

6 A

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

code 220 = 7282  
- 721  
-----  
6,561 = 119 code

Toledo RFPD  
Fire Chief  
496 NE Hwy 101  
Toledo OR 97391

**Description and Map Approved  
November 28, 2017  
As per ORS 308.225**

11-11-34 TL 603  
603-31

Description  Map - Received from: Janet Harrison  
On: 11/24/2017, 11/28/2017

This is to notify you that your boundary change in Lincoln County for:  
**WITHDRAWAL from TOLEDO RURAL FIRE PROTECTION DISTRICT**

**BOCC ORDER #11-17-365 (Torland / Holbert)**

has been:  Approved 11/28/2017  
 Disapproved

**Notes:** The legible map received on 11-28-17 is approved, along with the description.

SV# 222 for 18/19  
code 220 to 119  
01/31/18

Department of Revenue File Number: 21-455-2017  
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

1  
2 BEFORE THE BOARD OF COUNTY COMMISSIONERS  
3 FOR LINCOLN COUNTY, OREGON  
4

5 In the Matter of: )

6 WITHDRAWAL OF TERRITORY )  
7 FROM THE TOLEDO RURAL )  
8 FIRE PROTECTION DISTRICT )  
9

ORDER NO. 11-17-365

10 WHEREAS, on June 23, 2017, the Lincoln County Board of Commissioners received a  
11 petition from Greg Torland and Mary Holbert to withdraw their property from the Toledo Rural  
12 Fire Protection District pursuant to ORS 198.870(1)(a) (See Exhibit "1" attached to and made  
13 part of BOC Order 10-17-334); and

14 WHEREAS, notice of that petition filing was sent to the District in accordance with ORS  
15 198.870(2); and

16 WHEREAS, October 18, 2017, was set as the date for the hearing on the proposed  
17 withdrawal, and notice of the hearing was published and posted in accordance with ORS 198.730  
18 and 198.800; and

19 WHEREAS, the Board conducted a hearing on October 18, 2017, pursuant to ORS  
20 198.805, did not alter the boundaries, and found that the criteria prescribed by ORS 198.870(4)  
21 have been met in that it has not been, or is not or would not be, feasible for the territory  
22 described in the petitions to receive service from the District; and

23 WHEREAS, following the hearing conducted on October 18, 2017, the Board entered an  
24 order pursuant to ORS 198.805, 198.810, and 198.870, which approved of the petitions, set the  
25 boundary of the property proposed to be withdrawn from the Toledo Rural Fire Protection  
26 District, and directed that a second and final public hearing on this withdrawal be conducted on  
27 November 15, 2017, at 9:30 A.M. , in the Board of Commissioners Hearing Room, which is  
28 Room 108 of the Lincoln County Courthouse located at 225 West Olive Street in Newport,  
29 Oregon. The order further directed at the time of the final hearing that the Board would enter an  
30 order withdrawing the property from the District if written requests for an election on the issue of  
31 this withdrawal are not filed at or before the hearing by not less than 15 percent of the electors or  
32 100 electors, whichever is the lesser number, registered in the District, and directed that notice of  
33 the final hearing set by that order be published in the News Times, a newspaper of general  
34 circulation, on October 25, 2017; and

11-11-34 TL 603-31

35 WHEREAS, because of a scheduling conflict, the second and final hearing was  
36 rescheduled for November 22, 2017, at 9:30 A.M., in the Board of Commissioners Hearing  
37 Room, Room 108 of the Lincoln County Courthouse located at 225 West Olive Street in  
38 Newport, Oregon.

39 WHEREAS, notice of the second and final public hearing (with the changed date) was  
40 published in accordance with the ORS; and

41 WHEREAS, an insufficient number of written requests for an election on the proposed  
42 withdrawal were filed on or before the time of the final hearing as required by ORS 198.810;  
43 therefore, pursuant to ORS 198.875(1), 198.810, 198.815 and 198.820,

44 **IT IS HEREBY ORDERED THAT:**

45 (1) The territory described in Exhibit "1" of this order is withdrawn from the Toledo Rural  
46 Fire Protection District.

47 (2) Pursuant to ORS 198.870, within 10 days of the date of this order, duplicate copies of this  
48 order shall be filed with: The Oregon Department of Revenue; the Oregon Secretary of State, the  
49 Lincoln County Clerk; and the Lincoln County Assessor.

50 (3) Duplicate copies of this order shall also be forwarded to: Petitioners Greg Torland and  
51 Mary Holbert; the Toledo Rural Fire Protection District, c/o Jeff Doyle, District Secretary; the  
52 Lincoln County Planning Department; and Lincoln County Counsel Wayne Belmont.

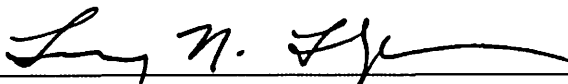
53 DATED this 22nd day of November, 2017

54

55 LINCOLN COUNTY BOARD OF COMMISSIONERS

56

57

  
\_\_\_\_\_  
Terry N. Thompson, Chair

58

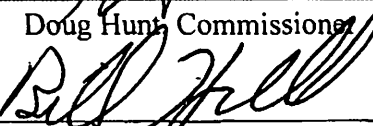
59

  
\_\_\_\_\_  
Doug Hunt, Commissioner

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\_\_\_\_\_  
Bill Hall, Commissioner

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EXHIBIT "1"

**PETITION TO WITHDRAW FROM  
TOLEDO RURAL FIRE PROTECTION DISTRICT**

The undersigned petitioners request that proceedings be taken for withdrawal of property from the Toledo RFPD, consisting of property on the South Bay Road. The property is depicted on the map attached to this petition, and a legal description is included below.

Statements required by ORS 198.750

- (a) This petition is filed pursuant to ORS 198.705 to 198.955.
- (b) Affected districts and counties are: Toledo Rural Fire Protection District and Lincoln County Oregon.
- (c) The following are the names and principal Acts of all affected districts and counties that currently exist in the territory proposed to be included within the district: Lincoln County (ORS chapter 203); Lincoln County Solid Waste District (ORS chapter 451); Lincoln County School District (ORS chapter 330); Lincoln County Extension District (ORS chapter 566); Oregon Coast Community College (ORS chapter 341); Linn-Benton Education Service District (ORS chapter 334); Lincoln County Transportation Service District (ORS chapter 451); Lincoln County Library District (ORS chapter 357); Port of Newport; Toledo Rural Fire Protection District (ORS chapter 478); and Pacific Communities Hospital District (ORS chapter 440).
- (d) This petition proposes removal of property from the Toledo Rural Fire Protection District.
- (e) The territory subject to this petition is inhabited.
- (f) The following is a description of the property proposed to be removed from the district: Twnshp 11 Rng 11 Acres 5.0. Map: 11-11-34-00-00603-00. See the attached copy of the legal description from the statutory bargain and sale deed.

**Justification:**

Our property is located at the end of the TRFPD annexation district on South Bay Road, Lincoln County, Oregon outside of Toledo city limits. We respectfully ask to be withdrawn from the TRFPD annexation district for the following reasons:

The Toledo fire station is 8.3 miles and 20 minutes away from our home.

Our insurance company rates our fire protection as a "Class 10." This is considered an unprotected rural rea without an adequate fire department or available fire hydrants.

The last 4.5 miles to our home is on a narrow winding gravel road.

There is a locked gate at the bottom of our steep driveway, which is another ¼ mile from our home.

Our only water supply is from a well.

There is no cell phone service at our home.

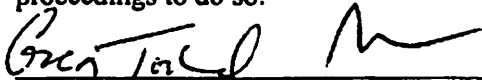
At times, the Willamette Dispatch Center is unreliable.

We are paying for a service that cannot be performed in time to make a difference.

On June 21st, 2017 the Toledo Rural Fire Protection District board of directors endorsed our request to withdraw from the district. A letter dated June 23<sup>rd</sup>, 2017 signed by Chief Ewing supporting our request to withdraw from the TRFPD is attached to this document.

### LANDOWNER PETITIONER

We hereby join in the foregoing petition to have our property withdrawn from the Toledo Rural Fire Protection District. We petition the Lincoln County Board of Commissioners to commence proceedings to do so.

  
\_\_\_\_\_  
Signature of Landowner/Petitioner

Greg Torland      Mary Holbert  
\_\_\_\_\_  
Printed Name of Landowner/Petitioner

60085 S Bay Rd  
\_\_\_\_\_  
Residence Address of Landowner/Petitioner

PO Box 173  
\_\_\_\_\_  
Mailing Address of Landowner/Petitioner

Toledo OR 97391  
\_\_\_\_\_  
City, State and ZIP of Landowner/Petitioner

541-867-7560  
\_\_\_\_\_  
Phone Number of Landowner/Petitioner

DATED and SIGNED this 30<sup>th</sup> day of June, 2017.

Torland/Holbert withdrawal from Toledo RFPD

Commencing at a point 449.43 feet South and 587.13 feet West of the meander corner between Sections 34 and 35, Township 11 South, Range 11 West, Willamette Meridian, Lincoln County, Oregon, said point being a 5/8" iron rod established by Lincoln County Survey # 15426; thence S 21°31'24" E 200.28 feet to a 5/8" iron rod set by said survey # 15426; thence S1°25'21"W 34.97 feet to an iron rod and the Point of Beginning of the following described tract:

Thence S 1°25'21"W 204.55 feet to a 5/8" iron rod set in County Survey 15426;

Thence continuing S 1°25'21"W 200.0 feet to a 5/8" iron rod;

Thence N 89°49'16"W 537.92 feet to a 5/8" iron rod;

Thence North 322.03' more or less to the east right-of-way of Lincoln County Road 520;

Thence northerly along said road right-of-way to a point that is N 89°49'16"W from the point of beginning;

Thence S 89°49'16"E 530.93 feet more or less to the Point of Beginning.

Carrollville

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SECTION 34 T.11S. R.11W. W.M.  
LINCOLN COUNTY

1" = 400'

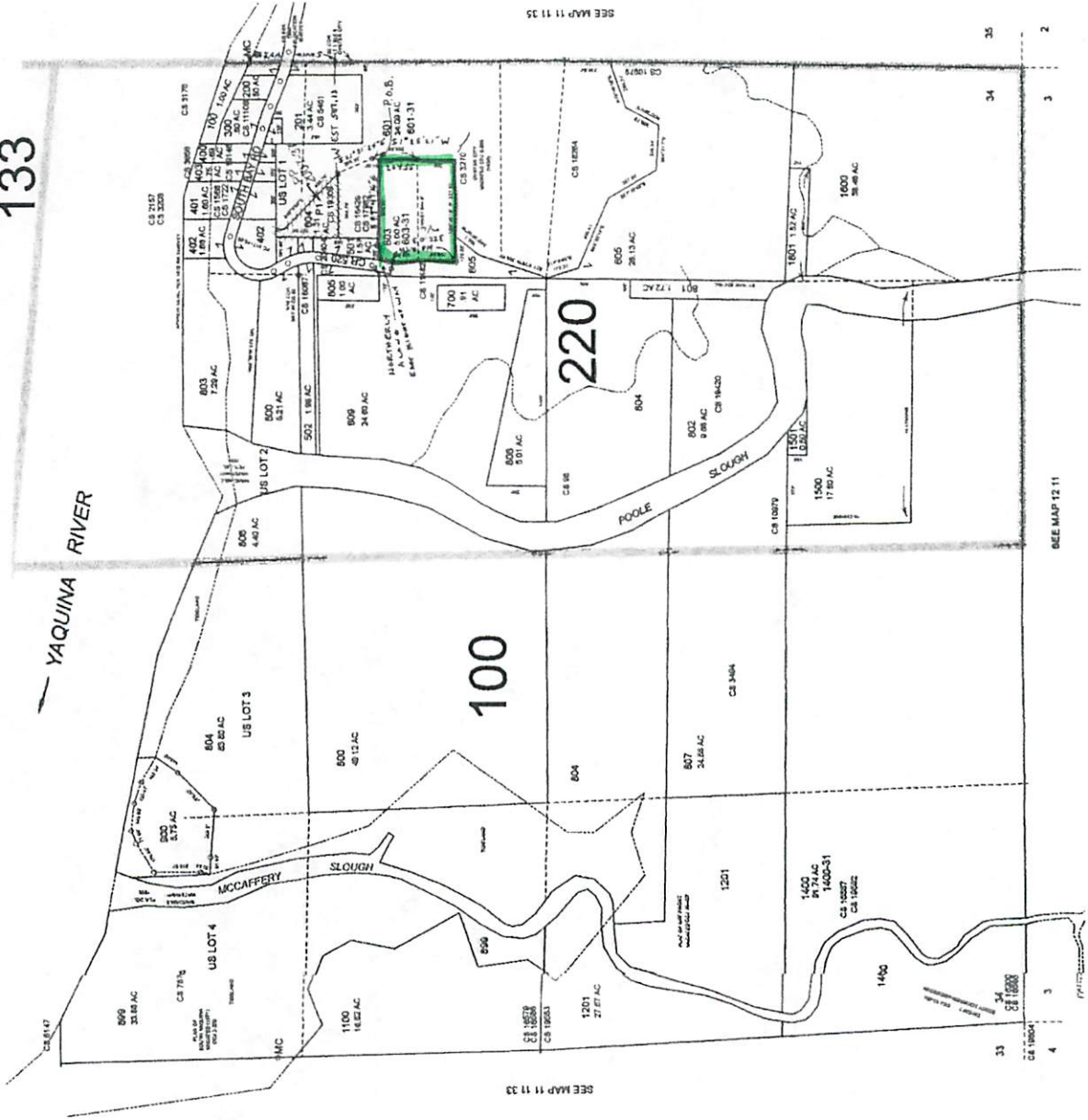
0 200 400 600 800 Feet

THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY

SEE MAP 11 11 27

133

YAUQUINA RIVER



SEE MAP 11 11 33

SEE MAP 11 11 35

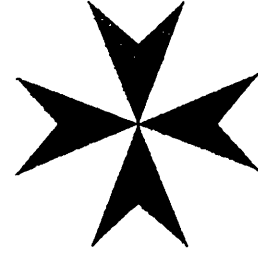
SEE MAP 12 11

33 4 3 2

34 3 2

35

# Toledo Rural Fire Protection District



June 23, 2017

Lincoln county Commissioners

Regarding the request from Greg Torland 6085 South Bay road, (map 11-11-34-603) to withdraw from the Toledo Rural Fire Protection District. The District board of director considered all the information submitted by Mr Torland and Mary Holbert.

At the regular district board meeting held on June 21<sup>st</sup> 2017, Toledo Rural Fire Protection District board of directors approved the request to withdraw from the district.

Should you have any further questions regarding this matter please call me @ 541-336-3311 or E-Mail at [tfd@cityoftoledo.org](mailto:tfd@cityoftoledo.org). Thank you.

A handwritten signature in black ink, appearing to read "William Ewing", followed by a horizontal line.

William Ewing  
Fire Chief