

PUBLIC LEGAL NOTICE

REVISED

Hearing on Petition for Annexation of Territory into the Harbor Water PUD

On Wednesday, September 19, 2018, starting at 1:15P.M. in the Commissioner's Hearing Room, Courthouse Annex, 94235 Moore St., Gold Beach, Oregon, the Board of Curry County Commissioners will hold a Hearing to consider the Annexation of Pelican Bay Heights Water System, LLC into the Harbor Water PUD District.

A legal description is available on the Curry County Website, at <http://www.co.curry.or.us/> as well as in the Board of Commissioner's Office. The public is welcome to attend and to comment at the hearing. For further information on the proposed annexation, please contact the Curry County Legal Counsel at (541) 247-3291.

The principal Act of the Harbor Water PUD is ORS chapter 261. That Act allows additional and cumulative to laws for annexations to districts. Under ORS 261.141, annexation may be initiated by Resolution of the Board of Directors of that District.

The Curry County Board of Commissioners will take public testimony at the hearing. The board shall consider whether area could be benefitted and consider local comprehensive plan. The County will determine the boundaries of the district and establish a date for a final hearing on approval of the annexation.

Any person interested in the proposed annexation may appear and present written statements for or against including property in the territory to be annexed.

No lands shall be included in the boundaries fixed by the governing body lying outside the boundaries described in the electors' petition unless the owners of that land request inclusion in writing before the hearing under subsection (1) of this section is completed.

Annexation shall not affect or impair the title to any property owned or held by the district, or any debts, demands, liabilities or obligations existing in favor of or against the annexed property.

Posted: Curry County Board of Commissioners Hearing Room Bulletin Board, at least 15 days prior to hearing (August 31, 2018). Posted Curry County Courthouse August 31, 2018. Posted at US Post Office Gold Beach August 31, 2018.

Mailed: First Class US mail to owners of property in the area proposed to be annexed and to Board of Harbor Water PUD.

Publish Dates:

CURRY COASTAL PILOT

Wednesday, August 29th and Wednesday, September 5th, 2018

CURRY COUNTY REPORTER

Wednesday, August 29th and Wednesday, September 5th, 2018

JUL 03 2018

10:00 AM
BS

BOARD OF COMMISSIONERS

Filed DATE: 7-10-18
9:50 AM

Curry County Oregon

COUNTY OF CURRY

STATE OF OREGON

In The Matter of

_____)
_____)
_____)

(leave blank)

PETITION FOR FORMATION OR
CHANGE OF ORGANIZATION OF
A SPECIAL DISTRICT

No. _____
(leave blank)

We, being assessed owners or contract purchasers of property within, or electors registered within, the territory described herein, hereby petition the Curry County Board of Commissioners for the formation or change of organization of a special district.

1. This petition is filed pursuant to ORS 198.705 to 198.955.
2. The ~~district~~ or districts affected by this petition is are the Pelican Bay Heights Water System LLC + Horn Water PUD District(s) and the County affected is Curry County. If more than one County is affected, the additional County affected is _____
3. The Principal Act concerning the affected district(s) is Ch 261 of the Oregon Revised Statutes.
4. The nature of the proposal is (formation/change of organization). If change of organization, the kind of change proposed is: (check one) Annexation, Withdrawal, Merger, Consolidation, Dissolution.
5. The territory subject to the petition is inhabited (inhabited/uninhabited). See ORS 198.705(10) and (18) for definitions.
6. If the petition is for formation, and the district board members are elected, the number of members on the board will be _____.
7. The proposed formation or change of organization is (is/is not) subject to any proposed terms or conditions. Any such proposed terms and conditions are attached.

8. The signers of the petition are registered electors, land owners, or both, within the territory subject to the petition as indicated below each signature. *See attached Exhibit "A"*
9. Petitioners request that proceedings be taken for the formation or change of organization proposed.
10. Petitioners (do/do not) represent all the landowners of the territory for which formation of the district or change of organization is proposed. If not, and if petition is based on land ownership, a list of the names and addresses of all landowners of property within the territory subject to the petition is attached. *List of property owners attached as Exhibit "E"*
11. Petitioners (do/do not) represent all the electors registered within the territory subject to the petition. If not, and if petition is based upon electors, a list of all electors registered within the territory subject to the petition is attached.
12. The legal description and a map outlining the boundaries of the territory proposed for formation or change of organization are attached. *See attached Exhibit "B" & "C"*
13. The certificate of a registered engineer or land surveyor stating that boundaries of the territory proposed formation or change of organization closes is attached. *See attached Exhibit "B"*
14. The approval by endorsement of the board of the affected district, if applicable, and of any agency as required by the Principal Act, is attached. *See attached Exhibit "D" and Exhibit "E" and Exhibit "F"*
15. If the petition proposes a formation district, consolidation or merger of districts, the name proposed for the new district or the surviving or successor is
n/a
16. The chief petitioners are (not to exceed three persons):

<u>Jn Amlyn</u>		
(Name)	(Name)	(Name)
<u>1566 Pelican Bay Dr.</u>		
(Address)	(Address)	(Address)
<u>Brookings, OR 97415</u>		
(City, State/Zip)	(City, State/Zip)	(City, State/Zip)
17. Additional requirements of Principal Act (if any).

NAME (Signature) _____ Date: _____

Name (Print) _____

Residence Address _____

Mailing Address _____

Are you an assessed owner or contract purchaser of property within the territory proposed for formation or change of organization? Yes ____ No ____ Acres Owned ____ County _____

Are you an elector registered within the territory proposed for formation or change of organization? Yes ____ No ____ Voting Precinct _____

USE ADDITIONAL SHEETS IF NECESSARY

AFFIDAVIT OF PERSON CIRCULATING PETITION

STATE OF OREGON)
COUNTY OF CURRY) ss.

I, Ben Anblin, being first duly sworn, petition did so in my presence and on the dates indicated after their names.

[Signature]
Petition Circulator

Subscribed and sworn to before me this 3 day of July, 2018.

[Signature]
Notary Public for Oregon
My Commission Expires 2/21/22



Exhibit "A"

BOARD OF COMMISSIONERS
COUNTY OF CURRY
STATE OF OREGON

RECEIVED
County Legal Counsel
JUL 06 2018
Addition to
petition
Curry County Oregon

In the matter of the Annexation
of PELICAN BAY HEIGHTS WATER SYSTEM, LLC
into the HARBOR WATER PUD

PETITION FOR ANNEXATION

- 1) We, the undersigned petitioners, do hereby petition the Curry County Board of Commissioners to initiate proceedings for the annexation of Pelican Bay Heights Water system, LLC to the Harbor Water PUD district, located entirely within Curry County.
- 2) Petitioners are landowners within Pelican Bay Heights Subdivision, Pelican Bay Heights 1st Addition or Pelican Bay Heights 2nd Addition and are currently serviced for water by Pelican Bay Heights Water System, LLC. We propose annexation to the Harbor Water PUD district as indicated by signatures below.
- 3) A legal description and a map outlining the boundaries of the parcel of land proposed to be annexed to the district are attached to this petition.
- 4) The parcel of land proposed to be included in the district does not include any territory within a city.
- 5) The parcel of land proposed to be annexed to the district does not include any territory included within another district formed under the same principal act.
- 6) The parcel of land proposed for annexation will be serviced by the facilities and services of the district.

We, the undersigned landowners request annexation as presented in this petition. In witness thereof, we have signed this petition.

This petition may be signed in counterparts, which is to be deemed as one document.

Robert & Linda Beaudry
98660 Harbor Vista
Brookings, OR 97415
541-813-1078

Linda Beaudry
7.6.17
Date

Ron & Cheryl Bodman
15760 Upper Benham Lane
Brookings, OR 97415
541-469-6764

Date

I, Jan Amlin, circulated this petition,
and in my presence each signature
was obtained on the date indicated
by their name Amlin

EXHIBIT B

A tract of land lying in the South Half of Section 10, and the North Half of Section 15, Township 41 South, Range 13 West, Willamette Meridian, Curry County, Oregon, included within the following described lines:

BEGINNING at the Initial Point of Second Addition to Pelican Bay Heights Subdivision, said point described as being South 543.65 feet and East 2200.71 feet from the Southwest Corner of said Section 10;

thence along the boundary of said subdivision, North 40°04'30" West, 750.22 feet;
 thence North 39°58'30" West, a distance of 537.49;
 thence North 32°07'30" West, a distance of 475.25 feet;
 thence North 46°50'45" West, a distance of 393.63 feet;
 thence following along the Northerly boundary of Lots 15 and 16, of said subdivision,
 North 35°17' East, a distance of 101.7 feet;
 thence North 61°15' East, a distance of 43.4 feet;
 thence North 52°04' East, a distance of 58.4 feet;
 thence North 85°16' East, a distance of 99.6 feet;
 thence North 45°00' East, a distance of 13.0 feet;
 thence North 84°30' East, a distance of 121.5 feet;
 thence North 58°30' East, a distance of 45.0 feet;
 thence North 07°30' West, a distance of 38.4 feet;
 thence North 77°00' East, a distance of 46.2 feet;
 thence North 60°00' East, a distance of 97.8 feet;
 thence North 39°00' East, a distance of 98.7 feet;
 thence North 74°14' East, a distance of 29.5 feet to the Westerly right of way line of
 Upper Benham Lane, and the beginning of a non-tangent curve to the left, having a radius of
 86.34 feet, the long chord of which bears North 37°18'15" West, a distance of 35.06 feet;
 thence along said curve through a central angle of 23°25'44", an arc length of 35.31 feet;
 thence leaving said Westerly right of way, North 40°58' East, a distance of 50.00 feet to
 the Easterly boundary of said subdivision;
 thence along said Easterly boundary, South 48°59'30" East, a distance of 92.51 feet;
 thence South 24°59'30" East, a distance of 137.53 feet;
 thence South 28°47'30" East, a distance of 520.00 feet;
 thence South 05°48'15" West, a distance of 150.00 feet to the Southwest corner of Lot 8,
 Pelican Bay Ranchettes Subdivision;
 thence along the Southerly boundary of said Lot 8, North 57°51' East, a distance of 54.6
 feet;
 thence leaving said Southerly boundary, North 78°21'28" East, a distance of 55.11 feet
 to the most Westerly corner of that parcel described in Instrument 2015-0723, recorded March
 9, 2015, Official Records of Curry County, Oregon;
 thence following said parcel boundary, North 13°14'00" East, a distance of 74.42 feet to
 the beginning of a tangent curve to the right, with a radius of 275.00 feet;
 thence along said curve through a central angle of 20°31'00", an arc length of 98.47 feet;
 thence North 33°45'00" East, a distance of 30.37 feet;
 thence North 33°46'52" East, a distance of 114.23 feet;
 thence South 30°08'07" East, a distance of 165.51 feet;
 thence South 39°25'52" West, a distance of 50.00 feet;
 thence South 22°10'42" West, a distance of 164.19 feet to Easterly boundary of Parcel
 2, Westbrook Minor Partition Plat No. 1992-06;
 thence along said Partition Plat boundary, South 58°19'45" East, a distance of 183.27
 feet to the most Northerly corner of Parcel 1, Westbrook Minor Partition Plat No. 1991-65;

thence along the East boundary of said Parcel 1, South 45°21'29" East, a distance of 176.09 feet;

thence South 16°01'49" East, a distance of 149.62 feet to the North boundary of that parcel of land described in Instrument 2008-3155, recorded July 8, 2008, Official Records of Curry County, Oregon;

thence following said parcel boundary, North 57°51'04" East, a distance of 17.72 feet;

thence North 59°27'55" East, a distance of 4.43 feet;

thence North 67°15'17" East, a distance of 7.21 feet;

thence South 17°42'55" East, a distance of 11.68 feet;

thence South 14°03'47" East, a distance of 9.17 feet;

thence South 07°25'31" East, a distance of 24.50 feet to the right of way of Seaside Court, and the beginning of a non-tangent curve to the left, having a radius of 50.00 feet, the long chord of which bears South 69°08'24" West, a distance of 24.74 feet;

thence along said right of way on said curve through a central angle of 28°38'46", an arc length of 25.00 feet;

thence continuing along said curve through a central angle of 90°00'00", an arc length of 78.54 feet;

thence South 35°29'34" East, a distance of 145.00 feet to the beginning of a tangent curve to the right with a radius of 109.51 feet;

thence along said curve through a central angle of 38°34'41", an arc length of 73.74 feet;

thence South 03°05'06" West, a distance of 12.34 feet;

thence continuing South 03°05'06" West, a distance of 3.23 feet to the beginning of a tangent curve to the left, having a radius of 273.60 feet;

thence along said curve through a central angle of 36°16'36", an arc length of 173.23 feet;

thence South 33°11'33" East, a distance of 140.00 feet to the beginning of a tangent curve to the right, having a radius of 438.46 feet;

thence along said curve through a central angle of 21°05'48", an arc length of 161.44 feet to a compound curve, having a radius of 25.00 feet;

thence along said curve through a central angle of 129°19'57", an arc length of 56.43 feet;

thence South 27°21'51" West, a distance of 50.00 feet to the most Easterly corner of Parcel 2, Westbrook Minor Partition Plat No. 1992-05;

thence following along the boundary of said Partition Plat No. 1992-05, South 24°55'10" West, a distance of 140.60 feet;

thence North 80°35'21" West, a distance of 316.50 feet to the Southerly right of way line of Napa Lane and the beginning of a non-tangent curve to the right, having a radius of 152.20 feet, the long chord of which bears South 44°08'21" West, a distance of 58.03 feet;

thence along said curve through a central angle of 21°58'50", an arc length of 58.39 feet, more or less to the POINT OF BEGINNING.

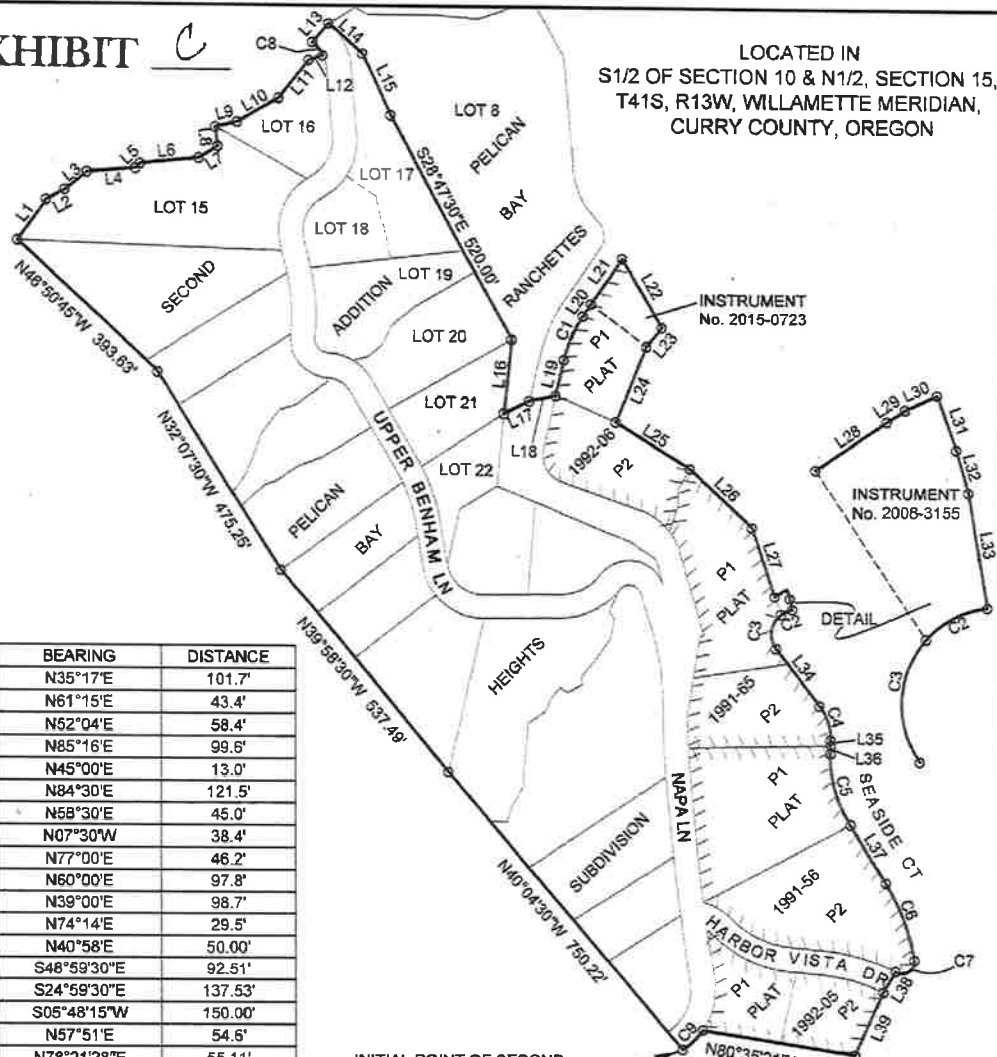
REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 26, 1995
RICHARD P. ROBERTS
2730

EXPIRATION DATE: 12/31/18

EXHIBIT C

LOCATED IN
S1/2 OF SECTION 10 & N1/2, SECTION 15,
T41S, R13W, WILLAMETTE MERIDIAN,
CURRY COUNTY, OREGON



LINE	BEARING	DISTANCE
L1	N35°17'E	101.7'
L2	N61°15'E	43.4'
L3	N52°04'E	58.4'
L4	N85°16'E	99.6'
L5	N45°00'E	13.0'
L6	N84°30'E	121.5'
L7	N58°30'E	45.0'
L8	N07°30'W	38.4'
L9	N77°00'E	46.2'
L10	N60°00'E	97.8'
L11	N39°00'E	98.7'
L12	N74°14'E	29.5'
L13	N40°58'E	50.00'
L14	S48°59'30"E	92.51'
L15	S24°59'30"E	137.53'
L16	S05°48'15"W	150.00'
L17	N57°51'E	54.6'
L18	N78°21'28"E	55.11'
L19	N13°14'00"E	74.42'
L20	N33°45'00"E	30.37'
L21	N33°46'52"E	114.23'
L22	S30°08'07"E	165.51'
L23	S39°25'52"W	50.00'
L24	S22°10'42"W	164.19'
L25	S58°19'45"E	183.27'
L26	S45°21'29"E	176.09'
L27	S16°01'49"E	149.62'
L28	N57°51'04"E	17.72'
L29	N59°27'55"E	4.43'
L30	N67°15'17"E	7.21'
L31	S17°42'55"E	11.68'
L32	S14°03'47"E	9.17'
L33	S07°25'31"E	24.50'
L34	S35°29'34"E	145.00'
L35	S03°05'06"W	12.34'
L36	S03°05'06"W	3.23'
L37	S33°11'33"E	140.00'
L38	S27°21'51"W	50.00'
L39	S24°55'10"W	140.60'

INITIAL POINT OF SECOND ADDITION TO PELICAN BAY HEIGHTS SUBDIVISION BEING SOUTH 543.65' & EAST 2200.71' FROM THE SOUTHWEST CORNER OF SECTION 10

CURVE	RADIUS	ARC LENGTH	DELTA ANGLE	CHORD BEARING	CHORD
C1	275.00'	98.47'	20°31'00"		
C2	50.00'	25.00'	28°38'46"	S 69°08'24" W	24.74'
C3	50.00'	78.54'	90°00'00"		
C4	109.51'	73.74'	38°34'41"		
C5	273.60'	173.23'	36°16'36"		
C6	438.46'	161.44'	21°05'48"		
C7	25.00'	56.43'	129°19'57"		
C8	86.34'	35.31'	23°25'44"	N 37°18'15" W	35.06'
C9	152.20'	58.39'	21°58'50"	S 44°08'21" W	58.03'

PREPARED FOR: PELICAN BAY HEIGHTS WATER SYSTEM, LLC
DATE: 7/02/2018
JOB #: 18-100



REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON
JULY 25, 1995
RICHARD P. ROBERTS
Z730
EXPIRES 12/31/18

Roberts & Associates
LAND SURVEYING INC.

611 SPRUCE STREET
P.O. Box 1599
Brookings, OR 97415
Ph: 541-469-0162
Fax: 541-469-5456

Exhibit "D"

APPROVAL FOR ANNEXATION TO SPECIAL DISTRICT
INDORSEMENT OF THE HARBOR WATER P.U.D. DISTRICT BOARD

Pursuant to the attached resolution presented by Petitioners to the Board of Directors of the Harbor Water P.U.D. District, approved at a regular meeting the Board held on June 14, 2018, the property described in this petition is hereby endorsed and approved for annexation to the Harbor Water P.U.D. District.

HARBOR WATER P.U.D.

By: Steve L. Javelle (Chairman)

Title: CHAIRMAN OF BOARD

Date: 6-14-18