

Tillamook County, Oregon
07/17/2023 04:26:53 PM
DEED-VACAT
\$155.00 \$11.00 \$61.00 \$10.00 \$25.00 \$23.00 - Total = \$285.00
2023-003097



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

Tassi O'Neil, Tillamook County Clerk

AFTER RECORDING, RETURN AND SEND ALL TAX STATEMENTS TO:

Jade Olson & Carl Sweets
Tax Lot #T3S R09W 29CA 200
20570 R.O. Richards Road
Beaver, OR 97108

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR TILLAMOOK COUNTY, OREGON

In the Matter of the Vacation of a Portion) ORDER
of R.O. Richards Road West, Beaver) #23- 044
Tillamook County, Oregon)

This matter came before the Tillamook County Board of Commissioners on July 5th, 2023, at the request of at the request of Chris Laity, Director, Public Works at which time it appears that Road Vacation #23-568 was filed by property owners on March 2nd, 2023, in accordance with ORS 368.341. The road to be vacated is described in the attached Exhibit A.

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

1. The Road Vacation Petition #23-568 was properly filed with the Tillamook County Clerk on March 2nd, 2023, in accordance with ORS 368.341.
2. The Petitioners own 100% percent of the properties fronting the road vacation.
3. The road to be vacated is legally a Public Road.
4. The road to be vacated is a County Road.
5. Public Notices were not required as a part of this petition as indicated in ORS 368.351.

- 6. The Tillamook County Director of Public Works prepared and filed with the Board of Commissioners a written report which includes the assessment that the proposed vacation would be in the public interest, in accordance with ORS 368.351.
- 7. Therefore, after considering the Tillamook County Director of Public Work's engineer report, records, and files regarding this matter, the Board of Commissioners determines that the proposed vacation of the above described road is in the public interest and that the above described road should be vacated.

NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

- 8. In accordance with ORS 368.351, the road as described in Exhibit A be and hereby is vacated.

DATED this 5th day of July 2023.

THE BOARD OF COMMISSIONERS
FOR TILLAMOOK COUNTY, OREGON

Aye Nay Abstain/Absent

Erin D. Skaar
Erin D. Skaar, Chair

✓ _____ 1

Mary Faith Bell
Mary Faith Bell, Vice Chair

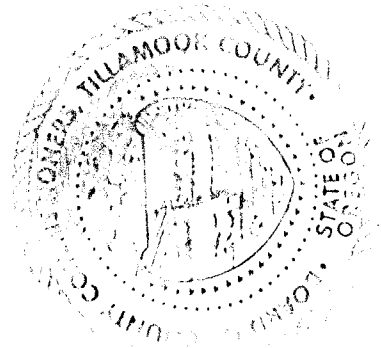
✓ _____ 1

David Yamamoto
David Yamamoto, Commissioner

✓ _____ 1

ATTEST: Tassi O'Neil
County Clerk
By: *Tessa Garland*
Special Deputy

APPROVED AS TO FORM:
William K. Sargent
William K. Sargent, County Counsel



PUBLIC WORKS DEPARTMENT



503 Marolf Loop Road
Tillamook, Oregon 97141
Roads (503) 842-3419
Solid Waste (503) 815-3975
FAX (503) 842-6473
Email: pubwks@co.tillamook.or.us
TTY Oregon Relay Service

Land of Cheese, Trees, and Ocean Breeze

**PETITION TO VACATE PUBLIC RIGHT OF WAY #568
PUBLIC WORKS STAFF REPORT**

Date: May 25th, 2023

Report Prepared by: Jasper Lind, Engineering Technician
For Chris Laity, P.E., Director

I. GENERAL INFORMATION

- Request: Petition to vacate 590 feet from the north end of the western remnant of R.O. Richards Road West (County Road #926A) in the community of Beaver, Oregon.
- Area of Interest: An area of dedicated public right of way located in Township 03 South, Range 10 West, Section 2A, of the Willamette Meridian, Tillamook, Oregon.
- Petitioner: The petitioners represent 100% of private land abutting and accessed through the right of way identified in the petition and are the sole signatories to this petition.

II. APPLICABLE STATUTES / ORDINANCES:

1. ORS 368.326 through 368.426
2. (By reference from ORS Ch. 92.180 through 92.192)

III. REVIEW:

1. Right of Way History
 - A. **Creation / Vacation / and Legalization** – Petition #568 requests the vacation of a portion of public right of way which was legalized as R.O. Richard Road West in 2015 through an as-built survey (B-3708). This road has a history of multiple attempts at legalization with varying alignments starting in 1898. In more recent history, it was treated as a county maintained road until the 1990's when a landslide destroyed a middle portion of the road. An effort to vacate the damaged right of way was undertaken, but the foundational road acceptance document could not be located. Without the required documents to establish the initial existence of the public right of way, it could not be vacated in part or in whole. This conundrum prompted an effort to legalize the two separate east and west sections of the roadway. During a public outreach phase for the western portion of R.O. Richards Road, a potential private access easement across lot #200 was suggested. However, the private easement proposal was discarded in favor of establishing the public right of way through the property.
 - B. **Property Line Adjustment** – The Tillamook County Assessor's Tax Map represents the current private parcel configuration. Upon approval of this vacation, the right of way lines will be removed from where they currently bisect the identified property. However, this will leave lot 205 geographically isolated. There are two options available to resolve this conflict. Either a new partition plat can be filed in order to unify the two parcels into one property, or a private easement can be recorded across lot 200 for access to lot 205. This would eliminate the potential inaccessibility of lot 205 through future property sales.

2. Current Petition to Vacate
 - A. The stated intent of the petitioners is to remove the public right of way from the land identified in the petition.
 - B. 100% of the abutting landowners are participating in the petition.

IV. PUBLIC ACCESS / TRANSPORTATION SYSTEM or FINANCIAL IMPACT:

1. There is no impact on the county-wide transportation system.
2. There are no financial costs to Tillamook County.
3. This petition results in the conversion of land with no practical public value to private ownership.
4. This petition has no impact on access to beaches or other recreational property.
5. This petition would reduce trespassing across existing private property to access the Nestucca River.

V. STATUS OF PUBLIC UTILITIES

1. The sole utility within this section of right of way is the Beaver Water District. There is a waterline with a blowoff valve at this location. A utility easement has already been recorded between the petitioners and the water district which addresses access, maintenance, and replacement of this infrastructure. Any future development shall include private agreements between individual landowners and their chosen utility providers.

VI. PETITION CONCLUSION AND RECOMMENDATIONS:

1. Tillamook county engineering staff have reviewed the subject petition, its supporting documentation, and have visited the site.
2. The subject property is located entirely within the existing property boundaries of tax lot #200 (3S0929CA00200). The precise footprint of this area is delineated in an attached legal description and a survey map.
3. The expressed intent of the petitioners is to remove all remaining public right of way in the area described in their petition.
4. Engineering staff recommends **Approval** of Vacation Petition #568 **with the following conditions:**
 - A. Approval of this petition for vacation in no way relieves the affected properties, their heirs or assigns, from easements or encumbrances not identified herein.
 - B. All fees associated with professional services, document preparation and public recording are to be the sole responsibility of the petitioners. Final field survey and mapping are to be completed based on BOCC approval with all recording to be completed within one calendar year.
 - C. It is the sole responsibility of the petitioners to establish and maintain access and utility easements as may be necessary to facilitate existing and future access, ingress, egress, and utilities over and across the land affected by approval of this petition.

VII. EXHIBIT LIST:

1. Petition verification letters from Tillamook County Clerk & Assessor
2. Original petition
 - A. Legal description of the area to be vacated.
 - B. Most recent survey of the area to be vacated.
 - C. Recorded utility easement.
 - D. Recorded access easement.
3. Images from satellite and local perspective



Land of Cheese, Trees and Ocean Breeze

**TASSI O'NEIL
TILLAMOOK COUNTY CLERK
201 LAUREL AVENUE
TILLAMOOK, OR 97141
(503) 842-3402**

Received

MAR 02 2023

Tillamook County
Board of Commissioners

Tillamook County Board of Commissioners
201 Laurel Avenue
Tillamook, OR 97141

**RE: Petition No. 568 – Petition to vacate a section of R O Richards Rd in
the community of Beaver.**

Dear Commissioners:

Enclosed is a certified copy of Petition No. 568 filed March 2, 2023, to vacate a portion
of R O Richards Rd in the community of Beaver.

Certification from the Assessor regarding ownership was received on March 2, 2023, a
copy of which is enclosed along with a certified copy of the Petition.

Thank you in advance for your assistance in this matter.

Sincerely,

Christy Biggs
Chief Deputy County Clerk

Enclosures

Tillamook County
Department of Assessment and Taxation
201 Laurel Avenue
Tillamook, Oregon 97141

FILED
MAR - 2 2023
TASSI O'NEIL
COUNTY CLERK

March 2, 2023

Tassi O'Neil
Tillamook County Clerk
201 Laurel Avenue
Tillamook, Oregon 97141

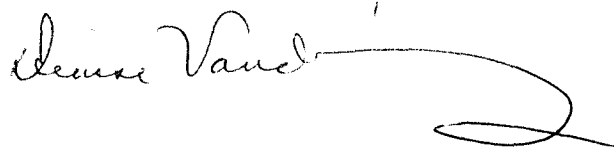
RE: Petition No. 568 – Petition to vacate a section of R O Richards Rd in the community of Beaver

Dear Ms. O'Neil:

I have researched our records and certify that the petitioners are the adjacent landowners in the proposed vacation.

This certification is in accordance with ORS 368.341(3)(f).

Respectfully,



Denise Vandecoevering
Assessor & Tax Collector

cc. Wendy Schink, GIS Cartographic Analyst
cc. KaSandra Larson, Chief Deputy of Assessment & Taxation

568

FILED

MAR 02 2023

TASSI O'NEIL
COUNTY CLERK

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR TILLAMOOK COUNTY, OREGON

IN THE MATTER OF THE VACATION OF)	
<u>A section of west R O Richards Rd</u>)	PETITION TO VACATE
<u>in the community of Beaver, OR</u>)	

I. The undersigned person(s) hereby petitions the Tillamook County Board of Commissioners to vacate the following described property:

The last 590ft of the western remnant of R O Richards Rd which divides
the property 3S0929CA00200 (tax lot 200) and ends at property
3S0929CA00205 (tax lot 205). Both of these lots are owned by the applicants.

(Use separate sheet if more space is needed)
and certifies that all information contained in this Petition is true and complete.

II. The reasons for requesting this vacation are:

We are at the end of a dead end road and the only people who need
to use this portion of the road. Vacation would relieve traffic through our
property, of people looking for boat access. Vacation would make the property
more private increasing value and county revenue while alleviating any
maintenance costs for the county.

(Use separate sheet if more space is needed)

III. Names and addresses of all persons holding any recorded interest in the property proposed to be vacated are:

NAME & ADDRESS	DESCRIPTION OF INTEREST
<u>Tillamook Public Works</u>	<u>Public Right of Way</u>

(Use separate sheet if more space is needed)

IV. The names and addresses of all persons (including utilities) owning any improvements constructed on the property proposed to be vacated:

Beaver Water District. 24570 US 101S Cloverdale, OR 97112

(an easement has been made to address this issue)

(Use separate sheet if more space is needed)

V. The names and addresses of all persons owning any real property abutting the property proposed to be vacation are:

NAME & ADDRESS

DESCRIPTION OF PROPERTY

(Use Tax Lot No. if available)

Jade Olson. 20570 R O Richards Rd Tax Lot 200 &205

Beaver, OR 97108

Carl Sweets. 20570 R O Richards Rd Tax Lot 200 &205

Beaver, OR 97108

(Use separate sheet if more space is needed)

VI. Attached to this Petition are 1 pages containing the notarized signatures of:

- Owners of 100% of the land abutting the property proposed to be vacated.
- Owners of at least 60% of the land abutting the property proposed to be vacated.
- At least 60% of the owners of the land abutting the property proposed to be vacated.

VII. The property proposed to be vacated:

- Will not be redivided in any manner.
- Will be redivided as shown on the attached subdivision or partition plan.

TILLAMOOK COUNTY
PETITION TO VACATE
SIGNATURE SHEET

Signature required in Section VI of the Petition to Vacate the following described property:

The last 590 feet of the western segment of R O Richards Rd where
it passes through tax lot 03S929CA00200

Description of owned property that abuts the property proposed to be vacated (Use legal description or Tax Lot Number)

Township 03 South, Range 09 West, Section 29CA, Tax Lot 200
Township 03 South, Range 09 West, Section 29CA, Tax Lot 205

I certify that I am the owner of property that abuts the property proposed to be vacated, and approve of the proposed vacation

Signed and Dated this 2 day of March, 2023

[Signature]
Signature

20570 RO Richards Rd
Address

[Signature]
Signature

Beaver, OR 97108
City, State, Zip

ACKNOWLEDGEMENT

NOTARY PUBLIC)
STATE OF OREGON)
County of Tillamook)

ss.

On March 2, 2023, the above named person appeared before me and acknowledged the foregoing instrument to be a voluntary act and deed.



[Signature]
Notary Public for the State of Oregon
My Commission Expires: April 15, 2023



700 ft



AS-BUILT AND ROAD LEGALIZATION SURVEY FOR C. JOHNSON COUNTY ROAD AND J.H. ELLISON COUNTY ROAD FOR THE TILLAMOOK COUNTY BOARD OF COMMISSIONERS AND THE TILLAMOOK COUNTY PUBLIC WORKS DEPARTMENT. THE PROPOSED ROAD LEGALIZATION TO BE NAMED R.O. RICHARDS ROAD WEST AND R.O. RICHARDS ROAD EAST

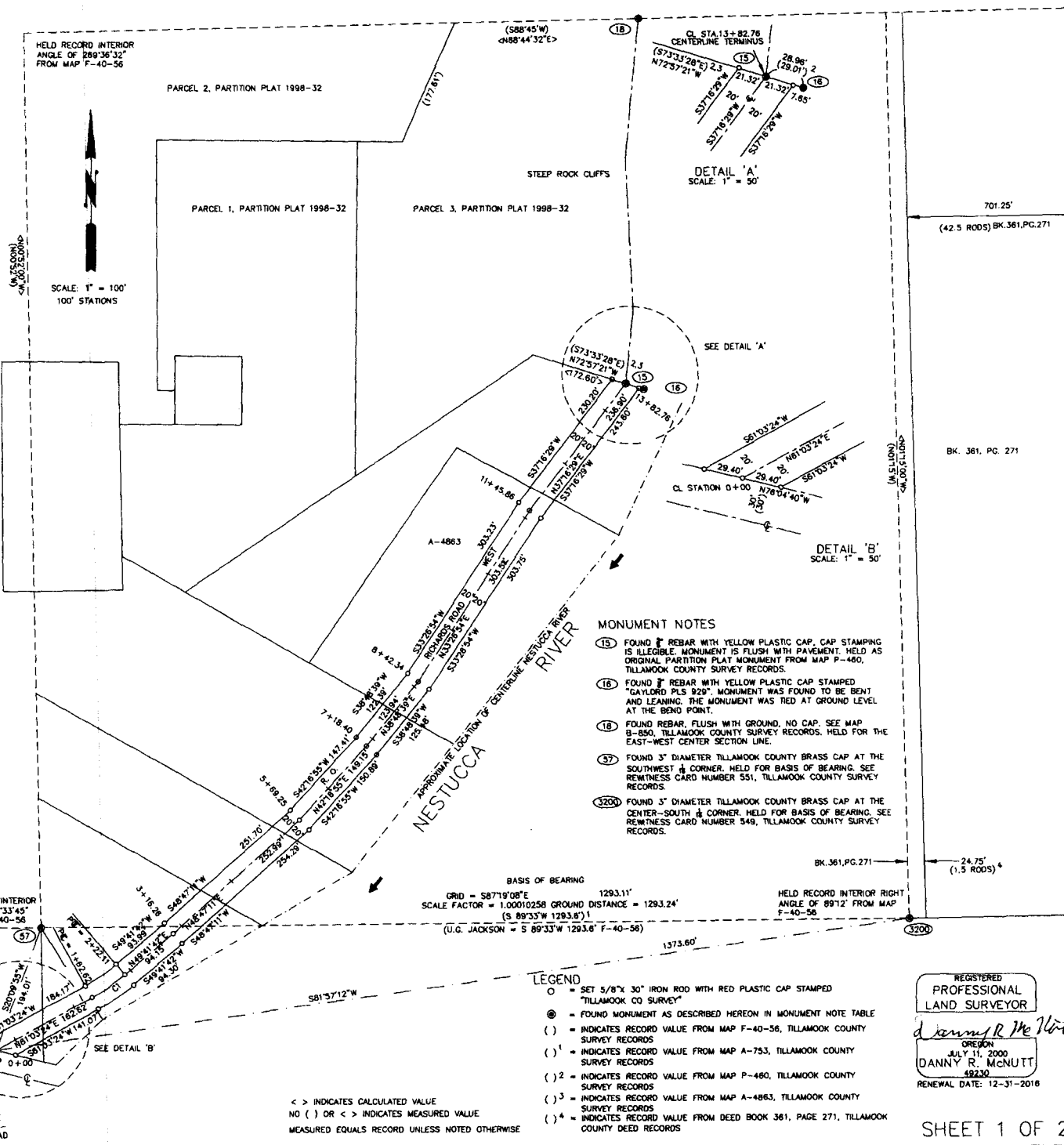
NARRATIVE

THIS SURVEY IS AN ORIGINAL SURVEY TO MONUMENT THE AS-BUILT LOCATION OF THE ROAD KNOWN AS R.O. RICHARDS ROAD. J.H. ELLISON ROAD - ROAD PETITION #64 1887 80' WIDE BY STATUTE BECAUSE WIDTH IS NOT STATED IN PETITION. R.R. HAYES, SURVEYOR; COUNTY COURT JOURNAL A, PAGE 153; SEE TILLAMOOK COUNTY SURVEY F-11-31. C. JOHNSON ROAD - ROAD PETITION #11 1891 40' WIDE AS STATED IN ROAD PETITION; J.D. EDWARDS, SURVEYOR; R.O. RICHARDS ROAD - ROAD PETITION #119 BEGAN 1898, PETITION REJECTED IN 1907, NEVER LEGALIZED; LEGAL DESCRIPTION IN REJECTED PETITION CLEARLY DESCRIBES A ROAD CROSSING THE RIVER AND THENCE RUNS SOUTH OF THE NESTUCCA RIVER IN AN EASTERLY DIRECTION. TILLAMOOK COUNTY COURT RECORDS BOOK 194, PAGE 497, 1964 VACATION OF A PORTION OF THE REJECTED "R.O. RICHARDS ROAD"; THE LOCATION OF THE AS-BUILT PAVEMENT WAS FIRST SURVEYED BY W.E. ANDERSON, TILLAMOOK COUNTY SURVEYOR. THIS WORK CAN BE FOUND ON TILLAMOOK COUNTY SURVEYOR MAP F-22-11, TILLAMOOK COUNTY SURVEY RECORDS. THIS WORK APPARENTLY SPANNED A PERIOD FROM 1928 TO 1948 AND LEGALIZATION PROCESS WAS EVER COMPLETED. THE 2015 AS-BUILT SURVEY COMPLETED BY THE TILLAMOOK COUNTY SURVEYOR'S OFFICE IS SIMILAR TO THE 1948 SURVEY AND SERVES AS A CHECK AND VALIDATION OF OUR CURRENT (2015) FIELD WORK. THE ELLISON ROAD DESCRIPTION AT THE BEGINNING OF THE EXISTING "R.O. RICHARDS ROAD" CAN BE POSITIONED TO "BEST FIT" THE EXISTING PAVED ROADWAY UP TO THE POINT WHERE ELLISON ROAD TURNS SOUTH AND FORDS THE NESTUCCA RIVER AND CONTINUING EAST TO THE TOWNSHIP LINE. THIS POINT IS APPROXIMATELY 285 FEET SOUTH OF A FOUND MONUMENT ALONG THE SOUTH LINE OF PARCEL 3 OF PARTITION PLAT 1998-32, MAP P-480 AND BEING THE SOUTH LINE OF THE CASSELMAN TRACT, SEE WARRANTY DEED BOOK 408, PAGE 613, TILLAMOOK COUNTY DEED RECORDS. THIS POINT OF ANGLE CHANGE IN THE ELLISON ROAD LEGAL DESCRIPTION IS LOCATED AT A POINT SOMEWHERE IN THE MIDDLE OF THE STEVENS TRACT, SEE INSTRUMENT NUMBER 2014-5600, TILLAMOOK COUNTY DEED RECORDS. THE JOHNSON ROAD PETITION ALIGNMENT DESCRIPTION DOES NOT FIT WELL IN THIS AREA WITH THE EXISTING ASPHALT PAVEMENT. HOWEVER, THE MAP THAT WAS DRAWN AND INCLUDED IN THE PETITION SHOWS THE ROAD BEING CLOSER TO THE NESTUCCA RIVER THAN LOCATED IN THE LEGAL DESCRIPTION. THE AS-BUILT ROADWAY NEEDS TO BE LEGALIZED TO THE CASSELMAN OWNERSHIP. THE SUGGESTION OF THIS OFFICE IS THAT ELLISON ROAD BE LEGALIZED AT 40 FEET WIDE AND REFERRED TO AS "R.O. RICHARDS ROAD WEST". THE JOHNSON ROAD PETITION ALIGNMENT FITS RELATIVELY WELL WITH THE EXISTING AS-BUILT ROADWAY ALONG THE EASTERN PORTION OF WHAT IS NOW CALLED "R.O. RICHARDS ROAD". THE ONLY SIGNIFICANT DIVERGENCE IS AT THE INTERSECTION OF BEAVER-BLAINE ROAD. THE EXISTING ROADWAY RUNS IN A MORE NORTH-SOUTH DIRECTION RATHER THAN FOLLOWING THE TOE OF THE EXISTING SLOPE. ADDITIONAL RIGHT-OF-WAY (SEE MAP B-2099) WAS ACQUIRED BY THE COUNTY ALONG THE WEST SIDELINE TO ACCOMMODATE FOR THE CURRENT POSITION OF THE INTERSECTION. THE EXISTING PARTITIONING (P-888 AND P-66), EXISTING BOUNDARY SURVEYS AND FOUND MONUMENTATION WAS HELD FOR LEGALIZING THE CURRENT POSITION OF THE ASPHALT ROADWAY. THE SUGGESTION OF THIS OFFICE IS TO LEGALIZE JOHNSON ROAD FROM THE INTERSECTION OF THE BEAVER-BLAINE ROAD TO A POINT ON THE SOUTHERLY BOUNDARY OF NESTUCCA FORESTS LLC. SEE INSTRUMENT NUMBER 2008-7726, TILLAMOOK COUNTY DEED RECORDS. IT IS SUGGESTED THAT JOHNSON ROAD BE LEGALIZED AT 40 FEET WIDE AND REFERRED TO AS "R.O. RICHARDS ROAD EAST".

LOCATED IN THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER, A PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER AND THE NORTH HALF OF THE SOUTHEAST QUARTER, IN SECTION 29, TOWNSHIP 3 SOUTH, RANGE 9 WEST OF THE WILLAMETTE MERIDIAN; TILLAMOOK COUNTY, OREGON.

OCTOBER 21, 2015

MAP PREPARED BY: TILLAMOOK COUNTY SURVEYOR'S OFFICE 1510 THIRD STREET, SUITE C TILLAMOOK, OREGON 97141



MONUMENT NOTES

- (15) FOUND 1/2\"/>

LEGEND

- = SET 5/8\"/>

REGISTERED PROFESSIONAL LAND SURVEYOR
DANNY R. McNUITT
JULY 11, 2000
49230
RENEWAL DATE: 12-31-2018

Exhibit 2.A



6950 SW Hampton St., Ste. 170
Tigard, OR 97223-8330
Ph.: (503) 941-9585
Fax: (503) 941-9640
www.weddlesurveying.com

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 13, 2004
ANTHONY B. RYAN
58833

RENEWAL DATE: DECEMBER 31, 2022

October 25, 2022

Job No. 6432

LEGAL DESCRIPTION for Road Vacation

EXHIBIT "A"

A tract of land for Road Vacation purposes in the S.W. 1/4 of Section 29, Township 3 South, Range 9 West, Willamette Meridian, Tillamook County, Oregon, described as follows:

Beginning at the intersection of the South line of Parcel 3 of Partition Plat No. 1998-32 and the Westerly right-of-way line of R.O. Richards Road West, 40.00 feet wide, thence along said Westerly right-of-way line, South 37°16'29" West, 230.20 feet;

Thence South 33°26'54" West, 303.23 feet;

Thence South 38°48'39" West, 57.10 feet to the Northeasterly line of that tract of land described in Statutory Warranty Deed to Allyn I. Ray and Britty J. Ray, recorded April 13, 2015 as Document No. 2015-001914, Tillamook County Records;

Thence along said Northeasterly line, South 63°43'20" East, 40.98 feet to a point on the Easterly right-of-way line of said R.O. Richards Road West;

Thence leaving said Ray tract along said Easterly right-of-way line, North 38°48'39" East, 50.10 feet;

Thence North 33°26'54" East, 303.75 feet;

Thence North 37°16'29" East, 243.60 feet to the Southerly line of said Parcel 3;

Thence along said Southerly line, North 72°57'21" west, 42.64 feet to the Point of Beginning.

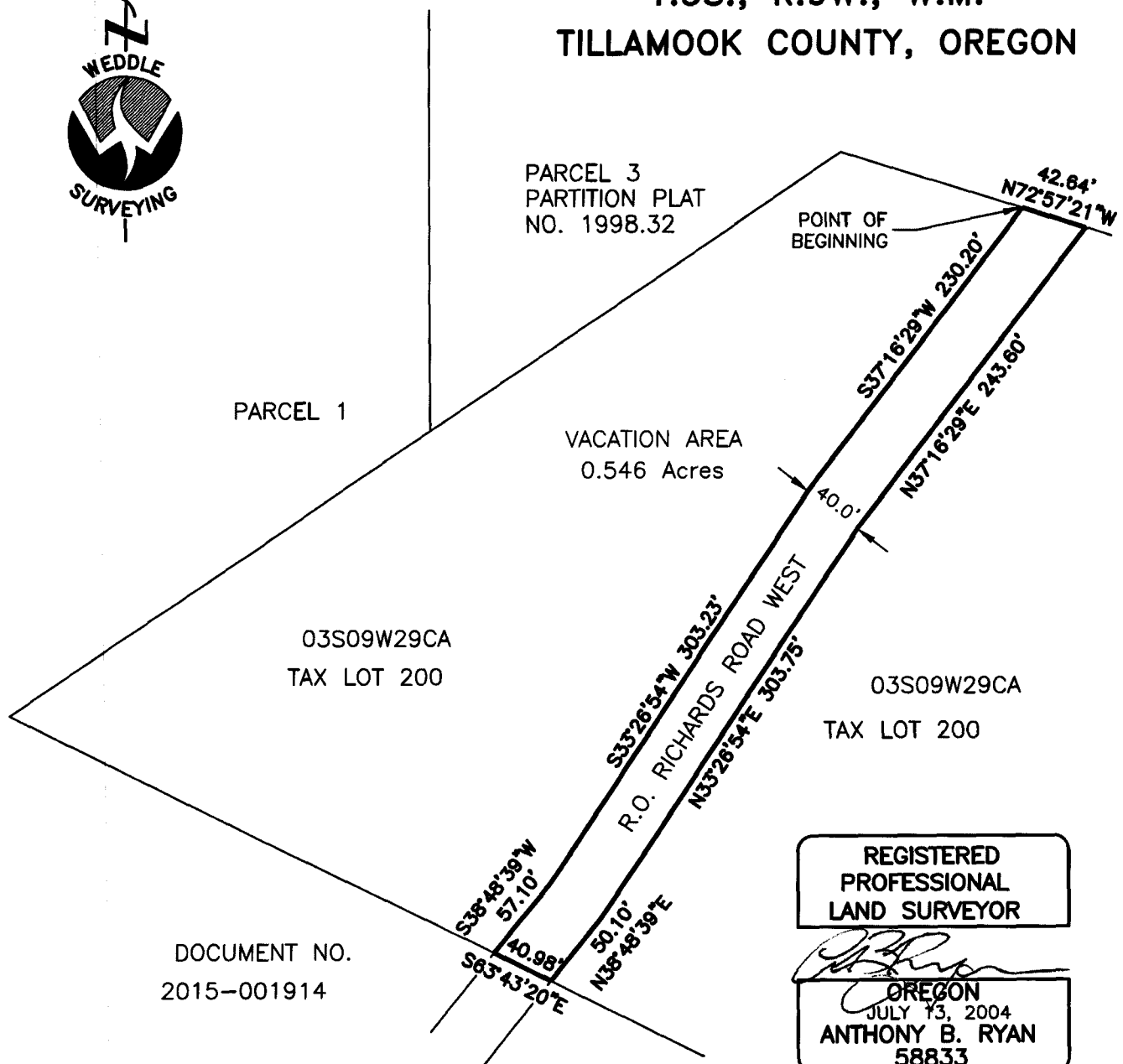
Containing therein 0.546 acres, more or less.

The Basis of Bearings for this description is per Survey No. B-3708, Tillamook County Survey Records.

EXHIBIT B

ROADWAY VACATION

IN THE S.W. 1/4 SECTION 29
T.3S., R.9W., W.M.
TILLAMOOK COUNTY, OREGON



DOCUMENT NO.
2015-001914

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Anthony B. Ryan
OREGON
JULY 13, 2004
ANTHONY B. RYAN
58833

EXPIRES: DECEMBER 31, 2022



SCALE: 1" = 100'

OCT. 25, 2022



6950 SW HAMPTON ST., STE. 170, TIGARD, OR 97223
PH: (503) 941-9585 FAX: (503) 941-9640
www.weddlesurveying.com

JOB NO. 6432

Exhibit 2.C

Tillamook County, Oregon 2023-000890

03/03/2023 09:28:03 AM

DEED-ESMAT

\$20.00 \$11.00 \$61.00 \$10.00 - Total = \$102.00



0023371120230008900040045

RECORDING COVER SHEET

PER ORS 205.234

THIS COVER SHEET HAS BEEN PREPARED BY THE PERSON PRESENTING THE ATTACHED INSTRUMENT FOR RECORDING. ANY ERRORS IN THIS COVER SHEET DOES NOT AFFECT THE TRANSACTION(S) CONTAINED IN THE INSTRUMENT ITSELF.

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

Tassi O'Neil, Tillamook County Clerk

AFTER RECORDING RETURN TO:

Name and address of the person authorized to receive the instrument after recording, as required by ORS 205.180(4) and ORS 205.238

Jade Olson
20570 R O Richards Rd
Beaver, OR 97108

*** RERECORDING TO CORRECT

Blank lines for recording details

PREVIOUSLY RECORDED IN BOOK AND PAGE, or AS FEE NUMBER

Year Document #

1. NAME(S) OF THE TRANSACTION(S), described in the attached instrument and required by ORS 205.234(A)
NOTE: Transaction as defined by ORS 205.010 "means any action required or permitted by state law or rule federal law or regulation to be recorded including, but not limited to, any transfer, encumbrance or release affecting title to or an interest in real property".

Easement for access

2. Grantor(s) as described in ORS 205.160.

Jade Olson
Carl Sweets

3. Grantee(s) as described in ORS 205.160.

Beaver Water District

4. TRUE AND ACTUAL CONSIDERATION PAID for instruments conveying or contracting to convey fee title to any real estate and all memoranda of such instruments, reference ORS 93.030.

N/A

5. UNTIL A CHANGE IS REQUESTED, ALL TAX STATEMENTS SHALL BE SENT TO THE FOLLOWING ADDRESS: for instruments conveying or contracting to convey fee title to any real estate reference ORS 93.260.

N/A


Easement for access

This Document once notarized grants unlimited unobstructed access to Beaver Water District for the purpose of maintenance and repairs to water lines and valves also access to future extensions or improvements at 20570 RO Richards RD.

This includes the area within 5 feet to either side of the described waterlines for access by excavation equipment if replacement of water lines or valves is needed.

Although most work is done during normal business hours Beaver water District may Require access to the equipment any time day or night for repairs therefore any gates or entry points to the property obstructing access to our equipment must either remain unlocked or a key or passcode must be provided to Beaver Water District.

Property owner:

Signature:  Date: 3/2/23

Print Name: Jade Olson

Property owner:

Signature:  Date: 3/2/23

Print Name: CAP SWEETS

Authorized Beaver Water District Rep:

Signature:  Date: 3/2/23

Print Name: Larry Chitwood

Notary: see attached certification

Acknowledgment in an Individual Capacity

State of OREGON

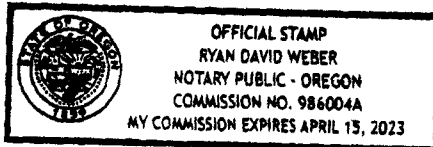
County of Tillamook

This record was acknowledged before me on (date) March 2, 2023 by

(name(s)) of individual(s) Jude Olson and Carl Sweets.


Notary Public - State of Oregon

Official Stamp



Document Description

This certificate is attached to page 1 of an Easement of Access (title or type of document), dated March 2, 2023, consisting of 1 pages.

LEGAL DESCRIPTION FOR EASEMENT

A tract of land for easement purposes in the S.W. 1/4 of Section 29, Township 3 South, Range 9 West, Willamette Meridian, Tillamook County, Oregon, described as follows:

Beginning at the intersection of the South line of Parcel 3 of Partition Plat No. 1998-32 and the Westerly right-of-way line of R.O. Richards Road West, 40.00 feet wide, thence along said Westerly right-of-way line, South 37°16'29" West, 230.20 feet;

Thence South 33°26'54" West, 303.23 feet;

Thence South 38°48'39" West, 57.10 feet to the Northeasterly line of that tract of land described in Statutory Warranty Deed to Allyn I. Ray and Britty J. Ray, recorded April 13, 2015 as Document No. 2015-001914, Tillamook County Records;

Thence along said Northeasterly line, South 63°43'20" East, 40.98 feet to a point on the Easterly right-of-way line of said R.O. Richards Road West;

Thence leaving said Ray tract along said Easterly right-of-way line, North 38°48'39" East, 50.10 feet;

Thence North 33°26'54" East, 303.75 feet;

Thence North 37°16'29" East, 243.60 feet to the Southerly line of said Parcel 3;

Thence along said Southerly line, North 72°57'21" west, 42.64 feet to the Point of Beginning. Containing therein 0.546 acres, more or less.

The Basis of Bearings for this description is per Survey No. B-3708, Tillamook County Survey Records.

Tillamook County, Oregon
06/14/2023 10:57:30 AM
DEED-ESMAT
\$20.00 \$11.00 \$81.00 \$10.00 - Total = \$102.00
2023-002510



RECORDING COVER SHEET
PER ORS 205.234

THIS COVER SHEET HAS BEEN PREPARED BY THE PERSON PRESENTING THE ATTACHED INSTRUMENT FOR RECORDING. ANY ERRORS IN THIS COVER SHEET DOES NOT AFFECT THE TRANSACTION(S) CONTAINED IN THE INSTRUMENT ITSELF.

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

Tassi O'Neil, Tillamook County Clerk

AFTER RECORDING RETURN TO:

Name and address of the person authorized to receive the instrument after recording, as required by ORS 205.180(4) and ORS 205.238

JADE OLSON
20570 RO Richards Rd
Beaver, OR 97008

***** RERECORDING TO CORRECT**

PREVIOUSLY RECORDED IN BOOK _____
AND PAGE _____, or AS FEE NUMBER _____

Year _____ Document # _____

1. **NAME(S) OF THE TRANSACTION(S)**, described in the attached instrument and required by ORS 205.234(A)
NOTE: Transaction as defined by ORS 205.010 "means any action required or permitted by state law or rule federal law or regulation to be recorded including, but not limited to, any transfer, encumbrance or release affecting title to or an interest in real property".

Easement for access

2. **Grantor(s)** as described in ORS 205.160.

Jade Olson
Carl Sweets

3. **Grantee(s)** as described in ORS 205.160.

Jade Olson
Carl Sweets

4. **TRUE AND ACTUAL CONSIDERATION PAID** for instruments conveying or contracting to convey fee title to any real estate and all memoranda of such instruments, reference ORS 93.030.

N/A

5. **UNTIL A CHANGE IS REQUESTED, ALL TAX STATEMENTS SHALL BE SENT TO THE FOLLOWING ADDRESS:** for instruments conveying or contracting to convey fee title to any real estate reference ORS 93.260.

N/A

EASEMENT FOR ACCESS

LEGAL DESCRIPTION FOR EASEMENT granted to lot 3S0929CA00205 (tax lot 205) for a tract of land in lot 3S0929CA00200 (tax lot 200). The easement grants Jade Olson and Carl Sweets access to land owned by Jade Olson and Carl Sweets.

A tract of land for easement purposes in the S.W. 1/4 of Section 29, Township 3 South, Range 9 West, Willamette Meridian, Tillamook County, Oregon, described as follows:

Beginning at the intersection of the South line of Parcel 3 of Partition Plat No. 1998-32 and the Westerly right-of-way line of R.O. Richards Road West, 40.00 feet wide, thence along said Westerly right-of-way line, South 37°16'29" West, 230.20 feet;

Thence South 33°26'54" West, 303.23 feet;

Thence South 38°48'39" West, 57.10 feet to the Northeasterly line of that tract of land described in Statutory Warranty Deed to Allyn I. Ray and Britty J. Ray, recorded April 13, 2015 as Document No. 2015-001914, Tillamook County Records;

Thence along said Northeasterly line, South 63°43'20" East, 40.98 feet to a point on the Easterly right-of-way line of said R.O. Richards Road West;

Thence leaving said Ray tract along said Easterly right-of-way line, North 38°48'39" East, 50.10 feet;

Thence North 33°26'54" East, 303.75 feet;


Thence North 37°16'29" East, 243.60 feet to the Southerly line of said Parcel 3;

Thence along said Southerly line, North 72°57'21" west, 42.64 feet to the Point of Beginning. Containing therein 0.546 acres, more or less.

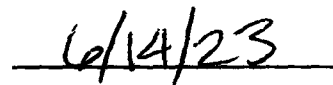
The Basis of Bearings for this description is per Survey No. B-3708, Tillamook County Survey Records.

Property Owners

Date



Jade Olson





Carl Sweets

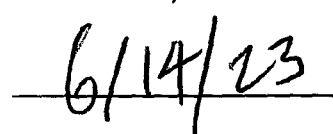


EXHIBIT B

ROADWAY VACATION

IN THE S.W. 1/4 SECTION 29

T.3S., R.9W., W.M.

TILLAMOOK COUNTY, OREGON



PARCEL 3
PARTITION PLAT
NO. 1998.32

PARCEL 1

POINT OF
BEGINNING

VACATION AREA
0.546 Acres

03S09W29CA
TAX LOT 200

03S09W29CA
TAX LOT 200

DOCUMENT NO.
2015-001914

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Anthony B. Ryan
OREGON
JULY 13, 2004
ANTHONY B. RYAN
58833

EXPIRES: DECEMBER 31, 2022



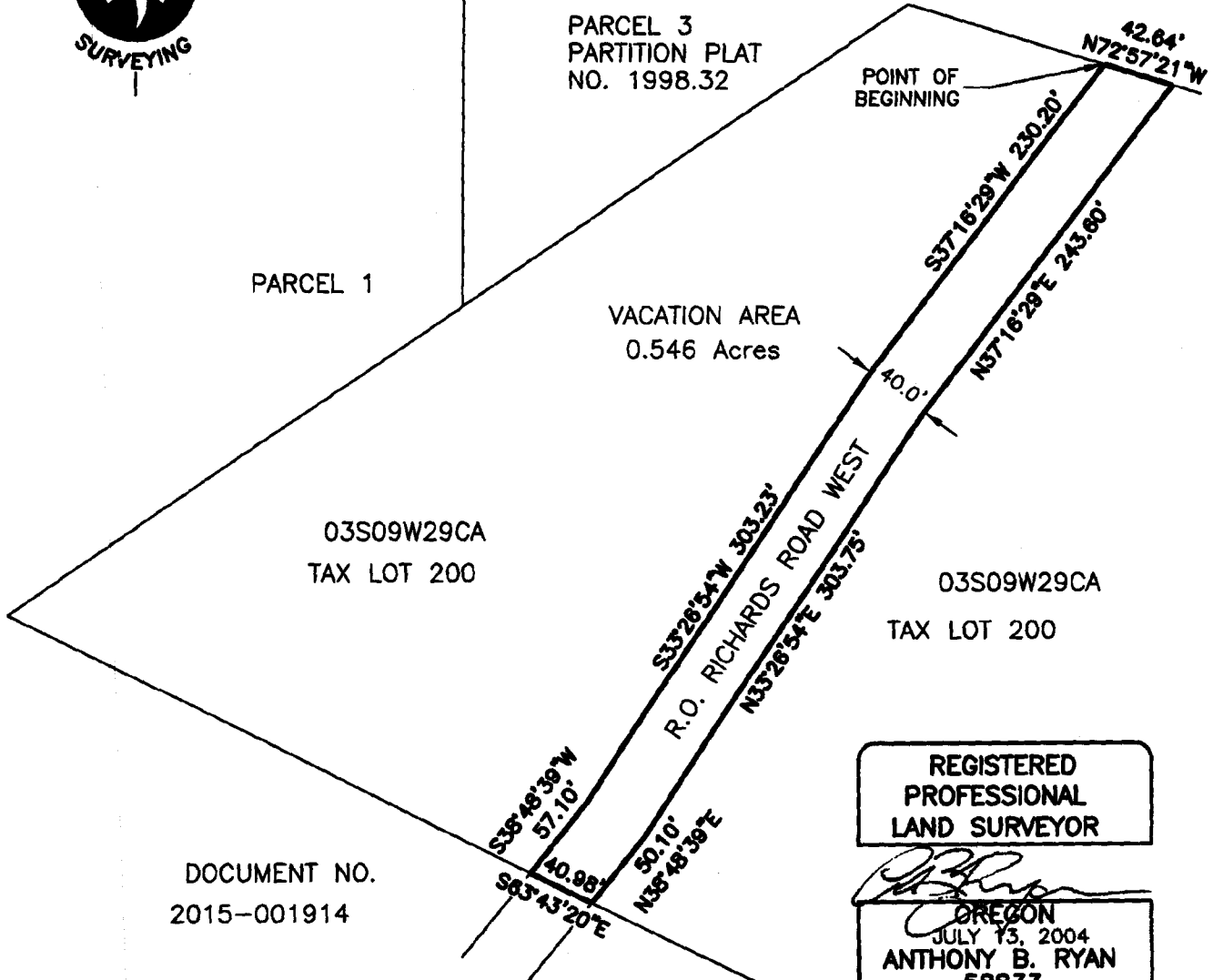
SCALE: 1" = 100'

OCT. 25, 2022



6950 SW HAMPTON ST., STE. 170, TIGARD, OR 97223
PH: (503) 941-9585 FAX: (503) 941-9640
www.weddlesurveying.com

JOB NO. 6432



Notary Form

State of: Oregon

County of: Tillamook

On 6/14/2023 before me, Maygen Brogden
(notary)

Personally appeared, Sade Olson, Carl Sweets
(signers)

Personally known to me

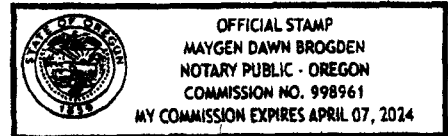
OR

Proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and has hereby acknowledged to me that he/she/they have executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

Witness my hand and official seal

Maygen Brogden
Notary Signature

Maygen Brogden
Print Name



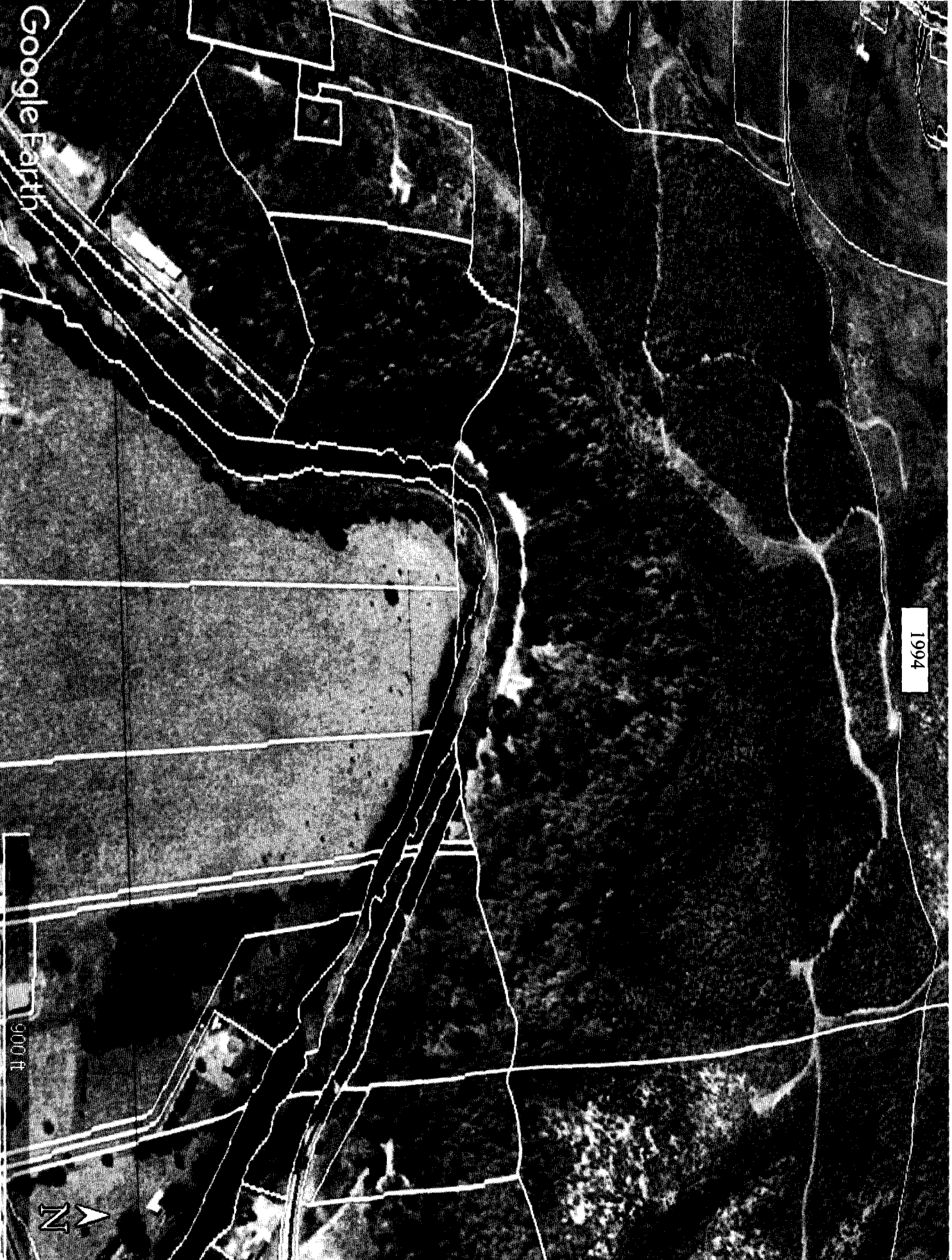
Go to www.AtYourBusiness.com for more free business forms

See attached Page



Exhibit 3

1994



Google Earth

9000 ft





2000

900 ft

Google Earth



2021

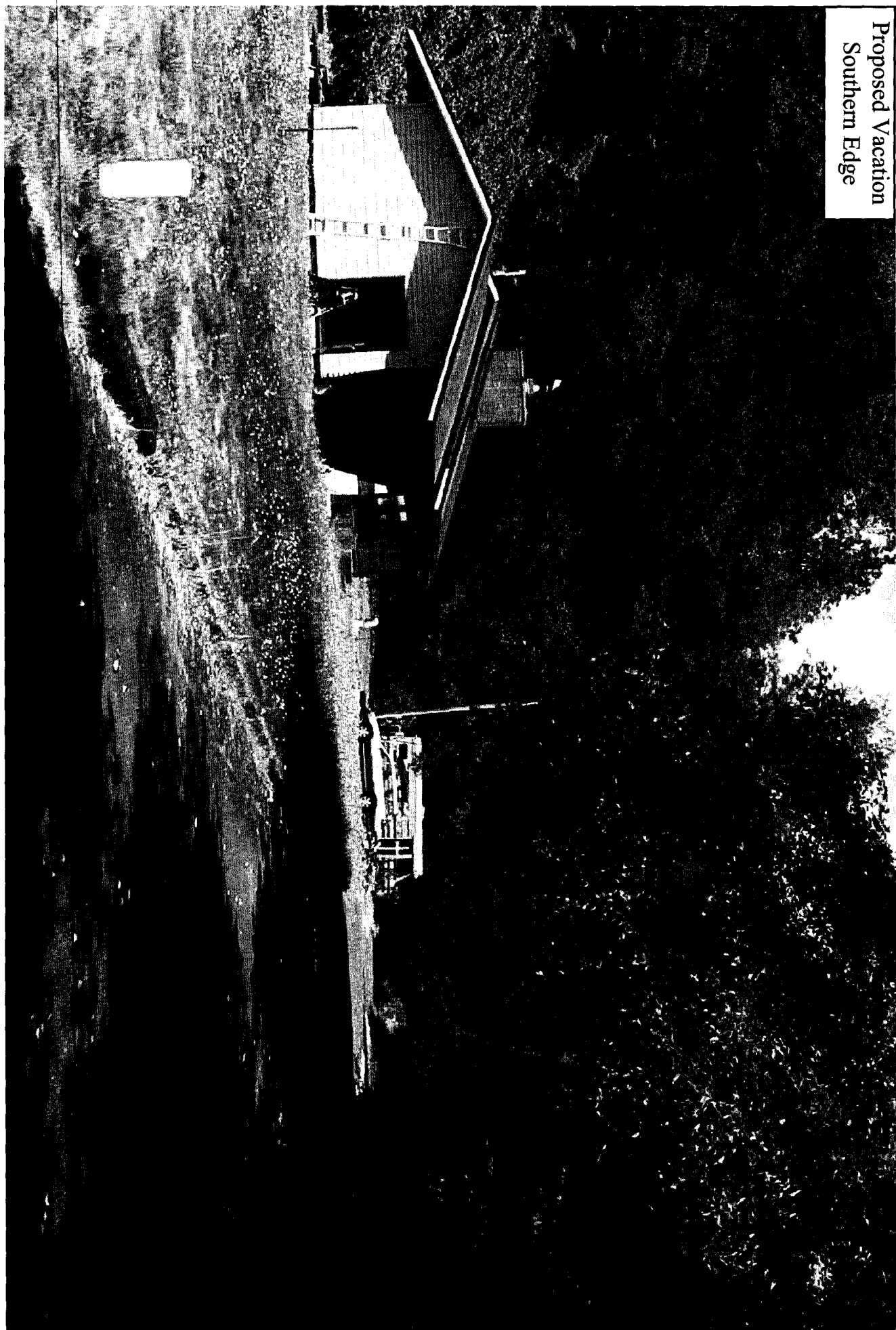


Google Earth

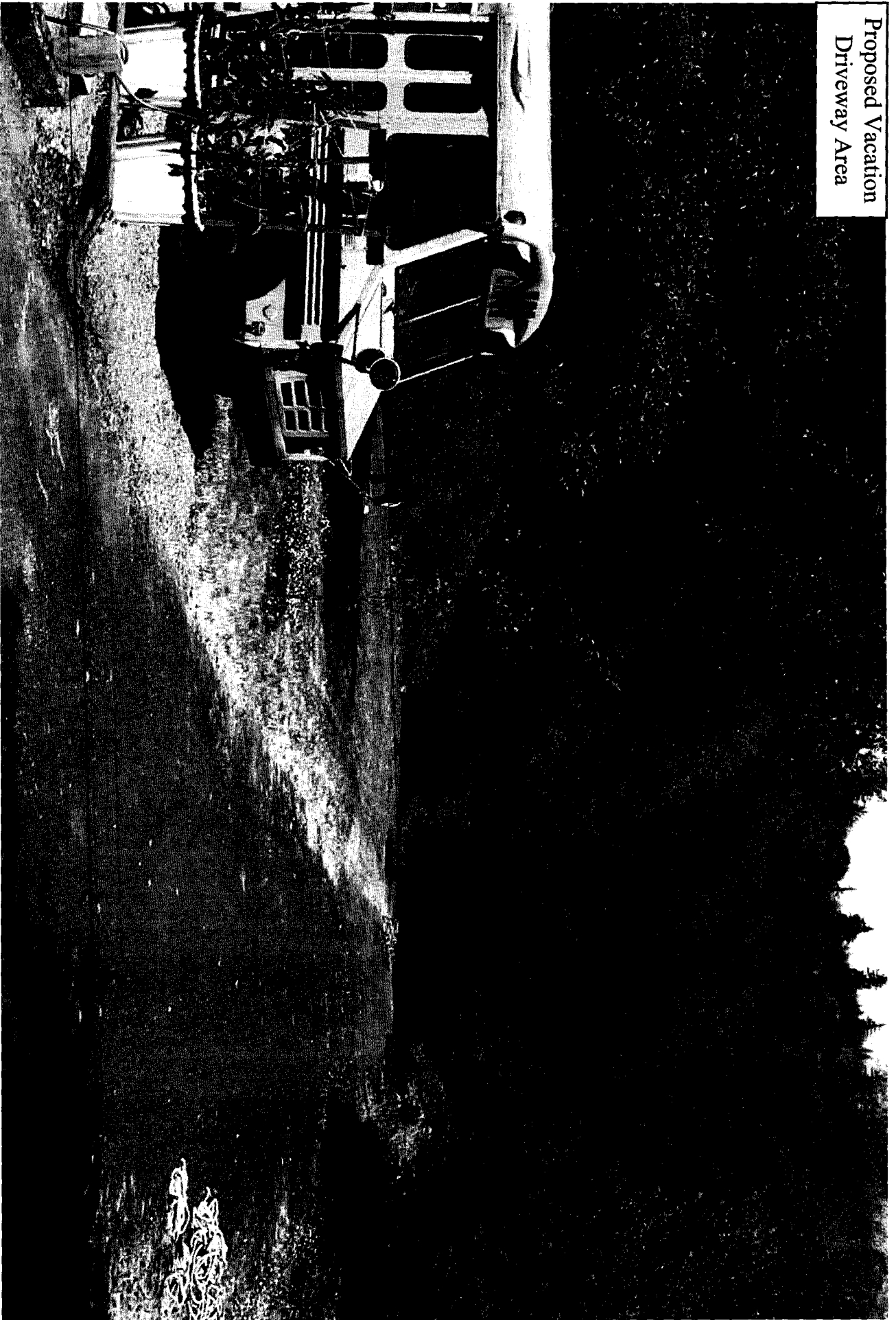
900 ft



Proposed Vacation
Southern Edge



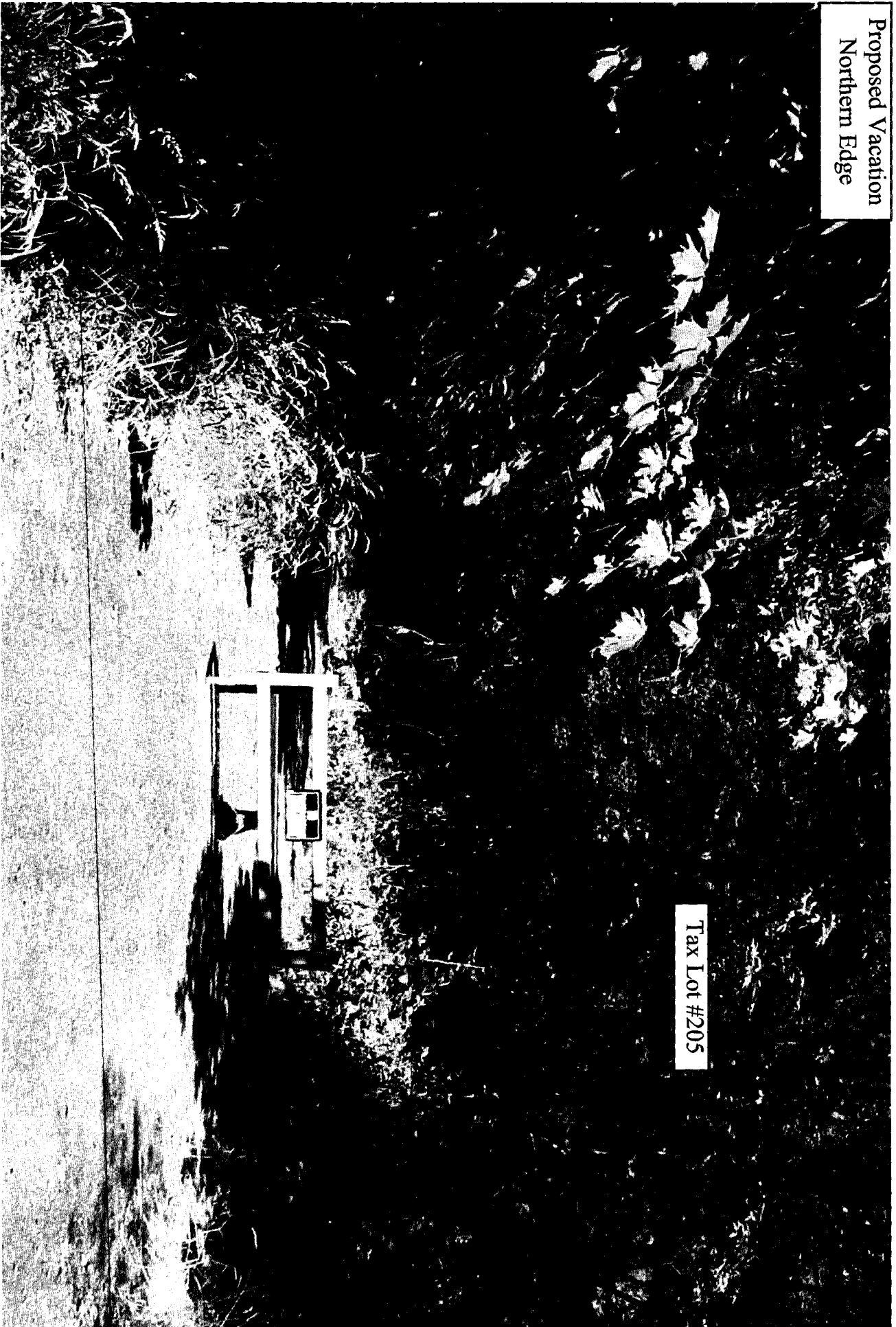
Proposed Vacation
Driveway Area



Proposed Vacation
End of Field



Proposed Vacation
Northern Edge



Tax Lot #205