



**COOS COUNTY CONDITIONAL USE LAND USE APPLICATION**

**SUBMIT TO COOS COUNTY PLANNING DEPT. AT 60 E. SECOND STREET OR MAIL TO:  
COOS COUNTY PLANNING 250 N. BAXTER, COQUILLE OR 97423. EMAIL  
[PLANNING@CO.COOS.OR.US](mailto:PLANNING@CO.COOS.OR.US) PHONE: 541-396-7770**

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)*

Date Received: 10/10/23 Receipt #: 143811671 Amount: 1680.00 Received by: C.Carr

This application shall be filled out electronically. If you need assistance please contact staff.

**Applications shall be submitted by the property owner or a purchaser under a recorded land sale contract. "Property owner" means the owner of record, including a contract purchaser.**

**The application shall include the signature of all owners of the property.**

**A legal representative may sign on behalf of an owner upon providing evidence of formal legal authority to sign.**

**LAND INFORMATION**

**A. Property Owner(s)**   
 Mailing address:   
 Phone:  Email:

Township:	Range:	Section:	¼ Section:	1/16 Section:	Tax lots:
<u>29S</u>	<u>14W</u>	<u>5</u>	.		<u>100</u>
<u>29S</u>	<u>14W</u>	<u>5</u>	.		<u>200</u>

Tax Account Number(s):	<input type="text" value="1203100"/>	Zone: Select Zone	<input type="text" value="Exclusive Farm Use (EFU)"/>
Tax Account Number(s):	<input type="text" value="1203000"/>		<input type="text" value="Exclusive Farm Use (EFU)"/>

**B. Special Districts and Services**

Water	<input type="text" value="On-Site (Well or Spring)"/>	Sewage Disposal	<input type="text" value="On-Site Septic"/>
School	<input type="text" value="Bandon"/>	Fire District	<input type="text" value="Bandon RFPD"/>

**C. Type of Application (s) please consult with staff to determine prior to submittal**

- Administrative Conditional Use for
- Hearings Body Conditional Use for \_\_\_\_\_
- Historical, Cultural and Archaeological Resources, Natural Areas of Wilderness
- Beaches and Dunes
- Non-Estuarine Shoreland Boundary
- Significant Wildlife Habitat
- Natural Hazards
 

<input type="checkbox"/> Flood	<input type="checkbox"/> Landslide	<input type="checkbox"/> Liquefaction	<input type="checkbox"/> Erosion	<input type="checkbox"/> Wildfires
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- Airport Surfaces Overlay
- Variance to which standard \_\_\_\_\_

Include the supplemental application with all criteria addressed. If you require assistance with the criteria please contact a land use attorney or professional consultant. Property information may be obtained from a tax statement or can be found on the County Assessor's web page at the following links:

[Map Information](#) Or [Account Information](#)

D. ATTACHED WRITTEN STATEMENT. With all land use applications, the "burden of proof" is on the applicant. It is important that you provide information that clearly describes the nature of the request and indicates how the proposal complies with all of the applicable criteria within the Coos County Zoning and Land Development Ordinance (CCZLDO). You must address each of the Ordinance criteria on a point-by-point basis in order for this application to be deemed complete. A planner will explain which sections of the Ordinance pertain to your specific request. The information described below is required at the time you submit your application. The processing of your application does not begin until the application is determined to be complete. An incomplete application will postpone the decision, or may result in denial of the request. Please mark the items below to ensure your submittal is complete.

Application Check List: Please make off all steps as you complete them.

- I. PROPOSAL AND CRITERIA: A written statement of intent, attached to this application, with necessary supporting evidence which fully and factually describes the following:
  1. Project summary and details including timelines.
  2. A complete explanation of how the request complies with the applicable provisions and criteria in the Zoning Ordinance. A planner will explain which sections of the Ordinance pertain to your specific request. You must address each of the Ordinance criteria on a point-by-point basis in order for this application to be deemed complete. This shall be addressed on the supplemental criteria page (see staff for criteria).
- II. PLOT PLAN OR SKETCH PLAN: A detailed drawing delineating the following:
  - Owner's name, address, and phone number, map and Tax lot number
  - North Arrow and Scale - using standard engineering scale.
  - Accurate shape and dimensions of parcel, development site, including the lengths of the all property lines.
  - Any adjacent public or private roads, all easements and/or driveway locations. Include road names. Driveway location and parking areas, including the distance from at least one property line to the intersection of the driveway and the road (apron area);
  - All natural features, which may include, but are not limited to water features, wetlands, ravines, slope and distances from features to structures.
  - Existing and proposed structures, water sources, sewage disposal system and distances from these items to each other and the property boundaries.
- III. DEED: A copy of the current deed, including the legal description, of the subject property.
- IV. CERTIFICATION: I certify that this application and its related documents are accurate to the best of my knowledge. I am aware that there is an appeal period following the date of the Planning Director's decision on this land use action. ~~I understand that the signature on this application authorizes representatives of the Coos County Planning Department to enter upon the subject property to gather information pertinent to this request.~~ If this application is referred directly to a hearings officer or hearings body I understand that I am obligated to pay the additional fees incurred as part of the conditions of approval. I understand that I/we are not acting on the county's behalf and any fee that is a result of complying with any conditions of approval is the applicants/property owner responsibility. I understand that conditions of approval are required to be complied with at all time and an violation of such conditions may result in a revocation of this permit. If the property owner would like staff to contact a legal representative or consultant please provide the contact information using a consent form.

*[Handwritten signature]*  
 n/a- no development proposed  
 Joh Roth, the owner of 29-14W-05, Tax Lot 300, is

**PROPERTY OWNER SIGNATURES REQUIRED FOR PROCESSING**

*[Handwritten signature]* \_\_\_\_\_ Date 9-28-2023  
 Dan Marquess  
*[Handwritten signature]* \_\_\_\_\_ Date 9/28/2023  
 Susan Marquess

PROPERTY OVERVIEW

<b>Applicant</b>	Marquess Living Trust
<b>Site Address</b>	88541 Windhurst Ln, Bandon
<b>Map No.</b>	29S14W05
<b>Tax Lot No.</b>	100 & 200
<b>Coos County Account No.</b>	1203100 & 1203000
<b>Size</b>	5.19
<b>Zoning</b>	EFU
<b>Special Development Considerations and Overlays</b>	<ul style="list-style-type: none"> <li>- Coos County Beaches and Dunes Development Suitability: Suitable for Most Uses</li> <li>- FEMA Flood Maps: None</li> <li>- DOGAMI Landslide Susceptibility: Low to Moderate</li> <li>- DOGAMI Liquefaction Susceptibility: Low</li> <li>- Coos Coastal Shorelands Boundary: N/A</li> <li>- Coos County LWI: Cranberry Bogs</li> <li>- National Wetland Inventory: N/A</li> </ul>
<b>Proposal</b>	Verification of nonconforming use
<b>Access</b>	Private driveway off Windhurst Ln. Private driveway off Windhurst Ln. Easements 2013-10433 and 2009-4111 (Attachment 4)
<b>Site Description</b>	Single family dwelling on flat, developed, 5.19 acres
<b>Surrounding Zoning &amp; Use</b>	Subject property is a 3.5 mile drive southeast from downtown Bandon. It is located between Rosa Road and Morrison Road, on Windhurst Ln. There are single family dwellings and cranberry farms along the approximately 2.5 miles of Windhurst Ln, in the lowland; to the north and south of those dwellings+farms are forested hills. Surrounding zoning is Rural Residential, Exclusive Farm Use, and Forest.
<b>Related Coos County Planning Files</b>	ZCL 98-299 (authorized dwelling on subject property)

## APPLICATION OVERVIEW

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A request to:

- (a) Re-qualify the dwelling on TL 300 (1203200) as a non-conforming dwelling
- (b) Re-qualify the dwelling on TLs 100 and 200 (1203100 and 1203000) as a replacement of that non-conforming dwelling

## BACKGROUND

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In May 1998, Guy and Noni Scherer owned TLs 100, 200, and 300, as depicted on the June 1998 Assessor's map (right). At the time, no discrete parcel determination had been made. When the Scherers made a land use application in 1998, the Planning Department noted *"Tax Lots 100 and 200 [...] are also described under the same deed as Tax Lot 300; therefore, the Planning Department considers Tax Lots 100, 200 and 300 one parcel, even though they have different tax lot numbers. The Department requires a title company, attorney or surveyor provide a letter referencing the deeds (prior to 1986) with an attached plat map outlining what each deed describes and a copy of said deed be submitted to provide documentation that the three tax lots are discrete."*



Instead of commissioning a discrete parcel determination, the Scherers applied to replace the existing dwelling on TL 300 with a new dwelling on TL 100. That application was approved (ZCL 98-299, July 7, 1998) and contained this language: *"Applicant is obtaining clearance to replace the existing dwelling on TL 300 with a new dwelling TL 100. Tax Lots 100, 200 and 300 are tied together for planning purposes. Only one dwelling is permitted on these tax lots. After the new dwelling is completed, the existing dwelling must be declared uninhabitable or destroyed. Only one dwelling is permitted on the tract."*

Then in 2007, a discrete parcel determination was made (D-07-20) certifying the then-tract did in fact contain two discrete parcels (tax lots 100+200 and tax lot 300).

The applicant therefore desires to re-qualify the 1947 dwelling on TL 300 as a non-conforming dwelling and its replacement (on TL 100) as a replacement of that non-conforming dwelling, in order to remedy the consolidation of these discrete parcels for planning purposes.

## ATTACHMENTS

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1. Plot Plan
2. Assessor's Records of Dwelling on TL 300 (Roth)
3. Assessor's Records of Dwelling on TL 100 (Marquess)
4. Deed (2021-12428)
5. Access Easements: 2013-10433 and 2009-4111

## NARRATIVE

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### Article 5.6 Nonconforming: Section 5.6.125 Criteria for Decision:

When evaluating a conditional use application for alteration or repair of a nonconforming use, the following criteria shall apply:

For the purpose of verifying a nonconforming use, an applicant shall provide evidence establishing the existence, continuity, nature and extent of the nonconforming use for the 10-year period immediately preceding the date of the application, and that the nonconforming use was lawful at the time the zoning ordinance or regulation went into effect. Such evidence shall create a rebuttable presumption that the nonconforming use lawfully existed at the time the applicable zoning ordinance or regulation was adopted and has continued uninterrupted until the date of the application.

See Attachment 2 establishing the existence, continuity, nature and extent of the dwelling on TL 300. These records prove:

- (1) The dwelling was constructed in 1947 and exists today.
- (2) The dwelling had/has (a) intact exterior walls and roof structure, (b) indoor plumbing consisting of a kitchen sink, toilet and bathing facilities connected to a sanitary waste disposal system, (c) interior wiring for interior lights, and (d) a heating system.

The dwelling on TL 300 was lawfully established; its establishment pre-dates the Coos County Zoning and Land Development Ordinance.

See Attachment 3 establishing the existence, continuity, nature and extent of the dwelling on TL 100/200. These records prove:

- (1) The dwelling was constructed in 1999 and exists today.
- (2) The dwelling had/has (a) intact exterior walls and roof structure, (b) indoor plumbing consisting of a kitchen sink, toilet and bathing facilities connected to a sanitary waste disposal system, (c) interior wiring for interior lights, and (d) a heating system.

The dwelling on TL 100/200 was lawfully established; it was established as a replacement of the dwelling on TL 300 (ZCL 98-299).

The dwelling on TL 300 therefore qualified in 1998/99 as a non-conforming dwelling. And the dwelling on TL 100/200 therefore qualified in 1998/99 as a replacement of that non-conforming dwelling.

Note: the dwelling on TL 300 exists today. It was required to be removed in 1998; it is currently in violation. The owner of TL 300 (Roth) understands that the dwelling on TL 300 is required to be removed and will continue to require to be removed.

Article 5.6 Nonconforming: Section 5.6.100 Nonconforming Uses:

The lawful use of any building, structure or land at the time of the enactment or amendment of this zoning ordinance may be continued. Alteration of any such use may be permitted subject to Sections 5.6.120 and 5.6.125. Alteration of any such use shall be permitted when necessary to comply with any lawful requirement for alteration in the use. Except as provided in ORS 215.215 (Reestablishment of nonfarm use), a county shall not place conditions upon the continuation or alteration of a use described under this Section when necessary to comply with state or local health or safety requirements, or to maintain in good repair the existing structures associated with the use. A change of ownership or occupancy shall be permitted.

As used in this Section, alteration of a nonconforming use includes:

1. A change in the use of no greater adverse impact to the neighborhood; and
2. A change in the structure or physical improvements of no greater adverse impact to the neighborhood.

**No alteration is proposed. This application is for verification of a nonconforming use.**

Article 5.6 Nonconforming: Section 5.6.110 Interruption or Abandonment of Nonconforming Uses

A non-conforming use or activity may not be resumed if it was subject to interruption or abandonment for more than one (1) year, unless the resumed use conforms to the requirements of zoning ordinances or regulations applicable at the time of the proposed resumption.

**The applicant understands that the non-conforming use (dwelling) may not be resumed if it is interrupted or abandoned for more than one year.**

Article 5.6 Nonconforming: Section 5.6.120 Alterations, Repairs or Verification:

Alterations, repairs or verification of a nonconforming use requires filing an application for a conditional use (See CCZLDO Article 5.2). All such applications shall be subject to the provisions of Section 5.6.125 of this ordinance and consistent with the intent of ORS 215.130(5)-(8). Alteration of any nonconforming use shall be permitted when necessary to comply with any lawful requirement for alteration in the use. The County shall not condition an approval of a land use application when the alteration is necessary to comply with State or local health or safety requirements, or to maintain in good repair the existing structures associated with the use.

**The applicant understands alterations and repairs of a nonconforming use requires filing an application for a conditional use.**

# ATTACHMENT 1

## Plot Plan

Application to Coos County for Verification of Nonconforming Use  
Marquess, 88541 Windhurst Ln, Bandon  
September 2023

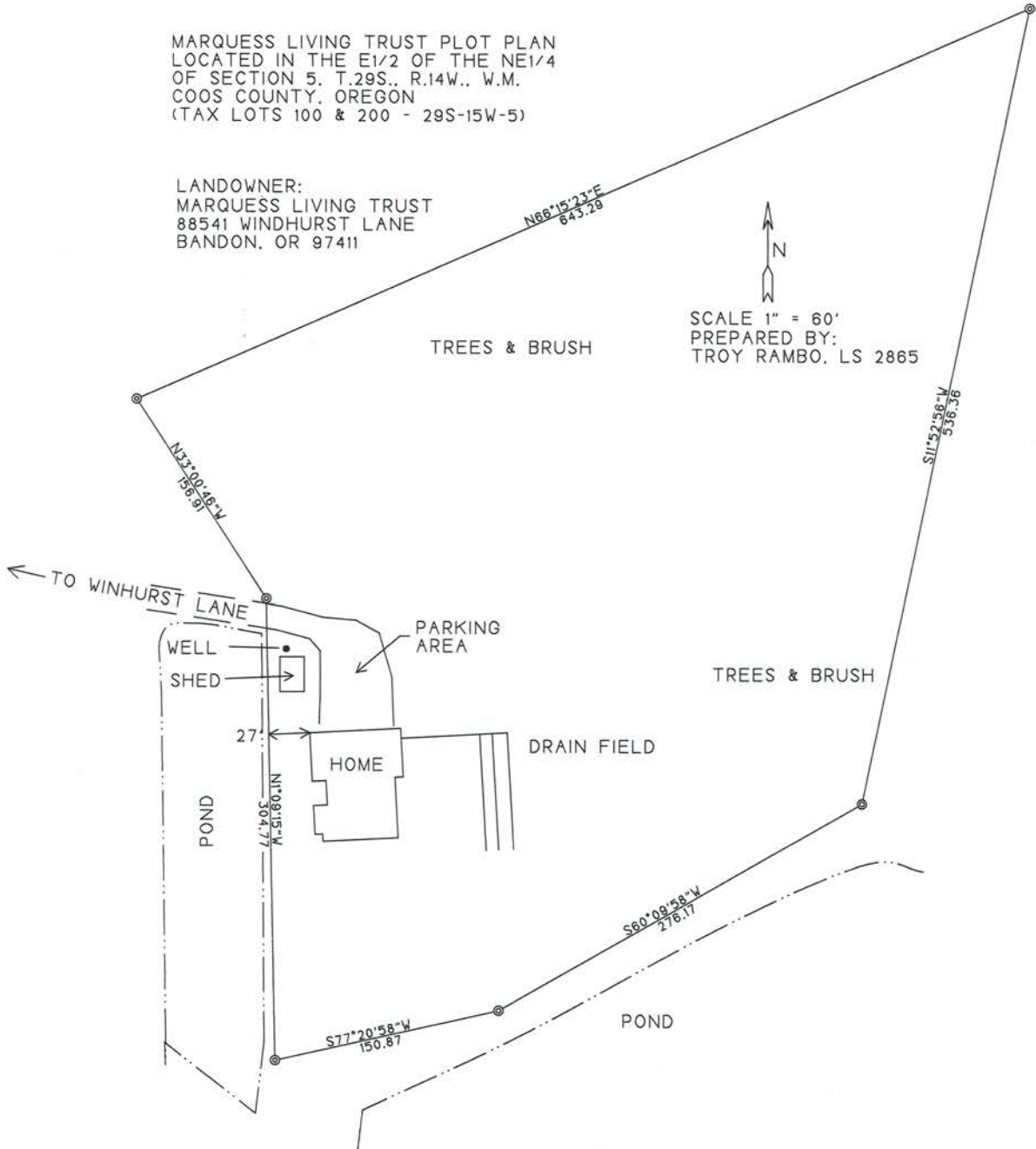


MARQUESS LIVING TRUST PLOT PLAN  
LOCATED IN THE E1/2 OF THE NE1/4  
OF SECTION 5, T.29S., R.14W., W.M.  
COOS COUNTY, OREGON  
(TAX LOTS 100 & 200 - 29S-15W-5)

LANDOWNER:  
MARQUESS LIVING TRUST  
88541 WINDHURST LANE  
BANDON, OR 97411

TREES & BRUSH

N  
SCALE 1" = 60'  
PREPARED BY:  
TROY RAMBO, LS 2865





## ATTACHMENT 2

### Assessor's Records of Dwelling on TL 300 (Roth)

Application to Coos County for Verification of Nonconforming Use  
Marquess, 88541 Windhurst Ln, Bandon  
September 2023





Search

Search History

Cart (0)

Account Paid

**Real Property**  
**Situs Address**

**Mailing Address**  
ROTH, JOHN C  
PO BOX 362  
BANDON OR 97411-0362

**Map and Taxlot**  
29S1405-00-00300

**Owner**  
ROTH, JOHN C

[Related Accounts](#)

[Name Ledger](#) [Names](#)

**Assessment**

**Assessment Year** 2023

[Assessment Summary](#)

	RMV	MAV	AV
Land	\$86,536		
Improvements	\$109,810		
<b>Total</b>	<b>\$196,346</b>	<b>\$57,880</b>	<b>\$129,698</b>

<b>Account Status</b>	Active
<b>Size</b>	102.24 Acre(s)
<b>Property Class</b>	572 - ZONED FARM W/ CRANBERRY BOGS
<b>Legal Description</b>	<a href="#">See Record</a>

**Improvements**

Bldg #	Year Built	Description	Livable Size	Stat Class	Code Area
<a href="#">1</a>	1947	One story-Class 2	1088	121	5403
<a href="#">2</a>	1999	General Purpose Building	2400	303	5403

# Improvement Summary

COOS County

For Assessment Year 2023

**Account ID** 1203200  
**Map** 29S1405-00-00300  
**Mailing** ROTH, JOHN C  
 PO BOX 362  
 BANDON OR 97411-0362

**Situs**

Bldg	Code Area	Stat Class	Year Built	Comp %	Description	Sqft
1	5403	121	1947	100	121 - One story-Class 2	1,088

Rooms: 2 - BD, 1 - FB, 1 - LR, 1 - KT

## Floors

Description	Class	Comp %	OR %	Sqft
First Floor	2	100		1088
Garage	2	100		308

## Improvement Inventory

Description	Qty/Size	Description	Qty/Size
1001 Fndtn - Conc/Block	1	5007 Partitions - Panel	1
1001 Fndtn - Conc/Block	1	5106 CGS - No Door	1
2110 Ext Sgl - Shngl/Wd/Comp	1	6001 IntComp - Min Built-Ins	1
2210 Ext Dbl - Shngl/Wood/Comp	1	8001 Plumb'g - Full Bath	1
3101 Roof - Gable - Light Comp	0	8011 Plumb'g - Kitchen Sink	1
3101 Roof - Gable - Light Comp	0	8012 Plumb'g - Water Heater	1
4001 Floor - 1st Flr - Carpet/Vinyl	1	9008 Heat'g - Woodstove Low Cost	1
4008 Floor - Concrete	1		

**Total RMV** \$2,780

NOV 76

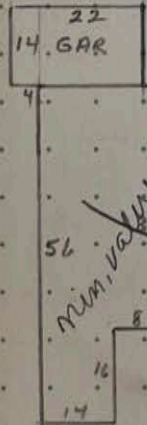
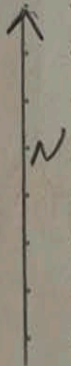


**BUILDING DIAGRAM**

MAP NO. 5-29-14 TL 300  
 CODE NO. 54.01

ACCT. NO. 12032.90

600  
 NEW  
 CASE  
 TL 200

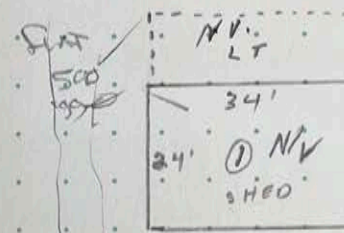


~~MIN. V. W. W.~~  
 11/11

TL 300

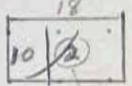
TL 200

$$\begin{array}{r}
 16 \times 14 = 224 \\
 32 \times 22 = 704 \\
 8 \times 20 = 160 \\
 \hline
 1088
 \end{array}$$



99  
 TPA

P.HSE



11/11

← TO ROSAY RD.

TO WINDHURST →

**COOS COUNTY RESIDENTIAL CAAP CARD**

OWNER NAME Scherer, Bonnie, etal SITUS Windhurst Road, Bandon Appraiser ADH

MAP NO. 29-14-5 TL 300 ACCOUNT NO. 12032.90 DATE INSP. 7/15/96 INSPECTED H

BASE APPR. YR. 1996 FACTOR BOOK 1993 YR. BLT. 1947 REMODL YR. \_\_\_\_\_ EFF. AGE \_\_\_\_\_ CONDITION P

SQ. FT \_\_\_\_\_ CLASS \_\_\_\_\_ LIV \_\_\_\_\_ BED \_\_\_\_\_ BATH \_\_\_\_\_ KIT \_\_\_\_\_ DIN \_\_\_\_\_ UTIL \_\_\_\_\_ OTH \_\_\_\_\_ FRP \_\_\_\_\_

1ST FL. 1088 2 1 2 1 1 \_\_\_\_\_ \_\_\_\_\_ \_\_\_\_\_ \_\_\_\_\_ \_\_\_\_\_

2ND FL. \_\_\_\_\_ \_\_\_\_\_ \_\_\_\_\_ \_\_\_\_\_ \_\_\_\_\_ \_\_\_\_\_ \_\_\_\_\_ \_\_\_\_\_ \_\_\_\_\_

ATTIC \_\_\_\_\_ \_\_\_\_\_ \_\_\_\_\_ \_\_\_\_\_ \_\_\_\_\_ \_\_\_\_\_ \_\_\_\_\_ \_\_\_\_\_ \_\_\_\_\_

BASEMENT \_\_\_\_\_ \_\_\_\_\_ \_\_\_\_\_ \_\_\_\_\_ \_\_\_\_\_ \_\_\_\_\_ \_\_\_\_\_ \_\_\_\_\_ \_\_\_\_\_

FOUNDATION 10 Conc/Blk 01 Frame 02 Pier/Piling 03 Other 99

EXT. DBL 22 Vert T-111 01 Vert Wd 02 Bev Wd 03 Bev Vinyl 04 Bev Al 05 Bev Lp 06 Diag 07

SGL 21 Rustic 08 Pan/Sheet 09 Shngl/Comp/Wd 10 Wd Shk 11 Asb Shk 12 Conc Blk 13 Brick 14

Stone 15 Stucco 16 Masonry 17 1sty Brick Veneer 18 2sty Brick Veneer 19 Other 99

ROOF Gable 31 Hip 32 Shed 33 Flat 34 Gambrel 35 Mansard 36 Gable/Hip 37 Clerestry 38 Other 39

Lt. Comp 01 Med Comp 02 Hvy Comp 03 Cedar Shgl 04 Med Shk 05 Hvy Shk 06 Roll 07

Fbrgl 08 Bltup 09 Conc Tile 10 Al/Steel V Crimp bkd enam 11 Shk Panl 12 Other 99

Skylight 2' 13 Skylight 3' 14 Skylight 4' 15

1ST FLOOR 40 Carpet/Vinyl 01 Hrdwd 02 Fir 03 Lino/Vinyl 04 Ply 05 Conc 06 Ceramic Tile 07 Other 99

PARTITIONS 50 Dwall 01 Plas 02 Comp 03 Cl/Papr 04 T&G 05 Ply 06 Panl 07 NatWd 08 FirTrim 09 HrdTrim 10 Oth 99

Built-ins: Min 01 Fair 02 Ave 03 Good 04 Custom 05

INTERIOR 60 Counter tops: Lino 06 Plastic 07 Ceramic Tile 08

COMPONENTS Appliances: Basic Set 09 Single Oven 10 Dbl Oven 11 Drop-In Range 12 Cook-top 13 Jennaire 14

Dlx Range 15 Bi Micro 16 Garbage Comp 17 DW 18 Wet Bar 19 GDisp 20 Other 99

SPECIALTY 70 Security system 01 Intercom 02 Central Vac 03 Other 99

PLUMBING 80 Full Bath 01 1/2 Bath 02 Tub/shwr 03 Lav 04 Shwr 05 Toilet 06

Garden Tub 07 Jet Tub 08 Bidet 09 Shwrdoor 10 Kit Sink 11 Wtr Htr 12

Aux Wtr Htr 13 Bar Sink 14 Laundry Tub 15 Laundry Hookup 16 Hot Tub 17 Sauna 18 Other 99

HEATING 90 Ebb/wall/ceil 01 Fa wall gas 02 Fa 03 Fa heat/cool 04 Heat pump 05 Hot water bb 06

Hot water rad 07 Wood stove lc 08 Wood stove cl 09 Pellet stove 10 Gas stove cl 11

Oil stove 12 Super good cents 13 Total Area heated Other 99

FIREPLACE 91 Dir vent gas 01 Prefab Mtl 02 Mason Sgl 03 Mason See-thru 04 Mason backed 05 Mason stacked 06

Raised hearth 07 1sty brick 08 2sty brick 09 Insert 10 Other 99

BASEMENT 11 Fin [/] \_\_\_\_\_ LC fin [/] \_\_\_\_\_ Unfin [/] \_\_\_\_\_

Wall fin \_\_\_\_\_ Ceiling fin \_\_\_\_\_ Floor fin \_\_\_\_\_ Heat \_\_\_\_\_ Bath \_\_\_\_\_

Garage 01 Basement apt. 02 Dirt floor 03 Other 99

ATTIC 92 Fin [/] \_\_\_\_\_ LC fin [/] \_\_\_\_\_ Unfin [/] \_\_\_\_\_

UPPER STY Wall fin \_\_\_\_\_ Ceiling fin \_\_\_\_\_ Floor fin \_\_\_\_\_ Heat \_\_\_\_\_ Bath \_\_\_\_\_

3'Dorm 16 4'Dorm 17 6'Dorm 18 12'Dorm 19 16'Dorm 20 Dorm w/[/] 21 Other 99

SPECIAL 93 Cov porch 01 Open porch no roof 02 Enc porch 03 Sun porch pre fab 04 Sun porch stick 05

Not in class porch 06 Wd rail plain 07 Wd rail ornam 08 Mtl plain 09 Mtl ornam 10 Oth 99

Size: \_\_\_\_\_ x \_\_\_\_\_ x \_\_\_\_\_ Type: \_\_\_\_\_

RATING PHYSICAL P F A G FUNCTIONAL P F A G APPEARANCE P F A G

REMARKS: def maint corner of par rotted, window sills rotted Howe, generally poor

GARAGE (G) YR AT DT BSMT FIN LCF UFIN Class 2 14 X 22 = 308 X

CPORT (C) YR AT DT BSMT FIN LCF UFIN Class X X X

SHOP (S) YR Class X X X

FOUNDATION 10 Conc blk 01 Frame 02 Pier/Piling 03 Other 99

EXT. DBL 22 Vert T-111 01 Vert Wd 02 Bev Wd 03 Bev Vinyl 04 Bev Al 05 Bev Lp 06 Diag 07
SGL 23 Rustic 08 Pan/Sheet 09 Shngl/Comp/Wd 10 Wd Shk 11 Asb Shk 12 Conc Blk 13 Brick 14
Stone 15 Stucco 16 Masonry 17 1sty Brick Veneer 18 2sty Brick Veneer 19 Other 99

ROOF Gable 31 Hip 32 Shed 33 Flat 34 Gambrel 35 Mansard 36 Gable/Hip 37 Clsty 38 Other 39
Lt. Comp 01 Med Comp 02 Hvy Comp 03 Cedar Shgl 04 Med Shk 05 Hvy Shk 06 Roll 07
Fbrgl 08 Bltup 09 Conc Tile 10 Al/Steel V Crimp bkd enam 11 Shk Panl 12 Other 99
Skylight 2' 13 Skylight 3' 14 Skylight 4' 15

FLOOR 40 Concrete 01 Wood 02 Gravel 03 Dirt 04 Asphalt 05 Misc. 06 Other 99

ACCESSORY 50 Wd OHD 01 Metal OHD 02 Fbrgl OHD 03 Slider 04 Auto Opener 05 No Door 06 Tool Stor 07
Attic 08 Wd Stove 09 110 Elec 10 220 Elec. 11 Other 99

DECKS 01 Untrtd Fir 01 Trtd or Cedar 02 Redwd 03 Rail Plain 04 Rail Ornate 05 8'stairs 06
3'stairs 07 Benches 08 Misc 99 Deck [/] Lin ft Rail Lin ft Bench
SIZE: X X X X

PATIO 02 Conc 01 Conc Ag 02 Brk/Stn w/grt 03 Brk/Stn w/sd 04 BBQ 05 BBQ av 06 BBQ elab 07 Other 99
Total Square Feet

ROOF COVER 03 Alum 01 Fbrgl 02 Mtl Awning w/frame 03 Roof ext 04 Other 99 Tot [/]

SPAS/SAUNA 04 7x6x2.5 Spa 01 7x7x3 Spa 02 8x8x3 Spa 03 4x5 Hot Tub 04 4x6 Hot Tub 05
Sauna 3x5 06 4x6 Sauna 07 6x6 Sauna 08 6x8 Sauna 09

PAVING 05 Conc Drive 01 Conc Drive Exp Ag 02 Conc Drive Epoxied Gravel 03 Asphalt drive 04
Drive [/] Sports Court [/] Lin ft other
Curb 05 Curb & Gutter 06 Walks 07 Walks ( Extra ) 08 Sports Carpet 09 Other 99

OUTBLDGS 06 Shed Conv 01 Shed Prefab 02 LT 03 Pmpse 04 Gazebo 05 Greenhse conv 06 Greenhse Mfg 07 Oth 99
SIZE: X X X X

POOL 07 In-grnd 01 Abv grnd 02 Wading 03 Slide 04 Diving Bd 05 Pump w/filter 06 Heater elec 07
Heater gas 08 Motorized Pool Cover 09 Deck-conc on grade 10 Other 99

SPRINKLER 08 In ground automatic 01 In ground manual 02 Other 99

FENCING 09 Wood ( ) height Chain link (3.5') 10 (5') 11 Conc blk ( ) x Other 99

LIGHTING 10 Wall single 01 Wall dbl 02 Pole Mercury 03 Coach 7'plain 04 Coach 7'elab 05 Elec. eye 06

COMMENTS:

# ATTACHMENT 3

## Assessor's Records of Dwelling on TL 100 (Marquess)

Application to Coos County for Verification of Nonconforming Use  
Marquess, 88541 Windhurst Ln, Bandon  
September 2023







Search

Search History

Cart (0)

Account Paid

**Real Property**

**Situs Address**  
88541 WINDHURST LN BANDON OR 97411

**Mailing Address**  
MARQUESS LIVING TRUST  
MARQUESS, DAN W TTEE ET AL  
PO BOX 1967  
BANDON OR 97411-1967

**Map and Taxlot**  
29S1405-00-00200

**Owner**  
MARQUESS LIVING TRUST

[Related Accounts](#)

[Name Ledger](#) [Names](#)

**Assessment**

**Assessment Year** 2023

[Assessment Summary](#)

	RMV	MAV	AV
Land	\$15,607		
Improvements	\$772,660		
<b>Total</b>	<b>\$788,267</b>	<b>\$404,310</b>	<b>\$418,046</b>

<b>Account Status</b>	Active
<b>Size</b>	1.12 Acre(s)
<b>Property Class</b>	641 - IMP HIGHEST/BEST USE F
<b>Legal Description</b>	<a href="#">See Record</a>

**Improvements**

Bldg #	Year Built	Description	Livable Size	Stat Class	Code Area
1	1999	One story with attic-Class 5	3049	158	5403

# Improvement Summary

COOS County

For Assessment Year 2023

<b>Account ID</b>	1203000		
<b>Map</b>	29S1405-00-00200	<b>Situs</b>	88541 WINDHURST LN BANDON OR 97411
<b>Mailing</b>	MARQUESS LIVING TRUST MARQUESS, DAN W TTEE ET AL PO BOX 1967 BANDON OR 97411-1967		

Bldg	Code Area	Stat Class	Year Built	Comp %	Description	Sqft
1	5403	158	1999	100	158 - One story with attic-Class 5	3,049

Rooms: 4 - BD, 3 - FB, 1 - U, 1 - LR, 1 - OTH, 1 - KT, 1 - FP

### Floors

Description	Class	Comp %	OR %	Sqft
First Floor	5	100		2497
Attic	5	100		552
Garage	5	100		864

### Improvement Inventory

Description	Qty/Size	Description	Qty/Size
1001 Fndtn - Conc/Block	1	5105 CGS - Auto Opener	2
1001 Fndtn - Conc/Block	1	6007 IntComp - C'top Plastic/Lam	1
2208 Ext Dbl - Rustic	1	7002 Specialty - Intercom	1
2208 Ext Dbl - Rustic	1	8001 Plumb'g - Full Bath	3
3103 Roof - Gable - Hvy Arch Comp	0	8007 Plumb'g - Garden Tub	1
3103 Roof - Gable - Hvy Arch Comp	0	8011 Plumb'g - Kitchen Sink	1
4002 Floor - 1st Flr -Hrdwd/WdLam	1	8012 Plumb'g - Water Heater	1
4008 Floor - Concrete	1	9005 Heat'g - FHeat Pump	552
5001 Partitions - Drywall	1	9005 Heat'g - FHeat Pump	2497
5101 CGS - Wood O'hd Door	2	9103 Fireplace - Masonry Single	1
9216 Attic/Upr Sty - 3' Dormer	2		

### Accessories

Description	Size	Qty
0102 Deck - Treated or Cedar	220	
0304 Patio Roof - Roof Extension	125	
0502 Paving - Drwy/Walk Exp Agg 4"	720	
0507 Paving - Walks	760	
0102 Deck - Treated or Cedar	900	

**Total RMV**                      \$772,660

# ATTACHMENT 4

## Deed (2021-12428)

Application to Coos County for Verification of Nonconforming Use  
Marquess, 88541 Windhurst Ln, Bandon  
September 2023



RECORDING REQUESTED BY:



201 Central Avenue, PO Box 1075  
Coos Bay, OR 97420

Coos County, Oregon **2021-12428**  
**\$96.00** Pgs=3 11/04/2021 01:08 PM  
eRecorded by: TICOR TITLE COOS BAY  
Debbie Heller, CCC, Coos County Clerk

**GRANTOR'S NAME:**

Bills Creek LLC, an Oregon limited liability company

**GRANTEE'S NAME:**

Dan W. Marquess and Susan E. Marquess, Trustees of The Marquess Living Trust dated July 26, 2010 and any amendments thereto

**AFTER RECORDING RETURN TO:**

**Order No.:** 360621037076-VR  
Dan W. Marquess and Susan E. Marquess, Trustees or their successors in trust under The Marquess Living Trust dated July 26, 2010 and any amendments thereto  
P.O. Box 753  
Phoenix, OR 97535

**SEND TAX STATEMENTS TO:**

Dan W. Marquess and Susan E. Marquess, Trustees of The Marquess Living Trust dated July 26, 2010 and any amendments thereto  
P.O. Box 753  
Phoenix, OR 97535

APN: 1203000  
1203100  
Map: 29S-14W-05 TL200  
29S-14W-05 TL100  
88541 Windhurst Rd, Bandon, OR 97411-7281

SPACE ABOVE THIS LINE FOR RECORDER'S USE

**STATUTORY WARRANTY DEED**

**Bills Creek LLC, an Oregon limited liability company, Grantor, conveys and warrants to Dan W. Marquess and Susan E. Marquess, Trustees or their successors in trust under The Marquess Living Trust dated July 26, 2010 and any amendments thereto, 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:**

A parcel of land located in the East 1/2 of the NE 1/4 of Section 5, Township 29 South, Range 14 West of the Willamette Meridian, Coos County, Oregon more particularly described as follows:

Beginning at a 5/8" rebar from which the 1/4 corner between Sections 4 and 5 of said Township 29 South, Range 14 West, bears South 39° 46' 22" East a distance of 1363.56 feet; thence North 01° 09' 15" West a distance of 304.77 feet to a 5/8" rebar; thence North 33° 00' 46" West a distance of 156.91 feet to a 5/8" rebar; thence North 66° 15' 23" East a distance of 643.29 feet to a 5/8" rebar; thence South 11° 52' 56" West a distance of 536.36 feet to a 5/8" rebar; thence South 60° 09' 58" West a distance of 276.17 feet to a 5/8" rebar; thence South 77° 20' 58" West a distance of 150.87 feet, more or less, to the point of beginning.

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS SEVEN HUNDRED SIXTY THOUSAND AND NO/100 DOLLARS (\$760,000.00). (See ORS 93.030).

**Subject to:**

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

**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.**

**EXHIBIT "A"**  
Exceptions

**Subject to:**

1. Notwithstanding the covered risks as set forth in the policy, the company does not insure against loss or damage by reason of a lack of a right of access to and from the Land.
2. The Land has been classified as Forest Land, as disclosed by the tax roll. If the Land becomes disqualified, said Land may be subject to additional taxes and/or penalties.  
  
Account No.: 1203000 and 1203100
3. An Easement created by instrument, including the terms and provisions thereof,  
  
In favor of: Pacific Power & Light Company  
Recorded: July 14, 1966  
Microfilm No.: 66-07-10781
4. An Easement created by instrument, including the terms and provisions thereof,  
  
In favor of: Pacific Power & Light Company  
Recorded: October 27, 1987  
Microfilm No.: 87-5-8253
5. Final Order #06-10-128C DJC #2006 #30 in the matter of the claim for Compensation under Ballot Measure 37, including the terms and provisions thereof, recorded October 9, 2006 bearing Microfilm Reel No. 2006-13629, Records, Coos County, Oregon.
6. Terms, provisions and conditions, including, but not limited to, maintenance provisions, and a covenant to share the costs of maintenance, contained in Easement  
  
Recording Date: May 5, 2009  
Recording No.: 2009-4111
7. Easement(s) and rights incidental thereto, as granted in a document:  
  
Granted to: Guy R. Scherer and Noreen T. Scherer, husband and wife  
Recording Date: May 11, 2009  
Recording No: 2009-4303
8. Easement(s) Agreement and rights incidental thereto, as granted in a document:  
  
Between: Guy R. Scherer and Noreen T. "Noni" Scherer and C. Gregory Scherer, Guy R. Scherer and Bonnie L. Scherer Iverson (aka Bonnie L. Scherer)  
Recording Date: October 29, 2013  
Recording No: 2013-10433
9. Terms, provisions and conditions, including, but not limited to, maintenance provisions, and a covenant to share the costs of maintenance, contained in Easement,  
  
Recording Date: November 4, 2021  
Recording No.: 2021-12423

**STATUTORY WARRANTY DEED**  
(continued)

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

Dated: November 3, 2021

Bills Creek LLC, an Oregon limited liability company

BY: [Signature]  
John Roth  
Member

BY: [Signature]  
Kristina K. Campina  
Member

State of Oregon  
County of Clatsop

This instrument was acknowledged before me on NOV. 3, 2021 by John Roth, as Member for Bills Creek LLC, an Oregon limited liability company and Kristina Campina, as Member for Bills Creek LLC, an Oregon limited liability company.

[Signature]  
Notary Public - State of Oregon

My Commission Expires: 3/18/24



Unofficial Copy

# ATTACHMENT 5

Access Easements: 2013-10433 and 2009-4111

Application to Coos County for Verification of Nonconforming Use  
Marquess, 88541 Windhurst Ln, Bandon  
September 2023



After recording return to:  
Robert S. Miller III, Attorney at Law  
1010 First Street S.E., Suite 210  
Bandon, OR 97411

Send tax statements to:  
Richard Rice  
Big Horn Owl LLC, a Wyoming limited liability company  
977 Road 15, Powell, WY 82435

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

### EASEMENT AGREEMENT

Dominant Parcel: (1) Map #29S1405-00-00200, Tax Account # 1203000 and Map #29S1405-00-00100, Tax Account # 1203100, with a legal description as described in appended Exhibit "A;" and  
(2) Map # 29S1405-00-00300, Tax Account # 1203200 & 1203290, with a legal description as described in appended Exhibit "B;" and

Owner Dominant Parcel: Guy R. Scherer and Noreen T. "Noni" Scherer as to (1), above, and C. Gregory Scherer, Guy R. Scherer, and Bonnie L. Scherer Iverson (aka Bonnie L. Scherer) as to (2), above.

Servient Parcel: The property described in Coos County, Oregon Instrument # 97-11-0601 *See attached Exhibit "C"*

Owner Servient Parcel: Melvin T. Stanley

The Owner of Dominant Parcel and the Owner of Servient Parcel agree as follows: There is a permanent, perpetual, and appurtenant easement burdening Servient Parcel and benefiting Servient Parcel, for the purpose of providing ingress and egress to Windhurst Road, per the terms as described in Coos County, Oregon Instrument # 2009-4111.

*C. Gregory Scherer* as Agent under Power of Attorney *10.28.13*  
Signature of Guy Scherer for C. Gregory Scherer Date Signed

STATE OF OREGON )  
County of Coos ) ss.  
\_\_\_\_\_ )

This Easement Agreement was acknowledged before me by Guy Scherer as Agent under Power of Attorney for C. Gregory Scherer on the Date Signed, above.

*Lisa L Summa*  
Signature of Oregon Notary Public





*Melvin T. Stanley*

Signature of Melvin T. Stanley

10-28-2013

Date Signed

STATE OF OREGON )

County of Coos )

ss.

This Easement Agreement was acknowledged before me by Morgan T. Stanley on the Date Signed, above.

*Lisa L Summa*

Signature of Oregon Notary Public



Unofficial Copy



Bonnie L. Scherer Iverson  
Signature of Bonnie L. Scherer Iverson  
(aka Bonnie L. Scherer)

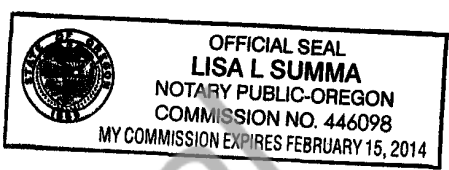
10.28.13  
Date Signed

STATE OF OREGON            )  
  )  
County of Coos                )  
\_\_\_\_\_  
  )

ss.

This Easement Agreement was acknowledged before me by Bonnie L. Scherer Iverson (aka Bonnie L. Scherer) on the Date Signed, above.

Lisa Summa  
Signature of Oregon Notary Public



Unofficial  
Copy

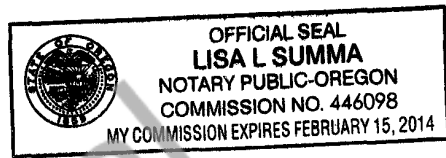
Guy R. Scherer  
Signature of Guy R. Scherer, President,  
Kids Place Farms, Inc.

10.28.13  
Date Signed

STATE OF OREGON            )  
  )  
County of Coos                )  
\_\_\_\_\_                            )  
  )            ss.

This Easement Agreement was acknowledged before me by Guy R. Scherer in his capacity as President, Kids Place Farms, Inc. on the Date Signed, above.

Lisa Summa  
Signature of Oregon Notary Public



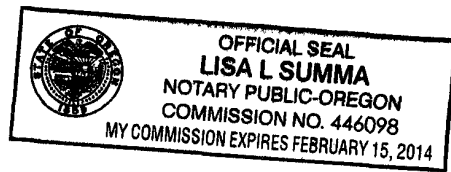
Guy R. Scherer  
Signature of Guy R. Scherer

10.28.13  
Date Signed

STATE OF OREGON            )  
  )  
County of Coos                )  
\_\_\_\_\_                            )  
  )            ss.

This Easement Agreement was acknowledged before me by Guy R. Scherer on the Date Signed, above.

Lisa Summa  
Signature of Oregon Notary Public



NOREEN T. SCHERER By Lisa L Summa POA 10.29.13  
Signature of Noreen T. "Noni" Scherer Date signed

STATE OF OREGON            )  
  )  
County of Coos                )  
  )  
  )            ss.

This Easement Agreement was acknowledged before me by Noreen T. "Noni" Scherer on the Date Signed, above.

Lisa L Summa  
Signature of Oregon Notary Public



\* by and thru  
her attorney  
in fact  
Guy R. Scherer

Unofficial  
Copy



## EXHIBIT "A"

A parcel of land located in the East 1/2 of the NE 1/4 of Section 5, Township 29 South, Range 14 West of the Willamette Meridian, Coos County, Oregon more particularly described as follows:

Beginning at a 5/8" rebar from which the 1/4 corner between Sections 4 and 5 of said Township 29 South, Range 14 West, bears South 39° 46' 22" East a distance of 1363.56 feet; thence North 01° 09' 15" West a distance of 304.77 feet to a 5/8" rebar; thence North 33° 00' 46" West a distance of 156.91 feet to a 5/8" rebar; thence North 66° 15' 23" East a distance of 643.29 feet to a 5/8" rebar; thence South 11° 52' 56" West a distance of 536.36 feet to a 5/8" rebar; thence South 60° 09' 58" West a distance of 276.17 feet to a 5/8" rebar; thence South 77° 20' 58" West a distance of 150.87 feet, more or less, to the point of beginning.

Unofficial  
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FDOR0553.rdw



Tax Lot 300: - EXHIBIT B

Government Lot 1 of Section 5, Township 29 South, Range 14 West of the Willamette Meridian, Coos County, Oregon.

The SW ¼ of the NE ¼ of Section 5, Township 29 South, Range 14 West of the Willamette Meridian, Coos County, Oregon.

The SE ¼ of the NE ¼ of Section 5, Township 29 South, Range 14 West of the Willamette Meridian, Coos County, Oregon.

SAVING AND EXCEPTING THEREFROM: Beginning at a point 400 feet West of the Southeast corner of the SE ¼ of the NE ¼ of Section 5, Township 29 South, Range 14 West of the Willamette Meridian, Coos County, Oregon; thence North 100 feet; thence West 300 feet; thence South 100 feet; thence East 300 feet to the point of beginning.

ALSO EXCEPTING THEREFROM a parcel of land located in the East 1/2 of the NE 1/4 of Section 5, Township 29 South, Range 14 West of the Willamette Meridian, Coos County, Oregon more particularly described as follows:

Beginning at a 5/8" rebar from which the 1/4 corner between Sections 4 and 5 of said Township 29 South, Range 14 West, bears South 39° 46' 22" East a distance of 1363.56 feet; thence North 01° 09' 15" West a distance of 304.77 feet to a 5/8" rebar; thence North 33° 00' 46" West a distance of 156.91 feet to a 5/8" rebar; thence North 66° 15' 23" East a distance of 643.29 feet to a 5/8" rebar; thence South 11° 52' 56" West a distance of 536.36 feet to a 5/8" rebar; thence South 60° 09' 58" West a distance of 276.17 feet to a 5/8" rebar; thence South 77° 20' 58" West a distance of 150.87 feet, more or less, to the point of beginning.

Unofficial Copy



EXHIBIT "C"

All that portion of the East half of the Northwest quarter of the Southeast quarter lying North of the Windhurst County Road. Said road being more particularly described in instrument dated June 14, 1974, recorded June 26, 1974 as Microfilm Reel No. 74-6-101421, records of Coos County, Oregon and all in Section 5, Township 29 South, Range 14 West of the Willamette Meridian, Coos County, Oregon. Excepting all oil, gas and mineral rights reserved by Scott Paper Company in deed recorded April 19, 1963 in Book 300, Page 423 Deed Records of Coos County, Oregon.

Unofficial  
Copy



**EASEMENT**

**Recording Requested By:**

Melvin T. Stanley & Virginia M. Stanley  
88537 Windhurst  
P.O. Box 307  
Bandon, OR 97411

and

Kids Place Farm, Inc.  
P.O. Box 503  
Bandon, OR 97411

**After recording return to:**

Ronald S. Yockim  
P.O. Box 2456  
Roseburg, OR 97470

CONSIDERATION = \$10.00

**THIS AGREEMENT** made and entered into on <sup>MAY</sup> ~~April~~ 4, 2009, by and between Melvin T. Stanley and Virginia M. Stanley, (Grantors), and Kids Place Farm, Inc., (Grantees).

**WITNESSETH:**

**WHEREAS:** The first party is the owner of the following described real property in Coos County, State of Oregon, to-wit:

That parcel described in Instrument No. 97-11-0601, Grantor's hereby grants a 14 ft. non-exclusive easement for ingress and egress 7 ft. either side of the existing centerline of a private road that runs Northerly from Windhurst Road across the Eastern portion of the Grantor's property to KIDS PLACE FARM, INC., an Oregon Corporation, its heirs or assigns, Grantee, the owner of that parcel described in Instrument No. 98-05-0928. The existing road shall be maintained by the Grantee's or their heirs or assigns at Grantees expense.

Pertinent to the property described in Instrument No. 98-05-0928.

**THE TERMS OF THESE EASEMENTS** are as follows:

- 1) Grantee, its successors and assigns, is hereby granted the right to construct, maintain, repair, and use the easement properties for road purposes to serve Grantees. Grantee shall have the right but not the obligation to construct, maintain, and/or repair the roadway on the easement properties.
- 2) Grantor and Grantee agree to indemnify and hold harmless each other for any damage or liability or claims made against the other party by a third party as a result of the negligent use of the easement properties by the other party or their licensees, permittees or agents.



- 3) All taxes attributable to the easement properties shall be the responsibility of Grantor, its successors and assigns.
- 4) The true and actual consideration for this conveyance herein is \$10.00.
- 5) No gates shall be placed upon the easement properties other than upon mutual agreement of the parties.
- 6) This agreement shall be binding upon and inure to the benefit of the respective successors and assigns of the parties hereto.
- 7) There are no third party beneficiaries to this Easement Agreement.

IN WITNESS WHEREOF, the parties have caused this Easement to be executed on

April 4, 2009.

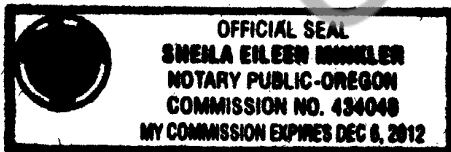
MAY  
MIS

*Melvin T. Stanley*  
MELVIN T. STANLEY

STATE OF OREGON )  
 )  
County of Coos )

ss.

Personally appeared the above named **Melvin T. Stanley** and acknowledged the foregoing instrument to be his voluntary act and deed.



Notary done 5/4/09 sm

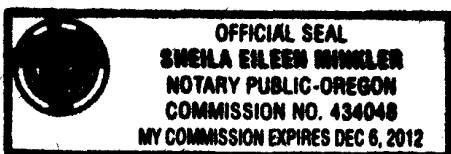
*Shwela Eileen Minkler*  
Notary Public for Oregon  
My Commission Expires: 12-6-12

*Virginia M. Stanley*  
VIRGINIA M. STANLEY

STATE OF OREGON )  
 )  
County of Coos )

ss.

Personally appeared the above named **Virginia M. Stanley** and acknowledged the foregoing instrument to be her voluntary act and deed.



Notary done 5/4/09 sm  
Page 2 of 2 - EASEMENT

*Shwela Eileen Minkler*  
Notary Public for Oregon  
My Commission Expires: 12-6-12