

Notice to Taxing Districts

ORS 308.225



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

Lincoln Co. Board of Commissioners
Lincoln County Courthouse
225 West Olive Rm 110
Newport OR 97365

**Description and Map Approved
May 11, 2022
As per ORS 308.225**

Description Map - Received from: Asia Richardson
On: 5/3/2022

This is to notify you that your Description and Map in Lincoln County for:
Annexation to the North Lincoln Fire & Rescue District No 1

Order No 4-22-127

has been: Approved 5/11/2022
 Disapproved

Department of Revenue File Number: 21-475-2022
Reviewed by: Robert Ayers, 503-983-3032
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 Description and Map must also be filed with the County Assessor

- Transfer
- Merge
- Establishment of Tax Zone

JV 520 23/24
803
8-10-19

AYERS Robert A * DOR

From: Asia Richardson <arichardson@co.lincoln.or.us>
Sent: Tuesday, May 3, 2022 2:36 PM
Subject: Annexation of Certain Property into the North Lincoln Fire & Rescue District #1
Attachments: Order #4-22-127 Annexation Order- Paterson.pdf

Please see the attached Order #4-22-127

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Asia Richardson
Lincoln County Oregon
ARichardson@co.lincoln.or.us
(541) 265-0213

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BEFORE THE BOARD OF COMMISSIONERS
FOR LINCOLN COUNTY, OREGON

In the Matter of:)
) **ORDER # 4-22-127**
ANNEXATION OF CERTAIN PROPERTY)
INTO THE NORTH LINCOLN FIRE AND)
RESCUE DISTRICT #1 (PATERSON))

WHEREAS on around March 28, 2022, the Lincoln County Board of Commissioners received a completed petition from Agent Dennis Saylor on behalf of Kathryn L. Paterson, pursuant to ORS 198.857 and ORS 478.115, to annex property into the North Lincoln Fire and Rescue District #1 (*see* Exhibit “1” attached to and made a part of this Order); and

WHEREAS April 20, 2022, was set as the date for hearing on the petition and notice of the hearing was issued and mailed in accordance with ORS 198.857 (*see* Exhibit “2” attached to and made a part of this Order); and

WHEREAS the Board conducted a public hearing on April 20, 2022, and found that the criteria prescribed by ORS 198.857 for annexation have been met; therefore,

IT IS HEREBY ORDERED THAT:

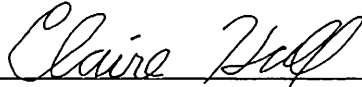
(1) The Board approves of the annexation of the property described in the petition into the North Lincoln Fire and Rescue District No. 1, and the property is hereby annexed into that district.

(2) In accordance with ORS 198.780 and 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.

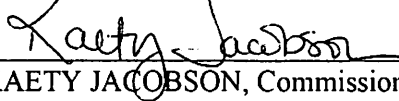
1 (3) A copy of this order shall also be forwarded to: North Lincoln Fire and Rescue
2 District #1, c/o Rob Dahlman, Fire Chief, P.O. Box 200, Lincoln City, OR 97367; Dennis
3 Sayler and Kathryn L. Paterson, both at P.O. Box 250, Gleneden Beach, OR 97388, and
4 County Counsel Kristin H. Yuille.

DATED this 27th day of April, 2022.

LINCOLN COUNTY BOARD OF COMMISSIONERS



CLAIRE HALL, Chair



KAETY JACOBSON, Commissioner

Excused

DOUG HUNT, Commissioner

EXHIBIT "1"

**PETITION BY LANDOWNER FOR ANNEXATION TO
NORTH LINCOLN FIRE & RESCUE RURAL FIRE DISTRICT #1
IN LINCOLN COUNTY**

Pursuant to Oregon Revised Statutes (ORS) 198.857

This form is to be used by a single landowner, with or without co-owners, who owns a parcel of land (territory) to be considered by the Board of Commissioners for annexation.

To the Board of County Commissioners of Lincoln County:

I the undersigned landowner of the territory described below, request that proceedings be initiated for the annexation of said territory to the North Lincoln Fire & Rescue District #1. Attached hereto as Exhibit A, and incorporated herein by reference, is a legal description of the boundary of the territory proposed to be annexed. Also attached hereto as Exhibit B, and incorporated herein by reference, is a map of the territory proposed to be annexed.


All or some of the territory proposed to be annexed is within the following: Lincoln County. The affected district is North Lincoln Fire & Rescue District #1 operating under ORS Chapter 478.

PETITIONER: Provide Township, Range, Section and Tax Lot Number(s) of the territory proposed to be annexed.

Township 8 South, Range 10 West, Section 19, Tax Lot Number 08-10-19-00-00803-00
Total Number of acres +/- or Assessed Acres: 6.2 acres

Katheryn L. Paterson

Petitioner's Printed Name


Signature

12/24/2021

Date of Signature

Name of Co-Owner (if any)

P.O. Box 250 Gleneden Beach, OR 97388
Petitioner's Mailing Address

Mailing Address of Co-Owner (if applicable and if different)

970-443-9646 541-735-5817
Petitioner's Phone Number (work) Petitioner's Phone Number (home)

I hereby certify that I am the legal owner of the territory proposed to be annexed.

Kathryn Peterson
Petitioner

Co-owner (if applicable)

RURAL FIRE PROTECTION DISTRICT ENDORSEMENT:

Approval for this annexation has been granted by the Board of the North Lincoln Fire & Rescue District at its meeting of 1-12-2022 pursuant to ORS 198.857(2).

By: *[Signature]* Date: 1-12-2022
Title: President

OREGON DEPARTMENT OF FORESTRY APPROVAL:

This annexation petition has been reviewed and the Department of Forestry has no objection to the proposed annexation area(s), which is within a fire protection district, being included in a rural fire protection district.

By: *[Signature]*
State Forester

Date: 12/27/2021

PETITIONER'S CERTIFICATION REGARDING TAXATION

I have completed and submitted Oregon Department of Revenue form 150-310-079 ("Application for Fire Protection by a Rural Fire Protection District").

By: *Kathryn Peterson* Date: _____

APPLICATION FOR FIRE PROTECTION BY A RURAL FIRE PROTECTION DISTRICT

On forestland included within a forest protection district under ORS 477.205 to 477.281 as provided by ORS 478.140

TO: North Lincoln County Fire & Rescue District #1 Rural Fire Protection District

<p style="text-align: center; font-size: small;">Enter Name and Address below</p> <p>Katheryn L. Paterson P.O. Box 250 Gleneden Beach, OR 97388,</p> <p>Telephone Number: <u>970-443-9646</u></p>	R.F.P. DISTRICT USE ONLY		ASSESSOR'S USE ONLY	
	Date Received	Approved	Date Received	Approved
<p>INSTRUCTIONS TO APPLICANT</p> <p>1. Applicant must own the property or be purchasing it under contract. 2. File separate application for each tax account. 3. File original form with the Rural Fire Protection District in which your property is located. 4. Retain a copy for your files.</p> <p>INSTRUCTIONS TO RURAL FIRE PROTECTION DISTRICT</p> <p>1. Forward a copy to the assessor of the county in which the property is located within 20 days of receipt from applicant.</p>				

PROPERTY DESCRIPTION

Deed or Contract Deed Volume and Page or Instrument Number: 202113937 Date Recorded: 2021
Lincoln County Account Number (as shown on your tax statement): R242885

Section, Subdivision or Name of Addition	Section or Lot	Township or Block	Range	Acres
9516 Siletz Hwy. Lincoln City, OR 97367	19	8 South	10West	6.2
US Lot #5				

Pays into RFPD per this

I, as owner, hereby request that part of the above-described property be protected against fire by the State Board of Forestry under the provisions of Oregon Revised Statute (ORS) 477.205 to 477.281, also be protected against fire by the rural fire protection district in which it is located.

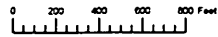
1. This property is located within the exterior boundaries of the above-named Rural Fire Protection District and a forest protection district as defined in ORS 477.205 to 477.281.
2. I understand that I will be taxed for fire protection on the county tax roll by both the rural fire protection district and by the State Board of Forestry under ORS Chapter 477.

DECLARATION

I declare under the penalties for false swearing as contained in ORS 305.990(4) that this document has been examined by me and to the best of my knowledge it is a true, correct, and complete statement.

Applicant's Signature X <u>Katheryn L. Paterson</u>	Date <u>12/24/2021</u>
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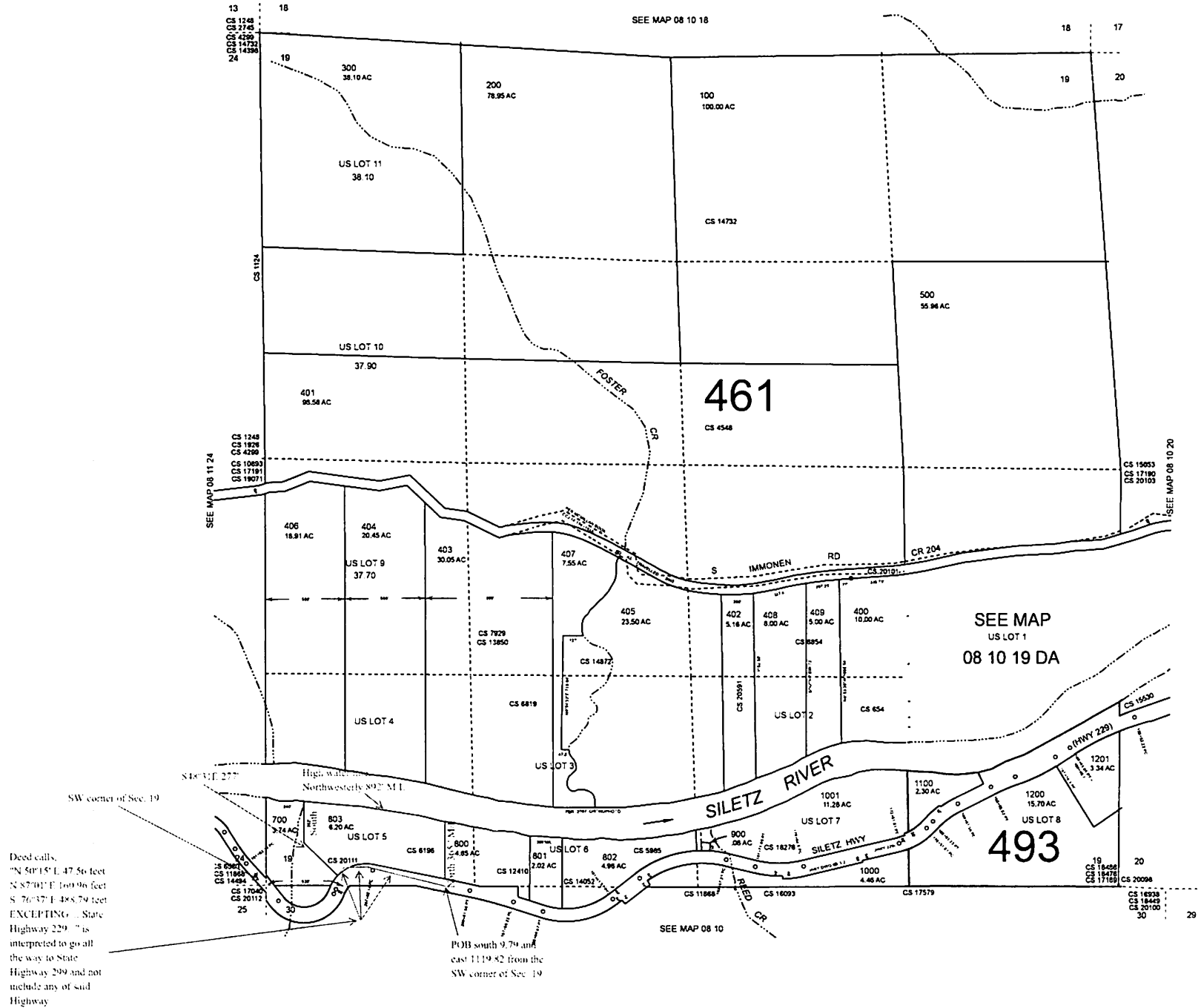
THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY



SECTION 19 T.8S. R.10W. W.M.
LINCOLN COUNTY
1" = 400'

08 10 19

Cancelled
800
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Deed calls:
"N 50°15' E 47.56 feet
S 87°01' E 109.96 feet
S 76°37' E 488.79 feet
EXCEPTING State
Highway 229." is
interpreted to go all
the way to State
Highway 229 and not
include any of said
Highway

POB south 9.79 and
east 1119.82 from the
SW corner of Sec. 19

Revised: SEB
03/04/2009

08 10 19

RECORDING REQUESTED BY:

Western Title & Escrow

3469 NW Highway 101
Lincoln City, OR 97367

AFTER RECORDING RETURN TO:



Order No.: WT0225909-CAS
Kathryn L. Paterson
Kathryn L. Paterson Living Trust
2056 Vineyard Dr
Windsor, CO 80550

SEND TAX STATEMENTS TO:

Kathryn L. Paterson Living Trust
2056 Vineyard Dr
Windsor, CO 80550

APN: R242885
Map: 08-10-19-00-00803

Lincoln County, Oregon
 11/01/2021 12:01:03 PM
 DOC-WD Cnt=1 Pgs=4 Stn=10
 \$20.00 \$11.00 \$10.00 \$60.00 \$7.00 \$108.00
 I, Dana W. Jenkins, County Clerk, do hereby certify that the within instrument was recorded in the Lincoln County Book of Records on the above date and time. WITNESS my hand and seal of said office affixed.

Dana W. Jenkins, Lincoln County Clerk

SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY WARRANTY DEED

James Dale Gallagher and Dawn Alisha Gallagher, Grantor, conveys and warrants to Kathryn L. Paterson, Trustee of the Kathryn L. Paterson Living Trust, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Lincoln, State of Oregon:

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

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS SIX HUNDRED EIGHTY THOUSAND AND NO/100 DOLLARS (\$680,000.00). (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.

STATUTORY WARRANTY DEED

(continued)

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

Dated: 10/28/21

James Dale Gallagher
James Dale Gallagher

Dawn Alisha Gallagher
Dawn Alisha Gallagher

State of OREGON
County of Lincoln

This instrument was acknowledged before me on October 28, 2021 by James Dale Gallagher and Dawn Alisha Gallagher.

Dawn E. Ballew
Notary Public - State of Oregon

My Commission Expires: 4/5/2024

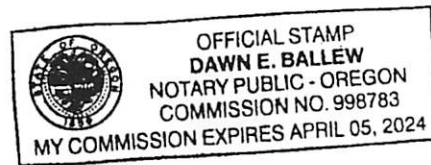


EXHIBIT "A"
Legal Description

A tract of land in Section 19, Township 8 South, Range 10 West, Willamette Meridian, in Lincoln County, Oregon, as described as follows:

Beginning at a point within the right of way of State Highway 229, (formerly known as Kernville-Siletz Highway) that is South 9.79 feet and East 1119.82 feet from the Southwest corner of said Section 19; thence North 365 feet, more or less, to the high water line of the Siletz River; thence Northwesterly along said high water line, 892 feet, more or less, to the East line of the Hall tract as described in Volume 9, page 480, Film Records; thence South along said East line 260 feet, more or less, to an iron rod that is North 248.06 feet and East 239.49 feet from the Southwest corner of said Section 19; thence South 48° 31' East, 277 feet to an iron rod; thence North 50° 15' East, 47.56 feet; thence North 87° 01' East, 160.96 feet; thence South 76° 37' East, 488.79 feet to the point of beginning.

EXCEPTING that part of the above described tract within State Highway 229 (formerly known as Kernville-Siletz Highway) right of way.

EXHIBIT "B"
Exceptions

Subject to:

1. Rights of the public to any portion of the Land lying within the area commonly known as roads and highways.
2. Any adverse claim based upon the assertion that:
 - a) Some portion of said Land is tide or submerged land, or has been created by artificial means or has accreted to such portion so created.
 - b) Some portion of said Land has been brought within the boundaries thereof by an avulsive movement of Siletz River or has been formed by accretion to any such portion.

3. The rights of the public and governmental bodies for fishing, navigation and commerce in and to any portion of the Land herein described, lying below the high water line of the Siletz River.

The right, title and interest of the State of Oregon in and to any portion lying below the high water line of Siletz River.

4. Rights and easements for navigation and fishery which may exist over that portion of said Land lying beneath the waters of unnamed creek.
5. Easement(s) for the purpose(s) shown therein and rights incidental thereto, as granted in a document:

Granted to: Consumers Power, Inc.
Recording Date: November 1, 1988
Recording No: Book 198, page 950

6. An application for de-titling the manufactured home from personal property to real property has been approved, as disclosed by application:

Recording Date: June 25, 1996
Recording No: Book 320, page 1109

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

Granted to: Consumers Power, Inc.
Recording Date: July 10, 2007
Recording No: 200709925

EXHIBIT "2"



OFFICE OF LINCOLN COUNTY LEGAL COUNSEL

225 West Olive Street, Room 110

Newport, Oregon 97365

(541) 265-4108

Fax: (541) 265-4176

Kristin Yuille
County Counsel

Wayne Belmont

Assistant County Counsel

M. Gerard Herbage

Assistant County Counsel

Brian Gardner

Assistant County Counsel

Janet Harrison

Paralegal

April 14, 2022

To: Kathryn L. Paterson
P.O. Box 250
Gleneden Beach, OR 97388

Agent Dennis Sayler
P.O. Box 250
Gleneden Beach, OR 97388

Re: Map and Tax Lot Number 08-10-19-00-00803-00

Dear Ms. Paterson and Mr. Sayler:

The Lincoln County Board of Commissioners (the Board) has received a petition to annex the above-referenced property into the North Lincoln Fire & Rescue District No. 1 (the District). The petition was endorsed by the Board of Directors of the District.

The Board will hold a public hearing on the proposed annexation on April 20, 2022, at 10:00 A.M. In making its decision on the proposed annexation, the Board will consider the local comprehensive plan for the area. (ORS 198.857(4)). To comply with ORS 192.610-192.690 (Oregon Public Meeting Law) as amended, this hearing will be conducted both in person and remotely via electronic means. The hearing will be livestreamed and can be observed by the following link:

https://www.youtube.com/channel/UCwNz5TMvHTN4itpJm_efb9Q

Opportunity for oral testimony for this hearing will be provided via video conference. Any person wishing to provide oral testimony must follow instructions at: https://us02web.zoom.us/webinar/register/WN_M6Ov9TgNSpKxLJNF_wGKXQ

All interested persons may appear in person or via video conference and be heard. Interested persons can also submit written testimony or documents to the Office of Legal Counsel, 225 West Olive Street, Room 110, Newport Oregon 97365, or email mherbage@co.lincoln.or.us. Questions regarding the hearing may be directed to M. Gerard Herbage, Assistant Lincoln County Counsel, at the above address.



April 14, 2022

Dated and mailed this 14th day of April, 2022.

/s/ M. Gerard Herbage

M. Gerard Herbage
Assistant Lincoln County Counsel

Cc North Lincoln Fire and Rescue District #1, Attention Rob Dahlman, Fire Chief
P.O. Box 200, Lincoln City, OR 97367

