



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

FILE NUMBER: ACU-22-010

Date Received: 3/8/22 Receipt #: 231810 Received by: _____

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) Shane & Tracy Johnson

Mailing address: 94443 Boone Creek Lane, Coos Bay, OR 97420

Phone: 541-404-0248

Email: _____

Township:	Range:	Section:	¼ Section:	1/16 Section:	Tax lots:
26S	12W	31	Select	Select	100
Select	Select	Select	Select	Select	

Tax Account Number(s): 496001

Zone: Select Zone Forest (F)

Tax Account Number(s) _____

Please Select _____

B. Applicant(s) Shane Johnson

Mailing address: 94443 Boone Creek Lane, Coos Bay, OR 97420

Phone: 541-404-0248

C. Consultant or Agent: Clyde Mulkins

Mailing Address P.O. Box 809, North Bend, OR 97459

Phone #: 541-751-8900

Email: mandrllc@frontier.com

Type of Application Requested

- | | | |
|--|---|---|
| <input type="checkbox"/> Comp Plan Amendment | <input checked="" type="checkbox"/> Administrative Conditional Use Review - ACU | <input 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: Coos Bay

Fire District: Sumner RFPD

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](#)

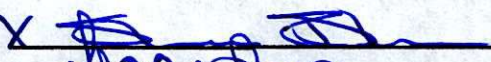
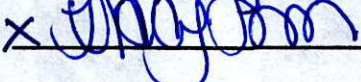
D. **ATTACHED WRITTEN STATEMENT.** With all land use applications, the “burden of proof” is on the applicant. It is important that you provide information that clearly describes the nature of the request and indicates how the proposal complies with all of the applicable criteria within the Coos County 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.

X  _____ Shane Johnson
 X  _____ Tracy Johnson

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: Select _____ Name of Access: _____

Is this property in the Urban Growth Boundary? Select _____

Is a new road created as part of this request? Select _____

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-

February 18, 2022

Coos County Planning Dept.

Subject Properties - T.L. 100 - 26S 12W 31

Applicant/Owner:

Shane and Tracy Johnson
94443 Boone Creek Lane
Coos Bay, OR 97420

RE: Forest Dwelling (Template Dwelling) criteria and applicant's findings

Coos County Zoning and Land Development Ordinance (CCZLDO)

SECTION 4.6.100 FOREST AND FOREST MIXED USE – USE TABLES Table 1 identifies the uses and activities in the Forest (F) and Forest/Mixed Use (FMU) zone. The tables describe the use, type of review, applicable review standards. Development shall also comply with Section 4.6.140 Development and Siting Standards. All dwellings and structures are subject to the siting standards found in Section 4.6.130. Exceptions to minimum lot and parcel sizes for the purpose of land division may apply as set out in Section 4.6.145 Land Division for Open Space and Special Assessment, and Section 4.6.145 Exceptions to Minimum Parcel Size. Properties that are located in a Special Development Consideration and/or overlays shall comply with the applicable review process identified by that Special Development Consideration and/or overlay located in Article 4.11.

If a use specifically states Forest Mixed Use only it is not permitted in the Forest Zone. If land is in a zone that allows both farm and forest uses, a dwelling may be sited based on the predominate use of the tract on January 1, 1993.

SECTION 4.6.110 (OAR 660-006-0025) Uses Authorized in Forest Zones (1) Goal 4 requires that forest land be conserved. Forest lands are conserved by adopting and applying comprehensive plan provisions and zoning regulations consistent with the goals and this rule. In addition to forest practices and operations and uses auxiliary to forest practices, as set forth in ORS 527.722, the Commission has determined that five general types of uses, as set forth in the goal, may be allowed in the forest environment, subject to the standards in the goal and in this rule. These general types of uses are: (a) Uses related to and in support of forest operations; (b) Uses to conserve soil, air and water quality and to provide for fish and wildlife resources, agriculture and recreational opportunities appropriate in a forest environment; (c) Locationally dependent uses, such as communication towers, mineral and aggregate resources, etc.; (d) Dwellings authorized by ORS 215.705 to 215.755; and (e) Other dwellings under prescribed conditions.

Use	TR	Subject to
Dwellings authorized by ORS 215.705 to 215.755; and (e) Other dwellings under prescribed conditions.		
63.	Template Dwelling (Alternative forestland dwellings ORS 215.750)	ACU (9)(B)(II), (9)(C)

(9)(B) DWELLING ON FOREST AND FOREST MIXED USE ZONES -

(II) Template Dwelling - 215.750 Alternative forestland dwellings; criteria.

- (1) In western Oregon, a governing body of a county or its designate may allow the establishment of a single-family dwelling on a lot or parcel located within a forest zone if the lot or parcel is predominantly composed of soils that are:
 - (a) Capable of producing 0 to 49 cubic feet per acre per year of wood fiber if:
 - (A) All or part of at least three other lots or parcels that existed on January 1, 1993, are within a 160-acre square centered on the center of the subject tract; and
 - (B) At least three dwellings existed on January 1, 1993, on the other lots or parcels continue to exist on the other lots or parcels;
 - (b) Capable of producing 50 to 85 cubic feet per acre per year of wood fiber if:
 - (A) All or part of at least seven other lots or parcels that existed on January 1, 1993, are within a 160-acre square centered on the center of the subject tract; and
 - (B) At least three dwellings existed on January 1, 1993, on the other lots or parcels; or
 - (c) Capable of producing more than 85 cubic feet per acre per year of wood fiber if:
 - (A) All or part of at least 11 other lots or parcels that existed on January 1, 1993, are within a 160-acre square centered on the center of the subject tract; and
 - (B) At least three dwellings existed on January 1, 1993, on the other lots or parcels.
- (3) Lots or parcels within urban growth boundaries shall not be used to satisfy the eligibility requirements under subsection (1) or (2) of this section.
- (4) A proposed dwelling under this section is not allowed:
 - (a) If it is prohibited by or will not comply with the requirements of an acknowledged comprehensive plan and acknowledged land use regulations or other provisions of law.
 - (b) Unless it complies with the requirements of ORS 215.730.
 - (c) Unless no dwellings are allowed on other lots or parcels that make up the tract and deed restrictions established under ORS 215.740 (3) for the other lots or parcels that make up the tract are met.
 - (d) If the tract on which the dwelling will be sited includes a dwelling.
- (5) Except as described in subsection (6) of this section, if the tract under subsection (1) or (2) of this section abuts a road that existed on January 1, 1993, the measurement may be made by creating a 160-acre rectangle that is one mile long and one-fourth mile wide centered on the center of the subject tract and that is to the maximum extent possible, aligned with the road.
- (6) (a) If a tract 60 acres or larger described under subsection (1) or (2) of this section abuts a road or perennial stream, the measurement shall be made in accordance with subsection (5) of this section. However, one of the three required dwellings shall be on the same side of the road or stream as the tract and:
 - (A) Be located within a 160-acre rectangle that is one mile long and one-fourth mile wide centered on the center of the subject tract and that is, to the maximum extent possible, aligned with the road or stream; or

(B) Be within one-quarter mile from the edge of the subject tract but not outside the length of the 160-acre rectangle, and on the same side of the road or stream as the tract.

(b) If a road crosses the tract on which the dwelling will be located, at least one of the three required dwellings shall be on the same side of the road as the proposed dwelling.

(7) Notwithstanding subsection (4)(a) of this section, if the acknowledged comprehensive plan and land use regulations of a county require that a dwelling be located in a 160-acre square or rectangle described in subsection (1), (2), (5) or (6) of this section, a dwelling is in the 160-acre square or rectangle if any part of the dwelling is in the 160-acre square or rectangle. [1993 c.792 §4(6),(7),(8); 1999 c.59 §58; 2005 c.289 §1]

Response to SECTION 4.6.110(9)(B)(II)

- **The attached Soil classification report shows 20.00 acres of the property is capable of producing more than 85 cubic feet per acre per year of wood fiber and is required to meet Section 4.6.110(9)(B)(II)(1)(c).**
- **There are no parcels located within the Urban Growth Boundary.**
- **The subject property does not have a dwelling located and there are no deed or comprehensive plan restrictions that would prohibit siting a new dwelling as long as it complies with the Forest Template Dwelling criteria. The tract in this case is of Tax Lot 100 in Township 26S Range 12W Section 31 and contains 20.00 acres.**
- **The template was configured based on the criteria. The template used is a 160-acre square. The centered on the center of the subject tract and meets or exceeds the required 11 units of land required and within those properties there are a minimum of three dwellings sited on or before January 1, 1993. There are a minimum of 11 parcels within the 160 acre square ranging from 4.06 acres to 158.91 acres of which are zoned F. Three of these parcels have pre – 1993 dwellings that fall within 160 acre grid. By allowing the siting of a dwelling on this site, the parcel would conform to what already exists within the area.**

9(C) ADDITIONAL CRITERIA FOR ALL DWELLINGS ALLOWED IN THE FOREST AND FOREST MIXED USE ZONES.

- (1) A local government shall require as a condition of approval of a single-family dwelling allowed on lands zoned forestland:
- (a) If the lot or parcel is more than 10 acres in western Oregon as defined in ORS 321.257, the property owner submits a stocking survey report to the assessor and the assessor verifies that the minimum stocking requirements adopted under ORS 527.610 to 527.770 have been met.
 - (b) the dwelling meets the following requirements:
 - (A) The dwelling has a fire retardant roof.
 - (B) The dwelling will not be sited on a slope of greater than 40 percent.
 - (C) Evidence is provided that the domestic water supply is from a source authorized by the Water Resources Department and not from a Class II stream as designated by the State Board of Forestry.
 - (D) The dwelling is located upon a parcel within a fire protection district or is provided with residential fire protection by contract.

- (E) If the dwelling is not within a fire protection district, the applicant provides evidence that the applicant has asked to be included in the nearest such district.
- (F) If the dwelling has a chimney or chimneys, each chimney has a spark arrester.
- (G) The owner provides and maintains primary fuel-free break and secondary break areas on land surrounding the dwelling that is owned or controlled by the owner.

Response to SECTION 4.6.110(9)(C)(1)

- **The property is more than 10 acres therefore a stocking survey is required. The property was logged four or five years ago. The property now has Douglas-fir seedling covering the logged area four feet tall. The property is well stocked with young timber.**
 - **The dwelling will have a fire retardant roof.**
 - **The property has 2% to 30% slopes. The center of the property falls along Boone Creek which runs in a southerly direction. The hill side into the creek bottom are about 30 % slopes. The creek bottom ground is about 200 feet wide.**
 - **The property is located within the Sumner Rural Fire Protection District.**
 - **The water source for this property will be from well and not a Class II steam. As a condition of approval the applicant will receive a sign off from Oregon Water Resources to verify the water source. Under ORS 537.545 (b) & (d) - no permit is required.**
 - **If the proposed dwelling has a chimney, a spark arrester will be installed.**
 - **The owner will provide and maintains primary fuel-free break and secondary break areas on land surrounding the dwelling that is owned or controlled by the owner consistent with the requirements of Section 4.6.140.9 and 4.6.140.10.**
- (2) (a) If a governing body determines that meeting the requirement of subsection (1)(b)(D) of this section would be impracticable, the governing body may provide an alternative means for protecting the dwelling from fire hazards. The means selected may include a fire sprinkling system, on-site equipment and water storage or other methods that are reasonable, given the site conditions. The applicant shall request and provide alternatives to be considered.
- (b) If a water supply is required under this subsection, it shall be a swimming pool, pond, lake or similar body of water that at all times contains at least 4,000 gallons or a stream that has a minimum flow of at least one cubic foot per second. Road access shall be provided to within 15 feet of the water's edge for fire-fighting pumping units, and the road access shall accommodate a turnaround for fire-fighting equipment. [1993 c.792 §5; 1995 c.812 §6; 1997 c.293 §1; 2003 c.621 §103]

Response to SECTION 4.6.110(9)(C)(2)

- **The property is within a fire district and there is no need for alternative fire protections.**
- **There is no need for an additional water supply.**

SECTION 4.6.130 ADDITIONAL CRITERIA FOR ALL NEW AND REPLACEMENT DWELLINGS AND STRUCTURES IN FOREST

The following siting criteria or their equivalent shall apply to all new dwellings and structures in forest and agriculture/forest zones. These criteria are designed to make such uses compatible with forest operations and agriculture, to minimize wildfire hazards and risks and to conserve values found on forest

lands. A governing body shall consider the criteria in this rule together with the requirements OAR 660-0060-0035 to identify the building site:

- (1) Dwellings and structures shall be sited on the parcel so that:
 - (a) They have the least impact on nearby⁽¹⁾ or adjoining forest or agricultural lands;
 - (b) The siting ensures that adverse impacts on forest operations and accepted farming practices on the tract will be minimized;
 - (c) The amount of forest lands used to site access roads, service corridors, the dwelling and structures is minimized; and
 - (d) The risks associated with wildfire are minimized.
- (2) Siting criteria satisfying section (1) of this section may include setbacks from adjoining properties, clustering near or among existing structures, siting close to existing roads and siting on that portion of the parcel least suited for growing trees.
- (3) The applicant shall provide evidence to the governing body that the domestic water supply is from a source authorized in accordance with the Water Resources Department's administrative rules for the appropriation of ground water or surface water and not from a Class II stream as defined in the Forest Practices rules (OAR chapter 629). For purposes of this section, evidence of a domestic water supply means:
 - (a) Verification from a water purveyor that the use described in the application will be served by the purveyor under the purveyor's rights to appropriate water;
 - (b) A water use permit issued by the Water Resources Department for the use described in the application; or
 - (c) Verification from the Water Resources Department that a water use permit is not required for the use described in the application. If the proposed water supply is from a well and is exempt from permitting requirements under ORS 537.545, the applicant shall submit the well constructor's report to the county upon completion of the well.
- (4) As a condition of approval, if road access to the dwelling is by a road owned and maintained by a private party or by the Oregon Department of Forestry, the U.S. Bureau of Land Management, or the U.S. Forest Service, then the applicant shall provide proof of a long-term road access use permit or agreement. The road use permit may require the applicant to agree to accept responsibility for road maintenance.
- (5) Approval of a dwelling shall be subject to the following requirements:
 - (a) Approval of a dwelling requires the owner of the tract to plant a sufficient number of trees on the tract to demonstrate that the tract is reasonably expected to meet Department of Forestry stocking requirements at the time specified in department of Forestry administrative rules;
 - (b) The planning department shall notify the county assessor of the above condition at the time the dwelling is approved;
 - (c) If the lot or parcel is more than 10 acres in western Oregon or more than 30 acres in eastern Oregon, the property owner shall submit a stocking survey report to the county assessor and the assessor will verify that the minimum stocking requirements have been met by the time required by Department of Forestry rules;
 - (d) Upon notification by the assessor the Department of Forestry will determine whether the tract meets minimum stocking requirements of the Forest Practices Act. If that department determines that the tract does not meet those requirements, that department will notify the owner and the assessor that the land is not being managed as forest land. The assessor will then remove the forest land designation pursuant to ORS 321.359 and impose the additional tax; and

- (e) The county governing body or its designate shall require as a condition of approval of a single-family dwelling under ORS 215.213, 215.383 or 215.284 or otherwise in a farm or forest zone, that the landowner for the dwelling sign and record in the deed records for the county a document binding the landowner, and the landowner's successors in interest, prohibiting them from pursuing a claim for relief or cause of action alleging injury from farming or forest practices for which no action or claim is allowed under ORS 30.936 or 30.937. years ago.

Response to SECTION 4.6.130

- **The proposed home site is located about 120 feet West of the East property boundary. The area is cleared and has an existing road that was developed for logging about five years ago. The proposed home site a slight grade for good drainage. The site is located in the eastern portion of the property approximately 0.3 miles North of Boone's Creek Road. The proposed site appears to be area to site the dwelling ensuring the least impact to the nearby or adjoining forest or agricultural lands. Utilizing the existing cleared area ensures that adverse impacts on forest operations and accepted farming practices on the tract will be minimized. The fuel free setback areas will be easily maintained with the gentle topography and are already cleared of heavier fuel tips. This will ensure risks associated with wildfire are minimized.**
- **The applicant acknowledges and will provide evidence to the governing body that the domestic water supply is from a source authorized in accordance with the Water Resources Department's administrative rules prior to obtaining a zoning compliance letter to constructed the dwelling. Under ORS 537.545 (b) & (d) - no permit is required to take water for single or group purposes in the amount not to exceed 15,000 gallons per day.**
- **The access is a private driveway off of Boone's Creek County Road.**
- **The seedlings on the property are dark green and vigorous about 4 feet tall with a 10 foot by 10 foot spacing and free to grow.**

SECTION 4.6.140 DEVELOPMENT AND SITING CRITERIA:

This section contain all of the development standards for uses (unless otherwise accepted out by a use review) and all of the siting standards for development.

1. **Minimum Lot Size for the creation of new parcels shall be at least 80 acres. Minimum lot size will not affect approval for development unless specified in use. The size of the parcel will not prohibit development as long as it was lawfully created or otherwise required to be a certain size in order to qualify for a use.**
2. **Setbacks: All buildings or structures with the exception of fences shall be set back a minimum of thirty-five (35) feet from any road right-of-way centerline, or five (5) feet from any right-of-way line, whichever is greater.**
3. **Fences, Hedges and Walls: No requirement, except for vision clearance provisions in Section 7.1.525.**
4. **Off-Street Parking and Loading: See Chapter VII.**
5. **Minimizing Impacts: In order to minimize the impact of dwellings in forest lands, all applicants requesting a single family dwelling shall acknowledge and file in the deed record of Coos County, a**

Forest Management Covenant. The Forest Management Covenant shall be filed prior to any final County approval for a single family dwelling.

6. **Riparian Vegetation Protection.** Riparian vegetation within 50 feet of a wetland, stream, lake or river, as identified on the Coastal Shoreland and Fish and Wildlife habitat inventory maps shall be maintained except that:
 - a. Trees certified as posing an erosion or safety hazard. Property owner is responsible for ensuring compliance with all local, state and federal agencies for the removal of the tree.
 - b. Riparian vegetation may be removed to provide direct access for a water-dependent use if it is a listed permitted within the zoning district;
 - c. Riparian vegetation may be removed in order to allow establishment of authorized structural shoreline stabilization measures;
 - d. Riparian vegetation may be removed to facilitate stream or stream bank clearance projects under a port district, ODFW, BLM, Soil & Water Conservation District, or USFS stream enhancement plan;
 - e. Riparian vegetation may be removed in order to site or properly maintain public utilities and road right-of-ways;
 - f. Riparian vegetation may be removed in conjunction with existing agricultural operations (e.g., to site or maintain irrigation pumps, to limit encroaching brush, to allow harvesting farm crops customarily grown within riparian corridors, etc.) provided that such vegetation removal does not encroach further into the vegetation buffer except as needed to provide an access to the water to site or maintain irrigation pumps; or
 - g. The 50 foot riparian vegetation setback shall not apply in any instance where an existing structure was lawfully established and an addition or alteration to said structure is to be sited not closer to the estuarine wetland, stream, lake, or river than the existing structure and said addition or alteration represents not more than 100% of the size of the existing structure's "footprint".
 - h. Riparian removal within the Coastal Shoreland Boundary will require a conditional use. See Special Development Considerations Coastal Shoreland Boundary.
 - i. The 50' measurement shall be taken from the closest point of the ordinary high water mark to the structure using a right angle from the ordinary high water mark.
7. All new dwellings and permanent structures and replacement dwellings and structures shall, at a minimum, meet the following standards. The dwelling shall be located within a fire protection district or shall be provided with residential fire protection by contract. If the dwelling is not within a fire protection district, the applicant shall provide evidence that the applicant has asked to be included within the nearest such district. If the applicant is outside the rural fire protection district, the applicant shall provide evidence that they have contacted the Coos Forest Protective Association of the proposed development.
8. The Planning Director may authorize alternative forms of fire protection when it is determined that these standards are impractical that shall comply with the following:
 - a. The means selected may include a fire sprinkling system, onsite equipment and water storage or other methods that are reasonable, given the site conditions;
 - b. If a water supply is required for fire protection, it shall be a swimming pool, pond, lake, or similar body of water that at all times contains at least 4,000 gallons or a stream that has a continuous year round flow of at least one cubic foot per second;
 - c. The applicant shall provide verification from the Water Resources Department that any permits or registrations required for water diversion or storage have been obtained or that permits or registrations are not required for the use; and

- d. Road access shall be provided to within 15 feet of the water's edge for firefighting pumping units. The road access shall accommodate the turnaround of firefighting equipment during fire season. Permanent signs shall be posted along the access route to indicate the location of the emergency water source.

9. Fire Siting Standards for New Dwellings:

- a. The property owner shall provide and maintain a water supply of at least 500 gallons with an operating water pressure of at least 50 PSI and sufficient ¾ inch garden hose to reach the perimeter of the primary fuel-free building setback.
- b. If another water supply (such as a swimming pool, pond, stream, or lake) is nearby, available, and suitable for fire protection, then road access to within 15 feet of the water's edge shall be provided for pumping units. The road access shall accommodate the turnaround of firefighting equipment during the fire season. Permanent signs shall be posted along the access route to indicate the location of the emergency water source.

10. Firebreak:

- a. This firebreak will be a primary safety zone around all structures. Vegetation within this primary safety zone may include mowed grasses, low shrubs (less than ground floor window height), and trees that are spaced with more than 15 feet between the crowns and pruned to remove dead and low (less than 8 feet from the ground) branches. Accumulated needles, limbs and other dead vegetation should be removed from beneath trees.
- b. Sufficient garden hose to reach the perimeter of the primary safety zone shall be available at all times.
- c. The owners of the dwelling shall maintain a primary fuel-free break area surrounding all structures and clear and maintain a secondary fuel-free break on land surrounding all structures and clear and maintain a secondary fuel-free break area on land surrounding the dwelling that is owned or controlled by the owner in accordance with the provisions in "Recommended Fire Siting Standards for Dwellings and Structures and Fire Safety Design Standards for Roads" dated March 1, 1991, and published by Oregon Department of Forestry and shall demonstrate compliance with Table 1.

Table 1 – Minimum Primary Safety Zone

Slope	Feet of Primary Safety Zone	Feet of Additional Primary Safety Zone Down Slope
0%	30	0
10%	30	50
20%	30	75
25%	30	100
40%	30	150

- 11. All new and replacement structures shall use non-combustible or fire resistant roofing materials, as may be approved by the certified official responsible for the building permit.
- 12. If a water supply exceeding 4,000 gallons is suitable and available (within 100 feet of the driveway or road) for fire suppression, then road access and turning space shall be provided for fire protection pumping units to the source during fire season. This includes water supplies such as a swimming pool, tank or natural water supply (e.g. pond).
- 13. The dwelling shall not be sited on a slope of greater than 40 percent.

14. If the dwelling has a chimney or chimneys, each chimney shall have a spark arrester.
15. The dwelling shall be located upon a parcel within a fire protection district or shall be provided with residential fire protection by contract. If the dwelling is not within a fire protection district, the applicant shall provide evidence that the applicant has asked to be included within the nearest such district.
16. Except for private roads and bridges accessing only commercial forest uses, public roads, bridges, private roads and driveways shall be constructed so as to provide adequate access for firefighting equipment.
17. Access to new dwellings shall meet road and driveway standards in Chapter VII.

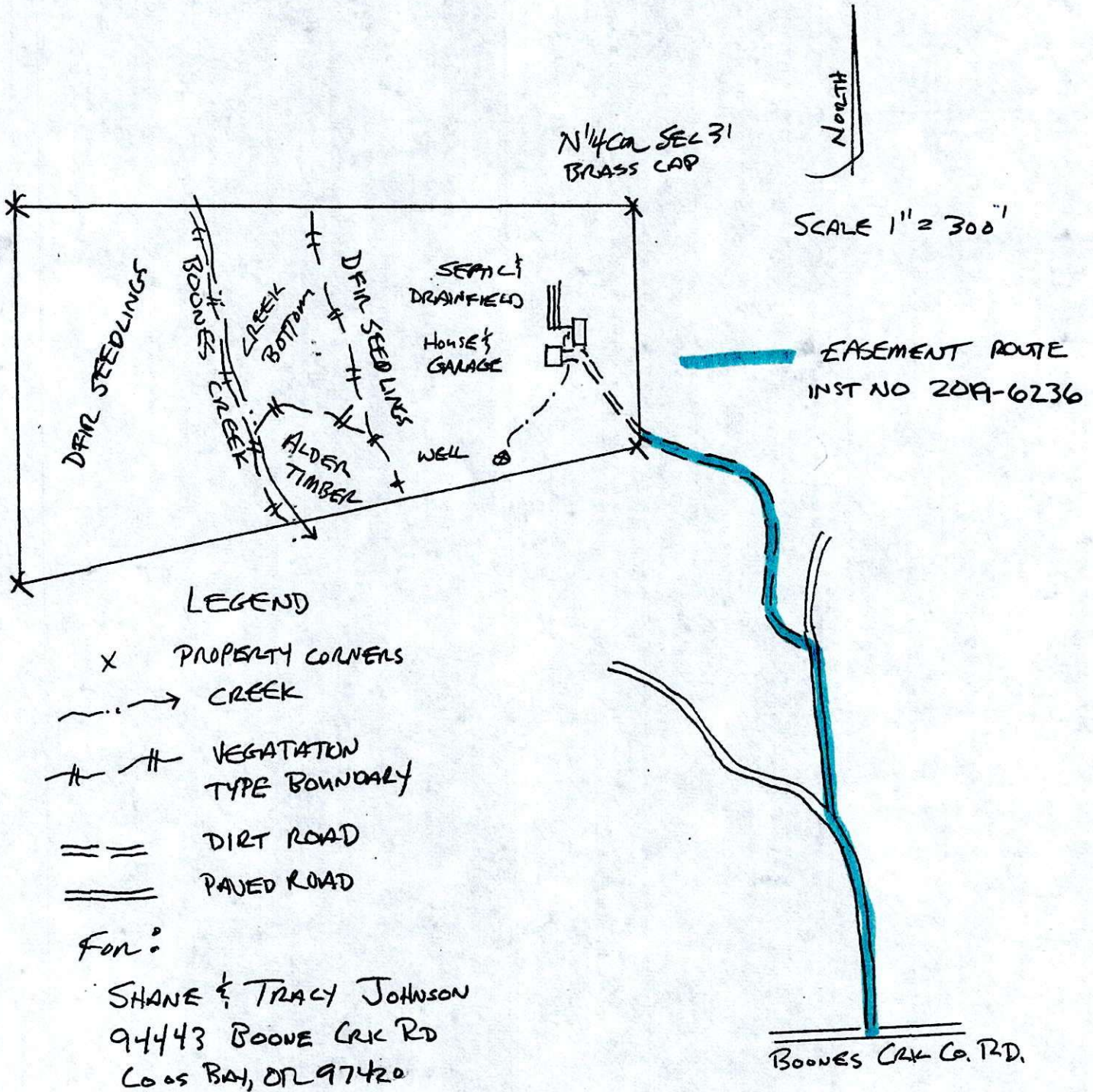
Response to SECTION 4.6.140

- **The property is a legal non-conforming unit of land and no land division is proposed.**
- **The applicant will exceed the road setback.**
- **There is no proposed fence at this time.**
- **A driveway/access/parking permit will be requested at the time of the application.**
- **The applicant has acknowledged and will file in the deed record of Coos County, a Forest Management Covenant prior to receiving a zoning compliance letter.**
- **The riparian vegetation will not be disturbed during the development of the site.**
- **The property is within the Sumner Rural Fire Protection District. No additional fire protection is required.**
- **The property owner will provide and maintain a water supply of at least 500 gallons with an operating water pressure of at least 50 PSI and sufficient ¾ inch garden hose to reach the perimeter of the primary fuel-free building setback.**
- **The slope on the property is between 2% to 30% and the applicant will meet the primary setback of 30 feet. If necessary the applicant can and shall meet the additional primary safety zone.**
- **The proposed dwelling will use non-combustible or fire resistant roofing materials.**
- **There is no water supply exceeding 4,000 gallons.**
- **The dwelling will not be sited on a slope of greater than 40 percent.**
- **The new dwelling will not have a chimney and in the event one is installed it will install a spark arrester.**
- **The property is within the Sumner RFPD. The access and driveway will be the minimum standards of Chapter VII which meets the requirement to allow emergency vehicles to enter the property.**

PLOT PLAN

TL 100 T26S R12W SEC 31

Coos Co, OR



MULKINS & RAMBO, LLC

P.O. BOX 809 NORTH BEND, OR 97459 Ph. (541)751-8900 Fax (541)751-9000

**Forest Soils Report – Template Dwelling Application
Tax Lot 100 – Map T26S, R12W, Sec31**

The subject property straddles the Boone Creek with a southerly flow. The side slopes along the creek draw average 30 percent slopes. The Boone Creek bottom has a width of approximately 200 feet.

The soils are made up of Salander silt loam by the Coos County Soil Survey prepared by the USDA in 1982. The soils have a site index of 180 on the 100-year Basis for Sitka spruce. This soil type will produce 270 cubic feet per acre per year of wood fiber on a 70-year age stand.

Prepared by



_____, February 17, 2022

Clyde F. Mulkins

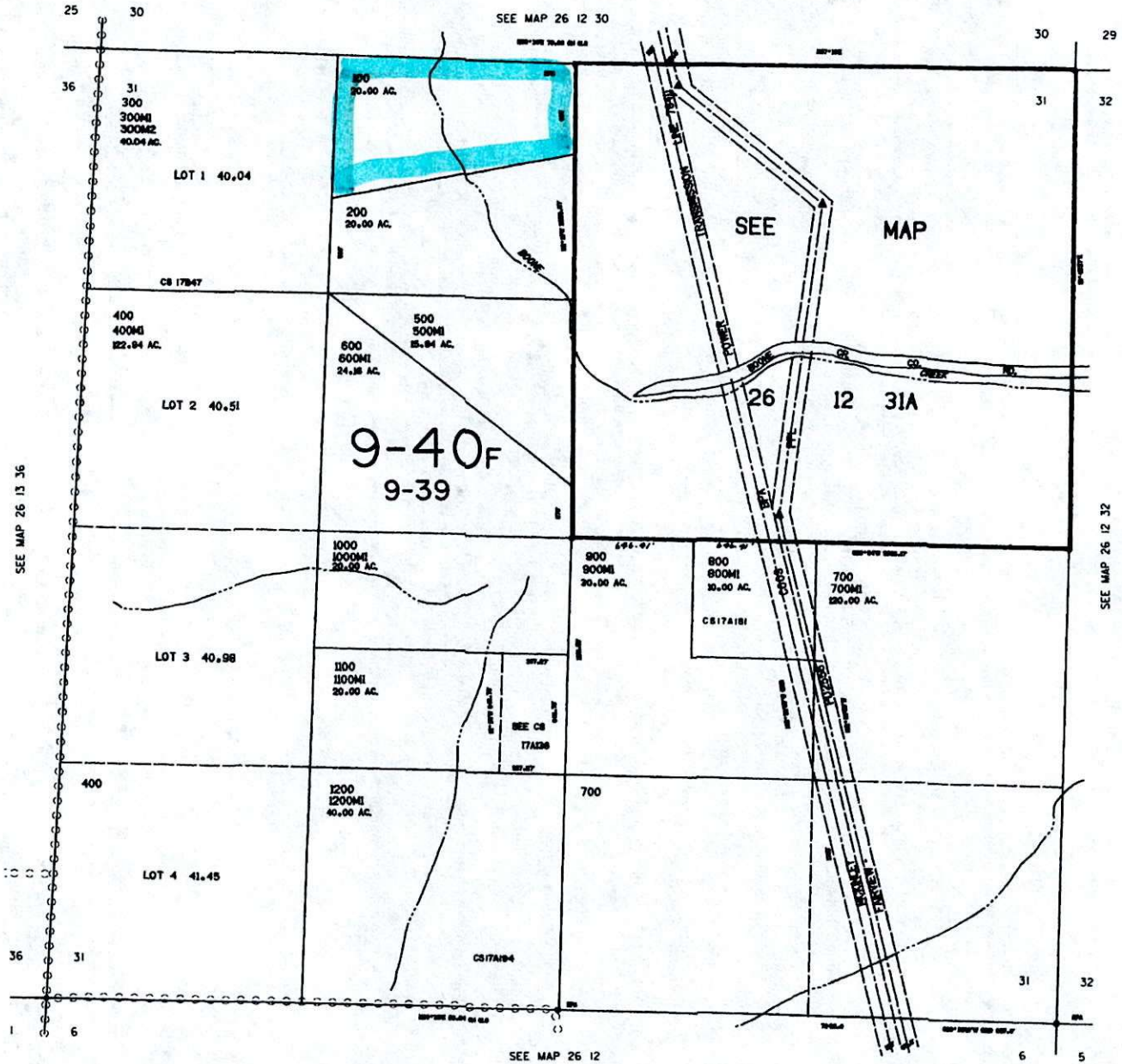
THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY

SECTION 31 T.26S. R.12W. W.M.
COOS COUNTY

1" = 400'

26 12 31
& INDEX

CANCELLED



DATE

26 12 31
& INDEX

RECORDING REQUESTED BY:



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

AFTER RECORDING RETURN TO:

Order No.: 360618022712-VR
Shane Johnson and Tracy Johnson
94443 Boone Creek Lane
Coos Bay, OR 97420

SEND TAX STATEMENTS TO:

Shane Johnson and Tracy Johnson
94443 Boone Creek Lane
Coos Bay, OR 97420

APN: 496001

COOS COUNTY, OREGON **2018-03243**
\$51.00 04/06/2018 02:09:00 PM
DEBBIE HELLER, CEA, COOS COUNTY CLERK Pgs=2

AFTER RECORDING
RETURN TO

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

SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY WARRANTY DEED

Jimmie R. Ketchum and Carolyn E. Ketchum, as tenants by the entirety, Grantor, conveys and warrants to **Shane Johnson and Tracy Johnson, as tenants by the entirety**, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Coos, State of Oregon:

A portion of the NE 1/4 of the NW 1/4 of Section 31, Township 26 South, Range 12 West of the Willamette Meridian, Coos County, Oregon, more particularly described as follows: Beginning at the Northeast corner of the NE 1/4 of the NW 1/4 of said Section 31; thence South along the East line of said quarter Section 500 feet to point; thence in a Southwesterly direction along a line, 1320 feet, more or less, to a point on the West line of the NE 1/4 of the NW 1/4, that is 500 feet North of the Southwest corner thereof; thence North along the said West line to the Northwest corner thereof; thence East along the North line of said quarter Section to the point of beginning.

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS NINETEEN THOUSAND AND NO/100 DOLLARS (\$19,000.00). (See ORS 93.030).

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. Rights and easements for navigation and fishery which may exist over that portion of said Land lying beneath the waters of Boone Creek.
3. The rights of the public and governmental bodies for fishing, navigation and commerce in and to any portion of the Land herein described, lying below the high water line of the Boone Creek.

The right, title and interest of the State of Oregon in and to any portion lying below the high water line of Boone Creek.

4. Any interest in any oil, gas and/or minerals, as disclosed by document

Entitled: Deed
Recording Date: June 26, 1984
Recording No: Book 13 Page 240 Deed Records

The present ownership or any other matters affecting said oil, gas and/or minerals are not shown herein.

5. Any rights incidental to the ownership and development of the mineral interest excepted or reserved in the document

Entitled: Deed
Dated: June 13, 1884
Recording Date: June 26, 1884
Recording No: Book 13 Page 240 Deed Records
Affects:

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

STATUTORY WARRANTY DEED

(continued)

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: 4/16/18

Jimmie R. Ketchum
Jimmie R. Ketchum

Carolyn E. Ketchum
Carolyn E. Ketchum

State of OR
County of DESS

This instrument was acknowledged before me on 4/16/18 by Jimmie R. Ketchum and Carolyn E. Ketchum.

Vicki Renee Rossback
Notary Public - State of Oregon

My Commission Expires: 7/6/19



Unofficial Copy

RECORDING COVER SHEET (Please print or type)

This cover sheet was prepared by the person presenting the instrument for recording. The information on this sheet is a reflection of the attached instrument and was added for the purpose of meeting first page recording requirements in the State of Oregon, and does NOT affect the instrument. ORS 205.234



Debble Heller, CCC, Coos County Clerk

After recording return to: ORS 205.234(1)(c)

Shane Johnson
94443 Boone Cr. Ln
Coos Bay, OR. 97420

1. Title(s) of the transaction(s) ORS 205.234(1)(a)

Cor Easment

2. Direct party(ies) / grantor(s) Name(s) ORS 205.234(1)(b)

Marvin Stemmerman trustee
Marvin Stemmerman Trust

3. Indirect party(ies) / grantee(s) Name(s) ORS 205.234(1)(b)

Shane R Johnson
Tracy Johnson

4. True and actual consideration:
ORS 205.234(1) Amount in dollars or other

\$ 0

Other: _____

5. Send tax statements to: ORS 205.234(1)(e)

6. Satisfaction of lien, order, or warrant:
ORS 205.234(1)(f)

FULL

PARTIAL

7. The amount of the monetary obligation imposed by the lien, order, or warrant: ORS 205.234(1)(f)

\$ 0

8. Previously recorded document reference: 2018-12103

9. If this instrument is being re-recorded complete the following statement: ORS 205.244(2)

"Rerecorded at the request of Shane Johnson
to ~~correct~~ add Exhibit E Easment Description
previously recorded in book and page , or as fee number 2018-12103."

After Recording Return To:

Jerry L. Lawson, Jr.
Delta Counsel, P.C.
PO Box 751
Lake Oswego, OR 97034



00088926201800121030090099

DEBBIE HELLER, CCC, COOS COUNTY CLERK

GRANT OF EASEMENT
(Road Construction, Ingress, Egress and Maintenance of Utility)

GRANT made this 20 day of Dec. 2018, from Marvin Stemmerman, Trustee of The Marvin Stemmerman Trust u/t/d June 25, 2003 ("Grantor") to Shane R. Johnson and Tracy Johnson, husband and wife (collectively "Grantee").

RECITALS:

A. Grantor owns those certain parcels of real property located in the County of Coos, State of Oregon, legally described in the attached Exhibit A, attached and incorporated herein by this referenced ("Grantor's Parcel"):

B. Grantee owns those certain parcels of real property located in the County of Coos, State of Oregon, legally described in the attached Exhibits B and C, attached and incorporated herein by this reference ("Grantee's Parcel"):

GRANT OF EASEMENT:

1. **Grant of Easement.** For good and valuable consideration, receipt of which is hereby acknowledged, Grantor hereby grants to Grantee a non-exclusive non-priority easement ("Easement") to use a strip of land across Grantor's Parcel as more particularly described and shown on the map attached as Exhibit D (the "Easement Strip"). The easement granted herein shall be perpetual and shall only be terminated by an instrument in writing signed by Grantor and Grantee, or their successors and assigns, and duly recorded in the records of the county in which Grantor's Parcel and Grantee's Parcel are located. The parties' rights hereunder shall not lapse in the event of failure to use the Easement on a continuous basis. The parties understand and agree that at such time as the roadway has been completed by Grantee, the construction and design of which shall be at Grantee's sole discretion, Grantee will commission a surveyor to create a legal description of the Easement Strip which shall be attached to this Grant of Easement and shall be re-recorded to include such description as Exhibit E.

2. **Purpose and Use.** The Easement shall be used by Grantee for construction of a road way for vehicular and pedestrian travel and the maintenance of any existing utilities or construction of any new utilities by Grantee and to allow Grantee, and their successors in interest the ability to travel across Grantor's Parcel to and from Grantee's Parcel and maintain any

existing underground utilities or those constructed by Grantee under and across Grantor's Parcel to and from Grantee's Parcel. Other than on a temporary basis while Grantee is constructing the roadway, at no time shall Grantee impair, impede, interfere with or obstruct Grantor's use, and the use by Grantor's permitted assigns or successors interest, of Grantor's Parcel or the Easement Strip. Grantor specifically consents to Grantee's activities with respect to construction of the roadway, location of utilities within the Easement Strip and all other activities Grantee requires in order to carry out and complete the construction of the roadway.

Other than as required for maintenance or repair of the Easement Strip on a temporary basis, neither Grantor nor Grantee, nor the invitees, guests or tenants of the same shall park vehicles or place any other objects within the area of the Easement, nor install any type of fence or other structure which restricts access across the Easement.

3. **Maintenance and Repair.** The Easement Strip shall be constructed by Grantee at Grantee's sole cost and expense. Once constructed the Easement Strip shall be maintained in its then present condition as of the date the construction of the roadway is completed by Grantor unless otherwise agreed to by the parties in writing. Notwithstanding the foregoing, if at any time Grantee should sell the real property described in Exhibit C to a third party or transfer the real property described in Exhibit C to a lineal descendant of Grantee who then constructs a residence thereon (each a "Grantee Transferee"), the maintenance of the Easement Strip shall thereafter be shared equally between Grantor and the Grantee Transferee.

4. **Real Property Taxes.** The liability for any real property taxes attributable to the Easement shall be borne exclusively by Grantor.

5. **Covenant Running With The Land.** The easement hereby granted, the restrictions hereby imposed, and the agreements herein contained shall be easements, restrictions, and covenants running with the land and shall inure to the benefit of, and be binding upon, the parties hereto and their respective heirs, successors, and assigns, including, but without limitation, all subsequent owners of Grantor's Parcel and Grantee's Parcel and all persons claiming hereunder.

6. **Remedies.** In the event of any breach of the provisions of this Easement, the aggrieved party shall be entitled to exercise any remedy provided by law or equity, including the remedies of injunction and specific performance. In the event litigation is commenced to enforce or interpret the provisions of this Easement, including any appeal therefrom, the prevailing party shall recover from the other party, in addition to all other costs and damages, reasonable attorneys' fees at trial, at arbitration or upon any appeal or petition for review thereof.

7. **Authority.** Each party hereto represents and warrants to the other that they have full power and authority to execute this Grant of Easement and that when signed it shall be a legally binding document benefiting and burdening each respective parcel of real property.

GRANTOR:

Marvin Stemmerman
Marvin Stemmerman, Trustee of The
Marvin Stemmerman Trust u/t/d June 25, 2003

GRANTEE:

Shane R. Johnson
Shane R. Johnson

Tracy Johnson
Tracy Johnson

STATE OF OREGON)
) ss.
County of Coos)

This instrument was acknowledged before me on 12/20, 2018 by Marvin Stemmerman, Trustee of The Marvin Stemmerman Trust u/t/d June 25, 2003.



Bridgette Whinery
Notary Public for Oregon
My Commission expires: 12-5-20

STATE OF OREGON)
) ss.
County of Coos)

The instrument was acknowledged before me on 12/20, 2018 by Shane R. Johnson.



Bridgette Whinery
Notary Public for Oregon
My Commission expires: 12-5-20

STATE OF OREGON

County of Coos

)
) ss.
)

The instrument was acknowledged before me on 12/20, 2018 by Tracy Johnson.



Bridgette Whinery

Notary Public for Oregon

My Commission expires: 12-5-20

Unofficial Copy

Exhibit "A"

Beginning at a point on the North-South centerline of Section 31, Township 26 South, Range 12 West of the Willamette Meridian, Coos County, Oregon, 153.38 feet North of the center of said Section 31;

Thence along the East boundary of a roadway, North 26°41'30" East 68.85 feet;

Thence North 25°01' East 449.89 feet;

Thence North 1°31'30" West 65.57 feet;

Thence North 26°14' West 72.77 feet;

Thence North 4°03'30" West 37.79 feet;

Thence North 49°13' East 5 feet to the center line of Boone Creek;

Thence Northwestery along the center of Boone Creek to a point on the West line of the Northeast quarter of said Section 31, 1422.18 feet South 02°13' East of the North quarter corner of said Section 31, and further described in a Warranty Deed recorded January 8, 1974, bearing Microfilm Reel No. 74-1-95118-19, Records of Coos County, Oregon, from Bonnie Hill to John Harris;

Thence Southerly along the North-South centerline of said Section 31 to the point of beginning.

Also including:

Beginning at a 5/8" iron rod set per Coos County Survey 17B73, said iron rod marking the Center-North 1/16 corner of Section 31, Township 26 South, Range 12 West, Willamette Meridian, Coos County, Oregon, thence South 54°00'23" East 188.80 feet to a 5/8" iron rod;

Thence North 14°26'39" West 128.03 feet;

Thence North 1°30'36" West 493.60 feet to a 5/8" iron rod;

Thence North 87°47'00" East 540.00 feet to a 5/8" iron rod;

Thence continuing North 87°47'00" East 13.53 feet, more or less, to the East boundary of that parcel described per Deed Inst. #2007-5556.

Thence along the East boundary of that parcel, South 2°13'00" East 397.71 feet, more or less, to a 5/8" iron rod marking the Northeast corner of that parcel conveyed to Gerald Carl and Mary Louise Napier per Instrument recorded in Microfilm No. 68-10-33206, Deed Records of Coos County, Oregon

Thence along the Northerly line of said Napier parcel, South 80°27' West 283.35 feet to the Northwest corner of said Napier parcel;

Thence South 10°05' East 587.02 feet along the Westerly line of said Napier parcel to a 3/4" iron pipe at the Southwest corner of said Napier parcel;

Thence South 87°00' West 235 feet;

Thence North 48°00' West 17 feet;

Thence North 52°15' West 80 feet;

Thence North 40°15' West 200 feet;

Thence North 19°30' West 145 feet to a point on the North-South center line of said Section 31, the Southwest corner of that parcel described per Deed Inst. #2007-5556;

Thence Northerly along the North-South centerline of said Section 31 to the point of beginning.

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

06/29/2007 #2007-8771
03:22PM 3 OF 4

2007-08771

Exhibit "A"

Beginning at a 5/8" iron rod set per Coos County Survey 17B73, said iron rod marking the Center-North 1/16 corner of Section 31, Township 26 South, Range 12 West, Willamette Meridian, Coos County, Oregon, thence South 54°00'23" East 188.80 feet to a 5/8" iron rod;
Thence North 14°28'39" West 128.03 feet;
Thence North 1°30'36" West 493.60 feet to a 5/8" iron rod;
Thence North 87°47'00" East 540.00 feet to a 5/8" iron rod;
Thence continuing North 87°47'00" East 13.53 feet, more or less, to the East boundary of that parcel described per Deed Inst. #2007-5556.
Thence along the East boundary of that parcel, North 2°13'00" West to the Northeast corner of that parcel described per Deed Inst. #2007-5556;
Thence along the North line of Section 31, Westerly 875.11 feet to the North 1/4 corner of said Section 31;
Thence Southerly along the North-South centerline of said Section 31 to the point of beginning.

Unofficial
Copy

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

06/29/2007 #2007-8771
03:22PM 4 OF 4

2007-08771

Beginning at a point on the East line of the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ 500 feet South of the Northeast corner thereof, Section 31, Township 28 South, Range 12 West of the Willamette Meridian, Coos County, Oregon; thence Westerly to a point on the West line 500 feet North of the Southwest corner of said quarter; thence South to the Southwest corner; thence East to the Southeast corner; thence North to the point of beginning.

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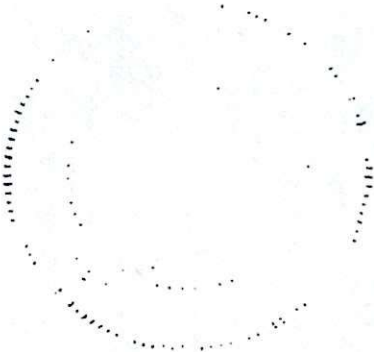


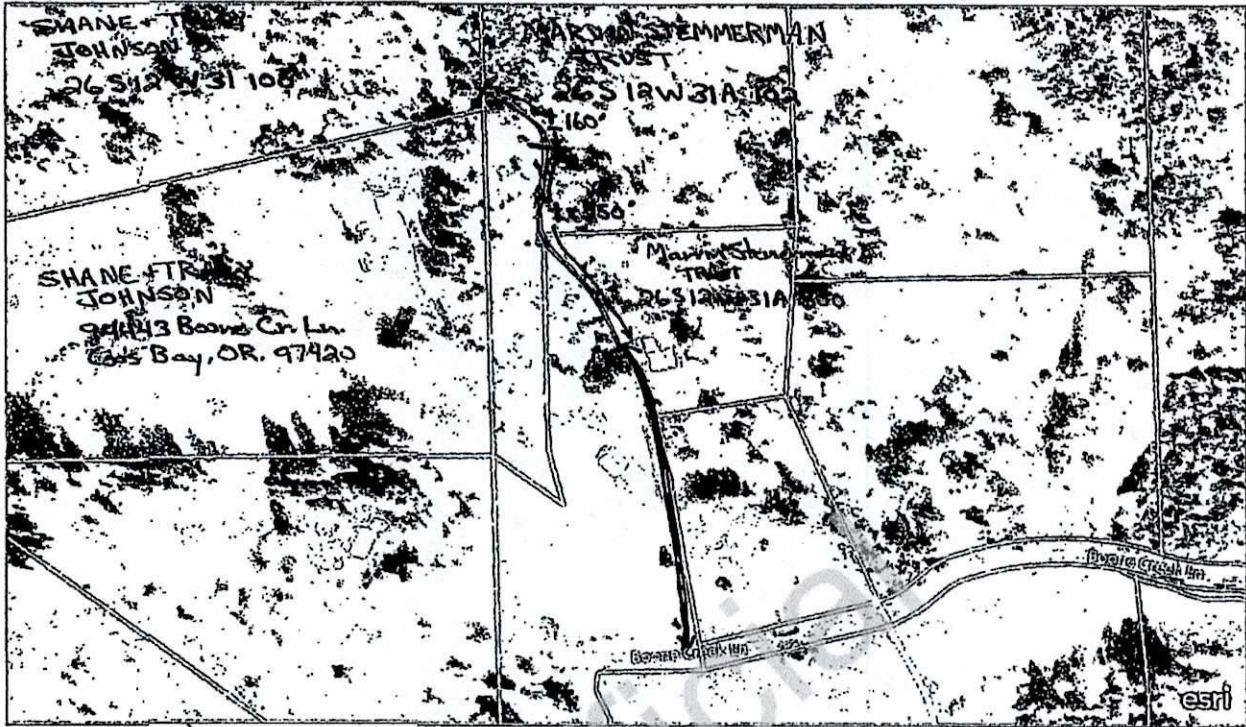
Exhibit C
Page 1 of 1

A portion of the NE 1/4 of the NW 1/4 of Section 31, Township 26 South, Range 12 West of the Willamette Meridian, Coos County, Oregon, more particularly described as follows: Beginning at the Northeast corner of the NE 1/4 of the NW 1/4 of said Section 31; thence South along the East line of said quarter Section 500 feet to point; thence in a Southwesterly direction along a line, 1320 feet, more or less, to a point on the West line of the NE 1/4 of the NW 1/4, that is 500 feet North of the Southwest corner thereof; thence North along the said West line to the Northwest corner thereof; thence East along the North line of said quarter Section to the point of beginning.

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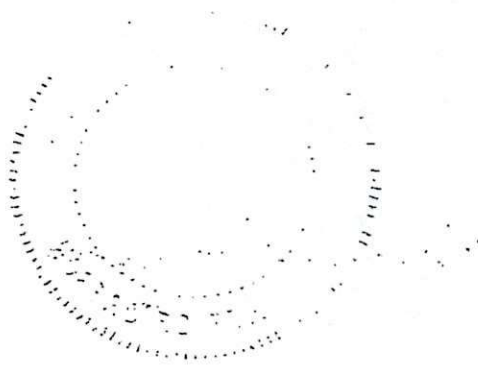
"Exhibit D"

November 2018 Data Set (PARCEL ALIGNMENT WITH PHOTO MAY NOT BE EXACT)



* New roadway marked in red

Copyright: © 2013 National Geographic Society, I-cubed | Employment | Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community | Coos County Comprehensive Plan: Volume I. Part 2. Inventories and Factual Base. Digital work created by Coos County Planning Staff & Coos County Board of Commissioners with financial assistance provided by the Coastal Zone Management



Unofficial
Copy

STATE OF OREGON
COUNTY OF COOS

I hereby certify that instrument #2018-12103,
recorded on 12/20/2018, consisting of 9 page(s),
has been compared with the original, and is a
correct and whole transcript as it appears on record
at the County Clerk's office in Coos County, Oregon.
Debbie Heller, CCC, County Clerk

7/17/2019

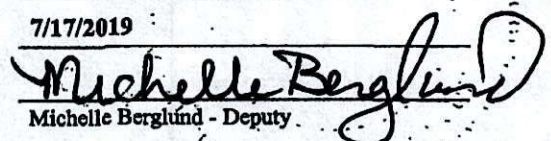
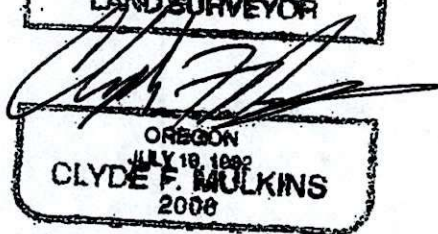
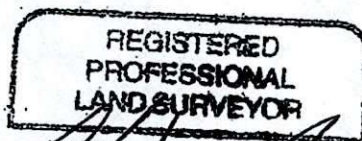

Michelle Berglund - Deputy

EXHIBIT "E"

Easement Description

A 30 foot easement located in West half of the Northeast quarter, Section 31, Township 26 South, Range 12 West of the Willamette Meridian, Coos County, Oregon, lying 15 feet either side of the following described centerline:

Beginning at a point in the center of Boone's Creek County Road, from which point the Center quarter corner of said Section 31, bears S 27° 05' 57" W a distance of 930.34 feet; thence N 4° 15' 42" W a distance of 106.16 feet; thence N 7° 50' 26" W a distance of 239.21 feet; thence N 8° 01' 26" W a distance of 60.75 feet; thence N 12° 36' 45" W a distance of 69.86 feet; thence N 17° 02' 50" W a distance of 123.02 feet; thence N 21° 59' 28" W a distance of 80.09 feet; thence N 27° 23' 47" W a distance of 47.13 feet; thence N 55° 41' 35" W a distance of 53.26 feet; thence N 37° 22' 58" W a distance of 73.12 feet; thence N 49° 01' 06" W a distance of 73.74 feet; thence N 30° 29' 35" W a distance of 54.18 feet; thence N 4° 10' 12" W a distance of 56.51 feet; thence N 2° 29' 24" E a distance of 88.38 feet; thence N 14° 37' 38" E a distance of 80.23 feet; thence N 1° 37' 21" W a distance of 36.26 feet; thence N 44° 20' 29" W a distance of 39.77 feet; thence N 69° 40' 17" W a distance of 50.87 feet; thence N 53° 13' 19" W a distance of 49.48 feet; thence N 37° 21' 26" W a distance of 40.58 feet; thence N 20° 43' 18" W a distance of 91.26 feet, more or less, to a point on the East boundary of the Northeast quarter of the Northwest quarter of said Section 31, from which point a 5/8 inch iron rod marking the East corner of the southerly boundary of the tract of land described in Inst. No. 2018-3243, Coos County Deed Records, bears thence S 1° 23' 43" E a distance of 104.27 feet.



RENEWAL 12/31/2020

EXHIBIT "E"

Easement Description

A 30 foot easement located in West half of the Northeast quarter, Section 31, Township 26 South, Range 12 West of the Willamette Meridian, Coos County, Oregon, lying 15 feet either side of the following described centerline:

Beginning at a point in the center of Boone's Creek County Road, from which point the Center quarter corner of said Section 31, bears S 27° 05' 57" W a distance of 930.34 feet; thence N 4° 15' 42" W a distance of 106.16 feet; thence N 7° 50' 26" W a distance of 239.21 feet; thence N 8° 01' 26" W a distance of 60.75 feet; thence N 12° 36' 45" W a distance of 69.86 feet; thence N 17° 02' 50" W a distance of 123.02 feet; thence N 21° 59' 28" W a distance of 80.09 feet; thence N 27° 23' 47" W a distance of 47.13 feet; thence N 55° 41' 35" W a distance of 53.26 feet; thence N 37° 22' 58" W a distance of 73.12 feet; thence N 49° 01' 06" W a distance of 73.74 feet; thence N 30° 29' 35" W a distance of 54.18 feet; thence N 4° 10' 12" W a distance of 56.51 feet; thence N 2° 29' 24" E a distance of 88.38 feet; thence N 14° 37' 38" E a distance of 80.23 feet; thence N 1° 37' 21" W a distance of 36.26 feet; thence N 44° 20' 29" W a distance of 39.77 feet; thence N 69° 40' 17" W a distance of 50.87 feet; thence N 53° 13' 19" W a distance of 49.48 feet; thence N 37° 21' 26" W a distance of 40.58 feet; thence N 20° 43' 18" W a distance of 91.26 feet, more or less, to a point on the East boundary of the Northeast quarter of the Northwest quarter of said Section 31, from which point a 5/8 inch iron rod marking the East corner of the southerly boundary of the tract of land described in Inst. No. 2018-3243, Coos County Deed Records, bears thence S 1° 23' 43" E a distance of 104.27 feet.

