

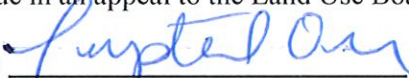
Zonings	COOS BAY ESTUARY MNGMT PLAN (CBEMP) NATURAL AQUATIC (55B-NA) URBAN DEVELOPMENT (55-UD) URBAN RESIDENTIAL-1 (UR-1)	COOS BAY ESTUARY MNGMT PLAN (CBEMP) NATURAL AQUATIC (55B-NA) URBAN DEVELOPMENT (55-UD) URBAN RESIDENTIAL-1 (UR-1)
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The purpose 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/applications-2021> 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 E Second Street, Coquille, Oregon; however, an appointment is required to be setup for viewing purposes. Copies may be purchased at a cost of 50 cents per page. The decision is based on the application submittal and information on record. The name of the Coos County Planning Department representative to contact is Crystal Orr, Planner I and the telephone number where more information can be obtained is (541) 396-7770.

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

Reviewed by: 
Crystal Orr, Planner I

Date: Thursday, August 12, 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-21-022 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



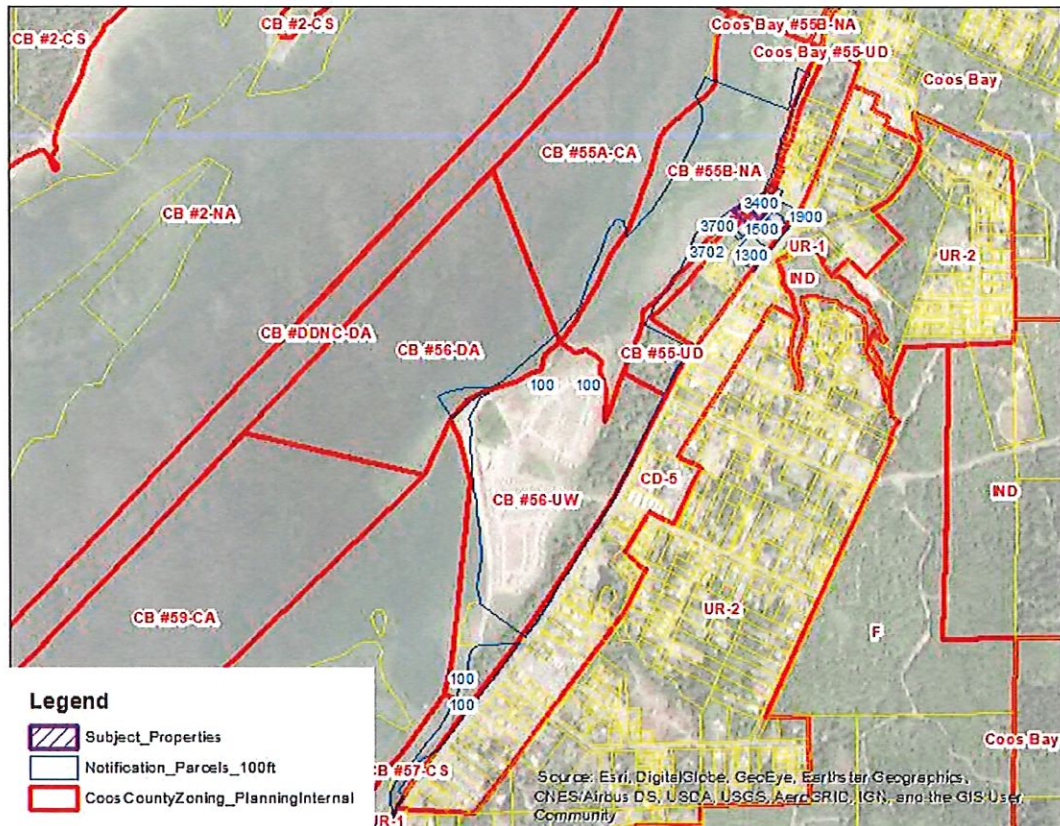
File: PLA-21-022

Owner/ Owner: Robin & Diana Schab/
Douglas Hanan Revocable Living Trust

Date: August 9, 2021

Location: Township 25S Range 13W
Section 30AB TL 3300 & 3400

Proposal: Property Line Adjustment



**STAFF REPORT
FINDINGS OF FACT AND CONCLUSIONS**

I. COMPLIANCE /BACKGROUND/PROPERTY HISTORY:

- A. Proposal:** The proposal is a request for Planning Director Approval of property Line Adjustment between two lawful parcels to increase the lawn area for tax lot 3400.

B. BACKGROUND INFORMATION:

Tax lot 3300: This property has a Single-Family Dwelling that was built in 1940 according to available assessment information. This was before the Coos County Zoning and Land Development Ordinance (CCZLDO) was in effect.

Tax Lot 3400: This property has a Single-Family Dwelling that was built in 2019 according to the available assessment information. This was sited with Coos County Planning approval of Zoning Compliance Letter (ZCL-19-106).

The application was submitted on June 7, 2021 and deemed complete within the 30-day time (July 7, 2021) frame explained in the Coos County Zoning and Land Development Ordinance Section 5.0.200 (ORS 215.427) and 5.0.250. The deemed complete process is a review that all the materials have been submitted as explained in the applications. The deemed complete process is not a full review of the criteria but a time period in which staff has to review the application to make sure it contains all materials necessary to review. The timer period for review the merits of the application starts on the day it was deemed completed. Staff completed this review within 35 days of completeness.

- 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, unless approval has been granted by the Hearings Body.

Staff has reviewed the property history and county files and determined that the properties are compliant as of the date of this report based on the information that was made available to the Planning Department.

BASIC FINDINGS:

- A. LOCATION:** These units of land are located within the Urban Unincorporated Community of Barview, southwest of the City of Coos Bay.
- B. ZONING:** Both parcels are split zoned Urban Residential-1 (UR-1) & Coos Bay Estuary Management (CBEMP) Natural Aquatic (55B-NA) & Urban Development (55-UD).

ARTICLE 4.2 – ZONING PURPOSE AND INTENT

Section 4.2.100 Residential

Urban Residential (UR)

There are three Urban Residential (UR) zoning districts: Urban Residential-1 (UR-1); Urban Residential-2 (UR-2); and Urban Residential – Multi Family (UR-M). The intent of the Urban Residential Districts is to include conventional, urban density housing (single family/multi-family) plus cluster housing and planned unit developments.

The purpose of the “UR-1” district is to provide for urban residential areas that are exclusively limited to conventional single-family dwellings. Detached conventional single-family dwellings clustered in planned unit developments are consistent with the objectives of the “UR-1” district. This district shall only be used within Urban Growth Boundaries and Urban Unincorporated Community boundaries.

The purpose of the “UR-2” district is to provide for urban residential areas that are designed to accommodate single family dwellings, mobile homes and two-family dwellings. Clustered planned unit developments, including multi-family dwellings, are consistent with the objectives of the “UR-2” district. The “UR-2” district shall only be used within Urban Growth Boundaries and Urban Unincorporated Community boundaries.

The purpose of the “UR-M” district is to provide for high density urban residential areas necessary to accommodate opportunities for the construction of multiple-family dwellings, primarily necessary to meet the needs of low- and moderate-income families. The “UR-M” district shall only be used within Urban Growth Boundaries and Urban Unincorporated Community boundaries.

C. SPECIAL DEVELOPMENT CONSIDERATIONS AND OVERLAYS:

SECTION 4.11.125 Special Development Considerations: The considerations are map overlays that show areas of concern such as hazards or protected sites. Each development consideration may further restrict a use. Development considerations play a very important role in determining where development should be allowed in the Balance of County zoning. The adopted plan maps and overlay maps have to be examined in order to determine how the inventory applies to the specific site

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

No development is part of this proposal; therefore, there are no Special Development Considerations or Overlays required to be addressed.

D. SITE DESCRIPTION AND SURROUNDING USES:

Tax lot 3300 currently consists of .37 acres, and tax lot 3400 consists of .36 acres. Both parcels are zoned Urban Residential-1 and CBEMP and are surrounded by like zoning. The parcels abut the bay to the west and Wygant road to the east. The parcels surrounding are being used for Residential.

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 and none was received.
- c. **LOCAL TRIBE COMMENTS:** This application request did not require any request for comments prior to the release of the decision.

F. LAWFULLY CREATED UNIT OF LAND: Tax lot 3300 was lawfully created pursuant to 6.1.125.1.e by a deed prior to any Zoning and Land Development Ordinances (deed document number 78-75755). It appears that tax lot 3400 was made up of tax lots 3400 and 3500 as described in deeds 176/174, 174/493.

II. STAFF FINDINGS AND CONCLUSIONS:

a. SUMMARY OF PROPOSAL AND APPLICABLE REVIEW CRITERIA:

The proposal is for Planning Director Approval of a Property Line Adjustment. 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.
 - 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 application was received on June 7, 2021 and deemed complete July 7, 2021. A Vicinity Map showing the adjustment was submitted. A property report was waived by the Coos County Planning Director. Neither tax lot has a lien.

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 Urban Residential-1 (UR-1) and the minimum lot size is one 5000 square feet (.11 acres). The properties also have CBEMP zoning, the minimum lot size within this zoning is “to be coordinated”, which means the minimum lot size follows the underlying zoning (UR-1). For a parcel to be considered conforming it would need to meet the minimum lot size. Both tax lots meet the minimum lot size, which means they are conforming parcels. After the adjustment both parcels will remain above the minimum lot size, which means they will remain conforming. Tax lot 3300 will retain .22 acres and tax lot 3400 will retain .39 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: This adjustment will not create an encroachment. Therefore, this request complies with this criterion under this section.

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

FINDING: Both tax lots are on public sanitation. Therefore, this request complies with the criteria under this section.

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

vacant resource unit of land for the purpose of qualifying the vacant unit for a 160-acre dwelling;

- c. A resource unit of land 160 acres or greater and containing a dwelling approved as a 160-acre dwelling, or approved for construction of a 160-acre dwelling, cannot be reduced below 160 acres for the purpose of qualifying the vacant unit for a 160-acre dwelling.*

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

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

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

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

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

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

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 250 feet of the subject properties and the following agencies, special district or parties: Coos Bay- North Bend Water Board, Charleston Rural Fire Department, and Oregon International Port of Coos Bay.

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

EXHIBIT "E"
COMMENTS RECEIVED



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

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

July 9, 2021

PLA-21-022
Rob & Diana Schab
25-13- 30AB; TL 3400
Douglas Hanan
25-13- 30AB; TL 3300

Mike,

I have reviewed your PLA map and have found the following:

- 1 You need to show an overall distance on your newly adjusted line. I have calculated it to be 165.76'.
- 2 You need to change the direction of your bearing along the existing Northeasterly line of Lot 3 from Northwest to Southeast so it will match your bearing in "Exhibit A" of your PLA Deed. I am assuming that you will start your description from the found monument at the most Easterly corner of Lot 3 and run your description counterclockwise.
- 3 Also, remember to use the PLA Deed form from the Coos County Ordinance as planning will not accept anything else.

I have no further comments at this time.
Thank you for the opportunity to review your work.

Very truly yours

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

Michael L. Dado

EXHIBIT "F"
APPLICATION



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

FILE NUMBER: PLA-21-022

Date Received: 6/7/21 Receipt #: 9526201 Received by: Amy

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 submital)

LAND INFORMATION

A. Land Owner(s) Robin K. Schab and Diana R. Schab
Mailing address: 64686 Wygant Road, Cos Bay OR 97420
Phone: 541/297-2504 Email: d.schab@gmail.com

Township: 30S Range: 13W Section: 30 1/4 Section: A 1/16 Section: B Tax lot: 3400

Tax Account Number(s): 380100 Zone: Select Zone Urban Residential-1 (UR-1)

Acreage Prior to Adjustment: 0.36 Acreage After the Adjustment 0.39

B. Land Owner(s) Douglas Hanan Revocable Living Trust
Mailing address: PO Box 3608, Coos Bay, OR 97420
Phone: _____ Email: _____

Township: 25S Range: 13W Section: 30 1/4 Section: A 1/16 Section: B Tax lot: 3300

Tax Account Number(s) 380000 Zone Urban Residential-1 (UR-1)

Acreage Prior to Adjustment: 0.25 Acreage After the Adjustment 0.22

C. Surveyor The Dyer Partnership, Engineers and Planners Inc.
Mailing Address 1330 Teakwood Drive, Coos Ba, OR 97420
Phone #: 541/269-0732 Email: merickson@dyerpart.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](#)

Coos County Property Line Adjustment Application

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:

Increase lawn area for 64686 Wygant.

A before and after vicinity map locating the proposed line adjustment or elimination in relocation to adjacent subdivisions, partitions, other units of land and roadways.

A plot plan showing the existing boundary lines of the lots or parcels affected by the line adjustment and the approximate location for the proposed adjustment line. The plot plan needs reflect structures as follows:

1. Within Farm and Forest at least within 30 feet of the property boundaries.
2. Within Rural Residential at least 10 feet of the property boundaries.
3. Within Controlled Development at least within 20 feet of the boundaries.
4. Within Estuary Zones at least within 10 feet of the boundaries.
5. Within Commercial and Industrial within 10 feet of the boundaries.

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

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

Please list all Lien Holders names and addresses:

Property 1: _____

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 checked="" type="checkbox"/> | No <input type="checkbox"/> |
| Does property 2 currently meet the minimum parcel/lot size? | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |

Case County Property Line Adjustment Application

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

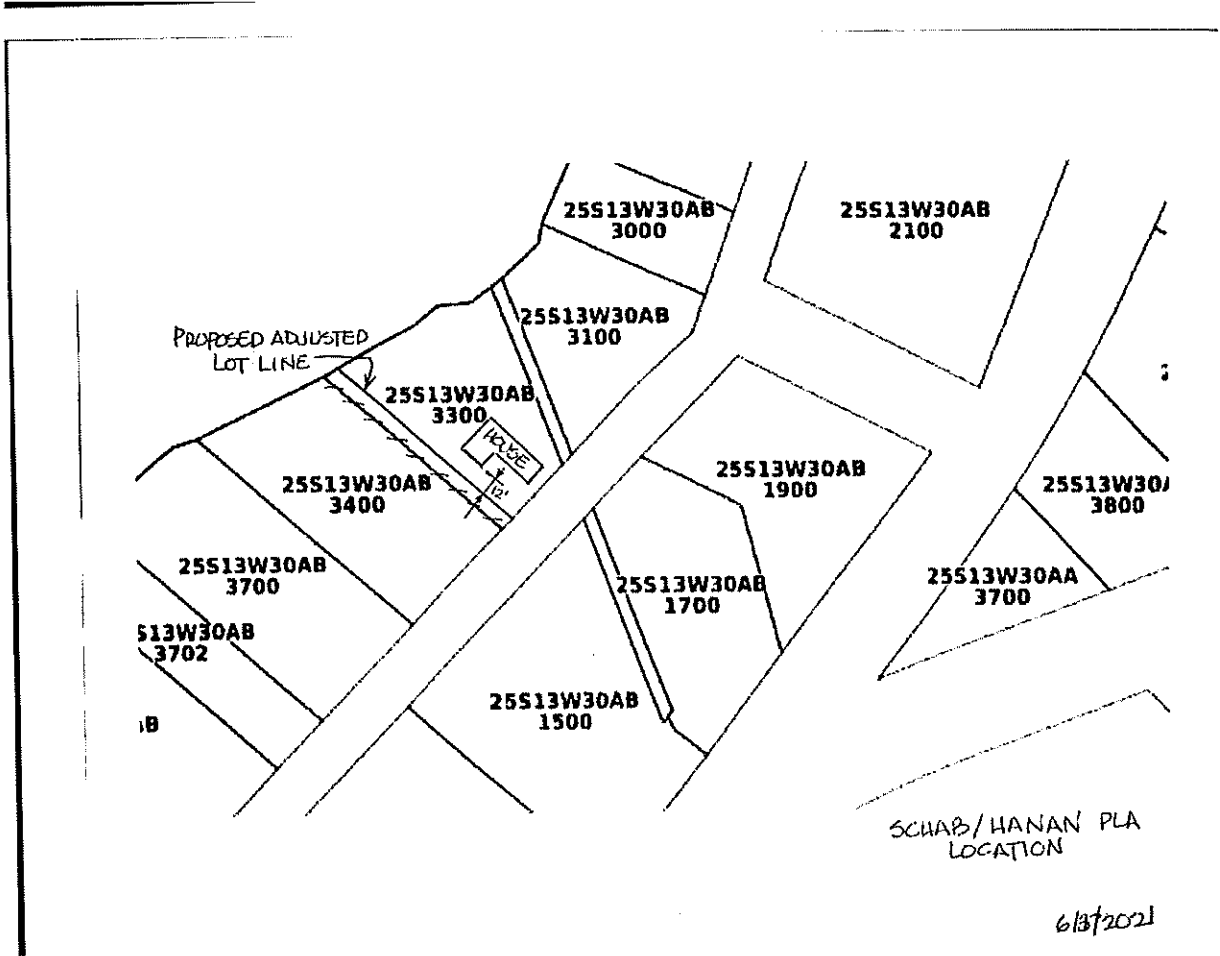
Section 5.0.150 Application Requirements: Applications for development (includes land divisions and relocation of property boundary) or land use actions shall be filled on forms prescribed by the County and shall include sufficient information and evidence necessary to demonstrate compliance with the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

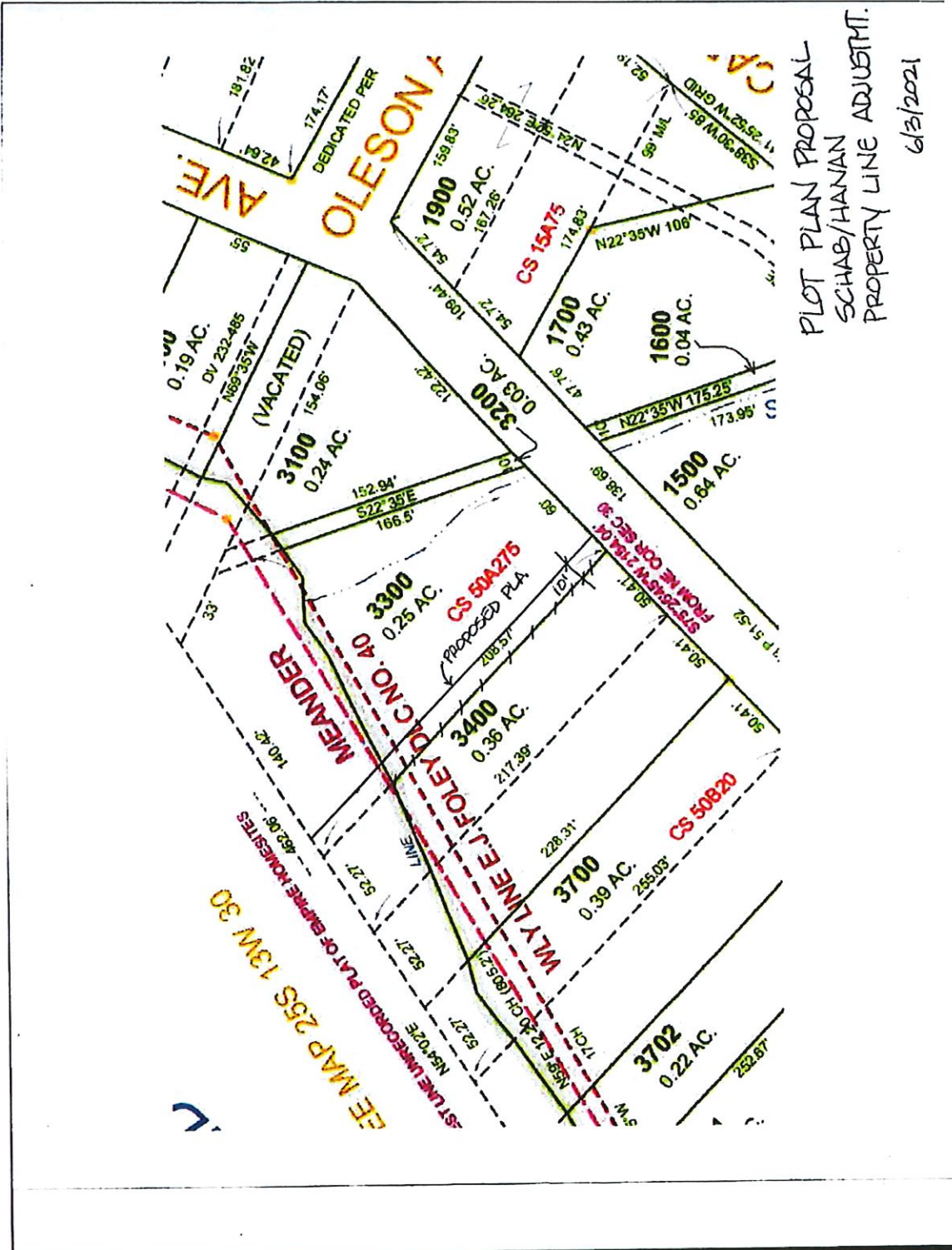
It shall be the duty of the Planning Director or his/her authorized representative to enforce the provisions of the Coos County Zoning and Land Development Ordinance pertaining to zoning, land use, the construction, erection, location or enlargement of any structure and land divisions including the relocation 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 Boundary Line Adjustment Application





PLOT PLAN PROPOSAL
 SCHAB/HANAN
 PROPERTY LINE ADJUSTMT.
 6/3/2021

**CHARLESTON SANITARY DISTRICT
P.O. BOX 5522
CHARLESTON, OR 97420**

May 17, 2000

Coos County Clerk

Re: UTILITY CONSTRUCTION AND MAINTENANCE EASEMENT RECORDING

The attached easement shall be recorded by the Grantee (Charleston Sanitary District) and returned to the Charleston Sanitary District at the above address after recording. The Grantor (Douglas B. Hanan) executed this agreement on January 10, 2000.

Unofficial
Copy

05/17/2000 03:25 REC FEE: \$36.00
COOS COUNTY, OR, TERRI TURI - COUNTY CLERK

PAGE #: 0001 OF 0003
INST#: 2000 4906 **

UTILITY CONSTRUCTION AND MAINTENANCE EASEMENT

THIS AGREEMENT is made this 27th day of April, 1999, between the Charleston Sanitary District, a sanitary sewer district organized and operated pursuant to ORS Chapter 450, hereinafter Grantee, and Douglas B. Hanan, hereinafter, Grantor.

NOW THEREFORE, the parties mutually agrees as follows:

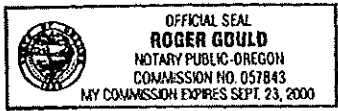
1. Grantor grants to Grantee and its successors, agents and assigns, an easement over the real property described as follows:
(See exhibit A, attached hereto and incorporated herein by this reference).
for the purpose of installing and maintaining check valves on Grantor's existing sewer laterals.
2. The consideration for the grant of this easement is Grantee's installation of a check valve on Grantor's existing sewer lateral at no cost to Grantor. Grantee agrees not to displace any bushes or other vegetation, other than grass, on Grantor's property in the installation and maintenance of the check valves.
3. Grantor shall continue to have such use and enjoyment of the described property which is not inconsistent with the easement granted hereby to Grantee.
4. This construction and maintenance easement shall be effective on the date of execution of this easement. Grantee will cause this easement to be recorded.

IN WITNESS HEREOF, the Grantor has duly executed this agreement as of this date first written above.

Douglas B. Hanan
Douglas B. Hanan

STATE of OREGON)
) ss.
County of Coos)

Personally appeared the above named Douglas B. Hanan and acknowledged the foregoing instrument to be his voluntary act and deed.. Before me this 27th day of April, 1999



Roger Gould
Notary Public for Oregon

05/17/2000 03:25 REC FEE: \$36.00
COOS COUNTY, OR, TERRI TURI - COUNTY CLERK

PAGE #: 0002 OF 0003
INST#: 2000 4906

Parcel A: Lot 1, Block 6, EMPIRE HOMESITES, Coos County, Oregon, described as follows: Beginning at a point in the E. J. Foley Donation Land Claim No. 40 in Section 30, Township 25 South, Range 13 West of the Willamette Meridian, Coos County, Oregon, from which point the section corner at the northeast corner of the said Section 30 bears North 78 deg. 18 min East 1990.91 feet; thence North 69 deg. 35 min. West 154.06 feet; thence South 72 deg 35 min East 152.94 feet; thence North 44 deg. 24 min. East 122.42 feet to the point of beginning. Together with the vacated S 1/2 Olson Avenue fronting and abutting said premises.

Parcel B: Lot 2, Block 6, EMPIRE HOMESITES, Coos County, Oregon, more particularly described as follows: Beginning at a point in the E. J. Foley Donation Land Claim No. 40 in Section 30, Township 25 South, Range 13 West of the Willamette Meridian, Coos County, Oregon, from which point the iron pipe at the Northeast corner of the said Section 30, bears North 75 deg. 25 3/4 min. East a distance of 2154.04 feet and running thence North 52 deg. 55 min. West for a distance of 208.57 feet; thence North 54 deg. 02 min. East for a distance of 140.42 feet; thence South 69 deg. 35 min. East for a distance of 33.0 feet; thence South 22 deg. 35 min. East for a distance of 166.51 feet; thence South 44 deg. 24 min. West for a distance of 60.0 feet to the point of beginning and being a portion of the E. J. Foley Donation Land Claim No. 40 in Section 30, Township 25 South, Range 13 West of the Willamette Meridian, Coos County, Oregon. Together with vacated portion of Olson Avenue that would inure thereto.

05/17/2000 03:25 REC FEE: \$36.00
COOS COUNTY, OR, TERRI TURI - COUNTY CLERK

PAGE #: 0003 OF 0003
INST#: 2000 4906

HANAN EXHIBIT A

RECORDING REQUESTED BY:
GRANTOR:
Larry Starmer, Donna Wheeler, and Sally Dowdy
2781 33rd Street
Springfield, OR 97477

COOS COUNTY, OREGON 2014-01888
\$66.00 03/13/2014 01:50:28 PM
Pg 1-5



Terri L. Turk, Coos County Clerk

GRANTEE:
Robin K. Schab and Diana R. Schab
2213 Pony Creek Rd
North Bend, OR 97459

SEND TAX STATEMENTS TO:
Robin K. Schab and Diana R. Schab
2213 Pony Creek Rd
North Bend, OR 97459

THIS DOCUMENT WAS EXECUTED IN
COUNTERPART. TOGETHER WITH ALL PARTS
EXECUTED CONSTITUTES ONE DOCUMENT.

AFTER RECORDING RETURN TO:
Robin K. Schab and Diana R. Schab
2213 Pony Creek Rd
North Bend, OR 97459

4010297
AFTER RECORDING
RETURN TO
Ticor Title Company
300 West Anderson Ave. - Box 1075
Coos Bay, OR 97423-0233

Escrow No: 360614010297-TTC0006
64682, 64684 & 64686 Wygant Rd
Coos Bay, OR 97420

SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY WARRANTY DEED

Larry Starmer, Donna Wheeler, and Sally Dowdy, Grantor, conveys and warrants to

Robin K. Schab and Diana R. Schab, as tenants by the entirety, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Coos, State of Oregon:

SEE LEGAL DESCRIPTION ATTACHED HERETO

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS \$81,000.00. (See ORS 93.030)

Subject to and excepting:

Taxes, covenants, conditions, restrictions, easements, rights of way, homeowners association assessments, if any, and matters now of record.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 185.300, 185.301 AND 185.305 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 185.300, 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.

DATED: March 6, 2014

Larry Starmer

360614010297-TTC0006
Deed (Warranty-Statutory)

Donna Wheeler

Sally Dowdy

State of Oregon
COUNTY of Lane

This instrument was acknowledged before me on March 07, 2014

by Larry Starnif

Laurie K. Jenkinson Notary Public - State of Oregon

My commission expires: 9-20-2018



Unofficial
Copy

3698(4010297-TTCC095
Deed (Warranty-Statutory)

Donna Wheeler
Donna Wheeler

Sally Dowdy

State of Oregon
COUNTY of Clatsop

This Instrument was acknowledged before me on March 7, 20 14

by Donna Wheeler

Rosalie E. Brown
Rosalie E. Brown, Notary Public - State of Oregon
My commission expires: 02-22-2017



Unofficial
Copy

360614010297-TTC0006
Deed (Warranty-Statutory)

Donna Wheeler

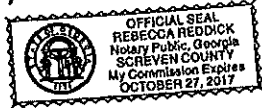
Sally Dowdy

State of Georgia
COUNTY of Lowndes

This instrument was acknowledged before me on 11th, 20 14

by Sally Dowdy

[Signature] Notary Public - State of Georgia
My commission expires: whenever



Unofficial
Copy

360814010297-TTC0006
Deed (Warranty-Statutory)

LEGAL DESCRIPTION

PARCEL 1: Lot 3, Block 6, Empire Homesites, in the County of Coos, State of Oregon, being more particularly described as follows: Beginning at a point in the E. J. Foley Donation Land Claim No. 40 in Section 30, Township 25 South, Range 13 West of the Willamette Meridian, from which point the iron pipe at the Northeast corner of the said Section 30 bears North 75° 25' 3/4" East a distance of 2154.04 feet; and running thence South 44° 24' West for a distance of 50.41 feet; thence North 52° 55' West for a distance of 217.39 feet; thence North 54° 02' East for a distance of 52.27 feet; thence South 52° 55' East for a distance of 208.57 feet to the point of beginning and being a portion of the E. J. Foley Donation Land Claim No. 40 in Section 30, Township 25 South, Range 13 West of the Willamette Meridian, Coos County, Oregon.

PARCEL 2: Lot 4, Block 6 of Empire Homesites (Tract E No. 69) being more particularly described as follows: Beginning at a point in the E. J. Foley Donation Land Claim #40 in Section 30, Township 25 South, of Range 13 West of the Willamette Meridian, from which point the iron pipe at the Northeast corner of said Section 30 bears North 74° 08' East a distance of 2241.03 feet; and running thence North 52° 55' West for a distance of 266.21 feet; thence North 54° 02' East for a distance of 52.27 feet; thence South 52° 55' East for a distance of 217.39 feet; thence South 44° 24' West for a distance of 50.41 feet to the point of beginning and being a portion of the E. J. Foley Donation Land Claim No. 40 in Section 30, Township 25 South, Range 13 West of the Willamette Meridian, Coos County, Oregon.

Unofficial
Copy

350614010297-TTC0005
Deed (Warranty-Statutory)