above for Water: \$ 0.00

System Development Fees:

SDC Fee will be paid upon approved Application for Service

Water In District: \$ 12,500.00 Received By: _____
**Per Unit*

Check Number: _____ Acct. No.: _____

COMMENTS: This availability letter is for a partition of TL 00100. A new tax lot number

will be submitted to the District upon the split and an SDC will be assigned to the new parcel.



Signature of Authorized Representative, Title

****No connection shall be made to water lines without a written agreement between the Beaver Water District and owner of the property. Line and connection inspections are required by the Water Operator, fees may apply. All connections shall be made in accordance with State, County, DEQ, OHA, and current plumbing guidelines.**

RECORDING REQUESTED BY:



802 Main Ave.
Tillamook, OR 97141

GRANTOR'S NAME:

Kaitlyn Payne, Trustee of The Revocable Living
Trust of Allan D. Duley

GRANTEE'S NAME:

Case Roos

AFTER RECORDING RETURN TO:

Order No.: 360424004077-SS

Case Roos
20165 Blaine Rd
Beaver, OR 97108

SEND TAX STATEMENTS TO:

Case Roos
20165 Blaine Rd
Beaver, OR 97108

APN/Parcel ID(s): 214208
24005 Highway 101 S, Cloverdale, OR
97112-9697

SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY WARRANTY DEED

Kaitlyn Payne, Trustee of The Revocable Living Trust of Allan D. Duley, Grantor, conveys and warrants to Case Roos, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Tillamook, State of Oregon:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF
THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS TWO HUNDRED SEVENTY THOUSAND AND NO/100 DOLLARS (\$270,000.00). (See ORS 93.030).

Subject to:

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

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Tillamook County, Oregon
03/14/2025 02:23:01 PM
DEED-DWARR
2025-00938
\$25.00 \$11.00 \$10.00 \$61.00 - Total = \$107.00
I hereby certify that the within instrument was received for record and recorded in the County of Tillamook, State of Oregon.

Christy Nyseth, Tillamook County Clerk

STATUTORY WARRANTY DEED
(continued)

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

Dated: 12/24/24

Revocable Living Trust of Allan D. Duley

BY: [Signature]
Kaitlyn Payne
Trustee

State of OREGON
County of TILLAMOOK

This instrument was acknowledged before me on 12/24/24 by Kaitlyn Payne,
Trustee of The Revocable Living Trust of Allan D. Duley.

[Signature]
Notary Public - State of Oregon

My Commission Expires: 5/13/25

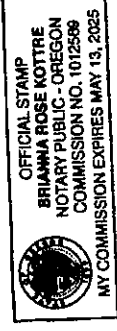


EXHIBIT "A"

Legal Description

Beginning at a point which is North 814.7 feet and East 133.3 feet from the Southwest corner of the Northwest quarter of the Southwest quarter of Section 29, Township 3 South, Range 9 West of the Willamette Meridian, in Tillamook County, Oregon;

Thence South 89° 31' West to the West line of said Section 29;

Thence North to the quarter section corner in the West boundary of said Section 29;

Thence East to a point 175 feet East of the intersection of the Easterly right of way line of U.S. Highway No. 101 with the North line of the Northwest quarter of the Southwest quarter of said Section 29;

Thence South parallel with the West line of said Section 29 to a point which is North 89° 31' East of the point of beginning;

Thence South 89° 31' West to the point of beginning.

EXCEPTING a tract described as beginning at a point which is North 814.7 feet and East 133.3 feet from the Southwest corner of the Northwest quarter of the Southwest quarter of Section 29, Township 3 South, Range 9 West of the Willamette Meridian in Tillamook County, Oregon;

Thence North 26° 20' East 383 feet;

Thence South 89° 31' West 119.5 feet to the Easterly right of way line of U.S.

Highway No. 101;

thence Southerly along said right of way line to a point which is South 89° 31' West of the point of beginning;

Thence North 89° 31' East 105.3 feet to the point of beginning.

FURTHER EXCEPTING THEREFROM that portion within the U.S. Highway No. 101 right of way.

EXHIBIT "B"

Exceptions

Subject to:

Rights of the public to any portion of the Land lying within the area commonly known as street, roads and highways.

Any adverse claim based on the assertion that any portion of the subject land has been removed from or brought within the subject land's boundaries by the process of accretion or reliction or any change in the location of Unnamed Creek.

Any adverse claim based on the assertion that any portion of the subject land has been created by artificial means or has accreted to such portions so created, or based on the provisions of ORS 274.905 through 274.940.

Any adverse claim based on the assertion that any portion of the subject land is now or at any time has been below the ordinary high water line of Unnamed Creek.

Rights of fishing, navigation, commerce, flood control, propagation of anadromous fish, and recreation, and other rights of the public, Indian tribes or governmental bodies in and to the waters of Unnamed Creek.

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

Granted to: B. L. Becker
Purpose: Water pipeline
Recording Date: January 24, 1946
Recording No: Book 93 Page 539
Affects: Reference is hereby made to said document for full particulars

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

Granted to: Edward G. King and Maude King
Purpose: Water pipeline
Recording Date: June 10, 1947
Recording No: Book 106, Page 182
Affects: Reference is hereby made to said document for full particulars

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

Granted to: Tillamook People's Utility District, a Municipal corporation
Recording Date: October 21, 1947
Recording No: Book 109 Page 138
Affects: Reference is hereby made to said document for full particulars

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

Granted to: United State of America
Purpose: Access road
Recording Date: August 20, 1957
Recording No: Book 158 Page 511
Affects: Reference is hereby made to said document for full particulars

EXHIBIT "B"

Exceptions

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

Granted to: Beaver Water District No. 49

Purpose: Water Pipeline

Recording Date: November 29, 1983

Recording No: Book 290, Page 368

Affects: Reference is hereby made to said document for full particulars