

ORDINANCE NO. 2017-06

**AN ORDINANCE OF THE CITY OF SEASIDE, OREGON,
ANNEXING CERTAIN TERRITORY EAST OF THE CITY**
(Property located at 1355 11th Avenue)

WHEREAS, there has been submitted to the City of Seaside, a written proposal for annexation to the City by the owner's consent, who also owns all of the land in the contiguous territory, described below which real property therein represents all of the assessed value of all real property in the contiguous territory to be annexed:

NOW, THEREFORE, THE CITY OF SEASIDE ORDAINS AS FOLLOWS:

SECTION 1. ANNEXATION AREA:

ALL THE PROPERTY DESCRIBED IN THE LEGAL DESCRIPTION FOR PROPERTY, CLATSOP COUNTY DEED RECORDS, UNDER RECORDING INSTRUMENT # 201702320.

Lots 13, 14, 15 & 16, Block 13; STANLEY ACRES SUBDIVISION PORTIONS OF I THRU Q, Recorded September 23rd, 1912, Book 5 of Plats Page 42, in Clatsop County, State of Oregon. Clatsop County Tax ID 10344 Map #6 10 15 CA Tax Lot 05000 Situs Address: 1355 11th Avenue

SECTION 2. ZONE – The subject property is zone Suburban Residential (SR) in accordance with the zones established under the City of Seaside Comprehensive Plan & The Zoning Ordinance of Seaside, Oregon.

SECTION 3. RECORD – The City Auditor shall submit to the Secretary of the State of Oregon: (1) A copy of this Ordinance, and (2) a copy of the Statement of Consent of the landowner in the territory annexed. The City Auditor shall also send a description by metes and bounds or legal subdivisions of the new boundaries of the City of Seaside within ten (10) days of the effective date of annexation to the Clatsop County Assessor, the Clatsop County Clerk, and the Clatsop County Planning Department.

SECTION 4. FIRE PROTECTION – The subject property is hereby withdrawn from the Seaside Rural Fire Protection District and included in the City of Seaside for fire protection purposes.

SECTION 5. ROAD DISTRICT - The subject property is hereby withdrawn from the Clatsop County Road District No. 1 and included in the City of Seaside Road District.

SECTION 6. POLICE PROTECTION – The subject property is hereby withdrawn from the Clatsop County Law Enforcement District and included in the City of Seaside for police protection purposes.

SECTION 7. WATER PROVISION – The subject property is hereby withdrawn from the Stanley Acres Water District and included in the City of Seaside for the purpose of providing water.

SECTION 8. FINDINGS – The City Council makes the following findings pertinent to the annexation:

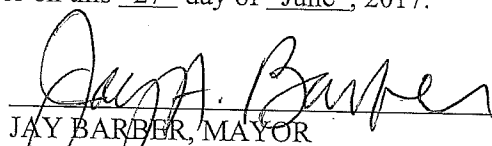
- A. The City of Seaside has an acknowledged Comprehensive Plan.
- B. The subject property is within the City's adopted Urban Growth Boundary.
- C. The properties are contiguous to the City Limits.
- D. There is unanimous consent of the property owners.

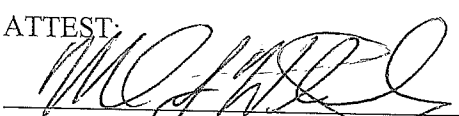
SECTION 9. EFFECTIVE DATE – The effective date of this Ordinance is 26, day of July, 2017, in accordance with ORS 222.040 and 222.180.

ADOPTED by the City Council of the City of Seaside on this 26 day of June, 2017, by the following roll call vote:

YEAS: FRANK, BARBER, WRIGHT, PHILLIPS, MORRISEY
NAYS: NONE
ABSTAIN: NONE
ABSENT: MONTERO, HORNING

SUBMITTED to and **APPROVED** by the Mayor on this 27 day of June, 2017.


JAY BARBER, MAYOR

ATTEST:

Mark J. Winstanley, City Manager

APPLICATION FOR ANNEXATION

CITY OF SEASIDE
989 BROADWAY
SEASIDE OREGON 97138
(503) 738-5511

5.

1. Applicant(s) (Please Print) Michael A. Bauske
Seaside Investment Company LLC

2. Applicant's mailing address:
Street PO Box 300
City Seaside
State Oregon Zip 97138

3. Telephone Numbers:
Home 503-717-2203
Work same

4. Legal description of property requested to be annexed (as a minimum attach a Tax Map): Stanley Acres Subd lot 13 Thru 16, Block 3
AKA Tax map # 61015CAD5000
1355 11th Ave
Seaside OR 97138

5. In the event this proposed annexation is approved, are you aware of the zoning on the subject property? Please briefly explain: SR Residential-Suburban

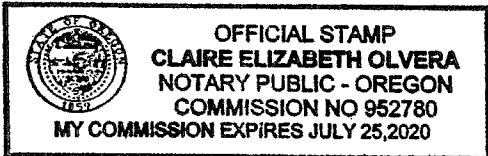
Signature of Applicant Michael A. Bauske

State of Oregon; County of Clatsop Signed or

attested before me on April 25, 2017 (date)

by Michael A. Bauske (name(s) of person(s))

Sharon E. Olvera
Notary Public for Oregon
Office Asst.
Title



My commission expires: July 25, 2020

NOTE: PROCESS WILL TAKE FROM 60 TO 120 DAYS

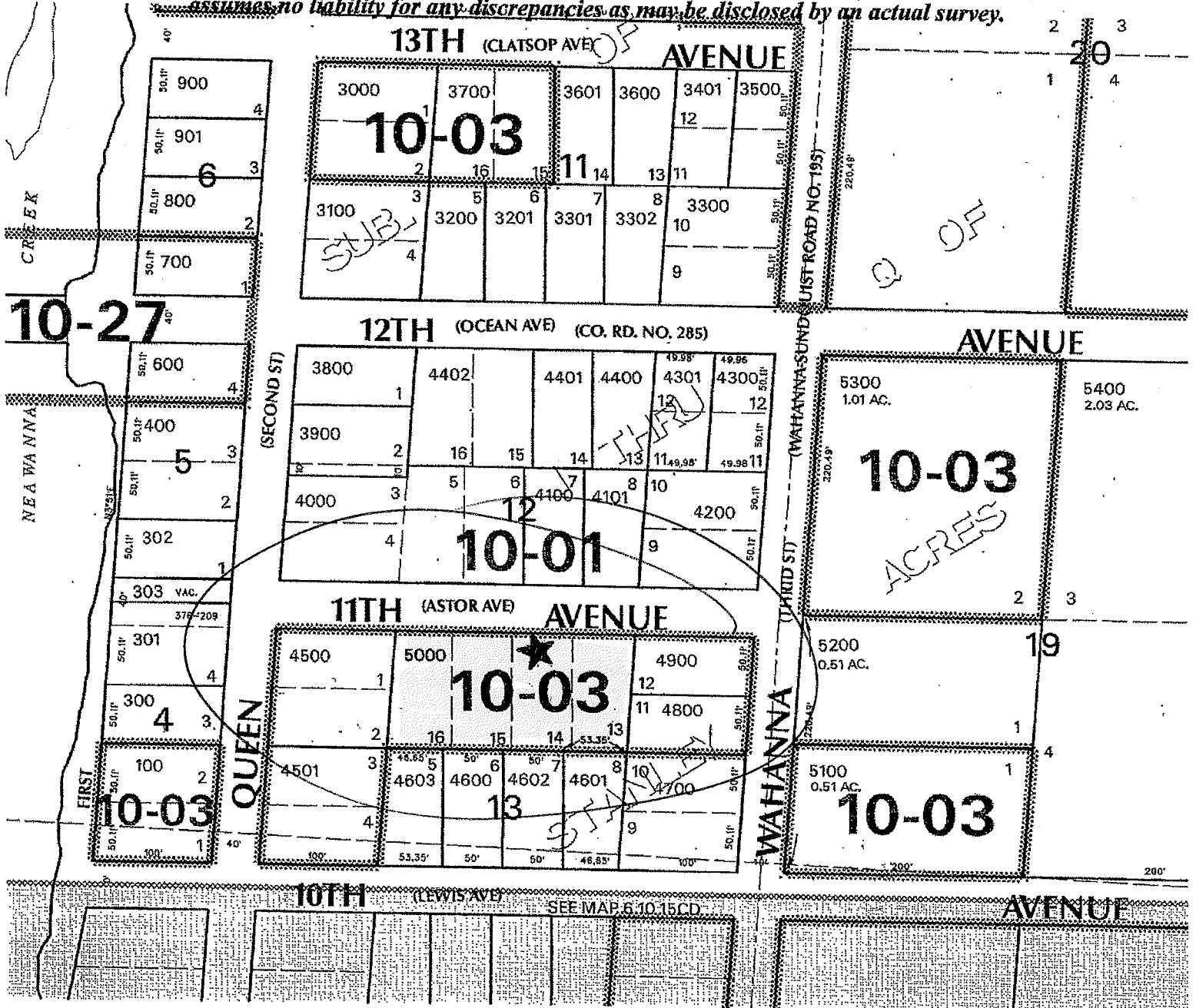


AGENT FOR FIRST AMERICAN
TITLE INSURANCE COMPANY

Pacific Title Company

P.O. Box 2488 / 3470 Hwy. 101 N, Suite 101 / Gearhart, OR 97138
customerservice@pacifictitlecompany.com
(503) 738-0925 / Title Fax (503) 738-5318 / Escrow Fax (503) 738-2134

This map is furnished as a convenience in locating property, and Pacific Title Company assumes no liability for any discrepancies as may be disclosed by an actual survey.





Recording Instrument #: 201702320
Recorded By: Clatsop County Clerk
of Pages: 2 Fee: 52.00
Transaction date: 3/24/2017 15:44:52
Deputy: nstethem

After Recording, Return to:
Seaside Investment Company, LLC
PO Box 300
Seaside, OR 97138

First Party's Name and Address: Deborah A. Bauske, Personal Representative for the Estate of Donn C. Bauske, Clatsop County Probate Case No. 15PB00974 322 S. Holladay Dr. Seaside, OR 97138	Until A Change Is Requested, Send All Tax Statements To: Seaside Investment Company, LLC PO Box 300 Seaside, OR 97138
Second Party's Name And Address: Seaside Investment Company, LLC PO Box 300 Seaside, OR 97138	Consideration: \$0.00 This property is being conveyed by inheritance

Personal Representative's Deed

This Indenture made this 14th day of March 2017, by and between Deborah A. Bauske the duly appointed, qualified and acting Personal Representative of the Estate of Donn C. Bauske, Clatsop County Probate Case No. 15PB00974 hereinafter called the first party, and Seaside Investment Company, LLC, hereinafter called the second party; Witnesseth:

The first party grants, bargains and conveys unto the second party and the second party's heirs, successors-in-interest and assigns all the estate's right, title and interest of the said deceased at the time of decedent's death, and all the right, title and interest that the said estate of said deceased by operation of the law or otherwise may have thereafter acquired in that certain real property situated in the County of Clatsop, State of OR, described as follows, to-wit:

**Lots 13, 14, 15, and 16, Block 13, SUBDIVISION OF STANLEY ACRES, in the County of Clatsop,
State of Oregon.**

Situs Addresses: 1355 11th Ave., Seaside, OR 97138

Tax Account ID Number: 10344

Assessor's Parcel Number: 61015CA 05000

To Have And To Hold the same unto the said second party, and second party's heirs, successors-in-interest and assigns forever.

inheritance.

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, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009. 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, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

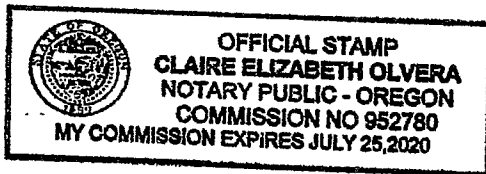
In Witness Whereof, the said first party has executed this instrument.

The Estate of Donn C. Bauske

Deborah A. Bauske
Deborah A. Bauske, Personal Representative

State of OREGON)
) ss.
County of Clatsop)

Personally appeared before me on the 14th day of March 2017, the above named Deborah A. Bauske, Personal Representative of the Estate of Donn C. Bauske, Clatsop County Probate Case Number 15PB00974 and acknowledged the foregoing instrument to be her voluntary act and deed.



Claire E. Olvera
Notary Public for Oregon