



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
PHONE: 541-396-7770

FILE NUMBER: HBCU-22-001

Date Received: 7/21/22 Receipt #: 235431 Received by: MB

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

If the fee is not included the application will not be processed.
(If payment is received on line a file number is required prior to submittal)

LAND INFORMATION

A. Land Owner(s) Bandon Biota, LLC (Attn: LeeAnn Remy)

Mailing address: 57744 Round Lake Road, Bandon, Oregon 97411

Phone: 541-347-5870

Email: lremy@bandondunesgolf.com

Township:	Range:	Section:	¼ Section:	1/16 Section:	Tax lots:
29S <input checked="" type="checkbox"/>	15W <input checked="" type="checkbox"/>	24 <input checked="" type="checkbox"/>	Select	Select	<u>100 - 201</u>
29S <input checked="" type="checkbox"/>	15W <input checked="" type="checkbox"/>	25 <input checked="" type="checkbox"/>	Select	Select	<u>900 - 1000 - 1200</u>

Tax Account Number(s): _____ Zone: Select Zone Exclusive Farm Use (EFU)

Tax Account Number(s) _____ Please Select

SEC 24 - 1240300, 1240590, 1240601
SEC 25 - 1241700, 1241601, 1241602

B. Applicant(s) Bandon Biota, LLC

Mailing address: 57744 Round lake Road, Bandon, Oregon 97411

Phone: 541-347-5870

C. Consultant or Agent: Cris Hood CHRIS HOOD

Mailing Address PO Box 118 Coos Bay Or. 97420

Phone #: 541-267-2872

Email: chris@stuntzner.com

Type of Application Requested

- Comp Plan Amendment
- Text Amendment
- Map - Rezone

- Administrative Conditional Use Review - ACU
- Hearings Body Conditional Use Review - HBCU
- Variance - V

- Land Division - P, SUB or PUD
- Family/Medical Hardship Dwelling
- Home Occupation/Cottage Industry

Special Districts and Services

Water Service Type: On-Site (Well or Spring)

Sewage Disposal On-Site Septic

School District: Select School District

Fire Bandon 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.

SEE APPLICANTS EXHIBIT "A"

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.

[Signature]

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.

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

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

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

Coos County Road Department Use Only

Roadmaster or designee: _____

Driveway Parking Access Bonded Date: Receipt # _____

File Number: DR-21-

ADDRESS OF DRIVEWAY #1 CLOSEST TO YOUR NEW DRIVEWAY: _____

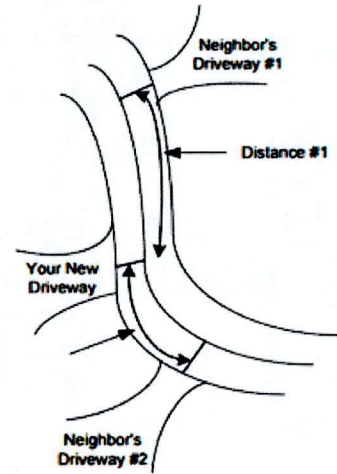
DISTANCE FROM DRIVEWAY #1 TO YOUR NEW DRIVEWAY: _____

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

ADDRESS OF DRIVEWAY #2 CLOSEST TO YOUR NEW DRIVEWAY: _____

DISTANCE FROM DRIVEWAY #2 TO YOUR NEW DRIVEWAY: _____

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



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

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

Additional Notes or directions:

This application is not required.

SANITATION INFORMATION

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

Water Service Type: Select

Sewage Disposal Type: Select

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

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

Please check if the request is for a land division.

Coos County Environmental Health Use Only:

Staff Reviewing Application: _____

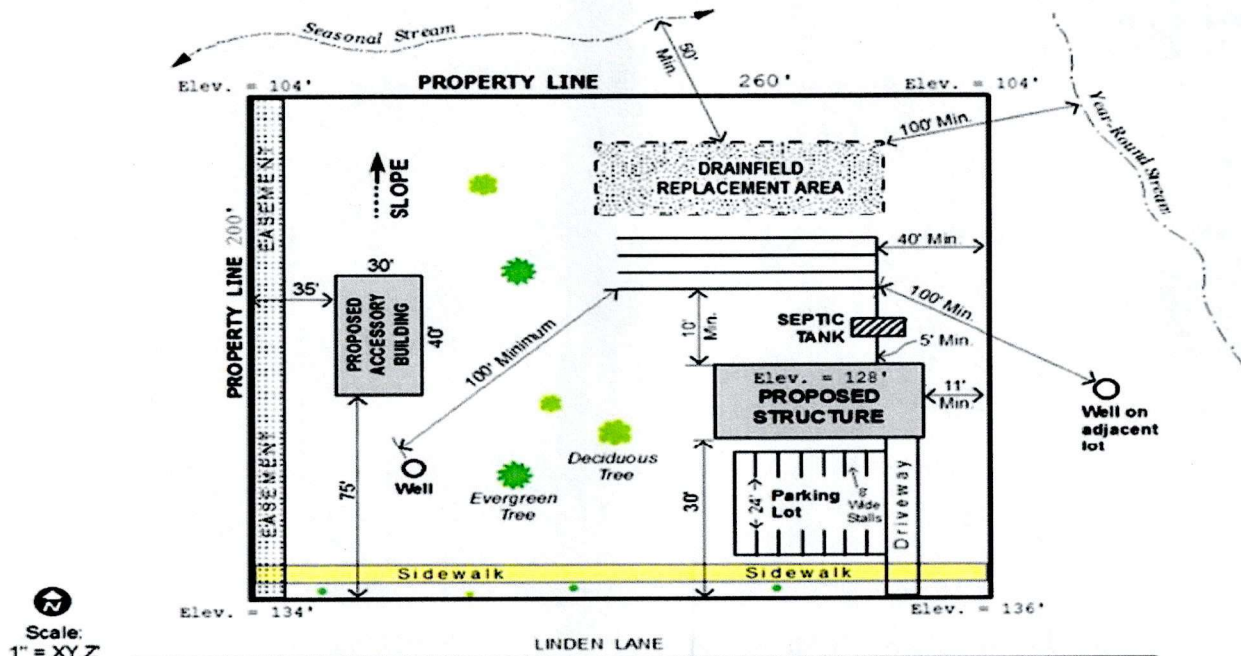
Staff Signature: _____

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

Additional Comments:

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

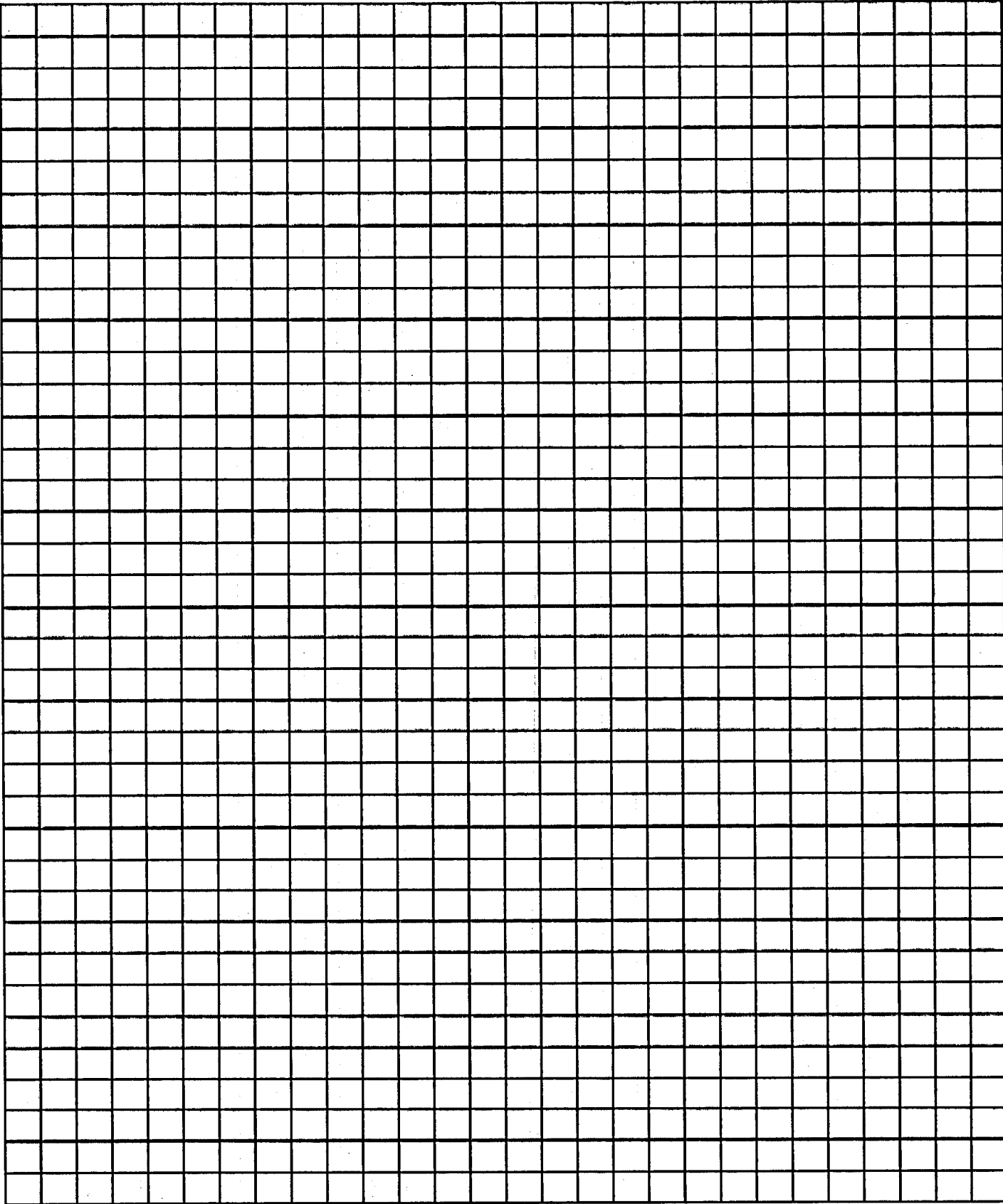
SAMPLE PLOT PLAN



ITEMS THAT MUST BE ON THE PLOT PLAN:

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

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



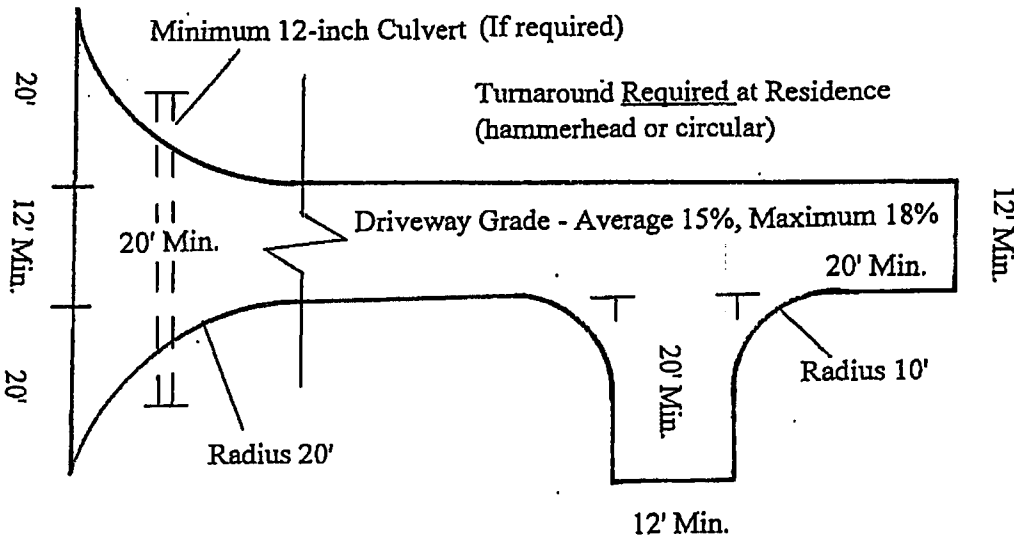
**ADDITIONAL DRIVEWAY, ROAD, PARKING STANDARDS
DRIVEWAY STANDARDS DRAWING – SINGLE RESIDENCE**

Sight Distance Requirements (at the approach entrance)

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

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

Figure 7.1.425



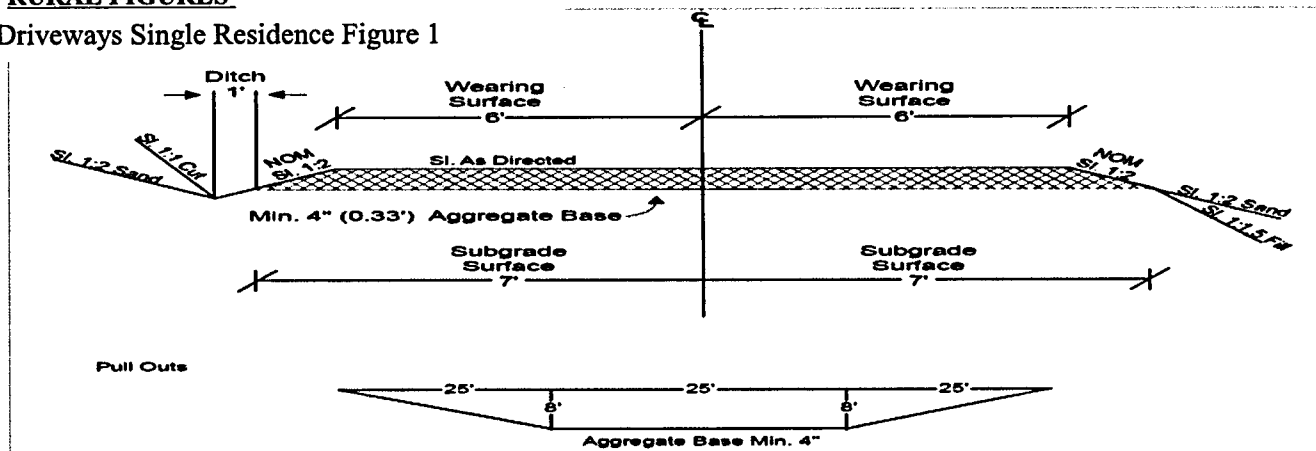
Construct appropriate ditches to prevent water runoff from discharging from the land onto a public road under county jurisdiction. Pursuant to ORS 368.256 the creation of a road hazard prohibited.

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

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

RURAL FIGURES

Driveways Single Residence Figure 1



FORESTRY, MINING OR AGRICULTURAL ACCESS:

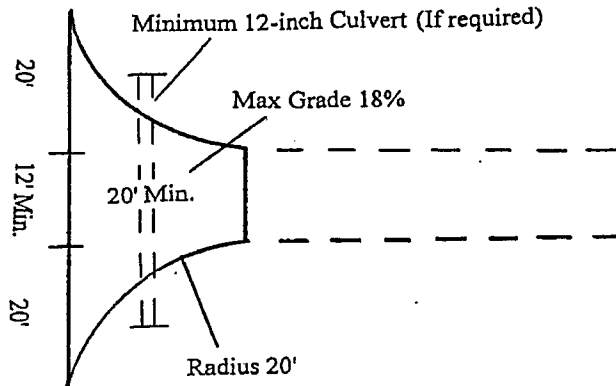
A private road which is created to provide ingress or egress in conjunction with the use of land for forestry, mining or agricultural purposes shall not be required to meet minimum road, bridge or driveway standards set forth in this ordinance, nor are such resource-related roads, bridges or driveways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

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

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

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

Figure 7.1.450

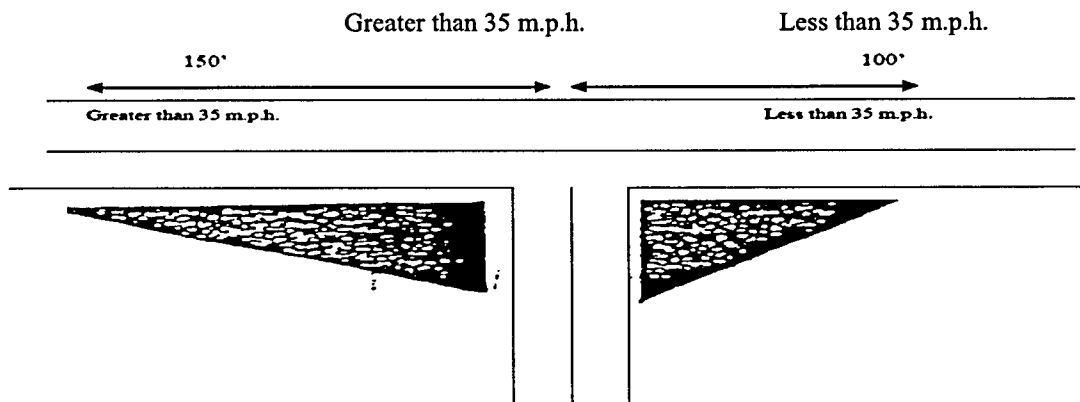


Construct appropriate ditches to prevent water runoff from discharging from the land onto a road under county jurisdiction. Pursuant to ORS 368.256 creation of a road hazard is prohibited.

VISION CLEARANCE TRIANGLE:

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

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



PARKING STANDARDS

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

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

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

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

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

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

APPLICANT'S EXHIBIT "A"

BANDON BIOTA, L.L.C. CONDITIONAL USE APPLICATION NEW RIVER DUNES GOLF COURSE

LOCATED IN SECTIONS 13, 24, AND 25 OF
TOWNSHIP 29 SOUTH, RANGE 15 WEST OF THE WILLAMETTE MERIDIAN IN
COOS COUNTY, OREGON

PROPOSAL AND BACKGROUND INFORMATION

This application is for a Conditional Use to allow an 18-hole golf course with accessory uses in the Exclusive Farm Use (EFU) zone district. The accessory uses that are described in more detail below, consist of a clubhouse/restaurant with parking, an agronomy center/maintenance facility, a turn-stand (combination restrooms/vendors facility), a minimum of two stand-alone restrooms, a caddy shack, and a practice range.

The applicant's entire ownership consists of roughly 600 acres. The golf course, restaurant and parking area will be contained within approximately 300 acres of dune lands that are entirely zoned Exclusive Farm Use. It is estimated that the golf course will contain approximately 120 acres of vegetated surface (Tees, Greens, Fairways), approximately 175 acres of open space, and several acres of structural improvements.

Access to the property is by way of Boak Lane, which extends west from US Highway 101 to the property. The clubhouse/restaurant, practice range, caddy facility and parking, will be located at the north end of the course with restrooms and a turn-stand located strategically throughout the course. The agronomy/maintenance center will be located along the easterly boundary of the course with a separate access from Hoffer Lane, which also extends west from Highway 101, south of Boak Lane. Attached is a conceptual master plan, which includes the proposed course, accessory facilities, access roads, and parking.

PROPERTY CHARACTERISTICS

The westerly segment containing the golf course consists of approximately 200 acres of partially vegetated sand dune stretching north and south. There are 11 soil types contained within the tract that primarily consist of either sand or sandy complex soil types. The soil types are described in further detail below. The vegetation on the upland dunes primarily consists of the invasive species "gorse," with a mixture of dune grasses and other dune-type vegetation. The primary tree type is Shore Pine intermingled with various types of conifers (primarily spruce) that are more predominant near identified wetlands described below. The open sand areas are generally located between dune ridges with north/south facing slopes.

There are approximately 35 acres of identified wetlands within the segment. The primary wetland (containing approximately 25 acres) is centrally located and sandwiched between easterly and westerly fairways. There are also scattered wetlands in the northeasterly segment of the course that have been avoided by adjacent fairways as it is the applicant's intent to avoid all wetlands and riparian areas.

SURROUNDING LANDS

The proposed golf course is directly adjacent to Recreation (Rec) zoned land to the west (Bandon State Park) and EFU land to the east, north and south. The State ownership to the west consists of vacant open space land. Although the park land is available for recreational use by the public, it is heavily vegetated in gorse, and therefore largely inaccessible. It should be noted that the invasive species, "gorse," is a looming fire hazard to the surrounding area, and specifically to the City of Bandon, that has been destroyed by fire on two separate occasions.

The lands to the north, south, and east are all zoned EFU. The EFU land to the east contains three historic cranberry farms. One of the farms is operational and the adjacent farm has ceased operations due to economic conditions. The third farm ceased production some years ago but appears to be in the process of re-establishing new cranberry bogs.

CONDITIONAL USE CRITERIA

Oregon Statute

ORS 215.283 Uses permitted in exclusive farm use zones in non-marginal lands counties; rules.

(1) The following uses may be established in any area zoned for exclusive farm use:

APPLICANT'S RESPONSE: Coos County is a non-marginal lands county. The area proposed for the golf course and uses accessory to golf, is entirely zoned for Exclusive Farm Use (EFU).

(2) The following non-farm uses may be established, subject to the approval of the governing body or its designee in any area zoned for exclusive farm use subject to ORS 215.296:

APPLICANT'S RESPONSE: This application is for a conditional use that is subject to approval by the Coos County Planning Commission. The Planning Commission is a designee of the governing body, aka, the Coos County Board of Commissioners.

ORS 215.283(2)(f) Golf courses on land:

(A) Determined not to be high-value farmland, as defined in ORS 195.300 (10); or

(B) Determined to be high-value farmland described in ORS 195.300 (10)(c) if the land:

- (i) Is not otherwise described in ORS 195.300 (10);
- (ii) Is surrounded on all sides by an approved golf course; and
- (iii) Is west of U.S. Highway 101.

APPLICANT'S RESPONSE: Subsection "B" above does not apply. ORS 195.300(10) is addressed below in its entirety including ORS 195.300(10)(c).

ORS 195.300 (10) "High-value farmland" means:

(a) High-value farmland as described in ORS 215.710 that is land in an exclusive farm use zone or a mixed farm and forest zone, except that the dates specified in ORS 215.710 (2), (4) and (6) are December 6, 2007.

ORS 215.710 High-value farmland description for ORS 215.705.

(1) For purposes of ORS 215.705, high-value farmland is land in a tract composed predominantly of soils that, at the time the siting of a dwelling is approved for the tract, are:

- (a) Irrigated and classified prime, unique, Class I or Class II; or
- (b) Not irrigated and classified prime, unique, Class I or Class II.

APPLICANT'S RESPONSE: The soil types for the land upon which the golf course is proposed are attached as Applicant's Exhibit "B." The segment of the applicant's ownership upon which the golf course is proposed does not contain irrigated or non-irrigated prime, unique, Class I or II soils.

(2) In addition to that land described in subsection (1) of this section, for purposes of ORS 215.705, high-value farmland, if outside the Willamette Valley, includes tracts growing specified perennials as demonstrated by the most recent aerial photography of the Agricultural Stabilization and Conservation Service of the United States Department of Agriculture taken prior to November 4, 1993. For purposes of this subsection, "specified perennials" means perennials grown for market or research purposes including, but not limited to, nursery stock, berries, fruits, nuts, Christmas trees or vineyards but not including seed crops, hay, pasture or alfalfa.

APPLICANT'S RESPONSE: Aerial photographs confirm that on December 6, 2007 [195.300(10)(a)], the segment of the applicant's ownership upon which the golf course is proposed, does contain lands growing specified perennials.

(3) In addition to that land described in subsection (1) of this section, for purposes of ORS 215.705, high-value farmland, if in the Willamette Valley, includes tracts composed predominantly of the following soils in Class III or IV or composed predominantly of a combination of soils described in subsection (1) of this section and the following soils:

- (a) Subclassification IIIe, specifically, Bellpine, Bornstedt, Burlington, Briedwell, Carlton, Cascade, Chehalem, Cornelius, Cornelius Variant, Cornelius and Kinton, Helvetia, Hillsboro, Hultt, Jory, Kinton, Latourell, Laurelwood, Melbourne, Multnomah, Nekia, Powell, Price, Quatama, Salkum, Santiam, Saum, Sawtell, Silverton, Veneta, Willakenzie, Woodburn and Yamhill;
- (b) Subclassification IIIw, specifically, Concord, Conser, Cornelius Variant, Dayton (thick surface) and Sifton (occasionally flooded);
- (c) Subclassification IVe, specifically, Bellpine Silty Clay Loam, Carlton, Cornelius, Jory, Kinton, Latourell, Laurelwood, Powell, Quatama, Springwater, Willakenzie and Yamhill; and

(d) Subclassification IVw, specifically, Awbrig, Bashaw, Courtney, Dayton, Natroy, Noti and Whiteson.

APPLICANT'S RESPONSE: The proposed golf course is not located in the Willamette Valley and therefore, this criterion is not applicable.

(4) In addition to that land described in subsection (1) of this section, for purposes of ORS 215.705, high-value farmland, if west of the summit of the Coast Range and used in conjunction with a dairy operation on January 1, 1993, includes tracts composed predominantly of the following soils in Class III or IV or composed predominantly of a combination of soils described in subsection (1) of this section and the following soils:

- (a) Subclassification IIIe, specifically, Astoria, Hembre, Knappa, Meda, Quillayutte and Winema;
- (b) Subclassification IIIw, specifically, Brenner and Chitwood;
- (c) Subclassification IVe, specifically, Astoria, Hembre, Meda, Nehalan, Neskowin and Winema; and
- (d) Subclassification IVw, specifically, Coquille.

APPLICANT'S RESPONSE: Aerial photographs confirm that on December 6, 2007 [195.300(10)(a)], the segment of the applicant's ownership upon which the golf course is proposed was not used in conjunction with a dairy operation. This criterion has been satisfied.

(5) For purposes of approving a land use application under ORS 215.705, the soil class, soil rating or other soil designation of a specific lot or parcel may be changed if the property owner:

(a) Submits a statement of agreement from the Natural Resources Conservation Service of the United States Department of Agriculture that the soil class, soil rating or other soil designation should be adjusted based on new information; or

(A) Submits a report from a soils scientist whose credentials are acceptable to the State Department of Agriculture that the soil class, soil rating or other soil designation should be changed; and

(B) Submits a statement from the State Department of Agriculture that the Director of Agriculture or the director's designee has reviewed the report described in subparagraph (A) of this paragraph and finds the analysis in the report to be soundly and scientifically based.

APPLICANT'S RESPONSE: There is no request to change a soil rating and therefore, this provision does not apply.

(6) Soil classes, soil ratings or other soil designations used in or made pursuant to this section are those of the Soil Conservation Service in its most recent publication for that class, rating or designation before November 4, 1993. [1993 c.792 §3; 1995 c.79 §78; 1995 c.812 §8]

APPLICANT'S RESPONSE: The soil rating and designations were derived from the most current National Resource Conservation Service (NRCS) database.

(b) Land west of U.S. Highway 101 that is composed predominantly of the following soils in Class III or IV or composed predominantly of a combination of the soils described in ORS 215.710 (1) and the following soils:

- (A) Subclassification IIIw, specifically Ettersburg Silt Loam and Croftland Silty Clay Loam;
- (B) Subclassification IIIe, specifically Klooqueth Silty Clay Loam and Winchuck Silt Loam; and
- (C) Subclassification IVw, specifically Huffling Silty Clay Loam.

APPLICANT'S RESPONSE: The subject property is not predominantly composed of the Class III or IV soil types listed above.

(c) Land that is in an exclusive farm use zone or a mixed farm and forest zone and that on June 28, 2007, is:

- (A) Within the place of use for a permit, certificate or decree for the use of water for irrigation issued by the Water Resources Department.

APPLICANT'S RESPONSE: On June 28, 2007, the segment of the property upon which the golf course is proposed did not contain a water permit, certificate, or decree for the use of water.

- (B) Within the boundaries of a district, as defined in ORS 540.505; or

APPLICANT'S RESPONSE: On June 28, 2007, the segment of the property upon which the golf course is proposed was not within a district as defined under ORS 540 to 505.

- (C) Within the boundaries of a diking district formed under ORS Chapter 551.

APPLICANT'S RESPONSE: On June 28, 2007, the segment of the property upon which the golf course is proposed was not within a diking district formed under ORS Chapter 551.

(d) Land that contains not less than five acres planted in wine grapes.

APPLICANT'S RESPONSE: The segment of the property upon which the golf course is proposed has never been used for the production of wine grapes or any other type of agricultural use.

(e) Land that is in an exclusive farm use zone and that is at an elevation between 200 and 1,000 feet above mean sea level, with an aspect between 67.5 and 292.5 degrees and a slope between zero and 15 percent, and that is located within:

- (A) The Southern Oregon viticultural area as described in 27 C.F.R. 9.179;
- (B) The Umpqua Valley viticultural area as described in 27 C.F.R. 9.89; or
- (C) The Willamette Valley viticultural area as described in 27 C.F.R. 9.90.

APPLICANT'S RESPONSE: The subject property is not located within any of the viticultural areas described above and therefore, this criterion has been satisfied.

(f) Land that is in an exclusive farm use zone and that is no more than 3,000 feet above mean sea level, with an aspect between 67.5 and 292.5 degrees and a slope between zero and 15 percent, and that is located within:

- (A) The portion of the Columbia Gorge viticultural area as described in 27 C.F.R. 9.178 that is within the State of Oregon;
- (B) The Rogue Valley viticultural area as described in 27 C.F.R. 9.132;
- (C) The portion of the Columbia Valley viticultural area as described in 27 C.F.R. 9.74 that is within the State of Oregon;
- (D) The portion of the Walla Walla Valley viticultural area as described in 27 C.F.R. 9.91 that is within the State of Oregon; or
- (E) The portion of the Snake River Valley viticultural area as described in 27 C.F.R. 9.208 that is within the State of Oregon.

APPLICANT'S RESPONSE: The subject property is not located within any of the viticultural areas described above and therefore, this criterion has been satisfied.

ORS 215.296 Standards for approval of certain uses in exclusive farm use zones; violation of standards; complaint; penalties; exceptions to standards.

(1) A use allowed under ORS 215.213 (2) or (11) or 215.283 (2) or (4) may be approved only where the local governing body or its designee finds that the use will not:

- (a) Force a significant change in accepted farm or forest practices on surrounding lands devoted to farm or forest use; or

Farm and Forest Practices

APPLICANT'S RESPONSE: The lands surrounding the golf course to the north, south and west are not devoted to either farm or forest uses. The land to the north contains open space state park lands and a private ownership with a single-family residential use. The land to the west consists entirely of open space State Park land with no viable commercial farm or forest use. The land to the south is private open space land with no existing commercial farm or forest uses. There are no commercial forest uses either adjacent to or near the proposed golf course.

The land to the east has historically been utilized for commercial agriculture. At one time in the recent past there were a minimum of four independent cranberry farms located east of and along the southerly two thirds of the proposed golf course area. Due to market conditions, two of the four farms ceased operations. There are now two viable farm operations adjacent to the proposed golf course and one of the farms that ceased operations appears to be replanting a portion of the original cranberry bogs.

The development and maintenance of a golf course is essentially a farm activity consisting of seeding, irrigating, fertilizing, and mowing specialty grasses at various lengths. These farm type activities are very similar to the management of grazing land or land upon which various types of hay or grass crops are produced. Those types of agricultural uses are permitted outright in conjunction with or adjacent to cranberry operations, as it is generally recognized by Oregon statute that one type of agricultural use or farm activity is essentially compatible with other types of farm uses and activities. There is no reason to

believe that the development of a golf course, or the day-to-day maintenance of the course will conflict with other types of adjacent farm uses, and specifically the production of cranberries that employs similar management practices and activities.

Conclusion:

There are no nearby commercial forest practices occurring that could be impacted by the proposed golf course. The management activities associated with a golf course are so similar to other types of agricultural practices, that they can only be deemed as compatible. It is therefore reasonable to conclude that the proposed golf course will not force a significant change in accepted farm practices on surrounding lands devoted to farm use.

Irrigation and Water Management

Regardless of the various types of agricultural activities occurring within a specific area, the availability of water is generally a primary consideration. This is particularly true regarding the cranberry operations occurring on lands directly adjacent to the proposed golf course.

A preliminary hydrology assessment prepared by Golder Associates is attached as Exhibit "C". The purpose of the assessment is two-fold; determine the feasibility of using groundwater for golf course irrigation, and evaluate whether the use of groundwater by the golf course will impact adjacent agricultural water sources. The report summary concluded that primary aquifers contained within the unconsolidated sediments consist of both a shallow and a deep-water bearing zone, separated by a 20 to 40 ft. thick sandy clay layer. The agricultural uses (cranberry bogs) adjacent to the proposed golf course generally utilize surface water from the shallow water bearing zone that ranges from 4 to 25 feet below the ground surface, while the test wells for the golf course were drilled to a depth of approximately 130 feet. This indicates that adjacent agricultural uses and the proposed golf course could potentially be utilizing water from separate water bearing zones. However, it was determined that there is not sufficient information available to absolutely assess potential impacts. The Data Gaps cited in the assessment include the following:

- *Information on aquifer properties within the Dune Sand Aquifer.*
- *Information on aquifer properties and groundwater quality of the deeper Marine Terrace Aquifer System, as well as hydraulic connection to the upper shallow Marine Terrace Aquifer System.*
- *Groundwater quality within the project area overall. There is limited publicly available groundwater quality within the projected area and the Bandon area.*

Because a conclusion could not be reached regarding potential water use impacts, the report recommended that testing should be performed in conjunction with the future development of wells within the proposed golf course. The specific recommendation is as follows:

- *A step-rate pumping test should be performed to evaluate the well performance followed by a 72-hour constant-rate pumping test to evaluate aquifer hydraulic properties, aquifer boundaries, and potential impacts to nearby groundwater users. Existing groundwater wells should be monitored during the test and/or shallow piezometers near the eastern edges of the property boundary should be installed to monitor for potential impacts of pumping.*

Based upon the proximity of the golf course to existing agricultural water rights and uses, any water permits granted for golf by the Oregon Department of Water Resources, will automatically contain conditions for groundwater monitoring to assure that existing agricultural rights are protected. It is important to note that existing agricultural water rights will be considered "senior rights" and therefore permits granted in conjunction with the golf course will be subordinate to those rights. In other words, the existing agricultural uses are guaranteed full use of their senior rights regardless of the needs of the golf course.

Conclusion:

Based upon water rights law protecting senior water rights, the proposed golf course cannot, and will not, impact the viability of existing agricultural uses in the area as a result of water usage. Therefore, with regard to water usage, it is reasonable to conclude that the proposed golf course will not force a significant change in accepted farm practices on surrounding lands devoted to farm use.

- (b) Significantly increase the cost of accepted farm or forest practices on surrounding lands devoted to farm or forest use.

APPLICANT'S RESPONSE: As stated above, there are no commercial forest practices occurring on land surrounding the proposed golf course. Also stated above, there are two or three agricultural uses occurring on land directly adjacent to the proposed course.

The development and maintenance of a golf course is essentially a farm activity consisting of seeding, irrigating, fertilizing, and mowing specialty grasses at various lengths. These farm type activities are very similar to the management of grazing land or land upon which various types of hay or grass crops are produced. Those types of agricultural uses are permitted outright in conjunction with or adjacent to cranberry operations, as it is generally recognized by Oregon statute that one type of agricultural use or farm activity is essentially compatible with other types of farm activities. There is no reason to believe that the development of a golf course or the day-to-day maintenance of the course will conflict in any way with other types of adjacent farm uses, and specifically the production of cranberries that employs similar management practices and activities.

Based upon the proximity of the golf course to existing agricultural water rights, any water permits granted for golf use by the Oregon Department of Water Resources will contain conditions for groundwater monitoring to assure that existing agricultural rights are protected. It is important to note that existing agricultural water rights will be considered "senior rights" and therefore, permits granted in conjunction with the golf course will be subordinate to existing rights. In other words, the existing agricultural uses are guaranteed full use of their permitted water rights regardless of the water needs of the golf course.

The development of the course will assist in eradicating an invasive species (gorse), that presents a consistent fire hazard, and a management nuisance to adjacent uses. The development of fire protection measures in the form of fire hydrants and a consistent water source at the golf course will provide additional security to adjacent property owners.

Conclusion:

The management activities associated with the golf course are fundamentally standard farm practices conducted for a recreational purpose. Water for existing agricultural use is protected by state statute. Development activities associated with the golf course will provide several significant benefits at no cost to the adjacent property owners who are farming. There is no reason to believe that the proposed golf course will increase (significantly or modestly) the cost of accepted farm practices on surrounding lands devoted to farm use.

(2) An applicant for a use allowed under ORS 215.213 (2) or (11) or 215.283 (2) or (4) may demonstrate that the standards for approval set forth in subsection (1) of this section will be satisfied through the imposition of conditions. Any conditions so imposed shall be clear and objective.

APPLICANT'S RESPONSE: While it is reasonable to conclude that the proposed golf course is compatible with adjacent farm and forest uses, the applicant is amenable to reasonable conditions of approval that the Planning Commission determines are necessary to ensure the use will be compatible.

OREGON ADMINISTRATIVE RULES

OAR 660-033-0120

Uses Authorized on Agricultural Lands

The specific development and uses listed in the following table are allowed or may be allowed in the areas that qualify for the designation pursuant to this division. All uses are subject to the general provisions, special conditions, additional restrictions and exceptions set forth in this division. The abbreviations used within the schedule shall have the following meanings:

(1) A — Use is allowed. Authorization of some uses may require notice and the opportunity for a hearing because the authorization qualifies as a land use decision pursuant to ORS chapter 197. Minimum standards for uses in the table that include a numerical reference are specified in OAR 660-033-0130. Counties may prescribe additional limitations and requirements to meet local concerns only to the extent authorized by law.

(2) R — Use may be allowed, after required review. The use requires notice and the opportunity for a hearing. Minimum standards for uses in the table that include a numerical reference are specified in OAR 660-033-0130. Counties may prescribe additional limitations and requirements to meet local concerns.

(3) * — Use not allowed.

(4) # — Numerical references for specific uses shown on the chart refer to the corresponding section of OAR 660-033-0130. Where no numerical reference is noted for a use on the chart, this rule does not establish criteria for the use.

HV Farmland	All Other	USES
R 2,18(a)	R 2,5,20	Golf courses on land determined not to be on high-value farmland as defined in ORS 195.300

APPLICANT'S RESPONSE: The Administrative Rule separates uses allowed on high-value farmland (HV farmland) and those lands determined not to be high-value farmland (All Others). Because the golf course is not being developed on high-value farmland, it is allowed subject to the requirement of (R) above and the provisions of 660-033-0130 (2), (5) and (20), which are addressed below. The requirement of (R) is consistent with the Oregon Statute and the Coos County Zoning Ordinance, in that a public hearing is required.

OAR 660-033-0130

Minimum Standards Applicable to the Schedule of Permitted and Conditional Uses

The following standards apply to uses listed in OAR 660-033-0120 where the corresponding section number is shown on the chart for a specific use under consideration. Where no numerical reference is indicated on the chart, this division does not specify any minimum review or approval criteria. Counties may include procedures and conditions in addition to those listed in the chart as authorized by law:

(2)(a) No enclosed structure with a design capacity greater than 100 people, or group of structures with a total design capacity of greater than 100 people, shall be approved in connection with the use within three miles of an urban growth boundary, unless an exception is approved pursuant to ORS 197.732 and OAR Chapter 660, division 4, or unless the structure is described in a master plan adopted under the provisions of OAR chapter 660, Division 34.

DESIGN CAPACITY DISCUSSION

The primary enclosed structure of which the 100-person design standard applies, is the combined clubhouse and restaurant which will be located on the northerly segment of the golf course, which is within three miles of the City of Bandon Urban Growth Boundary. however to address compliance with this standard, it is first necessary to define the intent of the rule with regard to the ambiguous language "design capacity."

The adoption of the 100-person limit was triggered by a court decision that applied a federal law prohibiting state and local governments from regulating churches more strictly than they regulate secular places of assembly. Young v. Jackson County, 58 Or LUBA 64 (2008), aff'd 227 Or App 290 (2009). To ensure that all places of assembly were regulated equally, the agency adopted this rule that places the same 100-person design capacity on all enclosed structures within three miles of a UGB: churches, schools, parks, golf courses, etc.

The term "design capacity" is not defined by Statute or Administrative Rule, however there is a 2015 appellate decision from the Oregon Land Use Board of Appeals (LUBA) that helps clarify its meaning. In Oregon Coast Alliance vs. Curry County, 71 Or LUBA 279 (2015), it was determined that Design Capacity

(while similar) is not synonymous with Maximum Occupancy under Fire and Safety Code. LUBA determined that while the intended use and Design Capacity of a structure plays a role in determining the Maximum Occupancy, and vice versa, the two concepts are distinct.

LUBA also found that while the “intended use” of a structure may play a role in determining design capacity, estimates of how many persons that are likely to use a structure at any given time under typical circumstances, is not sufficient to establish the design capacity of the structure. LUBA concluded that it may be necessary to provide some “plans of some sort” to determine that the buildings do not have a total design capacity of more than 100 people.

The applicant has submitted a conceptual design for the proposed clubhouse showing the restaurant and pro-shop (see Applicant’s Exhibit “D”). The design was created for the Bandon Trails Golf Course at the Bandon Dunes Golf Resort, which is located approximately 10 miles north of this proposed New River Dunes Golf Course. The Trails Clubhouse contains 3,900 square feet and provides service for an 18-hole professional golf course. However, it is important to note that the clubhouse is supported by an entire golf resort with a variety of amenities, including other restaurants, retail shopping, storage, and overnight accommodations, that will not be available at the proposed New River Golf Course. Therefore, it is likely that the New River Clubhouse will be designed with more square footage to accommodate the additional needs.

The New River restaurant will be designed to seat 60 people, rather than the 40-person restaurant design in the Trails Clubhouse. The pro-shop may increase in size to accommodate more products. However, based on foot traffic at Bandon Dunes pro-shops, the average number of patrons at any one time is relatively static regardless of size. The kitchen size may slightly increase to accommodate the needs for the entire golf course. However, 4 kitchen staff is generous for a restaurant with 60 seats. An increase in square footage may result from the need for additional storage space. As a stand-alone facility, all food, beverage, retail, janitorial, deck furniture, etc. will need to be stored near their intended use at or near the clubhouse.

NOTE: Regardless of the increased size of the Club House facility, the indoor seating at the restaurant will remain the same. In other words, the larger size of the structure will not affect the design capacity.

Regarding other structures throughout the facility, there will be a partially enclosed greeting facility to provide direction and information for arriving golfers, and a partially enclosed starter shack that sends golfers onto the course at the appropriate time. Two independent restrooms will be located at strategic locations throughout the course, and there will be a turn-stand mid-way through the course with restrooms and snack bar with catered food and drinks. There will be a caddy shack located near the clubhouse for management and deployment of caddies.

The maintenance operations for the golf course will occur from an agronomy center that consists of pole buildings to house equipment and offices for management staff. Nearly all management/office staff oversee maintenance operations throughout the golf course and the number of individuals occupying offices and other structures at any one time would normally not exceed a half dozen.

General Occupancy for Enclosed Structures

<i>Clubhouse Restaurant</i>	
<i>Patrons (Maximum seating)</i>	60
<i>Waiters</i>	3
<i>Kitchen Staff</i>	4
<i>Sales (Pro-shop staff)</i>	1
<i>Pro-shop (Customers)</i>	4
<i>Caddy Shack</i>	8
<i>Turn-Stand</i>	
<i>Staff</i>	1
<i>Agronomy</i>	
<i>Management (general, agronomy)</i>	3
<i>Maintenance (equipment)</i>	2
<i>Independent restrooms</i>	4
<u>Total</u>	90

CONCLUSION:

Although the numbers will vary based on the nature of golf course operations, it is reasonable to conclude that the total number of golfers, management staff, and service employees occupying the various enclosed structures at any given time, will not exceed 100 people.

(b) Any enclosed structures or group of enclosed structures described in subsection (a) within a tract must be separated by at least one-half mile. For purposes of this section, "tract" means a tract as defined by ORS 215.010(2) that is in existence as of June 17, 2010.

APPLICANT'S RESPONSE: The primary structure, the clubhouse/restaurant and caddie shack, will be located at the north end of the golf course, within three miles of the City of Bandon Urban Growth Boundary. All other structures within three miles of the Bandon Urban Growth Boundary and subject to the 100-person design capacity standard of subsection "a" above, will be separated by 1/2 mile as shown on the attached golf course routing exhibit layout. The maintenance facility and turn-stand located at the southerly portion of the golf course is not within three miles of the Bandon Urban Growth Boundary and the one-half mile standard does not apply.

(c) Existing facilities wholly within a farm use zone may be maintained, enhanced or expanded on the same tract, subject to other requirements of law, but enclosed existing structures within a farm use zone within three miles of an urban growth boundary may not be expanded beyond the requirements of this rule.

APPLICANT'S RESPONSE: There are no existing facilities within the proposed golf course.

(5) Approval requires review by the governing body or its designate under ORS 215.296. Uses may be approved only where such uses:

(a) Will not force a significant change in accepted farm or forest practices on surrounding lands devoted to farm or forest use; and

(b) Will not significantly increase the cost of accepted farm or forest practices on surrounding lands devoted to farm or forest use.

APPLICANT'S RESPONSE: The criteria for both subsections (a) and (b) above have been addressed above under the provisions of ORS 215.296(1)(a) and (b).

(20) "Golf Course" means an area of land with highly maintained natural turf laid out for the game of golf with a series of nine or more holes, each including a tee, a fairway, a putting green, and often one or more natural or artificial hazards. A "golf course" for purposes of ORS 215.213(2)(f), 215.283(2)(f), and this division means a nine or 18-hole regulation golf course or a combination nine and 18-hole regulation golf course consistent with the following:

APPLICANT'S RESPONSE: The subject property is zoned Exclusive Farm Use (EFU). The proposed golf course will consist of a regulation 18-hole, highly maintained natural turf, Scottish links style course with tees, greens, fairways, and natural hazards (bunkers).

(a) A regulation 18 hole golf course is generally characterized by a site of about 120 to 150 acres of land, has a playable distance of 5,000 to 7,200 yards, and a par of 64 to 73 strokes;

APPLICANT'S RESPONSE: The applicant's ownership consists of approximately 600 acres. The golf course and all facilities will be contained within approximately 300 acres. It is estimated that the golf course will contain approximately 120 acres of vegetated surface (Tees, Greens, Fairways), with approximately 175 acres of surrounding open space, with two to three acres containing structural improvements.

The statutory definition of a golf course on EFU land is "a regulation 18-hole golf course generally characterized by a site of about 120 to 150 acres of land." The provision is intended to differentiate between a regulation golf course that is allowed in an EFU zone and non-regulation golf courses such as: an executive course, a par-three course, independent driving range, or a miniature golf course, all of which are specifically excluded in the EFU zone. The subjective language, "generally characterized," is intended to provide approximate parameters that would allow a reasonable person to distinguish between a regulation course and a non-regulation golf activity. It is also clear that the provision is not intended to be static or intended to establish a minimum or maximum acreage. If that were the case, the provision would state that a regulation golf course shall not be less than 120 acres nor more than 150 acres.

When interpreting a portion of a provision, particularly a subjective provision, it is important to consider the provision in its entirety. In this case, the provision includes a regulation golf course as having a playable distance of 5,000 to 7,500 yards and a par of 64 to 73 strokes. The average width for a golf course is approximately 300 feet (100 yards). A course 7,500 yards long (100 yds. x 7,500 yds) would consume 150 acres. This example does not include additional acreage needed for space between tees and

greens or the spacing for cart paths, a clubhouse, maintenance structures, irrigation ponds, driving ranges, practice courses, or parking, all of which are allowed under the Administrative Rule.

The definition of a regulation golf course and the size needed to accommodate the entire facility is generalized. It is therefore reasonable to conclude that the parameters characterizing a regulation golf course are generalized rather than strict or static requirements. It should also be noted that a Scottish Links course requires additional width (open space) for safety purposes, as a Links style course does not normally contain the natural protective buffers (trees and shrubs) between fairways that are generally associated with a standard course.

The applicant's response above is supported by the decision of the Land Use Board of Appeals, Oregon Coast Alliance vs. Curry County, 71 Or LUBA 279 (2015).

(b) A regulation nine-hole golf course is generally characterized by a site of about 65 to 90 acres of land, has a playable distance of 2,500 to 3,600 yards, and a par of 32 to 36 strokes;

(c) Non-regulation golf courses are not allowed uses within these areas. "Non-regulation golf course" means a golf course or golf course-like development that does not meet the definition of golf course in this rule, including but not limited to executive golf courses, par three golf courses, pitch and putt golf courses, miniature golf courses and driving ranges.

APPLICANT'S RESPONSE: The proposed course is a regulation 18-hole course and subsections (b) and (c) above do not apply.

(d) Counties shall limit accessory uses provided as part of a golf course consistent with the following standards:

(A) An accessory use to a golf course is a facility or improvement that is incidental to the operation of the golf course and is either necessary for the operation and maintenance of the golf course or that provides goods or services customarily provided to golfers at a golf course. An accessory use or activity does not serve the needs of the non-golfing public. Accessory uses to a golf course may include: Parking; maintenance buildings; cart storage and repair; practice range or driving range; clubhouse; restrooms; lockers and showers; food and beverage service; pro shop; a practice or beginners course as part of an 18 hole or larger golf course; or golf tournament. Accessory uses to a golf course do not include: Sporting facilities unrelated to golfing such as tennis courts, swimming pools, and weight rooms; wholesale or retail operations oriented to the non-golfing public; or housing;

APPLICANT'S RESPONSE: As cited throughout this application, the golf course facility will contain accessory uses in the form of a clubhouse, pro-shop, restaurant, turn-stand, parking, restrooms, a practice facility, an agronomy/maintenance center, and office space. There are no uses proposed that are not accessory to the golf course, nor are there retail facilities that are oriented to the non-golfing public.

(B) Accessory uses shall be limited in size and orientation on the site to serve the needs of persons and their guests who patronize the golf course to golf. An accessory use that

provides commercial services (e.g., pro shop, etc.) shall be located in the clubhouse rather than in separate buildings; and

APPLICANT'S RESPONSE: Because the accessory uses are only intended to serve golfers utilizing the golf course, it is practical and cost effective to limit the size and orientation for the intended use. The pro-shop will be the only retail facility and it will be located in the clubhouse structure that also contains the restaurant.

(C) Accessory uses may include one or more food and beverage service facilities in addition to food and beverage service facilities located in a clubhouse. Food and beverage service facilities must be part of an incidental to the operation of the golf course and must be limited in size and orientation on the site to serve only the needs of persons who patronize the golf course and their guests. Accessory food and beverage service facilities shall not be designed for or include structures for banquets, public gatherings, or public entertainment.

APPLICANT'S RESPONSE: As cited throughout this application, there will be a turn-stand located strategically on the golf course route that will contain restrooms and a vendor's station with catered food and an assortment of beverages. The turn-stand will not contain a formal kitchen, as the intent is to provide snacks and beverages midway through the course. Because it is in the best interest of the golf course to promote continued play throughout the course, the facility will essentially serve as a pit-stop. The accessory service is clearly incidental to the operations of the golf course.

COOS COUNTY ZONING AND LAND DEVELOPMENT ORDINANCE (CCZLDO)

SECTION 4.6.200 EXCLUSIVE FARM USE

Minimum Standards Applicable to the Schedule of Permitted and Conditional Uses

The following requirements apply to uses specified, and as listed in the table adopted by OAR 660-033-0120. For each section of this rule, the corresponding section number is shown in the table. Where no numerical reference is indicated on the table, this rule does not specify any minimum review or approval criteria. Counties may include procedures and conditions in addition to those listed in the table, as authorized by law.

APPLICANT'S RESPONSE: Within the specified use table for the Exclusive Farm Use zone, a golf course is allowed on non-high value farmland subject to the applicable Review Standards. Because Coos County has adopted OAR 660-033-0120 and 660-033-0130 verbatim for golf courses, the allowed uses, review standards, criteria, and sequencing mirror the Oregon Administrative Rules. The County Zoning Ordinance Use Table cites Review Standards 2, 5, and 20, as review criteria for the proposed golf course use.

(2) (a) No enclosed structure with a design capacity greater than 100 people, or group of structures with a total design capacity of greater than 100 people, shall be approved in connection with the use within three

miles of an urban growth boundary, unless an exception is approved pursuant to ORS 197.732 and OAR chapter 660, division 4, or unless the structure is described in a master plan adopted under the provisions of OAR chapter 660, division 34.

(b) Any enclosed structures or group of enclosed structures described in subsection (a) within a tract must be separated by at least one-half mile. For purposes of this section, "tract" means a tract as defined by ORS 215.010(2) that is in existence as of June 17, 2010.

(c) Existing facilities wholly within a farm use zone may be maintained, enhanced or expanded on the same tract, subject to other requirements of law, but enclosed existing structures within a farm use zone within three miles of an urban growth boundary may not be expanded beyond the requirements of this rule.

APPLICANT'S RESPONSE: These standards have been addressed above under OAR 660-033-0130 (2)(a)(b) and (c).

(5) APPROVAL CRITERIA Approval requires review by the governing body or its designate under ORS 215.296. Uses may be approved only where such uses:

(a) Will not force a significant change in accepted farm or forest practices on surrounding lands devoted to farm or forest use; and

(b) Will not significantly increase the cost of accepted farm or forest practices on surrounding lands devoted to farm or forest use.

APPLICANT'S RESPONSE: The county criteria has been addressed above under OAR 660-033-0130 (5)(a) and (b).

(20) GOLF COURSE - "Golf Course" means an area of land with highly maintained natural turf laid out for the game of golf with a series of nine or more holes, each including a tee, a fairway, a putting green, and often one or more natural or artificial hazards. A "golf course" for purposes of ORS 215.213(2)(f), 215.283(2)(f), and this division means a nine- or 18-hole regulation golf course or a combination nine- and 18-hole regulation golf course consistent with the following:

(a) A regulation 18-hole golf course is generally characterized by a site of about 120 to 150 acres of land, has a playable distance of 5,000 to 7,200 yards, and a par of 64 to 73 strokes;

(b) A regulation nine-hole golf course is generally characterized by a site of about 65 to 90 acres of land, has a playable distance of 2,500 to 3,600 yards, and a par of 32 to 36 strokes;

(c) Non-regulation golf courses are not allowed uses within these areas. "Non-regulation golf course" means a golf course or golf course-like development that does not meet the definition of golf course in this rule, including but not limited to executive golf courses, Par three golf courses, pitch and putt golf courses, miniature golf courses and driving ranges;

(d) Counties shall limit accessory uses provided as part of a golf course consistent with the following standards:

(A) An accessory use to a golf course is a facility or improvement that is incidental to the operation of the golf course and is either necessary for the operation and maintenance of the golf course or that provides goods or services customarily provided to golfers at a golf course. An accessory use or activity does not serve the needs of the non-golfing public. Accessory uses to a golf course may include: Parking; maintenance buildings; cart storage and repair; practice range or driving range; clubhouse; restrooms; lockers and showers; food and beverage service; pro shop; a practice or beginners course as part of an 18 hole or larger golf course; or golf tournament. Accessory uses to a golf course do not include: Sporting facilities unrelated to golfing such as tennis courts, swimming pools, and weight rooms; wholesale or retail operations oriented to the non-golfing public; or housing;

(B) Accessory uses shall be limited in size and orientation on the site to serve the needs of persons and their guests who patronize the golf course to golf. An accessory use that provides commercial services (e.g., pro shop, etc.) shall be located in the clubhouse rather than in separate buildings; and

(C) Accessory uses may include one or more food and beverage service facilities in addition to food and beverage service facilities located in a clubhouse. Food and beverage service facilities must be part of an incidental to the operation of the golf course and must be limited in size and orientation on the site to serve only the needs of persons who patronize the golf course and their guests. Accessory food and beverage service facilities shall not be designed for or include structures for banquets, public gatherings, or public entertainment

APPLICANT'S RESPONSE: These standards have been addressed above under OAR 660-033-0130 (20)(a)(b)(c) and (d).

SECTION 4.6.210 DEVELOPMENT AND USE STANDARDS FOR THE EXCLUSIVE FARM USE ZONE.

Development Standards All dwellings and structures approved shall be sited in accordance with this section.

1. Minimum Lot Size: The minimum parcel size shall be at least 80 acres. Land divisions involving a house that existed prior to June 1, 1995 see § 4.6.210(5)(a). For land divisions where all resulting parcels are at least 80 acres, a conditional use is not required. However, the applicable standards in Chapter VI must be met. [OR96-06-007PL 9/4/96] New lots or parcels for dwellings not in conjunction with farm use may be allowed when the requirements of § 4.6.210(3), § 4.6.210(4)(a or b) and § 4.6.210(5) are met. In addition, the creation of new parcels for nonfarm uses may be allowed only when such new parcel is the minimum size needed to accommodate the use in a manner consistent with other provisions of the Ordinance. 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.

APPLICANT'S RESPONSE: There are no land divisions or dwellings proposed in conjunction with this application.

2. Setbacks

- a. Road: All buildings or structures with the exception of fences shall be setback 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. IV- 144

APPLICANT'S RESPONSE: The majority of transportation within the golf course complex will occur across private driveways within the applicant's ownership. Driveways are not roads pursuant to county definitions and are therefore not subject to road setback standards.

- b. Firebreak: New or replacement dwellings on lots, parcels, or tracts abutting the "Forest" zone shall establish and maintain a firebreak for a distance of at least 30 in all directions. Vegetation within this firebreak 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.

APPLICANT'S RESPONSE: There are no dwellings proposed in conjunction with this application and therefore these standards are not applicable.

3. Structure Height: Farm-related structures are exempt from height limits unless subject to Airport Overlay zone or Urban Growth Boundary requirements.

APPLICANT'S RESPONSE: All structures will correspond with the height limitations of any applicable airport overlay zone.

4. Lot Coverage: No requirements.

APPLICANT'S RESPONSE: Although there are no lot coverage requirements, the golf course development will comply with all other lot coverage requirements pursuant to statutory, administrative, or county ordinance requirements for golf courses in the EFU zone.

5. Fences, Hedges and Walls: No requirement except for vision clearance provisions of § 7.1.525 apply.

APPLICANT'S RESPONSE: The golf course development will comply with any vision clearance requirements of 7.1.525.

6. Off-street parking and Loading: See Chapter VII.

APPLICANT'S RESPONSE: All parking and loading areas throughout the golf facility will comply with the standards of Chapter VII, CCZLDO.

7. Minimum Road Frontage/Lot Width unless waived by the Planning Director in consultation with the County Surveyor due to creating an unsafe or irregular configuration: a. Within UGB's – 50 feet b. Outside UGB's – 20 feet.

APPLICANT'S RESPONSE: There are no land divisions proposed in conjunction with this application and therefore this lot frontage provision does not apply.

8. Access: Access to new dwellings shall meet road design standards in Chapter VII.

APPLICANT'S RESPONSE: There are no dwellings proposed in conjunction with this application.

9. Minimizing Impacts: in order to minimize the impacts of dwellings in agricultural lands, all applicants requesting a nonfarm dwelling shall acknowledge and file in the deed records of Coos County, a Farm Practices Management Easement. The Farm Practices Easement shall be recorded in the deed records of the county prior to any final county approval for a single-family dwelling. [OR96-06-007PL 9/4/96]

APPLICANT'S RESPONSE: There are no dwellings proposed in conjunction with this application.

10. Riparian Vegetation Protection 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:

APPLICANT'S RESPONSE: All riparian vegetation shall be protected in conjunction with the development of the golf course.

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.

APPLICANT'S RESPONSE: Any tree removal within riparian areas shall comply with all local, state, and federal agencies.

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;

APPLICANT'S RESPONSE: There are no water-dependent uses proposed in conjunction with this application.

c. Riparian vegetation may be removed in order to allow establishment of authorized structural shoreline stabilization measures;

APPLICANT'S RESPONSE: There are no shoreline stabilization activities proposed in conjunction with this application.

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; IV- 145

APPLICANT'S RESPONSE: There are no stream bank clearance projects proposed in conjunction with this application.

e. Riparian vegetation may be removed in order to site or properly maintain public utilities and road right-of-ways;

APPLICANT'S RESPONSE: There are no public roadways or public utilities proposed in conjunction with this application.

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

APPLICANT'S RESPONSE: There are no existing agricultural operations that will be continued in conjunction with the proposed use.

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".

APPLICANT'S RESPONSE: There are no existing structures sited near riparian areas within the proposed development.

h. Riparian removal within the Coastal Shoreland Boundary will require a conditional use. See Special Development Considerations Coastal Shoreland Boundary.

APPLICANT'S RESPONSE: There is no coastal shoreland boundary existing within the proposed golf course development.

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.

APPLICANT'S RESPONSE: Any development proposed near a wetland or other waterway will maintain a minimum 50-foot setback.

SPECIAL CONSIDERATIONS, NATURAL HAZARDS AND ACCESS

ARTICLE 4.11 SPECIAL DEVELOPMENT CONSIDERATIONS AND OVERLAYS

SECTION 4.11.100 PURPOSE: The purpose of this Article is to prescribe special regulations for the use and development of lands situated within resource or hazard areas identified on the Plan Maps for Volume I (Balance of County6).

SECTION 4.11.110 PRIORITY OF RESTRICTIONS: When the restrictions imposed by the provisions of an overlay or special development consideration pertaining to a property is found to be in conflict with the primary zone the more restrictive provisions shall govern.

SECTION 4.11.120 GOAL #5 CONFLICT RESOLUTION PROCESS: When in the course of implementing the Coos County Comprehensive Plan it becomes evident that a conflict exists concerning the use of land identified as a Oregon Statewide Planning Goal #5 resource that is otherwise protected pursuant to OAR 660-16-005(1), then any proposed conflicting use may only be allowed after the an Administrative Conditional Use application has been completed based on findings that address the requirements of OAR 660-16-0005(2) and OAR 660-165-0010.

SECTION 4.11.125 SPECIAL DEVELOPMENT CONSIDERATIONS: The considerations are map overlays that show areas of concern such as hazards or protected sites. Each development consideration may further restrict a use. Development considerations play a very important role in determining where development should be allowed in the Balance of County zoning. The adopted plan maps and overlay maps have to be examined in order to determine how the inventory applies to the specific site.

APPLICANT'S RESPONSE: There are several Special Development Considerations that are identified in conjunction with the land upon which the golf course is proposed. Each relevant consideration is addressed below. While there is sufficient information available to address most considerations in their entirety, other considerations can only be addressed when certain factors, such as structural size and location, have been determined. To reduce the size of the applicant's submittal, each special consideration is listed by title, and where possible, the lengthy ordinance provisions addressing each consideration have been omitted. The intent and applicability of each consideration is addressed in the "Applicant's Response."

SECTION 4.11.126 MINERAL & AGGREGATE PLAN IMPLEMENTATION STRATEGIES (BALANCE OF COUNTY POLICY 5.5)

APPLICANT'S RESPONSE: Pursuant to the Coos County Comprehensive Plan inventory maps, the proposed golf course property is not located within an identified Mineral & Aggregate area.

SECTION 4.11.127 WATER RESOURCES (BALANCE OF COUNTY POLICY 5.8)

APPLICANT'S RESPONSE: Pursuant to the Coos County Comprehensive Plan inventory maps, the proposed golf course property is not located within an identified water resource area.

SECTION 4.11.128 HISTORICAL, CULTURAL AND ARCHAEOLOGICAL RESOURCES, NATURAL AREAS AND WILDERNESS (BALANCE OF COUNTY POLICY 5.7)

APPLICANT'S RESPONSE: Pursuant to the Coos County Comprehensive Plan inventory maps, the proposed golf course property is not located within an identified Historical, Cultural, Archaeological, Natural or Wilderness area.

SECTION 4.11.129 BEACHES AND DUNES (POLICY 5.10)

APPLICANT'S RESPONSE: Pursuant to the Coos County Comprehensive Plan inventory maps, the proposed golf course property is located within a Beaches and Dunes area of "Limited Suitability" for development.

Beach and Dune Areas with "limited development suitability" include all dune forms except older stabilized dunes, active foredunes, conditionally stable foredunes that are subject to ocean undercutting or wave overtopping, and interdune areas (deflation plains) subject to ocean flooding. Implementation shall occur through an "Administrative Conditional Use process," which shall include submission of a site investigation report by a qualified registered and licensed geologist or engineer that addresses the standards below. Coos County shall permit development within areas designated as "Beach and Dune Areas with Limited Development Suitability" only upon the establishment of findings that consider at least:

- a) The type of use proposed and the adverse effects it might have on the site and adjacent areas;*
- b) The need for temporary and permanent stabilization programs and the planned maintenance of new and existing vegetation;*
- c) The need for methods for protecting the surrounding area from any adverse effects of the development; and*
- d) Hazards to life, public and private property, and the natural environment which may be caused by the proposed use.*

Coos County shall cooperate with affected local, state and federal agencies to protect the groundwater from drawdown, which would lead to loss of stabilizing vegetation, loss of water quality, or intrusion of saltwater into water supplies. Coos County shall cooperate with state and federal agencies in regulating the following actions in the beach and dune areas with limited development potential:

- a) Destruction of desirable vegetation (including inadvertent destruction by moisture loss or root damage);
- b) The exposure of stable and conditionally stable areas to erosion;
- c) Construction of shore structures which modify current air wave patterns leading to beach erosion; and
- d) Any other development actions with potential adverse impacts.

The structures proposed in conjunction with the golf course have not been architecturally designed and, while the general location of structures is shown on the submitted golf course layout, the exact location of each structure is subject to change as development of the course proceeds. This being the case, a second conditional use application addressing the limited development suitability standards will be required prior to development of structures. Because the standards will be addressed under a "noticed" conditional use process and quasi-judicial land use decision, it is not required that the standards for proposed structures be addressed at this time. As a condition of approval to this application, the applicant will be required to seek approval for a Beaches and Dunes limited development suitability application prior to development of any structure.

SECTION 4.11.130 NON-ESTUARINE SHORELAND BOUNDARY (BALANCE OF COUNTY POLICY 5.10)

APPLICANT'S RESPONSE: Pursuant to the Coos County Comprehensive Plan inventory maps, no portion of the golf course is located within a non-estuarine coastal shoreland boundary.

SECTION 4.11.131 SIGNIFICANT WILDLIFE HABITAT (BALANCE OF COUNTY POLICY 5.6)

APPLICANT'S RESPONSE: Pursuant to the Coos County Comprehensive Plan inventory maps, no portion of the golf course is located within an identified Significant Wildlife Habitat area.

SECTION 4.11.132 NATURAL HAZARDS (BALANCE OF COUNTY POLICY 5.11)

APPLICANT'S RESPONSE: Pursuant to the Coos County Comprehensive Plan inventory maps, the golf course is located within numerous identified Natural Hazard areas. Each of the hazard types are addressed below.

Flood Hazard, Riverine Flooding, Coastal Flooding

APPLICANT'S RESPONSE: Pursuant to the US Federal Emergency Management Agency (FEMA) flood hazard maps, no portion of the proposed golf course is located within a Flood Hazard zone.

Landslides and Earthquakes, Landslide Susceptibility

APPLICANT'S RESPONSE: Pursuant to the Coos County Comprehensive Plan inventory maps, the proposed golf course is located within areas with moderate and high land slide susceptibility. Coos County only regulates development within areas subject to very-high land slide susceptibility and therefore landslide susceptibility is not applicable to this application.

Liquefaction Potential

Earthquakes: Coos County shall promote protection of life and property in areas potentially subject to earthquake hazards. New development or substantial improvements in mapped areas identified as potentially subject to earthquake induced liquefaction shall be subject to a geologic assessment review as set out in this section. Such areas shall include lands subject to "very high" and "high" liquefaction identified in DOGAMI Open File Report O-13-06, "Ground motion, ground deformation, tsunami inundation, co-seismic subsidence, and damage potential maps for the 2012 Oregon Resilience Plan for Cascadia Subduction Zone Earthquakes."

APPLICANT'S RESPONSE: Pursuant to the Coos County Comprehensive Plan inventory maps, portions of the proposed golf course are located within high liquefaction potential area and all new structures developed within a high liquefaction area shall be subject to a Geologic Assessment (see below).

SECTION 4.11.155 GEOLOGICAL ASSESSMENT REVIEW GEOLOGIC ASSESSMENT REVIEW:

The applicant(s) shall complete the following review to determine compliance with this section. This type of review requires a conditional use application and shall follow the administrative procedures for conditional uses found in Article 5 of the CCZLDO.

The structures proposed in conjunction with the golf course have not been architecturally designed and, while the general location of structures is shown on the submitted golf course layout, the exact location, size, and structural design have not been established. Therefore, an additional conditional use application will be required addressing the stability of development proposed within a high liquefaction area prior to development of structures. Because the standards of Section 4.11.115 will be addressed under a "noticed" conditional use process and quasi-judicial land use decision, it is not required that the standards for proposed structures be addressed at this time.

Tsunamis

APPLICANT'S RESPONSE: Pursuant to the Coos County Comprehensive Plan inventory maps, the golf course is located within a tsunami zone. Currently, Coos County only regulates the development of "Essential Facilities" in tsunami zones. The structures proposed in conjunction with the golf course do not

qualify as Essential Facilities Pursuant to the Tsunami Hazard Overlay Definitions of Section 4.11.265, CCZLDO and therefore tsunami provisions do not apply to this application.

Erosion, Riverine Streambank Erosion, Coastal, Shoreline and Headlands, Wind

APPLICANT'S RESPONSE: The standards for regulating Erosion are as follows:

Erosion

Coos County shall promote protection of property from risks associated with shoreline, headland, and wind erosion and deposition hazards.

Coos County shall promote protection of property from risks associated with bank erosion along rivers and streams through necessary erosion-control and stabilization measures, preferring nonstructural solutions when practical.

Any proposed structural development within a wind erosion/deposition area, within 100 feet of a designated bank erosion area, or on a parcel subject to wave attack, including all oceanfront lots, will be subject to a geologic assessment review as set out in Section 4.11.150. There is a setback of 100 feet from any rivers or streams that have been inventoried in the erosion layer. If a variance is requested, a geologic assessment will be required.

The proposed golf course is not located adjacent to a river or stream bank, a coastal shoreline, or a headland. The golf course is not within 100 feet of a designated bank erosion area, or on a parcel subject to wave attack, including an oceanfront lot. While the proposed golf course is not subject to this specific provision, erosion control when necessary, will be complied with in conjunction with development on land within the area designated as Beaches and Dunes Limited Development Suitability, Liquefaction Potential, and in conjunction with the required Department of Environmental Quality 1200-C Stormwater permit.

Wildfire

Coos County shall promote protection of property from risks associated with wildfires. New development or substantial improvements shall, at a minimum, meet the following standards, on parcels designated or partially designated as "High" or "Moderate" risk on the Oregon Department of Forestry 2013 Fire Threat Index Map for Coos County or as designated as at-risk of fire hazard on the 2015 Coos County Comprehensive Plan Natural Hazards Map:

APPLICANT'S RESPONSE: The proposed golf course is identified as being located within a High-Risk Wildfire Hazard area. The primary cause for fire hazard throughout the area is the presence of the invasive

species, gorse, that exists on the subject property and on surrounding lands, primarily state park lands to the west.

The development of the golf course will result in the removal of gorse within the applicant's ownership designated for golf. The golf course will primarily consist of fine fescue grasses that will be irrigated and manicured for the establishment of tees, fairways, greens, and open space. The development of the course will improve fire hazard conditions by providing a green buffer between the state lands to the west and other ownerships to the east.

There is no question that hazardous vegetation (primarily gorse) will be removed, and buffers will be maintained around all structures associated with the golf course. Applicable provisions addressing fire protection buffers, mitigation, and abatement have been addressed below. While some of the provisions may be formulated as criteria, other provisions are "requirements of law," the implementation of which are the absolute responsibility of the applicant/owner at the time of development.

1. 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 or is provided fire protection by contract.
2. When it is determined that these standards are impractical the Planning Director may authorize alternative forms of fire protection 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 IV- 168 conditions, as established by credible documentation approved in writing by the Director;
 - 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 per dwelling or a stream that has a continuous year round flow of at least one cubic foot per second per dwelling;
 - 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.

3. 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 $\frac{3}{4}$ 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.

4. Firebreak:

- a. A firebreak shall be established and maintained around all structures, including decks, on land owned or controlled by the applicant for a distance of at least 30 feet in all directions.
- b. 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.
- c. Sufficient garden hose to reach the perimeter of the primary safety zone shall be available at all times.
- d. 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 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 2 – Minimum Primary Safety Zone

Slope Feet of Primary Safety Zone Feet of Additional Primary Safety Zone Down Slope

0%	0 feet of additional primary safety zone down slope
10%	50 feet of additional primary safety zone down slope
20%	75 feet of additional primary safety zone down slope

- 25% 100 feet of additional primary safety zone down slope
- 40% 150 feet of additional primary safety zone down slope

- e. 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.
- f. 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).
- g. The structure shall not be sited on a slope of greater than 40 percent.
- h. If the structure has a chimney or chimneys, each chimney shall have a spark arrester.
- i. 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. Confirmation shall be provided from the Coos County Road Department or local fire protection district that these standards have been met.

5. Wildfires inside urban growth boundaries.

Certain areas inside urban growth boundaries may present special risks and may be made subject to additional or different standards and requirements jointly adopted by a city and the county in the form of code requirements, master plans, annexation plans, or other means.

APPLICANT'S RESPONSE: It seems clear that the provisions above are primarily intended to address dwellings (residential uses) cited on lands with a wildfire hazard designation. However, the provisions also address "structures" or "all structures," so out of an abundance of caution, the applicant will apply the primary fire protection standards to the proposed golf course development.

Subsection #1 above requires that dwellings shall be located within a Fire Protection District (RFPD) or asked to be included within the nearest Fire Protection District. While this requirement clearly applies to dwellings, it should be noted that the proposed golf course is located within the City of Bandon RFPD.

Subsection #2 above also appears to apply to residential uses and addresses the availability of water sources at the development site. The development and maintenance of a golf course requires substantial amounts of water for irrigation, which is generally procured from a highly developed groundwater source that often involves ponds and/or reservoirs. The golf course water sources will also be utilized for

domestic, landscape irrigation and fire protection. As a part of the irrigation system, high-pressure, high-volume hydrants for fire suppression will be strategically located throughout the facility as recommended by the local RFPD Fire Chief.

It is worthy of noting that the irrigation and fire protection measures available at the course will not only protect structures within the facility, but will also be available, if needed, to suppress fire on adjacent lands inundated with the highly flammable vegetation (gorse).

Subsection 3 above addresses fire standards for new dwellings. The fire standards cited under subsections (a) and (b) are nominal when compared with the fire suppression sources that will be implemented in conjunction with the golf course.

Subsection 4 above addresses fire break buffers and appropriate vegetation around structures. All structures within the golf course will meet or exceed fire break standards. Where vegetation is appropriate near structures, it will consist of low-lying landscaping with irrigation.

Structures on slopes and safety buffers are also addressed under subsection #4. The proposed structures throughout the course will be constructed on relatively flat land that does not exceed a 10% slope in any direction. The standards also address fire resistant roofing, chimney spark arresters and road development capable of supporting fire-fighting equipment. The roofing on all structures will be fire resistant and there are no anticipated fireplaces with chimneys needing spark arresters. Roads to primary structures throughout the facility will be constructed to county standards with paved asphalt surfaces.

Subsection 5 above addresses uses and applicable fire standards within Urban Growth Boundaries. The proposed golf course is not contained within an Urban Growth Boundary.

HIGHWAY ACCESS

APPLICANT'S RESPONSE: Access to the golf course is from Oregon State Highway 101. The Oregon Department of Transportation (ODOT) has been contacted regarding the project and the applicant's representatives have met on site with ODOT staff. ODOT does not provide access permits for projects until a formal application has been filed with the local jurisdiction (Coos County) responsible for permitting the proposed use. It is anticipated that during the review of the application, the county planning department will contact ODOT for comment. At that time, ODOT will provide written comment regarding the proposed access location. During the on-site inspection, ODOT staff did not see any serious concerns regarding the proposed access location and noted that the proposed location provided for good Highway visibility to both the north and south.

ON-SITE SANITARY

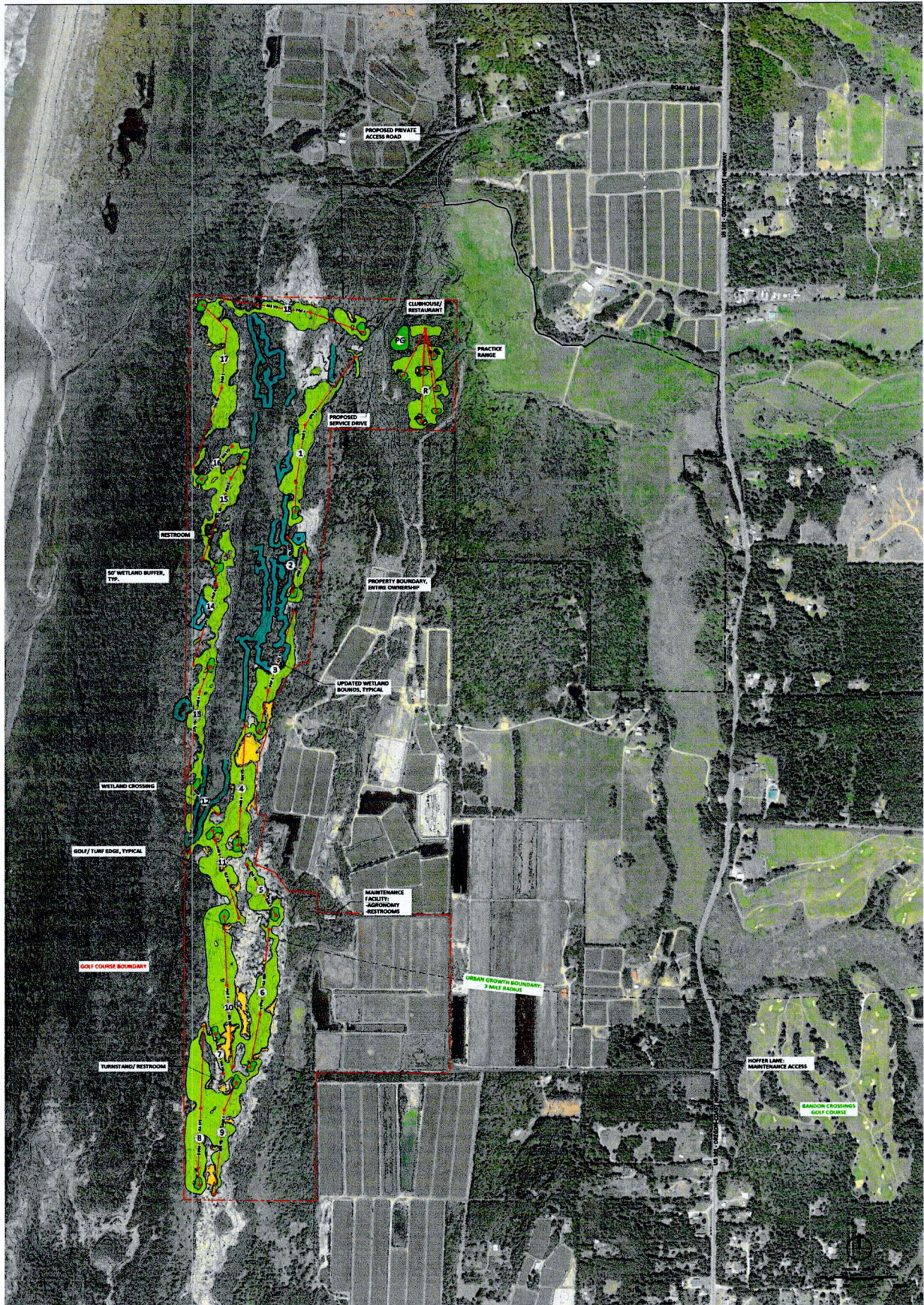
APPLICANT'S RESPONSE: It is anticipated that on-site sanitary waste will be addressed through an on-site sanitary septic system and drainfield. Prior to development, it will be required that the applicant receive a Wastewater Pollution Control Facility (WPCF) permit from the Oregon Department of Environmental Quality (DEQ) for a subsurface waste disposal system.

WATER RIGHTS

APPLICANT'S RESPONSE: It is anticipated that the water source for irrigation and domestic use will be from deep water wells and potentially reservoirs or ponds. Any groundwater irrigation sources developed in conjunction with the golf course will require water permits through the Oregon Water Resources Department (OWRD). Water use in conjunction with the golf course will be monitored to assure that the use will not impact other water uses in the vicinity.

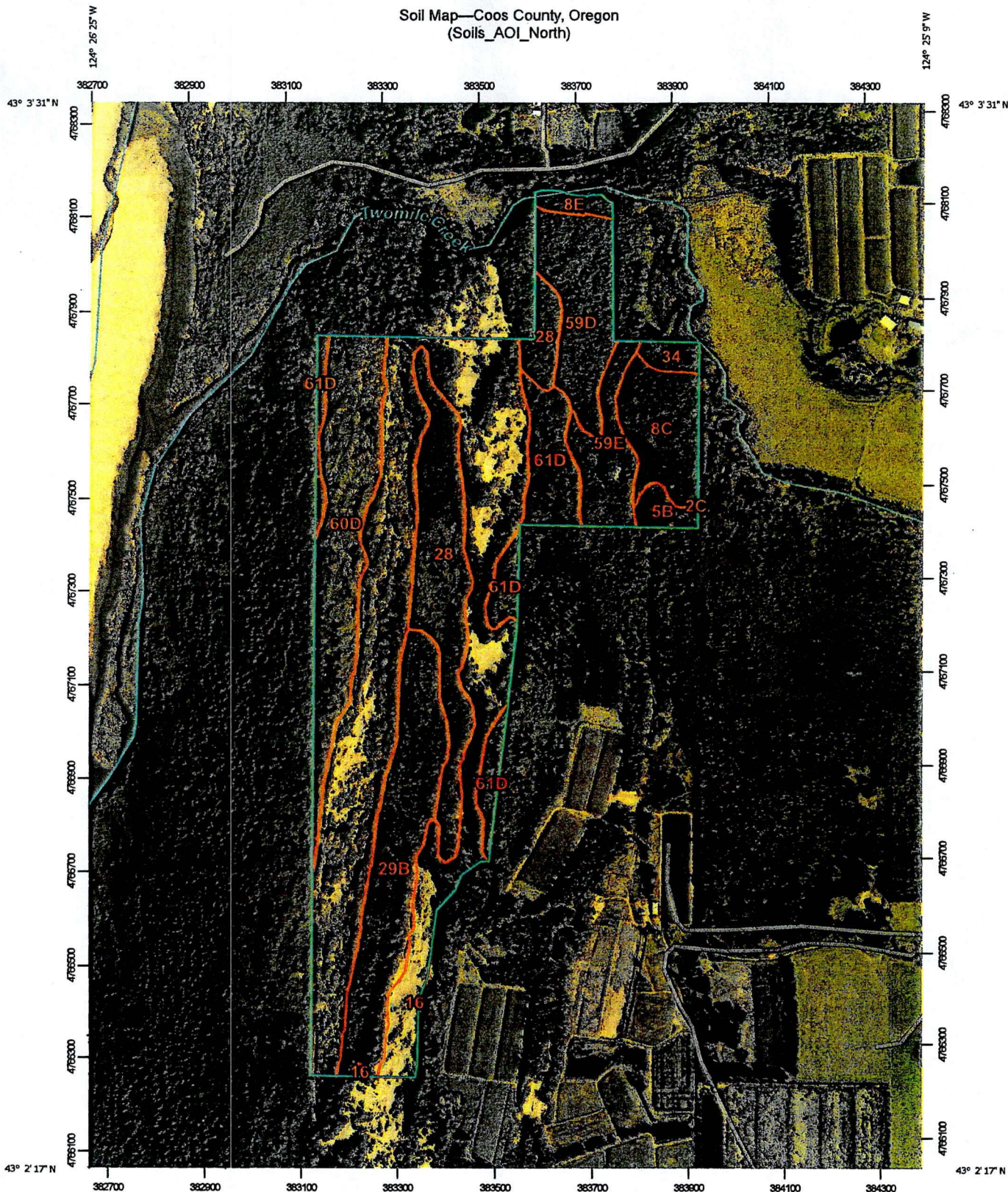
1200-C STORMWATER EROSION CONTROL PERMIT

APPLICANT'S RESPONSE: Prior to ground disturbance for development of the golf course, it is required that a Stormwater Erosion and Sediment Control Plan be filed and approved by the Oregon Department of Environmental Quality. The plan assures that surface waters of the state, including wetlands, are protected from high levels of sediment from stormwater runoff during excavation and development activities.

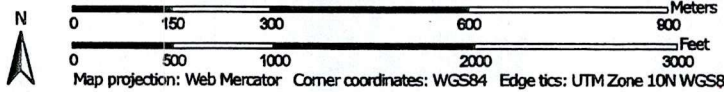


APPLICANT'S EXHIBIT "B"

Soil Map—Coos County, Oregon (Soils_AOI_North)



Map Scale: 1:11,100 if printed on A portrait (8.5" x 11") sheet.



Soil Map—Coos County, Oregon
(Soils_AOI_North)

MAP LEGEND

Area of Interest (AOI)		Area of Interest (AOI)		Soil Area
Soils		Soil Map Unit Polygons		Stony Spot
		Soil Map Unit Lines		Very Stony Spot
		Soil Map Unit Points		Wet Spot
Special Point Features		Blowout		Other
		Borrow Pit		Special Line Features
		Clay Spot		Water Features
		Closed Depression		Streams and Canals
		Gravel Pit		Transportation
		Gravelly Spot		Rails
		Landfill		Interstate Highways
		Lava Flow		US Routes
		Marsh or swamp		Major Roads
		Mine or Quarry		Local Roads
		Miscellaneous Water		Background
		Perennial Water		Aerial Photography
		Rock Outcrop		
		Saline Spot		
		Sandy Spot		
		Severely Eroded Spot		
		Sinkhole		
		Slide or Slip		
		Sodic Spot		

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:20,000.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Coos County, Oregon
Survey Area Data: Version 15, Jun 11, 2020

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Oct 5, 2019—Oct 10, 2019

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
2C	Bandon-Blacklock complex, 0 to 12 percent slopes	0.0	0.0%
5B	Blacklock fine sandy loam, 3 to 7 percent slopes	2.1	1.1%
8C	Bullards sandy loam, 7 to 12 percent slopes	10.3	5.4%
8E	Bullards sandy loam, 30 to 50 percent slopes	1.7	0.9%
16	Dune land	72.2	37.8%
28	Heceta fine sand	22.1	11.5%
29B	Heceta-Waldport fine sands, 0 to 7 percent slopes	23.0	12.0%
34	Langlois silty clay loam	1.9	1.0%
59D	Waldport fine sand, 0 to 30 percent slopes	13.4	7.0%
59E	Waldport fine sand, 30 to 70 percent slopes	8.0	4.2%
60D	Waldport-Dune land complex, 12 to 30 percent slopes	22.9	12.0%
61D	Waldport-Heceta fine sands, 0 to 30 percent slopes	13.5	7.0%
Totals for Area of Interest		191.2	100.0%

2C-Bandon-Blacklock complex, 0 to 12 percent slopes.

This map unit is on dissected marine terraces. The native vegetation is mainly conifers, shrubs, forbs, and hardwoods. Elevation is 25 to 300 feet. The average annual precipitation is 55 to 75 inches, the average annual air temperature is 51 to 53 degrees F, and the average frost-free period is 200 to 240 days.

This unit is 60 percent Bandon sandy loam and 20 percent Blacklock fine sandy loam. The Bandon soil is in lightly convex areas where slope is 0 to 12 percent, and the Blacklock soil is in scattered depressional areas where slope is 0 to 3 percent. The components of this unit are so intricately intermingled that it was not practical to map them separately at the scale used.

Included in this unit are small areas of Bullards, Heceta, and Yaquina soils. Included areas make up about 20 percent of the total acreage. The percentage varies from one area to another.

The Bandon soil is deep and well drained. It formed in sandy marine deposits. Typically, the surface is covered with a mat of decomposed organic litter 1 inch thick. The surface layer is dark grayish brown sandy loam 5 inches thick. The upper 25 inches of the subsoil is dark reddish brown sandy loam and loam, and the lower 13 inches is pale brown, cemented, sandy material. The substratum to a depth of 60 inches or more is yellowish brown loam.

Permeability of the Bandon soil is moderate above the cemented layer, very slow through it, and moderately rapid below it. Available water capacity is about 2 to 6 inches. Effective rooting depth is 18 to 36 inches. Runoff is medium, and the hazard of water erosion is moderate. The hazard of soil blowing is severe.

The Blacklock soil is deep and poorly drained. It formed in sandy marine deposits. Typically, the surface is covered with a mat of organic litter 1 inch thick. The surface layer is black and very dark gray fine sandy loam 9 inches thick. The subsurface layer is gray loamy fine sand 4 inches thick. The upper 2 inches of the subsoil is black mucky loam, and the lower 37 inches is mottled, strong brown to yellowish brown, cemented sand. The substratum to a depth of 75 inches or more is mottled, light olive brown, red, and brown sand.

Permeability of the Blacklock soil is moderate above the cemented layer, very slow through it, and moderately rapid below it. Available water capacity is about 1.5 to 3.5 inches. Effective rooting depth is 12 to 24 inches. Runoff is very slow, and the hazard of water erosion is slight. The water table fluctuates from 6 inches above the surface to 30 inches below the surface from October to May.

This unit is used mainly for timber production and wildlife habitat. Areas of the Bandon soil are also used for pasture, recreation, and homesite development.

The Bandon soil is suited to the production of Douglas fir. Among the other species that grow on this soil are Sitka spruce, western hemlock, red alder, and western red cedar. The understory vegetation is mainly salal, evergreen huckleberry, western brackenfern, and Pacific waxmyrtle.

The Blacklock soil is suited to the production of shore pine. Among the other species that grow on this soil are Sitka spruce, western hemlock, and Port Orford cedar. The understory vegetation is mainly salal, evergreen huckleberry, Pacific rhododendron, manzanita, and slough sedge.

On the basis of a 100-year site curve, the mean site index for Douglas fir is 137 on the Bandon soil. At the culmination of the mean annual increment (CMAI), the production of 60-year-old Douglas fir trees 1.5 inches in diameter or more at breast height is 140 cubic feet per acre per year. On the basis of a 50-year site curve, the mean site index for Douglas fir is 105.

On the basis of a 100-year site curve, the mean site index for shore pine is 90 on the Blacklock soil. At the culmination of the mean annual increment (CMAI), the production of 60-year-old shore pine trees 1.5 inches in diameter or more at breast height is 79 cubic feet per acre per year.

High winds from the Pacific Ocean may seriously limit the growth of trees on this unit unless the trees are in a protected area.

The main limitations for the management of timber on this unit are the hazard of windthrow, seasonal wetness on the Blacklock soil, and plant competition on the Bandon soil. Windthrow is a hazard when the soil is wet and winds are strong. Tree roots are restricted by the cemented layer in the soils. The seasonal high water table in the Blacklock soil limits the use of equipment during wet periods. When openings are made in the canopy, invading brushy plants can delay natural reforestation. Undesirable plants reduce natural or artificial reforestation unless intensive site preparation and maintenance are provided. Reforestation can be accomplished by planting Douglas fir seedlings on the Bandon soil and shore pine seedlings on the Blacklock soil. Tree seedlings on the Blacklock soil have only a moderate rate of survival because of the seasonal high water table.

If this unit is used for pasture, the main limitations are the droughtiness of the Bandon soil in summer and the wetness of the Blacklock soil. Supplemental irrigation is needed for maximum production on the Bandon soil. Sprinkler irrigation is a suitable method of applying water. Use of this method permits the even, controlled application of water. Water should be applied in amounts sufficient to wet the root zone but small enough to minimize the leaching of plant nutrients. Applications of water should be adjusted to the available water capacity, the water intake rate, and the crop needs. Drainage is needed for maximum production. Water on or near the surface can be removed with open ditches or tile drains. Fertilizer is needed to ensure optimum growth of grasses and legumes. Grasses respond to nitrogen, and legumes respond to sulfur and phosphorus. Proper stocking rates and pasture rotation help to keep the pasture in good condition and to protect the soil from erosion.

If this unit is used for recreational development, the main limitations are the very slow permeability of the Bandon soil and the wetness and very slow permeability of the Blacklock soil. Water perched above the cemented layer may limit the use of recreational facilities to dry periods. Drainage should be provided for paths and trails. Wetness can be reduced by ripping the cemented layer in the Bandon soil and by installing open ditches or tile drains in the Blacklock soil.

If this unit is used for homesite development, the main limitations are the very slow permeability of the soils and the hazard of erosion. Use of septic tank absorption fields is limited by the very slow permeability. Because of the cemented layer, onsite sewage disposal systems often fail or do not function properly during periods of high rainfall. The limitation of very slow permeability may be overcome by increasing the size of the absorption field.

Erosion is a hazard in the steeper areas. Only the part of the site that is used for construction should be disturbed. The risk of erosion is increased if the soil is left exposed during site development. Revegetating disturbed areas around construction sites as soon as feasible helps to control erosion. Structures to divert runoff are needed if buildings and roads are constructed.

This map unit is in capability subclass VIw.

5B-Blacklock fine sandy loam, 3 to 7 percent slopes.

This deep, poorly drained soil is in depressional areas on marine terraces. It formed in sandy marine deposits. The native vegetation is mainly conifers, shrubs, forbs, and sedges. Elevation is 25 to 350 feet. The average annual precipitation is 55 to 75 inches, the average annual air temperature is 51 to 53 degrees F, and the average frost-free period is 200 to 240 days.

Typically, the surface is covered with a mat of organic litter 1 inch thick. The surface layer is black and very dark gray fine sandy loam 9 inches thick. The subsurface layer is gray fine sandy loam 4 inches thick. The upper 2 inches of the subsoil is black mucky loam, and the lower 37 inches is mottled, strong brown to yellowish brown, cemented sand. The substratum to a depth of 75 inches or more is mottled, light olive brown sand.

Included in this unit are small areas of Bandon, Bullards, and Heceta soils. Included areas make up about 25 percent of the total acreage. The percentage varies from one area to another.

Permeability of this Blacklock soil is moderate above the cemented layer, very slow through it, and moderately rapid below it. Available water capacity is about 1.5 to 3.5 inches. Effective rooting depth is 12 to 24 inches. Runoff is very slow, and the hazard of water erosion is slight. The water table fluctuates from 6 inches above the surface to 30 inches below the surface from October to May.

This unit is used mainly for timber production and wildlife habitat. It is also used for cranberry production and recreation.

This unit is suited to the production of shore pine. Among the other species that grow on this unit are Sitka spruce, western hemlock, and Port Orford cedar. The understory vegetation is mainly salal, evergreen huckleberry, Pacific rhododendron, manzanita, and slough sedge.

On the basis of a 100-year site curve, the mean site index for shore pine is 90. At the culmination of the mean annual increment (CMAI), the production of 60-year-old shore pine trees 1.5 inches in diameter or more at breast height is 79 cubic feet per acre per year. High winds from the Pacific Ocean may seriously limit the growth of trees unless they are in a protected area.

The main limitations for the management of timber on this unit are seasonal wetness and the hazard of windthrow. The seasonal high water table limits the use of equipment to dry periods. Because roots are restricted by the cemented layer, trees commonly are subject to windthrow. Reforestation can be accomplished by planting shore pine, Sitka spruce, and western hemlock seedlings. Tree seedlings have only a moderate rate of survival because of the seasonal high water table.

Irrigation and drainage are needed if the soil in this unit is intensively managed for cranberry production. Fields are prepared by removing the soil material above the cemented layer and replacing it with about 10 inches of sandy soil material. The top of the cemented layer should be graded toward the edge of the field to provide internal drainage. Open ditches and dikes are needed around the edge of fields to provide drainage and to control the water level; however, open ditches should not extend into the cemented layer.

Sprinkler irrigation is an efficient method of applying water during the dry period in summer. Sprinklers can also be used to control the temperature in summer, to prevent frost damage during winter, and to apply fertilizer, pesticides, and herbicides.

The very slow permeability of the cemented layer facilitates water management by preventing excessive seepage and reduces losses of fertilizer and soil amendments. Excessive seepage may occur in the sandy substratum. Yields vary greatly depending on management practices used. Because of the steepness of

slope, deep cuts and fills may be necessary to provide level fields. Excessive seepage may occur if cuts are made below the cemented layer.

If this unit is used for recreational development, the main limitations are wetness and the very slow permeability. Water perched above the cemented layer may limit the use of recreational facilities to 3 or 4 months during the dry period. Drainage should be provided for paths and trails. Septic tank absorption fields do not function properly because of the seasonal high water table and the cemented layer. If sanitary facilities are constructed on this unit, holding tanks or effluent treatment systems should be used.

This map unit is in capability subclass VIw.

8C-Bullards sandy loam, 7 to 12 percent slopes.

This deep, well drained soil is on dissected marine terraces. It formed in mixed eolian and marine deposits. The native vegetation is mainly conifers, shrubs, forbs, and hardwoods. Elevation is 50 to 600 feet. The average annual precipitation is 55 to 75 inches, the average annual air temperature is 51 to 53 degrees F, and the average frost-free period is 200 to 240 days.

Typically, the surface is covered with a mat of undecomposed organic matter 3 inches thick. The surface layer is very dark grayish brown sandy loam 7 inches thick. The subsoil is dark reddish brown, dark brown, and strong brown gravelly sandy loam 34 inches thick. The substratum to a depth of 60 inches or more is yellowish brown sand.

Included in this unit are small areas of Bandon and Templeton soils. Also included are small areas of Blacklock soils. Included areas make up about 25 percent of the total acreage.

Permeability of this Bullards soil is moderate. Available water capacity is about 4.0 to 5.5 inches. Effective rooting depth is 60 inches or more. Runoff is medium, and the hazard of water erosion is moderate. The hazard of soil blowing is severe.

This unit is used mainly for timber production, wildlife habitat, and homesite development. It is also used for pasture and recreation.

This unit is suited to the production of Douglas fir. Among the other species that grow on this unit are Sitka spruce, western hemlock, western redcedar, shore pine, and red alder. The understory vegetation is mainly evergreen huckleberry, creambush oceanspray, salal, Pacific rhododendron, cascara, and western swordfern.

On the basis of a 100-year site curve, the mean site index for Douglas fir is 132. At the culmination of the mean annual increment (CMAI), the production of 60-year-old Douglas fir trees 1.5 inches in diameter or more at breast height is 133 cubic feet per acre per year. On the basis of a 50-year site curve, the mean site index for Douglas fir is 105.

The main limitations for the management of timber on this unit are the hazard of windthrow and plant competition. Careful use of wheeled and tracked equipment reduces the disturbance of the protective layer of duff.

Proper design of road drainage systems and care in the placement of culverts help to control erosion. Logging roads require suitable surfacing for year-round use. Rock for road construction is not readily available in this unit. Windthrow is a hazard when the soil is wet and winds are strong. When openings are made in the canopy, invading brushy plants can delay natural reforestation. Undesirable plants reduce

natural or artificial reforestation unless intensive site preparation and maintenance are provided. Reforestation can be accomplished by planting Douglas fir, Sitka spruce, and western hemlock seedlings.

If this unit is used for homesite development, the main limitations are slope and droughtiness in summer. Absorption lines should be installed on the contour. In summer, irrigation is needed for lawn grasses, shrubs, vines, shade trees, and ornamental trees.

If this unit is used for pasture, the main limitation is droughtiness in summer. Supplemental irrigation is needed for maximum production. Sprinkler irrigation is a suitable method of applying water. Use of this method permits the even, controlled application of water. Water should be applied in amounts sufficient to wet the root zone but small enough to minimize the leaching of plant nutrients. Applications of water should be adjusted to the available water capacity, the water intake rate, and the crop needs.

Fertilizer is needed to ensure optimum growth of grasses and legumes. Grasses respond to nitrogen, and legumes respond to sulfur and phosphorus. Proper stocking rates and pasture rotation help to keep the pasture in good condition and to protect the soil from erosion. Periodic mowing and clipping help to maintain uniform growth, discourage selective grazing, and reduce clumpy growth.

If this unit is used for recreational development, the main limitation is steepness of slope. Slope may restrict some kinds of activities and increase the cost of constructing facilities.

This map unit is in capability subclass IIe.

8E-Bullards sandy loam, 30 to 50 percent slopes.

This deep, well drained soil is on dissected marine terraces. It formed in mixed eolian and marine deposits. The native vegetation is mainly conifers, shrubs, forbs, and hardwoods. Elevation is 50 to 600 feet. The average annual precipitation is 55 to 75 inches, the average annual air temperature is 51 to 53 degrees F, and the average frost-free period is 200 to 240 days.

Typically, the surface is covered with a mat of undecomposed organic matter 3 inches thick. The surface layer is very dark grayish brown sandy loam 7 inches thick. The subsoil is dark reddish brown, dark brown, and strong brown gravelly sandy loam 34 inches thick. The substratum to a depth of 60 inches or more is yellowish brown sand.

Included in this unit are small areas of Templeton soils. Included areas make up about 20 percent of the total acreage. The percentage varies from area to area.

Permeability of this Bullards soil is moderate. Available water capacity is about 4.0 to 5.5 inches. Effective rooting depth is 60 inches or more. Runoff is rapid, and the hazard of water erosion is high. The hazard of soil blowing is severe.

This unit is used mainly for timber production and wildlife habitat. It is also used for recreation.

This unit is suited to the production of Douglas fir. Among the other species that grow on this unit are Sitka spruce, western hemlock, western redcedar, shore pine, and red alder. The understory vegetation is mainly evergreen huckleberry, creambush oceanspray, salal, Pacific rhododendron, cascara, and western swordfern.

On the basis of a 100-year site curve, the mean site index for Douglas fir is 132. At the culmination of the mean annual increment (CMAI), the production of 60-year-old Douglas fir trees 1.5 inches in diameter or more at breast height is 133 cubic feet per acre per year. On the basis of a 50-year site curve, the mean

site index for Douglas fir is 105. High winds from the Pacific Ocean may seriously limit the growth of trees unless they are in a protected area.

The main limitations for the management of timber on this unit are steepness of slope, the hazard of erosion, the hazard of windthrow, and plant competition. Careful use of wheeled and tracked equipment reduces the disturbance of the protective layer of duff. Highlead or other logging systems that fully or partially suspend logs damage the soil less and generally are less costly than tractor systems.

Proper design of road drainage systems and care in the placement of culverts help to control erosion. Cut and fill areas are subject to erosion unless treated. Seeding, mulching, benching, and compacting the soil can reduce erosion. Logging roads require suitable surfacing for year-round use. Rock for road construction is not readily available in this unit. Steep yarding paths, skid trails, and firebreaks are subject to rilling and gullying unless they are provided with adequate water bars or are protected by plant cover, or both.

Windthrow is a hazard when the soil is wet and winds are strong. When openings are made in the canopy, invading brushy plants can delay natural reforestation. Undesirable plants reduce natural or artificial reforestation unless intensive site preparation and maintenance are provided. Reforestation can be accomplished by planting Douglas fir, Sitka spruce, and western hemlock seedlings.

If this unit is used for recreational development, the main limitations are slope and the hazard of erosion. Slope limits the use of areas of this unit mainly to a few paths and trails, which should extend across the slope.

The risk of erosion is increased if the soil is left exposed during site development. Revegetating disturbed areas around construction sites as soon as feasible helps to control erosion.

This map unit is in capability subclass VIe.

16-Dune land.

Dune land consists mainly of hills and ridges of shifting fine and medium textured sand. It formed in eolian deposits derived dominantly from deflation basins adjacent to coastal beaches. Slope is 0 to 30 percent. Areas of Dune land do not support vegetation. Elevation is 5 to 100 feet. The average annual precipitation is 50 to 70 inches, the average annual air temperature is 51 to 53 degrees *F*, and the average frost-free period is 200 to 240 days.

Included in this unit are small areas of Waldport soils, some of which have a thin surface layer, and Heceta soils. Included areas make up about 20 percent of the total acreage.

Permeability of Dune land is very rapid. Runoff is slow, and the hazard of water erosion is slight. The hazard of soil blowing is severe.

This unit is used for recreation. The hazard of soil blowing and the instability of the areas limit the unit for most kinds of recreational development. It is suitable for low-intensity uses such as hiking and horseback riding and for off-road vehicle traffic.

This map unit is in capability subclass VIIe.

28-Heceta fine sand.

This deep, poorly drained soil is in deflation basins and depressional areas between dunes. It formed in eolian material. Slopes are 0 to 3 percent. The native vegetation is mainly sedges, rushes, water-tolerant grasses, and shrubs. Elevation is 0 to 80 feet. The average annual precipitation is 50 to 70 inches, the average annual air temperature is 51 to 53 degrees F, and the average frost-free period is 200 to 240 days.

Typically, the surface layer is very dark grayish brown fine sand 4 inches thick. The substratum to a depth of 60 inches or more is mottled, grayish brown sand.

Included in this unit are small areas of Waldport and Netarts soils and Dune land, Included areas make up about 20 percent of the total acreage. The percentage varies from one area to another.

Permeability of this Heceta soil is rapid. Available water capacity is about 1 to 2 inches. Effective rooting depth is 60 inches for water-tolerant plants, but it is limited by the water table for non-water-tolerant plants. Runoff is ponded, and the hazard of water erosion is slight. The water table fluctuates from 12 inches above the surface to 6 inches below the surface from October to May.

This unit is used for recreation and wildlife habitat. If this unit is used for recreational development, the main limitation is wetness. Use of paths and trails may be limited to 2 or 3 months in summer.

This map unit is in capability subclass IVw.

29B-Heceta-Waldport fine sands, 0 to 7 percent slopes.

This map unit is on deflation plains and small dunes. The native vegetation is mainly rushes, sedges, and shrubs on the Heceta soil and grasses and shrubs on the Waldport soil. Elevation is 0 to 40 feet. The average annual precipitation is 50 to 70 inches, the average annual air temperature is 51 to 53 degrees F, and the average frost-free period is 200 to 240 days.

This unit is 55 percent Heceta fine sand and 25 percent Waldport fine sand. The Heceta soil is on nearly level deflation plains, and the Waldport soil is on small, stabilized sand dunes. The components of this unit are so intricately intermingled that it was not practical to map them separately at the scale used.

Included in this unit are small areas of Dune land. Also included are small areas of Yaquina soils. Included areas make up about 20 percent of the total acreage.

The Heceta soil is deep and poorly drained. It formed in eolian material. Slope is 0 to 3 percent. Typically, the surface layer is very dark grayish brown fine sand 4 inches thick. The substratum to a depth of 60 inches or more is mottled, grayish brown sand.

Permeability of the Heceta soil is rapid. Available water capacity is about 1 to 2 inches. Effective rooting depth is 60 inches for water-tolerant plants, but it is limited by the water table for non-water-tolerant plants. Runoff is ponded, and the hazard of water erosion is slight. The water table fluctuates from 12 inches above the surface to 6 inches below the surface from October to May.

The Waldport soil is deep and excessively drained. It formed in eolian deposits. Slope is 0 to 7 percent. Typically, the surface layer is very dark grayish brown fine sand 4 inches thick. The substratum to a depth of 60 inches or more is dark yellowish brown fine sand.

Permeability of the Waldport soil is very rapid. Available water capacity is about 3 to 4 inches. Effective rooting depth is 60 inches or more. Runoff is very slow, and the hazard of water erosion is slight. The hazard of soil blowing is severe.

This unit is used for recreation and wildlife habitat. If this unit is used for recreational development, the main limitations are wetness of the Heceta soil and the hazard of soil blowing on the Waldport soil. Use of this unit is restricted mainly to low-intensity types of recreation, such as hiking and horseback riding. The unit can also be used for other kinds of recreational activities that require a minimum of construction and soil disturbance.

The Heceta soil is ponded in winter; therefore, use of paths and trails constructed on this soil is limited to summer. Areas used for recreation can be protected from soil blowing by maintaining plant cover.

This map unit is in capability subclass VIIe.

34-Langlois silty clay loam.

This deep, very poorly drained soil is in depressional areas of flood plains and on old tidal flats. It formed in recent alluvium. Slope is 0 to 1 percent. The native vegetation is mainly hardwoods, shrubs, forbs, and conifers. Elevation is 0 to 20 feet. The average annual precipitation is 50 to 80 inches, the average annual air temperature is 51 to 53 degrees F, and the average frost-free period is 200 to 240 days.

Typically, the surface layer is mottled, dark grayish brown silty clay loam 10 inches thick. The upper 20 inches of the substratum is dark grayish brown and dark gray silty clay, and the lower part to a depth of 60 inches or more is dark gray clay. In some areas the surface layer is peaty.

Included in this unit are small areas of Chetco and Nestucca soils. Also included are small areas of Coquille soils. Included areas make up about 20 percent of the total acreage. The percentage varies from one area to another.

Permeability of this Langlois soil is slow. Available water capacity is about 2.5 to 4.5 inches. Effective rooting depth is 60 inches or more for water-tolerant plants, but it is limited by the water table for non-water-tolerant plants. The water table fluctuates between the surface and a depth of 36 inches below the surface from November to March. Runoff is slow, and the hazard of water erosion is slight. This soil is subject to frequent periods of flooding in winter.

This unit is used mainly for hay and pasture and for wildlife habitat. The vegetation in areas not cultivated is mainly Pacific willow, red alder, black cottonwood, and Sitka spruce. The understory vegetation is mainly slough sedge, soft rush, brown-headed rush, and skunkcabbage.

If this unit is used for hay and pasture, the main limitations are the susceptibility of the surface layer to compaction, droughtiness in summer, the hazard of flooding, wetness, and, for the curing of hay, high humidity. Grazing when the soil is wet results in compaction of the surface layer and poor tilth. Compaction limits the movement of air and water in the soil and restricts the growth of roots; it can seriously reduce the productivity of the soil. Grazing should be delayed until the soil has drained sufficiently and is firm enough to withstand trampling by livestock.

Supplemental irrigation is needed for maximum production. Sprinkler irrigation is a suitable method of applying water. Use of this method permits the even, controlled application of water. Water should be applied in amounts sufficient to wet the root zone but in amounts small enough to minimize the leaching of plant nutrients. Applications of water should be adjusted to the available water capacity, the water intake rate, and the crop needs.

Frequent, long periods of flooding restrict the use of this unit in winter. Protection from flooding is impractical.

Drainage is needed to lower the water table. Water on or near the surface can be removed by use of open ditches and tide gates. Wetness and flooding restrict grazing in winter. The choice of plants is limited to those that withstand periodic inundation.

High humidity and frequent periods of rainfall late in spring prevent the production of high-quality hay. The quality of grass for hay can be maintained by increasing the stocking rate in spring. Excess forage in spring can be used as silage.

Fertilizer is needed to ensure optimum growth of grasses. Grasses respond to nitrogen. Proper stocking rates, pasture rotation, and restricted grazing during wet periods help to keep the pasture in good condition. Rotation grazing increases the production of forage and helps to control weeds. Periodic mowing and clipping help to maintain uniform growth, discourage selective grazing, and reduce clumpy growth.

This map unit is in capability subclass IVw.

59D-Waldport fine sand, 0 to 30 percent slopes.

This deep, excessively drained soil is on stabilized sand dunes. It formed in eolian deposits. The native vegetation is mainly conifers, shrubs, grasses, and forbs. Elevation is 10 to 120 feet. The average annual precipitation is 50 to 70 inches, the average annual air temperature is 51 to 53 degrees F, and the average frost-free period is 200 to 240 days.

Typically, the surface layer is very dark grayish brown and brown fine sand 7 inches thick. The underlying material to a depth of 60 inches or more is dark yellowish brown fine sand.

Included in this unit are small areas of Heceta soils and Dune land. Also included are small areas of Netarts soils. Included areas make up about 25 percent of the total acreage.

Permeability of this Waldport soil is very rapid. Available water capacity is about 3 to 4 inches. Effective rooting depth is 60 inches or more. Runoff is very slow, and the hazard of water erosion is slight. The hazard of soil blowing is severe.

This unit is used mainly for timber production, wildlife habitat, and recreation. It is also used for homesite development.

This unit is suited to the production of shore pine. Among the other species that grow on this unit are western hemlock, Sitka spruce, and Douglas fir. The understory vegetation is mainly Pacific rhododendron, salal, red huckleberry, evergreen huckleberry, and European beachgrass.

On the basis of a 100-year site curve, the mean site index for shore pine is 90. At the culmination of the mean annual increment (CMAI), the production of 60-year-old shore pine trees 1.5 inches in diameter or more at breast height is 79 cubic feet per acre per year. High winds from the Pacific Ocean may seriously limit the growth of trees unless they are in a protected area.

The main limitations for the management of timber on this unit are seedling mortality and plant competition. Careful use of wheeled and tracked equipment reduces the disturbance of the protective layer of duff. The risk of soil blowing increases if the timber is harvested or the understory is removed. Conventional methods can be used for harvesting timber, but use of skid trails can accelerate erosion.

Proper design of road drainage systems and care in the placement of culverts help to control erosion. Seeding road cuts and fills helps to stabilize the soil and reduces the risk of soil blowing. Windthrow is a hazard when the soil is wet and winds are strong.

When openings are made in the canopy, invading brushy plants delay natural reforestation. Undesirable plants reduce adequate natural or artificial reforestation. Intensive site preparation and maintenance generally are not needed. Reforestation can be accomplished by planting shore pine and Sitka spruce seedlings. Droughtiness increases seedling mortality.

If this unit is used for recreational development, the main limitations are the hazard of soil blowing, the instability of the soil, and slope. Use of the unit is restricted to low-intensity types of recreation, such as hiking and horseback riding. Areas used for recreation can be protected from soil blowing by maintaining plant cover. Plant cover can be maintained by limiting traffic.

Roads, paths, and trails are difficult to maintain because of the loose sand. Cutbanks are not stable and are subject to slumping. Access roads should be placed on lower slopes and designed to provide low cut-slope grades.

If this unit is used for homesite development, the main limitations are the hazard of ground water pollution, slope, the hazard of soil blowing, and droughtiness in summer. The very rapid permeability of the subsoil may permit untreated effluent to enter the ground water. Special designs may be needed to prevent contamination of water supplies. The steeper areas of this unit are not suitable for installation of absorption fields. Community sewage treatment systems may be needed.

Extensive cutting and filling are required to provide level building sites. Excavation for houses and access roads exposes material that is highly susceptible to soil blowing. Revegetating disturbed areas around construction sites as soon as feasible helps to control soil blowing. It is difficult to establish plants in areas where the surface layer has been removed. Mulching and fertilizing cut areas help to establish plants. In summer, irrigation is needed for lawn grasses, shrubs, vines, shade trees, and ornamental trees.

This map unit is in capability subclass VIIe.

59E-Waldport fine sand; 30 to 70 percent slopes.

This deep, excessively drained soil is on stabilized sand dunes. It formed in eolian deposits. The native vegetation is mainly conifers, shrubs, grasses, and forbs. Elevation is 10 to 160 feet. The average annual precipitation is 50 to 70 inches, the average annual air temperature is 51 to 53 degrees F, and the average frost-free period is 200 to 240 days.

Typically, the surface layer is very dark grayish brown and brown fine sand 7 inches thick. The underlying material to a depth of 60 inches or more is dark yellowish brown fine sand.

Included in this unit are small areas of Dune land. Also included are small areas of Netarts and Heceta soils. Included areas make up about 25 percent of the total acreage.

Permeability of this Waldport soil is very rapid. Available water capacity is about 3 to 4 inches. Effective rooting depth is 60 inches or more. Runoff is very slow, and the hazard of water erosion is moderate. The hazard of soil blowing is severe.

This unit is used for timber production and wildlife habitat.

This unit is suited to the production of shore pine. Among the other species that grow on this unit are western hemlock, Sitka spruce, and Douglas fir. The understory vegetation is mainly Pacific rhododendron, salal, red huckleberry, evergreen huckleberry, and European beachgrass.

On the basis of a 100-year site curve, the mean site index for shore pine is 90. At the culmination of the mean annual increment (CMAI), the production of 60-year-old shore pine trees 1.5 inches in diameter or more at breast height is 79 cubic feet per acre per year. High winds from the Pacific Ocean may seriously limit the growth of trees unless they are in a protected area.

The main limitations for the management of timber on this unit are the hazard of erosion, seedling mortality, and plant competition. Careful use of wheeled and tracked equipment reduces the disturbance of the protective layer of duff. The risk of soil blowing increases if the timber is harvested or the understory is removed. Conventional methods can be used for harvesting timber, but use of skid trails can accelerate erosion. Steepness of slope restricts the use of wheeled and tracked equipment on skid trails. Cable yarding generally is safer and disturbs the soil less.

Proper design of road drainage systems and care in the placement of culverts help to control erosion. Seeding cuts and fills helps to stabilize the soil and reduces soil blowing. Road location and maintenance costs are greater in the more steeply sloping areas. Material cast to the side when building roads can damage vegetation. It is also a potential source of sedimentation. End hauling of waste material minimizes damage to the vegetation downslope and reduces the potential for sedimentation. Windthrow is a hazard when the soil is wet and winds are strong.

When openings are made in the canopy, invading brushy plants can delay natural reforestation. Undesirable plants reduce adequate natural or artificial reforestation. Intensive site preparation and maintenance generally are not needed.

Reforestation can be accomplished by planting shore pine and Sitka spruce seedlings. Droughtiness increases seedling mortality.

This map unit is in capability subclass VIIe.

60D-Waldport-Dune land complex, 12 to 30 percent slopes.

This map unit is on stabilized and active foredunes. The vegetation on the Waldport soil is mainly European beachgrass. Dune land does not support vegetation. Elevation is 10 to 80 feet. The average annual precipitation is 50 to 70 inches, the average annual air temperature is 51 to 53 degrees F, and the average frost-free period is 200 to 240 days.

This unit is 60 percent Waldport fine sand and 30 percent Dune land. The Waldport soil is in areas that have been stabilized with vegetation. The components of this unit are so intricately intermingled that it was not practical to map them separately at the scale used.

Included in this unit are small areas of Heceta soils. Included areas make up about 10 percent of the total acreage.

The Waldport soil is deep and excessively drained. It formed in eolian deposits. Typically, the surface layer is very dark grayish brown fine sand 4 inches thick. The substratum to a depth of 60 inches or more is dark yellowish brown fine sand.

Permeability of the Waldport soil is very rapid. Available water capacity is about 3 to 4 inches. Effective rooting depth is 60 inches or more. Runoff is very slow, and the hazard of erosion is slight. The hazard of soil blowing is severe.

Dune land is deep and excessively drained. It formed in eolian deposits. Typically, the areas of Dune land are fine and medium sand to a depth of 60 inches or more.

Permeability of Dune land is very rapid. Available water capacity is about 3 to 4 inches. Runoff is slow, and the hazard of water erosion is slight. The hazard of soil blowing is severe.

This unit is used for recreation and wildlife habitat.

If this unit is used for recreational development, the main limitations are soil blowing and the instability of the soil. Use of this unit is limited to low-intensity types of recreation, such as hiking, horseback riding, and operating off-road vehicles.

Areas used for recreation can be protected from soil blowing by establishing plant cover. Plant cover can be maintained by limiting traffic. Excavation for roads and buildings exposes material that is highly susceptible to soil blowing. Establishing vegetation on disturbed areas around construction sites as soon as possible helps to control soil blowing. Roads and trails are difficult to maintain because of the loose sand. Roads must be surfaced for use by conventional vehicles.

This map unit is in capability subclass VIIe.

61D-Waldport-Heceta fine sands, 0 to 30 percent slopes.

This map unit is mainly on stabilized sand dunes and in depressional areas between sand dunes. Some areas are on deflation basins. The native vegetation is mainly conifers, shrubs, grasses, and forbs on the Waldport soil and sedges, rushes, water-tolerant grasses, and shrubs on the Heceta soil. Elevation is 0 to 80 feet. The average annual precipitation is 50 to 70 inches, the average annual air temperature is 51 to 53 degrees F, and the average frost-free period is 200 to 240 days.

This unit is 50 percent Waldport fine sand and 30 percent Heceta fine sand. The Waldport soil is on stabilized sand dunes, and the Heceta soil is in interdunal swales and depressional areas. The components of this unit are so intricately intermingled that it was not practical to map them separately at the scale used.

Included in this unit are small areas of Netarts and Yaquina soils and Dune land. Included areas make up about 20 percent of the total acreage.

The Waldport soil is deep and excessively drained. It formed in eolian deposits. Slope is 7 to 30 percent. Typically, the surface layer is very dark grayish brown and brown fine sand 7 inches thick. The substratum to a depth of 60 inches or more is dark yellowish brown fine sand.

Permeability of the Waldport soil is very rapid. Available water capacity is about 3 to 4 inches. Effective rooting depth is 60 inches or more. Runoff is very slow, and the hazard of water erosion is slight. The hazard of soil blowing is severe.

The Heceta soil is deep and poorly drained. It formed in eolian material. Slope is 0 to 3 percent. Typically, the surface layer is very dark grayish brown fine sand 4 inches thick. The substratum to a depth of 60 inches or more is mottled, grayish brown sand.

Permeability of the Heceta soil is rapid. Available water capacity is about 1 inch to 2 inches. Effective rooting depth is 60 inches for water-tolerant plants, but it is limited by the water table for non-water-tolerant plants. Runoff is ponded, and the hazard of water erosion is slight. The water table fluctuates from 12 inches above the surface to 6 inches below the surface from October to May.

The Waldport soil in this unit is used mainly for timber production, and the Heceta soil is used mainly for wildlife habitat. The unit is also used for recreation.

The Waldport soil is suited to the production of shore pine. Other species that grow on this soil include western hemlock, Sitka spruce, and Douglas fir. The understory vegetation is mainly Pacific rhododendron, salal, red huckleberry, evergreen huckleberry, and European beachgrass. The Heceta soil is poorly suited to the production of timber. The vegetation on this soil is mainly slough sedge, salt rush, coast willow, waxmyrtle, evergreen huckleberry, and salal.

On the basis of a 100-year site curve, the mean site index for shore pine is 90 on the Waldport soil. At the culmination of the mean annual increment (CMAI), the production of 60-year-old shore pine trees 1.5 inches in diameter or more at breast height is 79 cubic feet per acre per year. High winds from the Pacific Ocean may seriously limit the growth of trees unless they are in a protected area.

The main limitations for the management of timber on this soil are seedling mortality and plant competition. Careful use of wheeled and tracked equipment reduces the disturbance of the protective layer of duff. The risk of soil blowing increases if the timber is harvested or the understory is removed. Conventional methods can be used for harvesting timber, but use of skid trails can accelerate erosion.

Proper design of road drainage systems and care in the placement of culverts help to control erosion. Seeding cuts and fills helps to stabilize the soil and reduce soil blowing. Windthrow is a hazard when the soil is wet and winds are strong.

When openings are made in the canopy, invading brushy plants can delay natural reforestation. Undesirable plants reduce adequate natural or artificial reforestation. Intensive site preparation and maintenance generally are not needed. Reforestation can be accomplished by planting shore pine and Sitka spruce seedlings. Droughtiness increases seedling mortality.

If this unit is used for recreational development, the main limitations are the hazard of soil blowing, the instability of the Waldport soil, and the wetness of the Heceta soil. These limitations restrict the use of this unit mainly to low-intensity types of recreation, such as hiking and horseback riding. The unit can be used for other kinds of recreational activities that require a minimum of construction and soil disturbance.

Areas used for recreation can be protected from soil blowing by maintaining plant cover. Plant cover can be maintained by limiting traffic. Excavation for houses and access roads exposes material that is highly susceptible to soil blowing. Revegetating disturbed areas around construction sites as soon as feasible helps to control soil blowing.

Roads, paths, and trails are difficult to maintain because of the loose sand. Cutbanks are not stable and are subject to slumping.

Wetness limits most recreational development on the Heceta soil. Use of paths and trails may be limited to 2 to 3 months in summer. Drainage is impractical because of the lack of suitable outlets.

This map unit is in capability subclass VIIe.

APPLICANT'S EXHIBIT "C"



TECHNICAL MEMORANDUM

DATE November 11, 2021

Project No. 21494501

TO Ken Nice, Director of Agronomy
Bandon Biota, LLC

CC Chris Hood, Stuntzner Engineering & Forestry, LLC

FROM Matt Thomas and Derek Holom

EMAIL dholom@golder.com

BANDON DUNES MUNICIPAL SOUTH GOLF COURSE HYDROGEOLOGY ASSESSMENT (PRELIMINARY)

1.0 INTRODUCTION

This preliminary hydrogeologic assessment was prepared by Golder Associates Inc. (Golder) (a member of WSP) to summarize the hydrogeologic conditions underlying land owned by Bandon Biota, LLC's (Bandon Biota), and located approximately 6 miles south of Bandon, Oregon. Golder understands that Bandon Biota wishes to construct a new golf course on the property and requested this preliminary investigation to assess the feasibility of using groundwater resources to support the development.

Bandon Biota estimates 400 gallons per minute (gpm) will be required to develop and maintain the proposed golf course.

This technical memorandum was prepared in accordance with the scope of work presented in Golder's proposal dated September 9, 2021 and as approved the same day by Bandon Biota.

1.1 Data Sources

Golder reviewed the following information and sources as part of this evaluation:

- Previous evaluations prepared by Golder for both the Bandon region and the northern half of the project area specifically (Golder 2004, 2005).
- Information on water rights and irrigation wells relating to the Ronald and Mary Anne Puhl Trust (Puhl) property purchase (Golder 2010).
- Well logs and groundwater level data in the project area from the Oregon Water Resources Department (OWRD).
- Well logs from Bandon Biota for two geotechnical exploration boreholes completed in 2016.

2.0 HYDROGEOLOGIC SETTING

Golder conducted reviews of the geologic and hydrogeologic conditions in the Bandon area as part of previous work for the Bandon Cranberry Water Control District (BCWCD) (Golder 2004) and Bandon Biota (Golder 2005).

In addition to these studies, we reviewed readily available well logs and groundwater level data in and around the project area. These findings are summarized below.

2.1 Site Setting

The project area is located about six miles south of Bandon, Oregon and within the Twomile Creek watershed, which flows from east to west toward the Pacific Ocean and drains approximately 5,300 acres (Figure 2-1). Most of the watershed (68%) is covered in forest, while agricultural land use accounts for 27% of land use area in the form of pastureland (22%) and cranberry bogs (5%). Twomile Creek forms the northern boundary of the project area. Surface elevation of the project area ranges from 30 to 128 feet above sea level¹ (asl).

2.2 Geologic Setting

The surface geology of the area south of Bandon, Oregon can generally be characterized as unconsolidated Quaternary sediments, primarily beach and dune sands (Golder 2004). These sediments overly older unconsolidated Quaternary marine terrace deposits that mantle most of the area between the Pacific Ocean and coastal uplands. The marine terrace deposits are comprised of sand, gravel, and some shell debris intermixed and locally interlayered with clay and silt. Both of the unconsolidated sediment units sit atop a bedrock composed mainly of marine sedimentary rocks and minor volcanics of the Roseburg Formation and Otter Point Formation. These bedrock units are exposed at the eastern end of the marine terraces in the coastal uplands (Figure 2-2).

The proposed site has surface exposures of both dune sands and marine terrace deposits. Semi-vegetated sand dunes are located at the western half of the project area, while the eastern half is primarily the marine terrace deposits of the Whiskey Run marine terrace horizon. Dune sand deposits extend inland from the Pacific Ocean and can reach up to 4,000 feet inland in the southern part of the project area. Across the Bandon region, dune sands are generally thin or absent just south of Bandon and north of Cape Blanco. Geologic cross sections from prior work for the BCWCD (Golder 2004) indicate that the marine terrace deposits thicken from east to west and north to south, averaging 50 to 60 feet thick (Appendix A). Dune sand deposits extend inland from the Pacific Ocean and can reach up to 4,000 feet inland in the southern part of the project area. Well reports provide additional detail on subsurface conditions in the immediate vicinity of the Bandon Biota property. Copies of these reports are presented in Appendix B and well locations are presented on Figure 2-1. The reports, combined with information presented in Golder (2004) suggest the bedrock surface gently slopes toward the Pacific Ocean in the eastern half of the project area, then abruptly steepens, resulting in sediment thicknesses of up to about 150 feet. The sediments encountered at deeper depths in these wells were composed of sand and sandy clay with occasional gravel lenses becoming more frequent near the bedrock contact, which is similar to the shallow marine terrace deposits encountered in the shallower portions of the boreholes (Figure 2-2, Appendix B). The apparent sharp increase in the bedrock surface corresponding to the abrupt increase in sediment thickness in the western portion of the project area is interpreted to be a buried sea cliff.

¹ Elevations in this report are referenced to the North American Vertical Datum of 1988 (NAVD 88), unless specified otherwise.

2.3 Hydrogeology

2.3.1 Hydrogeologic Units

There are two primary aquifer systems present in the project area: the dune sand aquifer (DSA) and marine terrace aquifer system (MTAS). The underlying bedrock is a fine-grained mudstone (i.e. sedimentary rock) and does not appear to be a viable aquifer based on the lack water production noted on area well logs.

2.3.1.1 Dune Sand Aquifer

The DSA is an unconfined aquifer composed of windblown medium to fine-grained quartz and feldspar sand. Within the project area, dune sand deposits that hold the DSA range from absent to 60 feet thick. No water level data are available to determine typical saturated thickness. Well logs indicate that the DSA is homogenous, composed of medium- to fine-grained sand with occasional lenses of higher clay content. These higher clay content sections create locally semi-confined conditions. The bottom of the DSA is generally marked by a thick layer of sandy clay in well logs within the project area. The primary source of recharge to the aquifer is precipitation, with most recharge occurring during the wet season from November to March (Golder 2004).

2.3.1.2 Marine Terrace Aquifer System (Shallow Zone)

The shallow MTAS is an unconfined aquifer composed of fine to coarse grained sand and gravel with locally interlayered clay and silt that can create local semi-confined to confined conditions. When compared to the DSA, the MTAS has a higher degree of heterogeneity. The total thickness of the shallow MTAS ranges from 50 to 60 feet within the project area, generally thickening from east to west. The base of the hydrogeologic unit is typically defined by gravel intermixed with shell material. Recharge to the shallow MTAS primarily comes from precipitation in the winter months and infiltration of irrigation during the summer months, including some leakage from lined and unlined cranberry bogs (Golder 2004).

2.3.1.2.1 Marine Terrace Aquifer System (Deep Zone)

The six most recent wells drilled in the project area, located within the surface exposure of the DSA, were drilled until encountering bedrock at 130 to 210 feet below ground surface (bgs). Based on well logs, gravel lenses varying in thickness from 2 to 30 feet were encountered between depths of approximately 80 to 120 feet bgs; the gravel lenses were typically interlayered with sandy clays. This deeper water bearing zone of the MTAS is not well defined and was not identified in prior work as a separate hydrogeologic unit. However, well logs suggest that this deeper water bearing zone may act as a confined or semi-confined aquifer due to the presence of relatively thick sandy clay layers (20 to 40 feet thick) that separates it from the overlying shallow MTAS and DSA. The deep MTAS is a heterogenous aquifer based on the varying thicknesses of and varying presence gravel lenses. The deeper MTAS is bounded to the east by low permeability bedrock, suggesting that most water pumped at wells completed in the deeper MTAS may come from the west; saltwater intrusion may be more likely as a result.

2.3.2 Well Inventory

There are currently seventeen wells registered with OWRD (2021) in the vicinity of the project area, as well as two additional wells on the Bandon Biota property that do not appear in the OWRD database (Figure 2-1). A summary of construction details for these wells is provided in Table 2-1.

Table 2-1: Well Construction Summary

Well ID	Install Date	Total Depth (feet bgs)	Screened Interval (feet bgs)	Well Casing Diameter (inches)	Specific Capacity (gpm/ft)
MTAS (Shallow Zone)					
COOS 672	1992	54	35 to 54	4.5	-
COOS 699	1993	62	36 to 51	8	3.8
COOS 962	1994	58	32 to 48	8	4.6
COOS 1272	1994	65	41 to 57	8	1
COOS 1274	1994	48	26 to 32	6	2.2
COOS 4293	1987	45	40 to 45	6	0.5
COOS 4375	1980	80	71 to 75	6	0.5
COOS 50123	1996	35	29 to 34	5	-
COOS 50393	1997	48	18 to 48	4.5	-
COOS 50394	1997	50	20 to 50	4.5	-
COOS 51154	1998	60	20 to 50	6	1.3
COOS 51155	1998	49	35 to 45	8	-
COOS 51156	1998	51	20 to 40	8	1.5
MTAS (Deep Zone)					
COOS 55895	2014	168	125 to 130	5	0.1
COOS 55926	2014	158	78 to 142	6	0.1
COOS 56183	2015	153	117 to 137	5	0.4
Unknown Aquifer Completion					
COOS 56184	2015	207	-	6	-
10-J-1595	2016	129	-	6	-
K-11-1596	2016	163	-	6	-

Notes:

MTAS = Marine Terrace Aquifer System

bgs = below ground surface

gpm/ft = gallons per minute per foot of drawdown

2.3.3 Aquifer Hydraulic Properties

Aquifer hydraulic properties (i.e. transmissivity, storativity, and hydraulic conductivity) for the shallow MTAS in the vicinity of the project area are summarized in Table 2-2. These values are based on previous work by Golder (2004). We were unable to find any published, publicly available information about the hydraulic properties of the DSA for this report.

Table2-2: MTAS (Shallow Zone) Aquifer Hydraulic Properties

Value	Transmissivity (ft ² /d)	Storativity
Low	100	0.001
Geometric Mean	709	0.005
High	5,000	0.2

2.3.4 Groundwater Levels

Recorded groundwater levels within the project area range from 46.9 ft NGVD29 (25.2 ft bgs) at Well 50394 to 82.35 ft NGVD29 (3.85 ft bgs) at Well 50123 (Appendix C). Seasonal groundwater level fluctuations in the Bandon region ranges from 0 to 25 ft, with an average fluctuation of about 10 to 15 ft (Golder 2004). Near the project area, limited water level data in 2020 show seasonal non-pumping fluctuations of 4 ft at Well 50393 and 11 ft at Well 50394 (OWRD). There are no apparent long-term trends in groundwater levels in limited OWRD data for the shallow MTAS in the project area; no groundwater level data is available for the DSA or deeper MTAS. Groundwater level data are too coarse to see possible tidal effects on groundwater levels; however, about half of the project area is west of the head of tide² for Twomile Creek.

2.3.5 Groundwater Quality

Groundwater quality across the Bandon area is highly variable. No new groundwater quality data since 2005 was available for review. Based on Golder's previous work, we found that groundwater samples from six sites across the area taken between 1995 and 1999 each were distinctly different, with little relation among them (Golder 2004). However, there were some similarities in groundwater quality across the area, where all sites contained low levels of magnesium (less than 6 mg/L) and sulfate (less than 7 mg/L) and no exceedances of federal drinking water standards were found for major chemistry parameters that were analyzed (dissolved calcium, dissolved magnesium, dissolved sodium, dissolved potassium, bicarbonate, total alkalinity, sulfate, chloride, fluoride, silica, total dissolved solids, and nitrate-nitrite). Based on the previous assessment, there was an apparent spatial trend in groundwater quality, with groundwater becoming less sodium/chloride rich and more calcium/carbonate rich from the eastern uplands to the western marine terraces. Two samples taken north of Bandon at the Bandon Dunes resort from the shallow and deep aquifers there found high levels of manganese (0.12 mg/L) and iron (13.7 mg/L) in the shallow aquifer and average levels (0.06 mg/L for both manganese and iron) in the deeper aquifer, indicating local isolation of the two groundwater systems and possible stratification of groundwater quality; this stratification may exist elsewhere in the Bandon region, including within the project area. Previous reports have not found any significant saltwater intrusion in the unconsolidated aquifers but noted that it is possible if extensive groundwater development were to occur near the coast (Golder 2004, 2005).

3.0 WELL SITE EVALUATIONS

3.1 Previous Work (Golder 2005)

The previous feasibility study by Golder in 2005 found that 25% to 43% (90 to 150 gpm) of the estimated water demand could be supplied by three wells pumping at 30 to 50 gpm each and we recommended further groundwater exploration in the southwestern region of the property owned by Bandon Biota at the time (roughly

² Head of tide: the most upstream point at which tidal effects are observed in a stream/river

from the northern end of the Puhl property purchase to Twomile Creek). Wells drilled in this area were predicted to have the least potential impact on Twomile Creek and would be closest to wells near the southern boundary that reported higher yields (70 to 80 gpm) compared to wells on the northern end of the property that produce less water (less than 35 gpm). A map of estimated transmissivities based on well logs information from Golder 2004 is included in Appendix D; this map shows that most wells in the Twomile Creek Basin are completed in relatively low transmissivity aquifer materials (i.e. ranging from 100 to 500 feet squared per day[ft²/d]). However, a couple wells on the southern border between the Twomile and Fourmile Creek basins were completed in higher transmissivity aquifer materials (i.e. ranging from 500 to 1,000 ft²/d and 1,000 to 5,000 ft²/d).

3.2 New Well Site Evaluation

Following our recommendation, Bandon Biota drilled six wells from 2014 to 2016 on the previously proposed site and on the Puhl property to the south of the previous project area (Figure 2-1, Table 2-1). All six of these wells were completed in the deep zone of the MTAS. Pumping tests were conducted in three of these wells (Well IDs 55895, 55926, and 56183) by Bandon Well & Pump Company at pumping rates ranging from 6 to 37 gpm. Based on the drawdown observed, the reported specific capacities of these three wells were less than 0.5 gpm per foot of drawdown [gpm/ft] (Table 3-1). Aquifer transmissivity was estimated from the specific capacity data using the following equation (Driscoll 1986):

$$T = SC \times 2000 / 7.48$$

Where:

- T is transmissivity [ft²/d]
- SC is specific capacity [gpm/ft of drawdown]
- 2000 is a constant for confined aquifers
- 7.48 is a conversion from gallons to cubic feet

In all three cases, the estimated transmissivity is less than 100 ft²/d. No pumping test data are available for the remaining three wells (Well IDs 56184, 10-J-1595, and K-11-1596).

Table 3-1: Pumping Test Results

Well ID	Test Duration (hours)	Static Water Level (feet bgs)	Pumping Rate (gpm)	Drawdown (feet)	Specific Capacity (gpm/ft)	Estimated Transmissivity (ft ² /d)
55895	2	17	6	101	0.06	16
55926	3	7	9	111	0.10	27
56183	1	11	37	103	0.36	96

Well logs for all recently drilled wells except for K-11-1596 indicate the presence of 10 to 20-ft thick saturated sand and gravel layers ranging from a depth of 18 to 44 ft bgs. These layers are interpreted to be part of the shallow zone in the MTAS but have not been tested for groundwater production, as each of these wells were screened in the deeper zone MTAS.

To evaluate the potential production of a new well and its potential impacts on nearby groundwater users and cranberry bogs, a distance-drawdown analysis was conducted using the Cooper-Jacob method (1946):

$$s = \frac{2.3Q}{4\pi T} \log \frac{2.25Tt}{r^2S}$$

Where

- s is drawdown at r distance from the well [feet]
- Q is the pumping rate in the well [cubic feet per day]
- T is the aquifer transmissivity [hydraulic conductivity times the saturated aquifer thickness in feet squared per day]
- r is the distance from the well where drawdown is calculated [feet]
- t is the time drawdown is calculated [days]
- S is the aquifer storativity [dimensionless]

The distance-drawdown analysis was used to evaluate four different scenarios based on a combination of previously documented aquifer properties for the shallow MTAS (Appendix D; Golder 2004, 2005) and the two different pumping rates (100 and 400 gpm). All the scenarios assumed the new well was pumped continuously for 100 days. The scenarios and assumptions used in our evaluation are summarized in Table 3-2:

Table 3-2: Distance-Drawdown Analysis Scenarios

Scenario	Description	T (ft ² /d)	S (dimensionless)
1	High T, Low S	5,000	0.001
2	Low T, High S	100	0.2
3	High T, High S	5,000	0.2
4	Average T, Average S	709	0.005

Assumptions:

- Well depth: 50 to 65 feet bgs
- Pump intake depth: 48 to 63 feet bgs
- Static water level: 5 to 20 feet bgs
- Available drawdown: 30 to 55 feet
- Well efficiency: 100%
- Pumping rate: 100 to 400 gpm
- Pumping time: 100 days, continuous
- Solution is valid for $u \leq 0.01$, where $u = (r^2S)/(4Tt)$.
 - For Scenario 2, the solution is not valid for predicting drawdown beyond 100 feet (i.e. $u > 0.01$).
 - For Scenarios 3 and 4, the u assumption is violated for distances greater than 300 feet from the pumping well.

The results of our analysis are shown in Figures 3-1 and 3-2 for pumping rates of 100 and 400 gpm, respectively, and summarized in Table 3-3. Dashed lines represent the distance where the predicted drawdown violates the u assumption for the Cooper-Jacob solution. The estimated maximum possible distance of a new well within Bandon Biota's property to an existing water supply well (or cranberry sump) is about 2,500 feet.

Table 3-3: Predicted Drawdown Results

Scenario	Description	Pumping Rate (gpm)	Estimated Drawdown in Pumping Well (feet)	Estimated Drawdown at 2,500 feet from Pumping Well (feet)
1	High T, Low S	100	7.8	1.6
		400	31	6.4
2	Low T, High S	100	248	---
		400	994	---
3	High T, High S	100	6.2	< 1.6
		400	20	< 6.4
4	Average T, Average S	100	47	3.5
		400	189	14

Notes:

Drawdown estimates assume continuous pumping for 100 days

Estimated drawdown in the pumping well assumes 100% well efficiency

"---" or "<" indicates the solution is not valid at a distance of 2,500 feet

Figure 3-1 indicates that a new well pumping at 100 gpm for 100 days would result in less than 0.1 to about 1.6 feet of drawdown at a distance of 2,500 feet from the pumping well under Scenario 1 (high T and low S) and Scenario 3 (high T and high S), respectively. For Scenario 4 (average conditions), pumping at a rate of 100 gpm is predicted to result in about 3.5 feet of drawdown at 2,500 feet from the well. However, this may not be feasible because the predicted drawdown at the pumping well would be approaching the maximum estimated available drawdown (55 feet) for a well in the shallow MTAS (and assuming the well efficiency is 100%). Pumping at 100 gpm under Scenario 3 (low T and high S) is not feasible because the maximum available drawdown would be exceeded.

Figure 3-2 indicates that pumping at a rate of 400 gpm under high T conditions (Scenarios 1 and 3) is predicted to result in up to 6.4 feet of drawdown at 2,500 feet from the pumping well (the drawdown predicted for Scenario 3 at 400 gpm is less than the predicted drawdown for 100 gpm, because of the u assumption is violated). Figure 3-2 also shows that pumping 400 gpm under Scenarios 2 and 4 (low T/high S and average conditions) is not feasible, as it would exceed the likely available drawdown at the well.

4.0 SUMMARY

Bandon Biota is seeking 400 gpm in groundwater supply to develop a new golf course approximately six miles south of Bandon, OR. The proposed golf course location is in a mostly forested watershed, with cranberry bogs and other agricultural land uses adjacent to the proposed location.

Surficial geology at the site is characterized by unconsolidated sediments composed of dune sands overlying older marine terrace deposits. Underlying the unconsolidated sediments is bedrock composed primarily of marine sedimentary deposits and some minor volcanics. In the eastern portion of the project site, the bedrock surface gradually descends from east to west toward the Pacific Ocean, and then drops off steeply, which is interpreted to be a buried sea cliff. As a result, the overlying unconsolidated sediments are thicker to the west, with an overall average thickness of about 50 to 60 feet.

The primary aquifers are found in the unconsolidated sediments and include the Dune Sand Aquifer (DSA) and Marine Terrance Aquifer System (MTAS), which is interpreted to have two different water bearing zones (shallow and deep). These water bearing zones are separated by a 20 to 40-ft thick sandy clay layer. Most wells in the area are completed in the shallow MTAS. Some of the more recent well have been completed in the deeper zone of the MTAS.

Groundwater levels in the shallow MTAS near the project area range from about 4 to 25 feet bgs (groundwater elevation ranges from about 47 to 82 feet above mean sea level), with average seasonal fluctuations of 10 to 15 feet. There are no apparent long-term trends on groundwater levels in the shallow MTAS; however, groundwater level data are limited. No groundwater level data is available for the DSA or deep MTAS.

Aquifer transmissivity in the shallow MTAS in the area ranges from 100 ft²/d to 5,000 ft²/d, with an average (geometric mean) value of 709 ft²/d . Estimated aquifer storativity in the shallow MTAS ranges from 0.001 to 0.2, with an average value of 0.005. Higher yields have been observed from wells completed in the shallow MTAS near the southern end of project area.

A previous groundwater resource study by Golder in 2005 estimated that the shallow MTAS in the central portion of the project area could produce 90 to 150 gpm from three wells. Bandon Biota drilled six wells into the deeper MTAS in the central and southern portions of the project area from 2014 to 2016. Three of the six wells were tested for water production during drilling, with reported yields of 6 to 37 gpm, resulting in specific capacities that were less than 0.5 gpm/ft of drawdown. The estimated transmissivity based on the specific capacity data is less than 100 ft²/d (i.e. low range of observed transmissivities in the area).

Golder evaluated the potential impacts of pumping a new well based on a distance-drawdown analysis using the Cooper-Jacob (1946) solution. The evaluation used a range of previously reported aquifer properties (Golder 2005) and assumed the wells would be installed to a depth of 65 feet in the shallow MTAS. The results show that for average to high aquifer T values, a well pumping 100 gpm for 100 days continuously is predicted to result in less than 0.1 to about 3.5 feet of drawdown at a distance of 2,500 feet from the well (the estimated maximum distance a new could be installed from existing water supply wells or cranberry bogs sumps). At 400 gpm, a new well is predicted to result in more than 6 feet of drawdown at 2,500 feet away for 100 days pumping (only under high T conditions). For average and low T values, the predicted drawdown at the well would likely exceed the available drawdown based on the observed saturated thicknesses and static water levels in the MTAS.

Based on the predicted drawdown for the various scenarios defined above, it is unlikely that Bandon Biota will be able to achieve their desired pumping rate of 400 gpm with one well. Instead, three or (likely) more widely spaced wells producing at lower pumping rates may be needed. The number of wells will be dependent on the actual aquifer properties encountered, performance of the new wells, and groundwater quality (there is a potential for sea water intrusion, depending on the radius of influence for the new wells on the western property boundary). Two preliminary boreholes drilled into the deeper MTAS showed promising potential for well yields of 100 to 150 gpm (K-11 1596 and 10-J-1595), but no drawdown or test details were available to evaluate further.

5.0 DATA GAPS

Golder identified the following data gaps during this evaluation:

- Information on aquifer properties within the DSA.
- Information on aquifer properties and groundwater quality of the deeper MTAS, as well as hydraulic connection to the upper shallow MTAS.
- Groundwater quality within project area overall. There is limited publicly available groundwater quality within the project area and the Bandon area.

6.0 RECOMMENDATIONS

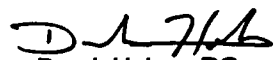
We understand Bandon Biota has hired a contractor to locate wells for drilling. We recommend prioritizing the well locations based on the maximum distance from existing groundwater users (i.e. drill the farthest location first). Furthermore, we recommend the following based on our review of existing data, our drawdown evaluation, and identified data gaps:

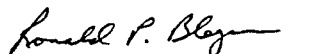
- Drill new wells using casing advancer methods, such as dual rotary, ODEX, or cable tool. Avoid the use of mud rotary drilling, as this can result in lower well efficiency compared to the other methods mentioned. The use of mud creates a filter cake on the borehole walls during drilling which can lead to clogged pore spaces (or damaged zones) in the aquifer or water bearing zones.
- Perform airlift or pumping tests using temporary pumps during drilling once sufficient water has been encountered to evaluate the potential water bearing zones with depth. We recommend measuring a static water level prior to pumping and monitoring water quality field parameters, such as pH, temperature, and conductivity to evaluate any potential changes in water quality with depth.
- Collect sieve samples within the target aquifer (or production zone) to properly design a stainless-steel v-wire wrap well screen to maximize efficiency. Well efficiency will be key to a successful well in this area, as drawdown may be limited (especially for shallower completions)
- The new well(s) should be developed to ensure maximum efficiency. This should be confirmed by monitoring for turbidity and measuring sand content during development and establishing performance criteria (e.g. less than 0.1 inch of new sand or fines produced after 15 minutes of swabbing).
- A step-rate pumping tests should be performed to evaluate the well performance followed by a 72-hour constant-rate pumping test to evaluate aquifer hydraulic properties, aquifer boundaries, and potential impacts to nearby groundwater users). Existing groundwater wells should be monitored during the test

and/or new shallow piezometers near the eastern edges of the property boundary should be installed to monitor for potential impacts of pumping.

Golder Associates USA Inc.


Matt Thomas
Hydrogeologist


Derek Holom, RG
Senior Hydrogeologist


Ron Blegen, RG
Associate / Senior Consultant

MT/DH

Distribution: Ken Nice (Bandon Biota) and Chris Hood (Stuntzner Engineering)

Attachments: **Figures**
Figure 2-1: Site Overview
Figure 2-2: Surficial Geology
Figure 3-1: Distance-Drawdown Evaluation, 100 GPM
Figure 3-2: Distance-Drawdown Evaluation, 400 GPM
Appendix A – Geologic Cross-Sections
Appendix B – Well Logs
Appendix C – Well Hydrographs
Appendix D – Bandon Area Aquifer Transmissivity

[https://golderassociates.sharepoint.com/sites/152769/project/files/6 deliverables/hydrogeology assessment tm/final/21494501-tm-rev0-hydrogeoassessment_11112021.docx](https://golderassociates.sharepoint.com/sites/152769/project/files/6%20deliverables/hydrogeology%20assessment%20tm/final/21494501-tm-rev0-hydrogeoassessment_11112021.docx)

BANDON TRAILS CLUBHOUSE

STRUCTURAL PERMIT PACKAGE

OWNER:
BANDON DUNES RESORT L.P.
RIZ 5774 ROUND LAKE ROAD
BANDON, OR 97411
T (541) 347-6189
F (541) 347-6190
Contact: HOWARD MORSE

ARCHITECT:
WILLIAM CHURCH, FAIA ARCHITECT P.C.
1815 N.W. FLANDELS, STE. 104
PORTLAND, OR 97209
T (503) 227-6188
F (503) 227-6738
Contact: CHAD SCHWOT
chad@wchc.net

CONTRACTOR:
PALSH CONSTRUCTION
2305 S.W. 49TH AVE
PORTLAND, OR 97201
T (503) 222-4375
F (503) 274-7676
Contact: ERIC STEVENS

DRAWING INDEX:

ARCHITECTURAL:

- AC.0 COVER SHEET
- AD.1 SITE PLANS
- AI.1 FLOOR PLAN
- AI.2 FLOOR PLAN / HARDWARE SCHEDULE
- AI.3 DINING PAVILION
- AI.4 GATEHOUSE
- AI.5 ADA RAMP AND FENCE
- A1.1 EXTERIOR ELEVATIONS
- A1.2 EXTERIOR ELEVATIONS
- A4.1 BUILDING SECTIONS
- A4.2 BUILDING SECTIONS
- A5.1 REFLECTED CEILING PLAN
- A5.2 REFLECTED CEILING PLAN
- A7.1 INTERIOR ELEVATIONS
- A7.2 INTERIOR ELEVATIONS
- AB.1 WINDOW AND DOOR TYPES
- AB.2 EXTERIOR DETAILS
- AB.3 EXTERIOR DETAILS
- AB.4 EXTERIOR DETAILS
- AB.5 EXTERIOR DETAILS
- AB.6 EXTERIOR DETAILS
- AB.7 DINING PAVILION DETAILS
- AB.8 GATEHOUSE DETAILS
- AB.9 INTERIOR DETAILS
- AI.2.1 RETAIL CASEWORK
- AI.2.2 BAR COUNTER & BACK BAR
- AI.2.3 CASEWORK DETAILS

STRUCTURAL:

- S1 STRUCTURAL FOUNDATION
- S2 STRUCTURAL DETAILS
- S3 STRUCTURAL FRAMING PLANS
- S4 STRUCTURAL DETAILS
- S5 STRUCTURAL DETAILS
- PS1 PAVILION FOUNDATION & FRAMING PLANS
- PS2 PAVILION FOUNDATION & FRAMING PLANS

MECHANICAL:

- M1.1 HVAC CONCEPT (REFERENCE)

PLUMBING:

- PI.1 PLUMBING CONCEPT (REFERENCE)

FOOD SERVICE:

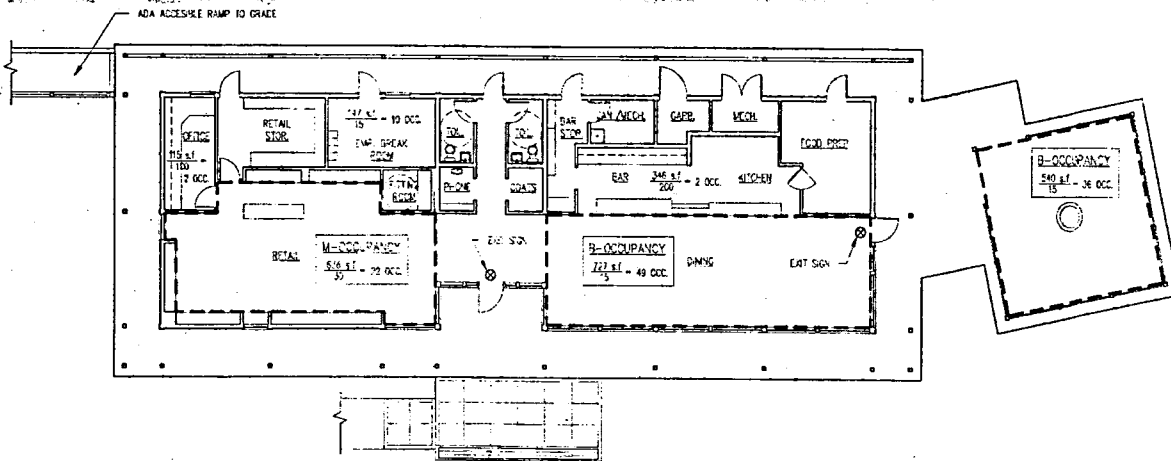
- K1 EQUIPMENT LAYOUT
- K2 EQUIPMENT SCHEDULE

STRUCTURAL ENGINEER:
AFGHAN ASSOCIATES
6960 S.W. VARNIS ST., STE. 230
TIGARD, OR 97223
T (503) 620-3030
F (503) 620-3539
Contact: HAMID AFGHAN

INTERIORS:
SCOTT CONVERSE INTERIORS, LTD.
515 N.W. SLAYMAN RD. #110
PORTLAND, OR 97229
(503) 286-3650
Contact: SCOTT CONVERSE

MECHANICAL ENGINEER:
THE MARQUARDT ENGINEERING DESIGN
14488 S.E. WESSE RD.
BURNS, OR 97828
T (503) 619-5305
F (503) 654-0900
Contact: CHAD MARQUARDT

APPLICANT'S EXHIBIT "D"



ENGINEERING ASSUMPTIONS:
GROUP B / GROUP M
(CLIMATE AND WIND LOADS CONSIDERED ONE BUILDING)

CONSTRUCTION:
TYPE V - FULLY FINISHED

BUILDING HEIGHT:
10'-0" ACTUAL / 40'-0" ALLOWABLE (PER TABLE 5-B)
1 STORY ACTUAL / 4 STORES ALLOWED (PER TABLE 5-B)

BUILDING AREA:
3,925 sq ft ACTUAL (CLUBHOUSE AND PAVILION TOTAL)
- SEPARATION ON ALL SIDES (REF. TABLE 5-B)
- 5,000 sq ft ALLOWED (PER TABLE 5-B)
+ 5 FEET WALKS
TOTAL 4,425 sq ft TOTAL ALLOWABLE

SEWERAGE TO C:
65' TOTAL (AS CALICATED PER TABLE 10-A)

THE FOLLOWING REQUIREMENTS:
BUILDING IS SEPARATED ON FOUR SIDES WITH WALKS
GREATER THAN 20 FT. THEREFORE STRUCTURE'S
NON-RATIO FIBER GLASS ARE NOT REQUIRED TO BE
PROTECTED (PER TABLE 5-A)

1 CODE PLAN
AC.0 SCALE: N.T.S.



WILLIAM CHURCH ARCHITECT P.C.

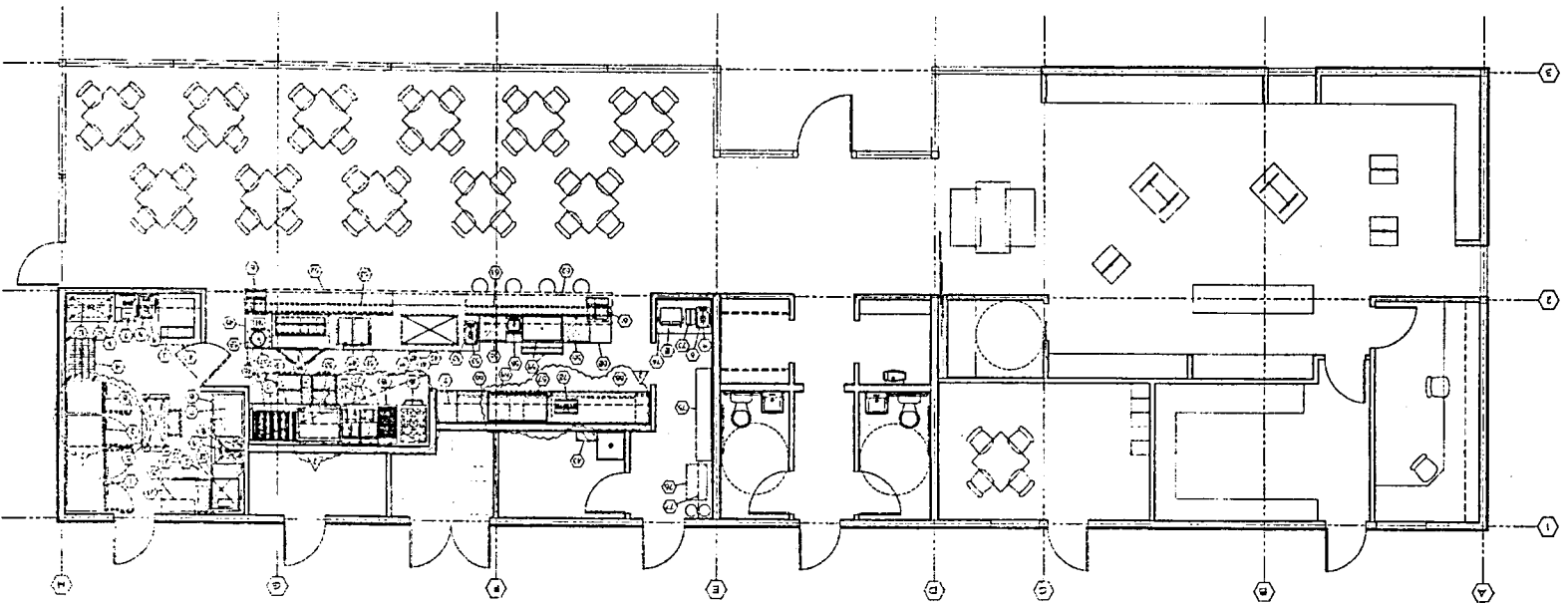
ARCHITECT
FAIA P.C.

REGISTERED ARCHITECT
STATE OF OREGON

BANDON TRAILS CLUBHOUSE
BANDON DUNES RESORT - BANDON, OREGON
COVER SHEET

Revisions	
Date	Issued For
5.7.04	PERMIT
5.24.04	PERMIT
7.5.04	PERMIT
Job No	0404
A0.0	
SHEET X OF Y	

© 2003 WILLIAM CHURCH ARCHITECT FAIA P.C.



Equipment
Layout

Scale: 1/8" = 1'-0"

Sheet No. **02/20/04**
 Date: **02/20/04**
 Rev: **07/09/04**
 08/11/04
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Bardon Trails Clubhouse
Bardon Dunes Golf Resort
 Round Lake Drive
 Bandon, OR 97411

BARGREEN ELLINGSON
 2222 Hwy 101, Bandon, OR 97411
 Phone: (503) 325-1144
 Fax: (503) 325-1144

THIS DOCUMENT IS THE PROPERTY OF BARGREEN ELLINGSON ARCHITECTS, P.C. AND IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN. IT IS NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF BARGREEN ELLINGSON ARCHITECTS, P.C. ANY UNAUTHORIZED USE OF THIS DOCUMENT IS PROHIBITED AND WILL BE SUBJECT TO LEGAL ACTION. THE USER OF THIS DOCUMENT AGREES TO HOLD BARGREEN ELLINGSON ARCHITECTS, P.C. HARMLESS FROM AND AGAINST ALL CLAIMS, DAMAGES, LOSSES, AND EXPENSES, INCLUDING REASONABLE ATTORNEY'S FEES, ARISING OUT OF OR RESULTING FROM ANY SUCH UNAUTHORIZED USE. THE USER OF THIS DOCUMENT ALSO AGREES TO INDEMNIFY AND HOLD BARGREEN ELLINGSON ARCHITECTS, P.C. HARMLESS FROM AND AGAINST ALL CLAIMS, DAMAGES, LOSSES, AND EXPENSES, INCLUDING REASONABLE ATTORNEY'S FEES, ARISING OUT OF OR RESULTING FROM ANY SUCH UNAUTHORIZED USE. THE USER OF THIS DOCUMENT ALSO AGREES TO INDEMNIFY AND HOLD BARGREEN ELLINGSON ARCHITECTS, P.C. HARMLESS FROM AND AGAINST ALL CLAIMS, DAMAGES, LOSSES, AND EXPENSES, INCLUDING REASONABLE ATTORNEY'S FEES, ARISING OUT OF OR RESULTING FROM ANY SUCH UNAUTHORIZED USE.

After recording return to:

~~XXXXXXXXXX~~ Lawrence F. Finneran
~~PO Box 29~~, PO Box 359
Coos Bay, OR 97420

Coos County, Oregon
\$101.00

2021-08283
07/22/2021 11:09 AM
Pgs=4

Until a change is requested,
send all tax statements to:



Debbie Heller, CCC, Coos County Clerk

David Kranick and Marci Murray
87228 Cranberry Creek Lane
Bandon, OR 97411

The consideration is \$280,000.00

Tax account numbers of property: 12416.00; 12417.00; 12406.90; 12406.00;
12409.90; 12409.00

Address of Grantors: 87226 Cranberry Creek Lane, Bandon, OR 97411

Address of Grantee: 87228 Cranberry Creek Lane, Bandon, OR 97411

WARRANTY DEED

FLOYD BROWN and VIVIAN M. BROWN hereinafter called "Grantors", convey to DAVID KRANICK and MARCI MURRAY, hereinafter called "Grantees", all that real property situated in Coos County, State of Oregon, described as follows:

See Exhibit 1 attached hereto and incorporated herein by reference.

Together with a non-exclusive easement for ingress and egress as set forth in instrument recorded January 16, 1981 as Microfilm No. 81-1-0684, and in instrument recorded December 14, 1932 in Volume 118, Page 119, Deed Records of Coos County, Oregon.

Reserving unto Grantors a life estate on the real property described in Exhibit 1 for the joint lives of Vivian M. Brown and Floyd Brown in the residence

WARRANTY DEED - 1

occupied by Floyd Brown and Vivian M. Brown on the date of this Deed, and the property immediately surrounding that residence, consisting of approximately five (5) acres, more or less.

And covenant that Grantors are the owners of the above described property free of all encumbrances, except as follows:

1. The assessment roll and the tax roll disclose that the premises herein described were specially assessed as Forest Land pursuant to ORS 321.358 to 321.372. If the land becomes disqualified for the special assessment under the statute, an additional tax may be levied for the last five (5) or lesser number of years in which the land was subject to the special land assessment.
2. The assessment roll and the tax roll disclose that the within described premises were specially zoned or classified for Farm use. If the land has become or becomes disqualified for such use under the statute, an additional tax or penalty may be imposed.
3. The rights of the public in and to that portion of the premises herein described lying within the limits of streets, roads and highways.
4. Easement, including the terms and provisions contained therein recorded October 13, 1989 as Microfilm Reel No. 89-10-0840, Records of Coos County, Oregon in favor of General Telephone Company of the Northwest, Inc.
5. Easement, including the terms and provisions thereof recorded May 2, 1990 as Microfilm No. 90-5-0134, Records of Coos County, Oregon in favor of Coos-Curry Electric Cooperative, Inc.
6. Easement, including the terms and provisions thereof recorded October 22, 1999 as Microfilm No. 1999-13390, Records of Coos County, Oregon in favor of Coos Curry Electric Cooperative, Inc.

and will warrant and defend the same against all persons who may lawfully claim the same.

THIS INSTRUMENT WILL 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 APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

DATED this 20th day of June, 2003.

Floyd Brown
Floyd Brown

Vivian M. Brown
Vivian M. Brown, formerly Vivian Kranick, aka
Vivian M. Kranick

STATE OF OREGON)
) ss.
County of Coos)

Personally appeared the above named Floyd Brown and Vivian M. Brown and acknowledged the foregoing instrument to be their voluntary act and deed. Before me this 20th day of June, 2003.



Vicki Falke
Notary Public for Oregon

EXHIBIT "A"
Legal Description

PARCEL A:

Beginning at the Northeast corner of the SE 1/4 of the NW 1/4 of Section 24, Township 29 South, Range 15 west of the Willamette Meridian, Coos County, Oregon; thence South 0° 03' 00" West 2607.57 feet along the North/South centerline of said Section 24 to the Northeast corner of the SE 1/4 of the SW 1/4, the same being the CS 1/16 corner of said Section 24; thence continuing South 374 feet along said North/South centerline; thence North 78° 25' 00" West 345.6 feet; thence South 10° 45' 00" West 338.7 feet; thence North 80° 30' 00" West 83.0 feet; thence South 5° 05' 00" West 167.0 feet; thence South 83° 15' 00" West 124.2 feet; thence South 9° 35' 00" West 494 feet, more or less, to the South line of said Section 24; thence Westerly a record deed distance of 615 feet along said South boundary to the Northeast corner of the NW 1/4 of the NW 1/4 of Section 25, said Township and Range; thence Southerly 753.11 feet, more or less, along the East line of said NW 1/4 of the NW 1/4 to a point which bears due East 247.76 feet from a 5/8 inch iron rod; thence due West 247.76 feet to said 5/8" iron rod; thence continuing due West 30.00 feet; thence North 38° 33' 45" West 235.10 feet to a 5/8" iron rod; thence North 70° 00' 03" West 209.12 feet to a 5/8" iron rod; thence North 9° 00' 32" East 600.82 feet to a 5/8" iron rod; thence North 0° 56' 41" East 451.89 feet to a 5/8" iron rod; thence North 19° 04' 01" East 193.18 feet to a 5/8" iron rod; thence North 11° 25' 26" East 474.96 feet to a point (from which a 5/8" iron rod bears due West 35.00 feet); thence North 32° 51' 38" East 168.24 feet to a 5/8" iron rod; thence North 22° 44' 55" East 113.84 feet to a 5/8" iron rod; thence North 53° 50' 11" East 162.01 feet to a point (from which a 5/8" iron rod bears due West 60.00 feet)); thence due East 50.00 feet; thence North 5° 20' 10" East 1650.84 feet to a point (from which a 5/8" iron rod bears due West 50.00 feet); thence due North 735.89 feet, more or less to the North line of the SE 1/4 of the NW 1/4 of said Section 24; thence South 88° 55' 38" East 1214.33 feet along said North line to the point of beginning.

PARCEL B:

The NE 1/4 of the NW 1/4 of Section 25 AND the SE 1/4 of the SW 1/4 of Section 24, all in Township 29 South, range 15 West of the Willamette Meridian, Coos County, Oregon, EXCEPTING THAT PART DESCRIBED AS FOLLOWS:

Beginning at the Northeast corner of said SE 1/4 of the SW 1/4; thence South 374 feet; thence North 78° 25' West 345.06 feet; thence South 10° 45' West 338.7 feet; thence North 80° 30' West 83 feet; thence South 5° 05' West 167 feet; thence South 83° 15' West 124.2 feet; thence South 9° 35' West 494 feet; thence West 615 feet along South boundary of said Section 24; thence North 1320 feet; thence East 1320 feet to the point of beginning.

ALSO SAVE AND EXCEPT THEREFROM THE FOLLOWING DESCRIBED PARCEL:

Beginning at the Southeast corner of the NE 1/4 of the NW 1/4 of Section 25, Township 29 South, Range 15 West of the Willamette Meridian, Coos County, Oregon; thence 1320 feet West; thence 330 feet North; thence 1320 feet East; thence 330 feet South to the point of beginning

TOGETHER WITH an easement for ingress and egress as conveyed in deed recorded December 14, 1932 in Book 118, Page 219, Deed Records of Coos County, Oregon.

Return to F.A.T.C.O.



After recording return to:
Bandon Biota LLC
2450 N. Lakeview Avenue
Chicago, IL 60614


Until a change is requested all tax
statements shall be sent to the
following address:
Bandon Biota LLC
2450 N. Lakeview Avenue
Chicago, IL 60614

File No.: 7131-2200775 (VRR)
Date: March 14, 2014

RECORDED BY
FIRST AMERICAN TITLE

THIS SPACE RESERVED FOR RECORDER'S USE

COOS COUNTY, OREGON **2014-02185**
\$51.00 03/24/2014 02:22:55 PM
Pgs=2



00005144201400021850020024
 Terr L. Turt, Coos County Clerk

STATUTORY WARRANTY DEED

Brian K. Flanagan and Connie R. Flanagan, as tenants by the entirety, Grantor, conveys and warrants to Bandon Biota LLC, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

LEGAL DESCRIPTION: Real property in the County of Coos, State of Oregon, described as follows:

Beginning at the Northwest corner of the Northeast quarter of the Southeast quarter of Section 25, Township 29 South, Range 15 West of the Willamette Meridian, Coos County, Oregon, running thence East to the West side of the Oregon Coast Highway; thence South on the West side of said Highway, 495 feet; thence West to a point due South of the place of beginning; thence North 495 feet to the place of beginning.

Subject to:

1. Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

The true consideration for this conveyance is **\$300,000.00**. (Here comply with requirements of ORS 93.030)

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Dated this 17 day of March, 2014

Brian K Flanagan
Brian K Flanagan

Connie R. Flanagan
Connie R Flanagan

STATE OF Oregon

County of Coos

UNOFFICIAL COPY

This instrument was acknowledged before me on this 17 day of March, 2014 by **Brian K Flanagan and Connie R Flanagan.**

Kathleen A Downard
Notary Public for Oregon
My commission expires:



After recording, return to:

Michael L. Dado Surveying, Inc.
Professional Land Surveyor #2661
2047 Grant Street
North Bend, OR 97459

RE-RECORDING CERTIFICATE COVER SHEET
PROPERTY LINE ADJUSTMENT DEED

GRANTOR: Fugate Farms, L.L.C.

GRANTEE: Bandon Biota, L.L.C. a Delaware Limited Liability Company

Consideration: None

Send Tax
Statements to: Bandon Biota, L.L.C.
2450 Lakeview Avenue
Chicago, IL 60614

MICHAEL L. DADO

This deed is being re-recorded at the request of the Coos County Assessor's office in order to correct the legal descriptions in "Exhibit A" and "Exhibit B" by changing the reference from Tax Lot Numbers in the earlier deed, to the Coos County Document number of the Deed describing said Tax Lots. This instrument was previously recorded in the Coos County deed records at No. 2007-11974, consisting of 6 pages. See attached corrected legals.

RETURN TO F.A.T. CO.

875812

RECORDED BY
FIRST AMERICAN TITLE

Send tax statements to:

After recording return to:

Bandon Biota, L.L.C.
2450 Lakeview Avenue
Chicago, IL 60614

Bandon Biota, L.L.C.
2450 Lakeview Avenue
Chicago, IL 60614

PROPERTY LINE ADJUSTMENT DEED

Fugate Farms L.L.C. GRANTOR(s) conveys and warrants to

Bandon Biota, L.L.C. a Delaware Limited Liability Company GRANTEE(s) the following described real property, situated in the County of Coos, State of Oregon:

SEE LEGAL DESCRIPTION ON ATTACHED EXHIBIT "A"

Subject to and excepting:

1. The rights of the public in and to that portion of the premises herein described lying within the limits of roads, streets and highways.

Coos County real property Tax Account No. 12403.00 and 12386.06

The consideration for this conveyance stated in terms of dollars is \$657,170.95

This is a property line adjustment deed. In compliance with ORS 92.190, the following information is furnished:

- 1. The names of the parties to this deed are as set forth above.
- 2. The description of the adjusted line is as follows:

SEE LEGAL DESCRIPTION ON ATTACHED EXHIBIT "B"

3. The deed whereby Grantor acquired title to the transferred property is recorded in Microfilm Reel No. 95-12-0453 of the Deed of Records of Coos County, Oregon.

4. The deed whereby Grantee acquired title to the property to which the transferred property is joined is recorded in Microfilm Reel No. 2003-10695 of the Deed Records of Coos County, Oregon.

5. The survey and monumentation, as required by ORS 92.060 and ORS 209.250, were done by Michael L. Dado PLS No. 2661. His survey is filed with the County Surveyor under Coos County Surveyor's Records, Map No. N/A.

THIS INSTRUMENT WILL 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 APPROVED USES.

Page 1 of 2

COOS COUNTY CLERK, OREGON
TERRI L. TURI, CCC, COUNTY CLERK
TOTAL \$51.00

09/11/2007 #2007-11974
02:36PM
1 OF 6

COOS COUNTY CLERK
State of Oregon
County of Coos
I hereby certify that the within is a copy of the original record on file in the County Clerk's office and custody.
This date 5-26-10
TERRI L. TURI, CCC, COUNTY CLERK
Marie Penick
Deputy

DATED this 6 day of September 2007.

John R. Fugate
John R. Fugate
Barbara Fugate
Barbara Fugate

COOS COUNTY CLERK, OREGON
TERRI L. TURL, CCC, COUNTY CLERK
TOTAL \$51.00

STATE OF OREGON)
)ss.
County of Coos)

This instrument was acknowledged before me on 9-6 2007, by John R. Fugate and Barbara Fugate



Vicki Rossback
Notary Public of Oregon
My Commission expires: 7/11/11

ACCEPTANCE

The undersigned grantee(s) hereby accept(s) this property line adjustment deed and signs this acceptance in accordance with ORS 92.190(4).

Representative: Bandon Biota, L.L.C.

STATE OF OREGON)
)ss.
County of Coos)

This instrument was acknowledged before me on _____, 200__, by _____

Notary Public of Oregon
My Commission expires: _____

09/11/2007 #2007-11974
02:36PM 2 OF 6

2

DATED this 7th day of September 2007

John R. Fugate

Barbara Fugate

STATE OF OREGON)
) yes.
County of Coos)

This instrument was acknowledged before me on _____, 2007, by _____

Notary Public of Oregon

My Commission expires: _____

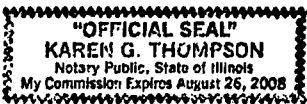
ACCEPTANCE

The undersigned grantee(s) hereby accept(s) this property line adjustment deed and signs this acceptance in accordance with ORS 82.190(4).

Michael Keiser
Representative: Brandon Bieta, LLC.

STATE OF Ill.)
) yes.
County of Cook)

This instrument was acknowledged before me on Sept. 2, 2007, by Michael Keiser



Karen G. Thompson
Notary Public of Illinois
My Commission expires: 8/26/08

3

COOS COUNTY CLERK, OREGON
TERRI L. TURTI, CCC, COUNTY CLERK
TOTAL \$51.00

09/11/2007 #2007-11974
02:36PM 3 OF 6

"Exhibit A"

Being a portion of the North ½ of Section 24 and the South ½ of Section 13, Township 29 South, Range 15 West of the Willamette Meridian, Coos County, Oregon

Beginning at a point on the West line of the NE ¼ of the NE ¼ of Section 24, Township 29 South, Range 15 West of the Willamette Meridian, Coos County, Oregon, said point being North 89° 01' 34" West - 1300.71 feet and South 00° 09' 47" East - 398.04 feet from the Northeast corner of said Section 24: thence leaving said West line, South 57° 32' 44" West for a distance of 81.06 feet; thence North 40° 31' 25" West for a distance of 40.35 feet; thence South 62° 06' 14" West for a distance of 21.06 feet; thence North 87° 59' 24" West for a distance of 165.71 feet; thence North 57° 53' 22" West for a distance of 151.73 feet; thence North 67° 59' 10" West for a distance of 108.11 feet; thence North 39° 01' 30" West for a distance of 53.74 feet; thence North 06° 01' 49" West for a distance of 56.84 feet; thence North 12° 55' 13" East for a distance of 111.77 feet; thence North 05° 39' 42" West for a distance of 266.90 feet; thence North 29° 13' 47" West for a distance of 89.70 feet; thence North 48° 59' 49" West for a distance of 84.01 feet; thence North 32° 28' 36" West for a distance of 73.61 feet; thence North 09° 27' 50" West for a distance of 132.67 feet; thence North 21° 50' 37" West for a distance of 106.74 feet; thence North 00° 30' 37" West for a distance of 82.76 feet; thence North 03° 59' 42" East for a distance of 88.06 feet; thence North 10° 48' 38" West for a distance of 119.94 feet; thence North 30° 50' 34" West for a distance of 77.30 feet; thence North 74° 25' 22" West for a distance of 91.29 feet; thence North 59° 03' 45" West for a distance of 111.26 feet; thence North 84° 08' 11" West for a distance of 73.32 feet; thence South 79° 55' 15" West for a distance of 212.31 feet; thence South 87° 37' 22" West for a distance of 164.22 feet to the East line of Tax Lot 1903, Map 29-15-13; thence Southerly along the East line of said Tax Lot 1903 for a distance of 1232 feet more or less to the Northeast corner of Tax Lot 100, Map 29-15-24; thence Southerly along the East line of said Tax Lot 100 for a distance of 1405 feet more or less to the Southeast corner of said Tax Lot 100, said point being on the South line of the NE ¼ of the NW ¼ of Section 24, Township 29 South, Range 15 W.W.M.; thence East along said 1/16 line for a distance of 3047.5 feet more or less to the Southeast Corner of the NE ¼ of the NE ¼ of said Section 24; thence along the East line of said Section 24, North 00° 19' 06" West for a distance of 579.64 feet; thence leaving said East line, thence North 65° 47' 03" West for a distance of 819.48 feet; thence North 78° 48' 33" West for a distance of 455.53 feet; thence South 57° 32' 44" West for a distance of 129.41 feet back to the point of beginning. Said parcel containing 96.8 acres of land more or less.

ALSO AND INCLUDING THE FOLLOWING DESCRIBED EASEMENT:

COOS COUNTY CLERK, OREGON
TERRI L. TURTI, CCC, COUNTY CLERK
TOTAL \$51.00

09/11/2007 #2007-11974
02:58PM 4 OF 6

4

An easement for ingress, egress and utilities including the installation and maintenance of such, said easement being 50 feet in width, 10 feet to the right and 40 feet to the left of the following described line:

Beginning at a point on the West line of the NE ¼ of the NE ¼ of Section 24, Township 29 South, Range 15 West of the Willamette Meridian, Coos County, Oregon, said point being North 89° 01' 34" West - 1300.71 feet and South 00° 09' 47" East - 398.04 feet from the Northeast corner of said Section 24: thence leaving said West line, South 57° 32' 44" West for a distance of 81.06 feet; thence North 40° 31' 25" West for a distance of 40.35 feet; thence South 62° 06' 14" West for a distance of 21.06 feet; thence North 87° 59' 24" West for a distance of 165.71 feet; thence North 57° 53' 22" West for a distance of 151.73 feet; thence North 67° 59' 10" West for a distance of 106.11 feet; thence North 39° 01' 30" West for a distance of 53.74 feet; thence North 06° 01' 49" West for a distance of 56.84 feet; thence North 12° 55' 13" East for a distance of 111.77 feet; thence North 05° 39' 42" West for a distance of 266.90 feet; thence North 29° 13' 47" West for a distance of 89.70 feet; thence North 48° 59' 49" West for a distance of 84.01 feet; thence North 32° 28' 36" West for a distance of 73.61 feet; thence North 09° 27' 50" West for a distance of 132.67 feet; thence North 21° 50' 37" West for a distance of 106.74 feet; thence North 00° 30' 37" West for a distance of 82.76 feet; thence North 03° 59' 42" East for a distance of 88.06 feet; thence North 10° 48' 38" West for a distance of 119.94 feet; thence North 30° 50' 34" West for a distance of 77.30 feet; thence North 74° 25' 22" West for a distance of 91.29 feet; thence North 59° 03' 45" West for a distance of 111.26 feet; thence North 84° 08' 11" West for a distance of 73.32 feet; thence South 79° 55' 15" West for a distance of 212.31 feet; thence South 87° 37' 22" West for a distance of 164.22 feet to the East line of Tax Lot 1903, Map 29-15-13.

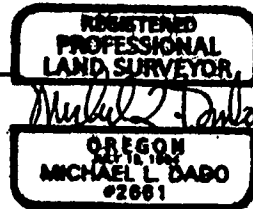
ALSO AND INCLUDING THE FOLLOWING DESCRIBED EASEMENT:

Being located in the NE ¼ of the NE ¼ of Section 24, Township 29 South, Range 15 West of the Willamette Meridian, Coos County, Oregon

An easement for the continued use and maintenance of an existing underground waterline, said easement being 50 feet in width, 25 feet on both sides of the following described line:

Beginning at a point 1283 feet South and 1039 feet West of the Northeast corner of said Section 24: thence North 02° 17' East for a distance of 950 feet.

06-07-900C



5

COOS COUNTY CLERK, OREGON
TERRI L. TURTI, CCC, COUNTY CLERK
TOTAL \$51.00

09/11/2007 #2007-11974
02:36PM 5 OF 6

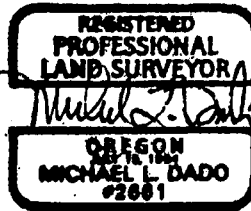
"Exhibit B"

Being located in the North 1/4 of Section 24 and the South 1/4 of Section 13,
Township 29 South, Range 15 West of the Willamette Meridian, Coos County,
Oregon

Beginning at the Southeast corner of Tax Lot 100, Map 29-15-24, said point being on the South line of the NE 1/4 of the NW 1/4 of Section 24, Township 29 South, Range 15 W.W.M. said point also being the point of beginning of the following adjusted line:
thence East along said 1/16 line for a distance of 3047.5 feet more or less to the Southeast Corner of the NE 1/4 of the NE 1/4 of said Section 24; thence along the East line of said Section 24, North 00° 19' 06" West for a distance of 579.64 feet; thence leaving said East line, thence North 65° 47' 03" West for a distance of 819.48 feet; thence North 78° 48' 33" West for a distance of 455.53 feet; thence South 57° 32' 44" West for a distance of 129.41 feet; thence continuing South 57° 32' 44" West for a distance of 81.06 feet; thence North 40° 31' 25" West for a distance of 40.35 feet; thence South 62° 06' 14" West for a distance of 21.06 feet; thence North 87° 59' 24" West for a distance of 165.71 feet; thence North 57° 53' 22" West for a distance of 151.73 feet; thence North 67° 59' 10" West for a distance of 106.11 feet; thence North 39° 01' 30" West for a distance of 53.74 feet; thence North 06° 01' 49" West for a distance of 56.84 feet; thence North 12° 55' 13" East for a distance of 111.77 feet; thence North 05° 39' 42" West for a distance of 266.90 feet; thence North 29° 13' 47" West for a distance of 89.70 feet; thence North 48° 59' 49" West for a distance of 84.01 feet; thence North 32° 28' 36" West for a distance of 73.61 feet; thence North 09° 27' 50" West for a distance of 132.67 feet; thence North 21° 50' 37" West for a distance of 106.74 feet; thence North 00° 30' 37" West for a distance of 82.76 feet; thence North 03° 59' 42" East for a distance of 88.06 feet; thence North 10° 48' 38" West for a distance of 119.94 feet; thence North 30° 50' 34" West for a distance of 77.30 feet; thence North 74° 25' 22" West for a distance of 91.29 feet; thence North 59° 03' 45" West for a distance of 111.26 feet; thence North 84° 08' 11" West for a distance of 73.32 feet; thence South 79° 55' 15" West for a distance of 212.31 feet; thence South 87° 37' 22" West for a distance of 164.22 feet to the East line of Tax Lot 1903, Map 29-15-13.

COOS COUNTY CLERK, OREGON
TERRI L. TURLI, CCC, COUNTY CLERK
TOTAL \$51.00

09/11/2007 #2007-11974
02:56PM 6 OF 6



06-07-900D

6

CORRECTED

"Exhibit A"

Being a portion of the North ½ of Section 24 and the South ½ of Section 13,
Township 29 South, Range 15 West of the Willamette Meridian, Coos County,
Oregon

Beginning at a point on the West line of the NE ¼ of the NE ¼ of Section 24,
Township 29 South, Range 15 West of the Willamette Meridian, Coos County,
Oregon, said point being North 89° 01' 34" West - 1300.71 feet and South 00° 09'
47" East - 398.04 feet from the Northeast corner of said Section 24:
thence leaving said West line, South 57° 32' 44" West for a distance of 81.06
feet; thence North 40° 31' 25" West for a distance of 40.35 feet; thence South 62°
06' 14" West for a distance of 21.06 feet; thence North 87° 59' 24" West for a
distance of 165.71 feet; thence North 57° 53' 22" West for a distance of 151.73
feet; thence North 67° 59' 10" West for a distance of 106.11 feet; thence North
39° 01' 30" West for a distance of 53.74 feet; thence North 06° 01' 49" West for a
distance of 56.84 feet; thence North 12° 55' 13" East for a distance of 111.77
feet; thence North 05° 39' 42" West for a distance of 266.90 feet; thence North
29° 13' 47" West for a distance of 89.70 feet; thence North 48° 59' 49" West for a
distance of 84.01 feet; thence North 32° 28' 36" West for a distance of 73.61 feet;
thence North 09° 27' 50" West for a distance of 132.67 feet; thence North 21° 50'
37" West for a distance of 106.74 feet; thence North 00° 30' 37" West for a
distance of 82.76 feet; thence North 03° 59' 42" East for a distance of 88.06 feet;
thence North 10° 48' 38" West for a distance of 119.94 feet; thence North 30° 50'
34" West for a distance of 77.30 feet; thence North 74° 25' 22" West for a
distance of 91.29 feet; thence North 59° 03' 45" West for a distance of 111.26
feet; thence North 84° 08' 11" West for a distance of 73.32 feet; thence South 79°
55' 15" West for a distance of 212.31 feet; thence South 87° 37' 22" West for a
distance of 164.22 feet to the East line of a tract of land, as described in Coos
County Document # 2003-10695; thence Southerly along the East line of said
tract for a distance of 1232 feet more or less to the Northeast corner of a second
tract of land as described in Coos County Document # 2003-10695; thence
Southerly along the East line of said second tract for a distance of 1405 feet
more or less to the Southeast corner of said second tract, as described in Coos
County Document # 2003-10695, said point being on the South line of the NE ¼
of the NW ¼ of Section 24, Township 29 South, Range 15 W.W.M.; thence East
along said 1/16 line for a distance of 3047.5 feet more or less to the Southeast
Corner of the NE ¼ of the NE ¼ of said Section 24; thence along the East line of
said Section 24, North 00° 19' 06" West for a distance of 579.64 feet; thence
leaving said East line, thence North 65° 47' 03" West for a distance of 819.48
feet; thence North 78° 48' 33" West for a distance of 455.53 feet; thence South
57° 32' 44" West for a distance of 129.41 feet back to the point of beginning. Said
parcel containing 96.8 acres of land more or less.

ALSO AND INCLUDING THE FOLLOWING DESCRIBED EASEMENT:

An easement for ingress, egress and utilities including the installation and maintenance of such, said easement being 50 feet in width, 10 feet to the right and 40 feet to the left of the following described line:

Beginning at a point on the West line of the NE ¼ of the NE ¼ of Section 24, Township 29 South, Range 15 West of the Willamette Meridian, Coos County, Oregon, said point being North 89° 01' 34" West - 1300.71 feet and South 00° 09' 47" East - 398.04 feet from the Northeast corner of said Section 24: thence leaving said West line, South 57° 32' 44" West for a distance of 81.06 feet; thence North 40° 31' 25" West for a distance of 40.35 feet; thence South 62° 06' 14" West for a distance of 21.06 feet; thence North 87° 59' 24" West for a distance of 165.71 feet; thence North 57° 53' 22" West for a distance of 151.73 feet; thence North 67° 59' 10" West for a distance of 106.11 feet; thence North 39° 01' 30" West for a distance of 53.74 feet; thence North 06° 01' 49" West for a distance of 56.84 feet; thence North 12° 55' 13" East for a distance of 111.77 feet; thence North 05° 39' 42" West for a distance of 266.90 feet; thence North 29° 13' 47" West for a distance of 89.70 feet; thence North 48° 59' 49" West for a distance of 84.01 feet; thence North 32° 28' 36" West for a distance of 73.61 feet; thence North 09° 27' 50" West for a distance of 132.67 feet; thence North 21° 50' 37" West for a distance of 106.74 feet; thence North 00° 30' 37" West for a distance of 82.76 feet; thence North 03° 59' 42" East for a distance of 88.06 feet; thence North 10° 48' 38" West for a distance of 119.94 feet; thence North 30° 50' 34" West for a distance of 77.30 feet; thence North 74° 25' 22" West for a distance of 91.29 feet; thence North 59° 03' 45" West for a distance of 111.26 feet; thence North 84° 08' 11" West for a distance of 73.32 feet; thence South 79° 55' 15" West for a distance of 212.31 feet; thence South 87° 37' 22" West for a distance of 164.22 feet to the East line of a tract of land, as described in Coos County Document # 2003-10695.

ALSO AND INCLUDING THE FOLLOWING DESCRIBED EASEMENT:

Being located in the NE ¼ of the NE ¼ of Section 24, Township 29 South, Range 15 West of the Willamette Meridian, Coos County, Oregon

An easement for the continued use and maintenance of an existing underground waterline, said easement being 50 feet in width, 25 feet on both sides of the following described line:

Beginning at a point 1283 feet South and 1039 feet West of the Northeast corner of said Section 24:
thence North 02° 17' East for a distance of 950 feet.

06-07-900C



EXP 12-31-11

CORRECTED

"Exhibit B"

Being located in the North ½ of Section 24 and the South ½ of Section 13,
Township 29 South, Range 15 West of the Willamette Meridian, Coos County,
Oregon

Beginning at the Southeast corner of a tract of land, as described in Coos County Document # 2003-10695, said point being on the South line of the NE ¼ of the NW ¼ of Section 24, Township 29 South, Range 15 W.W.M. said point also being the point of beginning of the following adjusted line:

thence East along said 1/16 line for a distance of 3047.5 feet more or less to the Southeast Corner of the NE ¼ of the NE ¼ of said Section 24; thence along the East line of said Section 24, North 00° 19' 06" West for a distance of 579.64 feet; thence leaving said East line, thence North 65° 47' 03" West for a distance of 819.48 feet; thence North 78° 48' 33" West for a distance of 455.53 feet; thence South 57° 32' 44" West for a distance of 129.41 feet; thence continuing South 57° 32' 44" West for a distance of 81.06 feet; thence North 40° 31' 25" West for a distance of 40.35 feet; thence South 62° 06' 14" West for a distance of 21.06 feet; thence North 87° 59' 24" West for a distance of 165.71 feet; thence North 57° 53' 22" West for a distance of 151.73 feet; thence North 67° 59' 10" West for a distance of 106.11 feet; thence North 39° 01' 30" West for a distance of 53.74 feet; thence North 06° 01' 49" West for a distance of 56.84 feet; thence North 12° 55' 13" East for a distance of 111.77 feet; thence North 05° 39' 42" West for a distance of 266.90 feet; thence North 29° 13' 47" West for a distance of 89.70 feet; thence North 48° 59' 49" West for a distance of 84.01 feet; thence North 32° 28' 36" West for a distance of 73.61 feet; thence North 09° 27' 50" West for a distance of 132.67 feet; thence North 21° 50' 37" West for a distance of 106.74 feet; thence North 00° 30' 37" West for a distance of 82.76 feet; thence North 03° 59' 42" East for a distance of 88.06 feet; thence North 10° 48' 38" West for a distance of 119.94 feet; thence North 30° 50' 34" West for a distance of 77.30 feet; thence North 74° 25' 22" West for a distance of 91.29 feet; thence North 59° 03' 45" West for a distance of 111.26 feet; thence North 84° 08' 11" West for a distance of 73.32 feet; thence South 79° 55' 15" West for a distance of 212.31 feet; thence South 87° 37' 22" West for a distance of 164.22 feet to the East line of a tract of land, as described in Coos County Document # 2003-10695.



06-07-900D

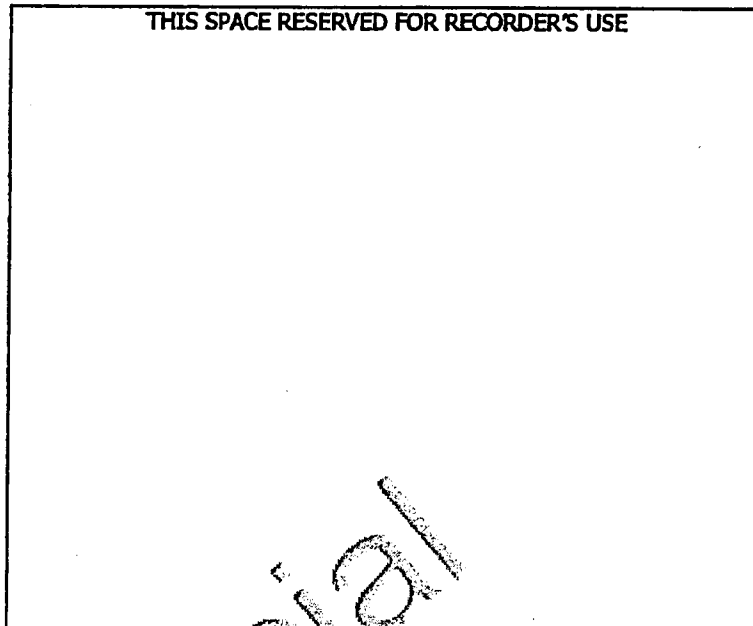
EXP 12-31-11



After recording return to:
Bandon Biota, LLC
3535 North Broadway
Chicago, IL 60613

Until a change is requested all tax statements shall be sent to the following address:
Bandon Biota, LLC
3535 North Broadway
Chicago, IL 60613

File No.: 7132-117409 (VEF)
Date: May 08, 2003



RETURN TO F.A.T. CO.

STATUTORY WARRANTY DEED

Marci Murray and David Kranick as tenants by the entirety, Grantor, conveys and warrants to Bandon Biota, LLC, a Delaware Limited Liability Company, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

See Attached Exhibit "A"

This property is free from liens and encumbrances, EXCEPT: those liens or encumbrances of record, if any

1. Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

THIS INSTRUMENT WILL 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 APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

The true consideration for this conveyance is **\$270,000.00**. (Here comply with requirements of ORS 93.030)

Date: February 25, 2003

File No.: 7132-117409 (VEF)

EXHIBIT 'A'

LEGAL DESCRIPTION:

Beginning on the North line of the Southeast Quarter (SE 1/4) of the Northwest Quarter (NW 1/4) of Section 24, Township 29 South, Range 15 West of the Willamette Meridian, Coos County, Oregon, from which it's Northeast Corner (CN 1/16 corner) bears South 88° 55' 38" East 1214.33 feet; thence due South 735.89 feet to a point (from which a 5/8" iron rod bears due West 50.00 feet); thence South 5° 20' 10" West 1650.84 feet; thence due West 50.00 feet to a point (from which a 5/8" iron rod bears due West 60.00 feet); thence South 53° 50' 11" West 162.01 feet to a 5/8" iron rod; thence South 22° 44' 55" West 113.84 feet to a 5/8" iron rod; thence South 32° 51' 38" West 168.24 feet to a point (from which a 5/8" iron rod bears due West 35.00 feet); thence South 11° 25' 25" West 472.96 feet to a 5/8" iron rod; thence South 19° 04' 01" West 193.18 feet to a 5/8" iron rod; thence South 0° 56' 41" West 451.89 feet to a 5/8" iron rod; thence South 9° 00' 32" West 600.82 feet to a 5/8" iron rod; thence South 70° 00' 03" East 209.12 feet to a 5/8" iron rod; thence South 38° 33' 45" East 235.10 feet to a point (from which a 5/8" iron rod bears due East 30.00 feet); thence due East 30.00 feet to a said 5/8" iron rod; thence continuing due East 247.76 feet, more or less, to the East line of the Northwest Quarter (NW 1/4) of the Northwest Quarter (NW 1/4) of Section 25, and Township 29 South, Range 15 West; thence Southerly 552.20 feet, more or less, along said East line into the South line of said Northwest Quarter (NW 1/4) of the Northwest Quarter (NW 1/4); thence Westerly 1299.29 feet, more or less, along said South line to a 5/8" iron rod at the Southwest corner of said NW 1/4 of the NW 1/4; thence North 0° 02' 17" West 1314.64 feet, along the Bandon State Park Boundary to a 2 1/2" brass cap iron pipe at the Northwest corner of said Section 25; thence continuing along said park boundary North 00° 18' 28" East 3919.44 feet to a 5/8" iron rod at the Northwest corner of the Southwest Quarter (SW 1/4) of the Northwest Quarter (NW 1/4) of Section 24; thence South 88° 55' 38" East 1316.22 feet along the North line of said Northwest Quarter (NW 1/4) to a 5/8" iron rod; thence continuing South 88° 55' 38" East 71.45 feet to the point of beginning.

The above described property is based on that survey dated April 16, 2003 and recorded as CS#39B84, Survey Records of said Coos County, Oregon.

"Together with a non-exclusive easement for ingress and egress as set forth in instrument recorded January 16, 1981 as Microfilm No. 81-1-0684, and in instrument recorded December 14, 1932 in Vol. 118, Page 119, Deed Records of Coos County, Oregon.

After recording, return to:
Steve Wilgers, P.C.
P.O. Box 29
Coos Bay, OR 97420

Until a change is requested,
Send all tax statements to:

Vivian M. Brown
87226 Kranberry Lane
Bandon, OR 97411

RETURN TO F.A.T. CO.

117409 VF

The consideration is nil

Grantor: Vivian M. Brown, 87226 Kranberry Lane, Bandon, OR 97411
Grantee: Vivian M. Brown, 87226 Kranberry Lane, Bandon, OR 97411

BOUNDARY ADJUSTMENT DEED

VIVIAN M. BROWN (formerly VIVIAN M. KRANICK), is the owner of the real property described as:

PARCEL ONE AS IDENTIFIED IN INSTRUMENT NO. 32862, VOLUME 171, PAGE 21, DEED RECORDS OF COOS COUNTY, described as follows:

The Southwest quarter of the Northwest quarter, the West half of the Southwest quarter of Section 24, The Northwest quarter of the Northwest quarter of Section 25, Township 29 South, Range 15 West of the Willamette Meridian, Coos County, Oregon.

VIVIAN M. BROWN (formerly VIVIAN M. KRANICK), is also the owner of the real property described as:

PARCEL TWO AS IDENTIFIED AS INSTRUMENT NO. 46305, IN VOLUME 300, PAGE 221, DEED RECORDS OF COOS COUNTY, OREGON, described as follows:

Parcel II. The Southeast quarter of the Northwest quarter (SE1/4 NW1/4), the northeast quarter of the southwest quarter (NE1/4 SW1/4), and the southeast quarter of the southwest quarter (SE1/4 SW1/4), of Section 24, Township 29 South, Range 15 West of the Willamette Meridian, in Coos County, excepting that portion theretofore deeded to Martin E. Kranick and Vivian M. Kranick, the

deed recorded September 11, 1952 in Book 221, Page 242, Deed Records, Coos County, Oregon.

Parcel One and Parcel Two share a common boundary. Vivian M. Brown desires to adjust that boundary by a conveyance from Parcel One to Parcel Two and a conveyance from Parcel Two to Parcel One.

ADJUSTMENT ONE

Vivian M. Brown hereby conveys to Vivian M. Brown the following described property from Parcel One to Parcel Two:

Commencing at the southeast corner of the Northwest Quarter (NW ¼) of the Northwest Quarter (NW ¼) of Section 25, Township 29 South, Range 15 West of the Willamette Meridian, Coos County, Oregon;
Thence Northerly along the North/South centerline of said Northwest Quarter (NW ¼) 552.20 feet to the True Point of Beginning;
Thence Due West 247.76 feet to a 5/8" iron rod;
Thence continuing Due West 30.00 feet;
Thence North 38° 33' 45" West 285.10 feet to a 5/8" iron rod;
Thence North 70° 00' 03" West 209.12 feet to a 5/8" iron rod;
Thence North 9° 00' 52" East 300.82 feet to a 5/8" iron rod;
Thence North 0° 56' 41" East 451.89 feet to a 5/8" iron rod;
Thence North 19° 04' 01" East 193.18 feet to a 5/8" iron rod;
Thence North 11° 25' 26" East 472.96 feet to a point (from which a 5/8" iron rod bears Due West 35.00 feet);
Thence North 32° 51' 38" East 166.24 feet to a 5/8" iron rod;
Thence North 22° 44' 55" East 113.84 feet to a 5/8" iron rod;
Thence North 53° 50' 11" East 162.01 feet to a point (from which a 5/8" iron rod bears Due West 60.00 feet);
Thence Due East 50.00 feet;
Thence North 5° 20' 10" East 629.38 feet, more or less, to the North/South centerline of Southwest Quarter (SW ¼) of Section 24, said Township and Range;
Thence Southerly 2162.22 feet, more or less, along said centerline to the Section line common to said Sections 24 and 25;
Thence continuing Southerly 753.11 feet along the North/South centerline of the Northwest Quarter (NW ¼) of said Section 25 to the True Point of Beginning, containing 24.62 acres, more or less.

ADJUSTMENT TWO

Vivian M. Brown conveys from Parcel Two to Parcel One the following described property:

Beginning on the North line of the Southeast Quarter (SE ¼) of the Northwest Quarter (NW ¼) of Section 24, Township 29 South, Range 15 West of the Willamette Meridian, Coos County, Oregon, from which it's Northeast corner (CN 1/16 corner) bears South 88° 55' 38" East 1214.33 feet;
Thence Due South 735.89 feet to a point (from which a 5/8" iron rod bears Due West 50.00 feet);
Thence South 5° 20' 10" West 1021.46 feet, more or less, to the North/South centerline of the Southwest Quarter (SW ¼) of said Section 24;
Thence Northerly 1754.56 feet, more or less, along the North/South centerline of said Southwest Quarter (SW ¼) and the Northwest Quarter (NW ¼) to the Northwest corner of said Southeast Quarter (SE ¼) of the Northwest Quarter (NW ¼);
Thence South 88° 55' 38" East 86.67 feet to the Point of beginning, containing 2.55 acres, more or less.

After transfer of the above described adjustments, the description of the property owned by Vivian M. Brown as Parcel One above is as follows:

Beginning on the North line of the Southeast Quarter (SE ¼) of the Northwest Quarter (NW ¼) of Section 24, Township 29 South, Range 15 West of the Willamette Meridian, Coos County, Oregon, from which it's Northeast corner (CN 1/16 corner) bears South 88° 55' 38" East 1214.33 feet;
Thence Due South 735.89 feet to a point (from which a 5/8" iron rod bears Due West 50.00 feet);
Thence South 5° 20' 10" West 1650.84 feet;
Thence Due West 50.00 feet to a point (from which a 5/8" iron rod bears Due West 60.00 feet);
Thence South 53° 50' 11" West 162.01 feet to a 5/8" iron rod;
Thence South 22° 44' 55" West 113.84 feet to a 5/8" iron rod;
Thence South 32° 51' 38" West 168.24 feet to a point (from which a 5/8" iron rod bears Due West 35.00 feet);
Thence South 11° 25' 26" West 472.96 feet to a 5/8" iron rod;
Thence South 19° 04' 01" West 193.18 feet to a 5/8" iron rod;
Thence South 0° 56' 41" West 451.89 feet to a 5/8" iron rod;
Thence South 9° 00' 32" West 600.82 feet to a 5/8" iron rod;
Thence South 70° 00' 03" East 209.12 feet to a 5/8" iron rod;

Thence South 38° 33' 45" East 235.10 feet to a point (from which a 5/8" iron rod bears Due East 30.00 feet);
Thence Due East 30.00 feet to said 5/8" iron rod;
Thence continuing Due East 247.76 feet, more or less, to the East line of the Northwest Quarter (NW ¼) of the Northwest Quarter (NW ¼) of Section 25, said Township 29 South, Range 15 West;
Thence Southerly 552.20 feet, more or less, along said East line to the South line of said Northwest Quarter (NW ¼) of the Northwest Quarter (NW ¼);
Thence Westerly 1299.29 feet, more or less, along said South line to a 5/8" iron rod at the Southwest corner of said NW ¼ of the NW ¼;
Thence North 0° 02' 17" West 1314.64 feet, along the Bandon State Park Boundary to a 2 ½" brass cap iron pipe at the Northwest corner of said Section 25;
Thence continuing along said park boundary North 0° 18' 28" East 3919.44 feet to a 5/8" iron rod at the Northwest corner of the Southwest Quarter (SW ¼) of the Northwest Quarter (NW ¼) of said Section 24;
Thence South 88° 55' 38" East 1316.22 feet along the North line of said Northwest Quarter (NW ¼) to a 5/8" iron rod;
Thence continuing South 88° 55' 38" East 71.45 feet to the Point of Beginning.

The above described area contains 134.2 acres, more or less, and is based on that survey dated April 16, 2003, and recorded as CS #39B84, Survey Records of said Coos County, Oregon.

After transfer of the above described adjustments, the boundary line, the description of the property owned by Vivian M. Brown as Parcel Two above is as follows:

Beginning at the Northeast corner of the Southeast Quarter (SE ¼) of the Northwest Quarter (NW ¼) of Section 24, Township 29 South, Range 15 West of the Willamette Meridian, Coos County, Oregon;
Thence South 0° 03' 00" West 2607.57 feet along the North/South centerline of said Section 24 to the Northeast corner of the Southeast Quarter (SE ¼) of the Southwest Quarter (SW ¼), the same being the CS 1/16 corner of said Section 24;
Thence continuing South 374 feet along said North/South centerline;
Thence North 78° 25' 00" West 345.6 feet;
Thence South 10° 45' 00" West 338.7 feet;
Thence North 80° 30' 00" West 83.0 feet;

Thence South 5° 05' 00" West 167.0 feet;
Thence South 83° 15' 00" West 124.2 feet;
Thence South 9° 35' 00" West 494 feet, more or less, to the South line of said Section 24;
Thence Westerly a Record Deed distance of 615 feet along said South boundary to the Northeast corner of the Northwest Quarter (NW ¼) of the Northwest Quarter (NW ¼) of Section 25, said Township and Range;
Thence Southerly 753.11 feet, more or less, along the East line of said NW ¼ of the NW ¼ to a point which bears Due East 247.76 feet from a 5/8" iron rod;
Thence Due West 247.76 feet to said 5/8" iron rod;
Thence continuing Due West 30.00 feet;
Thence North 38° 33' 45" West 235.10 feet to a 5/8" iron rod;
Thence North 70° 00' 03" West 209.12 feet to a 5/8" iron rod;
Thence North 9° 00' 32" East 600.82 feet to a 5/8" iron rod;
Thence North 0° 56' 41" East 451.89 feet to a 5/8" iron rod;
Thence North 19° 04' 01" East 193.18 feet to a 5/8" iron rod;
Thence North 11° 25' 26" East 472.96 feet to a point (from which a 5/8" iron rod bears Due West 35.90 feet);
Thence North 32° 51' 38" East 168.24 feet to a 5/8" iron rod;
Thence North 22° 44' 55" East 113.84 feet to a 5/8" iron rod;
Thence North 53° 50' 11" East 162.01 feet to a point (from which a 5/8" iron rod bears Due West 60.00 feet);
Thence Due East 50.00 feet;
Thence North 5° 20' 10" East 1650.84 feet to a point (from which a 5/8" iron rod bears Due West 50.00 feet);
Thence Due North 735.89 feet, more or less, to the North line of the Southeast Quarter (SE ¼) of the Northwest Quarter (NW ¼) of said Section 24;
Thence South 88° 55' 38" East 1214.33 feet along said North line to the Point of Beginning, containing 127.6 acres, more or less.
Also, that parcel described in Vol. 221, Pg. 242, Deed Records of Coos County, Oregon, containing 41.01 acres, more or less. (Tax Lot 300, 29-15-24 and Tax Lot 800, 29-15-25).

The adjusted line is described as follows:

Commencing at the Northeast corner of the Southeast Quarter (SE ¼) of the Northwest Quarter (NW ¼) of Section 24, Township 29 South, Range 15 West of the Willamette Meridian, Coos County, Oregon;
Thence North 88° 55' 38" West 1214.33 feet along the North line of said Southeast Quarter (SE ¼) of the Northwest Quarter (NW ¼)

to the True Point of Beginning of the adjusted line described as follows:

Thence Due South 735.89 feet to a point (from which a 5/8" iron rod bears Due West 50.00 feet);
Thence South 5° 20' 10" West 1650.84 feet;
Thence Due West 50.00 feet to a point (from which a 5/8" iron rod bears Due West 60.00 feet);
Thence South 53° 50' 11" West 162.01 feet to a 5/8" iron rod;
Thence South 22° 44' 55" West 113.84 feet to a 5/8" iron rod;
Thence South 32° 51' 38" West 168.24 feet to a point (from which a 5/8" iron rod bears Due West 35.00 feet);
Thence South 11° 25' 26" East 472.96 feet to a 5/8" iron rod;
Thence South 19° 04' 01" West 193.18 feet to a 5/8" iron rod;
Thence South 0° 56' 41" West 451.89 feet to a 5/8" iron rod;
Thence South 9° 00' 32" West 600.82 feet to a 5/8" iron rod;
Thence South 70° 00' 03" East 209.12 feet to a 5/8" iron rod;
Thence South 38° 33' 45" East 235.10 feet to a point (from which a 5/8" iron rod bears Due East 30.00 feet);
Thence Due East 30.00 feet to said 5/8" iron rod;
Thence continuing Due East 247.76 feet, more or less, to the East line of the Northwest Quarter (NW ¼) of the Northwest Quarter (NW ¼) of Section 25, said Township 29 South, Range 15 West and the end of the hereby described adjusted line.

THIS INSTRUMENT WILL 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 APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

DATED this 8 day of May, 2003.

Vivian M. Brown
Vivian M. Brown (formerly Vivian M. Kranick)

TL 1000
HOFFER LANE.



After recording return to:
Bandon Biota, LLC
2450 Lakeview Ave.
Chicago, IL 60614

Until a change is requested all tax statements
shall be sent to the following address:
Bandon Biota, LLC
2450 Lakeview Ave.
Chicago, IL 60614

File No.: 7132-1531282 (VRR)
Date: February 08, 2010

THIS SPACE RESERVED FOR RECORDER'S USE

RECORDED BY
FIRST AMERICAN TITLE

STATUTORY WARRANTY DEED

Ronald Dale Puhl and Mary Anne Puhl, trustees of the Ronald & Mary Anne Puhl Trust under agreement, dated December 1, 1995, Grantor, conveys and warrants to Bandon Biota, LLC, a Delaware limited liability company, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

See Legal Description attached hereto as Exhibit A and by this reference incorporated herein.

Subject to:

1. Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

The true consideration for this conveyance is **\$1,300,000.00**. (Here comply with requirements of ORS 93.030)

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, OF CHAPTER 424, OREGON LAWS 2007. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195-336 AND SECTIONS 5 TO 11, OF CHAPTER 424, OREGON LAWS 2007.

Dated this 24 day of May, 2010

Ronald Dale Puhl and Mary Anne Puhl,
trustees of the Ronald & Mary Anne Puhl
Trust under agreement dated December 1,
1995

Ronald Dale Puhl
Ronald Dale Puhl, Trustee

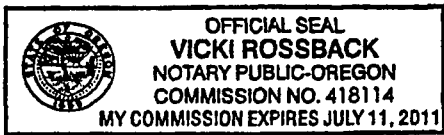
Mary Anne Puhl
Mary Anne Puhl, Trustee

Unofficial Copy

STATE OF Oregon)
)ss.
County of Coos)

This instrument was acknowledged before me on this 24 day of May, 2010
by Ronald Dale Puhl and Mary Anne Puhl as Trustees of Ronald & Mary Anne Puhl Trust under agreement
dated December 1, 1995, on behalf of the Trust.

Vicki Rossback



Notary Public for Oregon
My commission expires: 7/11/11

APN: 12416.01

Statutory Warranty Deed
- continued

File No.: 7132-1531282 (VRR)
Date: 02/08/2010

EXHIBIT A

LEGAL DESCRIPTION: Real property in the County of Coos, State of Oregon, described as follows:

PARCEL I:

THE SOUTH HALF OF THE NORTHWEST QUARTER OF SECTION 25, TOWNSHIP 29 SOUTH, RANGE 15 WEST OF THE WILLAMETTE MERIDIAN, COOS COUNTY, OREGON.

EXCEPTING THEREFROM THE SOUTH 60 FEET OF THE ABOVE DESCRIBED PARCEL.

ALSO: BEGINNING AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 25, TOWNSHIP 29 SOUTH, RANGE 15 WEST OF THE WILLAMETTE MERIDIAN, COOS COUNTY, OREGON; THENCE WEST 1320 FEET; THENCE NORTH 330 FEET; THENCE EAST 1320 FEET; THENCE SOUTH 330 FEET TO THE POINT OF BEGINNING.

ALSO: THE SOUTH 60 FEET OF THE NORTH HALF OF SECTION 25, TOWNSHIP 29 SOUTH, RANGE 15 WEST OF THE WILLAMETTE MERIDIAN, COOS COUNTY, OREGON.

EXCEPTING THEREFROM THAT PORTION CONVEYED TO THE STATE OF OREGON, BY AND THROUGH ITS DEPARTMENT OF TRANSPORTATION, HIGHWAY DIVISION, BY INSTRUMENT RECORDED APRIL 30, 1984 AS MICROFILM NO. 84-3-4121, RECORDS OF COOS COUNTY, OREGON.

PARCEL II:

THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 25, TOWNSHIP 29 SOUTH, RANGE 15 WEST OF THE WILLAMETTE MERIDIAN, COOS COUNTY, OREGON.



After recording return to:
Bandon Biota, LLC
2450 N. Lakeview Avenue
Chicago, IL 60614


Until a change is requested all tax
statements shall be sent to the
following address:
Bandon Biota, LLC
2450 N. Lakeview Avenue
Chicago, IL 60614

File No.: 7131-2344093 (VRR)
Date: November 05, 2014

THIS SPACE RESERVED FOR RECORDER'S USE

COOS COUNTY, OREGON **2015-00427**

\$56.00 01/16/2016 02:22:41 PM
Pg=3



00018668201500004270030037

Terri L. Turl, Coos County Clerk

STATUTORY WARRANTY DEED

Edward D. Mills and F. Eileen Mills, as tenants by the entirety, Grantor, conveys and warrants to Bandon Biota, LLC, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

See Legal Description attached hereto as Exhibit A and by this reference incorporated herein.

Subject to:

1. Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

The true consideration for this conveyance is **\$325,000.00**. (Here comply with requirements of ORS 93.030)

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Dated this 15 day of Jan, 2015

Edward D. Mills
Edward D. Mills

F. Eileen Mills
F. Eileen Mills

STATE OF Oregon

County of Coos

UNOFFICIAL COPY

This instrument was acknowledged before me on this 15 day of Jan, 2015 by **Edward D. Mills and F. Eileen Mills.**

Vicki R. Rosback



Notary Public for Oregon
My commission expires: 7/13/15

EXHIBIT A

LEGAL DESCRIPTION: Real property in the County of Coos, State of Oregon, described as follows:

PARCEL I: The North 100 feet of the S 1/2 of the N 1/2 of the S 1/2 of the NE 1/4 of the SE 1/4 of Section 25, Township 29 South, Range 15 West of the Willamette Meridian, Coos County, Oregon.

ALSO: The South 50 feet of the N 1/2 of the N 1/2 of the S 1/2 of the NE 1/4 of the SE 1/4 of Section 25, Township 29 South, Range 15 West of the Willamette Meridian, Coos County, Oregon.

PARCEL II: Beginning at a point which is the Northwest corner of the NE 1/4 of the SE 1/4 of Section 25, Township 29 South, Range 15 West of the Willamette Meridian, Coos County, Oregon; thence South 495 feet to the place of beginning; thence South 165 feet; thence East 1320 feet; thence North 165 feet; thence West 1320 feet to the place of beginning.

ALSO: The N 1/2 of the N 1/2 of the S 1/2 of the NE 1/4 of the SE 1/4 of Section 25, Township 29 South, Range 15 West of the Willamette Meridian, Coos County, Oregon. Except the South 50 feet thereof

NOTE: This Legal Description was created prior to January 01, 2008.

Unofficial Copy

72100+

RETURN TO F.A.T. CO.



After recording return to:
Bandon Biota, LLC
2450 Lakeview Ave
Chicago, IL 60614

Until a change is requested all tax statements shall be sent to the following address:
Bandon Biota, LLC
2450 Lakeview Ave
Chicago, IL 60614

File No.: 7132-194678 (VEF)
Date: July 16, 2003

THIS SPACE RESERVED FOR RECORDER'S USE

STATUTORY WARRANTY DEED

John R. Fugate and Barbara Fugate, Grantor, conveys and warrants to **Bandon Biota, LLC, a Delaware Limited Liability Company**, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

See Legal Description attached hereto as Exhibit A and by this reference incorporated herein.

This property is free from liens and encumbrances, EXCEPT: those liens and encumbrances of record if any

THIS INSTRUMENT WILL 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 APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

The true consideration for this conveyance is **\$1,150,000.00**. (Here comply with requirements of ORS 93.030)

3

APN:

Statutory Warranty Deed
- continued

File No.: 7132-194678 (VEF)
Date: 07/16/2003

John R. Fugate
John R. Fugate

Barbara Fugate
Barbara Fugate

STATE OF Oregon)
County of Coos)ss.
)

This instrument was acknowledged before me on this 17th day of July, 2003
by **John R. Fugate and Barbara Fugate.**

Vicki Falke
Notary Public for Oregon

My commission expires: 9/6/05



Unofficial Copy

APN:

Statutory Warranty Deed
- continued

File No.: 7132-194678 (VEF)
Date: 07/16/2003

EXHIBIT A

LEGAL DESCRIPTION:

Parcel I

A portion of the Southeast 1/4 of the Southwest 1/4 of Section 13, Township 29 South, Range 15 West of the Willamette Meridian, Coos County, Oregon.

Beginning at a point on the South line of Section 13, Township 29 South, Range 15 West of the Willamette Meridian, Coos County, Oregon, said point being North 88° 56' 17" West a distance of 482.22 feet from the 5/8" iron rod which marks the 1/4 corner common to Sections 24 and 13, Township 29 South, Range 15 West of the Willamette Meridian, Coos County, Oregon:

Thence continuing along said South line, North 88° 56' 17" West for a distance of 643.41 feet more or less to a point which is 175.00 feet from the Southwest corner of said Southeast 1/4 of the Southwest 1/4 of Section 13; thence in a Northerly direction, parallel to and 175.00 feet from the East line of said Southeast 1/4 of the Southwest 1/4 of Section 13, North 00° 05' 10" East for a distance of 1309.34 feet more or less to the North line of the Southeast 1/4 of the Southwest 1/4 of Section 13; thence along said North line, South 88° 56' 24" East for a distance of 669.22 feet; thence leaving said North line of the Southeast 1/4 of the Southwest 1/4 of Section 13, South 11° 52' 14" East for a distance of 579.13 feet, thence South 04° 31' 42" East for a distance of 183.66 feet; thence South 14° 16' 03" West for a distance of 145.09 feet; thence South 05° 06' 48" West for a distance of 361.77 feet; thence South 58° 07' 21" West for a distance of 110.00 feet more or less back to the point of beginning.

EXCEPT: That portion conveyed to Melvin E. Boak, et ux, in Instrument bearing Microfilm No. 81-2-7779, Records of Coos County, Oregon.

Parcel II

The North half of the Northwest quarter of Section 24, Township 29 South, Range 15 West of the Willamette Meridian, Coos County, Oregon.

Save and except therefrom the following described parcel;

A portion of the Northeast 1/4 of the Northwest 1/4 of Section 24, Township 29 South, Range 15 West of the Willamette Meridian, Coos County, Oregon.

Beginning at the 5/8" Iron rod which marks the 1/4 corner common to Sections 24 and 13, Township 29 South, Range 15 West of the Willamette Meridian, Coos County, Oregon:

APN:

Statutory Warranty Deed
- continued

File No.: 7132-194678 (VEF)
Date: 07/16/2003

Thence along the North line of said Section 24, North 88° 56' 17" West for a distance of 482.22 feet; thence leaving said North line, South 14° 24' 12" West for a distance of 129.16 feet; thence South 27° 16' 00" West for a distance of 184.16 feet; thence South 00° 47' 58" East for a distance of 450.24 feet; thence South 60° 51' 35" East for a distance of 130.08 feet; thence South 21° 34' 47" East for a distance of 80.74 feet; thence South 09° 17' 13" East for a distance of 169.10 feet; thence South 10° 00' 56" West for a distance of 119.20 feet; thence South 01° 33' 48" East for a distance of 145.80 feet more or less to the South line of the Northeast 1/4 of the Northwest 1/4 of said Section 24; thence along said South line, South 88° 56' 13" East for a distance of 434.47 feet more or less to the Southeast corner of said Northeast 1/4 of the Northwest 1/4 of Section 24; thence along the East line of said Northeast 1/4 of the Northwest 1/4 of Section 24, North 00° 10' 49" East for a distance of 1306.58 feet more or less back to the point of beginning.

Parcel III

A portion of the East 1/2 of the Southwest 1/4 of Section 13, Township 29 South, Range 15 West of the Willamette Meridian, Coos County, Oregon.

Beginning at a point on the South line of Section 13, Township 29 South, Range 15 West of the Willamette Meridian, Coos County, Oregon, said point being North 88° 56' 17" West a distance of 482.22 feet from the 5/8" Inch iron rod which marks the 1/4 corner common to Sections 24 and 13, Township 29 South, Range 15 West of the Willamette Meridian, Coos County, Oregon:

Thence North 58° 07' 21" East for a distance of 110.00 feet; thence North 05° 06' 48" East for a distance of 361.77 feet; thence North 14° 16' 03" East for a distance of 145.09 feet; thence North 04° 31' 42" West for a distance of 183.66 feet; thence North 11° 52' 14" West for a distance of 161.73 feet to the true point of beginning of the following described parcel:

Thence North 75° 31' 01" East for a distance of 100.20 feet; thence North 83° 12' 58" East for a distance of 98.42 feet; thence North 67° 52' 48" East for a distance of 53.89 feet; thence North 03° 19' 43" West for a distance of 52.11 feet; thence North 23° 22' 17" West for a distance of 115.00 feet; thence North 10° 44' 51" West for a distance of 70.05 feet; thence North 02° 02' 34" East for a distance of 182.52 feet; thence North 12° 49' 49" East for a distance of 91.49 feet; thence North 23° 37' 04" East for a distance of 119.16 feet; thence North 32° 18' 25" East for a distance of 43.99 feet; thence North 40° 59' 47" East for a distance of 61 feet more or less to a point on the Northwesterly line of that property described as "PARCEL D" in Coos County Document 93-06-1183; thence following said Northwesterly line in a Southerly direction to a point on the 1/16 line running East-West through the center of the Southwest 1/4 of said Section 13; thence along said 1/16 line, North 88° 56' 24" West for a distance of 133 feet more or less to a point which bears North 11° 52' 14" West from the true point of beginning; thence South 11° 52' 14" East for a distance of 417 feet more or less back to the true point of beginning.

EXCEPT: Any portion of the above described parcel, conveyed to Melvin E. Boak, et ux, in instrument bearing Microfilm No. 81-2-7779, Records of Coos County, Oregon.