

## PUBLIC LEGAL NOTICE

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

Pursuant to the Oregon District Boundary Procedure Act, ORS 198.705 to 198.955.

On Wednesday, August 15, 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 the granting of the petition or the proposed change. A written statement for or against a proposed formation or change of organization or a request for an election must be in writing, must clearly specify the defect, error, irregularity or omission to which objection, if any, is made and must be filed within the time and in the manner provided by ORS 198.705 to 198.955. Any statement not so made and filed shall be considered voluntarily waived.

Territory annexed shall become subject to outstanding indebtedness, bonded or otherwise of the district in like manner with territory within the district. Annexation will not impair the rights of any bondholder or creditor of the district. Bondholders or creditors of the district may enforce rights against territory annexed. 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 (July 24, 2018). Posted Curry County Courthouse July 24, 2018. Posted at US Post Office Gold Beach July 24, 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, July 25<sup>th</sup> and Wednesday, August 8<sup>th</sup>**

**CURRY COUNTY REPORTER**

**Wednesday, July 25<sup>th</sup> and Wednesday, August 8<sup>th</sup>**

JUL 08 2018

12:00 PM  
13

BOARD OF COMMISSIONERS

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 + Harbor 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.



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

ss.

COUNTY OF CURRY

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

Ben Amelin  
Petition Circulator

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

Autumn Starr Causey  
Notary Public for Oregon  
My Commission Expires 2/21/22

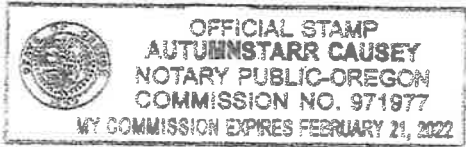


EXHIBIT B

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.

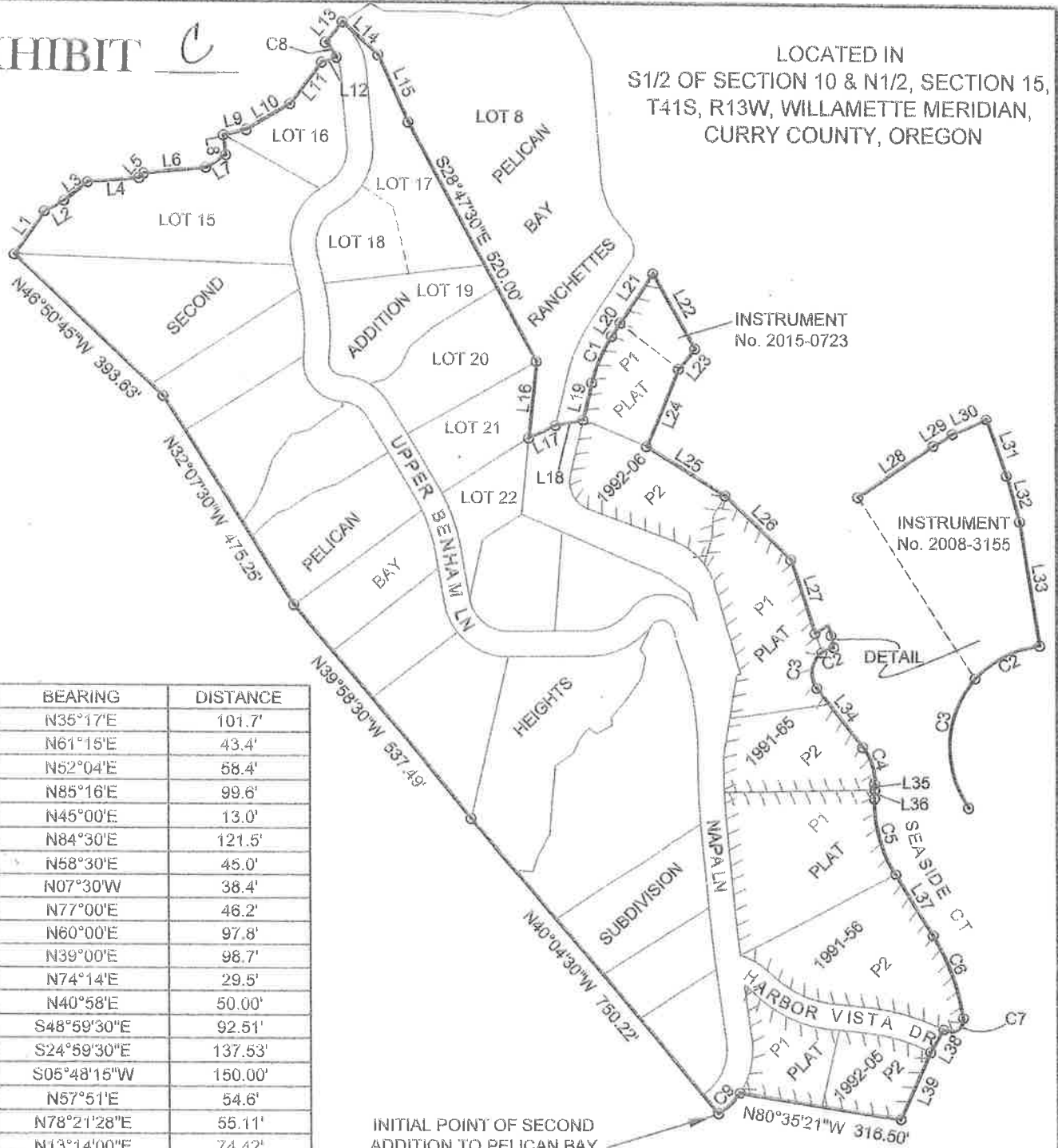
REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

  
OREGON  
JULY 25, 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  
2730  
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