

Coos County Planning Department 60 E. Second St., Coquille OR 97423 (LOCATION) 225 N. ADAMS ST. COQUILLE OR 97423 (MAILING)

PHONE: 541-396-7770 EMAIL: PLANNING@CO.COOS.OR.US

# LAWFULLY CREATED UNIT OF LAND DETERMINATION FORM

Date Received: 328/22	Receipt #: 231839	Received by:
Application File Number 22-0	Planner Assigned:	

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

Please be aware if the fees are not included the application will not be processed. (If payment is received on line a file number is required prior to submittal)

		LAND IN	FORMATION		
Land Owner(s) Bonnie	Harless £	Sonnie	g. Ha	rless	
Mailing address: PO Box	158, Broad	bent, OR 974	114-0158		
Phone: 541-572-5508			Email:		
Applicant(s) same as ab	ove				
Mailing address:					
Phone:			Email:		1
Type of Ownership: Single	e Ownership -	Signed Applica	tion		
PROPERTY INFORMA	ΓΙΟΝ:				
Township: Range: 13W	Section:	½ Section:	1/16 Section: 0	Tax lot: 100 & 200	121
Township: Range: 13W	Section:	½ Section:	1/16 Section: 0	Tax lot:	) 1
Tax Account Number(s):	901700, 90	1690, 90280	0		
Any account informatio your tax statement. Any					page, by contacting staff or on

SUPPLEMENTAL QUESTIONS AND CRITERIA FOR A LAWFULLY CREATED (DISCRETE) UNIT OF LAND DETERMINATION.

- I. The following quetions are required to be answered:
  - 1. How was the unit of land created? Section 6.1.125.1.f
  - 2. When was the unit of land created?
  - 3. Provide the deed numbers were used to determine the unit(s) was lawfully created?
  - 4. How many lawfully created parcels are you requesting confirmation on? 3 maybe 4
  - 5. How are these units of land accessed?
- II. The following is required to be submitted as part of the application:
  - 1. All deeds used to determine the Lawfully Created Units of Land (this need to be readable).
  - 2. Map(s) of the Lawfully Created Units of Land with access point, roads and development.
  - 3. Findings to the criteria listed in Section III of this application form.
  - 4. All fees will be collected with the exception of any recording fees.

## III. SECTION 6.1.125 LAWFULLY CREATED

"Lawfully established unit of land" means:

- 1. The unit of land was created:
  - a. Through an approved or pre-ordinance plat;
  - b. Through a prior land use decision including a final decision from a higher court. A higher court includes the Land Use Board of Appeals;
  - c. In compliance with all applicable planning, zoning and subdivision or partition ordinances and regulations at the time it was created.
  - d. By a public dedicated road that was held in fee simple creating an intervening ownership prior to January 1, 1986;
  - e. By deed or land sales contract, if there were no applicable planning, zoning or subdivision or partition ordinances or regulations that prohibited the creation.
  - f. By the claim of intervening state or federal ownership of navigable streams, meandered lakes or tidewaters. "Navigable-for-title" or "title-navigable" means that ownership of t the waterway, including its bed, was passed from the federal government to the state at statehood. If a waterway is navigable-for-title, then it also is generally open to public use for navigation, commerce, recreation, and fisheries.
- 2. Creation of parcel previously approved but not acted upon (92.178).
  - a. The governing body of a county may approve an application requesting formation of one parcel if the county issued a land use decision approving the parcel prior to January 1, 1994, and:
  - b. A plat implementing the previous land use decision was not recorded; or
  - c. A condition of approval of the previously approved land use decision requiring consolidation of adjacent lots or parcels was not satisfied by a previous owner of the land.
  - d. An application under this section is not subject to ORS 215.780.
  - e. Approval of an application under this section does not affect the legal status of land that is not the subject of the application.

### SECTION 6.1.150 APPLICATIONS ESTABLISHING LAWFULLY CREATED LOTS OR PARCELS:

An application to establish a lawfully created unit of land shall be submitted in the case of Section 6.1.125.1.d, e and f and Section 6.1.125.2. This is an administrative land use decision. If County Counsel is required to review information to determine legal status of the unit of land additional fees may be charged.

All notices will be provided in accordance with LDO Section 5.0.

Once it is determined that a lawfully created unit of land exists it shall be separated out on its own deed prior to any reconfiguration such as a property line adjustment. A copy of that deed needs to be provided to the Planning Department showing the process has been completed. If there are more than two lawfully created units of land (discrete parcels) found to exist a road may be required to provide access. The applicable road standards in Chapter VII will apply.

FINDINGS:

THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY

#### SECTION 7 T28S R13W W.M. **COOS COUNTY**

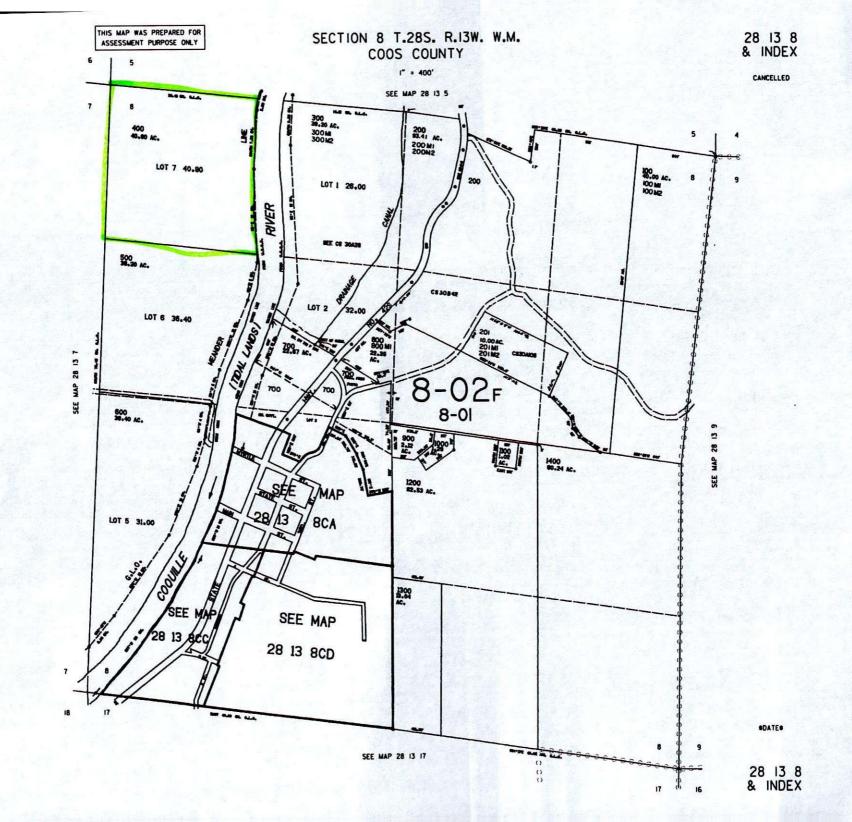
1" = 400"

28S 13W 07

CANCELLED NO. 501 1102



28S 13W 07



STATE OF OREGON COUNTY OF COOS SS: BE IT REMEMBERED, That on this Thirteenth day of March A. D. 1941, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named Merbert A. Sain and Mary R. Sain, Husbane and wife, who are known to me to be the indentical persons described in and who executed the within instrument, and acknowledged to me that they executed the same freely and voluntarily.

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

Recorded March 17, 1941, 12:45 P. M. L. W. Oddy, County Clerk

W. O. Swan Notary Public for Oragon Hy Commission expires Feb. 19, 1943 (Notarial Seal)

64086-

DEED

KNOW ALL MEN BY THESE PRESENTS, That The Umpqua Timber Company, an Oregon Corporation, the Grantor, in consideration of Ten Dollars to them paid, the receipt of which is hereby acknowledged, have granted, bargained and sold and by these presents do hereby grant, bargain, sell and convey unto George E. Dix and Sara L. Dix, husband and wife, the Grantee, their heirs and assigns all the following described real property situated in the County of Coos, State of Oregon, to-wit:

Lots 3 and 4 and the West half of the Southeast quarter (War SRt) of Section Twelve (12), Township Twenty-seven (27) South, Range Eleven (11) West of the Willamette Meridian, Coos County, Oregon.

together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining and also all the Grantor's right, title, interest and estate in and to the same.

TO HAVE AND TO HOLD the above described and granted premises unto the said George E. Dix and Sara L. Dix busband and wife, their heirs and assigns forever.

IN WITNESS WHEREOF, the Grantor has bereunto caused these presents to be executed on its behalf by its duly authorized representatives and its corporate seal affixed hereto all this 6th day of March, 1941.

(Corporate Scal)

UMPQUA TIMBER COMPANY an Oregon Corporation By J. Arthur Borg, Its President By S. A. Petere, Jr., Its Secretary

\$7.70 Documentary Stamp, Cancelled

STATE OF OREGON COUNTY OF COOS SS: THIS IS TO CLETIFY that on this 6th day of Earch, 1941, before me, personally appeared J. Arthur Berg and S. A. Peters, Jr., both to me personally known, who each being duly sworn did say that he, the said J. Arthur Berg is the President, and he, the said S. A. Peters Jr., is the Secretary of The Umpqua Timber Company, an Oregon Corporation, and that the seal affixed to said instrument was signed and sealed in behalf of said corporation by authority of its Board of Directors, and said J. Arthur Berg and S. A. Peters Jr., acknowledged said instrument to be the free act and deed of said corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal this the day and year first in this, my certificate written.

Recorded March 17, 1941, 12:45 P. M. L. W. Oddy, County Clerk Saima L. Caughell Notery Public for Oregon My Commission expires: Sept. 1, 1941 (Noterial Soal) Ten Dollars and other valuable consideration to me paid by Adolph L. Molthu and Mabel W. Molthu, husband and wife, do hereby grant, bargain, sell and convey unto said Adolph L. Molthu and Mable W. Molthu, husband and wife, as tenants in the entirety, their heirs and assigns, my undivided one-quarter interest in and to all the following real property, with the tenements, hereditaments and appurtenances, situated in the County of Coos and State of Oregon, bounded and described as follows, to-wit:

The Northwest quarter of the Northwest quarter (being Lot numbered 7) of Section 8; also the Northeast quarter of the Northeast quarter and the East half of the Northwest quarter of the Northeast quarter of Section 7, all in Township 28 South, of Range 13 West of Will-amette Meridian; also, beginning at the Northeast corner of the Southeast quarter of the Northeast quarter of Section 7, Township 28 South, of Range 13 West of the Willamette Meridian, run thence West 92 rods and 6 feet to the East side of the County Road; thence South slong the East side of said County Road 11 and 3/4ths rods, thence East 23 rods and 6 feet, thence North 10 and 3/4ths rods, thence East 61 rods, thence North 1 rod, thence West 2 rods to the place of beginning, and containing 102 acres, more or less, all in Coos County, Oregon.

Also my undivided one-quarter interest in that certain lease on said premises to one Arthur J. Haga.

TO HAVE AND TO HOLD, the above described and granted premises unto the said Adolph L. Wolthu and Mable W. Molthu, husband and wife, as tenants in the entirety, their heirs and assigns forever.

And I, Cark Hull, the granter above named do covenant to and with the above named grantees, their heirs and assigns that I am lawfully reized in fee simple of the above granted premises, that the above granted premises are free from all incumbrances, except a certain mortgage to Dora L. Hanly for \$2,000., dated June 21, 1927, recorded June 24, 1927, in Book 52 of Mortgages Page 263, Coos County, Ore., which grantees assume as to my one-quarter interest and agree to pay; all Coos County, Ore. taxes; and a certain lease on said premises to one Arthur J. Hage, which grantees also assume and agree to be bound by its terms, and that he will and his heirs, executors and administrators, shall warrant and forever defend the above granted premises, and every part and parcel thereof, against the lawful claims and demands of all persons whomsoever, with the exceptions hereinabove stated.

Witness my hand and seal this 15th day of March, 1941.

Clark Hull )soal(

\$1.65 Docume: tary Stamp, Cancolled

STATE OF OREGON COUNTY OF COOS SS: BE IT RELEMBERED, That on this 15th day of March, A. D. 1941, before me, the undersigned, a Motary Public in and for said County and State, personally appeared the within named Clark Hull, a single man, who is known to me to be the identical individual described in and who executed the within instrument and acknowledged to me that he executed the same freely and voluntarily.

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

Recorded March 17, 1941, 2:20 P. M. L. W. Oddy, County Clerk O. C. Sanford Hotary Public for Oregon My Commission expires Sopt. 29, 1943 (Hotarial Seal)

64088- MON ALL MEN BY THESE PRESENTS, That Francis Elliott, a widow in consideration of Ten dollars and other valuable consideration to her paid by Conrad Lapp and Clara Lapp. husband and wife does hereby grant, bargain, sell and convey unto said Conrad Lapp and Clara do grant, bargain, sell and convey unto Thomas A. Anderson, and Katherine Anderson, husband and wife, the grantees, the following described resl property, to-wit:

Northwest quarter of Southwest quarter of Section five in Township twenty-five South, of Range twelve est of Willamette Meridian in Coos County, State of Oregon; subject to the County Road upon said premises, and the right-of-way to West Coast Power Co., recorded commencing Page 305 of Book 154 of Deed Records;

Together with the tenements, hereditaments and appurtenances thereunto belonging.

TO HAVE AND TO HOLD said premises unto said grantees, and/or survivor of either,
heirs and assigns forever.

The grantors covenant with said grantees heirs and assigns, that they are the owners in fee simple of said premises, and that the same are free from incumbrance; and that they will warrant and defend said premises from any and all lawful claims and demands whatsoever.

Cora L. Merz )seal

Sealed and dated this 31st day of July 1941.

Henry Merz )seal (
\$1.60 Documentary Stamp, Cancelled
STATE OF OREGON
COUNTY OF COOS SS: On July 31, 1941, in above venue, before me, a Notary Public in and for said Venue, personally appeared the above named, CORA L. MERZ and HENRY MERZ, her husband, who are personally known to me to be the Identical individuals described in and who executed the foregoing instrument, and acknowledged to me that they executed the same freely.

Recorded Aug. 1, 1941, 12:00 %. L. W. Oddy, County Clerk Bennett Swanton Notary Public in and for said Venue My Commission expires March il, 1945 (Notarial Seal)

1223- KNOW ALL MEN MY THESE PRESENTS, That Ina Fox (sometimes known as Ina B. Fox) and her husband, John J. Fox, Thomas Hull, a widower and single man, and William H. Hull, Jr., a single man, being heirs of Kate M. Hull and William H. Hull Sr., deceased in consideration of Ten and NO/100 Dollars, to them paid by Adolph L. Molthu and Eabel W. Molthu, husband and wife, of Coos County, State of Oregon, have bargained and sold and by these presents do grant, bargain, sell and convey unto said Adolph L. Molthu and Mabel W. Molthu, their heirs and assigns, all the following bounded and described real property, situated in the County of Coos, and State of Oregon:

The NY of the NY (being Lot numbered 7) of Section 8; slso the NE of the NE and the E of the NY of the NE of Section 7, all in Township 22 South of Range 13 West of the Willamette Meridian; also, beginning at the NE corner of the SE of the NE of Section 7, Township 28 South of Fange 13 West of the Willamette Meridian, run thence West 82 rods and 6 feet to the East side of the County Road; thence South along the East side of said County Road 11 and 3/4ths rods, thence East 23 rods and 6 feet, thence North 10 and 3/4ths rods, thence East 61 rods, thence North 1 rod, thence West 2 rods to the place of beginning, and containing 102 acres, more or less, all in Coos County, Oregon; together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise apportaining, and also all their estate, right, title and interest in

TO HAVE AND TO HOLD, the above described and granted premises unto the said Adolph L. Molthm and Mabel W. Molthm, their heirs and assigns forever. And Ins Fox and John J. Fox, Thomas Hull and William H. Hull granters above named do covenant to and with Adolph L. Molthm and Mabel W. Molthm, the above named grantees their heirs and assigns that they are lawfully seized in fee simple of the above granted premises, that the above granted premises are free from all incumbrances, and that they will and their heirs, executors and administrators, shall warrant and forever defend the above granted premises, and every part

and to the same, including dower and claim of dower,

and percel thereof, against the lawful claims and demands of all persons whomsoever.

IN WITNESS WHEREOF, the grantors above named, have hereunto set their hand and seal this 2nd day of July 1941.

Executed in the presence of:\_\_\_

Ina B. Fox
John J. Fox
William H. Hull, Jr. (Seal)
Thomas Hull (Seal)

\$6.00 Documentary Stamp, Cancelled

STATE OF OREGON COUNTY OF COOS SS: BE IT REMEMBERED, That on this 2nd day of July A. D. 1941, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named Ina Fox and John J. Fox, her husband, Thomas Hull and William H. Hull who are known to me to be the identical persons described in and who executed the within instrument, and acknowledged to me that they executed the same freely and voluntarily.

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

Recorded Aug. 1, 1941, 2:45 P. M. L. W. Oddy, County Clerk

J. Arthur Berg Notary Fublic for Oregon My Commission expires September 1st, 1941 (Notarial Seal)

1225- KNOW ALL MEN BY THESE PRESENTS, That Henry Sengstacken Company a corporation duly organized and existing under the laws of the State of Oregon in consideration of Ten and no/100 (\$10.00) Dollars, and other valuable consideration to it paid by George Wittick and Edward Sjogren does hereby grant, bargain, sell and convey to said George Wittick and Edward Sjogren heirs and assigns forever, the following real property, with the tenements, hereditaments and appurtenances thereunto belonging, or in anywise appertaining; and also all the estate, right, title and interest, at law and equity, therein and thereto, situated in the County of Coos, and State of Oregon, bounded and described as follows, to-wit:

North-east quarter of the Northeast quarter, North-west quarter of the South-east quarter, and Lots two and three-containing One Fundred twenty acres more or less, Section Twenty-six, Township 25 S. Range 11 West Willamette meridian,

and assigns forever. And the said Henry Sengstacken Company does covenant with the said George Wittick and Edward Sjogren and their legal representatives forever, that it is lawfully solzed in fee simple of the above described and granted premises, and has a valid right to convey same; that the said real property is free from all incumbrances, and that it will, and its successors shall WARRANT AND DEFEND the same to the said grantee, their heirs and assigns forever, against the lawful claims and demands of all persons whomsoever.

IN WITNESS WHEREOF, Henry Sengstacken Company pursuant to a resolution of its
Board of Directors, duly and legally adopted, has caused these presents to be signed by its
President, and Secretary, and its corporate seal to be hereunto affixed this 3rd day of June
A. D. 1941.

Executed in the presence of: Evan Davies, Levan I. Bogardus (Corporate Seal) Henry Sengstacken Company By Agnes R. Songstacken, President Henry Sengstacken Company By M. G. Sengstacken, Secretary

62.00 Documentary Stamp, Cancelled

STATE OF OREGON
COUNTY OF COOS SS: On this third day of June 1940, before me appeared Agnes R. Sengstacken and M. G. Sengstacken both to me personally known, who being duly sworn, did say that she, the unid Agnes R. Sengstacken is the President, and she, the said M. G. Sengstacken is the Secretary of Henry Sengstacken Company the within named Corporation, and that the seal affixed

OFFICIAL RECORDS 8.02 OF DESCRIPTIONS 200 28 13 8.01 TYPE NO SEC 1/4 1/10 PARCEL CODE RGE OF SPEC INT AREA NUMBER MAP NUMBER REAL PROPERTIES NUMBER TAX LOT NUMBER OLD ACCT. NO. 9016.00 OLD TAX LOT NO. 9016.90 FORMERLY PART OF\_ DEED RECORD ACRES DATE OF ENTRY ON THIS CARD REMAINING Name and Tax Lot Information VOL 8.01 = 10.00 Ac. MARGARET E. 341 11-29-78 283 25.00 PER DEATH CERTIFICATE OF WILLARD MARGARET E. RNC. 24.32 1792 2000 Rnc 00 069 2-29-00 WILLARD, MARGARET E. 2007 11463 Harless, Bonnie J. 8-31-07 150-303-049 (5-77)

T28S R13W WM

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T28S R13W WM

Sec 8: Gov't Lot 7

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