



NOTICE OF LAND USE DECISION

You may have received this because you are an adjacent property owner, and this notice is required to be provided pursuant to ORS 215.416. The proposal is identified in this decision and will be located on the subject property.

Coos County Planning
60 E. Second St.
Coquille, OR 97423
<http://www.co.coos.or.us/>
Phone: 541-396-7770
planning@co.coos.or.us

This decision notice is required to be sent to the property owner(s), applicant(s), adjacent property owners (distance of notice is determined by zone area – Urban 100 feet, Rural 250 feet, and Resource 750 feet), special taxing districts, agencies with interest, or person that has requested notice. Please read all information carefully as this decision. (See attached vicinity map for the location of the subject property).

Date of Notice: **Friday, April 15, 2022**
File No(s): D-22-001

Proposal: Request for a land use determination and approval for a Lawfully Created Unit of Land Application.

Landowner(s): HARLESS, BONNIE J.
PO BOX 158
BROADBENT, OR 97414-0158

Staff Planner: Crystal Orr, Planner I

Decision: **Approved with Conditions.** All decisions are based on the record. This decision is final and effective at close of the appeal period unless a complete application with the fee is submitted by the Planning Department at 5 p.m. on **Wednesday, April 27, 2022.** Pursuant to Section 5.8.100 Lawfully Created Unit of Land Applications and Property Line Adjustments are appealable within twelve (12) days the written notice is mailed. Appeals are based on the applicable land use criteria. Lawfully Created Unit of Land applications are subject to Coos County Zoning and Land Development Ordinance (CCZLDO) General Compliance with *Sections 1.1.300 Compliance with Comprehensive Plan and Ordinance Provisions, CCZLDO Article 6.1 Lawfully Created Lots and Parcels.* **Civil matters including property disputes outside of the criteria listed in this notice will not be considered. For more information please contact the staff planner listed in this notice.**

Property Information

File Numbers	Map Number(s)	Account Number	Zoning	Total Property Acreage
D-22-001	28S130700-00100	901700	EFU/F	36.32
Lawfully Created Unit of	28S130700-00200	901600	EFU/F	24.32
Land Determination	28S130800-00400	902800	EFU/CREMP	40

The purpose of this notice is to inform you about the proposal and decision, where you may receive more information, and the requirements if you wish to appeal the decision by the Director to the Coos County Hearings Body. Any person who is adversely affected or aggrieved or who is entitled to written notice may appeal the decision by filing a written appeal in the manner and within the time period as provided below pursuant to Coos County Zoning and Land Development Ordinance (CCZLDO) Article 5.8. If you are mailing any documents to the Coos County Planning Department the address is 250 N. Baxter, Coquille OR 97423. Mailing of this notice to you precludes an appeal directly to the Land Use Board of Appeals.

Mailed notices to owners of real property required by ORS 215 shall be deemed given to those owners named in an affidavit of mailing executed by the person designated by the governing body of a county to mail the notices. The failure of the governing body of a county to cause a notice to be mailed to an owner of a lot or parcel of property created or that has changed ownership since the last complete tax assessment roll was prepared shall not invalidate an ordinance. **NOTICE TO MORTGAGEE, LIENHOLDER, VENDOR OR SELLER: ORS CHAPTER 215 (ORS 215.513) REQUIRES THAT IF YOU RECEIVE THIS NOTICE, IT MUST PROMPTLY BE FORWARDED TO THE PURCHASER.**

This notice shall be posted from April 15, 2022 to April 27, 2022

The application, staff report and any conditions may be found at the following link: <https://www.co.coos.or.us/planning/page/applications-2022> The application and all documents and evidence contained in the record, including the staff report and the applicable criteria, are available for inspection, at no cost, in the Planning Department located at 60 E. Second St., Coquille, Oregon; however, an appointment is required to be setup for viewing purposes. Copies may be purchased at a cost of 50 cents per page. The decision is based on the application submittal and information on record. The name of the Coos County Planning Department representative to contact is Crystal Orr, Planner I and the telephone number where more information can be obtained is (541) 396-7770.

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

Reviewed by: *Crystal Orr*
Crystal Orr, Planner I

Date: Friday, April 15, 2022 .

This decision is authorized by the Coos County Planning Director, Jill Rolfe based on the staff's analysis of the Findings of Fact, Conclusions, Conditions of approval, Application and all evidence associated as listed in the exhibits.

EXHIBITS

Exhibit A: Conditions of Approval

Exhibit B: Vicinity Map

Exhibit C: Lawfully Created Unit Map

The following exhibits are on file at the Coos County Planning Department and may be accessed by contacting the department. All noticeable decisions are posted on the website for viewing when possible.

Exhibit D: D-22-001 Staff Report -Findings of Fact and Conclusions

Exhibit E: Application

EXHIBIT "A"
CONDITIONS OF APPROVAL

The applicant (applicant includes property owner and any successor) shall comply with the following conditions of approval with the understanding that all costs associated with complying with the conditions are the responsibility of the applicants and that the applicants are not acting as an agent of the county. If the applicant fails to comply or maintain compliance with the conditions of approval the permit may be revoked as allowed by the Coos County Zoning and Land Development Ordinance. Please read the following conditions of approval and if you have any questions contact planning staff. This is a tentative decision and will become final if the conditions of approval are completed correctly and any required survey maps and/or deeds are completed.

1. Once the appeal period has expired and no appeal have been filed, the applicant shall record the deed descriptions for the units of land and record them 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.
2. These properties shall be placed on separate deeds within ninety days of the date of the final decision which is calculated in Section 5.0.250. Once lawful parcels or lots have been established pursuant to LDO Section 6.1.125 those lots or parcels shall remain lawfully created or discrete lots or parcels unless the lot or parcel lines are vacated or the lot or parcel is further divided, as provided by law. If a parcel or lot is reconfigured by a property line adjustment that becomes the new discrete lot or parcel and the official date of creation.
3. Easements will need to be provide for each lawfully created unit of land that does not directly access a public right-of-way, and at the time of development (if developed) the property owner will be required to bring any roads or driveways to current design standards to support the proposed development.

EXHIBIT "B"
Vicinity Map



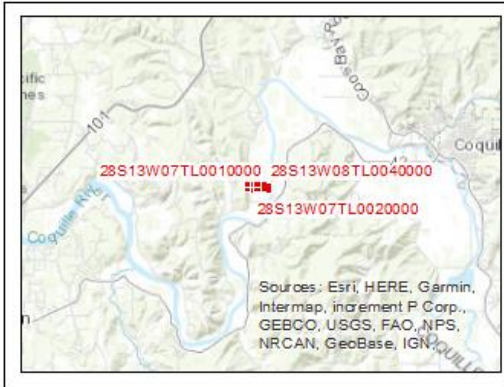
COOS COUNTY PLANNING DEPARTMENT

Mailing Address: 225 N. Adams, Coquille, Oregon 97423

Physical Address: 60 E. Second, Coquille Oregon

Phone: (541) 396-7770

TDD (800) 735-2900



File: D-22-001

Applicant/
Owner: Bonnie Harless

Date: April 13, 2022

Location: Township 28S Range 13W
Section 7/8 TL 100, 200 / 400

Proposal: Lawfully Created Unit of Land
Determination

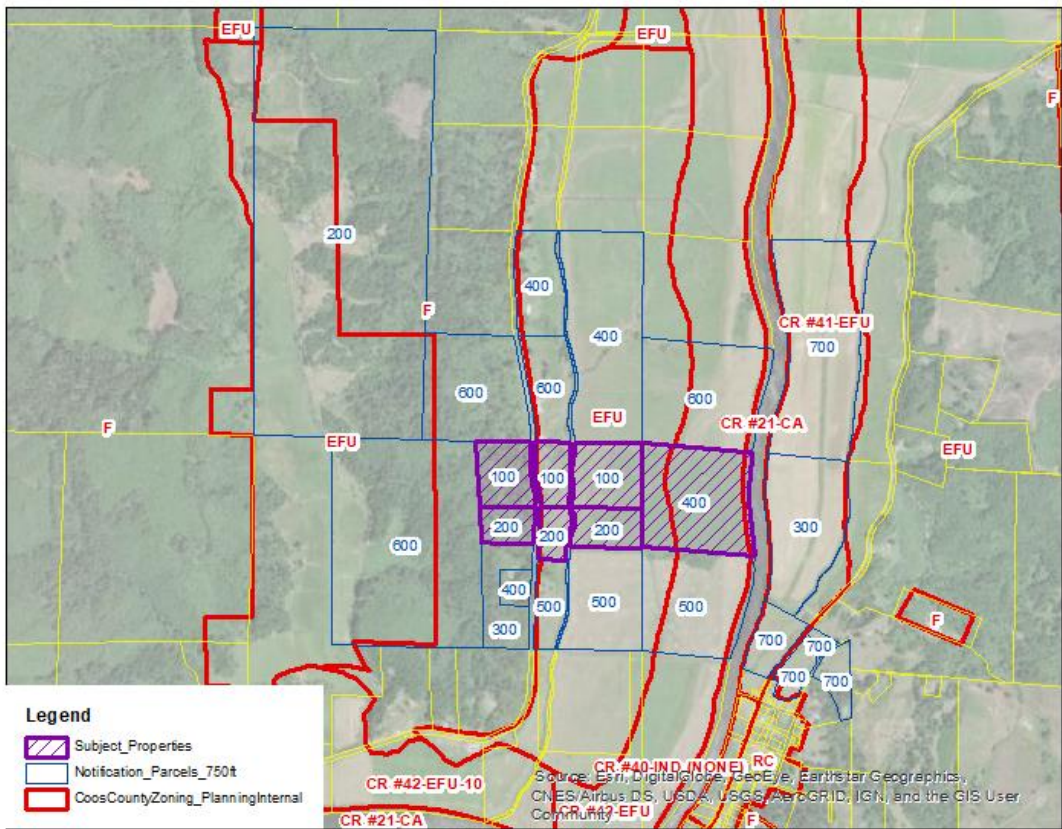
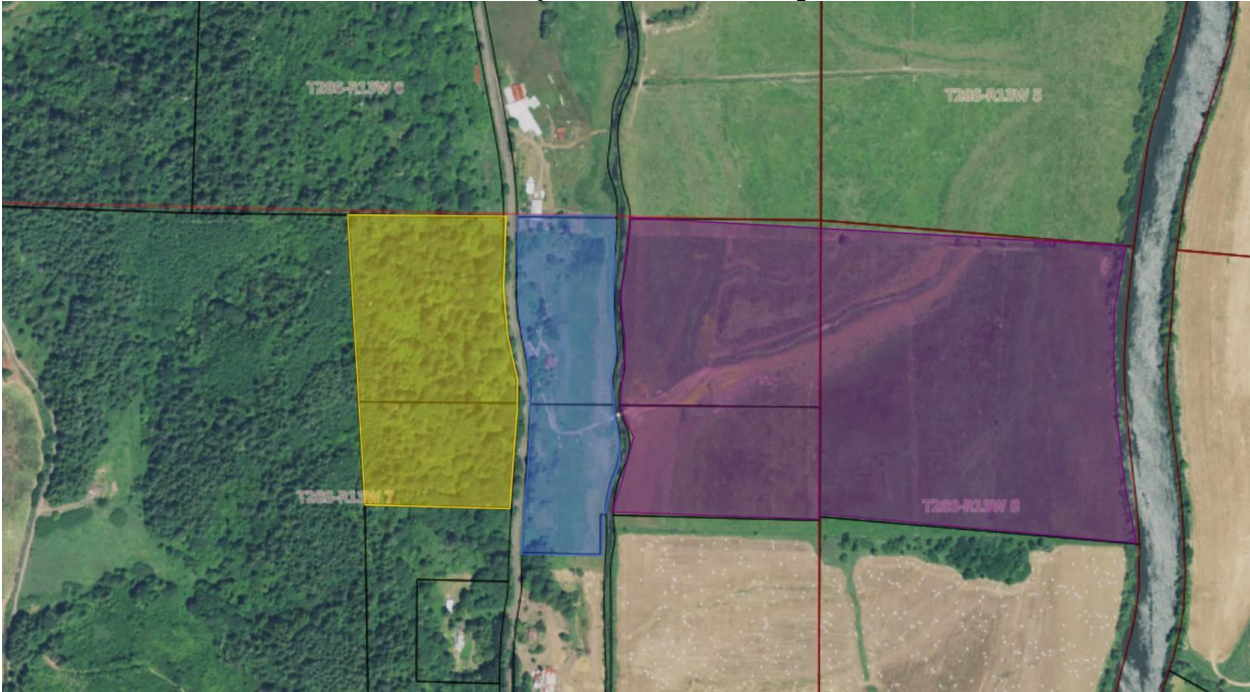


EXHIBIT "C"
Lawfully Created Parcel Map



**EXHIBIT “D”
STAFF REPORT
FINDINGS OF FACT AND CONCLUSIONS**

I. PROPOSAL AND BACKGROUND/PROPERTY HISTORY INFORMATION:

A. Proposal: The proposal is a request for Planning Director Approval of Lawfully Created Units of Land. This application contains three (3) lawfully discrete units of land.

B. LOCATION:

These units of land are located southwest of the City of Coquille. The properties are accessed via North Bank Lane. Coquille River abuts the properties to the east. Iowa Slough runs through the parcels.

C. ZONING:

There is Exclusive Farm Use (EFU), Forest (F), and Coos Bay Estuary Management Plan (CMEMP) zoning on the subject properties.

ARTICLE 4.2 – ZONING PURPOSE AND INTENT

Section 4.2.500 Resource Zones

Forest (F) - The intent of the Forest District is to include all inventoried "forestlands" not otherwise found to be needed (excepted) for other uses. The purpose of the Forest zone is to conserve and protect forest land for forest uses. Some of the areas covered by the “F” zone are exclusive forest lands, while other areas include a combination of mixed farm and forest uses.

Forest Mixed Use (FMU)

The purpose of the Forest Mixed Farm-Forest Areas (“MU” areas) is to include land which is currently or potentially in farm-forest use. Typically such lands are those with soil, aspect, topographic features and present ground cover that are best suited to a combination of forest and grazing uses. The areas generally occupy land on the periphery of large corporate and agency holdings and tend to form a buffer between more remote uplands and populated valleys. In addition, these “mixed use” areas contain ownership of smaller size than in prime forest areas. Some are generally marginal in terms of forest productivity, such as areas close to the ocean.

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. If a use is only allowed in the mixed use zone it will be explained in the text. Otherwise the uses listed are allowed in both the Forest and Forest Mixed Use zones.

Exclusive Farm Use (EFU)

These include all inventoried "agricultural lands" not otherwise found to be needed (excepted) for other uses.

The purpose of the EFU district is to preserve the integrity and encourage the conservation of agricultural lands within Coos County and thereby comply with the provisions of ORS 215 and OAR 660. Division 33 to minimize conflicts between agricultural practices and non-farm uses by limiting any development to uses distinguished as dependent upon or accessory to supporting agricultural or forestry production and which qualify such farm lands for special tax relief pursuant to the provisions of Oregon Revised Statutes. This zone is also for the cultivation and marketing of specialty crops, horticultural crops and other intensive farm uses.

Coquille River Estuary Management Plan - Exclusive Farm Use (CREMP-EFU) Shoreland Segments

Exclusive Farm Use Shoreland Segments: 27 (27-EFUS), 28 (28-EFUS), 31(31-EFUS), 32(32-EFUS), 33 (33-EFUS), 34 (34-EFUS), 36 (36-EFUS), 37 (37-EFUS), 41 (41-EFUS), 42 (42-EFUS), 43 (43-EFUS), 44 (44-EFUS), 47(47-EFUS), 53(53-EFUS), 55 (55-EFUS), 56 (56-EFUS), 60 (60-EFUS), 62 (62-EFUS), 73 (73-EFUS), 75 (75-EFUS) shall be managed for the continuation of farm use as defined in ORS 215.203 (2)(a) and such other farm uses as are conditionally permitted in ORS 215.213.

Coquille River Estuary Management Plan - Conservation Aquatic Units (CREMP-CA)

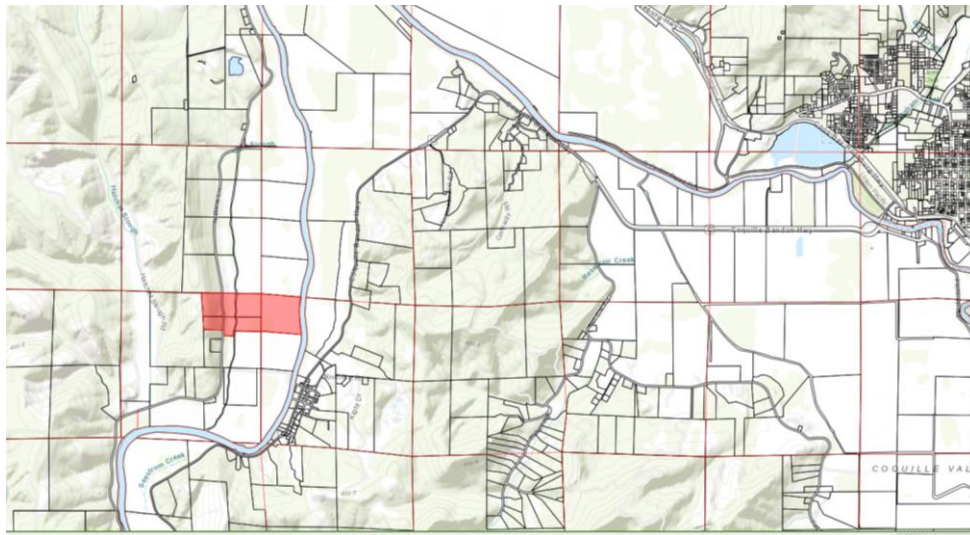
Conservation Aquatic Unit 21 (21-CA) shall be managed to conserve and enhance to aquatic resources of the main river channel and fringing intertidal areas, while allowing such minor alterations as are necessary for the continuation of recreational boating and other shallow draft navigation. Removal of snags, old pilings and other obstructions from the river, and bank stabilization shall also be encouraged.

D. SITE DESCRIPTION AND SURROUNDING USES:

Based on aerial imagery, the subject properties in this area are used for farm and forest uses. There is residential development alongside North Bank Lane.

E. LOCATION:

These units of land are located southwest of the City of Coquille. Coquille River abuts the properties to the east. The properties are bisected by and accessed via North Bank Lane. The map below shows a general location of the properties.



II. Property Compliance:

- A. COMPLIANCE PURSUANT TO SECTION 1.1.300:** *It shall be unlawful for any person, firm, or corporation to cause, develop, permit, erect, construct, alter or use any building, structure or parcel of land contrary to the provisions of the district in which it is located. No permit for construction or alteration of any structure shall be issued unless the plans, specifications, and intended use of any structure or land conform in all respects with the provisions of this Ordinance.*

FINDING: Staff has reviewed the property history and the county finds at the time of this report that this property is compliant. This does not mean that there is not additional information that was unavailable during this review that would make the properties non-compliant.

III. STAFF FINDINGS AND CONCLUSIONS:

A. SUMMARY OF PROPOSAL AND APPLICABLE REVIEW CRITERIA:

The proposal is for Planning Director Approval of a Lawfully Created Unit of Land is subject to Coos County Zoning and Land Development (CCZLDO) Article 6.1.

B. COMMENTS:

Comments were requested from the Coos County Assessor's and Surveyor's Office but not were received prior to the release of this decision.

C. LAWFULLY CREATED:

• ARTICLE 6.1 LAWFULLY CREATED LOTS AND PARCELS:

A legal lot is a lot or parcel created in compliance with the current state and county regulations for land divisions. Lots are created through subdivisions (4 or more lots is a subdivision) and parcels are created through a partition (3 or less parcels is a partition). Additionally, this ordinance recognizes that parcels may be created through other means that were consistent with a prior county ordinance or state law such as the adoption of different land division provisions [December 6, 1962 - December 31, 1985 ordinances in place prior to acknowledgement of the Coos County Comprehensive Plan (CCCP)]. Parcels created prior to the adoption of the current acknowledged CCCP (1986) may require an application to determine the legality of said parcel.

Once lawful parcels or lots have been established pursuant to LDO Section 6.1.125 those lots or parcels shall remain lawfully created or discrete lots or parcels unless the lot or parcel lines are vacated, or the lot or parcel is further divided, as provided by law. If a parcel or lot is reconfigured by a property line adjustment that becomes the new discrete lot or parcel and the official date of creation.

• SECTION 6.1.100 WHAT IS NOT A LAWFULLY CREATED LOT OR PARCEL:

A unit of land shall not be considered a separate parcel simply because the subject tract of land;

- 1. Is a unit of land created solely to establish a separate tax account;*
- 2. Includes properties that have divided interest;*
- 3. Lies in different counties;*
- 4. Lies in different sections or government lots;*
- 5. Lies in different land use or zoning designations; or*
- 6. Is dissected by a public or private road.*

• SECTION 6.1.125 LAWFULLY CREATED UNIT OF LAND

"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 interviewing 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 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.

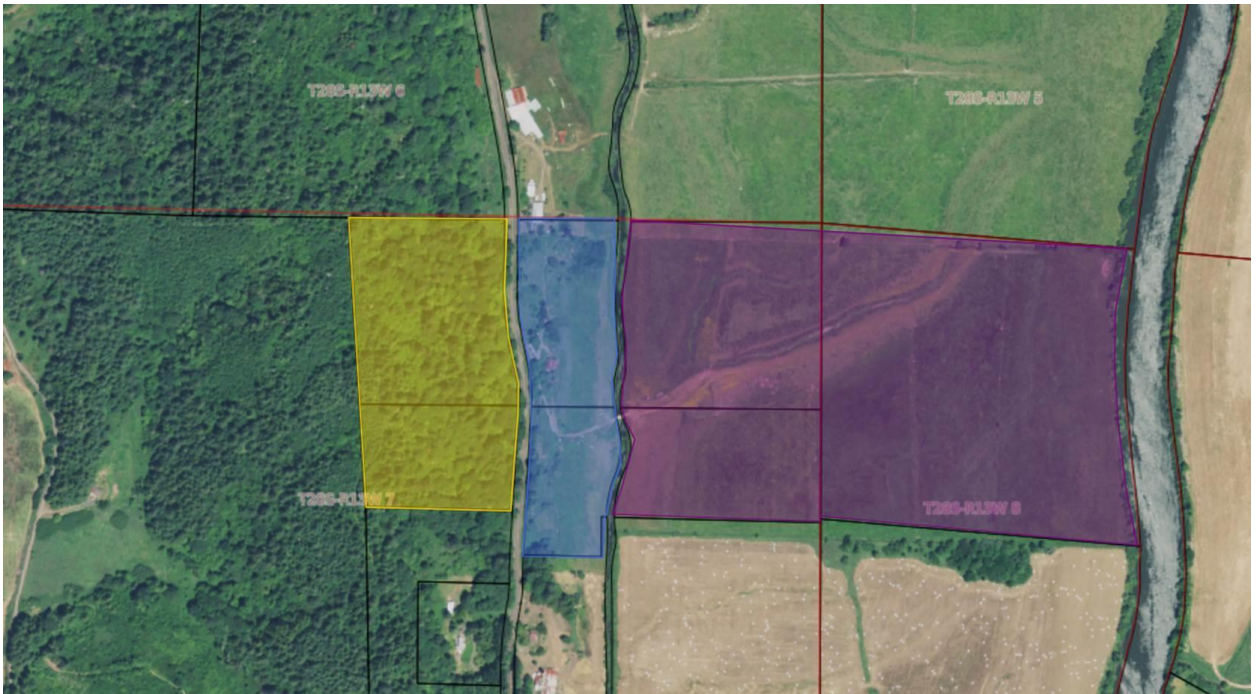
All notices will be provided in accordance with LDO Section 5.0.

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.

Finding: The Lawfully Created Unit of Land application was received on March 28, 2022. The application was not deemed complete as this notice of decision is being sent out prior to the applicable 30 day deemed complete review time.

Bonnie Harless submitted information to certify that there are lawfully created units of land within tax lots 100 & 200 in Township 28, Range 13, Section 07 and tax lot 400 in Township 28, Range 13, Section 08. These parcels are all described on the same deed, Book 283 page 341.

Iowa Slough created a lawfully created unit of land (the purple portion below in the map) pursuant to 6.1.125.1.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 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.” The blue and yellow portions of the parcel are lawfully created discrete parcels as North Bank Lane created an intervening ownership, pursuant to 6.1.125.d By a public dedicated road that was held in fee simple creating an interviewing ownership prior to January 1, 1986.



Therefore, after reviewing all of the evidence Planning Staff can acknowledge that the units of land identified within the above map are lawfully created units of land.

IV. DECISION:

The proposal meets the requirements of the Coos County Zoning and Land Development Ordinance, with conditions listed in Exhibit “A” of this report.

V. EXPIRATION:

Once lawful parcels or lots have been established pursuant to LDO Section 6.1.125 those lots or parcels shall remain lawfully created or discrete lots or parcels unless the lot or parcel lines are vacated, or the lot or parcel is further divided, as provided by law. If a parcel or lot is reconfigured by a property line adjustment that becomes the new discrete lot or parcel and the official date of creation. Therefore, there is not expiration for this type of application.

VI. NOTICE REQUIREMENTS:

A notice of decision will be provided to property owners within 750 feet of the subject properties and the following agencies, special district or parties: There are no special districts.

A Notice of Decision and Staff Report will be provided to the following: Applicants/Owners; Coos County Surveyor, Coos County Assessor’s Office, Oregon Department of Land Conservation and Development; Coos County Planning Commission; and the Board of Commissioners.

Adjacent property owners will receive a Notice of Decision and maps, but all other attachments can be found by contacting the Planning Department or visiting the website. If not found on the website the public may contact the department to view the official record.

EXHIBIT "E"
APPLICATIONS RECEIVED



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: 3/28/22 Receipt #: 231839 Received by: MB
Application File Number D-22-001 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 INFORMATION

Land Owner(s) Bonnie Harless Bonnie J. Harless
Mailing address: PO Box 158, Broadbent, OR 97414-0158
Phone: 541-572-5508 Email: _____

Applicant(s) same as above
Mailing address: _____
Phone: _____ Email: _____
Type of Ownership: Single Ownership - Signed Application

PROPERTY INFORMATION:

Township:	Range:	Section:	¼ Section:	1/16 Section:	Tax lot:
<u>28S</u>	<u>13W</u>	<u>7</u>	<u>0</u>	<u>0</u>	<u>100 & 200</u>
Township:	Range:	Section:	¼ Section:	1/16 Section:	Tax lot:
<u>28S</u>	<u>13W</u>	<u>8</u>	<u>0</u>	<u>0</u>	<u>400</u>

Tax Account Number(s): 901700, 901690, 902800

Any account information may be found on the Coos County Assessor's Webpage, by contacting staff or on your tax statement. Any incomplete application will not be processed.

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

I. The following questions 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?
easement

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 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:

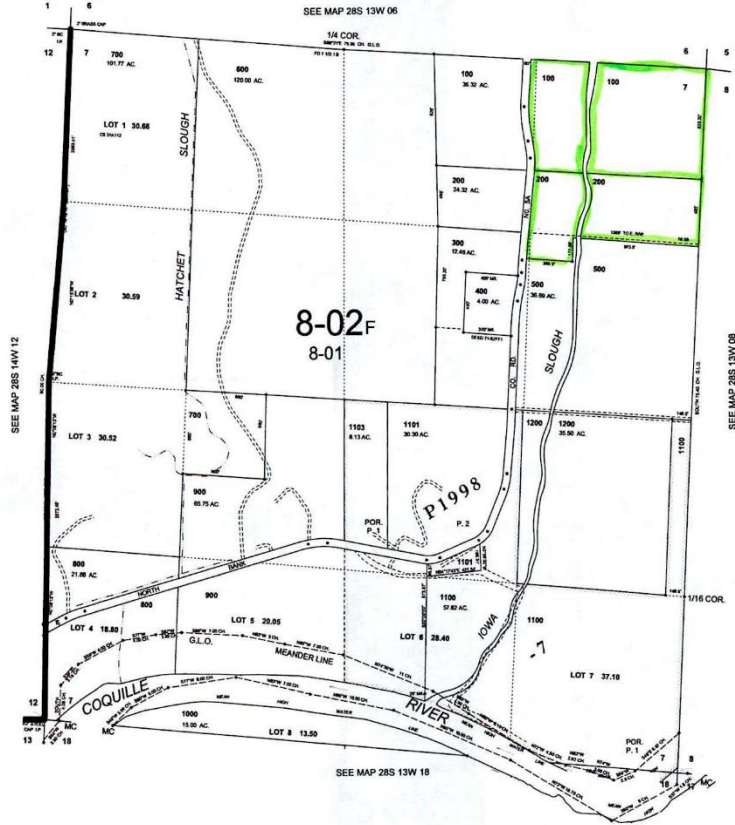
THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY

SECTION 7 T28S R13W W.M.
COOS COUNTY

1" = 400'

28S 13W 07

CANCELLED NO.
501
1102



04-10-2018
28S 13W 07

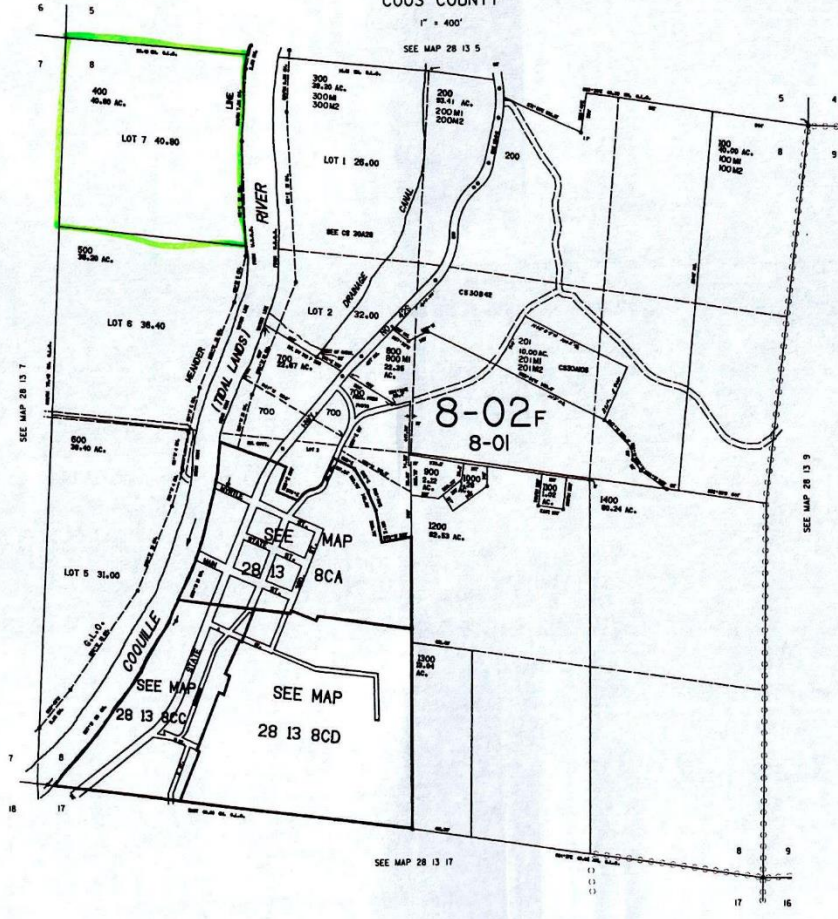
THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY.

SECTION 8 T.28S. R.13W. W.M.
COOS COUNTY

28 13 8
& INDEX

CANCELLED

1" = 400'



#DATE#

28 13 8
& INDEX

138-564

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 Herbert A. Sain and Mary R. Sain, Husband and wife, 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 seal the day and year last above written.

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

W. C. Swan
 Notary Public for Oregon
 My 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 (¼ SE¼) 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 husband and wife, their heirs and assigns forever.

IN WITNESS WHEREOF, the Grantor has hereunto 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 Seal)

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

\$7.70 Documentary Stamp, Cancelled

STATE OF OREGON
 COUNTY OF COOS SS: THIS IS TO CERTIFY that on this 6th day of March, 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
 Notary Public for Oregon
 My Commission expires: Sept. 1, 1941
 (Notarial Seal)

64087- KNOW ALL MEN BY THESE PRESENTS, That I, Clark Hull, a single man, in consideration of

138-565

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 Mabel 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 18 West of Willamette Meridian; also, beginning at the Northeast corner of the Southeast quarter of the Northeast quarter of Section 7, Township 28 South, of Range 18 West of the Willamette Meridian, run thence West 92 rods and 8 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 28 rods and 8 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 108 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. Molthu and Mabel W. Molthu, husband and wife, as tenants in the entirety, their heirs and assigns forever.

And I, Clark Hull, the grantor above named do covenant to and with the above named grantees, their heirs and assigns that I am lawfully seized 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 265, 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. Haga, 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)seal(

\$1.65 Documentary Stamp, Cancelled

STATE OF OREGON
COUNTY OF COOS SS: BE IT REMEMBERED, That on this 15th 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 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
Notary Public for Oregon
My Commission expires Sept. 29, 1943
(Notarial Seal)

64088- KNOW 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

140-166

do grant, bargain, sell and convey unto Thomas A. Anderson, and Katherine Anderson, husband and wife, the grantees, the following described real property, to-wit:

Northwest quarter of Southwest quarter of Section five in Township twenty-five South, of Range twelve West 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.

Sealed and dated this 31st day of July 1941.

Cora L. Merz)seal(
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.

Bennett Swenton
Notary Public in and for said Venue
My Commission expires March 11, 1945
(Notarial Seal)

Recorded Aug. 1, 1941, 12:00 P.
L. W. Oddy, County Clerk

1223- KNOW ALL MEN BY 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 Mabel 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 NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ (being Lot numbered 7) of Section 9; also the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ and the E $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ 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 $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 7, Township 28 South of Range 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 appertaining, and also all their estate, right, title and interest in and to the same, including dower and claim of dower,

TO HAVE AND TO HOLD, the above described and granted premises unto the said Adolph L. Molthu and Mabel W. Molthu, their heirs and assigns forever. And Ina Fox and John J. Fox, Thomas Hull and William H. Hull, grantors above named do covenant to and with Adolph L. Molthu and Mabel W. Molthu, 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

140-167

and parcel 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 (seal)
John J. Fox (seal)
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 Public 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 therunto 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 Hundred twenty acres more or less, Section Twenty-six, Township 25 S. Range 11 West Willamette meridian,

TO HAVE AND TO HOLD the same to the said George Wittick and Edward Sjogren heirs 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 seized 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. Sengstacken, President
Henry Sengstacken Company
By M. G. Sengstacken, Secretary

\$2.00 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 said 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

T28S R13W WM

Sec 7: Beg at the SE cor NE $\frac{1}{4}$ NE $\frac{1}{4}$;
th Nly alg the sec 11 495.00';
th Wly to the W li of the E $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$;
th Sly alg sd W li to the S li NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 7;
th Ely alg sd S li to the POB.

Also: Beg at the SE cor NE $\frac{1}{4}$ NE $\frac{1}{4}$;
th Sly alg the sec 11 16.50';
th Wly para with the S li NE $\frac{1}{4}$ NE $\frac{1}{4}$ 973.54';
th Sly para with the W li SE $\frac{1}{4}$ NE $\frac{1}{4}$ 177.38';
th Wly to the E r/w of N Bank Co. Rd.;
th Nly alg sd E r/w to the sd S li of the NE $\frac{1}{4}$ NE $\frac{1}{4}$;
th Ely alg sd li to the POB

OFFICIAL RECORDS OF DESCRIPTIONS OF REAL PROPERTIES		8.01 8.02	28	13	7	100			
CODE AREA NUMBER	TWP	RGE	SEC	1/4	1/16	PARCEL NUMBER	TAX LOT NUMBER	TYPE	NO
	MAP NUMBER						NUMBER	SPEC INT	
OLD ACCT. NO. <u>9017.90</u>		FORMERLY PART OF _____							
OLD TAX LOT NO. <u>9017.00</u>									
Name and Tax Lot Information		DATE OF ENTRY ON THIS CARD	DEED RECORD		ACRES REMAINING				
That part lying in Code <u>8.01 = 14.16</u>									
Remainder in Code <u>8.02 = 22.22</u>									
WHITNEY, WILLARD R. & MARGARET E.		11-29-78	283	341		37.46			
EXCEPT CO. RD 1.14						36.32			
WHITNEY, MARGARET E.		7-29-00	2000	1792					
Harless, Bonnie J.		8-31-07	2007	11463					
PER DEATH CERTIFICATE OF WILLARD R. WHITNEY									
159-003-049 (5/27)									

T28S R13W WM

Sec 7: Beg at the NE cor NE $\frac{1}{4}$ Sec 7;
th Sly alg the sec li 825.00';
th Wly to the W li of the E $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 7;
th N alg sd W li 825.00' to the sec li;
th Ely alg sd sec li to the POB

OFFICIAL RECORDS
OF DESCRIPTIONS
OF
*REAL PROPERTIES

8.01-

TWP	RGE	SEC	1/4	1/16	PARCEL NUMBER	TYPE	NO
28	13	8			400		
MAP NUMBER					TAX LOT NUMBER		

OLD ACCT. NO. 9028.001
OLD TAX LOT NO.

FORMERLY PART OF

Name and Tax Lot Information	DATE OF ENTRY ON THIS CARD	DEED RECORD		ACRES REMAINING
		VOL	PAGE	
WHITNEY, WILLARD R. & MARGARET E.	1-11-79	283	341	40.80
Ret only: Bns Est of Woodcut to Woodcut doesn't own wo Woodcut to Tract	7-5-99	1999	2659	
Ret only: Bns Est of Woodcut to Woodcut	10-17-99	1999	12869	
WHITNEY, MARGARET E. PER DEATH CERTIFICATE OF WILLARD R. WHITNEY RNC	2-29-00	RNC	00069	
Harless, Bonnie J.	8-31-07	2007	11463	

150-303-049 (5-77)

T28S R13W WM

Sec 8: Gov't Lot 7

A BLANK ENTRY INDICATES THE PRIOR YEAR'S FIGURES HAVE BEEN CARRIED FORWARD. 7-28-13

CONTINUING ASSESSMENT ROLL OF TAXABLE REAL PROPERTIES OF COOS COUNTY, OREGON

SERIAL NUMBER		DESCRIPTION OF PROPERTY										SPECIAL ASSESSMENTS									
9016		SUBDIVISION		TAX LOT NUMBER	SECTION	TOWNSHIP SOUTH	RANGE WEST W. 3.	DISTRICT	ACRES	DISTRICT ACCT.	T. 1	P. 1	ACRES	DISTRICT	DISTRICT ACCT.	T. 1	P. 1	ACRES			
1943		166		A.L. & M.W. Molthru		24.38	9.66	1160	14.66	410											
1954																					
1955																					
1956				K.F.P.D. All				986		410											
1957								812		439											
1957								777		372											
1957								711													
1956										525											
1958																			8a		
1961										635											
1961										635											
1962		283		Willard R. & Margaret E. Whitney						630											
1962										630											
1967										1,330											
1967										1,260											
1968																					
1968										5,040											

A BLANK ENTRY INDICATES THE PRIOR YEAR'S FIGURES HAVE BEEN CARRIED FORWARD. 8-28-13
 CONTINUING ASSESSMENT ROLL OF TAXABLE REAL PROPERTIES OF COOS COUNTY, OREGON

SERIAL NUMBER		DESCRIPTION OF PROPERTY										SPECIAL ASSESSMENTS									
9028		SUBDIVISION		TAX LOT NUMBER	SECTION	TOWNSHIP SOUTH	RANGE WEST W. 1/4	DISTRICT	ACRES	DISTRICT	ACRES	PAID FOR BY ACRES	EXEMPTION ACRES								
1943		Lot 7																			
1966		incorrect entry																			
YEAR OF ASSESSMENT		NAME OF OWNER		TOTAL ACRES	TIMBER ACRES	NON-TIMBER ACRES	VALUE	TIMBER VALUE	STRUCTURAL IMPROVEMENTS	APPROX. MACHINERY AND EQUIPMENT	TOTAL VALUE	EXEMPTION	VALUE AS REALIZED BY COUNTY BOARD	ROAD	OFF	POST	CODE	FEES			
1943	141 186	A.L. & M.W. Waltham		40.80	40.80	4860					4860										
1955		M.R.D. III				41.31					41.31										
1958						34.02					34.02										
1957						1.70							32.32								
1967						32.32							30.62								
1958						11.90					11.90										
1981						14.35					14.35								8b		
1962	281 341	Willard E. & Margaret E. Whitney				1,440					1,440										
1967						2,710					2,710										
1967						2,400					2,400										
1968						LAND VALUE	TIMBER VALUE	STRUCTURAL IMPROVEMENTS	APPROX. MACHINERY	TOTAL VALUE	EXEMPTION	VALUE AS DOWNGRADED BY COUNTY BOARD	8.0								
1968						9,580				9,580											
1970						9,580				9,580											
1971						13,410				13,410											

31263

KNOW ALL MEN BY THESE PRESENTS, That ADOLPH L. MOLTHU and MABEL W. MOLTHU, husband and wife,

grantor. S
in consideration of \$200 and NO/100 Dollars,
to them paid by WILLARD R. WHITNEY and MARGARET E. WHITNEY,
husband and wife, grantees,

do hereby grant, bargain, sell and convey unto the said grantees, as tenants by the entirety, their heirs and assigns, 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 Seven) of Section Eight; also the Northeast Quarter of the Northeast quarter and the East Half of the Northwest Quarter of the Northeast Quarter of Section Seven; all in Township Twenty-eight South, Range Thirteen West of the Willamette Meridian. Also, beginning at the Northeast Corner of the Southeast Quarter of the Northeast Quarter of Section Seven, Township Twenty-eight South, Range Thirteen 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.

Subject to public roads.



To Have and to Hold the above described and granted premises unto the said grantees as tenants by the entirety, their heirs and assigns forever.

And the grantors, covenant that they are lawfully seized in fee simple of the above granted premises 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 parcel thereof, against the lawful claims and demands of all persons whomsoever.

Witness our hands and seals this 30th day of April, 1954.

Adolph L. Molthu
Mabel W. Molthu

STATE OF OREGON, ss.

County of Coos On this 30th day of April, 1954, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named ADOLPH L. MOLTHU and MABEL W. MOLTHU, husband and wife,

who are known to me to be the identical individuals 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.

Notary Public for Oregon
My Commission expires August 7, 1957.

