



NOTICE OF LAND USE DECISION

Coos County Planning
225 N. Adams St.
Coquille, OR 97423
<http://www.co.coos.or.us/>
Phone: 541-396-7770
Fax: 541-396-1022

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. The development is contained within the identified property owners land. Notice is required to be provided pursuant to ORS 215.416. Please read all information carefully as this decision. (See attached vicinity map for the location of the subject property).

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.

Date of Notice: **Tuesday, April 27, 2021**

File No: D-21-001

Proposal: Approval of an application to establish a lawfully created parcel.

Applicant(s): Troy Rambo
PO Box 809
North Bend, OR 97459

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 12 p.m. on **Monday, May 10, 2021**. Appeals are based on the applicable land use criteria. Lawfully created parcel determinations are subject to Coos County Zoning and Land Development Ordinance (CCZLDO) Article 6.1.125.1.e Lawfully Created Lots or Parcels. **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

Account Numbers(s) 1111700
Map Numbers(s) 29S120400-00100

Property Owner(s) LARSEN FAMILY TRUST
LARSEN, GARY LEE & KATHLEEN LOUISE
54135 ECHO VALLEY RD
MYRTLE POINT, OR 97458-7617

Situs Address 53921 ECHO VALLEY RD MYRTLE POINT, OR 97458

Acreages 78.72 Acres

Zoning(s) 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

This notice shall be posted from April 27, 2021 to May 10, 2021

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 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.

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 can 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. 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: Tuesday, April 27, 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 & Map of Lawfully Create Units of Land

The Exhibits below are mailed to the Applicant. Emailed copies of the exhibits are provided to the Board of Commissioners, Planning Commission and Department of Land Conservation and Development. Copies are available upon request or at the following by contacting the Planning Department or by visiting the website: <http://www.co.coos.or.us/Departments/Planning/PlanningDepartment-Applications2020.aspx> ; however if not found on the webpage please contact staff for further instructions on viewing the official record in this matter. If you have any questions please contact staff at (541) 396-7770.

Exhibit C: Staff Report -**Findings of Fact and Conclusions**

Exhibit D: 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.

1. Once the appeal period has expired and no appeal have been filed, the applicant shall record the deed descriptions for the units of land and record them prior to any reconfiguration such as a property line adjustment. A copy of that deed needs to be provided to the Planning Department showing the process has been completed.
2. Staff is not addressing the remainder portion of the lot (outlined in pink in the application discrete parcel map)and does not conclude that the remainder portion outlined in the application is a legal parcel as the property also contains the neighboring tax lot 600 in township 29 range 12 section 3.

**EXHIBIT "B"
VICINITY MAP**



COOS COUNTY PLANNING DEPARTMENT

Mailing Address: 250 N. Baxter, Coos County Courthouse, Coquille, Oregon 97423

Physical Address: 225 N. Adams, Coquille Oregon

Phone: (541) 396-7770

Fax: (541) 396-1022/TDD (800) 735-2900



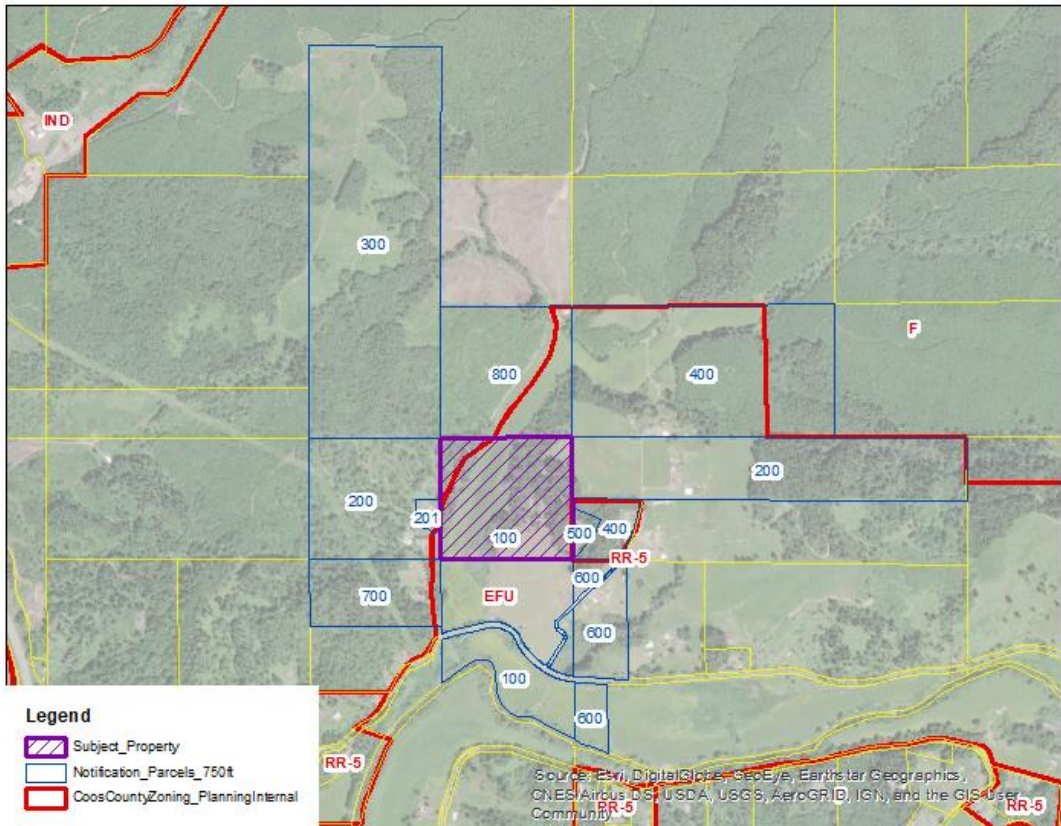
File: D-21-001

Applicant/ Owner: Troy Rambo/
Larsen Family Trust

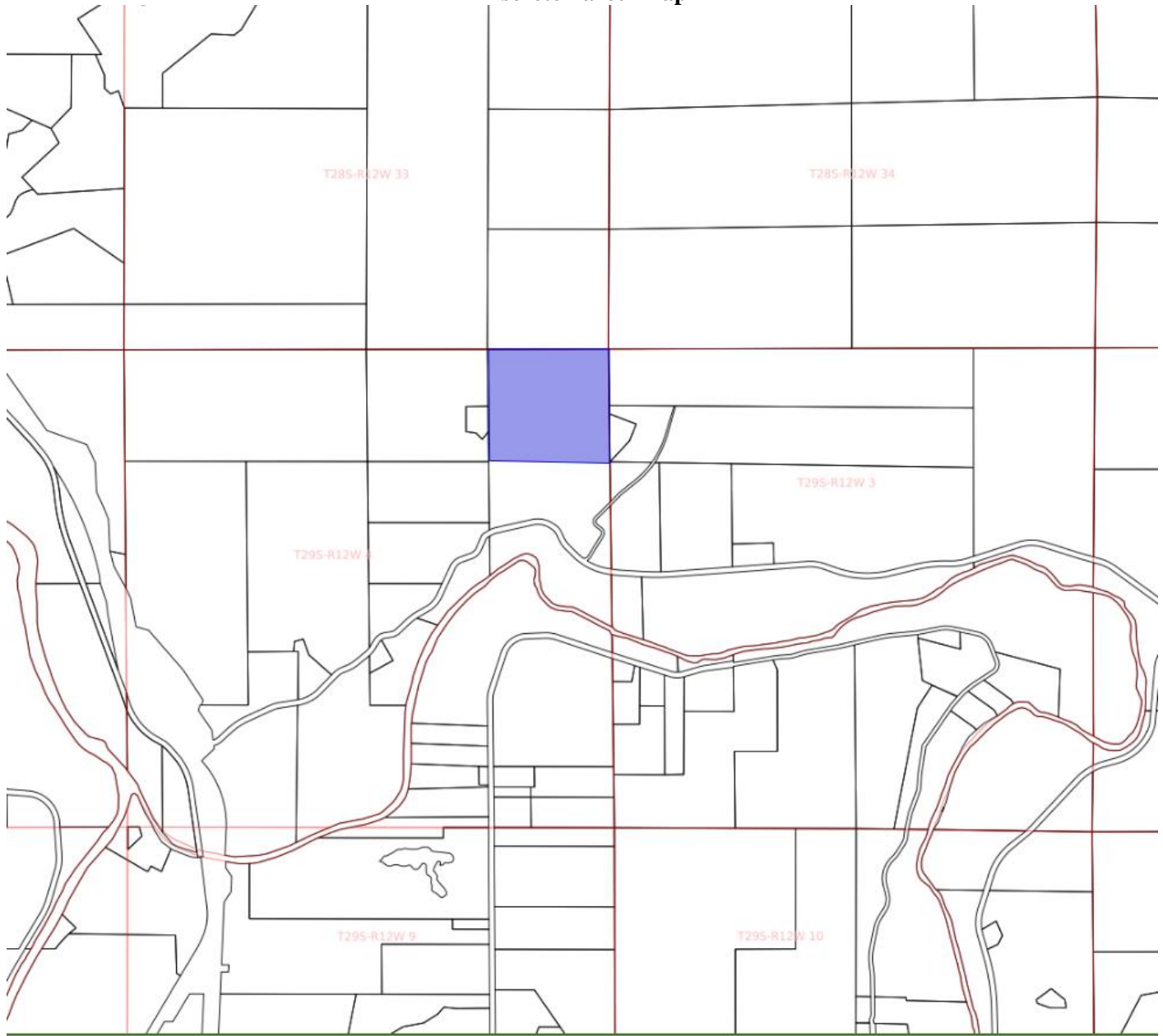
Date: April 14, 2021

Location: Township 29S Range 12W
Section 04 TL 100

Proposal: Lawfully Established Parcel
Determination Application



Discrete Parcel Map



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

I. PROPOSAL AND BACKGROUND/PROPERTY HISTORY INFORMATION:

A. PROPOSAL: The property has requested a determination of a lawfully created unit of land.

B. BACKGROUND/PROPERTY HISTORY:

The lawfully created unit of land outlined in purple on the map in Exhibit “B” has no background or property history. Furthermore, there is no development on this unit of land.

II. BASIC FINDINGS:

A. LOCATION: The subject property is located northeast of the City of Myrtle Point north of North Fork Lane off Echo Valley Lane.

B. ZONING: - This subject property is split zoned Exclusive Farm use and Forest with a Mixed-Use Overlay.

ARTICLE 4.2 – ZONING PURPOSE AND INTENT

SECTION 4.2.500 RESOURCE ZONES

Forest (F): The intent of the Forest District is to include all inventoried "forestlands" not otherwise found to be needed (excepted) for other uses.

The purpose of the Forest zone is to conserve and protect forest land for forest uses. Some of the areas covered by the “F” zone are exclusive forest lands, while other areas include a combination of mixed farm and forest uses.

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.

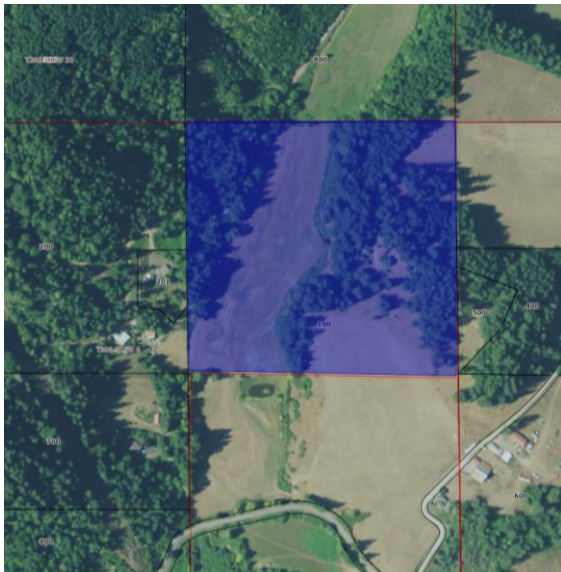
C. SPECIAL DEVELOPMENT CONSIDERATIONS AND OVERLAYS:

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.

No development is part of this request; therefore, additional review was not required.

D. SITE DESCRIPTION AND SURROUNDING USES:



- E. **COMMENTS:** This property did not require request for comments and none have been submitted.

III. **STAFF FINDINGS AND CONCLUSIONS:**

a. **summary of proposal and applicable review criteria:**

The proposal is for Planning Director Approval of a determination for lawfully created parcels is subject to Coos County Zoning and Land Development (CCZLDO) § 6.1.125.

b. **Key definitions and Use Descriptions:**

ARTICLE 6.1 LAWFULLY CREATED LOTS AND PARCELS A legal lot is a lot or parcel created in compliance with the current state and county regulations for land divisions. Lots are created through subdivisions (4 or more lots is a subdivision) and parcels are created through a partition (3 or less parcels is a partition). Additionally, this ordinance recognizes that parcels may be created through other means that were consistent with a prior county ordinance or state law such as the adoption of different land division provisions [December 6, 1962 - December 31, 1985 ordinances in place prior to acknowledgement of the Coos County Comprehensive Plan (CCCP)]. Parcels created prior to the adoption of the current acknowledged CCCP (1986) may require an application to determine the legality of said parcel.

Once lawful parcels or lots have been established pursuant to LDO Section 6.1.125 those lots or parcels shall remain lawfully created or discrete lots or parcels unless the lot or parcel lines are vacated, or the lot or parcel is further divided, as provided by law. If a parcel or lot is reconfigured by a property line adjustment that becomes the new discrete lot or parcel and the official date of creation.

c. **LAWFULLY CREATED:**

• **SECTION 6.1.100 WHAT IS NOT A LAWFULLY CREATED LOT OR PARCEL:**

A unit of land shall not be considered a separate parcel simply because the subject tract of land;

1. *Is a unit of land created solely to establish a separate tax account;*
2. *Includes properties that have divided interest;*
3. *Lies in different counties;*
4. *Lies in different sections or government lots;*
5. *Lies in different land use or zoning designations; or*
6. *Is dissected by a public or private road.*

• **SECTION 6.1.125 LAWFULLY CREATED UNIT OF LAND**

“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.

2. *Creation of parcel previously approved but not acted upon (92.178).*

- a. *The governing body of a county may approve an application requesting formation of one parcel if the county issued a land use decision approving the parcel prior to January 1, 1994, and:*
- b. *A plat implementing the previous land use decision was not recorded; or*
- c. *A condition of approval of the previously approved land use decision requiring consolidation of adjacent lots or parcels was not satisfied by a previous owner of the land.*
- d. *An application under this section is not subject to ORS 215.780.*
- e. *Approval of an application under this section does not affect the legal status of land that is not the subject of the application.*

• **SECTION 6.1.150 APPLICATIONS ESTABLISHING LAWFULLY CREATED LOTS OR PARCELS:**

An application to establish a lawfully created unit of land shall be submitted in the case of Section 6.1.125.1.d, e and f and Section 6.1.125.2. This is an administrative land use decision. If County Counsel is required to review information to determine legal status of the unit of land additional fees may be charged.

All notices will be provided in accordance with LDO Section 5.0.

Once it is determined that a lawfully created unit of land exists it shall be separated out on its own deed prior to any reconfiguration such as a property line adjustment. A copy of that deed needs to be provided to the Planning Department showing the process has been completed. If there are more than two lawfully created units of land (discrete parcels) found to exist a road may be required to provide access. The applicable road standards in Chapter VII will apply.

Finding: Troy Rambo, Registered Professional Surveyor submitted an application to certified that the portion of a tax lot is described in a separate deed document (Volume 284 Page 735 recorded March 9, 1961) prior to applicable planning, zoning or subdivision or partition ordinances that would prohibit the creation.

Staff is not addressing the remainder portion of the lot and does not conclude that the remainder portion outlined in the application is a legal parcel as the property also contains the neighboring tax lot 600 in Township 29S Range 12W Section 3.

Therefore, after reviewing all of the evidence the Planning Staff can acknowledge that the portion outlined in blue is a lawfully created unit of land.

IV. DECISION:

The proposal 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 the notification area of the subject properties and the following agencies, special districts, or parties

A Notice of Decision and Staff Report will be provided to the following: Applicants/Owners; Oregon Department of Land Conservation and Development; Coos County Planning Commission; and the 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 "C"
APPLICATION



Coos County
Planning Department
Lawfully Established Parcel
Determination Application

Official Use Only
Fee 600⁰⁰
Receipt No. 224246
~~Check No./Cash~~ 182
Date 2/25/21
Received By MB
File No. D-21-001

The following application must be completed in full. An application **will not** be processed for a land use request without this information. The County will use these answers in its analysis of the merits of the application. Please submit readable deeds. A signed consent form will be required if the applicant and owner are not the same.

(Discrete Parcel)

A. PLEASE PRINT OR TYPE (please attach additional sheets, if necessary):

Owner(s): LARSEN FAMILY TRUST Telephone: Laura Davis
503-803-6640
Address: 5435 ECHO VALLEY RD
City: MYRTLE POINT, OR Zip Code: 97458
Email: Laura Davis - davisx4family@gmail.com
Applicant(s): Troy Rambo Telephone: 541-751-8900
Address: P.O. Box 809
City: NORTH BEND, OR Zip Code: 97459
Email: MANDRILL@Frontier.com

B. PROPERTY INFORMATION:

Township: 29S Section: 04
Range: 12W Tax Lot: 100
Tax Account: 1111700 Zoning District: EFV

C. SUBMISSION REQUIREMENTS:

- Completed application form with appropriate fee
- A copy of the current deed of record
- A copy of each deed being used as evidence to support the application
- A detailed map indicating the relation of the existing property boundary to the discrete parcel boundaries

D. AUTHORIZATION: All areas must be initialed by all owners/applicant prior to the Planning Department accepting any application.

TJR

I hereby attest that I am authorized to make the application for an administrative review and the statements within this application are true and correct to the best of my knowledge and belief. I affirm that this is a legally created tract, lot or parcel of land. I understand that I have the right to an attorney for verification as to the creation of the subject property. I understand that any action authorized by Coos County may be revoked if it is determined that the action was issued based upon false statements or misrepresentation.

TJR

ORS 215.416 Permit application; fees; consolidated procedures; hearings; notice; approval criteria; decision without hearing.

(1) When required or authorized by the ordinances, rules and regulations of a county, an owner of land may apply in writing to such persons as the governing body designates, for a permit, in the manner prescribed by the governing body. The governing body shall establish fees charged for processing permits at an amount no more than the actual or average cost of providing that service.

The Coos County Board of Commissioners has adopted a schedule of fees which reflects the average review cost of processing and set-forth that the Planning Department shall charge the actual cost of processing an application. Therefore, upon completion of review of your submitted application/permit a cost evaluation will be done and any balance owed will be billed to the applicant(s) and is due at that time. By signing this form you acknowledge that you are responsible to pay any debt caused by the processing of this application. Furthermore, the Coos County Planning Department reserves the right to determine the appropriate amount of time required to thoroughly complete any type of request and, by signing this page as the applicant and/or owner of the subject property, you agree to pay the amount owed as a result of this review. If the amount is not paid within 30 days of the invoice, or other arrangements have not been made, the Planning Department may chose to revoke this permit or send this debt to a collection agency at your expense.

TJR

I understand it is the function of the planning office to impartially review my application and to address all issues affecting it regardless of whether the issues promote or hinder the approval of my application. In the event a public hearing is required to consider my application, I agree I bear the burden of proof. I understand that approval is not guaranteed and the applicant(s) bear the burden of proof to demonstrate compliance with the applicable review criteria.

TJR

As applicant(s) I/we acknowledge that is in my/our desire to submit this application and staff has not encouraged or discouraged the submittal of this application.

TJR

As the applicant(s) I/we acknowledge, pursuant to CCZLDO Section 6.1.150, a deed describing any recognized lawfully created parcels must be recorded with the County Clerk within one year from the date of final approval from the Planning Department.

E. SIGNATURES:

Terry Ramirez
 Applicant(s) Original Signature

 Applicant(s) Original Signature

2/24/2021
 Date

 Date

 Applicant(s) Original Signature

 Applicant(s) Original Signature

 Date

 Date

CCZLDO	§ 6.1.125	LAWFULLY CREATED LOTS OR PARCELS:
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SECTION 6.1.125 LAWFULLY CREATED LOTS OR PARCELS:

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 - 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.
2. Creation of parcel previously approved but not acted upon (92.178).
 - a. The governing body of a county may approve an application requesting formation of one parcel if the county issued a land use decision approving the parcel prior to January 1, 1994, and:
 - b. A plat implementing the previous land use decision was not recorded; or
 - c. A condition of approval of the previously approved land use decision requiring consolidation of adjacent lots or parcels was not satisfied by a previous owner of the land.
 - d. An application under this section is not subject to ORS 215.780.
 - e. Approval of an application under this section does not affect the legal status of land that is not the subject of the application.

CCZLDO	§ 6.1.150	APPLICATIONS ESTABLISHING LAWFULLY CREATED LOTS OR PARCELS
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SECTION 6.1.150 APPLICATIONS ESTABLISHING LAWFULLY CREATED LOTS OR PARCELS:

An application to establish a lawfully created unit of land shall be submitted in the case of Section 6.1.125.1.d, e and f and Section 6.1.125.2. This is an administrative land use decision. If County Counsel is required to review information to determine legal status of the unit of land additional fees may be charged.

All notices will be provided in accordance with LDO Section 5.0.

Once it is determined that a lawfully created unit of land exists it shall be separated out on its own deed prior to any reconfiguration such as a property line adjustment. A copy of that deed needs to be provided to the Planning Department showing the process has been completed. If there are more than two lawfully created units of land (discrete parcels) found to exist, a road may be required to provide access. The applicable road standards in Chapter VII will apply.



Terril L. Turt, Coos County Clerk

After recording, return to:
SCOTT C. SCHULTZ
Attorney at Law
969 Willagillespie Road
Eugene, OR 97401

Until a change is requested,
mail all tax statements to:
NO CHANGE

WARRANTY DEED

GARY LEE LARSEN and KATHLEEN LOUISE LARSEN, Trustees for the LARSEN LIVING TRUST, dated March 27, 2000, "Grantors", hereby convey and warrant to GARY LEE LARSEN and KATHLEEN LOUISE LARSEN, Trustees, or their successors in trust under the LARSEN FAMILY TRUST, dated August 25, 2015, a 5/6th interest, "Grantees", the following real property, free of encumbrances except for matters of public record:

SEE EXHIBIT "A" ATTACHED HERETO

Commonly known as: 53921 Echo Valley Road, Myrtle Point, Oregon 97458

THE LIABILITY AND OBLIGATIONS OF THE GRANTOR TO GRANTEE AND GRANTEE'S HEIRS 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 GRANTOR UNDER A STANDARD POLICY OF TITLE INSURANCE CONTAINING EXCEPTIONS FOR MATTERS OF PUBLIC RECORD. THE LIMITATIONS CONTAINED HEREIN EXPRESSLY DO NOT RELIEVE GRANTOR OF ANY LIABILITY OR OBLIGATIONS UNDER THIS INSTRUMENT, BUT MERELY DEFINE THE SCOPE, NATURE, AND AMOUNT OF SUCH LIABILITY OR OBLIGATIONS.

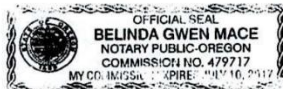
BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 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 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

THE TRUE CONSIDERATION FOR THIS CONVEYANCE IS \$-0-.

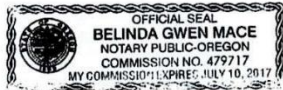
Dated this 19 day of October, 2015.

Gary Lee Larsen, Trustee Kathleen Louise Larsen, Trustee
GARY LEE LARSEN, Trustee KATHLEEN LOUISE LARSEN, Trustee

State of Oregon)
)ss.
County of Douglas)



This instrument was acknowledged before me on the 19 day of October, 2015, by GARY LEE LARSEN and KATHLEEN LOUISE LARSEN, Trustees of the LARSEN LIVING TRUST, dated March 27, 2000.



Belinda Mace
Notary Public for Oregon
Coos County, Oregon



EXHIBIT "A"

- * The NE 1/4 of the NE 1/4 of Section 4, Township 29 South, Range 12 West of the Willamette Meridian, Coos County, Oregon.

ALSO: Government Lot 6 of Section 4, in Township 29 South, Range 12 West of the Willamette Meridian, Coos County, Oregon; also beginning at the quarter quarter section post between the NW 1/4 of Section 3 and the NE 1/4 of Section 4, in Township 29 South, Range 12 West of the Willamette Meridian, Coos County, Oregon, Variation 19° 45' East, run thence South 30 minutes East between said Sections 3 and 4, 17.77 chains to a post marked C.S. from which a white fir tree 30 inches in diameter bears South 81° East 13 links; thence East 8.44 chains, set post from which a fir tree 30 inches in diameter bears North 78° East 28 links, white fir tree 24 inches in diameter bears North 87° West 38 links, thence North 30 minutes West 5.77 chains, stream 10 links wide, course West, 14.50 chains, County Road East and West 17.77 chains set post from which a fir 15 inches in diameter bears South 77° West 12 links, a fir 12 inches in diameter bears North 26 1/2 ° East 33 links; thence South 89° West 8.32 chains to the place of beginning, lying in the Northwest part of the SW 1/4 of the NW 1/4 of Section 3, in Township 29 South of Range 12, West of the Willamette Meridian, Coos County, Oregon.

ALSO: A certain piece of land situated in Government Lot 5, Section 3, Township 29 South, Range 12 West of the Willamette Meridian, Coos County, Oregon, and described as follows:

Commencing at a point 217 links North of the quarter section corner between Sections 3 and 4; thence East 533 links to a post; thence South 11.16 chains to a post; thence downstream (North Fork of Coquille River) North 78° West 5.40 chains to a meander stake on the line between Sections 3 and 4; thence North on said line to place of beginning.

Subject to:

The assessment and tax rolls disclose that the premises herein described have been specially assessed as Farm Use Land. If the land becomes disqualified for the special assessment under the statute, an additional tax may be levied for previous years in which the farm use assessment was in effect for the land. In addition thereto, a penalty may be levied if notice of disqualification is not timely given.

The rights of the public in and to that portion of the premises herein described lying within the limits of public roads, streets, and highways.

The following matters are excluded from the coverage of the policy based on the proximity of the property to the North Fork of the Coquille River and unnamed creeks.

- a) Rights of the public and governmental bodies (including claims of ownership) to that portion of the premises lying below the high water mark of the North Fork of the Coquille River and unnamed creeks.
- b) Any adverse claim based on the assertion that:
 - i. Some portion of said land has been created by artificial means, or has accreted to such portion so created.
 - ii. Some portion of said land has been brought within the boundaries thereof by an avulsive movement of the North Fork of the Coquille River and unnamed creeks or has been formed by accretion to such portion.

EXHIBIT "A" CONTINUED

Title No. 24-95671

Escrow No. 24-95671

An Easement created by instrument, including the terms and provisions thereof,

In favor of: Mountain States Power Company
For: Power Lines
Recorded: October 25, 1948
Book: 186 Page: 147
In Coos County, Oregon.

An Easement created by instrument, including the terms and provisions thereof,

In favor of: United States of America
For: Access Road Easement
Recorded: July 28, 1964
Book: 311 Page: 246
In Coos County, Oregon.

Road Easements, including the terms and provisions thereof, recorded December 11, 1987, bearing Microfilm Reel No. 87-12-0659 through 87-12-0687, Records of Coos County, Oregon.

An Easement created by instrument, including the terms and provisions thereof,

In favor of: Patra Anne Woodruff, as Trustee of the Patra Ann Woodruff Trust
For: Ingress and Egress
Filed: June 17, 2002
Circuit Court Case No.: 01CV0282
In Coos County, Oregon.

203/735

51744

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That THAD FINLEY and VIOLA FINLEY, husband and wife, Grantors, in consideration of TEN AND NO/100(\$10.00) DOLLARS, together with other good and valuable consideration, receipt whereof is hereby acknowledged, to them paid by ELLIS SOUTHMAYD and MARGARET E. SOUTHMAYD, husband and wife, Grantees, do hereby grant, bargain, sell and convey unto the said Grantees, their heirs and assigns, all the following real property, together with the tenements, hereditaments and appurtenances, situated in the County of Coos and State of Oregon, bounded and described as follows, to-wit:

The NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 4, Township 29 South, Range 12 West of the Willamette Meridian, Coos County, Oregon.

RESERVING, however, unto the Grantors herein, their heirs and assigns, all merchantable fir timber, poles and piling, standing, lying or being upon the premises described herein, together with the right, privilege and easement to go upon and over the above described premises and to construct and maintain thereon all roadways or other structures necessary for the removal of said timber until the 1st day of January, 1963, of which date all rights and privileges herein created and existing in favor of the Grantors, their heirs or assigns, shall automatically cease and terminate and all timber, whether down or standing, thereafter remaining upon the premises shall revert to and become the property of the Grantees herein, their heirs and assigns, without any act or deed being required.

To Have and To Hold the above described and granted premises unto the said Grantees, their heirs and assigns, forever.

And We, the Grantors, covenant that we are lawfully seized in fee simple of the above granted premises free from all incumbrances, excepting:

WARRANTY DEED--1

1. Rights of way for roads and electric transmission lines heretofore conveyed or reserved.

and that we will and our heirs, executors and administrators, shall warrant and forever defend the above granted premises, and every part and parcel thereof, against the lawful claims and demands of all persons whomsoever.

WITNESS our hands and seals this 9th day of March, 1961.

Thad Finley (SEAL)

Viola Finley (SEAL)

STATE OF OREGON)
County of Coos) ss.

On this 9th day of March, 1961, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named THAD FINLEY and VIOLA FINLEY, husband and wife, who are known to me to be the identical individuals described in and who executed the within instrument, and acknowledged to me that they executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.



Mary June Foote
Notary Public for Oregon

My Commission expires August 6, 1961



WARRANTY DEED - - 2

RECORDED MAR 9 1961 AT 4:30
GEORGIANNA VAUGHAN, COUNTY CLERK

No. _____
State of Oregon }
County of Coos }
I hereby certify that the within instrument
was filed for record MAR 9 - 1961
at 4:30 o'clock P. M. and recorded
in book 283 Page 135
of [Signature]
GEORGINNA VAUGHAN
County Clerk
[Signature] Deputy
Return to 771
Fee 2.50

4-19

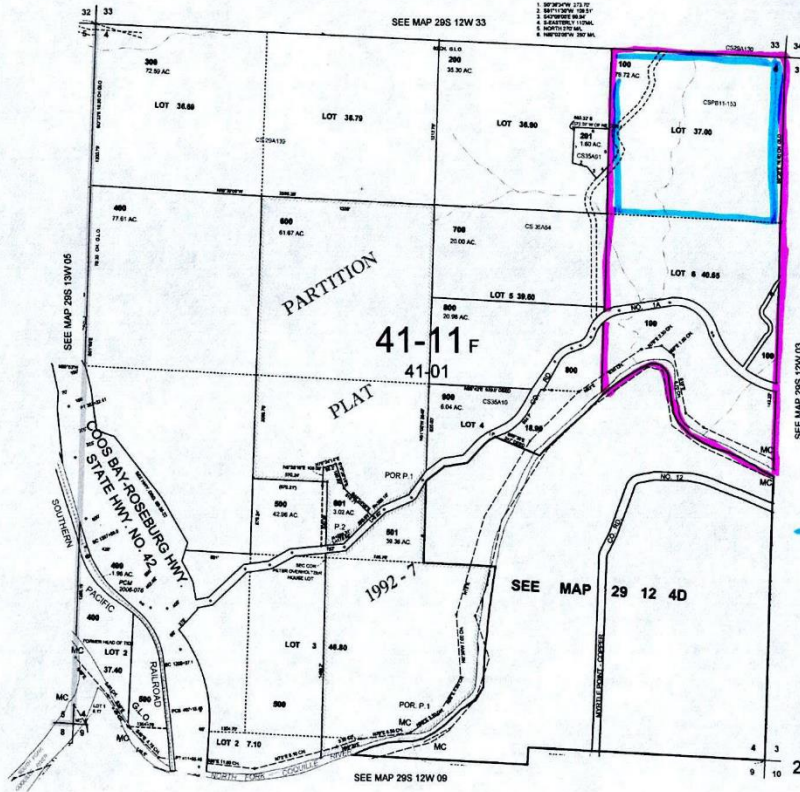
THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY.

SECTION 4 T29S R12W W.M.
COOS COUNTY

1" = 400'

- PARCEL ID:
- 1. BOUNDARY
 - 2. SURFACE AREA
 - 3. COUNTY
 - 4. COUNTY
 - 5. NORTH
 - 6. WEST

29S 12W 04
& INDEX
CANCELLED NO.
602



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