

**ORDINANCE NO. 1308**

**AN ORDINANCE ANNEXING ENCLOSED TERRITORIES (TERRITORY A, TERRITORY B, AND TERRITORY C) INTO THE CITY OF TILLAMOOK UNDER OREGON REVISED STATUTES (ORS), AND CONSISTENT WITH THE TILLAMOOK URBAN GROWTH MANAGEMENT AGREEMENT (UGMA), TILLAMOOK CITY COMPREHENSIVE PLAN, OREGON ADMINISTRATIVE RULES (OAR) AND STATEWIDE PLANNING GOALS**

**WHEREAS**, ORS 222.111 (1) authorizes the boundaries of any city to be extended by annexation of territory contiguous to the city; and

**WHEREAS**, the City of Tillamook (City) has decided to annex territories (Territory A, Territory B, and Territory C) not within the City of Tillamook (City) but surrounded by the corporate boundaries of the City consistent with ORS 222.750; and

**WHEREAS**, the City provided notice for a public hearing before the City Council by direct mail to each record owner of real property in the territory proposed to be annexed, consistent with ORS 222.750(2); and

**WHEREAS**, the proposed annexation territories (Territory A, Territory B, and Territory C) consist of eighteen (18) tax lots totaling 6.36 acres adjacent to and surrounded by City boundaries; and

**WHEREAS**, the City Council held a full hearing on the annexation of the territory at a regularly scheduled City Council meeting on February 16, 2016; and

**WHEREAS**, the City has made mutual findings that the goals, objectives and policies on Public Infrastructure, Urban Growth Management and Urbanization and Energy, of the Tillamook City Comprehensive Plan were considered; and

**WHEREAS**, the City initiated the land annexation process on its own motion when affirmative findings consistent with Sections 5, 6, 8 and 9 of the UGMA were made; and

**WHEREAS**, following the hearing, and after considering the evidence and testimony in the record as a whole, the City Council approved the annexation.

**NOW, THEREFORE**, the City of Tillamook ordains as follows:

**Section 1.** The City Council declares that the territories legally described in Exhibit A and shown on the Exhibit B maps are annexed to the City of Tillamook. However, since all eighteen (18) properties are zoned for, and in, residential use on February 16, 2016, they shall have the date for their annexation at March 7, 2019 (at least three years after the date the city proclaims the annexation approved) consistent with ORS 222.750(5) except if there is a transfer of ownership; then annexation of said property is immediate; and

**Section 2.** The City Recorder is directed to:

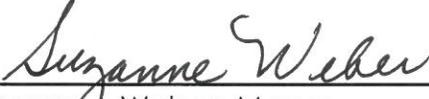
- A. File a copy of this Ordinance and the statements of consent to this annexation consistent with ORS 222.180 with the Secretary of State and the Department of Revenue.
- B. File a copy of this Ordinance to Tillamook County.
- C. Provide notice of the delayed annexation to be recorded by the Tillamook County clerk will occur within 60 days after the city proclaims the annexation approved.
- D. Provide notice of the delayed annexation not sooner than 120 days and not later than 90 days before the annexation takes effect.

Passed 1<sup>st</sup> reading by the Tillamook City Council on this 16<sup>th</sup> day of February, 2016.

Passed 2<sup>nd</sup> reading by the Tillamook City Council on this 7<sup>th</sup> day of March, 2016.

Adopted by the Common Council this 7<sup>th</sup> day of March, 2016.

Approved by the Mayor this 7<sup>th</sup> day of March, 2016.

  
\_\_\_\_\_  
Suzanne Weber, Mayor

ATTEST:

  
\_\_\_\_\_  
Abigail Donowho, City Recorder

## EXHIBIT A

### **Legal Description of Annexed Territory A**

Fifteen parcels of land located in Section 29, Township 1 South, Range 9 West of the Willamette Meridian to be annexed into the City of Tillamook, Oregon, the perimeter boundary of which is more particularly described as follows:

Beginning at Northwest corner of that property described in deed Instrument 2009-006894, Tillamook County Records said corner being located 1070.1 feet south and 1946.3 feet West of the Northwest Corner of the Tripp DLC in Section 29;

Thence South 89°00'00" East, a distance of 156.00 feet to a point on the West line of Lot 8 as shown on Map A 18, Tillamook County Survey Records;

Thence North 01°00'00" East, a distance of 34.19 feet to the Northwest corner of said Lot 8;

Thence North 89°30'00" East, a distance of 876.10 feet to the Northeast corner of that property described in deed Instrument 2010-01301, Tillamook County Records;

Thence along the East line of that property described in said deed Instrument 2010-01301, South 01°00'00" West, a distance of 184.50 feet to a point on the North right-of-way of Third Street;

Thence along the North right-of-way of Third Street, South 89°30'00" West, a distance of 454.12 feet to a point;

Thence continuing along the North right-of-way of Third Street, South 83°34'00" West, a distance of 582.73 feet to a point;

Thence North 01°00'00" East, a distance of 214.65 feet to the Point of Beginning.

Located in Section 29, Township 1 South, Range 9 West of the Willamette Meridian and containing 202,761 square feet.

### **Legal Description of Annexed Territory B**

One parcel of land located in Section 29, Township 1 South, Range 9 West of the Willamette Meridian to be annexed into the City of Tillamook, Oregon, the perimeter boundary of which is more particularly described as follows:

Beginning at the Northwest corner of that property described in deed Instrument 2005-006608, Tillamook County Records said corner being located 776.9 feet South and 835.7 feet West of the Northwest corner of the Tripp DLC in Section 29;

## **EXHIBIT A**

Thence along the North line of that property described in said deed Instrument 2005-006608, North 89°30'00" East, a distance of 76.00 feet to a point being the Northeast corner of that property described in said deed Instrument 2005-006608;

Thence South 01°00'00" West, a distance of 184.50 feet to a point on the North right-of-way of Third Street, being the Southeast corner of that property described in deed Instrument 2005-006608;

Thence along the North right-of-way of Third Street, South 89°30'00" West, a distance of 76.00 feet to a point being the Southwest corner of that property described in deed Instrument 2005-006608;

Thence North 01°00'00" East, a distance of 184.50 feet to the Point of Beginning.

Located in Section 29, Township 1 South, Range 9 West of the Willamette Meridian and containing 14,022 square feet.

### **Legal Description of Annexed Territory C**

Two parcels of land located in Section 30, Township 1 South, Range 9 West of the Willamette Meridian to be annexed into the City of Tillamook, Oregon, the perimeter boundary of which is more particularly described as follows:

Commencing at the Section corner common to Sections 29, 30, 31 & 32, Township 1 South, Range 9 West;

Thence North 00°11'06" East, a distance of 40.00 feet to a point on the North right-of-way of Twelfth Street;

Thence along the North right-of-way of Twelfth Street, North 89°23'12" West, a distance of 210.75 feet to a point being the Southeast corner of Parcel 1 of Partition Plat Number 1999-4;

Thence North 00°11'32" East, a distance of 419.97 feet to the Northeast corner of Parcel 2 of Partition Plat Number 2004-06 and the Point of Beginning of the Annexed Territory C herein described;

Thence North 00°11'32" East, a distance of 200.00 feet to a point on the South line of the Haynes Donation Land Claim;

Thence along the South line of Haynes Donation Land Claim, North 89°59'05" West, a distance of 210.70 feet to a point being the Northwest corner of that property described in deed Book 376, Page 517;

## EXHIBIT A

Thence along the West line of that property described in deed Book 376, Page 517, South  $00^{\circ}11'32''$  West, a distance of 367.90 feet to a point being the Southwest corner of that property described in deed Book 376, Page 517;

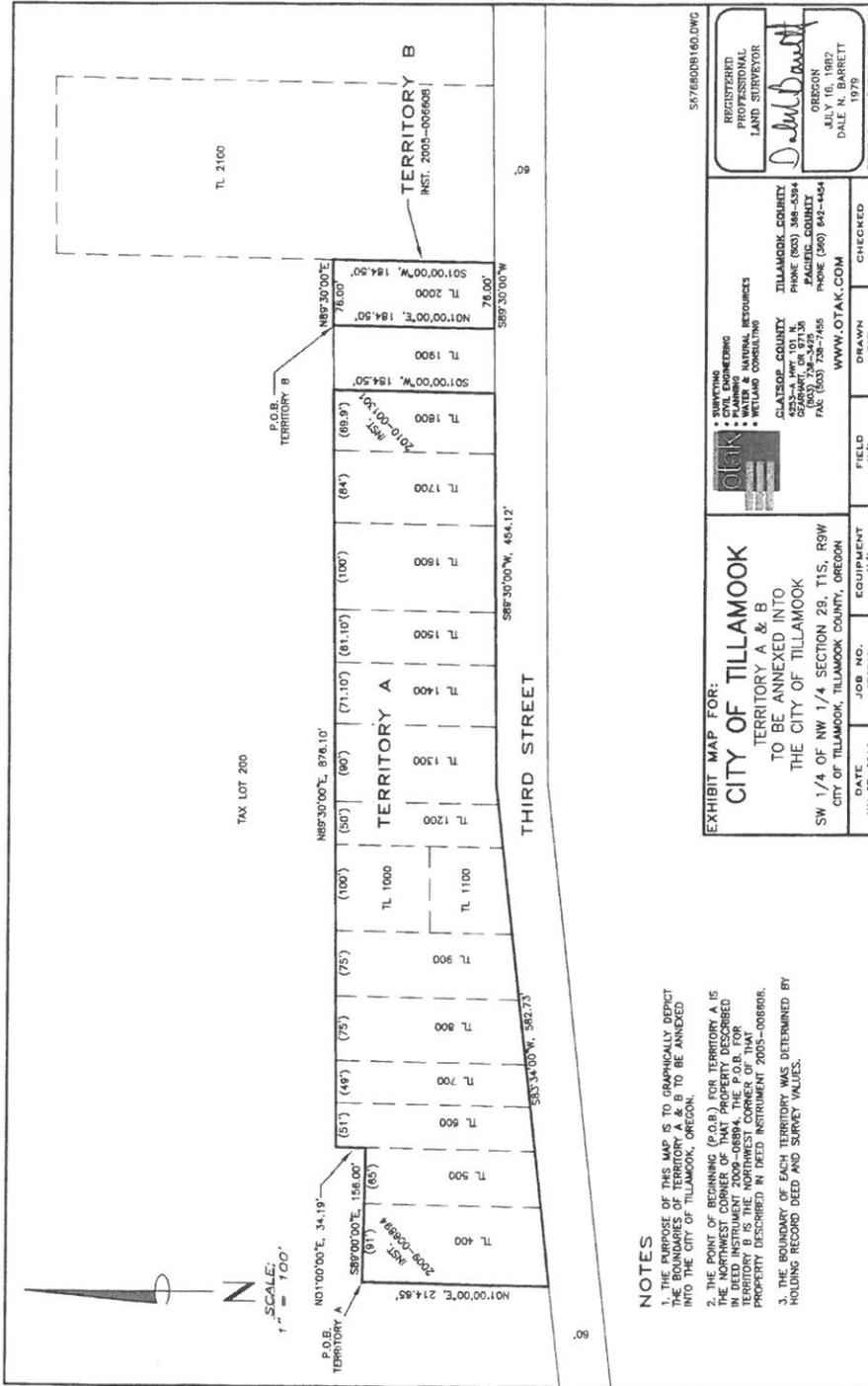
Thence North  $89^{\circ}23'12''$  East, a distance of 105.39 feet to a point on the West Line of Parcel 2, Partition Plat Number 2004-06;

Thence along the West line of Parcel 2, Partition Plat Number 2004-06, North  $00^{\circ}11'32''$  East, a distance of 169.97 feet to a point being the Northwest corner of Parcel 2, Partition Plat Number 2004-06;

Thence along the North line of Parcel 2, Partition Plat Number 2004-06, North  $89^{\circ}27'21''$  East, a distance of 105.37 feet to the Point of Beginning.

Located in Section 30, Township 1 South, Range 9 West of the Willamette Meridian and containing 60,061.58 square feet.

# EXHIBIT B



## NOTES

1. THE BOUNDARY OF THIS MAP IS TO GRAPHICALLY DEPICT THE BOUNDARIES OF TERRITORY A TO BE ANNEXED INTO THE CITY OF TILLAMOOK, OREGON.
2. THE POINT OF BEGINNING (P.O.B.) FOR TERRITORY A IS THE NORTHWEST CORNER OF THAT PROPERTY DESCRIBED IN DEED INSTRUMENT 2009-08994. THE P.O.B. FOR TERRITORY B IS THE NORTHWEST CORNER OF THAT PROPERTY DESCRIBED IN DEED INSTRUMENT 2005-08668.
3. THE BOUNDARY OF EACH TERRITORY WAS DETERMINED BY HOLDING RECORD DEED AND SURVEY VALUES.

**EXHIBIT MAP FOR:**  
**CITY OF TILLAMOOK**  
 TERRITORY A & B  
 TO BE ANNEXED INTO  
 THE CITY OF TILLAMOOK  
 SW 1/4 OF NW 1/4 SECTION 29, T1S, R9W  
 CITY OF TILLAMOOK, TILLAMOOK COUNTY, OREGON

**DATE:** JUN 27, 2016  
**JOB NO.:** 678500  
**EQUIPMENT:** N/A

**FIELD:** N/A  
**DRAWN:** RAP  
**CHECKED:** DNB

**RENEWS:** DECEMBER 31, 2017

**REGISTERED PROFESSIONAL LAND SURVEYOR**  
 DALE N. BARRETT  
 OREGON  
 JULY 16, 1987  
 DALE N. BARRETT  
 1979

**CLATSOP COUNTY**  
 CLATSOP COUNTY  
 2250 HWY 101 N  
 ASTORIA, OR 97103  
 (503) 325-3475  
 FAX (503) 325-7455  
 WWW.OTAK.COM

**TILLAMOOK COUNTY**  
 TILLAMOOK COUNTY  
 PHONE (503) 368-4394  
 2250 HWY 101 N  
 ASTORIA, OR 97103  
 FAX (503) 325-7455  
 WWW.OTAK.COM

**REGISTRATION:**  
 • SURVEYING  
 • PLANNING  
 • NATURAL RESOURCES  
 • UTILITIES  
 • WILDLIFE CONSERVATION

5576608160.DWG





210 Laurel Avenue • Tillamook, OR 97141  
phone 503-842-2472 • fax 503-842-3445

March 21, 2016

Oregon Department of Revenue  
Cadastral Information Systems Unit  
PO Box 14380  
Salem OR 97309-5075

Re: City of Tillamook Annexation

To Whom It May Concern:

Please find enclosed the City of Tillamook's Ordinance number 1308, passed by the City Council on March 7, 2016. This ordinance annexed 18 enclosed territories into the City of Tillamook, all of which are zoned for residential use and will require a 3 year delay for taxation as outlined in ORS 222.750. Please accept this filing of the ordinance, along with exhibits A and B per ORS 222.280. If there are any questions concerning this ordinance, please contact me at 503-842-3450 or email [adonowho@tillamookor.gov](mailto:adonowho@tillamookor.gov).

Sincerely,

Abigail Donowho  
City Recorder/Treasurer

# Appendix A

## Notice from Taxing District

Boundary change packets must be received by the **Department of Revenue** and the **County Assessor(s)** by March 31.

For Department of Revenue use only		
Prepared by	DOR file number	
Date received	Date approved	Date disapproved
Notes		

District name <b>City of Tillamook</b>			
Mailing address <b>210 Laurel Avenue</b>	City <b>Tillamook</b>	State <b>OR</b>	ZIP <b>97141</b>
County name <b>Tillamook</b>	Second county name (if applicable) <b>n/a</b>		
Contact person <b>Abigail Donowho, City Recorder</b>	Second contact person (if applicable) <b>David Mattison, City Planner</b>		
Phone <b>503-842-3450</b>	Email <b>adonowho@tillamookor.gov</b>		
Ordinance/resolution/order <b>Ordinance 1308</b>	Planning file number		
Election date <b>March 7, 2016</b>	Effective date <b>April 6, 2016 (Ordinance); March 7, 2019 (del. annex)</b>		

**Notes**

All properties included are zoned residential and on a three year delay for tax purposes per ORS 222.750.

**Boundary**

- Change    
  Proposed change    
  Preliminary review    
  Delayed annexation

**The change is for**

- Formation of a new district  
 Annexation of territory to a district  
 Withdrawal of territory from a district  
 Dissolution of a district  
 Transfer  
 Merge  
 Establishment of tax zone

**Documents included**

- Ordinance/Resolution/Order  
 Map of Boundary Change (shows point of beginning and all bearings and distances.)  
 Legal description of Boundary Change

**Send to**

Oregon Department of Revenue  
 Cadastral Information Systems Unit  
 PO Box 14380  
 Salem OR 97309-5075

**Contact us**

**Email:** boundary.changes@oregon.gov  
**Fax:** 503-945-8737



210 Laurel Avenue • Tillamook, OR 97141  
phone 503-842-2472 • fax 503-842-3445

March 21, 2016

Tillamook County Surveyor  
1510 Third Street, Suite C  
Tillamook, OR 97141

Re: City of Tillamook Annexation and Vacations

To Whom It May Concern:

Please accept the enclosed ordinances for filing a record regarding the City of Tillamook's recent annexation (Ordinance 1308) and two vacations (Ordinances 1307 and 1310). The Annexation has been provided to the Department of Revenue and Secretary of State as outlined in ORS 222.280. Thank you!

Sincerely,

Abigail Donowho  
City Recorder/Treasurer



210 Laurel Avenue • Tillamook, OR 97141  
phone 503-842-2472 • fax 503-842-3445

March 21, 2016

Oregon Secretary of State  
900 Court Street NE  
Capitol Room 136  
Salem, OR 97310-0722

Re: City of Tillamook Annexation Filing

To Whom It May Concern:

Please find enclosed the City of Tillamook's Ordinance number 1308, passed by the City Council on March 7, 2016. This ordinance annexed 18 enclosed territories into the City of Tillamook, all of which are zoned for residential use and will require a 3 year delay for taxation as outlined in ORS 222.750. Please accept this filing of the ordinance, along with exhibits A and B per ORS 222.280. If there are any questions concerning this ordinance, please contact me at 503-842-3450 or email [adonowho@tillamookor.gov](mailto:adonowho@tillamookor.gov).

Sincerely,

Abigail Donowho  
City Recorder/Treasurer



210 Laurel Avenue • Tillamook, OR 97141  
phone 503-842-2472 • fax 503-842-3445

March 21, 2016

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

Re: City of Tillamook Annexation and Vacations

Dear Tassi:

Please accept the enclosed ordinances for filing a record regarding the City of Tillamook's recent annexation (Ordinance 1308) and two vacations (Ordinances 1307 and 1310). Thank you!

Sincerely,

A handwritten signature in blue ink, appearing to read "Ajd", is positioned above the typed name of the sender.

Abigail Donowho  
City Recorder/Treasurer



210 Laurel Avenue • Tillamook, OR 97141  
phone 503-842-2472 • fax 503-842-3445

March 21, 2016

Tillamook County Assessor's Office  
Chief Deputy Paula Arthur  
201 Laurel Avenue  
Tillamook, OR 97141

Re: City of Tillamook Annexation and Vacations

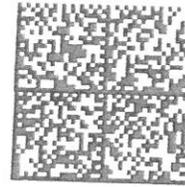
Dear Paula:

Please accept the enclosed ordinances for filing a record regarding the City of Tillamook's recent annexation (Ordinance 1308) and two vacations (Ordinances 1307 and 1310). The Annexation has been provided to the Department of Revenue and Secretary of State as outlined in ORS 222.280. Thank you!

Sincerely,

Abigail Donowho  
City Recorder/Treasurer

Tillamook City Hall  
210 Laurel Avenue  
Tillamook, OR 97141  
503-842-2472



US POSTAGE

\$01.64<sup>0</sup>

First-Class

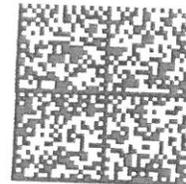
Mailed From 97141

03/21/2016

032A 0061828034

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

Tillamook City Hall  
210 Laurel Avenue  
Tillamook, OR 97141  
503-842-2472



US POSTAGE

\$01.20<sup>0</sup>

First-Class

Mailed From 97141

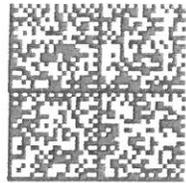
03/21/2016

032A 0061828034

MARCH 21, 2016

Oregon Department of Revenue  
Cadastral Information Systems Unit  
PO Box 14380  
Salem OR 97309-5075

Tillamook City Hall  
210 Laurel Avenue  
Tillamook, OR 97141  
503-842-2472

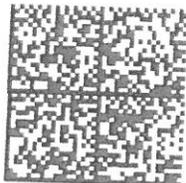


US POSTAGE  
**\$01.64<sup>0</sup>**  
First-Class

Mailed From 97141  
03/21/2016  
032A 0061828034

Tillamook County Surveyor  
1510 Third Street, Suite C  
Tillamook, OR 97141

Tillamook City Hall  
210 Laurel Avenue  
Tillamook, OR 97141  
503-842-2472



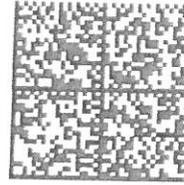
US POSTAGE  
**\$01.20<sup>0</sup>**  
First-Class

Mailed From 97141  
03/21/2016  
032A 0061828034

Oregon Secretary of State  
900 Court Street NE  
Capitol Room 136  
Salem, OR 97310-0722

Re: City of Tillamook Annexation Filing

Tillamook City Hall  
210 Laurel Avenue  
Tillamook, OR 97141  
503-842-2472



US POSTAGE

\$01.64<sup>0</sup>

First-Class

Mailed From 97141

03/21/2016

032A 0061828034

Tillamook County Assessor's Office  
Chief Deputy Paula Arthur  
201 Laurel Avenue  
Tillamook, OR 97141

OFFICE OF THE SECRETARY OF STATE

JEANNE P. ATKINS  
SECRETARY OF STATE

ROBERT TAYLOR  
DEPUTY SECRETARY OF STATE



ARCHIVES DIVISION  
MARY BETH HERKERT  
DIRECTOR

800 Summer Street NE  
Salem, Oregon 97310  
(503) 373-0701  
Facsimile (503) 378-4118

April 5, 2016

City of Tillamook  
City Recorder  
210 Laurel Avenue  
Tillamook, OR 97141



Dear City Recorder,

Please be advised that we have received and filed, as of **April 5, 2016**, the following records annexing territory into the following, which has a delayed annexation date of **March 7, 2019**:

Ordinance/Resolution Number

Our File Number

1308 [City of Tillamook]

AN 2016-0029

For your records please verify the effective date through the application of the applicable ORS. Our assigned file number(s) are included in the above information.

Sincerely,

Natalie Emerson  
Official Public Documents

cc: County Clerk(s)  
ODOT  
Department of Revenue  
Population Research Center

Notice to Taxing Districts

ORS 308.225



Cadastral Information Systems Unit
PO Box 14380
Salem, OR 97309-5075
fax 503-945-8737
boundary.changes@oregon.gov

Abigail Donowho
City of Tillamook
Recorder/Treasurer
210 Laurel Ave.
Tillamook OR 97141

Description and Map Approved
April 7, 2016
As per ORS 308.225

[X] Description [X] Map - Received from: Abigail Donowho
On: 3/24/2016, 4/5/2016

This is to notify you that your boundary change in Tillamook County for:
ANNEX to CITY OF TILLAMOOK

ORD. #1308
(Delayed Annexation of 3 years)

has been: [X] Approved 4/7/2016
[ ] Disapproved

Notes: Approved with the following comments.

Tracts A, B & C: Could add county name to legal descriptions.

Tract A, Line 5: Check 1070.1' distance from NW cor Tripp DLC. (Does not agree with
distance given in Tract B description from same DLC corner.)

Tract C, Line 15: Typo--Bearing on map does Not match description.

Department of Revenue File Number: 29-208-2016
Reviewed by: Elise Bruch, 503-302-8353
Boundary: [X] Change [ ] Proposed Change

The change is for:

- [ ] Formation of a new district
[X] Annexation of a territory to a district
[ ] Withdrawal of a territory from a district
[ ] Dissolution of a district

If you have not already done so, the approved
version of the map(s), legal descriptions(s) and
signed ordinance must also be filed with the
County Assessor and Secretary of State

- [ ] Transfer
[ ] Merge
[ ] Establishment of Tax Zone