



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: **Friday, July 09, 2021**

File No: PLA-21-005

Proposal: Request for a land use authorization for a Property Line Adjustment

Applicant(s): HARVEY AND KATHERINE WILCOX TRUST
WILCOX, HARVEY A TTEE ET AL
69968 HIGHWAY 101
NORTH BEND, OR 97459-7735

Surveyor(s): Jerry Estabrook
130 Hilltop Drive
Lakeside, OR 97449

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 **Wednesday, July 21, 2021**. Pursuant to Section 5.8.100 Property Line Adjustments are appealable within twelve (12) days the written notice is mailed. Appeals are based on the applicable land use criteria. Property line adjustments are subject to 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

Account Numbers 63503

Map Numbers 23S132600-03102

Property Owners HARVEY AND KATHERINE
WILCOX TRUST
WILCOX, HARVEY A TTEE ET AL
69968 HIGHWAY 101
NORTH BEND, OR 97459-7735

Situs Addresses 70298 HIGHWAY 101 NORTH BEND,
OR 97459

Acreages 0.68 Acres

This notice shall be posted from July 9, 2021 to July 21, 2021

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 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.

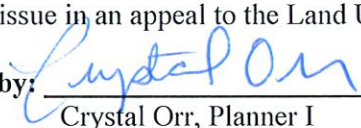
Mailed notices to owners of real property required by ORS 215 shall be deemed given to those owners named in an affidavit of mailing executed by the person designated by the governing body of a county to mail the notices. The failure of the governing body of a county to cause a notice to be mailed to 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 may be found at the following link:

<https://www.co.coos.or.us/planning/page/land-use-applications-submitted> 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: Friday, July 09, 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-21-005 Staff Report -**Findings of Fact and Conclusions**

Exhibit E: Comments Received

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.

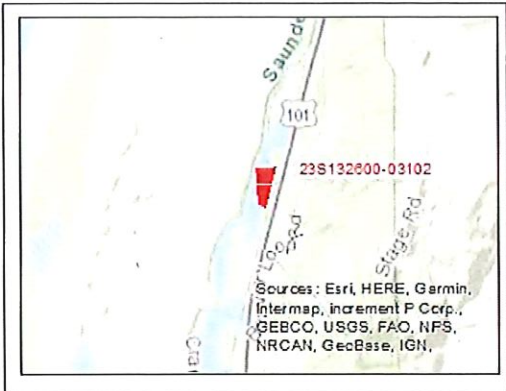
1. All applicable mapping and filing requirements shall be complied with as listed below. If a map is required it shall be submitted to the Surveyor's office with the deeds. The deeds shall not be filed and that map has the appropriate signatures. Copies of all recorded deeds shall be submitted as the final step in the process.
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 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-21-005
Applicant/ Owner: Harvey & Katherin Wilcox Trust
Date: July 8, 2021
Location: Township 23S Range 13W Section 26 TL 3102
Proposal: Property Line Adjustment

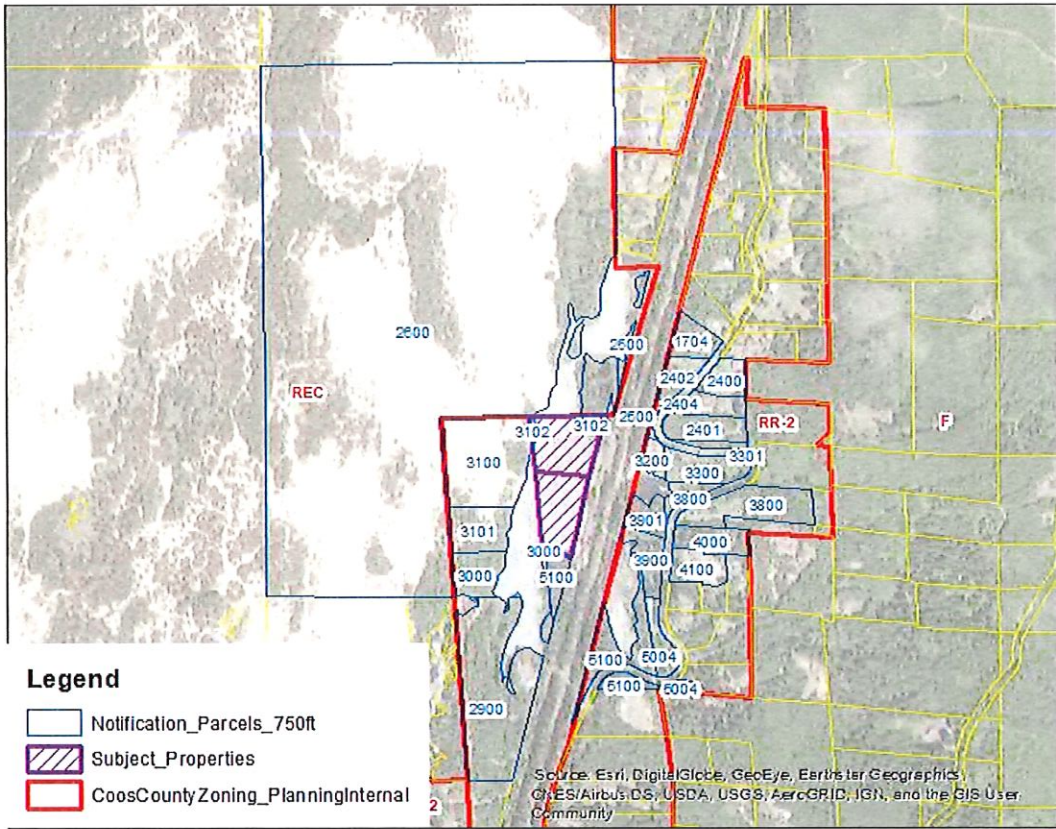
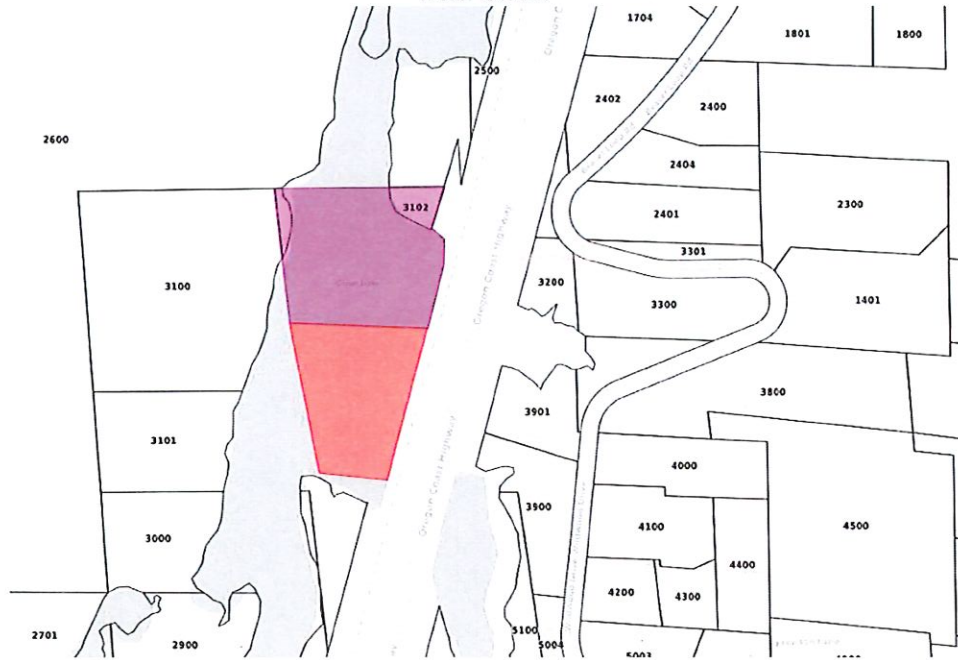


EXHIBIT "C"
BEFORE AND AFTER ADJUSTMENT MAPS
BEFORE:



AFTER:

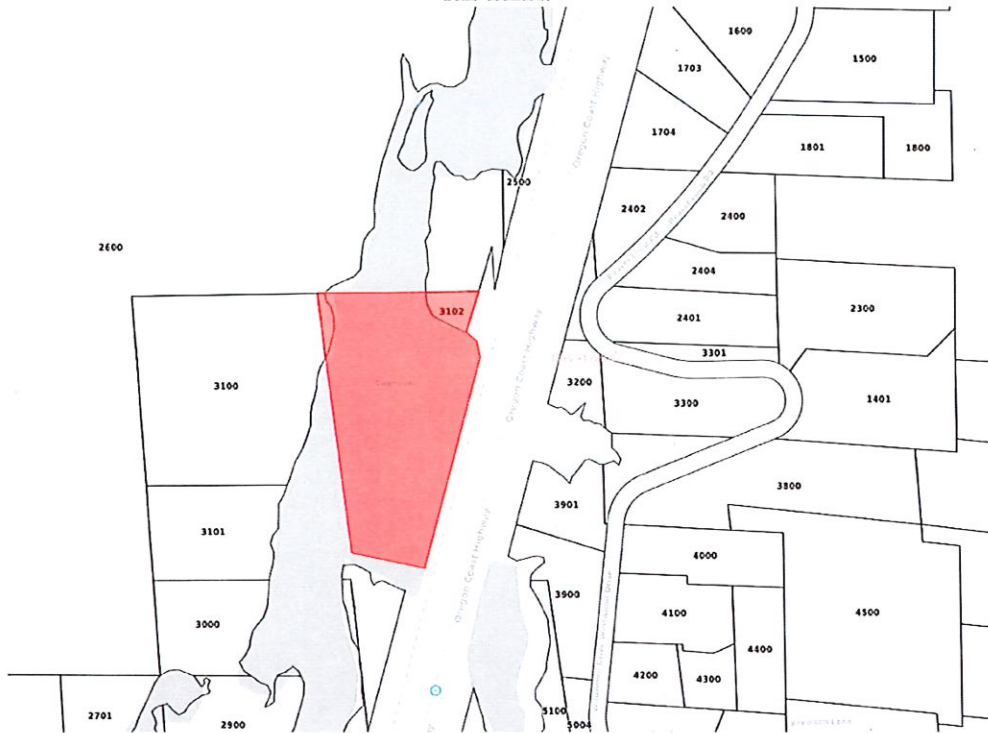


EXHIBIT "D"
STAFF REPORT
FINDINGS OF FACT AND CONCLUSIONS

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 lawful parcels to make tax lot 3102 a legal parcel.

B. BACKGROUND INFORMATION:

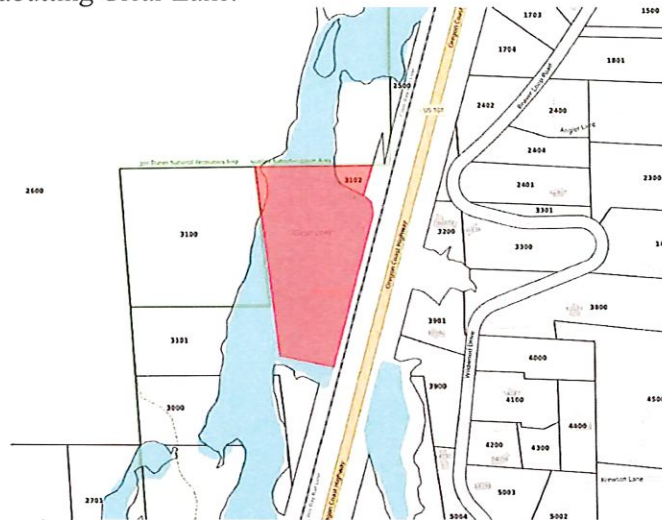
Tax lot 3102 was illegally divided. A Lawfully Created Parcel Determination was approved for a piece of property abutting this lot that was not given a tax lot number because it was believed to be completely submerged lands owned by the State of Oregon. The applicant has purchased that piece of property and wishes to do a Property Line Adjustment to essentially combine the two parcels to make Tax lot 3102 a lawfully created parcel.

C. 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: At this time tax lot 3102 is an unlawful parcel as it was illegally divided. After the adjustment tax lot 3102 will become a legal parcel.

BASIC FINDINGS:

A. LOCATION: These units of land are located south of the City of Lakeside on the westside of State Highway 101 abutting Clear Lake.



B. ZONING: Both parcels are zoned Forest (F).

ARTICLE 4.2 – ZONING PURPOSE AND INTENT

Section 4.2.500 Resource Zones - Forest (F)

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.

C. SPECIAL DEVELOPMENT CONSIDERATIONS AND OVERLAYS:

- a. *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.*
- b. *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.*

Staff reviewed the full policies and proposal does require any type land development; therefore, the Special Development Consideration and/or Overlay Zone are not applicable to this review.

D. SITE DESCRIPTION AND SURROUNDING USES:

Tax lot 3102 currently consists of 4.02 acres, and the tax lot that has not been given a tax lot number consists of 5.30 acres. Both parcels are Forest (F) zoned and are surrounded by Forest (F) and Recreation (REC) zoning. These properties abut the railroad to the east and Clear Lake to the West. Across the lake is the Oregon Dunes National Recreational Area.

E. COMMENTS:

- a. **PUBLIC AGENCY:** The only comment received was from the Coos County Surveyor's office. Please see his comment at Exhibit E.
- b. **PUBLIC COMMENTS:** This application request did not require any request for comments prior to the release of the decision pursuant to notice of decision requirements found in Chapter V of the CCZLDO.
- c. **LOCAL TRIBE COMMENTS:** This application request did not require a request for comments prior to the release of the decision.

F. LAWFULLY CREATED UNIT OF LAND: The tax lot without a number is a lawfully created unit of land as staff acknowledged through a prior application (D-20-002) that the parcel was discrete. Tax lot 3102 is not lawfully created but will be considered lawful after the approval of this application.

II. 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 lawfully created units of land. The proposal is subject to Coos County Zoning and Land Development (CCZLDO) Article 6.3 Property Line Adjustments.

b. Key definitions:

- *ACTIVITY: Any action taken either in conjunction with a use or to make a use possible. Activities do not in and of themselves result in a specific use. Several activities such as dredging, piling and fill may be undertaken for a single use such as a port facility. Most activities may take place in conjunction with a variety of uses.*
- *DEVELOP: To bring about growth or availability; to construct or alter a structure, to conduct a mining operation, to make a physical change in the use or appearance of land, to divide land into parcels, or to create or terminate rights to access.*
- *DEVELOPMENT: The act, process or result of developing.*
- *USE: The end to which a land or water area is ultimately employed. A use often involves the placement of structures or facilities for industry, commerce, habitation, or recreation.*
- *ZONING DISTRICT: A zoning designation in this Ordinance text and delineated on the zoning maps, in which requirements for the use of land or buildings and development standards are prescribed.*
- *Dwelling: Any building that contains one or more dwelling units used, intended, or designed to be built, used, rented, leased, let or hired out to be occupied, or that are occupied for living purposes.*

c. Criteria and standards for Property Line Adjustments

• 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.*
 - e. *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 reason for the property line adjustment is to reconfigure the lots so that tax lot 3102 is considered lawfully created. The application was received on March 1, 2021 and was deemed complete on March 25, 2021. A Vicinity Map showing the adjustment was submitted. A property report was waived as the property owner does not have a lien holder and did provide the appropriate deeds. There are no lien holders of record to provide notice or to consult with.

The application was receipted on March 1, 2021. The application was found to comply and include all required information, forms and fees as of March 25, 2021. This is within the 30 day as consistent with ORS 215.427 as codified in the CCZLDO Section 5.0.250. From the date the application was found to be complete and, given the zoning, Coos County is required to render a final action within 150 days for an application that requires a land use notice of decision. This decision has been rendered within 106 days. The tentative decision will become final when the appeal period has expired, and no appeals have been filed. The final approval of this request will be completed once the conditions of approval have been completed.

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: The zoning within this adjustment is Forest (F) which is considered a resource zoning, the minimum lot size is 80 acres. In order for a parcel to be considered conforming it would need to meet the minimum lot size of 80 acres. Both tax lots are below the minimum lot size for the resource zoning districts. The adjustment will not change the conformance status of the parcels as after the adjustment the parcels will become one lawfully created unit of land with 9.32 acres.

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: No encroachment will be created through this process and any future structures will be required to comply with the setback requirements in the applicable zoning district.

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: According to the county records there are currently no dwellings involved in this property line adjustment. The change in the property line will result in units of

land that exceed one (1) acre. Therefore, this condition does apply.

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 like zoned; therefore, this criterion has been met.

- ***SECTION 6.3.150 EASEMENTS AND ACCESS:***

A line adjustment shall have no affect 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.

III. 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.

IV. 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.

V. 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: Hauser Rural Fire Protection District & Coos Bay-North Bend Water Board

A Notice of Decision and Staff Report will be provided to the following:

Applicants/Owners, Department of Land Conservation and Development, County Surveyor, County Assessor's Cartography Staff, 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 "F"
COMMENTS RECEIVED



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

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

March 3, 2021

PLA-21-005
Harvey and Katherine Wilcox Trust
23-13- 26, TL 3102

Crystal,

I have no objections to this proposed Property Line Adjustment. Apparently the end result is to combine two parcels into one. I don't believe this will require any surveying to be done.
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 with a large initial "M".

Michael L. Dado

EXHIBIT "G"
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@COOS.COUNTY.ORG PHONE: 541-396-7770

FILE NUMBER: PLA-21-005

Date Received: 3/1/21 Receipt #: 224251 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) Harvey and Katherine Wilcox Trust
Mailing address: 69968 Hwy 101, North Bend, OR 97459
Phone: (541) 759-4467 Email: h.andk.wilcox@hughes.net

Township: Range: Section: ¼ Section: 1/16 Section: Tax lot:
23S 13W 26 Select Select none assigned yet

Tax Account Number(s): none assigned yet Zone: Select Zone Forest (F)

Acreage Prior to Adjustment: 5.30 ac Acreage After the Adjustment 9.32 ac

B. Land Owner(s) Harvey and Katherine Wilcox Trust
Mailing address: 69968 Hwy 101, North Bend, OR 97459
Phone: (541) 759-4467 Email: h.andk.wilcox@hughes.net

Township: Range: Section: ¼ Section: 1/16 Section: tax lot:
23S 13W 26 Select Select tax lot 3102

Tax Account Number(s) 63503 Zone Forest (F)

Acreage Prior to Adjustment: 4.02 ac Acreage After the Adjustment 0 ac

C. Surveyor Jerry Estabrook if needed
Mailing Address _____
Phone #: _____ Email: _____

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:

To combine the two properties into one. Thereby eliminating TL3102, which was created by the USFS without following the partition rules. This was done before I owned TL3102 and I did not find out about it until I applied for permits.

Property #1 has been determined to be a discrete parcel, so I will be left with one discrete parcel.

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.

Will indicated by Email that I do not need a title report
 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: None _____

Property 2: None _____

Please answer the following:

- Will the adjustment create an additional Unit of land? Yes No
- Does property 1 currently meet the minimum parcel/lot size ? Yes No
- Does property 2 currently meet the minimum parcel/lot size? Yes No

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:

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

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 Signatures

Aarney W. Lay

Katherine A. Wilcox

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.

RUG MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY

SECTION 26 T23S R13W W.M.
COOS COUNTY




23S 13W 26

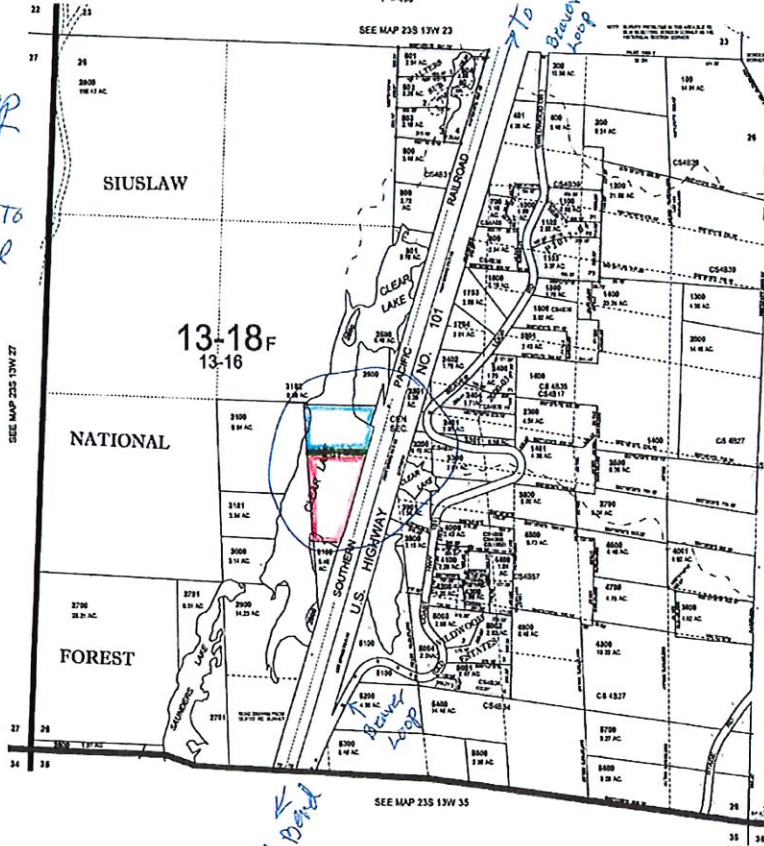
1" = 400'

SEE MAP 23S 13W 23

CANCELLED NO.

Vicinity Map

-  Proposed line to be adjusted
-  Property # 1
-  Property # 2



- 2301
- 1900
- 2100
- 2200
- 3400
- 3401
- 1700
- 2403
- 8101
- 6601
- 8701
- 5500M1
- 8700M1
- 4901
- 6000
- 5701
- 1701
- 1702
- 3601
- 4301
- 4201
- 4002
- 4003
- 500
- 4004
- 1101
- 1201
- 4302

02-05-2017

23S 13W 26

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY

SECTION 26 T23S R13W W.M.
COOS COUNTY

23S 13W 26

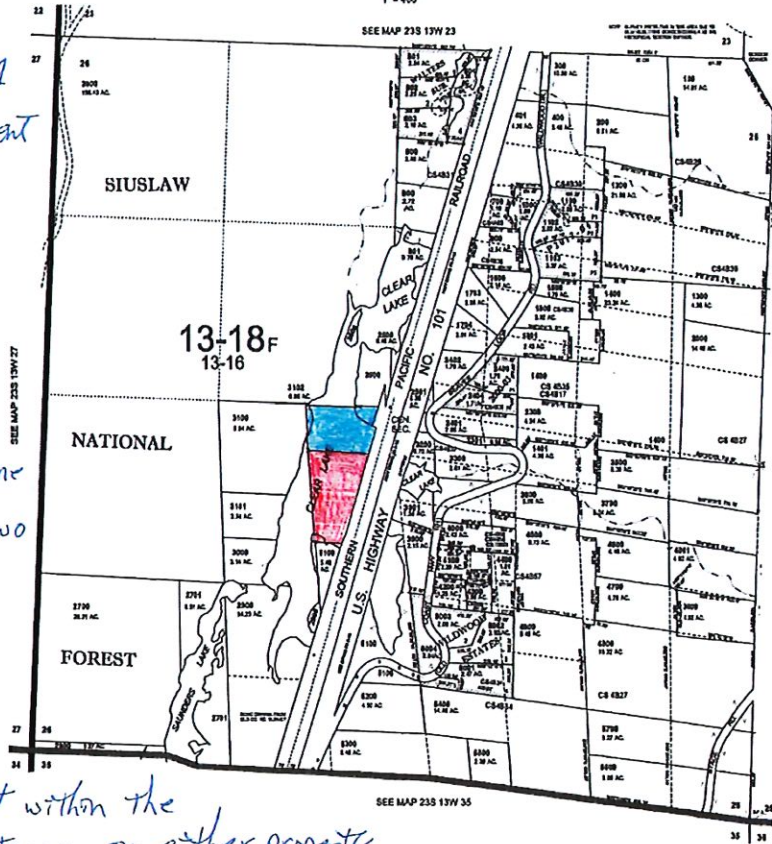
1" = 400'

CANCELLED NO.

Plot Plan #1
before adjustment

— Property one
— Property two

No Development within the
required distance on either property



- 2301
- 1900
- 2100
- 2200
- 3400
- 3401
- 1700
- 2403
- 5101
- 5001
- 5701
- 5005M1
- 5702M1
- 4901
- 6000
- 6701
- 1701
- 1702
- 3601
- 4301
- 4001
- 4002
- 4003
- 600
- 4004
- 1101
- 1201
- 4302

02-09-2017
23S 13W 26

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSES ONLY

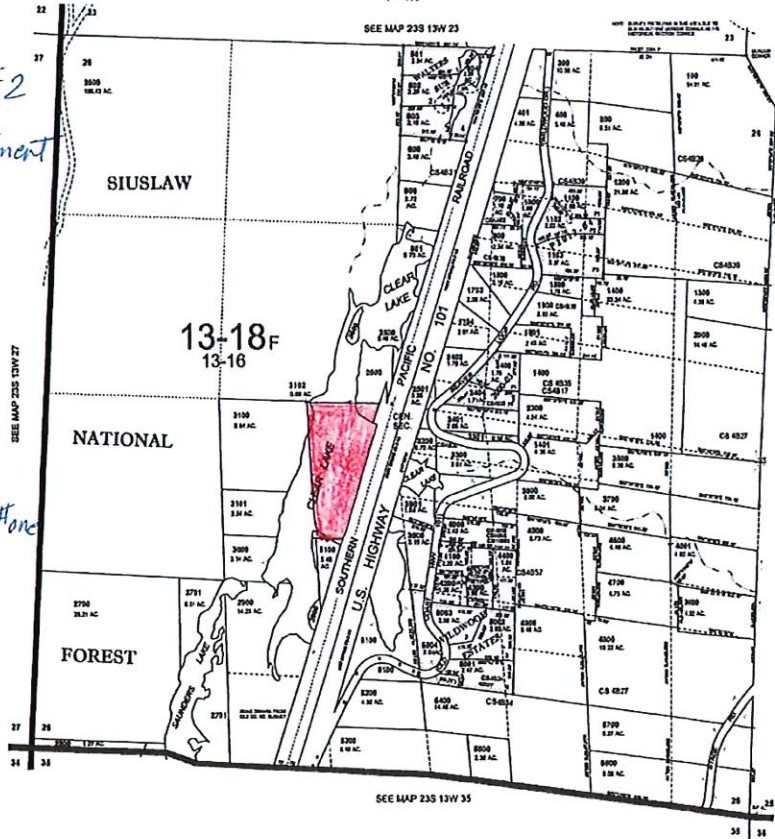
SECTION 26 T23S R13W W.M.
COOS COUNTY

23S 13W 26

1" = 400'

CANCELLED NO.

*Plot Plan #2
after adjustment*



- 2301
- 1900
- 2100
- 2200
- 3400
- 3401
- 1700
- 2403
- 5101
- 5001
- 5701
- 5002M1
- 8700M1
- 4901
- 5000
- 5701
- 1701
- 1702
- 3001
- 4301
- 4001
- 4002
- 4003
- 500
- 4034
- 1301
- 1201
- 4302

Property #one

02-08-2017

23S 13W 26

Property # 1

After Recording Send To:
Harvey Wilcox
69968 Hwy 101
North Bend, OR 97459

Coos County, Oregon 2021-02227
\$86.00 02/26/2021 02:12 PM
Pg=1



Debbie Holler, CCC, Coos County Clerk

Send Tax Statements To:
Harvey Wilcox
69968 Hwy 101
North Bend, OR 97459

Consideration: \$2000.00

WARRANTY DEED

Jolene J. Poppe as Grantor, hereby conveys and warrants to Harvey A. Wilcox and Katherine S. Wilcox as Trustees of the Harvey and Katherine Wilcox Trust created by Trust Agreement dated May 24, 2017 as Grantees, and unto Grantees heirs, successors and assigns all of that real property with the appurtenances thereunto belonging or in any way pertaining, situated in the County of Coos, State of Oregon, described as follows:

All that portion of the S1/2 of the NE1/4 of the NE1/4 of the SW1/4 and the N1/2 of the SE1/4 of the NE1/4 of the SW1/4 of Section 26, Township 23 South, Range 13 West of the Willamette Meridian, Coos County, Oregon (per the 1980 BLM survey) lying west of the Coos Bay Rail Link right-of-way.

This instrument will 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 simple title to the property should check with the appropriate city or county planning department to verify approved uses and to determine any limits on lawsuits against farming or forest practices as defined in ORS 30.930.

Dated this 5 day of February, 2021, 9:26 o'clock am

Jolene J. Poppe
Jolene J. Poppe



State of Oregon)
ss
County of Jackson

This instrument was acknowledged before me on 2/5, 2021

By Wendi Cheers

Wendi Cheers My commission expires 9/26/2023
Notary Public

Property #2

After Recording Send To:
Harvey Wilcox
69968 Hwy 101
North Bend, Oregon 97459

Send Tax Statements To:
Harvey Wilcox
69968 Hwy 101
North Bend, Oregon 97459

Consideration: \$0.00

Coos County, Oregon 2021-00767
\$91.00 01/21/2021 01:47 PM
Pgs=2



Debbie Heller, CCC, Coos County Clerk

CORRECTION DEED

Whereas the State of Oregon has indicated that it does not claim the submerged lands under Coos County's Clear Lake this deed is to correct the description of PARCEL III (Two separate properties that are not connected) of deed 2017-05050 as recorded in the Coos County deed records so as to include the submerged lands.

Harvey A. Wilcox (also known as Harvey Wilcox and Katherine S. Wilcox (also known as Kathy S. Wilcox), husband and wife as Grantors, hereby convey and warrant to Harvey A. Wilcox and Katherine S. Wilcox as Trustees of the Harvey and Katherine Wilcox Trust created by Trust Agreement dated May 24, 2017 as grantees, and unto Grantees heirs, successors and assigns all of that real property with the appurtenances thereunto belonging or in any way pertaining, situated in the County of Coos, State of Oregon, described as follows:

Property #1 (Tax Lot 3102)

The North ½ of the Northeast ¼ of the Northeast ¼ of the Southwest ¼ of Section 26, Township 23 South, Range 13 West of the Willamette Meridian, Coos County, Oregon (as per the 1980 BLM survey). Except that portion described in Deed to the State of Oregon recorded April 16, 1955 in Book 241 Page 184, deed records of Coos County, Oregon. Also excepting that portion in U.S. Highway 101. Also excepting that portion in the Southern Pacific Railroad (now Coos Bay Rail).

Property #2 (Tax Lot 2500)

That portion of the Southwest ¼ of the Southwest ¼ of the Northeast ¼ of Section 26, Township 23 South, Range 13 West of the Willamette Meridian, Coos County, Oregon (as per the 1980 BLM survey) lying west of the Coos Bay Rail right-of-way. This land was deeded to Harvey Wilcox in boundary line adjustment deed #98-01-1112.

This instrument will 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 simple title to the property should check with the

appropriate city or county planning department to verify approved uses and to determine any limits on lawsuits against farming or forest practices as defined in ORS 30.930.

The true consideration for this conveyance is \$0.00.

Dated this 19 day of Jan, 2021.

Harvey A. Wilcox
Harvey A. Wilcox

Katherine S. Wilcox
Katherine S. Wilcox

State of Oregon)

ss

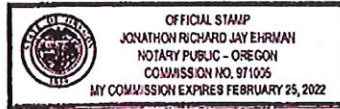
County of Douglas)

This instrument was acknowledged before me on 1-19, 2021

By Harvey Wilcox and Katherine Wilcox

Jonathan Ehrman
Notary Public

My commission expires 2-25-2022



2/26/21

Coos County Planning
250 N. Baxter St.
Coquille, OR 97423

I have enclosed an application for a property line adjustment. This PLA is to clear up an ordinance violation that I have been discussing with Jill.

My access to property #2 is a frontage road and RR crossing with the railroad. There is no current access to property #1 and I do not need to get to it as it is mostly submerged. My access is a license agreement with me personally (not an easement) and will not be affected by this PLA.

The State does not claim the bottom of Clear Lake so Property #1's North line and Property #2's South line are abutting as shown on my plot maps. After the adjustment property #2 will no longer exist and I will just own one property.

Property #1 does not have a tax lot designation but it has been approved as a discrete parcel (See your file #D-20-002).

Both properties are zoned Forest and are under the minimum acreage.

I would like to request the following:

- 1) I have been working on this for several years and would like to get this done as soon as possible. I therefore request to have this approved as an administrative action as per Section 6.3.100. My only neighbors are USFS, CBR and ODOT.
- 2) I would like to request that the requirement for a survey map be waived as there is no new line to be monumented and the resulting property is very close to the 10 acre requirement. The only lines that fall on land are the North and East lines. The North line has been marked by the USFS and the East line is referenced by the center of the RR rails. My surveyor's license has been retired so if Mike determines I need to monument it I will Have Jerry Estabrook file the map.

Thank you


Harvey Wilcox
69968 Hwy 101
North Bend, OR 97459
(541) 759-4467

