



NOTICE OF LAND USE DECISION

You may have received this because you are an adjacent property owner, and this notice is required to be provided pursuant to ORS 215.416. The proposal is identified in this decision and will be located on the subject property.

Coos County Planning
60 E. Second Street
Coquille, OR 97423
<http://www.co.coos.or.us/>
Phone: 541-396-7770
Planning@co.coos.or.us

This decision notice is required to be sent to the property owner(s), applicant(s), adjacent property owners (distance of notice is determined by zone area – Urban 100 feet, Rural 250 feet, and Resource 750 feet), special taxing districts, agencies with interest, or person that has requested notice. Please read all information carefully as this decision. (See attached vicinity map for the location of the subject property).

Date of Notice: **Thursday, October 21, 2021**
File No: PLA-21-030

Proposal: Request for a land use determination for a single Property Line Adjustment between two lawfully created units of land.

Applicant(s): Dino & Patricia Zigler Trust
92668 Hall Creek Lane
Myrtle Point, OR 97458

Surveyor(s): Troy Rambo, Mulkins & Rambo

Staff Planner: Crystal Orr, Planner I

Decision: **Approved with Conditions.** All decisions are based on the record. This decision is final and effective at close of the appeal period unless a complete application with the fee is submitted by the Planning Department at 5 p.m. on **Friday, November 05, 2021**. Appeals are based on the applicable land use criteria. All land use reviews are subject to Coos County Zoning and Land Development Ordinance (CCZLDO) General Compliance with *Sections 1.1.300 Compliance with Comprehensive Plan and Ordinance Provisions and Article 6.1 Lawfully Created Lots and Parcels. Property Line Adjustments are subject to the Coos County Zoning and Land Development Ordinance (CCZLDO) Article 6.3 Property Line Adjustments. Civil matters including property disputes outside of the criteria listed in this notice will not be considered. For more information please contact the staff planner listed in this notice.*

Property Information

	Property #1	Property #2
Account Numbers	1182600	1182601
Map Numbers	29S131100-00700	29S131100-00800
Property Owners	DINO & PATRICIA ZIGLER TRUST ZIGLER, DINO L. & PATRICIA, TTEE 92668 HALL CREEK LN MYRTLE POINT, OR 97458-8726	LONE ROCK TIMBER INVESTMENTS MDB-LAND CO PO BOX 1127 ROSEBURG, OR 97470-0255
Situs Addresses	92668 HALL CREEK LN MYRTLE POINT, OR 97458	NO SITUS ISSUED
Acreages	12.87 Acres	75.31 Acres
Zonings	EXCLUSIVE FARM USE (EFU) FOREST (F)	EXCLUSIVE FARM USE (EFU) FOREST (F)

The purpose of this notice is to inform you about the proposal and decision, where you may receive more information, and the requirements if you wish to appeal the decision by the Director to the Coos County Hearings Body. Any person who is adversely affected or aggrieved or who is entitled to written notice may appeal the decision by filing a written appeal in the manner and within the time period as provided below pursuant to Coos County Zoning and Land Development Ordinance (CCZLDO) Article 5.8. If you

This notice shall be posted from October 21, 2021 to November 5, 2021

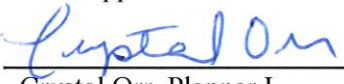
are mailing any documents to the Coos County Planning Department the address is 250 N. Baxter, Coquille OR 97423. Mailing of this notice to you precludes an appeal directly to the Land Use Board of Appeals. **NOTICE TO MORTGAGEE, LIENHOLDER, VENDOR OR SELLER: ORS CHAPTER 215 (ORS 215.513) REQUIRES THAT IF YOU RECEIVE THIS NOTICE, IT MUST PROMPTLY BE FORWARDED TO THE PURCHASER.**

Mailed notices to owners of real property required by ORS 215 shall be deemed given to those owners named in an affidavit of mailing executed by the person designated by the governing body of a county to mail the notices. The failure of the governing body of a county to cause a notice to be mailed to an owner of a lot or parcel of property created or that has changed ownership since the last complete tax assessment roll was prepared shall not invalidate an ordinance.

The application, staff report and any conditions may be found at the following link:

<https://www.co.coos.or.us/planning/page/applications-2021-2>. The application and all documents and evidence contained in the record, including the staff report and the applicable criteria, are available for inspection, at no cost, in the Planning Department located at 225 North Adams Street, Coquille, Oregon; however, an appointment is required to be setup for viewing purposes. Copies may be purchased at a cost of 50 cents per page. The decision is based on the application submittal and information on record. The name of the Coos County Planning Department representative to contact is Crystal Orr, Planner I and the telephone number where more information can be obtained is (541) 396-7770.

Failure of an issue to be raised in a hearing, in person or in writing, or failure to provide statements of evidence sufficient to afford the Approval Authority an opportunity to respond to the issue precludes raising the issue in an appeal to the Land Use Board of Appeals.

Reviewed by: 
Crystal Orr, Planner I

Date: Thursday, October 21, 2021 .

This decision is authorized by the Coos County Planning Director, Jill Rolfe based on the staff's analysis of the Findings of Fact, Conclusions, Conditions of approval, Application and all evidence associated as listed in the exhibits.

EXHIBITS

Exhibit A: Conditions of Approval

Exhibit B: Vicinity Map

Exhibit C: Adjustment Map

The following exhibits are on file at the Coos County Planning Department and may be accessed by contacting the department. All noticeable decisions are posted on the website for viewing when possible.

Exhibit D: PLA-21-030 Staff Report -**Findings of Fact and Conclusions**

Exhibit E: Comments

Exhibit F: Application

EXHIBIT "A"
CONDITIONS OF APPROVAL

The applicant shall comply with the following conditions of approval with the understanding that all costs associated with complying with the conditions are the responsibility of the applicants and that the applicants are not acting as an agent of the county. If the applicant fails to comply or maintain compliance with the conditions of approval the permit may be revoked as allowed by the Coos County Zoning and Land Development Ordinance. Please read the following conditions of approval and if you have any questions contact planning staff. This is a tentative decision and will become final if the conditions of approval are completed correctly and any required survey maps and/or deeds are completed.

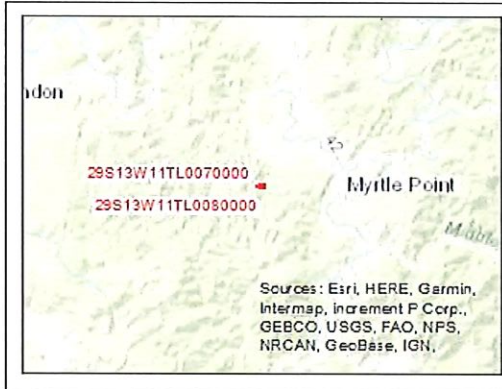
1. Shall comply with any requirements from Coos County Surveyor or Assessor's Office.
2. Map and Monuments Required:
 - a. For any resulting lot or parcel ten acres or less, a survey map that complies with ORS 209.250 shall be prepared; and
 - b. The survey map shall show all structures within ten (10) feet of the adjusted line; and
 - c. The survey shall establish monuments to mark the adjusted line; and
 - d. If a survey is required, the deed shall be recorded and the Survey Map shall be filed simultaneously. The survey map, with the signature of the Coos County Planning Director shall be submitted to the County Surveyor along with the required filing fee. The survey map will be given a filing number which will be added to the Property Line Adjustment deed. The deed will then be recorded whereupon the recording number for said deed will be added to the face of the survey map. Said map will then be filed with the County Surveyor, completing the process.
3. Within one year from the date of tentative approval, the applicant shall prepare and submit to the Planning Director any map required by Section 6.2.800(4) and Section 6.2.800(5) if a survey is required.
4. **Final approval** – The applicant shall submit proof that the requirements of the tentative approval have been met. Upon submittal by the applicant that all conditions of approval have been met along with the deed and map, if required, have been provided along with the recording fee to the Planning Director a final determination will be made. The Director shall advise the applicant in writing if the documents submitted are sufficient or if amendments are required.
 - a. **The following items shall be submitted to the Coos County Planning Department prior to one year of the tentative decision:**
 - i. A supplemental document explaining how all conditions of approval have been completed and the applicant is ready for a final determination; and
 - ii. The applicant or applicant's surveyor shall prepare and submit to the Planning Director any map required by Section 6.2.800(4) and Section 6.2.800(5) if a survey is required as explained under the Surveyor's comments; and
 - iii. A deed following the exact format found in Figure 1 of Section 6.3.175.
 - b. Once the required documents are received by the County Planning Department, they will be forwarded to the County Surveyor and Cartographer for final comments. If revisions are required, the applicant and/or representative will be notified as soon as the revisions are identified. If there are no revisions required Staff will sign the map and route the map and deed on the Surveyor's Office for completion and recording along with the recording fee. If there is no Survey Map required Planning Staff will submit the deed to the County Clerk's Office with the fee to be recorded.

**EXHIBIT "B"
VICINITY MAP**



COOS COUNTY PLANNING DEPARTMENT

Mailing Address: 225 N. Adams, Coquille, Oregon 97423
Physical Address: 60 E. Second, Coquille Oregon
Phone: (541) 396-7770
TDD (800) 735-2900



File: PLA-21-030

Owner/ Owner: Dino & Patricia Zigler/
Lone Rock Timber Investment

Date: October 19, 2021

Location: Township 29S Range 13W
Section 11 TL 700 & 800

Proposal: Property Line Adjustment

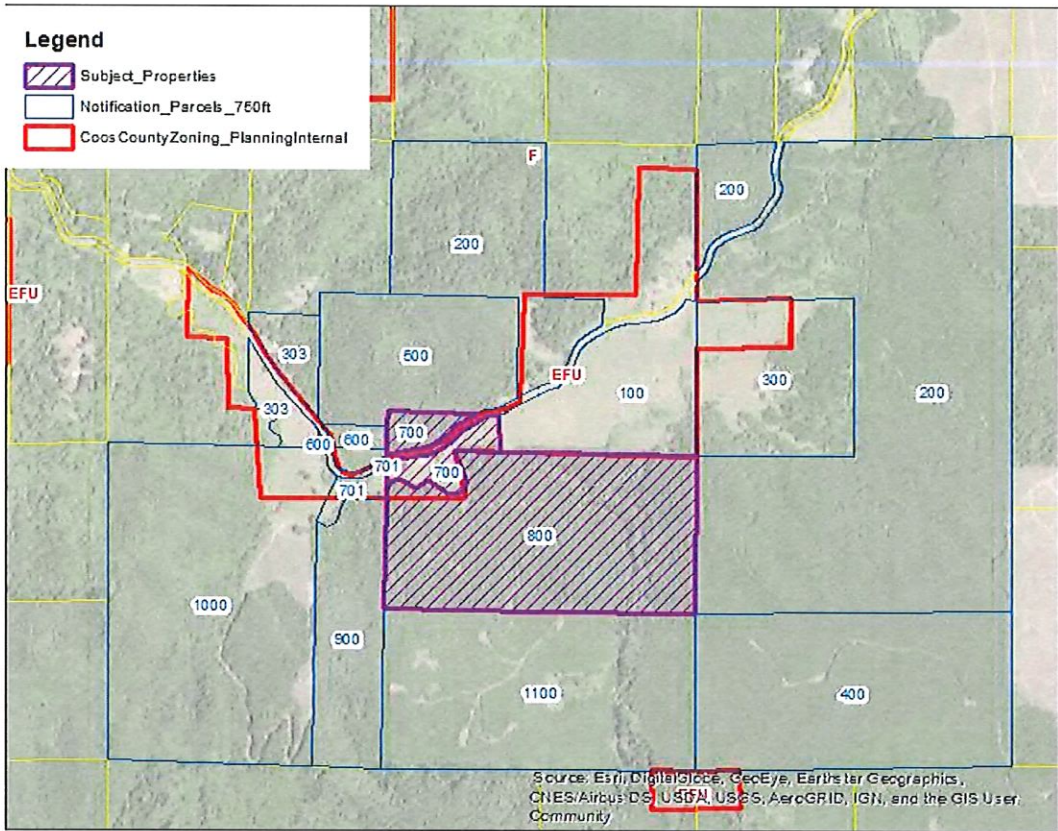
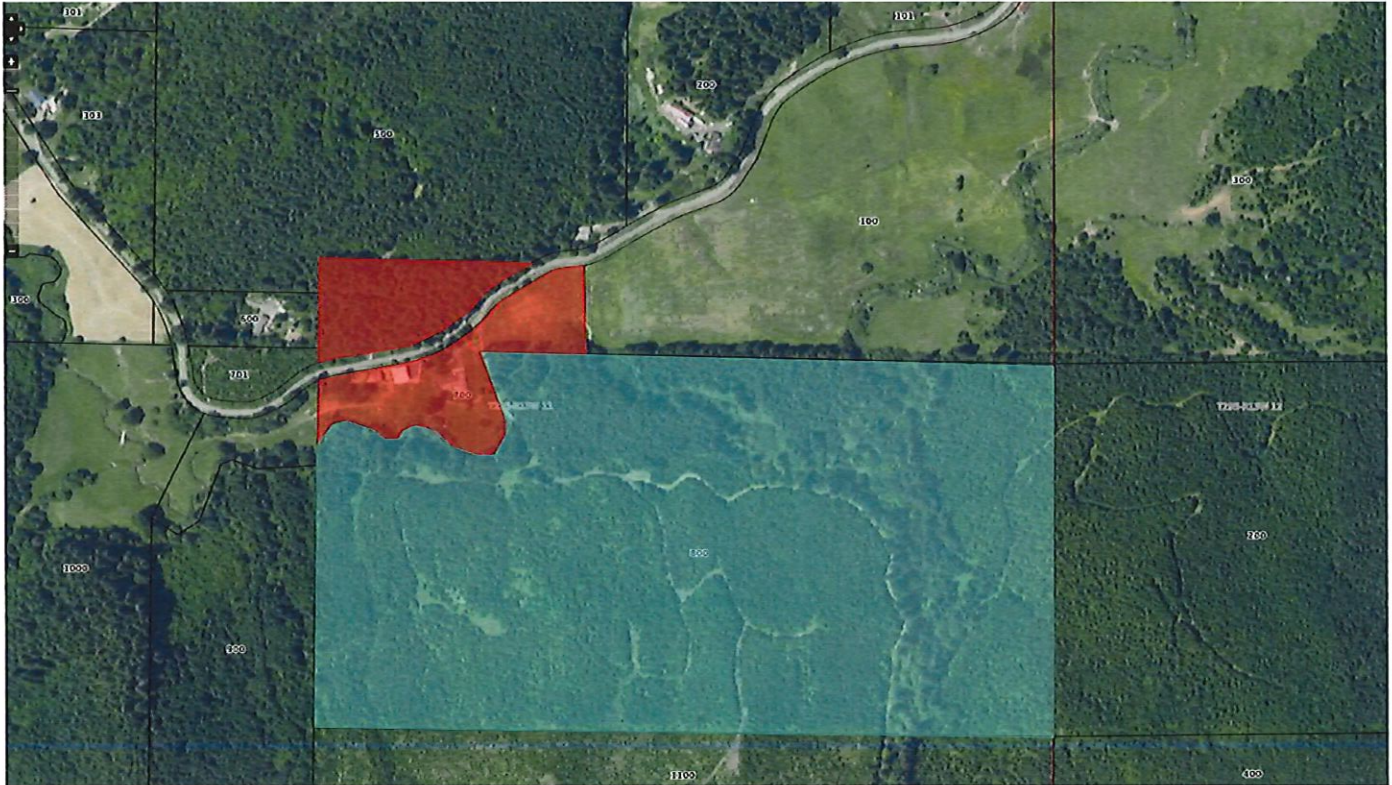
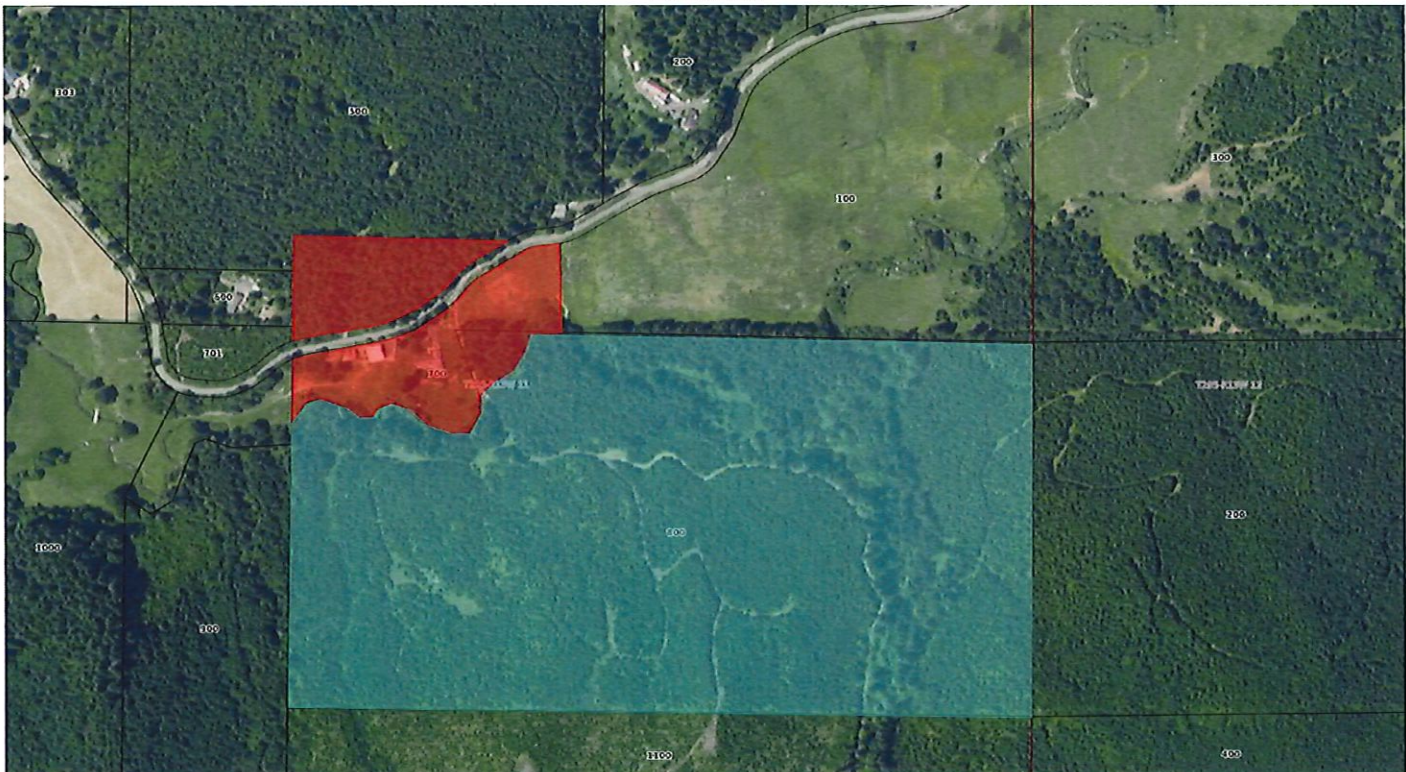


EXHIBIT "C"
BEFORE AND AFTER ADJUSTMENT MAPS
BEFORE:



AFTER:



**EXHIBIT “D”
STAFF REPORT
FINDINGS OF FACT AND CONCLUSIONS**

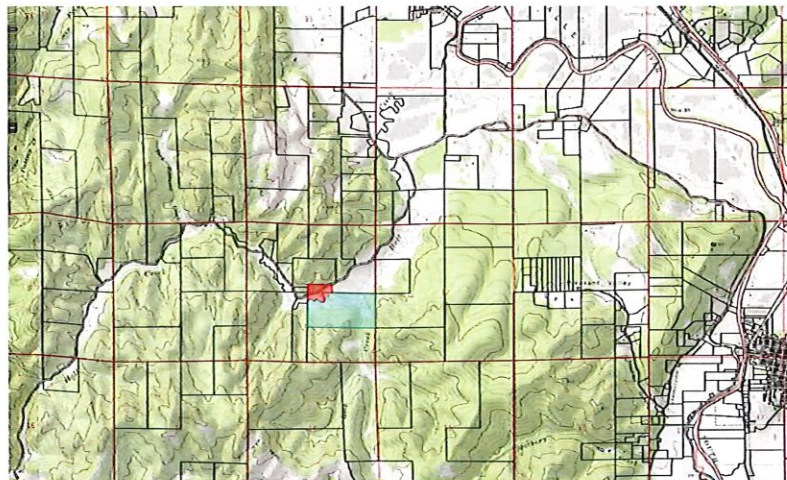
I. PROPOSAL AND BACKGROUND/PROPERTY HISTORY INFORMATION:

- A. Proposal:** The proposal is a request for Planning Director Approval of a Property Line Adjustment between two lawfully created units of land to create a better buffer around the dwelling on tax lot 700.
- B. BACKGROUND INFORMATION:** Tax lot 700 was approved for a Discrete Parcel (D-10-01) request on February 18, 2010. On March 2, 2010 a Property Line Adjustment (PLA-10-12) was approved. On September 21, 2010 a Floodplain Application (FP-10-12) was approved to allow alteration of the existing Single-Family Dwelling, and a new Farm Agriculture Structure. On September 23, 2010 a Zoning Clearance Letter was given to site a Farm Agriculture Structure, alter the existing Dwelling, and replace repair the existing septic system (ZCL-10-228). On September 9, 2021 a Zoning Clearance Letter was issued to allow an after the fact pole barn (ZCL-21-314).

Tax lot 800 has no previous permit history.

The current application was submitted on July 6, 2021 and deemed incomplete within the 30-day time frame (August 5, 2021) due to staff needing an adjustment map that meets Coos County Zoning & Land Development Ordinance CCZLDO standards. There was also a structure that was built on tax lot 700 without approval. An after the fact Compliance Determination was received August 13, 2021 and a new map was received on August 24, 2021 and the application was deemed complete. The deemed complete process is explained in the Coos County Zoning and Land Development Ordinance Section 5.0.200 (ORS 215.427) and 5.0.250. The deemed complete process is a review that all the materials have been submitted as explained in the applications. This is not full review of the criteria as the burden of proof rest with the applicant and the details of the application are reviewed during the review period.

- C. LOCATION:** The units of land are located west of the City of Myrtle Point.



- D. ZONING:** Both parcels are split zoned Exclusive Farm Use (EFU) and Forest (F).

ARTICLE 4.2 – ZONING PURPOSE AND INTENT

Section 4.2.500 Resource Zones

Forest Mixed Use (FMU) - The purpose of the Forest Mixed Farm-Forest Areas (“MU” areas) is to include land which is currently or potentially in farm-forest use. Typically, such lands are those with soil, aspect, topographic features and present ground cover that are best suited to a

combination of forest and grazing uses. The areas generally occupy land on the periphery of large corporate and agency holdings and tend to form a buffer between more remote uplands and populated valleys. In addition, these "mixed use" areas contain ownership of smaller size than in prime forest areas. Some are generally marginal in terms of forest productivity, such as areas close to the ocean.

If land is in a zone that allows both farm and forest uses, a dwelling may be sited based on the predominate use of the tract on January 1, 1993.

If a use is only allowed in the mixed-use zone it will be explained in the text. Otherwise the uses listed are allowed in both the Forest and Forest Mixed Use zones.

Exclusive Farm Use (EFU) - *These include all inventoried "agricultural lands" not otherwise found to be needed (excepted) for other uses.*

The purpose of the EFU district is to preserve the integrity and encourage the conservation of agricultural lands within Coos County and thereby comply with the provisions of ORS 215 and OAR 660. Division 33 to minimize conflicts between agricultural practices and non-farm uses by limiting any development to uses distinguished as dependent upon or accessory to supporting agricultural or forestry production and which qualify such farm lands for special tax relief pursuant to the provisions of Oregon Revised Statutes. This zone is also for the cultivation and marketing of specialty crops, horticultural crops and other intensive farm uses.

According to the Coos County Comprehensive Plan Exclusive Farm Use lands are inventoried as Agricultural Lands. The Main criterion for establishing the "Agricultural Lands Inventory" was land identified on the agricultural lands based on soils, Class I-IV soils or "other lands" suitable for agricultural use, with the following exceptions:

Committed rural residential areas and urban growth areas.

Proposed rural residential areas as per the Exception to Goals #3 and #4. Proposed industrial/commercial sites. Existing recreation areas (e.g., golf courses) [Recreation designation] Isolated parcels of Class I-IV soils in upland areas, which are under, forest cover. (Forestlands designation). Narrow valley bottomlands where no agricultural activity is occurring anywhere in the vicinity [Forestlands designation].

The secondary criterion for establishing the "Agricultural Lands Inventory" was the use of aerial photos used to identify additional areas without Class I-IV soils in current agricultural use which were not initially identified in the agricultural lands inventory from Assessor's Data. This situation typically occurs on benches, immediately above agricultural valleys, where grazing often takes place on non-class I-IV soils. However, if lands were zoned predominately forest it may have resulted in a Mixed-Use Overlay.

County's plan prescribes and allocates a finite number of rural dwelling/units/acreages. The zoning ordinance will specify permitted uses and minimum lot sizes.

E. SITE DESCRIPTION AND SURROUNDING USES:

Tax lot 700 currently consists of 12.87 acres, and tax lot 800 consists of 75.31 acres. Both parcels are split zoned Exclusive Farm Use and Forest and are surrounded by like zoning. The surrounding parcels appear to be used for Forest and Farm uses.

F. COMMENTS:

As part of the property line adjustment the only comments requested were from the County Surveyor and Assessor's Office. Coos County Surveyor Mike Dado commented that he had no

objections to the proposed adjustment. As a condition of approval all requirements of the Surveyor and Assessor's Office shall be adhered.

II. GENERAL PROPERTY COMPLIANCE

A. COMPLIANCE PURSUANT TO SECTION 1.1.300:

It shall be unlawful for any person, firm, or corporation to cause, develop, permit, erect, construct, alter or use any building, structure or parcel of land contrary to the provisions of the district in which it is located. No permit for construction or alteration of any structure shall be issued unless the plans, specifications, and intended use of any structure or land conform in all respects with the provisions of this Ordinance.

FINDINGS: Staff has reviewed the property history and the county files to determine at the time of this report this property is compliant. This does not mean that there is not additional information that was unavailable during this review that would make the properties noncompliant.

B. SECTION 6.1.125 LAWFULLY CREATED LOTS OR PARCELS:

"Lawfully established unit of land" means:

- 1. The unit of land was created:*
 - a. Through an approved or pre-ordinance plat;*
 - b. Through a prior land use decision including a final decision from a higher court. A higher court includes the Land Use Board of Appeals;*
 - c. In compliance with all applicable planning, zoning and subdivision or partition ordinances and regulations at the time it was created.*
 - d. By a public dedicated road that was held in fee simple creating an interviewing ownership prior to January 1, 1986;*
 - e. By deed or land sales contract, if there were no applicable planning, zoning or subdivision or partition ordinances or regulations that prohibited the creation.*
 - f. By the claim of intervening state or federal ownership of navigable streams, meandered lakes or tidewaters. "Navigable-for-title" or "title-navigable" means that ownership of the waterway, including its bed, was passed from the federal government to the state at statehood. If a waterway is navigable-for-title, then it also is generally open to public use for navigation, commerce, recreation, and fisheries.*

FINDING: Tax lot 700 was created pursuant to 6.1.125.1.b, through a prior land use decision (PLA-10-02) and tax lot 800 was created pursuant to 6.1.125.1.e by deed prior to any applicable partition ordinances that would have prohibited the creation (deed document 80-10434).

III. STAFF FINDINGS AND CONCLUSIONS:

A. SUMMARY OF PROPOSAL AND APPLICABLE REVIEW CRITERIA:

The proposal is for Planning Director Approval of a Single Property Line Adjustment between two (2) lawfully created units of land. The proposal is subject to Coos County Zoning and Land Development (CCZLDO) Article 6.3 Property Line Adjustments.

B. Criteria and standards for Property Line Adjustments

• SECTION 6.3.100 PROPERTY LINE ADJUSTMENTS:

As set forth in ORS 92.190(3), the common boundary line between lots or parcels may be adjusted in accordance with this section without the replatting procedures in ORS 92.180 and 92.185 or the vacation procedures in ORS Ch. 368. Once a lot or parcel line has been adjusted, the adjusted line shall be the boundary or property line, not the original line. The Director has authority to approve a line adjustment

as an Administrative Action unless the application is required to correct an encroachment. In that circumstance the only applicable criteria is Sections 6.3.125.1, 6.3.150 and 6.3.175. Encroachments do not require notice.

- **SECTION 6.3.125 PROCEDURE:**

1. An application for a line adjustment or elimination shall be filed by the owners of all lots or parcels affected. The application shall be accompanied by an appropriate fee and contain the following information:
 - a. Reason for the line adjustment;
 - b. Vicinity map locating the proposed line adjustment or elimination in relation to adjacent subdivisions, partitions, other units of land and roadways;
 - c. A plot plan showing the existing boundary lines of the lots or parcels affected by the line adjustment and the approximate location for the proposed adjustment line. The plot plan shall also show the approximate location of all structures within ten (10) feet of the proposed adjusted line;
 - d. A current property report (less than 6 months old) indicating any taxes, assessment or other liens against the property, easements, restrictive covenants and rights-of-way, and ownerships of the property of the proposed development. A title report is acceptable. The Planning Director may waive any portion of this requirement if the property is large and does not have a lien holder.
 - d. A notice of application and decision will be provided to any and all lien holders of record for the property that will be affected by the proposed adjustment. Applicants should consult with any and all such lien holders prior to submittal of an application.

FINDING: The application was received on July 6, 2021 and was deemed incomplete on August 5, 2021. The required information was received, and the application was deemed complete August 24, 2021. A Vicinity Map showing the adjustment was submitted. A property report for both units of land was not received, but the applicable easements are listed and neither parcel has a lien holder; therefore, the Planning Director waived the requirement to have a report due to the fact there are no lienholders.

Therefore, all criteria have been satisfied.

2. A line adjustment is permitted only where an additional unit of land is not created and where the lot or parcel reduced in size by the adjustment complies with the requirements of the applicable zone except that a line adjustment for the purpose of exchange or transfer of land between resource land owners shall be allowed so long as:
 - a. No parcel is reduced in size contrary to a condition under which it was formed;
 - b. The resulting parcel sizes do not change the existing land use pattern (e.g. two conforming parcels must remain conforming); and
 - c. Two non-conforming parcels may remain non-conforming; and, two parcels, one conforming and one non-conforming, may remain as such regardless of which parcel is non-conforming after the exchange or transfer).

FINDING: Both Parcels are resource zoned (EFU & F), which has a minimum lot size of 80 acres. Neither parcels are over the minimum lot size, which means they are both non-conforming. Tax lot 700 currently has 12.87 acres and will increase to 13.87 acres. Tax lot 800 currently has 75.31 acres and will be reduced to 74.31 acres. This means that both parcels will remain non-conforming.

Therefore, this request complies with the criteria under this section.

3. *An encroachment of existing or planned structures will not be created within required setbacks as a result of the line adjustment.*

FINDING: This adjustment will not create an encroachment. Therefore, this request complies with this criterion under this section.

4. *A line adjustment for a lot or parcel that contains a dwelling, not on a public sanitation system, and is less than an acre before the adjustment and further reduced as a result of the adjustment shall obtain documentation from Department of Environmental Quality (DEQ) that the sanitation system will still meet their requirements.*

FINDING: Neither parcel will be reduced to less than an acre. Therefore, this request complies with the criteria under this section.

5. *In resource lands, a unit of land containing a dwelling, or approved for construction of a dwelling, cannot be adjusted with a vacant resource unit of land for the purpose of qualifying the vacant unit for a 160-acre dwelling.*
 - a. *A resource unit of land less than 160 acres and containing a (preexisting) dwelling, or approved for construction of a dwelling, cannot be adjusted with a vacant resource unit of land for the purpose of qualifying the vacant unit for a 160-acre dwelling;*
 - b. *A resource unit of land 160 acres or greater and containing a (preexisting) dwelling, or approved for construction of a dwelling, cannot be adjusted below 160 acres with a vacant resource unit of land for the purpose of qualifying the vacant unit for a 160-acre dwelling;*
 - c. *A resource unit of land 160 acres or greater and containing a dwelling approved as a 160-acre dwelling, or approved for construction of a 160-acre dwelling, cannot be reduced below 160 acres for the purpose of qualifying the vacant unit for a 160-acre dwelling.*

FINDING: This adjustment is not to qualify either unit of land for a dwelling. Therefore, this criterion does not apply.

6. *Same Designation: A line adjustment shall only be permitted where the sale or transfer of ownership is made between abutting owners of like designated lands, residential lands, commercial lands, industrial lands, resource lands, and estuary zoned lands unless an existing structure encroaches over an existing property boundary or the boundary line adjustment is required to comply with requirements of the State Department of Environmental Quality for a subsurface sewage system.*

FINDING: The parcels are both resource zoned; therefore, this criterion has been met.

- **SECTION 6.3.150 EASEMENTS AND ACCESS:**

A line adjustment shall have no effect on existing easements or access. Access shall not be eliminated through a property line adjustment process. If an access is potentially affected, then an easement may be created for access to comply with this criterion.

FINDING: There will be no effect on existing easements. Therefore, this criterion has been met.

C. SPECIAL DEVELOPMENT CONSIDERATIONS AND OVERLAYS:

SECTION 4.11.125 Special Development Considerations: The considerations are map overlays that show areas of concern such as hazards or protected sites. Each development consideration may further restrict a use. Development considerations play a very important role in determining

where development should be allowed In the Balance of County zoning. The adopted plan maps and overlay maps have to be examined in order to determine how the inventory applies to the specific site

SECTION 4.11.200 Purpose: Overlay zones may be super-imposed over the primary zoning district and will either add further requirements or replace certain requirements of the underlying zoning district. The requirements of an overlay zone are fully described in the text of the overlay zone designations. An overlay zone is applicable to all Balance of County Zoning Districts and any zoning districts located within the Coos Bay Estuary Management Plans when the Estuary Policies directly reference this section.

FINDING: The proposal does not include any type of earth moving or structural development; therefore, even if the property was in a Special Development Consideration and/or Overlay Zone it would not be required to be addressed.

IV. DECISION:

The proposed Property Line Adjustment meets the requirements of the Coos County Zoning and Land Development Ordinance, with conditions listed in Exhibit "A" of this report.

V. EXPIRATION:

This is a tentative approval that is valid for up to one year. To finalize this decision the applicant shall comply with the approval and filing requirements found in the conditions of approval in Exhibit "A" of this report once the appeal period has expired and an appeal has not be filed.

VI. NOTICE REQUIREMENTS:

A notice of decision will be provided to property owners within 750 feet of the subject properties and the following agencies, special district or parties: Myrtle Point Rural Fire Protection District

A Notice of Decision and Staff Report will be provided to the following: Applicants/Owners, Department of Land Conservation and Development, Planning Commission, and Board of Commissioners.

Adjacent property owners will receive a Notice of Decision and maps, but all other attachments can be found by contacting the Planning Department or visiting the website. If not found on the website the public may contact the department to view the official record.

EXHIBIT "E"
COMMENTS



COOS COUNTY SURVEYOR
250 N. Baxter Street, Coquille, Oregon 97423

Michael L. Dado
541-396-7586
Email coosurvey@co.coos.or.us

May 26, 2021

PLA-21-030
Dino & Patricia Zigler Trust
29-13- 11; TL 00700
Lone Rock Timber Investment MDB-Land Co.
29-13- 11; TL 00800

Crystal,

I have no objections to this proposed Property Line Adjustment. The adjustment seems to make sense for both parties. No surveying will be required. I have no further comments at this time.

Very truly yours

A handwritten signature in black ink that reads "Michael L. Dado". The signature is written in a cursive style.

Michael L. Dado

EXHIBIT "F"
APPLICATION



PROPERTY LINE ADJUSTMENT
SUBMIT TO COOS COUNTY PLANNING DEPT. AT 225 N. ADAMS STREET OR MAIL TO:
COOS COUNTY PLANNING 250 N. BAXTER, COQUILLE OR 97423. EMAIL
PLANNING@CO.COOS.OR.US PHONE: 541-396-7770

FILE NUMBER: PLA-21-030

Date Received: 7/6/21 Receipt #: 220299 Received by: A. Dibble

This application shall be filled out electronically. If you need assistance please contact staff. If the fee is not included the application will not be processed.
(If payment is received on line a file number is required prior to submittal)

LAND INFORMATION

A. Land Owner(s) Dino & Patricia Zigler Trust
Mailing address: 92668 Hall Creek Lane, Myrtle Point, OR 97458
Phone: 541-270-2728 Email: _____
Township: Range: Section: ¼ Section: 1/16 Section: Tax lot:
29S 13W 11 Select Select 00700
Tax Account Number(s): 1182600 Zone: Select Zone Exclusive Farm Use (EFU)
Acreage Prior to Adjustment: 12.87 Acreage After the Adjustment 13.87

B. Land Owner(s) Lone Rock Timber Investment MDB-Land Co.
Mailing address: P.O. Box 1127, Roseburg, OR 97470
Phone: (541) 270-2728 Email: ziglerdt@gmail.com
Township: Range: Section: ¼ Section: 1/16 Section:
29S 13W 11 Select Select 00800
Tax Account Number(s) 1182601 Zone Forest (F)
Acreage Prior to Adjustment: 75.31 Acreage After the Adjustment 74.31

C. Surveyor Troy Rambo
Mailing Address P.O. Box 809, North Bend, OR 97459
Phone #: 541-751-8900 Email: mandrilc@frontier.com

Any property information may be obtained from a tax statement or can be found on the County Assessor's webpage at the following links: [Map Information](#) Or [Account Information](#)

Please check off that all the required documents have been submitted with the application. Failure to submit documents will result in an incomplete application or denial.

Purpose of the Property Line Adjustment:

Landowner "A" would like to acquire the subject property for a buffer for their existing home.

- A before and after vicinity map locating the proposed line adjustment or elimination in relocation to adjacent subdivisions, partitions, other units of land and roadways.
- A plot plan showing the existing boundary lines of the lots or parcels affected by the line adjustment and the approximate location for the proposed adjustment line. The plot plan needs reflect structures as follows:
1. Within Farm and Forest at least within 30 feet of the property boundaries.
 2. Within Rural Residential at least 10 feet of the property boundaries.
 3. Within Controlled Development at least within 20 feet of the boundaries.
 4. Within Estuary Zones at least within 10 feet of the boundaries.
 5. Within Commercial and Industrial within 10 feet of the boundaries.

If there is no development within distance listed above the plan needs to indicate not development within the required distance.

- A current property report (less than 6 months old) indicating any taxes, assessment or liens against the property, easements, restrictive covenants and rights-of-way, and ownerships of the property. A title report is acceptable. ***This shall be for both properties.*** At the minimum a deed showing the current lien holders, reference to easements, covenants and ownership will be accepted for both properties. A notice will be provided to any lien holder as part of this process.

Please list all Lien Holders names and addresses:

Property 1: No Lien Holder

Property 2: *No Liens*

Please answer the following:

- | | | |
|--|------------------------------|--|
| Will the adjustment create an additional Unit of land? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| Does property 1 currently meet the minimum parcel/lot size ? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| Does property 2 currently meet the mimimum parcel/lot size? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |

- Was property one created through a land division? Yes No
- Was property two created through a land division? Yes No
- Are there structures on the property? Yes No
- If there are structures please provide how far they are in feet from the adjusted boundary line:
78 feet
- Is there a sanitation system on the one or both properties, if so, please indicate the type of system
Yes No
Onsite Septic System Public Sewer
- Is property one going to result in less than an acre and contain a dwelling? Yes No
- Is property two going to result in less than an acre and contain a dwelling? Yes No
- Is one or both properties zoned Exclusive Farm Use or Forest? Yes No
- Will the property cross zone boundaries? If so, a variance request will be required. Yes No
- Will the property line adjustment change the access point? Yes No

Section 5.0.150 Application Requirements: Applications for development (includes land divisions and relocation of property boundary) or land use actions shall be filled on forms prescribed by the County and shall include sufficient information and evidence necessary to demonstrate compliance with the applicable criteria and standards of this ordinance and be accompanied by the appropriate fee.

It shall be the duty of the Planning Director or his/her authorized representative to enforce the provisions of the Coos County Zoning and Land Development Ordinance pertaining to zoning, land use, the construction, erection, location or enlargement of any structure and land divisions including the relocation of boundary lines within Coos County under the jurisdiction of this Ordinance. Therefore, if any violations of the ordinance are found to exist the application will not be processed unless other resolutions are possible.

Acknowledgment Statement: I hereby declare that I am the legal owner of record or an agent having consent of the legal owner of record and I am authorized to obtain land use approvals. The statements within this form and submittal information provided are true and correct to the best of my knowledge and belief. I understand that any authorization for land use approval may be revoked if it is determined that it was issued based on false statements, misrepresentation or in error.

Property Owner

* Lisa L Zigler Trustee Zigler Family Trust

* Patricia Zigler, Trustee Zigler Family Trust

* Job B. Olson General Manager, Lone Rock Mgt Group, LLC

WHEN RECORDED RETURN TO:
Whitty, McDaniel, Bodkin & Combs, LLP
P.O. Box 1120
Coos Bay, OR 97420

COOS COUNTY, OREGON **2014-05586**
\$58.00 07/21/2014 01:28:19 PM
Pg# 3



Terril L. Turf, Coos County Clerk

GRANTORS' NAMES:
Dino L. Zigler and Patricia Linn Zigler

GRANTEES' NAMES:
Dino L. Zigler and Patricia L. Zigler, Trustees of the
Dino and Patricia Zigler Trust

MAIL TAX STATEMENTS TO:
Dino L. Zigler and Patricia L. Zigler, Trustees of the
Dino and Patricia Zigler Trust
92668 Hall Creek Lane
Myrtle Point, Oregon 97458

No consideration is being given for this deed; the same is executed to transfer the property described herein to a revocable living trust.

WARRANTY DEED

Dino L. Zigler and Patricia Linn Zigler, husband and wife, Grantors, convey and warrant to Dino L. Zigler and Patricia L. Zigler, Trustees of the Dino and Patricia Zigler Trust, under agreement dated July 17, 2014, Grantees, with power of sale, the following described real property, free of encumbrances except as specifically set forth herein:

Real property comprising approximately 17.8 acres that is described in deed to Grantors from Elizabeth Anne Tomlinson, Trustee of the Tomlinson Family Trust, dated October 20, 2010, and recorded in Coos County, Oregon, as Instrument #2010-9541.

Said real property is also described as:

Beginning at the center of said Section 11 thence East 950 feet; thence North 323 feet to a fir stump 60 inches in diameter; thence West 950 feet to the Quarter Section line; thence South 323 feet to the place of beginning.

SAVE AND EXCEPT any portion lying or being within the public roadway.

ALSO: Beginning at the Center Quarter corner of said Section 11 thence South along the Quarter Section line 355 feet to the center of Halls Creek; thence Easterly along the thread of the stream 668 feet; thence N18°45'W 304 feet along a fence line to a fence corner; thence North along the East side of a driveway 78 feet to the South line of the County Road; thence Southwesterly 156 feet along said right of way line to the East-West

WARRANTY DEED - 1

Quarter line; thence West along the said Quarter line 433 feet to the point of beginning.

SAVE AND EXCEPT any portion lying or being within the public roadway.

ALSO: That part of the E1/2 of the NE1/4 of the SW1/4 of said Section 11 lying North of the following described line: Beginning at a point on the East line of the said E1/2 of the NE1/4 of the SW1/4 of said Section 11 422.9 feet South of the northeast corner thereof; thence S85°26'W 200.56 feet; thence N72°23'W 100.73 feet; thence S68°15'W 40.10 feet; thence S21°32'W 156.55; thence S18°18'48"W 65.00 feet; thence S56°44'05"W 91.81 feet; thence N57°06'23"W 130.31 feet, more or less, to the West line of the said E1/2 of the NE1/4 of the SW1/4.

SAVE AND EXCEPT: Beginning at a 2 1/2" iron pipe on the East-West centerline of said Section 11 from which the Center 1/4 corner of said Section 11 bears N88°53'10"E a distance 598.07 feet thence N88°53'10"E a distance of 64.93 feet to a point on the Westerly boundary of Hall Creek Lane from which a 5/8" rebar bears N88°53'10"E 5.00 feet; thence S4°45'36"E along said boundary a distance of 121.96 feet to a point; thence along a 152.00 ft. radius curve left through a central angle of 46°24'28" an arc distance of 123.12 feet to a point from which a 5/8" rebar bears N29°45'33" E a distance of 8.16 feet; thence S29°45'33"W a distance of 407.15 feet to a 5/8" rebar; thence N. 0°50'14"E a distance of 621.95 feet, more or less, to the point of beginning. Said parcel contains 0.61 acres, more or less.

ALSO SAVE AND EXCEPT any portion lying or being within the public roadway.

Coos County Assessor's Tax Account #1182600 and #1182603.

The liability and obligations of the Grantors to the Grantees and Grantees' successors and assigns under the warranties and covenants contained herein or provided by law shall be limited to the extent of coverage that would be available to Grantors under a standard policy of title insurance. The limitations contained herein expressly do not relieve Grantors of any liability or obligations under this instrument, but merely define the scope, nature and amount of such liability or obligations.

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

WARRANTY DEED - 2

RECORDING COVER SHEET

ORS 205.234

This cover sheet has been prepared by the person presenting the attached instrument for recording. Any error in this cover sheet DOES NOT affect the transaction(s) contained in the instrument itself.

Reference - Escrow No. RB0706089 (COOS)
Title Order No. 0706089

004089
AFTER RECORDING
RETURN TO
Ticor Title Company
300 West Anderson Ave. - Box 1075
Coos Bay, OR 97420-0233

Please print or type information.

1. **AFTER RECORDING RETURN TO --**

Required by ORS 205.180(4) & 205.238:

Name: **AmeriTitle**

Address: **1495 NW Garden Valley Blvd**

City, ST Zip: **Roseburg, OR 97471**

2. **TITLE(S) OF THE TRANSACTION(S) --** Required by ORS 205.234(1)(a)

Note: "Transaction" means any action required or permitted by law to be recorded, including, but not limited to, any transfer, encumbrance or release affecting title to or an interest in real property. Enter descriptive title for the conveyance instrument:

Document Title(s): **Statutory Warranty Deed**

3. **DIRECT PARTY / GRANTOR Names and Addresses --** Required by ORS 205.234(1)(b)

Seller Name & Address: **Lone Rock Timberland Co., a Washington corporation, 2323 Old Highway
99S P.O. Box 1127, Roseburg, OR 97470**

4. **INDIRECT PARTY / GRANTEE Names and Addresses --** Required by ORS 205.234(1)(b)

Buyer Name & Address: **Lone Rock Timber Investments MDB-LandCo, Limited Partnership, a
Delaware Limited Partnership, 2323 Old Hwy 99 S PO Box 1127, Roseburg,
OR 97470**

5. For an instrument conveying or contracting to convey fee title, the information required by ORS 93.260:

**UNTIL A CHANGE IS REQUESTED, ALL TAX STATEMENTS SHALL BE SENT TO THE
FOLLOWING ADDRESS:**

Name: **Lone Rock Timber Investments MDB-
LandCo, Limited Partnership, a Delaware
Limited Partnership**

Address: **2323 Old Hwy 99 S PO Box 1127**

City, ST Zip: **Roseburg, OR 97470**

6. **TRUE AND ACTUAL CONSIDERATION --** Required by ORS 93.030 for an instrument conveying or contracting to convey fee title or any memorandum of such instrument:

\$7,154,178.00

COOS COUNTY CLERK, OREGON
TERRI L. TURI, CCC, COUNTY CLERK
TOTAL \$185.00

02/01/2012 08:32:40AM
PAGE 1 OF 38

2012 749



After recording return to:
Lone Rock Timber Investments MDB-LandCo,
Limited Partnership, a Delaware Limited
Partnership
2323 Old Hwy 99 S PO Box 1127
Roseburg, OR 97470

Until a change is requested all tax statements
shall be sent to the following address:
Lone Rock Timber Investments MDB-LandCo,
Limited Partnership, a Delaware Limited
Partnership
2323 Old Hwy 99 S PO Box 1127
Roseburg, OR 97470

Escrow No. RB0706089
Title No. 0706089
SWD r.042611

STATUTORY WARRANTY DEED

Lone Rock Timberland Co., a Washington corporation,

Grantor(s), hereby convey and warrant to

Lone Rock Timber Investments MDB-LandCo, Limited Partnership, a Delaware Limited Partnership,

Grantee(s), the following described real property in the County of COOS and State of Oregon free of encumbrances except as specifically set forth herein:

SEE EXHIBIT A WHICH IS MADE A PART HEREOF BY THIS REFERENCE

The true and actual consideration for this conveyance is \$7,154,178.00.

The above-described property is free of encumbrances except all those items of record, if any, as of the date of this deed and those shown below, if any:

SEE EXHIBIT B WHICH IS MADE A PART HEREOF BY THIS REFERENCE

COOS COUNTY CLERK, OREGON
TERRI L. TURI, CCC, COUNTY CLERK
TOTAL \$185.00

02/01/2012 08:32:40AM
PAGE 2 OF 30

2012 749

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.

Dated this 25th day of January, 2012

-1,D1:SECTION-
Lone Rock Timberland Co., a Washington corporation

-11,D2:SECTION-

-11:ENDSECTION-

BY: [Signature]
Toby A. Luther, President

-1:ENDSECTION-

-2,DJ:SECTION, NOTARY-
State of Oregon
County of MULTNOMAH

This instrument was acknowledged before me on January 25, 2012 by Toby A. Luther as President of Lone Rock Timberland Co., a Washington corporation.

[Signature]
(Notary Public for Oregon)

My commission expires April 19, 2015.

-2:ENDSECTION, NOTARY-



COOS COUNTY CLERK, OREGON
TERRI L. TURI, CCC, COUNTY CLERK
TOTAL \$186.00

02/01/2012 09:32:48AM
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2012 749

PARCEL 15: T29-13-01 Tax Lot 00600; PARCEL 16: T29-13-01 Tax Lot 00800; PARCEL 17: T29-13-02 Tax Lot 01900; PARCEL 18: T29-13-11 Tax Lot 00800 and PARCEL 19: T29-13-12 Tax Lot 00200 - FOUR D:

The West 1/2 of the SW 1/4 of the SW 1/4 of Section 1, Township 29 South, Range 13 West of the Willamette Meridian, Coos County, Oregon.

The SE 1/4 of SW 1/4 of Section 1, Township 29 South, Range 13 West of the Willamette Meridian, Coos County, Oregon.

SAVE AND EXCEPT ANY PORTION lying or being within the public roadway.

The SE 1/4 of the SE 1/4 of Section 2, Township 29 South, Range 13 West of the Willamette Meridian, Coos County, Oregon.

ALSO: Any property conveyed by Albert T. Lillie and Cindy L. Lillie to Lone Rock Timber Co. by Boundary Line Agreement and Bargain and Sale Deed recorded May 27, 1997 bearing Microfilm Reel No. 97-05-1094, Records Coos County, Oregon.

SAVE AND EXCEPT Any property conveyed by Lone Rock Timber Co. by Boundary Line Agreement and Bargain and Sale Deed recorded May 27, 1997 bearing Microfilm Reel No. 97-05-1094, Records Coos County, Oregon.

The North 1/2 of the SE 1/4 of Section 11, Township 29 South, Range 13 West of the Willamette Meridian, Coos County, Oregon.

SAVE AND EXCEPT the following: Beginning at the center quarter corner of said Section 11; thence South along the quarter Section line 355 feet to the center of Halls Creek; thence Easterly along the thread of the stream 668 feet; thence North 18° 45' West 304 feet along a fence line to a fence corner; thence North along the East side of a driveway 78 feet to the South line of the County road; thence Southwesterly 156 feet along said right of way line to the East-West quarter line; thence West along said Quarter line 433 feet to the point of beginning.

The North 1/2 of the NW 1/4, the SE 1/4 of the NW 1/4 and the North 1/2 of the SW 1/4 of Section 12, Township 29 South, Range 13 West of the Willamette Meridian, Coos County, Oregon.

TOGETHER WITH AN easement for Parcels set forth for right of way, as set forth in Deed recorded November 10, 1979 bearing Microfilm Reel No. 79-6-4524, Records Coos County, Oregon and also disclosed in instrument recorded February 8, 1980 bearing Microfilm Reel No. 80-1-0434, Records Coos County, Oregon and disclosed in Deed recorded March 30, 1984 bearing Microfilm Reel No. 84-2-2236, Records Coos County, Oregon and together with easement as set forth in Easement Agreement recorded May 16, 1996 bearing Microfilm Reel No. 96-05-0699, Records Coos County, Oregon.

PARCEL 20: T28-13-32 Tax Lot 00201 AND PARCEL 21: T28-13-32 Tax Lot 00202 - PLUM:

The NW 1/4 of Section 32, Township 28 South, Range 13 West of the Willamette Meridian, Coos County, Oregon.

SAVE AND EXCEPT THEREFROM THE FOLLOWING DESCRIBED PARCEL: Beginning at a 5/8 inch x 36 inch iron rod on the Northerly right of way of the Lampa-Myrtle Point Road No. 4 and the East-West center line of Section 32, from the quarter corner between Sections 31 and 32, Township 28 South,

Exhibit A Page 4 - Coos County (LRT)

COOS COUNTY CLERK, OREGON
TERRI L. TURI, CCC, COUNTY CLERK
TOTAL \$186.00

02/01/2012 08:32:48AM
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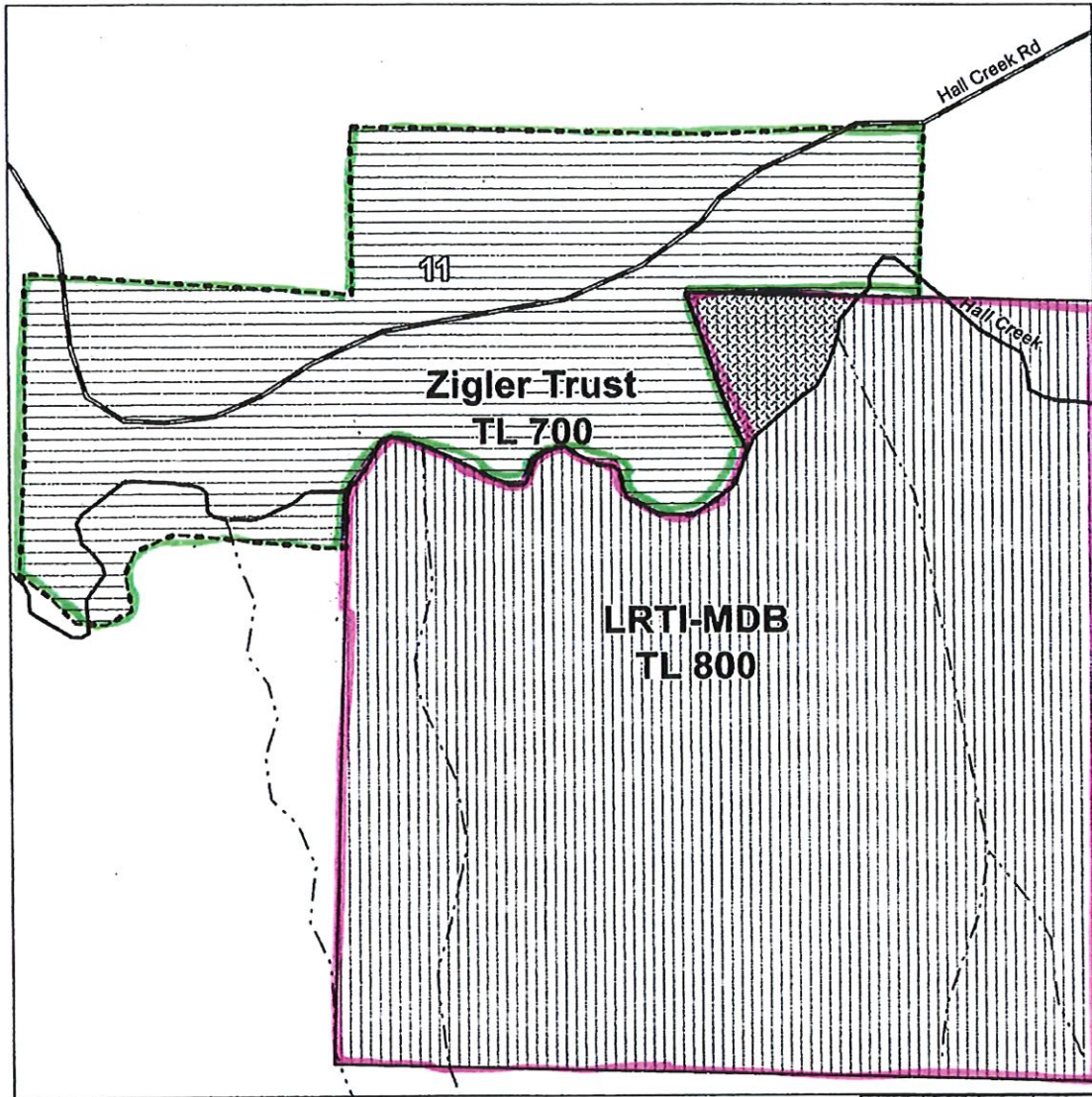
2012 749

Lone Rock Timber Management
Roseburg, Oregon

EXHIBIT A

Portion of NWSE of Section 11 of
T29S R13W W.M.

printed 5/06/2021 MD



 Sale Parcel -
Approximately 1 acre m/l

 Hall Creek

 Zigler Trust Property

 LRTI-MDB Property

This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.

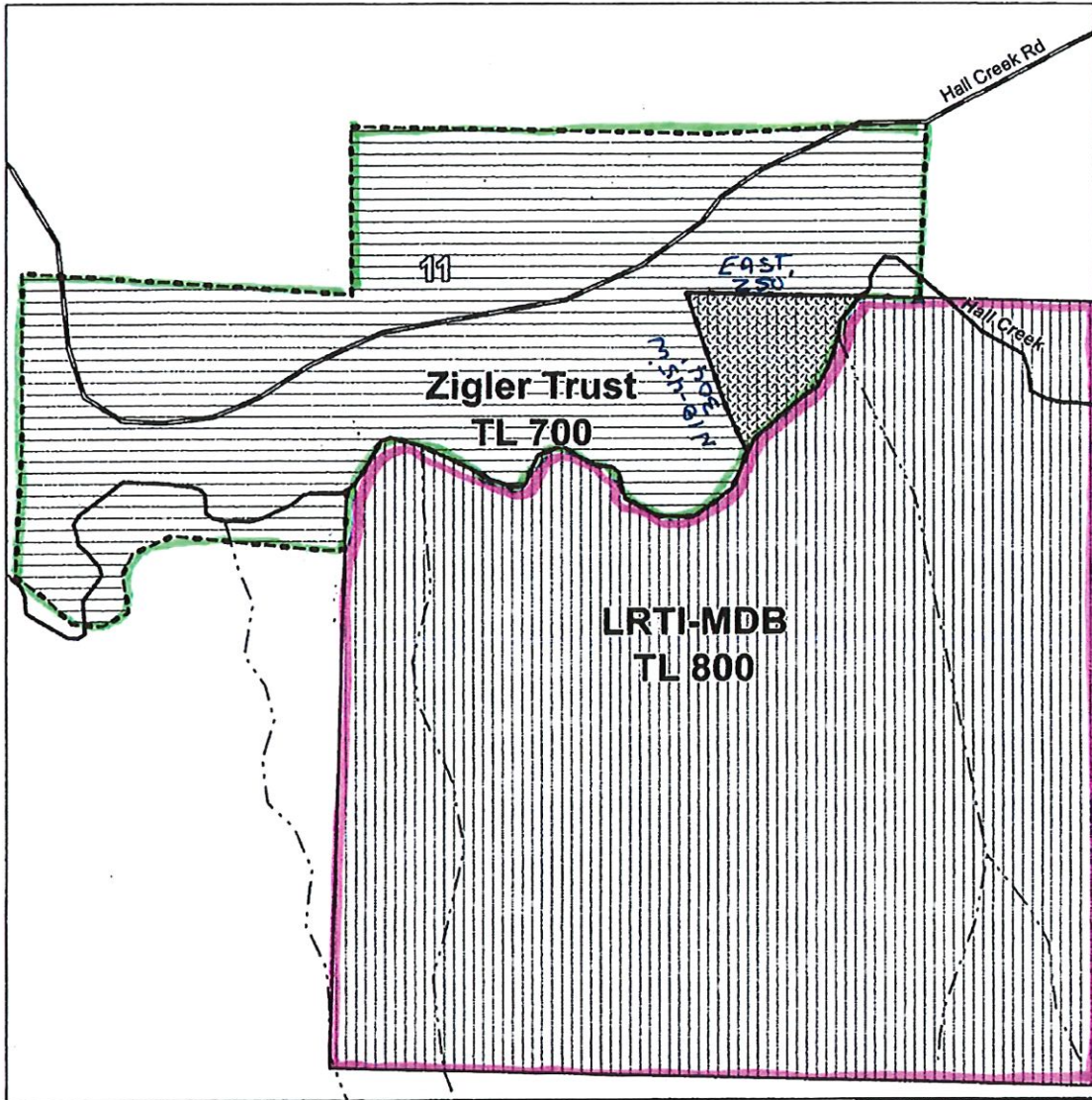
BEFORE ADJUSTMENT


Lone Rock Timber Management
Roseburg, Oregon


EXHIBIT A

Portion of NWSE of Section 11 of
T29S R13W W.M.

printed 5/06/2021 MD



 Sale Parcel -
Approximately 1 acre m/l

 Hall Creek

 Zigler Trust Property

 LRTI-MDB Property

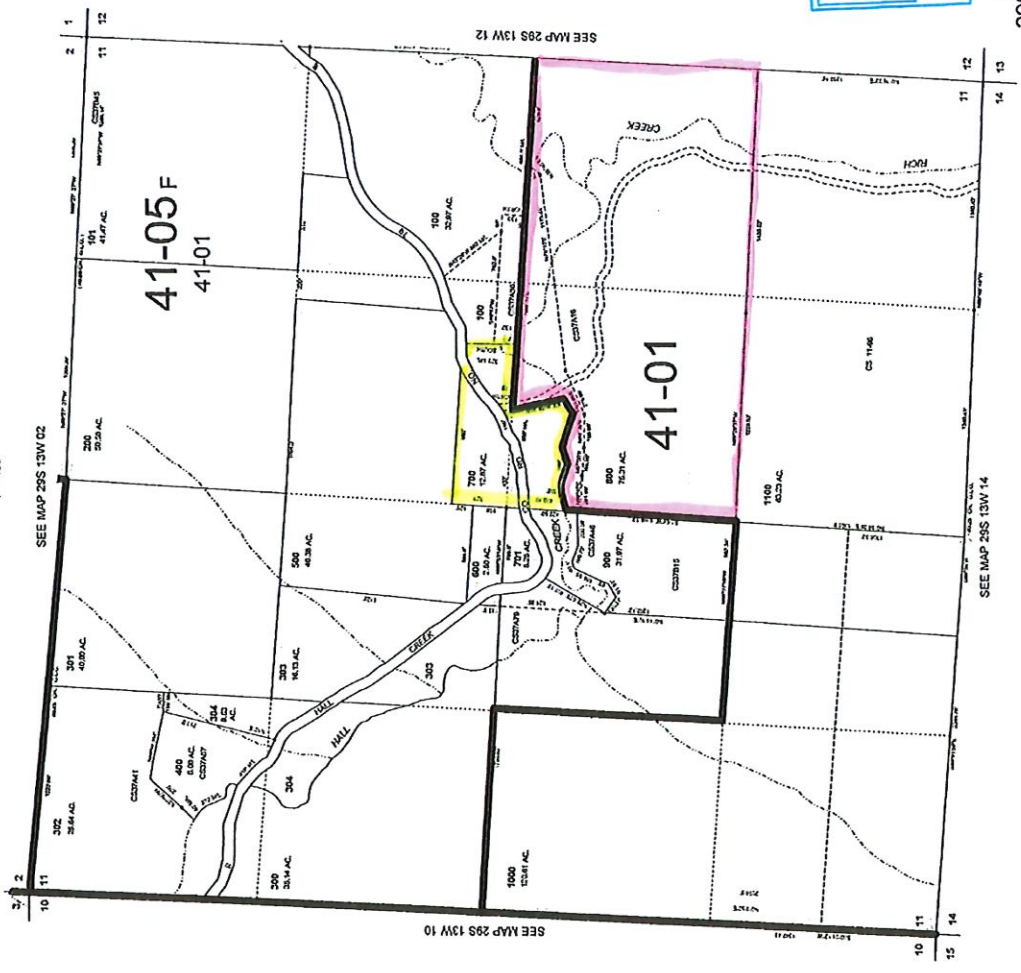
This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.

AFTER ADJUSTMENT

29S 13W 11
CANCELLED NO.
901
1001
305
702

SECTION 11 T29S R13W W.M.
COOS COUNTY
1" = 400'

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSES ONLY.



PLA-21-030
RECEIVED
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By

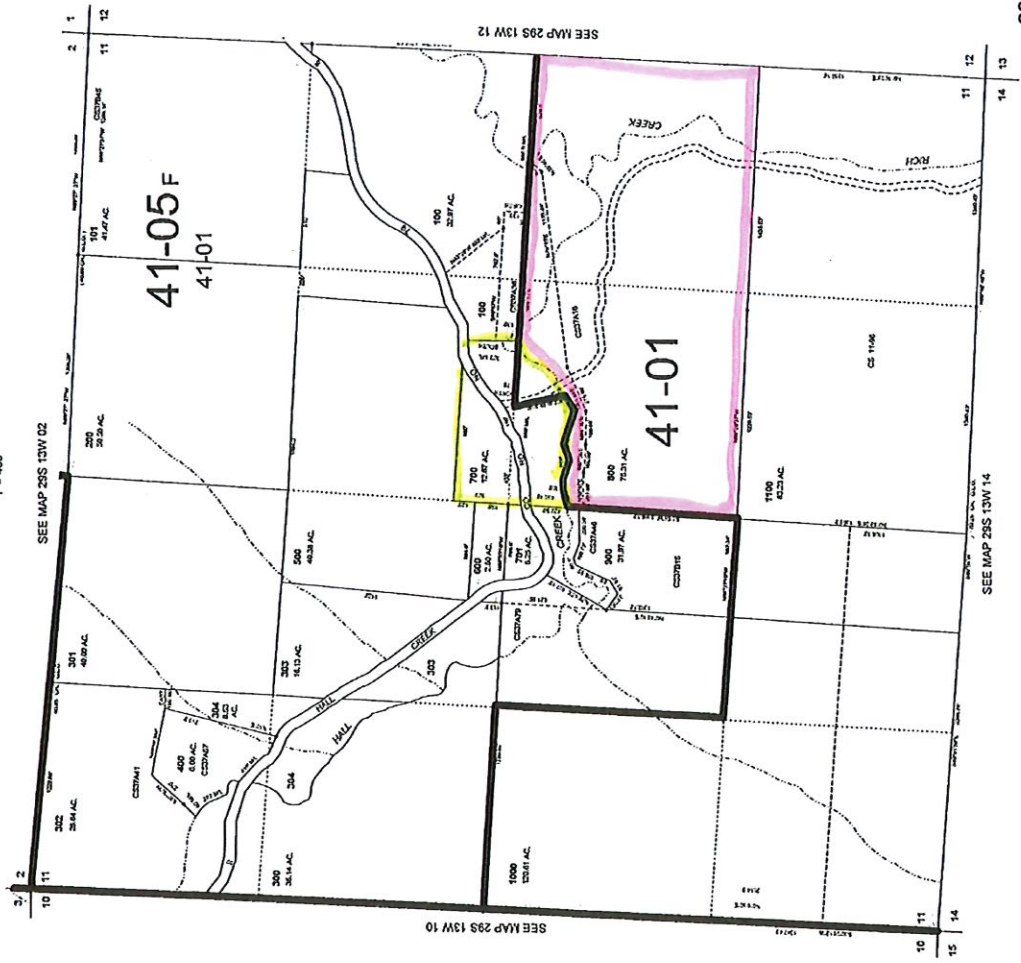
6-17-2010
29S 13W 11

BEFORE ADJUSTMENT

29S 13W 11
CANCELLED NO.
901
1001
305
702

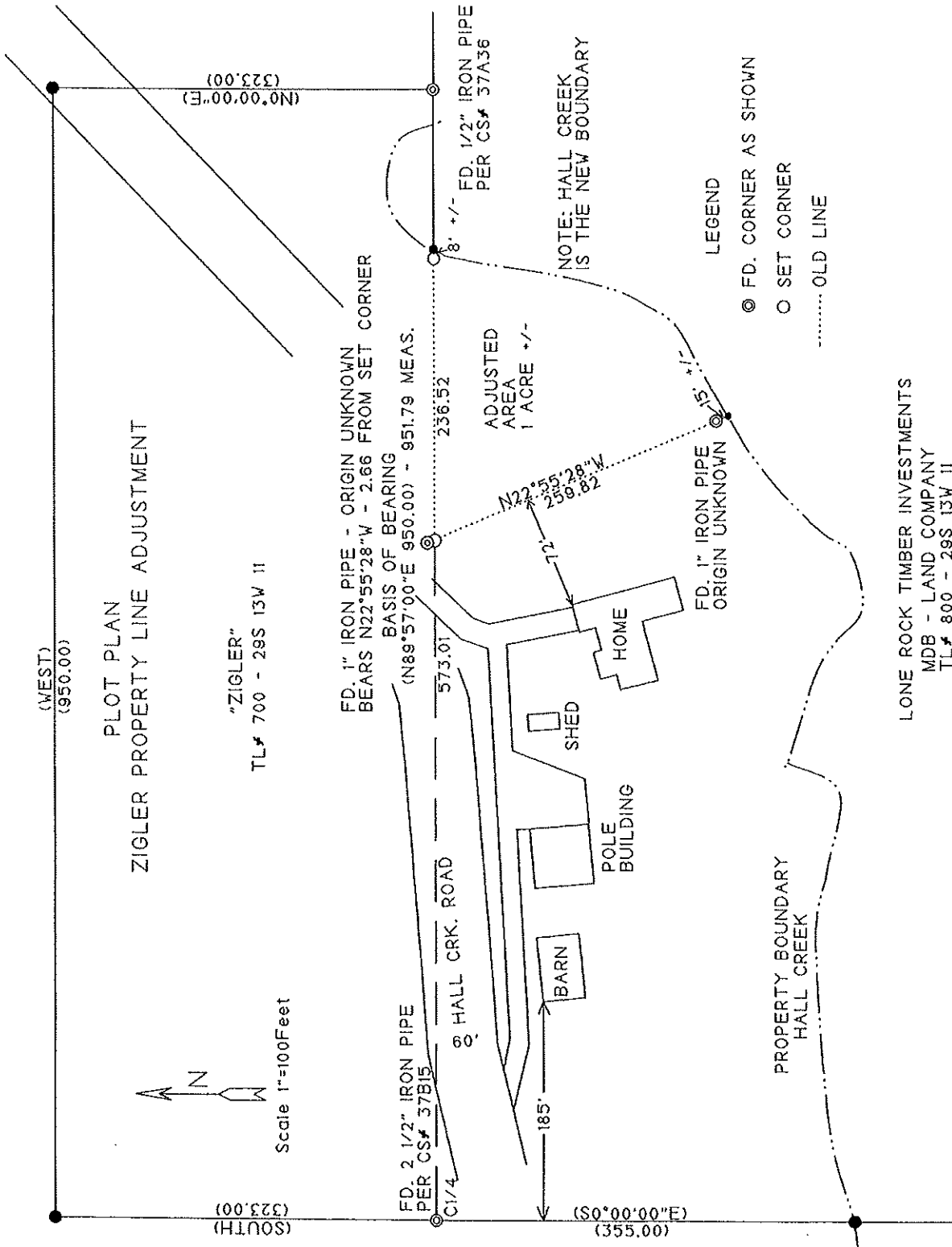
SECTION 11 T29S R13W W.M.
COOS COUNTY
1" = 400'

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY



6-17-2010
29S 13W 11

AFTER ADJUSTMENT



LONE ROCK TIMBER INVESTMENTS
 MDB - LAND COMPANY
 TL# 800 - 28S 13W 11
 75 ACRES +/-



Untitled Map

Write a description for your map.