

Notice to Taxing Districts

ORS 308.225

code 341 = 7568
+ 731

8299 = code 380



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

Yachats RFPD
Fire Chief
PO Box 1
Yachats OR 97498

**Description and Map Approved
October 19, 2017
As per ORS 308.225**

Description Map - Received from: Janet Harrison
On: 10/6/2017, 10/18/2017

This is to notify you that your boundary change in Lincoln County for:
ANNEX to YACHATS RFPD

BOC ORDER #10-17-309 (Esler)

has been: Approved 10/19/2017
 Disapproved

Notes: This is approved with the readable map received on 10-18-17 and the description received on 10-6-17.

Department of Revenue File Number: 21-454-2017
Reviewed by: Tammy Keen, Tammy.E.Keen@oregon.gov
Boundary: Change Proposed Change

The change is for:
 Formation of a new district
 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

SV# 220 for 18/19 for TL1002
01/29/18
TL only for TL1001 - No Imp. for RFPD.
14-12-1-A TL 1002 + 1001

4 A

4

code 341 → 6795
Yachats RFPD + 731

To code 380 7526

**BEFORE THE BOARD OF COMMISSIONERS
FOR LINCOLN COUNTY, OREGON**

In the Matter of:

ANNEXATION OF CERTAIN PROPERTY)
(ESLER) INTO THE YACHATS RURAL) ORDER # 10-17-309
FIRE PROTECTION DISTRICT)

WHEREAS, on February 16, 2017, the Lincoln County Board of Commissioners received a petition from Richard Esler and Deborah Esler pursuant to ORS 198.857 and ORS 478.115 to annex property into the Yachats Rural Fire Protection District. Over time that petition was updated. (See Exhibit "1" which is attached hereto and made part of this Order); and

WHEREAS, October 4, 2017, was set as the date of the hearing on the petition and notice of the hearing was issued and mailed in accordance with ORS 198.857 (See Exhibit "2" which is attached to and made part of this Order); and

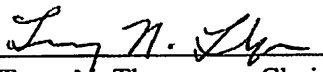
WHEREAS, the Board held a hearing on October 4, 2017, as scheduled, and found that the criteria prescribed by ORS 198.857 for annexation have been met; therefore,

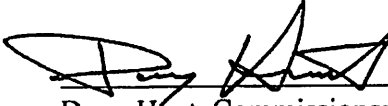
IT IS HEREBY ORDERED THAT:

- (1) The Board approves the annexation of the property described in the petition into the Yachats Rural Fire Protection District, and the property is hereby annexed into that District.
- (2) In accordance with ORS 198.780 and ORS 308.225, within 10 days from the date of this Order, a copy of this Order shall be filed with the Oregon Department of Revenue, the Oregon Secretary of State, the Lincoln County Clerk, and the Lincoln County Assessor.
- (3) A copy of this Order shall also be forwarded to: the Yachats Rural Fire Protection District, c/o Frankie Petrick, P.O Box 1, Yachats, OR 97498; Richard Esler and Deborah Esler, and Assistant County Counsel Michael G. Herbage.

DATED this 4th day of October, 2017.

LINCOLN COUNTY BOARD OF COMMISSIONERS


Terry N. Thompson, Chair


Doug Hunt, Commissioner


Bill Hall, Commissioner

14-12-1-A TL 1002 + 1001

**ANNEXATION PETITION
Yachats Rural Fire Protection District**

(1) Pursuant to ORS 198.857 and ORS Chapter 478, the owners of the following real property hereby petition the Lincoln County Board of Commissioners to annex that real property into the Yachats Rural Fire Protection District:

Map and tax lot: 14-12-01-A0-01002-00
Legal Description: See attached Exhibit "A"
Map: See attached Exhibit "B"

DATED this 16 day of FEBRUARY, 2017

Richard Esler and Deborah Ann Esler
Signature(s) of Property Owner(s)

RICHARD ESLER AND DEBORAH ESLER
Printed Name of Property Owner(s)

5751 SW READ DR, WALDPORT, OREGON 97394
Address of Property Owner(s)

541-563-7243
Phone Number of Property Owner(s)

(2) The Board of the Yachats Rural Fire Protection District hereby approves of this petition by endorsement:

**Endorsement by
BOARD OF DIRECTORS
of the Yachats Rural Fire Protection District**

DATED this 12 day of December, 2016.

Kathleen L. Gwenther
Director

Scott Edhell
Director

Steve Skinta
Director

Cy Kampma
Director

Director

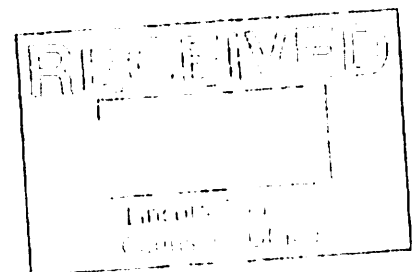


EXHIBIT "A"

Parcel I:

100
—
Beginning at a 5/8 inch iron rod at the Northeast corner of the Margalit and Bollman parcel described in Lincoln County Microfilm Volume 298, page 765 that is North 30° 20' 03" East, 1600.26 feet from the Southwest corner of Government Lot 7, Section 1, Township 14 South, Range 12 West of the Willamette Meridian, in Lincoln County, Oregon; thence North 89° 32' 47" East, 79.25 feet; thence South 0° 34' 54" East, 206.75 feet; thence South 89° 31' 24" West, 79.25 feet to a 6 inch diameter pine tree; thence North 0° 34' 54" West, 206.78 feet to the point of beginning.

EXCEPTING THEREFROM that portion, if any, lying North of the following described line:

Beginning at a point on the Easterly boundary of Government Lot 2, Section 1, Township 14 South, Range 12 West of the Willamette Meridian, in Lincoln County, Oregon that is North 0° 08' 41" East, 1365.05 feet from the Southeast corner of Government Lot 7; thence South 89° 31' 04" West, 294.55 feet to a 1 inch iron pipe; thence South 89° 32' 47" West, 196.71 feet to a 5/8 inch iron rod.

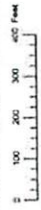
Parcel II:

100
—
Beginning at a 5/8 inch iron rod at the Northeast corner of the Margalit and Bollman parcel described in Lincoln County Microfilm Volume 298, page 765 that is North 30° 20' 03" East, 1600.26 feet from the Southwest corner of Government Lot 7, Section 1, Township 14 South, Range 12 West of the Willamette Meridian, in Lincoln County, Oregon; thence North 89° 32' 47" East, 79.25 feet to the true point of beginning; thence North 89° 32' 47" East, 117.46 feet to a 1 inch iron pipe; thence South 0° 37' 29" East, 206.70 feet, to a 5/8 inch iron rod inside a 1 1/2 inch iron pipe; thence South 89° 31' 24" West, 117.61 feet; thence North 0° 34' 54" West, 206.75 feet to the true point of beginning.

EXCEPTING THEREFROM that portion, if any, lying North of the following described line:

Beginning at a point on the Easterly boundary of Government Lot 2, Section 1, Township 14 South, Range 12 West of the Willamette Meridian, in Lincoln County, Oregon that is North 0° 08' 41" East, 1365.05 feet from the Southeast corner of Government Lot 7; thence South 89° 31' 04" West, 294.55 feet to a 1 inch iron pipe; thence South 89° 32' 47" West, 196.71 feet to a 5/8 inch iron rod.

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY



N.E. 1/4 SEC. 1 T.14S. R.12W. W.M.
LINCOLN COUNTY
1" = 200'

14 12 01 A

- Cancelled
- 101
- 102
- 103
- 104
- 105
- 106
- 200
- 201
- 202
- 203
- 300
- 301
- 302
- 303
- 400
- 500
- 600
- 704
- 1400



Revised: SAO
12/24/2012

14 12 01 A

Exhibit 2



OFFICE OF LINCOLN COUNTY LEGAL COUNSEL

225 West Olive Street, Room 110
Newport, Oregon 97365
(541) 265-4108
Fax: (541) 265-4176

Wayne Belmont
County Counsel
Kristin Yuille
Assistant County Counsel
M. Gerard Herbage
Assistant County Counsel
Janet Harrison
Paralegal

**NOTICE OF PUBLIC HEARING
ON PETITION TO ANNEX**

To: Richard Esler and Deborah Esler, 5751 SW Read Dr. Waldport, OR 97394

The Lincoln County Board of Commissioners has received your petition to annex your property into the Yachats Rural Fire Protection District.

The Board will conduct a public hearing on the proposed annexation on October 4, 2017, at 9:30 A.M., in the Board of Commissioners' Hearing Room, which is Room 108 of the Lincoln County Courthouse located at 225 West Olive Street in Newport, Oregon. All interested persons may appear and be heard. Questions regarding this matter may be directed to the Office of Legal Counsel, 225 West Olive Street, Room 110, Newport, Oregon 97365, telephone 541-265-4108.

Enclosed is a copy of your petition and a map depicting the area proposed to be annexed into the District.

DATED AND MAILED this 21st day of September, 2017.

Michael G. Herbage
Assistant County Counsel

Enc: copy of petition and map

Pc: Yachats Rural Fire Protection District
c/o Frankie Petrick, P.O. Box 1, Yachats, Oregon, 97498.



Cody

KNOW ALL MEN BY THESE PRESENTS, That Lynda Margalit and JAMES BOLLMAN not as tenants in common but with right of survivorship hereinafter called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto James Bollman

hereinafter called grantee, and unto grantee's heirs, successors and assigns all of that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, situated in the County of Lincoln, State of Oregon, described as follows, to-wit:

That tract conveyed to Lynda Margalit and James Bollman per Book 288, Page 2029, Deed records of Lincoln County, lying in the Northeast 1/4 of Section 1, Township 14 South, Range 12 West, Willamette Meridian, Lincoln County, Oregon, being more specifically described as follows:

Beginning at a point lying North 1 deg. 06' 26" West 263.96 feet from a 1" iron pipe set by Lincoln County Survey No. 1677 lying 20 rods East of the West line of Government Lot 7, said Section 1; said pipe also lying North 17 deg. 57' 37" East 1170.18 feet from an aluminum capped monument at the southwest corner of said Lot 7 as established by Lincoln County Survey No. 10504; thence along a line North 89 deg. 27' 00" East 30.00 feet to a 5/8" iron rod at the TRUE POINT OF BEGINNING of the following tract; thence South 1 deg. 06' 26" East 206.48 feet to a 5/8" iron rod; thence North 89 deg. 31' 24" East 292.79 feet to a 1/2" iron rod set inside a 1" iron pipe; thence continuing North 89 deg. 31' 24" East 127.75 feet to a 6" diameter pine tree, lying North 89 deg. 31' 24" East 1.00 feet from a 5/8" iron rod; thence North 0 deg. 34' 54" West 206.78 feet to a 5/8" iron rod; thence South 89 deg. 32' 47" West 127.75 feet to a 1/2" rod set inside a 3/4" iron pipe; thence South 89 deg. 27' 09" West 294.68 feet to said true point of beginning.

Recorded by First Position Title of Williamson Valley Order # 0000

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever. The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 2500.

However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration (indicate which). (The sentence between the symbols ©, if not applicable, should be deleted. See ORS 93.030.) In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

In Witness Whereof, the grantor has executed this instrument this 17 day of April, 1995.

If a corporate grantor, it has caused its name to be signed and its seal affixed by an officer or other person duly authorized to do so by order of its board of directors.

THIS INSTRUMENT WILL 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 APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

James Bollman
Lynda Margalit

STATE OF OREGON, County of Marion ss.
This instrument was acknowledged before me on May 17, 1995,
by LYNDA MARGALIT and JAMES BOLLMAN.
This instrument was acknowledged before me on _____, 19____,
by _____



Leona Sead
Notary Public for Oregon
040498
My commission expires _____

Lynda Margalit
250 14th St. NE
Salem OR 97301
Grantor's Name and Address

James Bollman
250 14th St. NE
Salem OR 97301
Grantor's Name and Address

After recording return to (Name, Address, Zip):
James Bollman
250 14th St. NE
Salem, OR 97301

Until requested otherwise send all tax statements to (Name, Address, Zip):
James Bollman
250 14th St. NE
Salem, OR 97301

STATE OF OREGON, } ss.
County of _____ }
I certify that the within instrument was received for record on the _____ day of _____, 19____, and recorded at _____.

SPACE RES. FOR RECORDS
STATE OF OREGON } ss.
County of Lincoln }
Dana W. Jenkins, County Clerk, in and for said county, do hereby certify that the within instrument was received for record, and recorded in the Book of Records of said county at Newport, Oregon. Book 298 Page 0765 F.A.T.C.O.
WITNESS my hand and seal of said office affixed.

Dana W. Jenkins
DANA W. JENKINS, Lincoln County Clerk
Doc #: 6134689
Rect: 55862 35.00
04/18/1995 11:45:08am



Boundary Change Preliminary Review

DOR 21-P31-2017



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

Lincoln County
Legal Counsel
Room 110
225 W Olive St.
Newport OR 97365

May 12, 2017

Documents received: 4/26/2017
From: Janet Harrison

This letter is to inform you that the map and description for your planned --Annex into the Yachats Rural Fire Protection District (Esler Property) in Lincoln County have been reviewed per your request. They DO NOT MEET the requirements for use with an Order, Ordinance, or Resolution in accordance with ORS 308.225.

Please see the next page

If you have any questions please contact Tammy Keen, Tammy.E.Keen@oregon.gov

**Preliminary Review of:
Annex to Yachats RFPD (Esler)
21-P31-2017**

Here are the needed corrections for an approval:

Please label map with "POB" and add an arrow pointing to it. Add a label of "NE cor of MF-298-765" near it. This would be for TL 1001.

We need a copy of MF-298-765 in order to confirm the POB.

Page 1, paragraph 1, lines 2-3: add the B&D from SW cor of Gov't Lot 7 to the map.

? Page 1, paragraph 1, line 5: add the missing direction of "East" to the map, for N89°32'47"E.

Page 1, Excepting Therefrom paragraphs:

Label the map with "POB for Excepting Therefrom".

✓ Check the bearing of S89°31'04"W in the description, the map shows 43".

Page 1, paragraph 3: label the map with "TPOB" and add an arrow pointing to it. This would be for TL 1002.

Please review the paragraphs that start after the "And" on the second page of the legal description (near the bottom third of the page) to the end of the document. Are these for easements too? These aren't found to be highlighted on the map. Please clarify them for us, as they don't seem to be needed. We only review descriptions for property that will be affected by the boundary change that are also highlighted on the map.