



Coos County Land Use Permit 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 PHONE: 541-396-7770

ACU-22-008

FILE NUMBER: P-22-003

Date Received: 3/9/22 Receipt #: 231813 Received by: MB

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) 2018 Neil Family Revocable Trust

Mailing address: 1645 Quiet Oaks Drive, Arroyo Grande, CA 93420

Phone: _____ Email: _____

Township:	Range:	Section:	¼ Section:	1/16 Section:	Tax lots:
<u>24S</u>	<u>13W</u>	<u>11</u>	<u>C</u>	<u>Select</u>	<u>603</u>
Select	Select	Select	Select	Select	

Tax Account Number(s): 165204 Zone: Select Zone Commercial-1 (C-1)
Tax Account Number(s) _____ Please Select _____

B. Applicant(s) Coos Curry Consulting

Mailing address: P.O. Box 1548, Bandon, OR 97411

Phone: 541-982-9531 cooscurry@gmail.com

C. Consultant or Agent: Sheri McGrath

Mailing Address P.O. Box 1548, Bandon, OR 97411

Phone #: 541-982-9531 Email: cooscurry@gmail.com

Type of Application Requested

- | | | |
|----------------------------------------------|---------------------------------------------------------------------------------|-------------------------------------------------------------------|
| <input type="checkbox"/> Comp Plan Amendment | <input checked="" type="checkbox"/> Administrative Conditional Use Review - ACU | <input checked="" type="checkbox"/> Land Division - P, SUB or PUD |
| <input type="checkbox"/> Text Amendment | <input type="checkbox"/> Hearings Body Conditional Use Review - HBCU | <input type="checkbox"/> Family/Medical Hardship Dwelling |
| <input type="checkbox"/> Map - Rezone | <input type="checkbox"/> Variance - V | <input type="checkbox"/> Home Occupation/Cottage Industry |

Special Districts and Services

Water Service Type: On-Site (Well or Spring) Sewage Disposal Type: On-Site Septic
School District: North Bend Fire District: Coos Forest Protective Association

Please include the supplement application with request. If you need assistance with the application or supplemental application please contact staff. Staff is not able to provide legal advice. If you need help with findings please contact a land use attorney or consultant.

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](#)

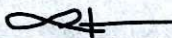
D. **ATTACHED WRITTEN STATEMENT.** With all land use applications, the "burden of proof" is on the applicant. It is important that you provide information that clearly describes the nature of the request and indicates how the proposal complies with all of the applicable criteria within the Coos County 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. A written statement of intent, attached to this application, with necessary supporting evidence which fully and factually describes the following:
1. 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.
 2. A description of the property in question, including, but not limited to the following: size, vegetation, crops grown, access, existing buildings, topography, etc.
 3. A complete description of the request, including any new structures proposed.
 4. If applicable, documentation from sewer and water district showing availability for connection.
- II. A plot plan (map) of the property. Please indicate the following on your plot plan:
1. Location of all existing and proposed buildings and structures
 2. Existing County Road, public right-of-way or other means of legal access
 3. Location of any existing septic systems and designated repair areas
 4. Limits of 100-year floodplain elevation (if applicable)
 5. Vegetation on the property
 6. Location of any outstanding physical features
 7. Location and description (paved, gravel, etc.) of vehicular access to the dwelling location
- III. A copy of the current deed, including the legal description, of the subject property. Copies may be obtained at the Coos County Clerk's Office.

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 the application is signed by an agent, the owner's written authorization must be attached.

If this application is refereed 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. Signatures required below for application processing.



ACCESS INFORMATION

The Coos County Road Department will be reviewing your proposal for safe access, driveway, road, and parking standards. There is a fee for this service. If you have questions about these services please contact the Road Department at 541-396-7660.

Property Address: _____

Type of Access: Public Road Name of Access: Hauser Road

Is this property in the Urban Growth Boundary? No

Is a new road created as part of this request? No

Required parking spaces are based on the use of the property. If this is for a residential use two spaces are required. Any other use will require a separate parking plan submitted that is required to have the following items:

- Current utilities and proposed utilities;
- Roadmaster may require drawings and specs from the Oregon Standards Specification Manual (OSSC) (current edition).
- The location and design of bicycle and pedestrian facilities shall be indicated on the site plan if this is a parking plan;
- Location of existing and proposed access point(s) on both sides of the road where applicable;
- Pedestrian access and circulation will be required if applicable. Internal pedestrian circulation shall be provided in new commercial, office, and multi-family residential developments through the clustering of buildings, construction of walkways, landscaping, accessways, or similar techniques;
- All plans (industrial and commercial) shall clearly show how the internal pedestrian and bicycle facilities of the site connect with external existing or planned facilities or systems;
- Distances to neighboring constructed access points, median openings (where applicable), traffic signals (where applicable), intersections, and other transportation features on both sides of the property;
- Number and direction of lanes to be constructed on the road plus striping plans;
- All planned transportation features (such as sidewalks, bikeways, auxiliary lanes, signals, etc.); and
- Parking and internal circulation plans including walkways and bikeways, in UGB's and UUC's.

Additional requirements that may apply depending on size of proposed development.

- a. Traffic Study completed by a registered traffic engineer.
- b. Access Analysis completed by a registered traffic engineer
- c. Sight Distance Certification from a registered traffic engineer.

Regulations regarding roads, driveways, access and parking standards can be found in Coos County Zoning and Land Development Ordinance (CCZLDO) Article 7.

By signing the application I am authorizing Coos County Roadmaster or designee to enter the property to determine compliance with Access, Parking, driveway and Road Standards. Inspections should be made by calling the Road Department at 541-396-7660

Coos County Road Department Use Only

Roadmaster or designee: _____

Driveway Parking Access Bonded Date: Receipt # _____

File Number: DR-21-

ADDRESS OF DRIVEWAY #1 CLOSEST TO YOUR
NEW DRIVEWAY: 68868 Hauser Road

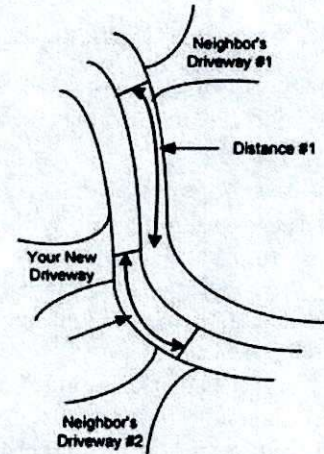
DISTANCE FROM DRIVEWAY #1 TO YOUR NEW
DRIVEWAY: 50'

Is this driveway on the same side of the road as your
Driveway: No

ADDRESS OF DRIVEWAY #2 CLOSEST TO YOUR
NEW DRIVEWAY: 68508 Hwy 101

DISTANCE FROM DRIVEWAY #2 TO YOUR NEW
DRIVEWAY: 50'

Is this driveway on the same side of the road as your
Driveway: Yes



The distance information is important from your new driveway to the closest driveways on either side of you (doesn't matter which side of the road) and what the addresses are to those two driveways. This information is important to include in the formula used to calculate the correct address.

Staff from the County Road Department will place the stake and once the driveway stake has been placed, it must not be moved. If your stake is removed or damaged you may purchase replacements.

Additional Notes or directions:

The application is for a Partition into three lots along with a Conditional Use Permit to bring one storage structure into compliance which was sited without permits. Two of the Three lots will contain a structure and need addresses. One address has already been paid for. The third lot will apply at a later date when development is proposed.

This application is not required.

SANITATION INFORMATION

If this is a request for a recreational, commercial, industrial, vacation rental, manufactured home park, mass or small gathering Coos Health and Wellness, Environmental Health Staff will be reviewing the proposal to ensure the use meets environmental health standards for sanitation and water requirements to serve the facility. If the proposal indicates that you are using a community water system a review may be required. A fee is charged for this service and shall be submitted with the application \$83.00. If you have questions about regulations regarding environmental health services please call 541-266-6720. This form is required to be signed off for any type of subdivision, recreational, commercial, industrial, vacation rental, manufactured home park, mass or small gathering.

Water Service Type: Select **N/A for this use** Sewage Disposal Type: Select **N/A for this use**

Please check if this request is for industrial, commercial, recreational or home base business use and complete the following questions:

- How many employees/vendors/patrons, total, will be on site?
- Will food be offered as part of the an on-site business?
- Will overnight accommodations be offered as part of an on-site business?
- What will be the hours of operation of the business?

Please check if the request is for a land division.

Coos County Environmental Health Use Only:

Staff Reviewing Application: _____

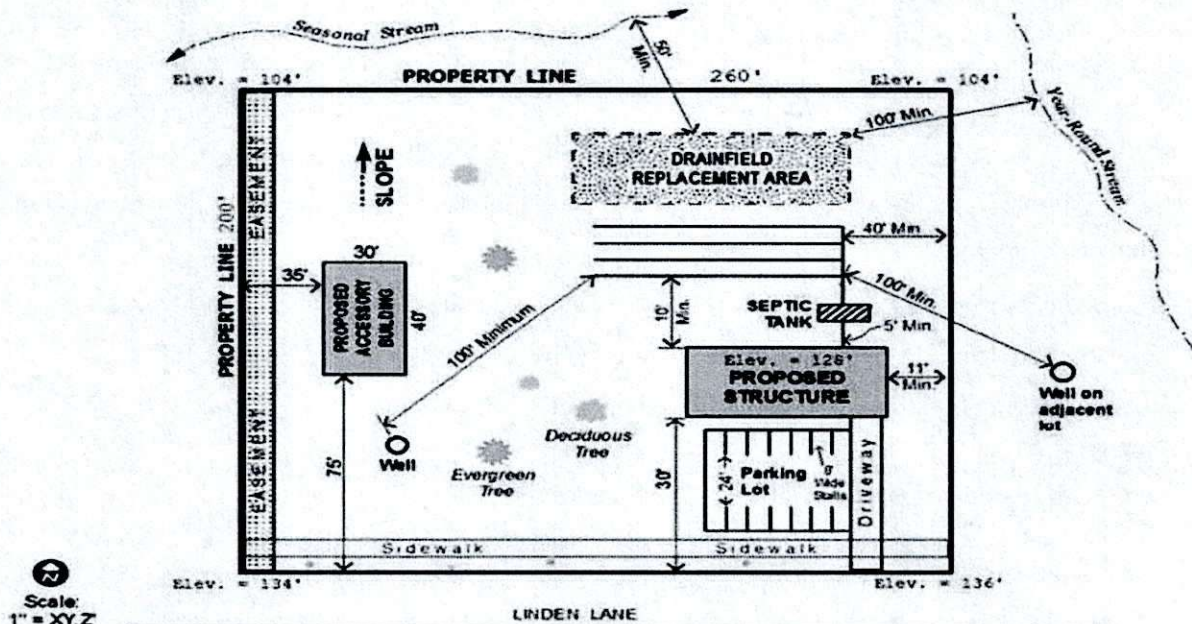
Staff Signature: _____

- This application is found to be in compliance and will require no additional inspections
- This application is found to be in compliance but will require future inspections
- This application will require inspection prior to determining initial compliance. The applicant shall contact Coos Health and Wellness, Environmental Health Division to make an appointment.

Additional Comments:

Plot Plan
The grid for the plot plan is found on the next page

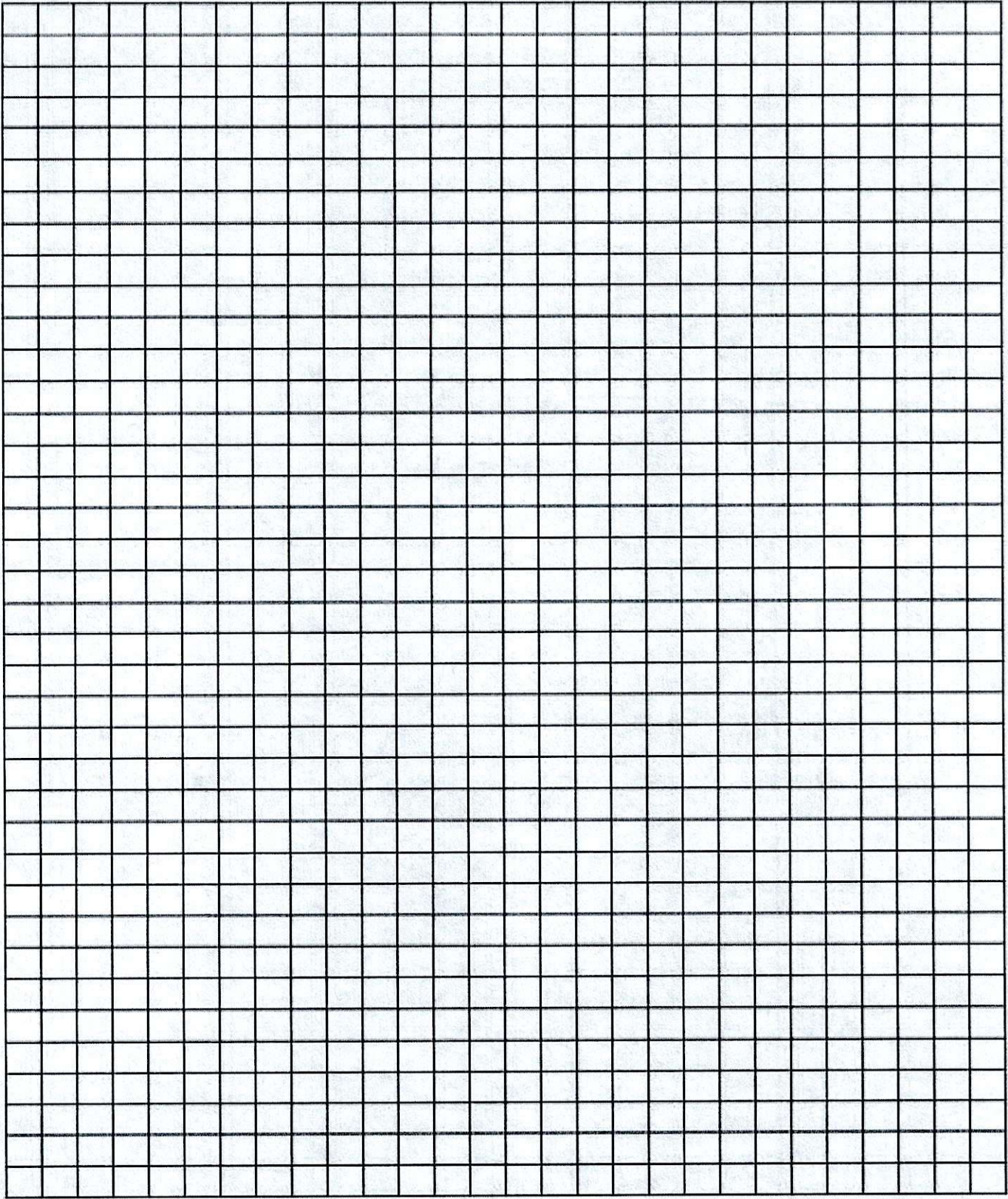
SAMPLE PLOT PLAN



ITEMS THAT MUST BE ON THE PLOT PLAN:

At a minimum, the site plan should provide information on the following items:

- Existing and proposed lot lines, lot or parcel numbers, and acreage/square footage of lots.
- Dimensions of all illustrated features (i.e. all structures, septic systems, driveways, roads, etc.)
- Significant natural features (slopes greater than 20%, geologic hazards, wetlands, drainage ways, rivers, streams, and the general location of existing trees, etc.).
- Existing easements (access, storm drainage, utility, etc.).
- Existing and proposed (structures, outbuildings, septic, etc.) on site and on adjoining properties.
- Existing and proposed road locations including widths, curbs, and sidewalks.
- Existing and proposed driveway approach locations on site, existing driveway approaches on adjoining properties on the same side of the street, and existing driveway approaches across the street from the site.
- Contiguous properties under the same ownership.
- General predevelopment topographical information (minimum 10' contour intervals).
- Location of utilities.
- If redevelopment is viable in the future, a redevelopment plan should be included.
- Preliminary site utility plan.
- Please add any additional Road or parking items from the parking form.



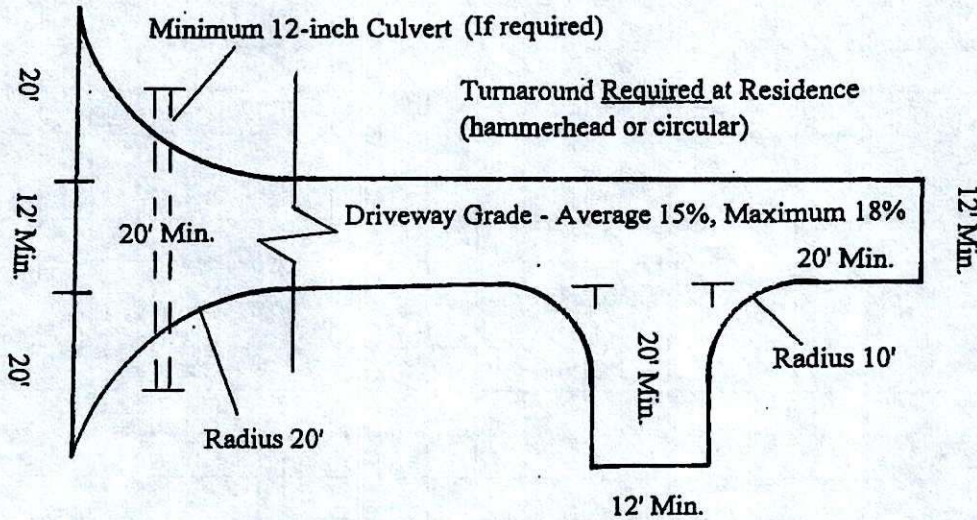
**ADDITIONAL DRIVEWAY, ROAD, PARKING STANDARDS
DRIVEWAY STANDARDS DRAWING – SINGLE RESIDENCE**

Sight Distance Requirements (at the approach entrance)

- Speed less than 35 mph – 100' both directions
- Speed greater than 35mph – 150' both directions

All Weather Surface – minimum 4 – inches aggregate base or as required by Roadmaster.

Figure 7.1.425



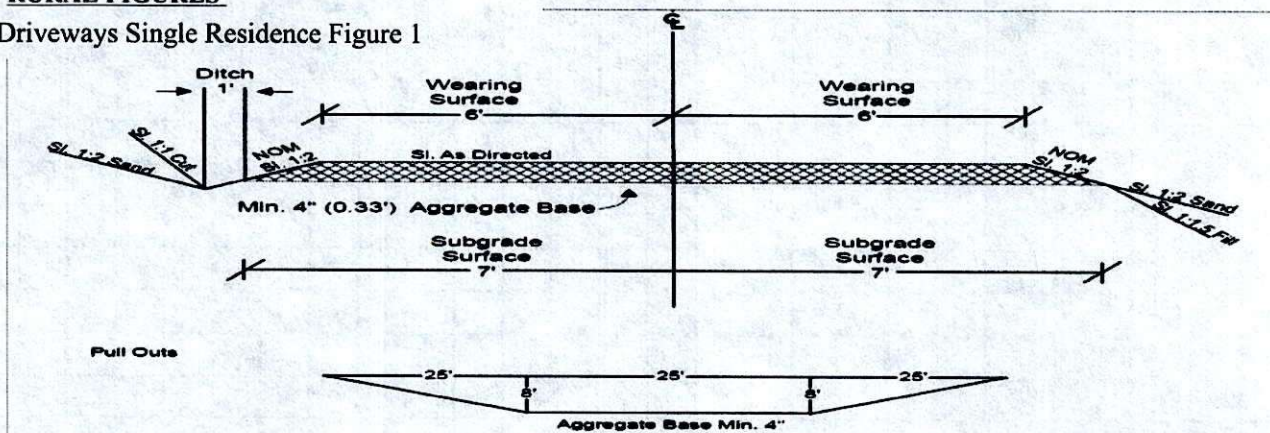
Construct appropriate ditches to prevent water runoff from discharging from the land onto a public road under county jurisdiction. Pursuant to ORS 368.256 the creation of a road hazard prohibited.

If driveway is over 1,000 ft., a pullout is required every 600 ft.

If a driveway cannot meet the maximum 18% grade then a legal agreement may be signed and recorded at the County Clerk's office releasing the County from any liability from such driveway development. This document must be referenced on the property deed to allow future purchasers know that the driveway does meet standard. A sign shall be placed at the bottom of the driveway to warn any users of the driveway that it is not built to standard. Proof must be filed with the Planning and Road Department that the documents have been filed and a sign has been placed. The form located on the following page must be completed, signed and recorded prior to any land use authorizations.

RURAL FIGURES

Driveways Single Residence Figure 1



FORESTRY, MINING OR AGRICULTURAL ACCESS:

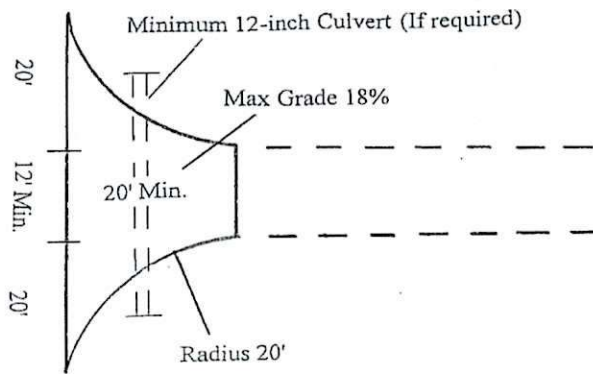
A private road which is created to provide ingress or egress in conjunction with the use of land for forestry, mining or agricultural purposes shall not be required to meet minimum road, bridge or driveway standards set forth in this ordinance, nor are such resource-related roads, bridges or driveways reviewable by the County. However, all new and re-opened forestry, mining or agricultural roads shall meet the access standards listed in this section.

Forestry, Mining or Agricultural Access Standard drawing
Sight Distance Requirements (at the approach entrance)

- Speed less than 35 mph – 100’ both directions
- Speed greater than 35 mph – 150’ both directions

All Weather Surfaces – minimum aggregate base as required by the Roadmaster
The access will be developed from the edge of the developed road.

Figure 7.1.450

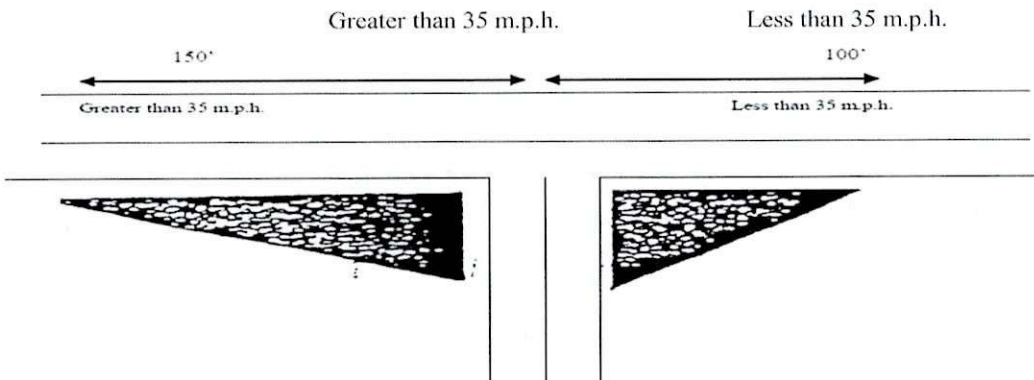


Construct appropriate ditches to prevent water runoff from discharging from the land onto a road under county jurisdiction. Pursuant to ORS 368.256 creation of a road hazard is prohibited.

VISION CLEARANCE TRIANGLE:

The following regulations shall apply to all intersections of streets and roads within all districts in order to provide adequate visibility for vehicular traffic. There shall be no visual obstructions over thirty-six (36) inches in height within the clear vision area established herein. In addition to street or road intersections, the provisions of this section shall also apply to mobile home park, recreational vehicle park, and campground accesses (entrances or exists).

The clear vision area shall extend along the right-of-way of the street for a minimum of 100 feet where the speed limit is less than 35 M.P.H.; and not less than 150 feet where the speed limit is greater than 35 m.p.h. The clear vision area shall be effective from a point in the center of the access not less than 25 feet back from the street right-of-way line.



PARKING STANDARDS

USE	STANDARD
Retail store and general commercial except as provided in subsection b. of this section.	1 space per 200 square feet of floor area, plus 1 space per employee. 1 Bicycle space
Retail store handling bulky merchandise (furniture, appliances, automobiles, machinery, etc.)	1 space per 600 square feet of floor area, plus 1 space per employee. 1 Bicycle space
Bank, general office, (except medical and dental).	1 space per 600 square feet of floor area, plus 1 space per employee. 1 Bicycle space
Medical or dental clinic or office.	1 ½ space per examination room plus 1 space per employee. 1 Bicycle space
Eating or drinking establishment.	1 space per 200 square feet of floor area, plus 1 space for every 4 seats. 1 Bicycle space
Bowling Alley	5 spaces per alley plus 1 space per 2 employees. 1 Bicycle space
Dance hall, skating rink, lodge hall.	1 space per 100 square feet of floor area plus 1 space per 2 employees. 1 Bicycle space
Stadium, arena, theater, race track	1 space per 4 seats or every 8 feet of bench length or equivalent capacity if no seating is provided. 1 Bicycle space
Storage warehouse, manufacturing establishment, or trucking freight terminal	1 space per employee. 1 Bicycle space
Wholesale establishment.	1 space per employee plus 1 space per 700 square feet of patron serving area. 1 Bicycle space
Welfare or correctional institution	1 space per 5 beds for patients or inmates, plus 1 space per employee. 1 Bicycle space
Convalescent hospital, nursing home, sanitarium, rest home, home for the aged.	1 space per 5 beds for patients or residents, plus 1 space per employee. 1 Bicycle space
Church, mortuary, sports arena, theater.	1 space for 4 seats or every 8 feet of bench length in the main auditorium. 1 Bicycle space
Library, reading room.	1 space per 400 square feet of floor area plus 1 space per employee. 1 Bicycle space
Preschool nursery, kindergarten.	2 spaces per teacher; plus off-street loading and unloading facility. 1 Bicycle space per 20 students
Elementary or junior high school.	1 space per classroom plus 1 space per administrative employee or 1 space per 4 seats or every 8 feet of bench length in the auditorium or assembly room whichever is greater. 1 Bicycle space per 10 students
High school	1 space per classroom plus 1 space per administrative employee plus 1 space for each 6 students or 1 space per 4 seats or 8 feet of bench length in the main Auditorium, whichever is greater. 1 Bicycle space per 20 students

Other auditorium, meeting room.	1 space per 4 seats or every 8 feet of bench length. 1 Bicycle space
Single-family dwelling.	2 spaces per dwelling unit.
Two-family or multi-family dwellings.	1 ½ spaces per dwelling unit. 1 bicycle space per unit for buildings with 4 or more units.
Motel, hotel, rooming or boarding house.	1 space per guest accommodation plus 1 space per employee.
Mobile home or RV park.	1 ½ spaces per mobile home or RV site.

Parking lot standards – Use the table above along with the area available to calculate the number of spaces required and determine the type of parking lot that needs to be created. The table below explains the spacing and dimensions to be used.

Minimum Horizontal Parking Widths for Standard Automobiles					
	One-way Parallel	30 deg	45 deg	60 deg	90 deg
Figures	A	B	C	D	E
Single row of Parking					
Parking Aisle	9'	20'	22'	23'	20'
Driving Aisle	12'	16'	17'	20'	24'
Minimum width of module (row and aisle)	21'	36'	39'	43'	44'
Figures #'s					
	F	G	H	I	J
Two Rows of Parking					
Parking Aisle	18'	40'	44'	46'	40'
Driving Aisle	12'	16'	17'	20'	24'
Minimum width of module (row and aisle)	30'	56'	61'	66'	64'

For figures please see Coos County Zoning and Land Development Ordinance (CCZLDO) § 7.5.175.

Please note: If you are developing in any wetlands or floodplain please contact Department of State Lands to ensure you are not required to obtain a state permit.

Coos Curry Consulting Group
P.O. Box 1548 * Bandon, Oregon 97411
cooscurry@gmail.com
541-982-9531

CONSENT FOR REPRESENTATION

I, Darby Neil of 1645 Quiet Oaks Dr. Arroyo Grande, CA 93420 give
permission to Coos Curry Consulting Group to represent me on all design, permit and
consulting matters concerning the property located on Coos County Tax Assessor's
Map 24-13-11C TL 603. The tax account for this property is 165204.

Sheri McGrath is the direct contact for all permit application questions, plan review
comments, concerns or questions, and any other information related to the above
property.

Contact information for Sheri McGrath is:

Cell: 541-982-9531
E-mail: cooscurry@gmail.com
Mailing address: P.O. Box 1548, Bandon, OR 97411

This consent automatically expires twelve months from the date below, without
requirement of notice.

DATED: 11 / 19, 2021

COOS CURRY CONSULTING GROUP


By: SHERI MCGRATH

CLIENT


By: NEIL FAMILY REVOCABLE TRUST 2018 % DARBY NEIL

March 8, 2022

APPLICATION FOR A LAND PARTITION AND CONDITIONAL USE IN THE C-1 ZONE

24-13-11C TL 603

Tax Account #165204

PROPERTY OWNER

2018 Neil Family Revocable Trust

Darby Neil

1645 Quiet Oaks Drive

Arroyo Grande, CA 93420

APPLICANT

Coos Curry Consulting

P.O. Box 1548

Bandon, OR 97411

Office Contact:

Sheri McGrath

cooscurry@gmail.com

541-982-9531

EXISTING PROPERTY CONDITIONS

The subject property is located in Hauser, found in Coos County, Oregon. The property is known as Tax Lot 603 on the Coos County Tax Assessor's Map 24-13-11C. The property is located in the C-1 zoning district and is .77 acres in size. There is not a situs address for this property, though access is off of Hauser Road.

Existing development includes two structures rented as storage units. One of the structures was approved by ACU-91-69 and is 3,840sf in size. The second structure was sited without a permit, by a previous owner, and is 1,600sf in size. Google Imagery suggests the placement of the second structure to have been between August 2003 and April 2004. The lot is primarily cleared and rocked, but there is a small vegetation buffer along the south property line that consists of native bushes and trees. The property is not used for farming or forest practices.

PROPOSED PROPERTY CONDITIONS

Development in Rural Unincorporated Communities shall not exceed 4,000 square feet of floor space, therefore the applicant is requesting a land division to create three legal parcels. A minimum of two parcels is required to bring the second structure into full compliance. Each parcel has been laid out to accomplish a minimum 5' setback to each property line from the existing foundations. Road access can be maintained to all sides of the structures through a shared access and parking easement. There is no current or proposed development for the

third parcel. Currently, that parcel is a gravel parking lot for long term storage of recreation related equipment- travel trailers, boats, etc.

Because the second structure was sited without a permit, a Conditional Use Permit application is also required for compliance. The request for a storage unit on the newly created Parcel 2 is included with this application. The applicant has requested a Consolidation of the Conditional Use Permit and the Land Division whereas the approvals are combined and a condition of approval will require the land division to be completed before issuance of the conditional use permit.

COOS COUNTY ZONING AND LAND DEVELOPMENT ORDINANCE (CCZLDO) FINDINGS OF FACT

2.1.200

Commercial Uses is defined as “privately-owned or operated facility or place of business open to the public for sale of goods or services.” *The existing use is commercial in nature and is a storage rental facility.*

Conditional Use is defined as “applied to a use which may be permitted by the issuance of a conditional use permit.” *An Administrative Conditional Use Permit has been submitted along with these findings and the appropriate fee.*

Compatibility means that “the proposed use is capable of existing together with the surrounding uses without discord or disharmony. The test is where the proposed use is compatible with the existing surrounding uses, and not potential or future uses in the surround area. The surrounding area consists of the notification area for the project.” *The area is dedicated to ATV rentals and storage rental units. The existing and proposed use is compatible with existing uses and future proposed uses in this area.*

Easement is “a right given by the owner of land to another party for a specific limited use of that land.” *The applicant is proposing a shared parking and access to benefit all three parcels. Parking and roads are already installed.*

Evidence is defined as “facts, documents, data or other information offered to demonstrate compliance or noncompliance with the standards believed by the proponent to be relevant to the decision.” *The applicant has provided Google Earth Imagery showing the development history of the property along with findings, surveys, maps and other relevant information.*

Partition Land means “to divide land into two or three parcels of land within a calendar year, but does not include: (a) A division of land resulting from a lien foreclosure, foreclosure of a recorded contract for the sale of real property or the creation of cemetery lots; or (b) An adjustment of a property line by the relocation of a common boundary where an additional unit of land is not created and where

the existing unit of land reduced in size by the adjustment complies with all applicable provisions of this Ordinance. (c) A sale or grant by a person to a public agency or public body for state highway, county road or other right-of-way purposes provided that such road or right-of-way complies with the applicable sections of this ordinance." *The applicant is requesting a partition of Tax Lot 603 into 3 legally created parcels.*

Partition Plat Includes "a final map and other writing containing all the descriptions, locations, dedications, specifications, provisions, and information concerning a partition." *The applicant has submitted a tentative plat created by Hostetter Land Surveying for the proposed partition.*

Zoning District is defined as, "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." *The subject property is located within the C-1 Zoning District.*

- 4.2.300 The intent of the C-1 zoning district is primarily for urban growth areas, but also applies to areas that are committed to commercial development. *The existing development is in a committed area and is considered compatible.*
- 4.3.210(79) Storage Facilities including parking lots and mini-storage are permitted as an Administrative Conditional Use in the C-1 zone. *One of the storage units was approved through ACU-91-69. Clearance for the second structure is requested in this application for a Land Division and Conditional Use Permit.*
- 4.3.220(5) The proposed development is required to demonstrate compatibility with the surrounding properties. Compatibility means that the proposed use is capable of existing with the surrounding uses without discord. *The existing use was found to be compatible in 1991 when ACU-91-69 was issued. The proposed use is for a land partition and the siting of a second storage facility. The area comprises storage units, ATV rentals and other recreational facilities. Due to the nature of storage units, hours of operation, lighting, noise and traffic are considered minimal and compatible with the neighboring properties.*
- 4.3.225(4) New lots and parcels shall have minimum street frontage of 30' and depth of lot of at least 50'. *The proposed partition shows that the lots meet the minimum lot size requirements.*
- 4.3.225(5) All required parking is subject to Chapter VII. *The applicant has provided adequate parking for the storage facility use.*
- 4.3.225(7) All development, except fences, shall be set back a minimum of 35' from the center of a right of way. *The proposed replacement dwelling will exceed the*

minimum setback requirements of 35' from right of ways and 5' minimum setback to other property lines.

- 4.3.230(5) The siting standards for all uses in the C-1 zoning district are as follows:
- (a. The minimum lot size of 30'x50' must be met.
The applicant meets the minimum lot standards
 - (b. The building setbacks are met.
The applicant exceeds a 35' setback from the center of the right of way. The rear and side yard setbacks exceed 5'.
 - (c. The building height limits are met.
The existing structures are one story and exceed this requirement.
 - (d. Rural unincorporated communities shall have a floor space limitation of 4000sf maximum.
The existing development is exceeds 4000sf which is why a land partition is proposed. The partition will allow each structure to be placed on its own parcel of land and not to exceed 4000sf of floor area.
 - (e, 1. The landscape shall minimize soil erosion.
The property has been graded and covered in rock. The area of natural vegetation is native and undisturbed. An erosion control plan is not needed for this site.
 - (e, 2. Lights shall be arranged to reflect light away from abutting residential.
All lights will be downward facing.
 - (e,3. Exposed storage areas and service areas are subject to the setbacks and screening methods.
There are no exposed areas to screen. All uses are within the walls of the storage units.
 - (e,4. Trash service shall be provided to the facility and identified on the plot plan.
Trash service is not required for this type of business.
 - (e,5. Hours of operation may be required in areas that are predominantly residential in use.
The surrounding area is not residential in use, and tenants can access their storage units during most hours of the day.

5.0.400 Applications for more than one land use decision on the same property may be submitted together for concurrent review. *The applicant has requested the*

consolidation of the Land Division and Conditional Use Permit for the storage unit on the newly created Parcel 2.

- 5.2.100 Conditional uses are discretionary reviews because not all of the approval requirements are objective. *The conditional use is for the after the fact siting of a storage facility on the subject property. A land division is required to allow for the building square footage.*
- 6.1.125 The parcel is considered lawfully created. *The parcel was lawfully created through the land division process as evidenced on Plat 1997-29.*
- 6.2.125 The land division process must be completed before negotiating the sale of property, installing roads and placing other development. *The applicant is requesting after the fact clearance for the siting of a storage unit facility on the property without permits and before the land division was applied for. No new development is proposed at this time.*
- 6.2.150 All divisions of land shall conform with the applicable regulations and specifications of Chapters 3, 4, and 7. *The applicant is confident that the land division request meets all applicable regulations and specifications. A conditional use permit application has been submitted for the unpermitted structure.*
- 6.2.275 Definitions specific to the land division process include the following relevant for this specific proposal.
- Easement is to “grant one or more property rights by a property owner to the public or another person or entity.” *The applicant is proposing an easement for shared access and parking for use by and maintained by all three proposed parcels of land.*
- Final plat is “a plat for the partitioning of land, duly submitted to the Planning Director and conforming in all respects to the requirements of the Ordinance and meets the requirements of Article 6.7.” *The applicant has applied for the partitioning of three parcels per the zoning ordinance and has met the applicable criteria. A final plat will be submitted once the tentative plat is approved.*
- Land Division is “the act of dividing property into a partition or subdivision. *The applicant has applied for a partition into three parcels.*
- Parcel is “a unit of land that is created by a partitioning of land. *The applicant has applied for a partition into three parcels.*
- Parent Parcel is “the most recent legal lot.” *The current parcel is known as Lot 11 on P1997-29.*

Partition is, "an act of partitioning land or an area or tract of land partitioned." *The applicant has applied for a partition into three parcels.*

Partition Land means, "to divide land into two or three parcels of land within a calendar year, and does not include items listed as 'a-c'." *The applicant has applied for a partition of three parcels within one calendar year. Applicable exclusions listed as "a-c" are not applicable to the request.*

Partition Plat includes "a final map and other writing containing all of descriptions, locations, dedications, specifications, provisions, and information concerning a partition." *The applicant has applied for the partition with the required documentation at this time. A final plat with legal descriptions will be provided when the tentative plat is approved.*

Partitioner is "a person or applicant that submits a partition application." *The applicant has been tasked to apply for the partition by the legal owner of the property. The survey work and partition plat have been created by a licensed professional land surveyor.*

Flag Lot is "a lot not meeting the minimum frontage requirements and where access to the public road is by a narrow private right of way." *The proposed partition is for three parcels of land. One has a flag lot configuration, yet it meets the minimum frontage requirement of 30'. It is not considered a true flag lot for this reason. Access will be shared by all properties, and the need for a narrow private driveway is not relevant to this partition request.*

Tentative Plan Map is "a map setting forth the proposed plan of partitioning in conformance with the provisions of this Ordinance and subject to review and modification." *The applicant has provided a tentative plan map.*

- 6.2.300 This section outlines the steps taken for an application for a partition from start to finish. *The applicant understands the timeline and each step that is required to be taken.*
- 6.2.350 This section outlines the requirements for a tentative plan map. *The applicant is confident that the required criteria have been included on the map.*
- 6.2.375 This section outlines the review process for a tentative plan map. *The applicant is aware of the steps and noticing time lines.*
- 6.2.500 Easements shall comply with the applicable portions of the code. *The applicant is proposing a shared access and parking easement.*

- 6.2.525(1) Lot and parcel sizes shall meet the minimum lot sizes as established by the zoning district. *There is not a minimum lot size in the C-1 zone. Each proposed parcel can meet the maximum square footage requirements for development in an unincorporated area.*
- 6.2.525(4) Panhandle lots are considered an acceptable method of land division. Also referred to as a Flag Lot. *The applicant is proposing one panhandle lot in order to create access to the existing structure on site.*
- 6.2.525(5) The dimensional standards of the zone shall apply to the land division and creation of a new lot. *Each proposed parcel can meet the maximum square footage requirements for development in an unincorporated area.*
- 6.2.550 Improvements shall conform to the following standards:
- (1. Proof of adequate water supply.
Water is not required for the existing and proposed use of the property, ie: storage unit facilities.
 - (2. Sewage disposal systems shall conform to the requirements of the state law. *A private septic system is not proposed at this time, and public facilities are not provided to this area of the county. Sewer is not needed for the existing and proposed use.*
 - (3. Grading shall be performed and drainage facilities provided.
The site has already been graded and rocked. A drainage ditch is located on the south side of the property between the driving surface and the forested area. Catch basins are not installed in Hauser Road.
 - (4. Installation of storm sewers may be required to ensure proper drainage.
On site grading can be done to redirect standing water on the site to the drainage area on the south side of the property. Storm sewer is not needed for this site.
 - (5. Streets shall conform to the improvement standards in Chapter 7. The county may approve with conditions a development proposal in order to minimize impacts to and protect transportation facilities.
The existing street has not been improved to current standards. The application for a land division is to bring the existing development into full compliance with the county and state development regulations. Street improvements should be the responsibility of all property owners using Hauser Road. Other development requests in this area have not been required to comply with full street standards.
 - (6. Sidewalks are required.

The applicant is asking for an exception to this regulation. There are no sidewalks in this area, and pedestrian traffic is very rare. The road is used primarily by ATV's.

(7. Erosion prevention is required.

The site has already been graded and rocked. Further erosion on the site is not likely, though the rock is permeable and reduces run off. There is a drainage ditch on the south side which prevents run off into the forested area.

- 6.2.800 This section outlines the Final Plan regulations and requirements with timelines to be followed. *The applicant is aware of the required steps to finalize the plat.*
- 7.1.200(3) Access is defined as "A way or means of approach to provide pedestrian, bicycle or motor vehicular entrance to the property." *The property has existing access from Hauser Road off of Hwy 101.*
- 7.1.200(16) Cross Access is "a service drive providing vehicular access between two or more contiguous sites so that the driver need not enter the public street system." *The applicant is proposing shared access to all on site drive surfaces in order to eliminate the number of access points on Hauser Road.*
- 7.1.200(18) An easement is to "grant one or more property rights to another person or entity." *The applicant is proposing shared access and parking for all three parcels benefiting each property equally.*
- 7.1.200(22) Shared Access is "a driveway connecting two or more contiguous sites to the public street system." *Each of the proposed parcels can have direct access from Hauser Road. For the purpose of security, the applicant is proposing gated access at one location. The applicant sees this as shared access and not a joint driveway serving 3 addresses.*
- 7.1.200(28) Opened Road is "a rocked or paved road which has all weather year round maintained travel surface." *Hauser Road is open and improved to the standards in place at the time of development. It does not meet the current road standards and is not rocked or paved. The applicant should not be responsible for bringing the entire road up to development standards, but is willing to maintain their share of the expense of maintaining a road in Coos County.*
- 7.1.200(33) Public Road is defined as "A road under the jurisdiction of a public body that provides the principal means of access to an abutting property." *Hauser Road is open for the length of the property.*
- 7.1.200(34) Reasonable Access is "the minimum number of access connections necessary to provide safe access to and from the roadway, as consistent with the purpose and intent of this ordinance and any applicable plans and policies of the county."

Hauser Road has heavy ATV traffic, and as such, the applicant is proposing one access point. This will allow the storage facility users to completely turn around on site instead of backing out to the street.

7.1.225 The Coos County Roadmaster has the authority to impose any conditions on any permit required by Chapter VII that is deemed necessary to meet the standards of the American Association of State Highway and Transportation Officials (AASHTO standards), or make the road safe for travel. The Coos County Roadmaster may modify the minimum standards if it is found that the lesser standard is compatible with the area. *The applicant is requesting a modification to the minimum standards due to the unchanging use of the property. The existing structures have been in place since at least April 2004, and increased traffic is not anticipated or expected. Further development on the site is not proposed at this time. It is the applicant's request that the existing road be maintained by the adjoining property owners as is required by the county ordinance.*

7.1.275(4) Joint and Cross Access is covered in this section.

(1. Adjacent commercial properties classified as major traffic generators shall provide a cross access drive to allow circulation between sites.

The applicant is requesting this same access even though the commercial use is not a large generator of traffic. It will make access to the site easier on the users of the Hauser Road and the patrons of the storage units.

(2. A system of joint use driveways and cross access easements shall be established wherever feasible and shall incorporate the following:

(a. A continuous service drive or cross access corridor extending the entire length of each block served to provide for driveway separation consistent with the access management classification system and standards. *The drive surfaces on site are established, and are continuous throughout the property with access on all sides of the structures.*

(b. A design speed of 10 mph and a maximum width of 20' to accommodate two way travel aisles. *The developed drive can accommodate a two way travel aisle, though the applicant would prefer a one way travel path.*

(c. Design features to make it visually obvious that the abutting properties may be tied in to provide cross access via the service drive. *The access to the property and throughout the property is open and obvious.*

(d. A unified access and circulation system plan for coordinated or shared parking areas is encouraged. *The applicant is requesting a unified access and circulation system plan for parking.*

(3. A reduction in required parking spaces in shared parking areas shall be permitted if peak demands do not occur at the same time periods. *Storage Units do not experience "peak" time periods like other commercial uses. There is adequate parking on site, though shared parking is certainly preferred.*

(4. Coos County may reduce separation distance of access points where they prove impractical, provided all of the following requirements are met.
(a. Joint access driveways and cross access easements are provided in accordance with this section. *The applicant is proposing one access point. Easement documents can be prepared during the final plat stage of the land division request.*

(b. The traffic plan incorporates a unified access and circulation system in accordance with this section. *There is unified access and roads on site. There are not proposed changes to the driveway access or location of roads.*

(c. The property owner enters into a written agreement with Coos County, recorded with the deed, that preexisting connections on the site will be closed and eliminated after construction of a new access point. *The access point is existing, and no new access points are proposed.*

(d. The road department may modify or waive the requirements of this section where the characteristics or layout of abutting properties would make a development of a unified or shared access and circulation system impractical. *The applicant is confident that a unified access point and shared access is best for this site and the most practical solution.*

7.1.300 Public and private road and street improvements may be required when new development is proposed. *No new development is proposed at this time.*

7.1.425(1) Shared access connections will be provided for adjacent properties whenever possible. *The applicant has requested shared access utilizing the existing driveway approach to Hauser Road.*

7.1.525 Vision clearance triangle requirements must be met. *The existing driveway meets the vision clearance requirements.*

- 7.5.150 **Parking area design shall comply with this section. *The existing parking areas comply with this section. Future development applications can provide a parking plan to show any changes to the site.***
- 7.5.175 **Required parking spaces are listed for Storage Units as one per employee and one bicycle space. *There are no employees at this location, existing or proposed. The need for bicycle parking is not relevant to this use. There is adequate room for both types of parking.***

ADDITIONAL SUPPORTING DOCUMENTS

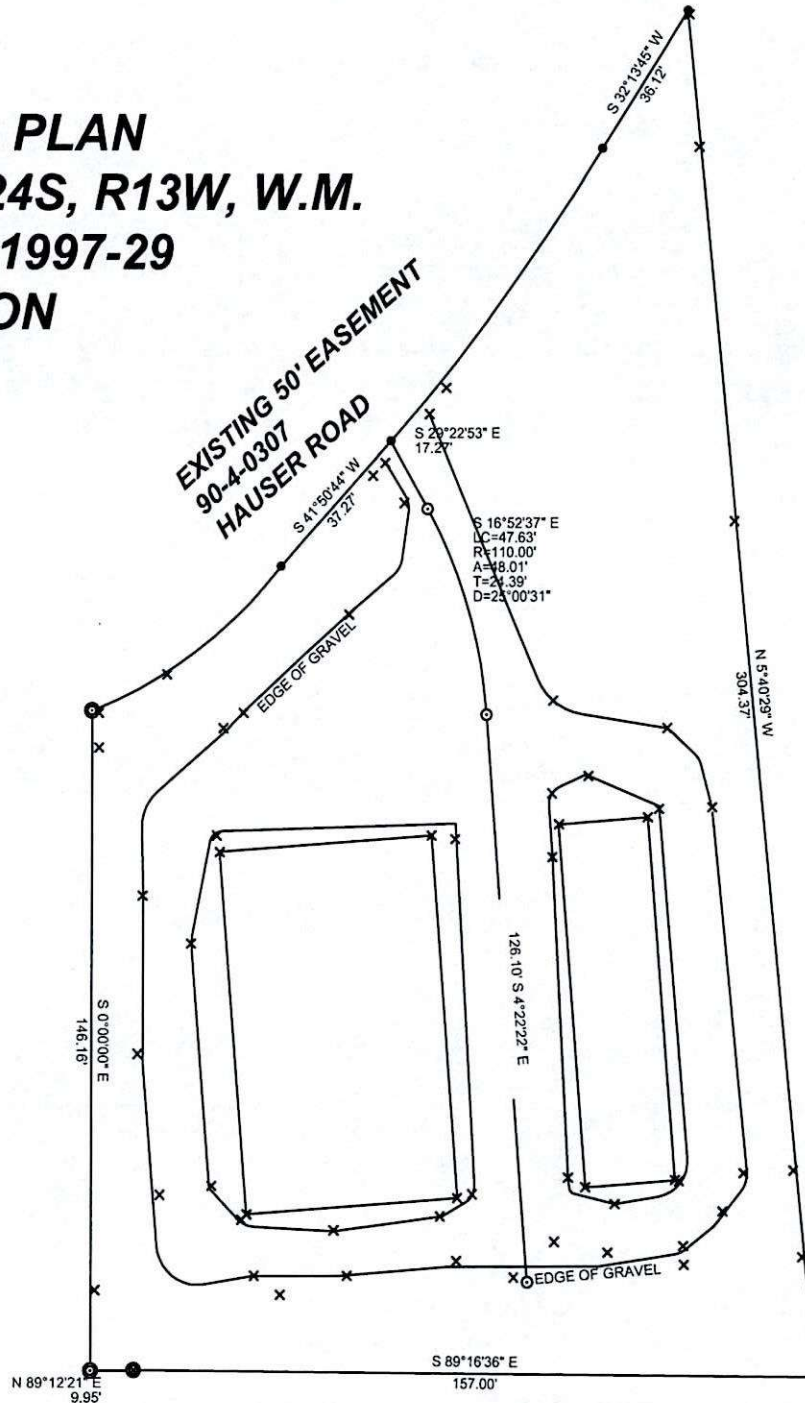
Land Use Application and Fee
Coos County Tax Assessor's Map 24-13-11C TL 603
Coos County Tax Assessor's Summary Report
Consent Form
Existing Plot Plan
Tentative Plat Map
Aerial Imagery
Warranty Deed
Title Report

**EXISTING CONDITIONS PLAN
 SW 1/4, SECTION 11, T24S, R13W, W.M.
 PARCEL 2, PARTITION 1997-29
 COOS COUNTY, OREGON
 DECEMBER 2021**

PREPARED BY:
HOSTETTER LAND SURVEYING
63538 PINTAIL DR.
COOS BAY, OREGON 97420
AND
COOS CURRY CONSULTING
P.O. BOX 1548
BANDON, OREGON 97411

LANDOWNER:
2018 NEIL FAMILY REVOCABLE TRUST

LEGEND	
●	Corner of record
●	CORNER FOUND
○	CORNER TO SET
- - -	c/l proposed easement
—	edge gravel



AS BUILT SURVEY

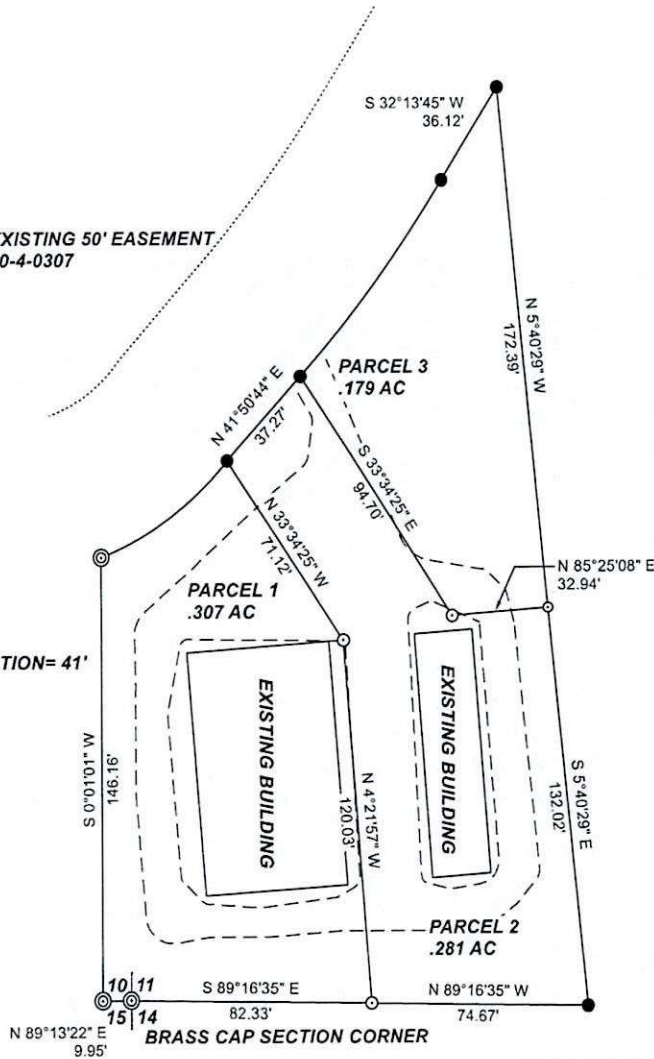
**TENTATIVE PARTITION PLAT
PLOT PLAN
SW 1/4, SECTION 11, T24S, R13W, W.M.
PARCEL 2, PARTITION 1997-29
COOS COUNTY, OREGON
FEBRUARY 2022**

PREPARED BY:
HOSTETTER LAND SURVEYING
63538 PINTAIL DR.
COOS BAY, OREGON 97420

LANDOWNER:
2018 NEIL FAMILY REVOCABLE TRUST

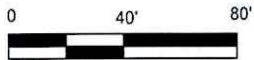
EXISTING 50' EASEMENT
90-4-0307

PARCEL AVERAGE ELEVATION= 41'



LEGEND

- CORNER OF RECORD
- CORNER FOUND
- ⊙ CORNER TO SET
- - - EDGE OF GRAVEL



COOS County Assessor's Summary Report

Real Property Assessment Report

FOR ASSESSMENT YEAR 2021

November 2, 2021 12:29:26 pm

Account # 165204
Map # 24S1311C000603
Code - Tax # 1317-165204
Legal Descr See Record
Mailing Name 2018 NEIL FAMILY REVOCABLE TRUST
Agent
In Care Of NEIL, DARBY TTEE
Mailing Address 1645 QUIET OAKS DR
 ARROYO GRANDE, CA 93420-5685
Prop Class 201 **MA** **SA** **NH** **Unit**
RMV Class 201 01 05 DAA 2684-1

Tax Status ASSESSABLE
Acct Status ACTIVE
Subtype NORMAL
Deed Reference # 2019-6823
Sales Date/Price 07-30-2019 / \$285,000.00
Appraiser ROY N. METZGER

Situs Address(s)	Situs City
-------------------------	-------------------

Code Area	RMV	MAV	Value Summary		MSAV	RMV Exception	CPR %
			AV	SAV			
1317	Land 169,740					Land 0	0
	Impr. 182,710					Impr. 0	0
Code Area Total	352,450	191,540	191,540	0	0	0	0
Grand Total	352,450	191,540	191,540	0	0	0	0

Code Area	ID#	RFPD	Ex	Plan Zone	Value Source	Land Breakdown			LUC	Trended RMV	
						TD%	LS	Size			
1317	10	<input checked="" type="checkbox"/>		C-1	Market	105	A	0.77	IMP	008	169,740
Grand Total								0.77			169,740

Code Area	ID#	Yr Built	Stat Class	Description	Improvement Breakdown			Total Sq. Ft.	Ex% MS Acct #	Trended RMV
					TD%					
1317	2	2008	599	Miscellaneous	105		350		20,420	
1317	3	1992	596	Miscellaneous-mini strge wrhse	105		5,836		162,290	
Grand Total								6,186		182,710

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY

SW1/4 SEC. 11 T24S R13W W.M.
COOS COUNTY

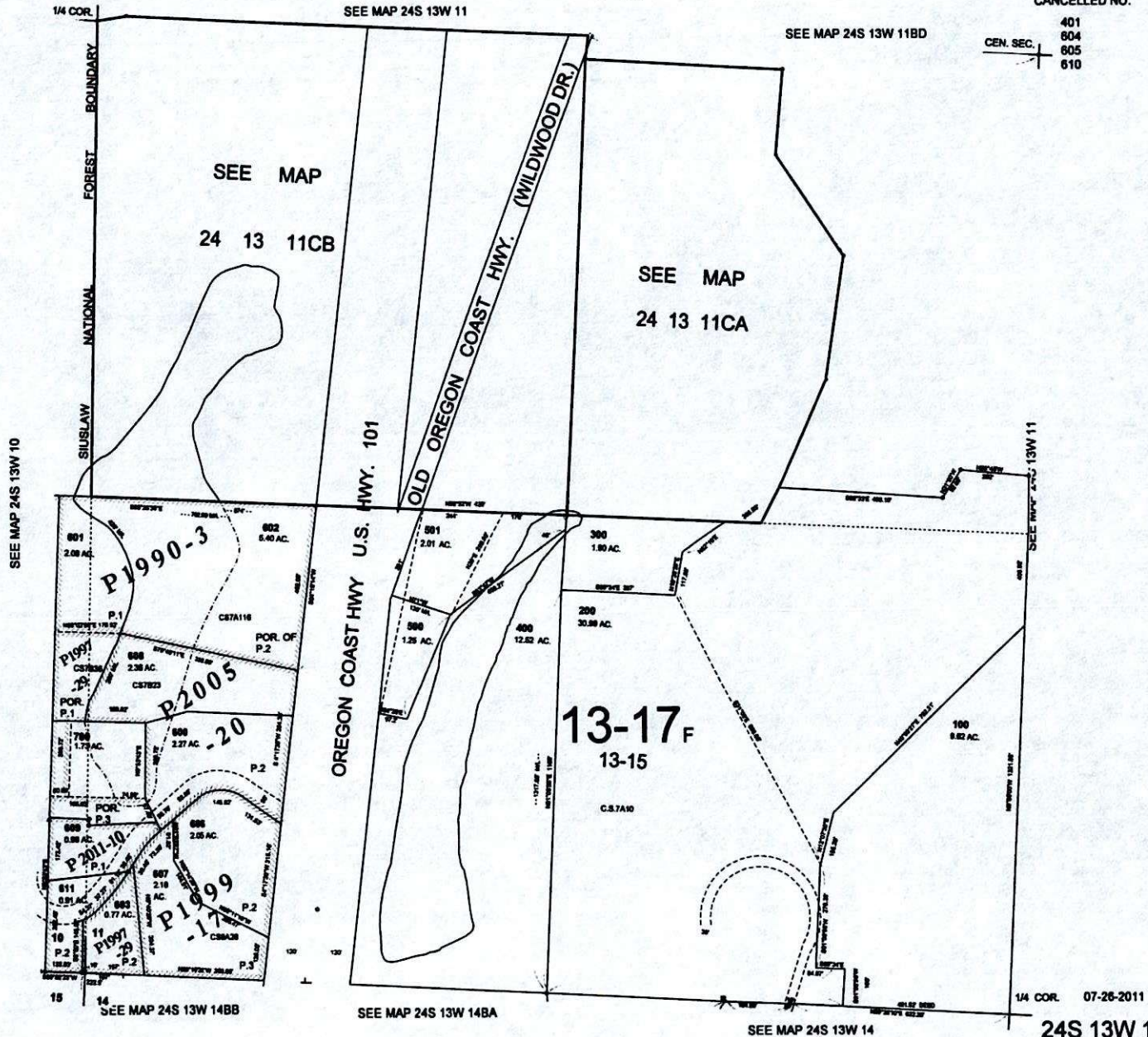
1" = 200'

24 13 11C
& INDEX

CANCELLED NO.

401
604
605
610

CEN. SEC. 




24S 13W 11C
& INDEX


2003 Aerial

24-13-11C TL 603 aerial showing the permitted development and no second structure

Legend

-  68508 US-101
-  Houser Dunes RV ATV Storage
-  Sun Buggy

 68508 US-101

 Houser Dunes RV ATV Storage






100 ft

2004 Aerial

24-13-11C TL 603 aerial showing the permitted development and the placement of the second structure

Legend

-  68508 US-101
-  Houser Dunes RV ATV Storage
-  Sun Buggy

 68508 US-101

 Houser Dunes RV ATV Storage

Google Earth

Image © 2021 Maxar Technologies



200 ft



201 Central Avenue
(541)269-5127

OWNERSHIP AND ENCUMBRANCES REPORT WITH GENERAL INDEX LIENS
Informational Report of Ownership and Monetary and Non-Monetary Encumbrances

To ("Customer"): Coos Curry Consulting
PO Box 1548
Bandon, OR 97411

Customer Ref.: _____
Order No.: 360622039026
Effective Date: January 27, 2022 at 08:00 AM
Charge: \$300.00

The information contained in this report is furnished by Ticor Title Company of Oregon (the "Company") as a real property information service based on the records and indices maintained by the Company for the county identified below. THIS IS NOT TITLE INSURANCE OR A PRELIMINARY TITLE REPORT FOR, OR COMMITMENT FOR, TITLE INSURANCE. No examination has been made of the title to the herein described property, other than as specifically set forth herein. Liability for any loss arising from errors and/or omissions is limited to the lesser of the charge or the actual loss, and the Company will have no greater liability by reason of this report. THIS REPORT IS SUBJECT TO THE LIMITATIONS OF LIABILITY STATED BELOW, WHICH LIMITATIONS OF LIABILITY ARE A PART OF THIS REPORT.

THIS REPORT INCLUDES MONETARY AND NON-MONETARY ENCUMBRANCES.

Part One - Ownership and Property Description

Owner. The apparent vested owner of property ("the Property") as of the Effective Date is:

Darby Neil, Trustee of the 2018 Neil Family Revocable Trust under the provisions of a Trust dated October 18, 2018

Premises. The Property is:

(a) Street Address:

No Address, Coos Bay, OR 97420

(b) Legal Description:

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

Part Two - Encumbrances

Encumbrances. As of the Effective Date, the Property appears subject to the following monetary and non-monetary encumbrances of record, not necessarily listed in order of priority, including liens specific to the subject property and general index liens (liens that are not property specific but affect any real property of the named person in the same county):

EXCEPTIONS

1. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: State of Oregon, by and through its State Highway Commission
Recording Date: July 2, 1952
Recording No: Book 219, Page 331, Deed Records, Coos County, Oregon and amended by Indenture of Access, recorded December 23, 1953 in Book 231, Page 320, Deed Records, Coos County, Oregon.
2. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Central Lincoln People's Utility District
Purpose: underground utility line
Recording Date: May 3, 1972
Recording No: 72-05-71275
3. Minor Partition

Recording Date: April 26, 1985
Recording No.: 85-2-5335
4. Easement(s) as disclosed in Minor Partition

Recording Date: April 26, 1985
Recording No.: 85-2-5335
5. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Central Lincoln People's Utility District
Purpose: overhead power line
Recording Date: January 20, 1987
Recording No: 87-1-6142
6. Easements, conditions, restrictions and notes as delineated on the recorded 1990 #3 Major Partition Plat Minor Partition

Recording Date: April 27, 1990
Recording No.: 90-04-1981 CAB B/382
7. Terms and Provisions of Appurtenant Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Don Chandler and Diane Chandler
Purpose: ingress and egress
Recording Date: April 5, 1990
Recording No: 90-04-0307
8. Easements, conditions, restrictions and notes as delineated on the recorded 1990 #03 Major Partition Plat

Recording Date: April 27, 1990
Recording No.: 90-04-1981 CAB B/382

9. Easements, conditions, restrictions and notes as delineated on the recorded 1997 #29 Major Partition Plat

Recording Date: November 13, 1997
Recording No.: 97-11-0401, CAB C/223

10. Easements, conditions, restrictions and notes as delineated on the recorded 1997 #29 Major Partition Plat

Recording Date: November 13, 1997
Recording No.: 97-11-0401 CAB C/223

11. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Steve Laskowske
Purpose: Telecommunication Line Easement
Recording Date: June 6, 2013
Recording No: 2013-5181

12. A deed of trust to secure an indebtedness in the amount shown below,

Amount: \$175,000.00
Dated: July 23, 2019
Trustor/Grantor: Darby Neil, Trustee of the 2018 Neil Family Revocable Trust under the provisions of a Trust dated October 18, 2018
Trustee: Kevin P. Moran, Attorney at Law
Beneficiary: Washington Federal Bank
Recording Date: August 5, 2019
Recording No.: 2019-06824

An assignment of all the moneys due, or to become due as rental, as additional security for the obligations secured by mortgage shown as item no. Schedule A4

Assigned to: Washington Federal Bank
Recording Date: August 5, 2019
Recording No: 2019-06825

END OF EXCEPTIONS

Note: Property taxes for the fiscal year shown below are paid in full.

Fiscal Year: 2021-2022
Amount: \$2,168.55
Levy Code: 1317
Account No.: 165204
Map No.: 24S1311C000603

Please contact the Tax Collector's Office to confirm all amounts owing, including current fiscal year taxes, supplemental taxes, escaped assessments and any delinquencies.

Ticor Title Company of Oregon
Order No. 360622039026

End of Reported Information

There will be additional charges for additional information or copies. For questions or additional requests, contact:

Coos Bay Title

coosbaytitle@ticortitle.com

Ticor Title Company of Oregon
201 Central Avenue
Coos Bay, OR 97420

EXHIBIT "A"
Legal Description

PARCEL 1: Parcel 2 of Partition Plat No. 1997 #29, filed and recorded November 13, 1997, CAB C/223, bearing Microfilm Reel No. 97-11-0401, Records Coos County, Oregon.

PARCEL 2: Together with easement for ingress and egress as disclosed in instrument recorded April 5, 1990 bearing Microfilm Reel No. 90-04-0307, Records Coos County, Oregon.

LIMITATIONS OF LIABILITY

"CUSTOMER" REFERS TO THE RECIPIENT OF THIS REPORT.

CUSTOMER EXPRESSLY AGREES AND ACKNOWLEDGES THAT IT IS EXTREMELY DIFFICULT, IF NOT IMPOSSIBLE, TO DETERMINE THE EXTENT OF LOSS WHICH COULD ARISE FROM ERRORS OR OMISSIONS IN, OR THE COMPANY'S NEGLIGENCE IN PRODUCING, THE REQUESTED REPORT, HEREIN "THE REPORT." CUSTOMER RECOGNIZES THAT THE FEE CHARGED IS NOMINAL IN RELATION TO THE POTENTIAL LIABILITY WHICH COULD ARISE FROM SUCH ERRORS OR OMISSIONS OR NEGLIGENCE. THEREFORE, CUSTOMER UNDERSTANDS THAT THE COMPANY IS NOT WILLING TO PROCEED IN THE PREPARATION AND ISSUANCE OF THE REPORT UNLESS THE COMPANY'S LIABILITY IS STRICTLY LIMITED. CUSTOMER AGREES WITH THE PROPRIETY OF SUCH LIMITATION AND AGREES TO BE BOUND BY ITS TERMS

THE LIMITATIONS ARE AS FOLLOWS AND THE LIMITATIONS WILL SURVIVE THE CONTRACT:

ONLY MATTERS IDENTIFIED IN THIS REPORT AS THE SUBJECT OF THE REPORT ARE WITHIN ITS SCOPE. ALL OTHER MATTERS ARE OUTSIDE THE SCOPE OF THE REPORT.

CUSTOMER AGREES, AS PART OF THE CONSIDERATION FOR THE ISSUANCE OF THE REPORT AND TO THE FULLEST EXTENT PERMITTED BY LAW, TO LIMIT THE LIABILITY OF THE COMPANY, ITS LICENSORS, AGENTS, SUPPLIERS, RESELLERS, SERVICE PROVIDERS, CONTENT PROVIDERS AND ALL OTHER SUBSCRIBERS OR SUPPLIERS, SUBSIDIARIES, AFFILIATES, EMPLOYEES, AND SUBCONTRACTORS FOR ANY AND ALL CLAIMS, LIABILITIES, CAUSES OF ACTION, LOSSES, COSTS, DAMAGES AND EXPENSES OF ANY NATURE WHATSOEVER, INCLUDING ATTORNEY'S FEES, HOWEVER ALLEGED OR ARISING, INCLUDING BUT NOT LIMITED TO THOSE ARISING FROM BREACH OF CONTRACT, NEGLIGENCE, THE COMPANY'S OWN FAULT AND/OR NEGLIGENCE, ERRORS, OMISSIONS, STRICT LIABILITY, BREACH OF WARRANTY, EQUITY, THE COMMON LAW, STATUTE OR ANY OTHER THEORY OF RECOVERY, OR FROM ANY PERSON'S USE, MISUSE, OR INABILITY TO USE THE REPORT OR ANY OF THE MATERIALS CONTAINED THEREIN OR PRODUCED, **SO THAT THE TOTAL AGGREGATE LIABILITY OF THE COMPANY AND ITS AGENTS, SUBSIDIARIES, AFFILIATES, EMPLOYEES, AND SUBCONTRACTORS SHALL NOT IN ANY EVENT EXCEED THE COMPANY'S TOTAL FEE FOR THE REPORT.**

CUSTOMER AGREES THAT THE FOREGOING LIMITATION ON LIABILITY IS A TERM MATERIAL TO THE PRICE THE CUSTOMER IS PAYING, WHICH PRICE IS LOWER THAN WOULD OTHERWISE BE OFFERED TO THE CUSTOMER WITHOUT SAID TERM. CUSTOMER RECOGNIZES THAT THE COMPANY WOULD NOT ISSUE THE REPORT BUT FOR THIS CUSTOMER AGREEMENT, AS PART OF THE CONSIDERATION GIVEN FOR THE REPORT, TO THE FOREGOING LIMITATION OF LIABILITY AND THAT ANY SUCH LIABILITY IS CONDITIONED AND PREDICATED UPON THE FULL AND TIMELY PAYMENT OF THE COMPANY'S INVOICE FOR THE REPORT.

THE REPORT IS LIMITED IN SCOPE AND IS NOT AN ABSTRACT OF TITLE, TITLE OPINION, PRELIMINARY TITLE REPORT, TITLE REPORT, COMMITMENT TO ISSUE TITLE INSURANCE, OR A TITLE POLICY, AND SHOULD NOT BE RELIED UPON AS SUCH. THE REPORT DOES NOT PROVIDE OR OFFER ANY TITLE INSURANCE, LIABILITY COVERAGE OR ERRORS AND OMISSIONS COVERAGE. THE REPORT IS NOT TO BE RELIED UPON AS A REPRESENTATION OF THE STATUS OF TITLE TO THE PROPERTY. THE COMPANY MAKES NO REPRESENTATIONS AS TO THE REPORT'S ACCURACY, DISCLAIMS ANY WARRANTY AS TO THE REPORT, ASSUMES NO DUTIES TO CUSTOMER, DOES NOT INTEND FOR CUSTOMER TO RELY ON THE REPORT, AND ASSUMES NO LIABILITY FOR ANY LOSS OCCURRING BY REASON OF RELIANCE ON THE REPORT OR OTHERWISE.

IF CUSTOMER (A) HAS OR WILL HAVE AN INSURABLE INTEREST IN THE SUBJECT REAL PROPERTY, (B) DOES NOT WISH TO LIMIT LIABILITY AS STATED HEREIN AND (C) DESIRES THAT ADDITIONAL LIABILITY BE ASSUMED BY THE COMPANY, THEN CUSTOMER MAY REQUEST AND PURCHASE A POLICY OF TITLE INSURANCE, A BINDER, OR A COMMITMENT TO ISSUE A POLICY OF TITLE INSURANCE. NO ASSURANCE IS GIVEN AS TO THE INSURABILITY OF THE TITLE OR STATUS OF TITLE. CUSTOMER EXPRESSLY AGREES AND ACKNOWLEDGES IT HAS AN INDEPENDENT DUTY TO ENSURE AND/OR RESEARCH THE ACCURACY OF ANY INFORMATION OBTAINED FROM THE COMPANY OR ANY PRODUCT OR SERVICE PURCHASED.

NO THIRD PARTY IS PERMITTED TO USE OR RELY UPON THE INFORMATION SET FORTH IN THE REPORT, AND NO LIABILITY TO ANY THIRD PARTY IS UNDERTAKEN BY THE COMPANY.

CUSTOMER AGREES THAT, TO THE FULLEST EXTENT PERMITTED BY LAW, IN NO EVENT WILL THE COMPANY, ITS LICENSORS, AGENTS, SUPPLIERS, RESELLERS, SERVICE PROVIDERS, CONTENT PROVIDERS, AND ALL OTHER SUBSCRIBERS OR SUPPLIERS, SUBSIDIARIES, AFFILIATES, EMPLOYEES AND SUBCONTRACTORS BE LIABLE FOR CONSEQUENTIAL, INCIDENTAL, INDIRECT, PUNITIVE, EXEMPLARY, OR SPECIAL DAMAGES, OR LOSS OF PROFITS, REVENUE, INCOME, SAVINGS, DATA, BUSINESS, OPPORTUNITY, OR GOODWILL, PAIN AND SUFFERING, EMOTIONAL DISTRESS, NON-OPERATION OR INCREASED EXPENSE OF OPERATION, BUSINESS INTERRUPTION OR DELAY, COST OF CAPITAL, OR COST OF REPLACEMENT PRODUCTS OR SERVICES, REGARDLESS OF WHETHER SUCH LIABILITY IS BASED ON BREACH OF CONTRACT, TORT, NEGLIGENCE, THE COMPANY'S OWN FAULT AND/OR NEGLIGENCE, STRICT LIABILITY, BREACH OF WARRANTIES, FAILURE OF ESSENTIAL PURPOSE, OR OTHERWISE AND WHETHER CAUSED BY NEGLIGENCE, ERRORS, OMISSIONS, STRICT LIABILITY, BREACH OF CONTRACT, BREACH OF WARRANTY, THE COMPANY'S OWN FAULT AND/OR NEGLIGENCE OR ANY OTHER CAUSE WHATSOEVER, AND EVEN IF THE COMPANY HAS BEEN ADVISED OF THE LIKELIHOOD OF SUCH DAMAGES OR KNEW OR SHOULD HAVE KNOWN OF THE POSSIBILITY FOR SUCH DAMAGES.

END OF THE LIMITATIONS OF LIABILITY

RECORDING REQUESTED BY:



300 W Anderson, PO Box 1075
Coos Bay, OR 97420

Coos County, Oregon **2019-06823**
\$91.00 Pgs=2 08/05/2019 01:27 PM
eRecorded by: TICOR TITLE COOS BAY
Debbie Heller, CCC, Coos County Clerk

AFTER RECORDING RETURN TO:

Order No.: 360619027137-DM
Darby Neil, Trustee of The 2018 Neil Family Revocable Trust under
the provisions of a Trust dated October 18, 2018
PO Box 5423
Bend, OR 97708

SEND TAX STATEMENTS TO:

Darby Neil, Trustee of the 2018 Neil Family Revocable Trust, dated
October 18, 2018
PO Box 5423
Bend, OR 97708

APN: 165204
Map: 24S-13W-11C 603

SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY WARRANTY DEED

Steve Laskowske, Grantor, conveys and warrants to Darby Neil, Trustee of The 2018 Neil Family Revocable Trust under the provisions of a Trust dated October 18, 2018, 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:

PARCEL 1: Parcel 2 of Partition Plat No. 1997 #29, filed and recorded November 13, 1997, CAB C/223, bearing Microfilm Reel No. 97-11-0401, Records Coos County, Oregon.

PARCEL 2: Together with easement for Ingress and egress as disclosed in instrument recorded April 5, 1990 bearing Microfilm Reel No. 90-04-0307, Records Coos County, Oregon.

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS TWO HUNDRED EIGHTY-FIVE THOUSAND AND NO/100 DOLLARS (\$285,000.00). (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.

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

Dated: July 29, 2019

Steve Laskowske

State of Oregon
County of Washington

This instrument was acknowledged before me on 7/30/2019 by Steve Laskowske.

Notary Public - State of Oregon

JEAN MARIE GRIFFIN
My Commission Expires: MAR 12 2021

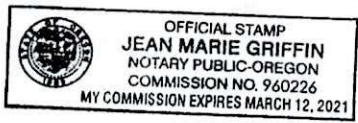


EXHIBIT "A"
Exceptions

Subject to:

Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: State of Oregon, by and through its State Highway Commission
Recording Date: July 2, 1952
Recording No.: Book 219, Page 331, Deed Records, Coos County, Oregon and amended by Indenture of Access, recorded December 23, 1953 in Book 231, Page 320, Deed Records, Coos County, Oregon.

Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Central Lincoln People's Utility District
Purpose: underground utility line
Recording Date: May 3, 1972
Recording No.: 72-05-71275

Minor Partition

Recording Date: April 26, 1985
Recording No.: 85-2-5335

Easement(s) as disclosed in Minor Partition

Recording Date: April 26, 1985
Recording No.: 85-2-5335

Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Central Lincoln People's Utility District
Purpose: overhead power line
Recording Date: January 20, 1987
Recording No.: 87-1-8142

1990 #3 Major Partition Plat Minor Partition

Recording Date: April 27, 1990
Recording No.: 90-04-1981 CAB B/382

Terms and Provisions of Appurtenant Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Don Chandler and Diane Chandler
Purpose: ingress and egress
Recording Date: April 5, 1990
Recording No.: 90-04-0307

Easement(s) as disclosed in a 1990 #03 Major Partition Plat

Recording Date: April 27, 1990
Recording No.: 90-04-1981 CAB B/382

1997 #29 Major Partition Plat

Recording Date: November 13, 1997
Recording No.: 97-11-0401, CAB C/223

Easement(s) as disclosed in a 1997 #29 Major Partition Plat

Recording Date: November 13, 1997
Recording No.: 97-11-0401 CAB C/223

Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Steve Laskowske
Purpose: Telecommunication Line Easement
Recording Date: June 6, 2013
Recording No.: 2013-5181