



# NOTICE OF LAND USE DECISION

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

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, July 13, 2021**

File No: PLA-21-029

Proposal: Request for a land use authorization for a Property Line Adjustment between two lawfully created units of lands for the purpose of sale.

Applicant(s): John and Rose Muffett  
6638 Lower Smith River Road  
Reedsport, OR 97467

Surveyor(s): Doug McMahan, Stuntzner Engineering and Forestry  
PO Box 118  
Coos Bay, OR 97420

Staff Planner: Jill Rolfe, Planning Director

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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, July 26, 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 for a 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.**

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### Property Information

Account Numbers	41300 and 41100	None assigned at this time
Map Numbers	23S122900-00600 and 00800	23S122900-00602
Property Owners	MUFFETT, JOHN E. & ROSE M.; ETAL 6638 LOWER SMITH RIVER RD REEDSPORT, OR 97467-8709	MUFFETT, JOHN E. & ROSE M.; ETAL 6638 LOWER SMITH RIVER RD REEDSPORT, OR 97467-8709
Situs Addresses	No situs address assigned at this time.	No situs address assigned at this time
Acreages	Approximately 63.82 Acres	4.06 Acres
Zonings	FOREST (F) Mixed Use (MU) EXCLUSIVE FARM USE (EFU)	FOREST (F) Mixed Use (MU)

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This notice shall be posted from July 13, 2021 to July 26, 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 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 60 East Second 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 Jill Rolfe, Planning Director 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: Jill Rolfe  
Jill Rolfe, Planning Director

Date: Tuesday, July 13, 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: Property Line 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-21-017 Staff Report -**Findings of Fact and Conclusions**

Exhibit E: Comments Received

Exhibit F: PLA-21-017 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.

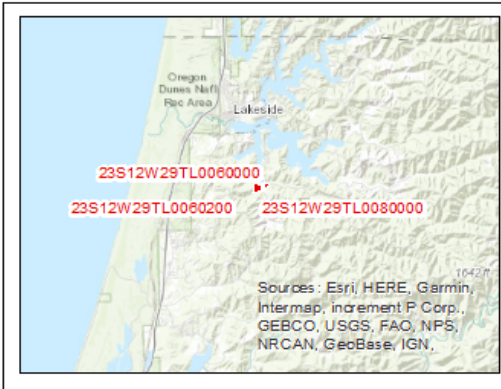
1. Shall comply with any requirements from Coos County Surveyor or Assessor's Office.
  - a. The Coos County Survey stated the newly adjusted line does not require a survey.
  - b. The Coos County Assessor's Office did not provide formal comments but at the time the deed is reviewed there will be comments.
2. 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 and the deed, 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 prior to one year of the tentative decision:
    - i. 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 no revisions are required to the deeds the Planning Staff will submit the deeds 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



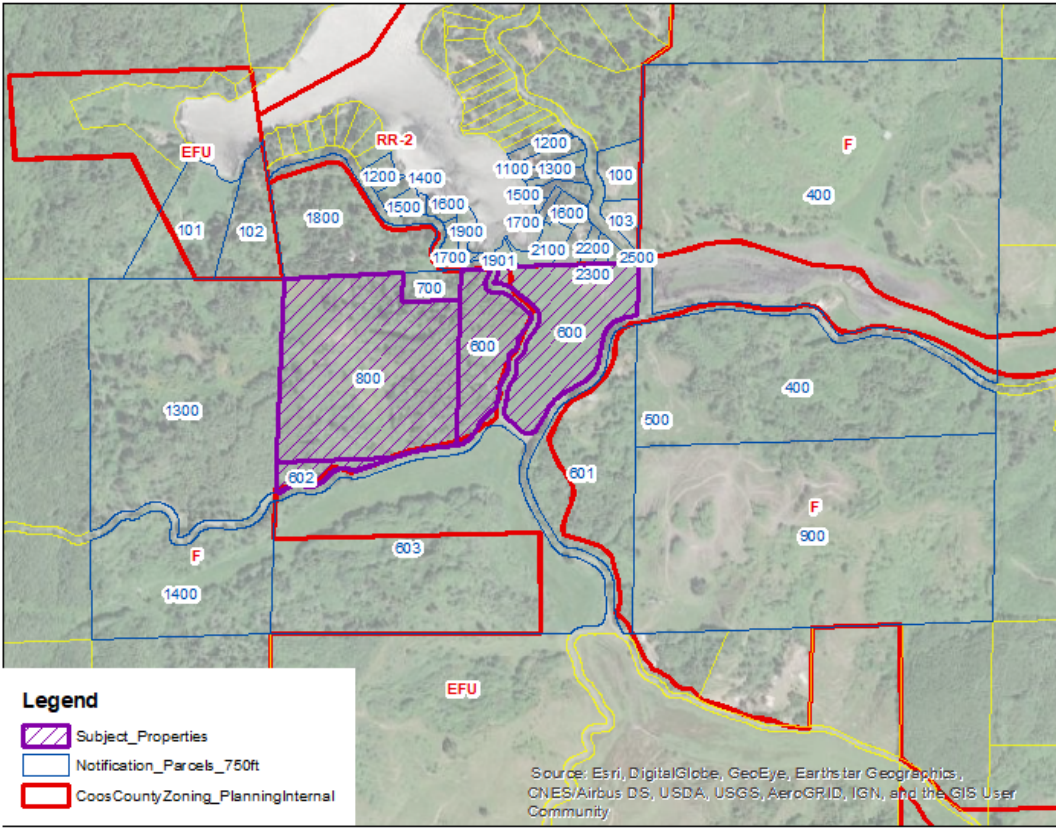
File: PLA-21-029

Applicant/  
Owner: John & Rose Muffett

Date: July 13, 2021

Location: Township 23S Range 12W  
Section 29 TL 600, 602, & 800

Proposal: Property Line Adjustment

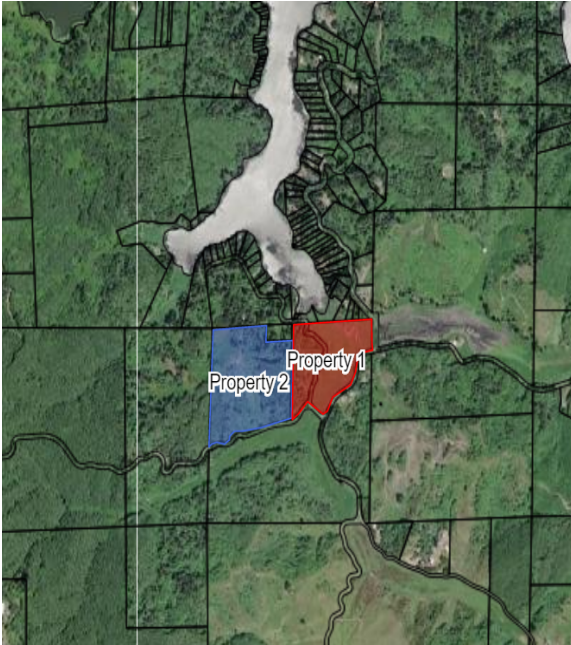


**EXHIBIT "C"**  
**PROPERTY LINE ADJUSTMENT MAP**  
**THESE AERIAL IMAGES ARE PART OF STAFF'S REVIEW. FOR THE LINES SHOWING**  
**ACTUAL DISTANCES SEE THE APPLICANT'S MAPS FOUND IN EXHIBIT "F"**

**Before Adjustment**



**After Adjustment**



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

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**I. PROPOSAL AND BACKGROUND/PROPERTY HISTORY INFORMATION:**

- A. PROPOSAL:** According to the application the request is to reconfigure the properties to allow a sale to be completed.
- B. BACKGROUND INFORMATION:** The property owner thought the tax lots were lawfully created units of land but research from the title company and the Planning Department indicate they were one unit of land.

Upon further review to determine if there were any lawfully created separated discrete units of land within the ownership staff discovered that there were but not in the desired configuration. Therefore, this will resolve the issue and allow the sale of the property.

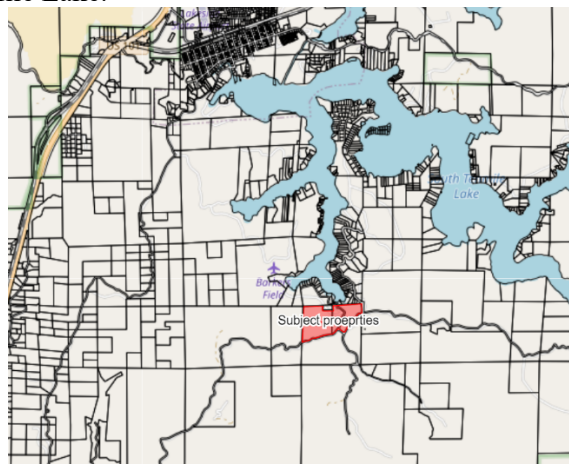
There is no development on either unit of land. There is a Measure 49 approval authorizing development and possible land division. A Measure 49 approval is only valid from ten (10) years from the date the property is transferred to the new owner. If the approval is not acted on within the ten (10) year time frame it will expire. For more information regarding the details of the claim you may contact the Planning Department.

- 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:** There were no compliance issues discovered during the review of this proposal. The properties were created lawfully and there are no structures. Therefore, at the time of this report and with the information available staff finds that the properties are compliant with the CCZLDO.

**II. BASIC FINDINGS:**

- A. LOCATION:** These units of land are located south of the City of Lakeside and south of Shutter Arm portion of Ten Mile Lake.



- B. ZONING:** The tax lots in this case are both zoned Rural Residential-2 (RR-2).

**ARTICLE 4.2 – ZONING PURPOSE AND INTENT**

*SECTION 4.2.100 Residential*

*There are two RR zonings: Rural Residential-5 (RR-5) and Rural Residential-2 (RR-2). The intent of the Rural Residential Districts includes justified sites plus "committed" areas. The County's plan prescribes and allocates a finite number of rural dwelling/units/acreage. The zoning ordinance will specify permitted uses and minimum lot sizes.*

*The purpose of the "RR-2" and "RR-5" districts are to provide for small to medium acreage dwelling sites outside of Urban Growth Boundaries, where a moderate intensity of land development is appropriate, but where urban services and facilities may not be available or necessary.*

*The "RR-2" district provides for continued existence of rural family life and to provide a transition of densities between urban development and exclusive agricultural and forestry uses.*

*The "RR-5" district provides for the orderly development of rural land so as to encourage the continued existence of rural family life and to provide a transition of densities between urban development and exclusive agricultural or forestry uses.*

**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.*

These properties do not list any Special Development Consideration and/or Overlay Zones. The property line adjustment does not propose 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.

**D. SITE DESCRIPTION AND SURROUNDING USES:** Tax lot 800 and 600 are a combination of pastureland and forestland. There are some seasonal creeks/drainage areas in the southeast portion of the property. Shutters Landing Lane borders Tax Lot 800 to the south and transverse Tax Lot 600. To the north and west the properties seem to have the same vegetative pattern. The only development appears to be located on tax lot 1800 to the north and tax lot 601 to the southeast. Further to the north are smaller parcels that are developed with dwellings and recreational docks.

**E. COMMENTS:**

- a. **PUBLIC AGENCY:** As part of the property line adjustment the only comments requested were from the County Surveyor and Assessor’s Office. The County Surveyor did provide comments on July 2, 2021, stating due to the size of the properties a survey will not be required. The full comment can be found 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:** The change in boundary lines does not require a notice to local tribes.

**F. LAWFULLY CREATED UNIT OF LAND:** The properties were lawfully created pursuant to 6.1.125.1.e as it was created by legal description conveying real property prior to 1986. The Deed history is in the application. The Deed Document 77-4-05085 describes tax lots 600 and 800 as one property but excludes tax lot 602 created a unit of land. Tax lot 602 and 800 were eventually combined with tax lot 600 in the 1980’s. Lawfully created tax lot 602 was deeded out on June 22, 2021, following the determination from Staff.

**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 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 the 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 properties to separate tax lot 800 from the rest of the ownership for the purpose of sale. This is consistent with the zoning and is not prohibited by the CCZLDO.**

**The map provided by the applicant's surveyor, Doug McMahan, is an assessment map that shows adjacent land divisions and roadways. The map serves as a plot plan as well but there is no development on either property. 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 received on June 29, 2021; however, staff had been working with the applicants on this matter since May 27, 2021. The application was found to comply and include all required information, forms, and fees as of the date the fee was received on June 29, 2021. This is within the 30 days 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 has 150 to render a final action (notice of decision) for an application that requires a land use notice of decision. This decision has been rendered within fourteen days of the 150 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 and the survey map has been filed with the County and the deed has been recorded.**

**Therefore, this criterion has been complied with at this time.**

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 current minimum lot size is 80 acres for resources zones. The units of land are legal non-conforming because it was created by deed description prior to the acknowledgment of the current 80-acre minimum lot size in the EFU/FMU zone. The proposal with adjust the four (4) acres to a larger size and reduce the other unit of land in size but they will still be legal non-conforming. The change will not change the land use pattern and in fact it will allow the conform with the current pattern.**

**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:** **Currently there are 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:** **The subject properties are zoned resource but the property line is not to qualify for a dwelling. Therefore, these criteria are not applicable.**

- 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 within the same zoning designation; 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 and both units of land will have direct access off of a platted road.**

**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 conditions of approval in Exhibit “A” of this report once the appeal period has expired and an appeal has not been 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 districts, or parties.

A Notice of Decision and Staff Report will be provided to the following:  
Applicants/Owners, 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.

Special districts to receive notice: Coos Forest Protective Association

**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](mailto:coosurvey@co.coos.or.us)

July 2, 2021

PLA-21-029  
John and Rose Muffett  
23-12- 29, TL 600, 602 & 800

Crystal,

I have reviewed this Property Line Adjustment Application and I have no comments at this time. The adjustment parcels will all be larger than 10 acres in size and no survey will be required.  
Thank you.

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" and a long horizontal stroke extending to the left.

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-21-029

Date Received: 6/29/21 Receipt #: 226290 Received by: JMB  
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) John & Rose Muffett

Mailing address: 6638 Lower Smith River Rd, Reedsport, OR 97467

Phone: 541-271-3065 Email: rosemuffett@hughes.net

Township: 23S Range: 12W Section: 29 1/4 Section: 600+800 1/16 Section: Tax lot:

Tax Account Number(s): 41300 & 41100 Zone: Select Zone FARM/FOREST

Acreage Prior to Adjustment: 63.8 AC Acreage After the Adjustment 27.0 AC

B. Land Owner(s) John & Rose Muffett

Mailing address: 6638 Lower Smith River Rd, Reedsport, OR 97467

Phone: 541-271-3065 Email: rosemuffett@hughes.net

Township: 23S Range: 12W Section: 29 1/4 Section: 602 1/16 Section: Tax Lot

Tax Account Number(s) 41300--41100--43200 Zone Forest Mixed Use (FMU)

Acreage Prior to Adjustment: 4.06 AC Acreage After the Adjustment 40.88 AC

C. Surveyor DOUGLAS C. McMAHAN / STUNTZNER ENG. & FORESTRY

Mailing Address P.O. Box 118 Coos Bay, OR 97420

Phone #: 541-267-2872 Email: dmcmahan@stuntzner.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:**

~~Establishing lawfully created lots~~  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- 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 proper 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.

*Not required  
Jill Ruffe*

Please list all Lien Holders names and addresses:

Property 1: \_\_\_\_\_  
\_\_\_\_\_  
Property 2: \_\_\_\_\_  
\_\_\_\_\_

**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 minimum 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:

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

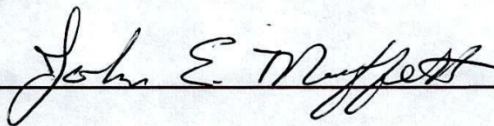
Will the property line adjustment change the access point? Yes  No

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





**Coos County Planning Department**  
 Coos County Courthouse Annex, Coquille, Oregon 97423  
 Mailing Address: Planning Department, Coos County Courthouse, Coquille, Oregon 97423  
 (541) 396-7770  
 FAX (541) 396-1022 / TDD (800) 735-2900

**Jill Rolfe Planning Director**

**CONSENT**

On this 10th day of June, 2021

I, John E. Muffett  
 (Print Owners Name as on Deed)

as owner/owners of the property described as Township 23S, Range 12W,

Section 29, Tax Lot 600,602 & 800 Deed Reference 2006-7561 & 2021-07167

hereby grant permission to Douglas C. McMahan / STUNTZNER ENG so that a(n)  
 (Print Name)

PROPERTY LINE ADJUSTMENT application can be submitted to the Coos  
 (Print Application Type)

County Planning Department.

Owners Signature/s John E. Muffett

\_\_\_\_\_  
 \_\_\_\_\_

After recording, return to:

Lawrence F. Finneran  
P.O. Box 359  
Coos Bay, Oregon 97420

### WARRANTY DEED

DEAN M. MUFFETT, "Grantor", conveys and warrants to JOHN E. MUFFETT and ROSE M. MUFFETT, "Grantees", as tenants by the entirety, an undivided one-half interest in the following described real property free and clear of all liens and encumbrances except those set forth herein:

See Exhibit "A" attached hereto and by this reference made a part hereof.


(Tax Account Nos. 411.00, 413.00 and 432.00)

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. 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 APPROVED USES, 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 197.352.

The true and actual consideration for this conveyance is other property or value which is the whole consideration therefor.

Until a change is requested all tax statements should be sent to the following address: John E. Muffett and Rose M. Muffett, 6638 Lower Smith River Road, Reedsport, Oregon, 97467.

DATED this 2nd day of June, 2006.

  
Dean M. Muffett

1 - WARRANTY DEED  
COOS COUNTY CLERK, OREGON TOTAL \$41.00

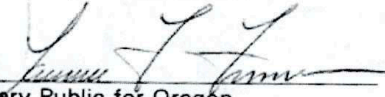
06/07/2006 #2006-7561  
11:35AM 1 OF 4

STATE OF OREGON )  
 ) ss.  
County of Coos )

June 2, 2006

Personally appeared before me the above-named Dean M. Muffett who acknowledged the foregoing instrument as his voluntary act and deed.



  
Notary Public for Oregon  
My Commission Expires: 6-4-07

2 - WARRANTY DEED

COOS COUNTY CLERK, OREGON TOTAL \$41.00  
TERRI L. TURI, CCC, COUNTY CLERK

06/07/2006 #2006-7561  
11:35AM 2 OF 4

**EXHIBIT "A"**

Real property in the County of Coos, State of Oregon, described as follows:

That portion of the Southwest quarter of Section 29, Township 23 South, Range 12 West of the Willamette Meridian, Coos County, Oregon lying North of the County Market Roads, EXCEPT the following:

Beginning at the Northeast corner of the Northwest quarter of the Southwest quarter of said Section 29; thence South 210 feet; thence West 418 feet; thence North 210 feet; thence East 418 feet to the point of beginning.

ALSO:

That portion of the East half of the Southeast quarter of Section 30, Township 23 South, Range 12 West of the Willamette Meridian, Coos County, Oregon lying North of the County Market Road.

SUBJECT TO AND EXCEPTING:

1. 2005-2006 real property taxes.
2. The assessment roll and the tax roll disclose that the premises herein described are specially assessed as Forest Land pursuant to O.R.S. 321.358 to 321.372. If the land becomes disqualified for the special assessment under the statute, an addition tax may be levied for the last five (5) or lesser number of years in which the land was subject to the special land assessment.
3. The assessment roll and the tax roll disclose that the within described premises are specially zoned or classified for Farm use. If the land has become or becomes disqualified for such use under the statute, an additional tax or penalty may be imposed.
4. The rights of the public in and to that portion of the premises herein described lying within the limits of streets, roads and highways.
5. Easement, including terms and provisions contained therein, recorded November 5, 1973, as Microfilm No. 73-11-92937, Records of Coos County, Oregon, in favor of General Telephone Company of the Northwest, Inc.

EXHIBIT "A"  
PAGE - 1

COOS COUNTY CLERK, OREGON TOTAL \$41.00  
TERRI L. TURI, CCC, COUNTY CLERK

06/07/2006 #2006-7561  
11:35AM 3 OF 4

6. Easement, including terms and provisions contained therein, recorded March 1, 1975, as Microfilm No. 75-3-111400, Records of Coos County, Oregon, in favor of Willis D. Thompson and Lois H. Thompson.
7. Easement, including terms and provisions contained therein, recorded September 24, 1987, as Microfilm No. 87-5-6183, Records of Coos County, Oregon, in favor of Erling H. Hassel and Thomas M. Miller.
8. Easement, including terms and provisions contained therein, recorded October 6, 1987, as Microfilm No. 87-5-6935, Records of Coos County, Oregon, in favor of General Telephone Company of the Northwest, Inc.
9. Easement, including terms and provisions contained therein, recorded August 7, 1996, as Microfilm No. 96-08-0259 and 96-08-0260, Records of Coos County, Oregon, in favor of Central Lincoln People's Utility District.

EXHIBIT "A"  
PAGE - 2

COOS COUNTY CLERK, OREGON      TOTAL \$41.00  
TERRI L. TURI, CCC, COUNTY CLERK

06/07/2006      #2006-7561  
11:35AM              4 OF 4

After recording, return to:

Lawrence F. Finneran  
PO Box 359  
Coos Bay, Oregon 97420

Coos County, Oregon

\$96.00

2021-07167

06/23/2021 11:31 AM

Pgs=3



Debbie Heller, CCC, Coos County Clerk

**BARGAIN AND SALE DEED**

JOHN E. MUFFETT and ROSE M. MUFFETT, "Grantors", convey to JOHN E. MUFFETT and ROSE M. MUFFETT, husband and wife, as tenants by the entirety, "Grantees," the following described real property:

See Exhibit "A" attached hereto and by this reference made a part hereof.

The true and actual consideration for this conveyance is other property or value which is the whole consideration therefor.

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 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, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Until a change is requested send tax statements to: John Muffett and Rose Muffett, 6638 Lower Smith River Road, Reedsport, Oregon 97467.

DATED this 22<sup>nd</sup> day of June, 2021.

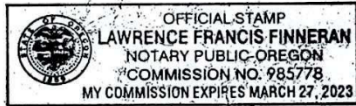
John E. Muffett  
John E. Muffett

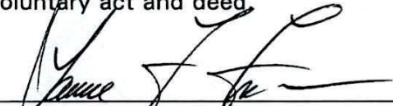
Rose M. Muffett  
Rose M. Muffett

STATE OF OREGON     )  
                                  )  
County of Coos        )

June 22, 2021

Personally appeared before me the above named John E. Muffett who acknowledged the foregoing instrument as his voluntary act and deed.



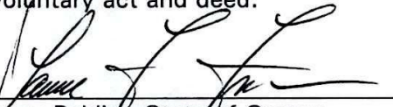
  
\_\_\_\_\_  
Notary Public - State of Oregon

STATE OF OREGON     )  
                                  )  
County of Coos        )

June 22, 2021

Personally appeared before me the above named Rose M. Muffett who acknowledged the foregoing instrument as her voluntary act and deed.



  
\_\_\_\_\_  
Notary Public - State of Oregon

**EXHIBIT "A"**

That portion of the Southwest one-quarter (1/4) of the Southwest One-Quarter (1/4) of Section 29, Township 23 South, Range 12 West of the Willamette Meridian, Coos County, Oregon, lying North of the County Market Roads.

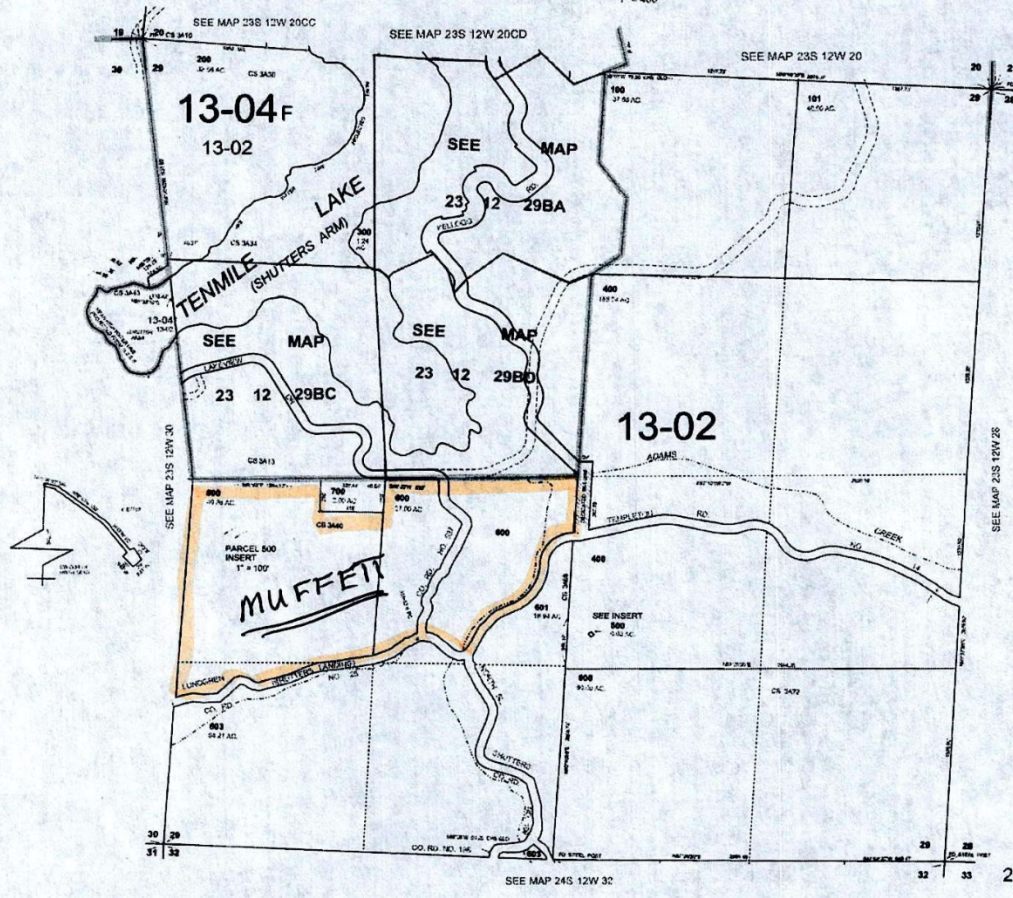
EXHIBIT "A"

SECTION 29 T23S R12W W.M.  
COOS COUNTY  
1" = 400'

23S 12W 29  
& INDEX

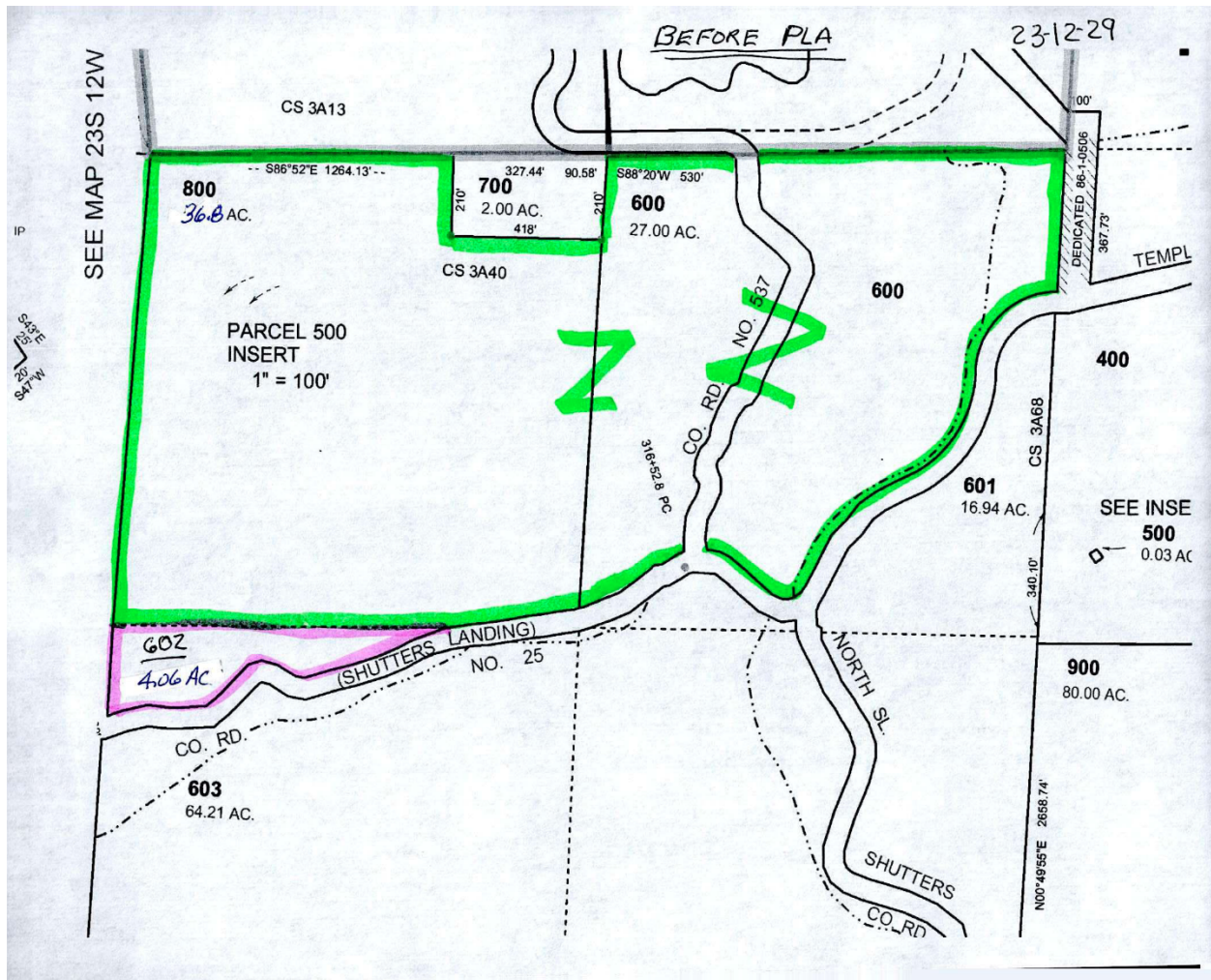
THIS MAP WAS PREPARED FOR  
ASSESSMENT PURPOSE ONLY

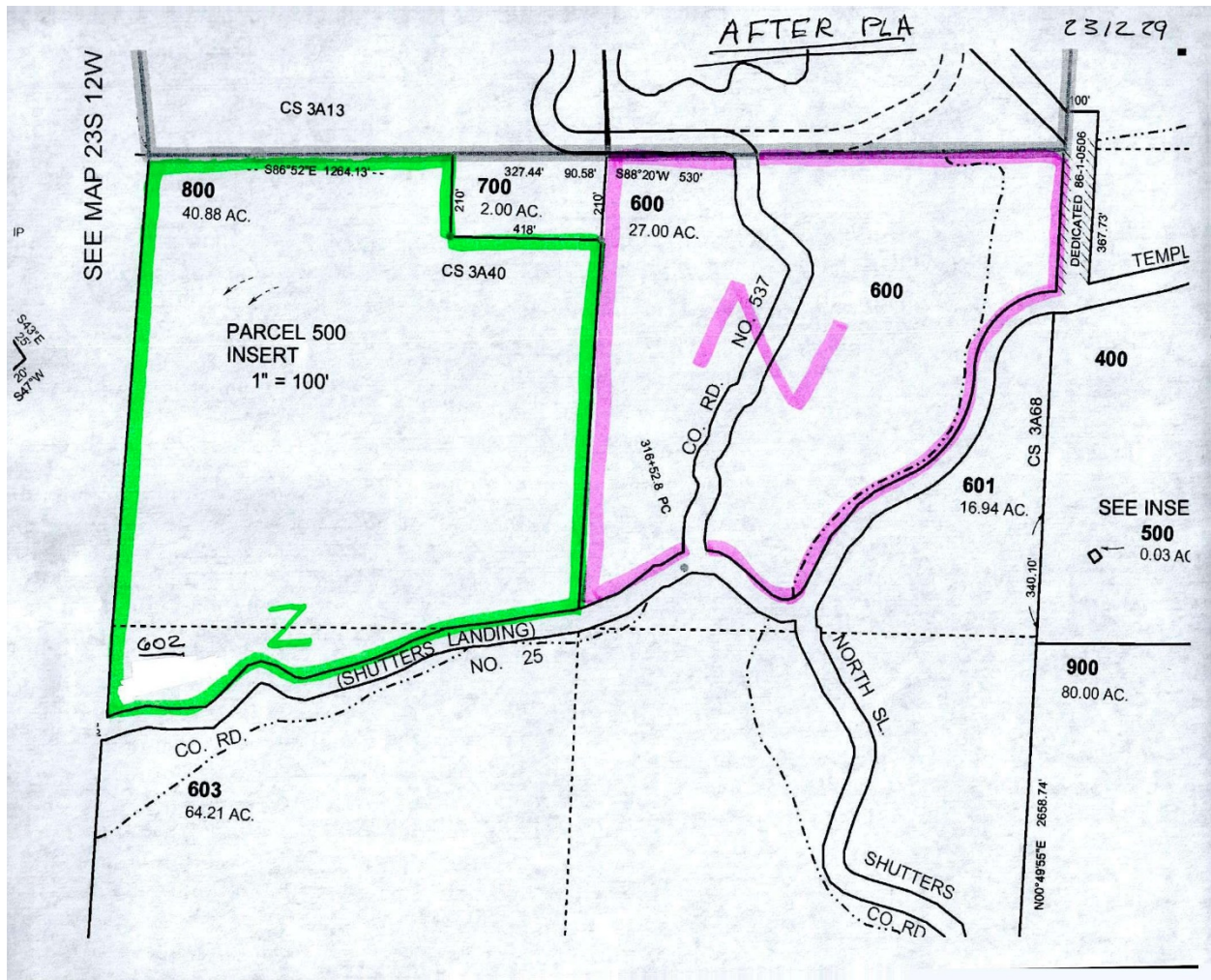
CANCELLED NO.  
602  
102



7-5-2013

23S 12W 29  
& INDEX





Deed #1

60888

VOL 209 PAGE 307

KNOW ALL MEN BY THESE PRESENTS, That Andrew Gustaf Shutter

in consideration of Ten no/100 grantor Dollars,

to him paid by Adeline Shutter, wife of grantor and ARTHUR H. SHUTTER grantee

do hereby grant, bargain, sell and convey unto the said grantee, heirs and assigns, all the following real property, with the tenements, hereditaments and appurtenances, situated in the County of Coos and State of Oregon, bounded and described as follows, to-wit:

Lot 3 in Benson Block in Peterson's Landing, Coos County, Oregon, as per plat of said Peterson's Landing now on file and of record in the office of the county clerk of Coos County, Oregon.

Also Southwest Quarter of Section 29; East half of the Southeast Quarter of Section 30; Northeast Quarter of the Northeast Quarter of Section 31; all in Township 23 South, Range 12 West of Willamette Meridian, Coos County, Oregon. Saving and excepting from the above the following described parcel of land, to-wit:

Beginning at the Northeast Quarter of the Northwest Quarter of the Southwest Quarter of Section 29, Township 23 South, Range 12 West, run South 210 feet, thence West 415 feet, thence north 210 feet, thence East 415 feet to the place of beginning, containing two acres more or less.

Also conveying and intending to convey a certain water right described in a deed from C.C. Liggett and Emma Liggett to John Shutter, dated June 22, 1913 and recorded July 25, 1913, page 453 in Book 68 Records of Deeds of Coos County, Oregon.

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

And the grantor does covenant that he is lawfully seized in fee simple of the above granted premises free from all incumbrances,

and that he, his 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 my hand and seal this 23rd day of April, 1948

Andrew Gustaf Shutter (Signature)

STATE OF OREGON, ss. (SEAL)

County of Coos On this 23rd day of April, 1948, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named Andrew Gustaf Shutter.

his known to me to be the identical individual described in and who executed the within instrument, and acknowledged to me that he executed the same freely and voluntarily.

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

Evelyn B. Rudas (Signature) Notary Public for Oregon.

My Commission Expires

Notary Public for the State of Oregon, Commission Expires July 20, 1951.

60888

Warranty Deed

(FORM NO. 621)

Andrew Gustaf Shutter

to

Adeline Shutter

Arthur H. Shutter

STATE OF OREGON,

County of Coos

I certify that the within instrument was received for record on the day of MAY 22, 1951 at 3 o'clock P. M. and recorded in book 209 on page 307 Record of Deeds of said County.

Witness my hand and seal of County aforesaid.

GEORGIANNA VAUGHAN County Clerk-Recorder

By: [Signature] Deputy

110 p.m.

Andrew Shutter & Adeline S. Shutter Coos Bay, Oregon

until a change is requested,  
all tax statements shall be  
sent to the following address:

Darold and Nancy Ruth Peterson  
Route 1, Box 750, North Bend, OR 97459

74 1- 95331

Deed #2

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that ADELINE SHUTTER, hereinafter called the grantor, for the consideration hereinafter stated to the grantor paid by DAROLD PETERSON and NANCY RUTH PETERSON, husband and wife, hereinafter called the grantees, does hereby grant, bargain, sell and convey unto the grantees, as tenants by the entirety, the heirs of the survivor and their assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Coos, State of Oregon, described as follows, to-wit:

An undivided one-half (1/2) interest in and to:

PARCEL I:

The Southwest quarter of Section 29, Township 23 South, Range 12 West, Willamette Meridian, Coos County, Oregon, except the following: Beginning at the Northeast corner of the North west quarter of the Southwest quarter of said Section 29; thence South 210 feet; thence West 418 feet; thence North 210 feet; thence East 418 feet to the point of beginning.

TL  
600, 601,  
602 + 603  
EX + 1 700

PARCEL II:

The east half of the Southeast quarter of Section 30, Township 23 South, Range 12 West, Willamette Meridian, Coos County, Oregon.

TL  
1300  
+  
1400

PARCEL III:

Lot 1 of Section 31, Township 23 South, Range 12 West, Willamette Meridian, Coos County, Oregon.

TL  
100

TO HAVE AND TO HOLD the above described and granted premises unto the said grantees, as tenants by the entirety, their heirs and assigns forever.

And grantor hereby covenants to and with grantees and the heirs of the survivor and their assigns, that grantor is lawfully seized in fee simple of the above-granted premises, free from all encumbrances and that grantor will warrant and forever defend the above-granted premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except lands lying below the high water line of Ten Mile Lake and roadways.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$8,000.00.

STATE OF OREGON )  
( ss.  
County of Coos )

Adeline Shutter

BEFORE ME this 11th day of January, 1974, personally appeared the above named ADELINE SHUTTER, and acknowledged the foregoing instrument to be her voluntary act and deed.



Kathleen B. De To

75-03-111402

Deed #3

MEMORANDUM OF CONTRACT

KNOW ALL MEN BY THESE PRESENTS that on the 11<sup>th</sup> day of March, 1975, H. DAROLD PETERSON and NANCY R. PETERSON, husband and wife, appearing therein as Sellers entered into a Contract to Sell Real and Personal Property with WINFIELD F. MUFFETT and ONA F. MUFFETT, husband and wife, appearing therein as Buyers for the sale of the following described real estate situated in Coos County, Oregon:

PARCEL A:

The S-1/2 of the SW-1/4 of Section 27; the S-1/2 of the NW-1/4, that portion of the NE-1/4 of the SW-1/4, lying North of the County Road, that portion of the N-1/2 of the SE-1/4 lying North of County Roads, and the SE-1/4 of the SE-1/4 of Section 28; the NE-1/4 of the NE-1/4 of Section 33; and the W-1/2 of the NE-1/4, the NW-1/4, the NW-1/4 of the SW-1/4, and the W-1/2 of the NE-1/4 of SW-1/4 of Section 34, all being located in Township 23 South, Range 12 West of the Willamette Meridian, Coos County, Oregon.

PARCEL B:

That portion of the NW-1/4 of the SW-1/4 and of the SW-1/4 of the SE-1/4, lying North of the County Road in Section 28, Township 23 South, Range 12 West of the Willamette Meridian, Coos County, Oregon.

PARCEL C:

The SW-1/4 of Section 29, Township 23 South, Range 12 West of the Willamette Meridian, Coos County, Oregon, EXCEPT the following: Beginning at the Northeast corner of the NW-1/4 of the SW-1/4 of said Section 29; thence South 210 feet; thence West 418 feet; thence North 210 feet; thence East 418 feet to the point of beginning.

ALSO: The E-1/2 of the SE-1/4 of Section 30 and Lot 1 of Section 31, all in Township 23 South, Range 12 West of the Willamette Meridian, Coos County, Oregon.

SUBJECT TO:

(1) Rights of the public in streets, roads and highways.

(2) The rights of fishing, navigation, and commerce in the State of Oregon, the Federal Government, and the public in and to that portion thereof lying below the ordinary high water mark of Ten Mile Lake.

800 + 600 - Section 29  
1300, 1400 - Section 30 + 1000 of Section 31  
75-3-111402

Deed # 3  
in consideration of TEN Dollars, grantor S.  
and other valuable considerations  
to us paid by Darold Peterson and Nancy Ruth Peterson,  
husband and wife, grantee S.

do hereby grant, bargain, sell and convey unto the said grantees, heirs and assigns, all the following real property, with the tenements, hereditaments and appurtenances, situated in the County of Coos and State of Oregon, bounded and described as follows, to-wit:

An undivided half of,  
The Southwest (SW $\frac{1}{4}$ ) quarter of Section twenty nine (29),  
except the following: Beginning at the Northeast corner of the  
NW $\frac{1}{4}$  of the SW $\frac{1}{4}$  of said Section 29; thence South 210 feet; thence  
west 418 feet; thence North 210 feet; thence East 418 feet to  
the place of beginning;

And also the East half (E $\frac{1}{2}$ ) of the Southeast (SE $\frac{1}{4}$ ) quarter  
of Section thirty (30) and Lot one (1) of Section thirty one  
(31), all in Township twenty three (23) South, Range twelve  
(12) West of the Willamette Meridian, Coos County, Oregon,

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

And the grantor S. do covenant that they are lawfully seized in fee simple of the above granted premises free from all incumbrances,

and that they will and their 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, except any portion lying below high water line of Ten Mile Lake  
Witness hand and seal this day of 19

Arthur H. Shutter (SEAL)  
Ruth E. Shutter (SEAL)

STATE OF OREGON,

County of Coos } ss.

On this 1st day of Oct., 1960

before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named Arthur H. Shutter and Ruth E. Shutter, husband and wife

who are known to me to be the identical individual S. 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 seal the day and year last above written.

James A. Adams  
Notary Public for Oregon  
My Commission Expires 6-28-1964

arranty Deed

(FORM No. 682)

6227  
75 H-120851  
Coos  
certify that the within instrument  
for record

NOV 5 9 29 AM '75

Recorded in Book of Records  
n. Real No. 11-120851  
by my hand and seal of County  
in M. Shutter, Coos County Clerk

Deputy

ness my hand and seal of  
fixed.

County Clerk-Recorder.

Deputy.

WITNESSETH HEREBY THE SEAL OF THE COUNTY OF COOS, OREGON

Thomas S. Collier

P. O. Box 1117

Coos County, Ore. 97420

Winfield F. and Ona F. Muffett  
Route 3 Box 87  
Reedsport, Oregon 97467

Route 3 Box 87  
Reedsport, Oregon 97467

774 15077

REAL ESTATE CONTRACT

THIS AGREEMENT, Made this 5<sup>th</sup> day of MARCH, 1977, by WINFIELD F. MUFFETT and ONA F. MUFFETT, husband and wife, hereinafter called "Seller", and by ROBERT M. MUFFETT and KARON R. MUFFETT, husband and wife, hereinafter called "Purchaser".

W I T N E S S E T H :

Seller agrees to sell to Purchaser and Purchaser agrees to purchase that certain land and all improvements thereon, situated in Coos County, Oregon, described as follows:

That portion of the SW-1/4 of Section 29 lying South of the County Market Road; that portion of the E-1/2 of the SE-1/4 of Section 30 lying South of the County Market Road; and Lot 1 of Section 31, all in Township 23 South, Range 12 West of the Willamette Meridian, Coos County, Oregon.

SUBJECT TO THE FOLLOWING:

- (1) Rights of the public in streets, roads and highways.
- (2) The rights of fishing, navigation, and commerce in the State of Oregon, the Federal Government, and the public in and to that portion thereof lying below the ordinary high water mark of Ten Mile Lake.
- (3) Easement, including the terms and provisions thereof, granted to General Telephone Company of the Northwest, Inc., recorded November 5, 1973, bearing microfilm Reel No. 92937, Records of Coos County, Oregon.

1. PURCHASE PRICE: The purchase price of the property which Purchaser agrees to pay, shall be the sum of FIFTY THOUSAND DOLLARS (\$50,000.00), which shall be paid in yearly installments of not less than \$3,030.00 each, the first of such installments to be paid on or before the 20th day of October, 1978, and subsequent installments to be paid on or before the same day of each and every year thereafter until the purchase price is paid in full. Each payment shall be accompanied by an interest payment at the rate of SEVEN PERCENT (7%) per annum then owing on the unpaid balance. Interest on all unpaid balance shall commence running on JANUARY 4, 1977. Purchaser shall pay the interest accruing between JANUARY 4, 1977, and October 20, 1977, to Seller on or before October 20, 1977.

2. POSSESSION: Purchaser shall be entitled to possession of the premises as of JANUARY 4, 1977.

JOHN E. MUFFETT and DEAN M. MUFFETT Deed # 5

his heirs, successors and assigns, all of the vendee's right, title and interest in and to that certain contract for the sale of real estate dated March 5, 1977, between WINFIELD F. MUFFETT and ONA F. MUFFETT, husband and wife as seller and GEORGE L. HEILIGMAN and NANCY C. HEILIGMAN, husband and wife

as buyer, which contract is recorded in the Deed\* Miscellaneous\* Records of Coos County, Oregon, in book 77-4-05085 at page 77-4-05085 thereof, or as file number 77-4-05085, reel number 77-4-05085 (indicate which), (reference to said recorded contract hereby being expressly made), together with all of the right, title and interest of the undersigned in and to the real estate described therein; the undersigned hereby expressly covenants with and warrants to the assignee above named that the undersigned is the owner of the vendee's interest in the real estate described in said contract of sale and that the unpaid balance of the purchase price thereof is not more than \$34,270.00 with interest paid thereon to January 1, 1980; further, upon compliance by said assignee with the terms of said contract, the undersigned directs that conveyance of said real estate be made and delivered to the order of said assignee.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$39,000.00. However, the actual consideration consists of or includes other property or value given or promised which is part of the consideration (indicate which) the whole

In construing this assignment, it is understood that if the context so requires, the singular shall be taken to mean and include the plural, the masculine shall include the feminine and the neuter and that generally all grammatical changes shall be made, assumed and implied to make the provisions hereof apply equally to one or more individuals and/or corporations.

IN WITNESS WHEREOF, the undersigned assignor has hereunto set his hand; if the undersigned is a corporation, it has caused its corporate name to be signed and its corporate seal to be affixed hereunto by its officers duly authorized thereunto by order of its board of directors.

DATED: October 15, 1980. George L. Heiligman  
GEORGE L. HEILIGMAN

(If executed by a corporation, affix corporate seal.)

STATE OF OREGON, )  
County of COOS ) ss.  
October 15, 1980  
Personally appeared the above named  
George L. and Nancy C. Heiligman

STATE OF OREGON, County of \_\_\_\_\_ ) ss.  
\_\_\_\_\_, 19\_\_\_\_  
Personally appeared \_\_\_\_\_ and \_\_\_\_\_ who, being duly sworn, each for himself and not one for the other, did say that the former is the president and that the latter is the secretary of \_\_\_\_\_

and acknowledged the foregoing instrument to be their voluntary act and deed.  
Notary Public for Oregon  
My commission expires: 9/23/83  
*Ly Campbell*

a corporation, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed.  
Before me:  
Notary Public for Oregon (OFFICIAL SEAL)  
My commission expires:

Strike whichever word not applicable. NOTE—The sentence between the symbols @, if not applicable, should be deleted. See ORS 93.030. If the contract is not already of record, it should be recorded, preferably in the Deed Records.

George L. and Nancy C. Heiligman  
GRANTOR'S NAME AND ADDRESS  
John E. and Dean M. Muffett  
3636 Shutters Landing Rd.  
North Bend, Oregon 97459  
GRANTEE'S NAME AND ADDRESS  
MOUNTAIN TITLE CO. 5005-13  
3020 N. Broadway

4 7049  
OCT 16 2 31 PM '80  
that this instrument record in the Coos County land record seal of County  
ANNE WILSON  
County Clerk  
deputy  
JTC

Winfield F. and Ona F. Muffett  
Route 3 Box 87  
Reedsport, Oregon 97467

Route 3 Box 87  
Reedsport, Oregon 97467

77 4 05085

REAL ESTATE CONTRACT

THIS AGREEMENT, Made this 5<sup>th</sup> day of March, 1977, by WINFIELD F. MUFFETT and ONA F. MUFFETT, husband and wife, hereinafter called "Seller"; and by GEORGE L. HEILIGMAN and NANCY C. HEILIGMAN, husband and wife, hereinafter called "Purchaser".

W I T N E S S E S :

Seller agrees to sell to Purchaser and Purchaser agrees to purchase that certain land and all improvements thereon, situated in Coos County, Oregon, described as follows:

That portion of the SW-1/4 of Section 29, Township 23 South, Range 12 West of the Willamette Meridian, Coos County, Oregon lying North of the County Market Roads, EXCEPT the following: Beginning at the Northeast corner of the NW-1/4 of the SW-1/4 of said Section 29; thence South 210 feet; thence West 418 feet; thence North 210 feet; thence East 418 feet to the point of beginning.

ALSO: That portion of the E-1/2 of the SE-1/4 of Section 30, Township 23 South, Range 12 West of the Willamette Meridian, Coos County, Oregon lying North of the County Market Road.

SUBJECT TO THE FOLLOWING:

- (1) Rights of the public in streets, roads and highways.
- (2) The rights of fishing, navigation, and commerce in the State of Oregon, the Federal Government, and the public in and to that portion thereof lying below the ordinary high water mark of Ten Mile Lake.
- (3) Easement, including the terms and provisions thereof, granted to General Telephone Company of the Northwest, Inc., recorded November 5, 1973, bearing Microfilm Reel No. 92937, Records of Coos County, Oregon.
- (4) Right of way, including the terms and provisions thereof, granted to Willis T. Thompson, over the NE-1/4 of the SW-1/4 of Section 29.

1. PURCHASE PRICE: The purchase price of the property which Purchaser agrees to pay, shall be the sum of THIRTY-NINE THOUSAND DOLLARS (\$39,000.00), which shall be paid in yearly installments of not less than \$2,365.00 each, the first of such installments to be paid on or before the 20th day of October, 1978, and subsequent installments to be paid on or before the same day of each and every year thereafter until the purchase price is paid in full. Each payment shall be accompanied by an interest payment at the rate of SEVEN PERCENT (7%) per annum

OFFICIAL RECORDS  
OF DESCRIPTIONS  
OF  
REAL PROPERTIES

13.02	23	12	29	600
CODE AREA NUMBER	TWP	RGE	SEC	1/4 1/16
MAP NUMBER			PARCEL NUMBER	TYPE NO
TAX LOT NUMBER				

OLD ACCT. NO. ~~412~~ 413  
OLD TAX LOT NO. 1112

FORMERLY PART OF \_\_\_\_\_

Name and Tax Lot Information	DATE OF ENTRY ON THIS CARD	DEED RECORD		ACRES REMAINING
		VOL	PAGE	
PETERSON, DAROLD & N.E. MUFFETT, WINFIELD E. & ONAE	1-12-77	209-907 74-95331 75-120854 75-111402	Cont*	120.00
EXCEPT Co. RD. # 14 2.52	1-12-77			
EXCEPT Co. RD. # 109 2.38	1-12-77	75-11-120857		
EXCEPT Co. RD. # 25 1.46	1-12-77	75-3-111402		
EXCEPT Co. RD. # 198 1.55	1-12-77			
EXCEPT Co. RD. # 537 1.58	1-12-77			111.51
Also: Co Rds # 14, # 109, # 25, # 198 6.91			Deed	118.42
Except: Parcel 601 86.10	12-7-77	77-045077		32.32
602 4.06	12-7-77	Isolated Parcel		28.26
Co Rd # 14 1.26				27.00
Peterson, Darold & N.R. To Heiligman, George L & Nancy C	12-7-77	77-045085		Cont. Muffett Sr To Heiligman
PETERSON, DAROLD & NANCY RUTH				Assign. of cont. Heiligman to Muffett, Sr.
To MUFFETT, JOHN E. & MUFFETT, DEAN M.	12-22-82	80-4 7089		
Muffett, Winfield E. & Ona F.	11-14-89	89-01 0687		
To MUFFETT, JOHN E.; & MUFFETT, DEAN M.		77-04 5085		
Ref only: GC Heiligman To Muffett & Muffett.	01-16-90	90-01 0473		
MUFFETT, John E. & MUFFETT, DEAN M.	WD	01-16-90	90-01 0474	
Muffett, Dean M. (undivint);				
Muffett, John E. & Rose M. (undivint)	WD	6-15-06	2006 7561	
Muffett, John E. (undivint);				
Muffett, John E. & Rose M.	WB	8-15-06	2006 7561	

CONTINUE ON NEXT PAGE





23-12-29.601 out of 413.01  
23-12-29.603 New 413.03

413.01

84 3 6042

QUITCLAIM DEED

KARON R. MUFFETT, releases and quitclaims to ROBERT M. MUFFETT, all her right, title, and interest, if any, in and to the following described parcel of real property situated in Coos County, State of Oregon, to wit:

That portion of Section 29 of Township 23 South, Range 12 West, lying North and East of Shutters Landing Road and Shutters Creek Road, consisting of approximately 23 acres.

The true and actual consideration for this transfer is Property Settlement Agreement.

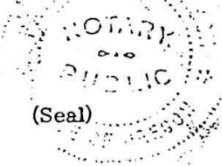
DATED this 7th day of June, 1984.

*Karon R. Travelstead*  
KARON R. TRAVELSTEAD, formerly  
Karon R. Muffett

STATE OF OREGON )  
                          ) ss.  
County of Coos     )

Karon R. Travelstead

Personally appeared the above-named ~~KARON R. MUFFETT~~ and acknowledged the foregoing instrument to be her voluntary act and deed. Before me this 7th day of June, 1984.



*Patricia K. Rasch*  
Notary Public for Oregon  
My Commission Expires: 11/25/84

TAX STATEMENTS TO BE MAILED TO:

Robert Muffett  
3040 Shutters Landing Road  
North Bend, OR 97459







T23S R12W WM

Sec 29: NW 1/4 SW 1/4

SEE  
CHANGES

T23SR12W WM

SEC: 29 SW $\frac{1}{2}$ SW $\frac{1}{2}$  lying North of County Road ( Market Road )

<b>OFFICIAL RECORDS OF DESCRIPTIONS OF REAL PROPERTIES</b>	<b>1302</b>	<b>23</b>	<b>12</b>	<b>29</b>			<b>600</b>			
	CODE AREA NUMBER	TWP	RGE	SEC	1/4	1/16	PARCEL NUMBER	TYPE	NO.	
		MAP NUMBER						SPECIAL INT		
		TAX LOT NUMBER								
ACCT NO: <b>41300</b>	FORMERLY PART OF:									
<b>NAME AND TAX LOT INFORMATION</b>						<b>DATE OF ENTRY ON THIS CARD</b>	<b>DEED RECORD VOLUME</b>	<b>DEED RECORD PAGE</b>	<b>ACRES</b>	<b>INIT:</b>
									27.00	

Tax Lot Register (10-2016) Replaces County Form 150-303-049 (06-2015)



X,Y: -13821514, 5394189 Lat, Lon: 43.538, -124.161 USNG: 10T DP 06216 21191

1:13542

The next lawfully created unit of land is 3.36 acres that was tax lot 602 that was excluded from deed document 77-04-05085. This follows the quarter section line.

Tax lot 600 and 800 are one lawfully created unit excluding out tax lot 602.