STAFF REPORT FOR HEARINGS BODY REVIEW

APPLICANT: John McMahon
OWNER: John Mark McMahon Trust, John Mark McMahon, Trustee
REQUEST: Land Division (3 parcel partition)
STAFF CONTACT: Jill Rolfe, Planning Director
REVIEWING BODY: Coos County Planning Commission

MAP NUMBER(S) / LEGAL DESCRIPTION
ASSESSOR’S MAPS: Township 28S Range 15W Section 36DA Tax Lot(s) 3100

PROPERTY LOCATION
The property is located south of the city of Bandon and is accessed off of Evergreen Road, via Edna Lane.

<table>
<thead>
<tr>
<th>APPLICABLE CRITERIA</th>
<th>Coos County Zoning and Land Development Ordinance (LDO), Coos County Comprehensive Plan (CCCP), Oregon Administrative Rule (OAR)</th>
</tr>
</thead>
<tbody>
<tr>
<td>LDO</td>
<td>Article 4.2, Section 4.2.100, Section 4.2.500, Table 4.2D, Section 4.2.900 (6)</td>
</tr>
<tr>
<td>LDO</td>
<td>Article 4.4, Section 4.4.500 (Table 4.4a)</td>
</tr>
<tr>
<td>LDO</td>
<td>Article 4.6, Section 4.6.315(3); 4.6.320; 4.6.330</td>
</tr>
<tr>
<td>LDO</td>
<td>Article 4.7, Table 4.7a(8) Appendix 1, Policy 5.19(11)</td>
</tr>
<tr>
<td>LDO</td>
<td>Article 5.0, Section 5.0.150, 5.0.200</td>
</tr>
<tr>
<td>LDO</td>
<td>Article 6.1, Section 6.1.100, Section 6.2.150, Section 6.1.400</td>
</tr>
<tr>
<td>LDO</td>
<td>Article 6.2, Section 6.2.100, Section 6.2.250 (1)(a), Section 6.2.350</td>
</tr>
<tr>
<td>LDO</td>
<td>Article 6.5; Section 6.5.250</td>
</tr>
<tr>
<td>LDO</td>
<td>Section 7.3, Table 7.3</td>
</tr>
</tbody>
</table>
I. BASIC FINDINGS

A. LAWFULLY CREATED PARCELS: The property was lawfully created consistent with LDO §3.3.800(1). This property was lawfully conveyed to Frank Dix under deed reference number 79-64405 of the Coos County Deed Records, located in the Coos County Clerk’s office. Therefore it was a lawfully created property prior to January 1, 1986 and meets the criterion as listed in LDO §3.3.800(1).

B. ZONING: The subject property is zoned Urban Residential-2 (UR-2) and Commercial (C-1). The purpose of the “UR-2” district is to provide for urban residential areas that are designed to accommodate single family dwellings, mobile homes and two family dwellings. Clustered planned unit developments, including multi-family dwellings, are consistent with the objectives of the “UR-2” district. The “UR-2” district shall only be used within Urban Growth Boundaries and Urban Growth Boundaries.

The purpose of the “C-1” district is:

a. to provide for needed commercial retail and service opportunities within Urban growth boundaries;
b. to recognize existing commercial uses outside Urban Growth Boundaries

C. SITE DESCRIPTION: Adjacent properties to the north and west are zoned UR-2. Properties to the south are within the city limits of Bandon. The properties to the east are zoned C-1. The subject property lies within the Bandon Urban Growth Boundary.

D. HISTORY:

- April 19, 1983, a verification letter (zoning compliance), VL-83-96, was issued to construct a new septic system and to site a motorhome on the property.
- July 12, 1984, a verification letter, VL-84-342, was issued to site a pole building not to be used in conjunction with a commercial or industrial use.
- June 17, 1988, a zoning compliance letter, VL-88-288, was issued after the fact to site an accessory structure.
- November 19, 1992, a zoning compliance letter, ZCL-92-546, was issued to replace the existing mobile home with a double wide mobile home.
- October 5, 2007, a zoning compliance letter, ZCL-07-504 was issued to site an agricultural building in the UR-2 zone. This building was not for habitation, commercial or industrial use.
- March 19, 2009, a zoning compliance letter was issued for a medical hardship dwelling to be connected to the existing septic system. Only the medical hardship and the primary residence were allowed on the property.
- February 14, 2013, a zoning compliance letter, ZCL-13-36 was issued to update the medical hardship for two more years.
- The current application was submitted on March 31, 2014 and was deemed complete on April 22, 2014.
- TRC (Technical Review Committee) was held on May 13, 2014.

E. SPECIAL CONSIDERATIONS: This is in a Bandon Urban Growth Boundary and is within the Bandon Airport Conical Zone.

II. FINDINGS TO THE APPLICABLE REVIEW CRITERIA

| LDO | Article 4.2. Section 4.2.100, Section 4.2.500, Table 4.2D, Section 4.2.900 (6) | Uses; Urban Residential Zoning Districts; Review Standards and Special Development Conditions |
| § 4.2.100 | Use Matrices - General. The uses and activities allowed within the individual zoning districts |
prescribed in Section 4.1.100, together with those uses that may be conditionally allowed or which are prohibited, are set forth in Tables 4.2a through 4.2g. These zoning use tables stipulate where and under what specific circumstances development may occur. The following symbols denote whether or not the specific use or activity listed in the tables is permitted outright, may be permitted with conditions, may be allowed subject to an Administrative Conditional Use, may be allowed subject to a hearings Body Conditional Use, or prohibited in the specific zoning district: *** P-#. The use or activity may be allowed outright, but is specifically conditioned or limited by Section 4.2.900, ***

In addition to any applicable special conditions or findings prescribed in Section 4.2.900, the following may also limit and regulate uses and activities in Tables 4.2a through 4.2g:

1. Article 4.6, "Overlay Zones"
2. Article 4.7, "Special Considerations"
3. Chapter V, "Administration" (Procedural requirements)
4. Article 4.4, "General Development Standards"

FINDING: The subject property is zoned UR-2 and C-1; however, the C-1 portion of the property is negligible and is not being reviewed. LDO Section 4.2.500 (Table 4.2D) is applicable and has been reviewed in this section of the report below.

Article 4.6 is an overlay zone for floodplains and airports and this property lies within the Bandon Airport floating zone; and this will be addressed below.

Article 4.7 addresses special regulatory considerations based on adopted inventories in the CCCP. After reviewing the inventory maps staff has determined that the property lies within the Airport horizontal conical zone and this will be addressed below.

Chapter V is the administration or procedural requirements which contain the process for the application timelines and notice requirements. There are no other sections that are applicable to this application in Chapter V. This report has addressed the procedure requirements that are applicable to this review.

Article 4.4 covers the general development standards that all development unless otherwise allowed that must be addressed.

**TABLE 4.2d**

<table>
<thead>
<tr>
<th>URBAN RESIDENTIAL USE</th>
<th>ZONE DISTRICT</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>UR-1</td>
</tr>
<tr>
<td></td>
<td>UR-2</td>
</tr>
<tr>
<td>Land Divisions:</td>
<td></td>
</tr>
<tr>
<td>partition</td>
<td>P-6</td>
</tr>
<tr>
<td></td>
<td>P-6</td>
</tr>
</tbody>
</table>

§ 4.2.900 Review Standards and Special Development Conditions. The review standards and special development conditions referenced in Tables 4.2-a through 4.2-g are set forth below:

6. Use must comply with Article 6.1 and 6.5.

FINDING: Table 4.2d above shows that a partition is a permitted use subject to review standard #6 in LDO §4.2.900. As noted, review standard 6 requires that an applicant comply with LDO Articles 6.1 and 6.5. The applicant has
submitted an application with Tentative Partition maps as required by Articles 6.1 and 6.5. These criteria have been satisfied.

<table>
<thead>
<tr>
<th>LDO</th>
<th>Article 4.4, Section 4.4.500 (Table 4.4a)</th>
<th>General Development Standards; Urban Residential</th>
</tr>
</thead>
<tbody>
<tr>
<td>§ 4.4.500 General Standards for Urban Residential Zoning Districts.</td>
<td>The general standards set forth in tables 4.4A and 4.4b shall apply to the zoning districts and uses addressed in Table 4.2-d.</td>
<td></td>
</tr>
</tbody>
</table>

**TABLE 4.4-a**

**PROPERTY DEVELOPMENT STANDARDS**

**URBAN RESIDENTIAL WITHIN CITY – UGB**

<table>
<thead>
<tr>
<th>Zone</th>
<th>UR-1</th>
<th>UR-2</th>
<th>UR-M</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Lot Size</td>
<td>#4</td>
<td>#4</td>
<td>#4</td>
</tr>
<tr>
<td>Minimum Street Frontage</td>
<td>50’</td>
<td>50’</td>
<td>50’</td>
</tr>
<tr>
<td>Minimum Lot Width</td>
<td>50’</td>
<td>50’</td>
<td>50’</td>
</tr>
<tr>
<td>Minimum Lot Depth</td>
<td>50’</td>
<td>50’</td>
<td>50’</td>
</tr>
<tr>
<td>Front Set-Back</td>
<td>20’</td>
<td>20’</td>
<td>20’</td>
</tr>
<tr>
<td>Side Set-Back</td>
<td>#2</td>
<td>#2</td>
<td>#2</td>
</tr>
<tr>
<td>5’ #8</td>
<td>5’ #8</td>
<td>5’ #8</td>
<td></td>
</tr>
<tr>
<td>Rear Set Back</td>
<td>#8</td>
<td>#8</td>
<td>#8</td>
</tr>
<tr>
<td>5’</td>
<td>5’</td>
<td>5’</td>
<td></td>
</tr>
<tr>
<td>Maximum Building Height</td>
<td>35’</td>
<td>35’</td>
<td>35’</td>
</tr>
<tr>
<td>Off Street Parking</td>
<td>#7</td>
<td>#7</td>
<td>#7</td>
</tr>
</tbody>
</table>

**Footnotes:**

2. The side yard adjacent to a street or road (corner lot) shall require a minimum setback of 15 feet.
The following minimum lot sizes shall apply:

a. Site having neither public water or public sewer – one acre.

b. Sites having public water, but no public sewer – 8000 square feet.

c. Sites having both public water and public sewer – 5000 square feet, except a two family duplex which requires 8000 square feet.

7. Offstreet parking and loading requirements per Chapter X apply.

8. Riparian Vegetation Protection.

i. Riparian vegetation within 50 feet of a estuarine wetland, stream, lake, or river, as identified on the Coastal Shoreland and Fish and Wildlife habitat inventory maps, shall be maintained**

FINDING: The minimum lot size for the subject parcel will be one acre, as it has neither public water or sewer available at this time. The existing dwelling has an onsite septic system and a well. The proposed parcels will be as follows: parcel 1: 2.45 acres; Parcel 2: 2.87 acres and Parcel 3: 1.82 acres. Each proposed parcel will meet or exceed the minimum lot size. This criterion has been met. Evergreen Road borders the subject property on the east and there will be more than 50 feet of frontage for both parcels 1 and 2. Parcel 3 will access from Carter Lane; however, Evergreen Road also has 50 feet of frontage on Parcel 3. Therefore, this criterion has been met. Off street parking will be regulated by the County Roadmaster upon development of all currently undeveloped properties and does not apply at this time. There are no creeks, streams, rivers or lakes on the subject property, therefore, the riparian vegetation protection setbacks do not apply. All other development standards will be met upon further development. Therefore, staff determines that the subject property and proposed parcels meet or exceed the development standards as shown in Table 4.4a, Section 4.4.500 of the LDO.

<table>
<thead>
<tr>
<th>LDO</th>
<th>Article 4.6, Section 4.6.315(3); 4.6.320; 4.6.330</th>
<th>Overlay Zones – Floating zone: Airports; Airport Surfaces Height Limitations; Permitted Uses; Use Restrictions</th>
</tr>
</thead>
</table>

Section 4.6.315(3) **Horizontal Conical Zone** – Maximum allowable height = 35 feet.

FINDING: When development occurs on Parcel 3, which is the only undeveloped parcel, the maximum height allowed will be met.

Section 4.6.320 **Permitted Uses.** Except as restricted by Section 4.6.330, in a District in which the /AS zone is combined, those uses permitted by the underlying district are permitted outright in the /AS FLOATING ZONE.

FINDING: As noted above, a land division is a permitted use in the UR-2 zoning district; therefore, it is also permitted in the horizontal conical zone, as long as any development meets the height requirements.

Section 4.6.330 **Use Restrictions.** Notwithstanding any other provision of this Ordinance, no use may be made of land or water within any zone established by this Ordinance in such a manner as to create electrical interference with navigational signals or radio communication between the airport and aircraft, make it difficult for pilots to distinguish between airport light and other, result in glare in the eyes of pilots using the airport, impair visibility in the vicinity of the airport, create bird strike hazards, or otherwise in any way endanger or interfere with the landing, takeoff, or maneuvering of aircraft intending to use the airport.

FINDING: A land division will not interfere with navigational signals or radio communications between the Bandon airport and any aircraft. If Parcel 3 is developed, that development will also have to comply with this criterion. Therefore, the criteria in Article 4.6 has been met.
### Article 4.7, Table 4.7a(8) Appendix 1, Policy 5.19(11)

Special Considerations: Airport Surfaces

Article 4.7, Table 4.7a(8) requires Appendix 1, Policy 5.19 (11) to be addressed.

Appendix 1, Policy 5.19 (11)
Coos County shall cooperate with the Oregon State Aeronautics Division and the Federal Aviation Administration by developing an Airport Surfaces Overlay Zoning District to prevent the creation or establishment of hazards to air navigation. The Overlay Zoning district shall apply to the Bandon, Lakeside and Powers State Airports and shall encompass the primary surface, approach surface, transitional surfaces, horizontal surface and conical surface as identified in Volume VI, Airport Compatibility Guidelines as formulated by the Oregon Department of Transportation - Aeronautics Division, dated 1981.

FINDING: As previously noted, the subject property lies within the Bandon Airport’s horizontal conical zone. This will restrict the building heights to 35 feet and will also restrict any activities or lights that might interfere with the Airports operations. The ODA has been notified of the proposed land division and is copied on this staff report.

### Article 5.0, Section 5.0.150, 5.0.200

Administrative and Application Review Provisions; Application Requirements; Application Completeness

Article 5.0 Administration and Application Review Provisions

§ 5.0.150 Application Requirements
(Article 5.6 of this ordinance Site Plan Review Requirements and Chapter 6 Land Divisions have additional submittal requirements)

Applications for development or land use action shall be filed on forms prescribed by the County and shall include sufficient information and evidence necessary to demonstrate compliance with the applicable criteria and standards of this Ordinance and be accompanied by the appropriate fee.

***

Applications shall be submitted by the property owner or a purchaser under a recorded land sale contract. “Property owner” means the owner of record, including a contract purchaser. The application shall include the signature of all owners of the property. A legal representative may sign on behalf of an owner upon providing evidence of formal legal authority to sign.

***

The burden of proof in showing that an application complies with all applicable criteria and standards lies with the applicant.

§ 5.0.200 Application Completeness (ORS 215.427)

A. An application will not be acted upon until it has been deemed complete by the Planning Department. In order to be deemed complete, the application must comply with the requirements of Section 5.0.150, and all applicable criteria or standards must be adequately addressed in the application.

***

FINDING: On March 31, 2014, the applicant, who is the property owner, submitted this application for a three parcel partition. There was sufficient information and evidence provided to demonstrate compliance with the LDO. The application was deemed complete on April 22, 2014 and a Technical Review Committee Meeting was scheduled and held on May 13, 2014. Issues or missing information were noted and conveyed to the Surveyor. The review has progressed. Staff finds the application meets the criteria of § 5.0.150 and 5.0.200. Criteria found in Article 6 are addressed below.
Article 6.1 General Provisions, Enforcement.
§ 6.1.100. General Purpose. The general purpose of this Chapter is to prescribe the form and content of subdivision plats and partition plats (minor and majors) and the procedures to be followed in their development and approval and to designate those authorized to give such approval; to establish the minimum requirements and standards necessary for efficient, safe, and attractive subdivisions and partitions consistent with the natural resources of the County; and to provide penalties for violations. It is intended that this Chapter be consistent with ORS Chapters 92 and 215.

It is further the intent of this Chapter:
1. To ensure that land be subdivided or partitioned in a manner which will promote the public health, safety, convenience, and general welfare.
2. To aid in the implementation of the Coos County Comprehensive Plan.
3. To protect the natural assets of the County by providing the means for encouraging orderly developments by relating the number, design, and distribution of lots or parcels to existing topographical, ecological, hydrological, and other natural conditions.
4. To minimize through proper design and layout, the danger to life and property by the hazards of fire, flood, water pollution, soil erosion and land slippage.
5. To ensure that proper consideration are given for adequate light and air, and prevention of overcrowding of land.
6. To provide lots, parcels, and development sites of sufficient size and appropriate shape and character for the purpose for which they are to be used.
7. To provide for adequate water supply, sewage disposal, storm drainage, and other utilities needed for public health, safety, and welfare.
8. To provide adequate provisions for transportation designed to handle the anticipated usage and to ensure that they minimize safety hazards and adverse impact on the neighboring area.
9. To ensure that the costs of providing rights-of-way and improvements for vehicular and pedestrian traffic, utilities, and public areas serving new developments be borne by the benefited persons rather than by the people of the County at large.
10. To encourage new concepts and innovations in the arrangement of building sites, lots, and parcels within divisions by means of a Planned Unit Development or clustering. Deviations from the traditional approaches of dividing lands may be considered for approval when such deviations will facilitate the ultimate development of the land in a unique manner that will be compatible with the purpose of this Chapter.

***

§ 6.1.400 Application for Land Divisions
i. Applications: All applications for land divisions shall be submitted to the Planning Department as required by this Chapter.

FINDING: By submitting the application for the partition, the applicants have met the general provisions and intent of Article 6.1.

ARTICLE 6.2 DESIGN AND DEVELOPMENT STANDARDS
§ 6.2.100 Purpose All land divisions shall conform to the design and development standards specified in the following sections. The standards so specified shall be considered as the minimum appropriate for land division, partition, PUD or subdivision development and are not intended to limit the developer from using
higher standards of design and development.
§ 6.2.150 Roads or Streets The standards of Chapter VII shall apply.
***
FINDING: The applicant must submit a land division that conforms to the design and development standards in Article 6.2. The applicant has submitted base and tentative partition maps that meet the design standards and have been approved by the County Surveyor, noting that there were some issues with the road curves but he will work that out with the applicant’s surveyor. The County Surveyor addressed these issues at the TRC and they will be corrected on the final plats. The standards in Chapter VII shall be reviewed separately.

§ 6.2.250 Access
(1) The development of land shall be such as to provide each lot or parcel with one of the following alternative means of access.
(a) a lot or parcel shall abut upon a public street...
***
FINDING: Access to the existing dwelling is provided off of Evergreen Road and Carter Lane. There are existing dwellings on both proposed Parcels 1 and 2. Access will be provided by a new proposed road. At the time of development on this parcel, an access permit and a driveway confirmation must be obtained from the County Roadmaster. There was discussion about having Parcel 3 access Carter Street but this street will not meet the standards required. Therefore, the applicant will access via the new road. Evergreen is a platted name but has not been adopted as an official road name by Coos County. The applicant is proposing to extend Evergreen onto their property to access the new parcels. This will mean that three parcels will be utilizing the road which will require a road name to be submitted prior to final plat. Evergreen may not be acceptable; therefore, the official road name will have to be corrected on the final plat.

§ 6.2.350 Lots and Parcels
(1) Lots and parcel sizes shall meet the minimum lot sizes as established by the applicable zoning district...
***
FINDING: The property is zoned UR-2 and Commercial-1 (C-1). The minimum lot size in the UR-2 is 1 acre because neither public water nor public sewers is provided to the subject property. There is no minimum lot size for C-1; however, the parcel that contains C-1 has to have a minimum of 20’ street frontage and lot width. The C-1 portion is not being divided off from the UR-2 portion but the C-1 portion meets the minimum requirements. Therefore, each parcel is above the minimum lot size. Therefore, this criterion has been met.

<table>
<thead>
<tr>
<th>LDO</th>
<th>Article 6.5; Section 6.5.250</th>
<th>Partitions and Subdivisions; Tentative Plan and Base Map</th>
</tr>
</thead>
</table>

Article 6.5 Partitions and Subdivisions.
A property divided by the sale or grant of property for state highway, county road, City Street or other right-of-way shall continue to be considered a single unit of land until such time as the property is further subdivided or partitioned. (OR 92-07-012PL)

FINDING: This property has not been divided by the sale or grant of property for state highway, county road, City Street, or other right-of-way. Therefore, this criterion does not apply.

§ 6.5.250 Tentative Plan and Base Map
1. Application
   a. All proposed tentative partition and subdivision plats and base maps shall comply with all applicable sections of this Ordinance. Applicants shall secure appropriate zoning authorization or clearance prior to submittal.
   b. A tentative partition or subdivision plat map and base map, complete with all submittal requirements and the appropriate fee, shall be submitted to the Planning Department.
   c. Within ten (10) days of receiving a complete application, the Planning Department shall distribute copies of the tentative partition or subdivision plat map and base map to affected cities, special
districts and County departments.

2. **Tentative Plat Map and Base Map Standards**
   An application for a partition or subdivision shall include a tentative plat map and a base map, each drawn on mylar or substantial high quality tracing paper measuring 18" x 24" using archival ink and drafting material. The maps shall be clearly and legibly drawn to a standard engineer's scale. All maps shall be drawn to the same scale except as otherwise authorized by the County Surveyor. Each map shall be clearly titled as being part of a tentative partition, subdivision plat, or planned community. (OR 00-5-014PL)

3. **Required Maps** A tentative partition or subdivision plat map and base map shall be submitted for the lot or parent parcel to be divided.

**FINDING:** The submitted maps contain the map data and information required by this Section with the exceptions noted as recommended conditions of approval. The maps and fee were submitted and the application was deemed complete. A Technical Review Committee meeting was scheduled and held to discuss possible discrepancies on the maps. Any changes noted are listed in the conditions below.

<table>
<thead>
<tr>
<th>LDO</th>
<th>Section 7.3, Table 7.3</th>
<th>Urban Road Standards (City UGB's): Minimum Road and Street Development Standards within City Urban Growth Boundaries.</th>
</tr>
</thead>
</table>

§ 7.3 **Urban Road Standards, Table 7.3- Minimum Standards for New Roads, Streets, and Driveways**

**Table 7.3**

Minimum Road and Street Development Standards within City Urban Growth Boundaries

<table>
<thead>
<tr>
<th>Public or Private Road Type</th>
<th>Minimum Right of Way Width</th>
<th>Minimum Travel Surface Width</th>
<th>Minimum Sub-Grade Width</th>
<th>Maximum Grade</th>
<th>Intersections</th>
<th>Construction</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td>50’</td>
<td>28’</td>
<td>32’</td>
<td>16%</td>
<td>60 degrees</td>
<td>50’</td>
</tr>
</tbody>
</table>

Please note sidewalks and curbs are not required.

**FINDING:** Comments have been received by the County Roadmaster and County Surveyor. The new proposed road will be platted to meet the requirements of a new private road. The streets outside of the partition are not required to be developed in conjunction with a 3 parcel partition. However, pursuant to Table 7.1 road Standards matrix explains when a new road or an unopened road is required to be opened and when a legally created road already existing when it is required to be improved to standard. A partition does not require a road to be improved. Improvements are required before a dwelling may be authorized.

A letter of objection was submitted by a neighboring property owner on June 3, 2014. Some of the concerns raised about the road are outside of the scope of this review. The Roadmaster has explained that in Table 7.1 the roads are not required to be improved in conjunction with a partition. The applicant must address Table 7.3 for the new proposed road that is contained with the applicant’s property. The Roadmaster has made the determination that the new road and current access meets the standards. Road improvements will have to be developed prior to siting any additional dwellings on the property. The Roadmaster has sole authority to determine compliance with these standards pursuant to LDO § 7.1.1000.
SUMMARY / CONCLUSIONS

The applicants have met the criteria for the partition with a few exceptions which can be addressed as conditions of approval.

The following conditions should be imposed if the Planning Commission finds that the proposal meets the criteria as presented.

1. A road name is required for the public portion identified as Evergreen Street as well as the private extension that will access the new parcels.
2. The applicant needs to correct the curve data as explained by the County Surveyor.
3. The owner of the property should be corrected to read John Mark McMahon Trust.
4. A pre-payment of taxes must be collect by the Assessor’s office.
5. All fees for the final plat shall be paid to the appropriate departments.

If you have any questions, please contact any Planning Staff member.

COOS COUNTY PLANNING DEPARTMENT

Jill Rolfe, Planning Director

Attachment:  A – Application
              B – Maps
              C – Letters received marked as Exhibits 1 through 4

C: Applicant Parties

EC: County Counsel
    Dave Perry, DLCD
    John Rowe, Roadmaster
    Mike Dado, County Surveyor
Attachment A

Application
An incomplete application will not be processed. Applicant is responsible for completing the form. Attach additional forms to answer questions if needed.

A. Applicant:

Name: John McMahon
Address: PO Box 1644 (mailing) 87558 Edna Ln. (P.O.S.)
City: Bend
State: OR Zip Code: 97701

B. Owner:

Name: John McMahon
Address: PO Box 1644 (mailing) 87558 Edna Ln. (P.O.S.)
City: Bend
State: OR Zip Code: 97701

C. As applicant, I am (check one):

- The owner of the property;
- The purchaser of the property under a duly executed written contract who has the written consent of the vendor to make such application (consent form attached);
- A lessee in possession of the property who has written consent of the owner to make such application (consent form attached);
- The agent of any of the foregoing who states on the application that he/she is the duly authorized agent and who submits evidence of being duly authorized in writing by his principal (consent form attached).

D. Description of Property:

Township 28 Range 15 Section 361A Tax Lot 3100
Tax Account 1054700 Lot Size 7.12 Ac Zoning District C-1 and U-2

Land Division Application
Revised 10/07
E. Supplemental Information: The following form must be completed (or the information noted on the maps), including writing N/A, if the information requested is not applicable.

1) Number of Lots: ___________________________ Parcels: 3

2) Use of property: Existing Residential

Proposed Residential

3) Use of surrounding properties Residential/Commercial/Vacant

4) Approximate distance to utility lines, including sewer and water lines: (Indicate if greater than one mile) Approx. 250' to power, 150' to Water. Is a private well and sewer is a private septic system.

5) Proposed method of sewage disposal Private septic system

6) If an individual system is not proposed, give the name of the public agency or district who has approved, or is evaluating the proposed system. N/A

7) Proposed method of obtaining potable water. Private well

8) If a Community or public water supply is proposed, explain the type of system, and the public agency or department which has approved or is evaluating the water system. Parcels 1 and 2 will have a shared well

9) Describe the use and purpose of any easements located, or to be located, within the partition/subdivision. A private road/easement will provide access to all parcels and will occur through parcels 1 and 2.

10) Describe the purpose of any land areas or improvements, other than utilities, set aside for public use or common use of persons residing in the division, including a maintenance or property agreement. N/A

11) Include copies of any proposed property or homeowner agreements, bylaws, or covenants and any petitions proposing to create special service districts.

12) Identify the fire rating for area (Based on local fire district rating) Unable to obtain

13) Describe all measures, which will be taken to reduce fire hazards: Brush Moving/Clearing

Land Division Application
Revised 10/07
14) Is the property within a drainage district? **No**

15) Describe any natural feature on the property such as drainage ways, creeks, streams, swales, ponds, steep slopes or hills. (Show these features on the submitted Base Map)

*2 drainage ditches run through the property*

16) If the proposed land division has the potential of being further divided, the applicant shall submit a sketch showing an overall plan for the division of the property. **(Note: The sketch is nonbinding and will only be utilized for discussion purposes between the applicant and the Department.)**

17) **ACCESS:**

A) How is access to be provided to each lot or parcel? **Private Road**

B) Describe the proposed driveway(s):

i) Will it be a public or private road? **Private**

ii) How wide will the road right-of-way be? **50’**

iii) How wide will the road surface be? **Use will continue over existing paved road**

iv) Will any water bodies be crossed by the road? *A drainage ditch*

v) If so, will the crossing be by bridge or culvert? *Up to owner of parcel S*

vi) Will the road intersect with a public road at an existing access point or will this be a new access point? *The entrance to the 3 parcels will be an extension of Evergreen St.*

vii) How wide will the access be? **50’**

C) Type of road proposed (refer to Chapter VII of the CCZLDO)

i) Dedicated **Private**

D) Maximum grade **1.6%** Radius of curves **102.31’** Length **850.04’**

E) Number of parcels on adjacent lands which would utilize road*: **Only parcels W in the partition will utilize the private road**

*Identify on a separate sheet of paper the Township, Range, Section, & Tax Lot of parcels on adjacent lands, which would be served by the road.

F) **Attach** a drawing showing a typical cross section of the proposed road.

Land Division Application
Revised 10/07
18) If any portion of the proposed road would be on property not owned by the applicant, then you must submit:

a. Written acknowledgment from each such owner stating his willingness to either: dedicate the land to the public in the case of a dedicated way or County road, or execute an instrument conveying to the applicant the right to construct and maintain a private road on the owner's land.

b. In the case of a private road or a dedicated way, written acknowledgement by each owner of his knowledge that the road described in the application may not be used for legal access to any parcel of land not described in the application.

19) Submit proposed road maintenance agreements.

20) List two choices of a name for the proposed road:

a. Choice #1: 

b. Choice #2: 

21) Identify the width and maximum grade of the portion of roads or streets, if any, which abut the subdivision

   Width: Grade: 

22) List two choices of a name for the subdivision:

a. Choice #1: 

b. Choice #2: 

23) Lot or Parcel sizes in acres: Parcel 1 = 2.45 acres, Parcel 2 = 2.87 acres, Parcel 3 = 1.82 acres

F. Required Submissions: (Should be checked off Initialed by Staff prior to submittal) If cannot check off please provide explanation.

1. ☐ Current deed, as noted on the County database.

2. ☐ If a lot or parcel abuts a public road, verification of a road access permit shall be submitted.

3. ☐ Current title report, including copies of any deeds, easements, etc. noted on said title report.

4. ☐ 1 copy of each base map and tentative plat on 18 x 24 mylar or high quality tracing paper, as well as 4 copies of each base map and tentative plat on other 18 x 24 paper and 1 copy of each base map and tentative plan on 8 1/2 X 11 paper.
5. **Property Report:** indicating any taxes, assessment or other liens against the property, easements, restrictive covenants and rights-of-way, and ownerships of the property of the proposed development. A title report is acceptable. A subdivision guarantee may be acceptable, additional information may be required.

6. **Phasing.** A statement describing and explaining the rationale for any proposed phasing of construction, the sale of lots or parcels, and the placement of utilities and construction of streets.

7. **Public Services.** A statement of available public services, such as police and fire protection, schools and school buses and electric, telephone, or other utilities. The statement shall indicate the proximity of such services in addition to giving an estimate of the capacity of the service to effectively absorb the increased demand reasonably anticipated to be placed on the services as a result of the land development.

8. **Water Supply.** A statement of the proposed method of water supply including source, quantity, quality and method of distribution.

9. **Sewage Disposal.** A statement of the proposed method of sewage disposal.

10. **Supplemental Information.** The following supplemental information shall be submitted with the tentative plan, or, prior to or with the construction drawings that may be required for roadways:

11. **Geologic Report.** For proposed roadways with slopes greater than 3:1 or where otherwise required by the County, a site specific geologic investigation report. This report shall be prepared by a licensed engineering geologist, soils engineer, or other qualified expert, who must carry errors and omissions insurance. Verification of the insurance must be submitted with the report. The report shall indicate the structural integrity of improvements, including but not limited to any proposed structures, cuts or fills, recommended storm drains both on and off the site, erosion control measures and slope stabilization devices, and trees or other stabilizing vegetation to be retained.

12. **Public Services.** Pursuant to the statement of public services, Section 6.5.250(4)(D), the applicant shall submit a copy of any agreement with the appropriate companies, districts, agencies or cooperatives providing electrical, telephone or other required service.

13. **Water Supply.** Pursuant to the statement of water supply, Section 6.5.250(4)(E), the applicant shall submit and comply with the following:

i. a certification by a city-owned domestic water supply system or by the owner of a privately owned domestic water supply system that water will be available to the lot line of each and every lot or parcel depicted in the proposed land division; or
ii. a statement that no domestic water supply facility will be provided to the purchaser of any lot or parcel depicted in the proposed land division, even though a domestic water supply source may exist. This statement must be shown on the face of the final plat. It is the responsibility of the applicant to deliver a copy of the statement to each prospective purchaser of a lot or parcel depicted in the land division pursuant to ORS 92.090(4)(c).

iii. Where the proposed source of water is by individual or community wells, proof of an adequate supply of potable water for all anticipated needs of the platted area shall be presented. Proof of an adequate supply of potable water may consist of:
   a. Test wells, must have at least one well per five lots or parcels, or, in the case of lots or parcels averaging less than two acres, one well per ten acres. The test wells shall produce at least 1,000 gallons per day for two consecutive days for each proposed single-family residential site; and
   b. Certificate of the water as potable by the County Health Department or appropriate state agency; or by an approved private laboratory.
   c. a hydrology report documenting the availability of potable water by describing the average depth, yield and quality and by giving a general history of wells in the area.

iv. Where the proposed source of water is by a spring, creek, stream, pond, lake or other natural or man-made surface water impoundment, the following information shall be provided:
   a. Certificate of the water as potable by the County Health Department, appropriate state agency or by an approved private laboratory.
   b. Whether the source will be distributed through a community water system or through individual delivery systems;
   c. Whether water rights exist to the supply and, if so, the names of persons holding such rights and amounts allotted to each;
   d. The location of the sources of water supply;
   e. The year-round or seasonal nature of the water supply;
   f. Proof of an adequate water supply for all anticipated needs of the proposed development.

v. When the water supply is distributed through a community system the proposed method of assuring the continued maintenance of the water system shall be provided.
14. **Sewage Disposal.** Pursuant to the statement of sewage disposal, Section 6.5.250(4)(F):

i. a certificate by a city-owned sewage disposal system, special district sewage disposal system or by the owner of a privately owned sewage disposal system that sewage disposal will be available to the lot line of each and every lot or parcel depicted in the proposed land division; or

ii. a statement that no sewage disposal facility will be provided to the purchaser of any lot or parcel depicted in the proposed land division. This statement must be shown on the face of the final plat. It is the responsibility of the applicant to deliver a copy of the statement to each prospective purchaser of a lot or parcel depicted in the land division pursuant to ORS 92.090(5)(c).

iii. If the sewage disposal system is by private septic system or another Department of Environmental Quality (DEQ) approved system then DEQ feasibility (approved test holes) must be submitted for each lot or parcel. [OR96-06-007PL 9/4/96]

15. **Foot Access.** If “foot access” is proposed pursuant to Section 6.2.250 the application shall also include the following:

i. a copy of any easements providing access to the parent parcel;

ii. a written statement explaining why extension of any road system is impractical for this particular situation;

iii. delineation of the coastal shoreland boundary on the tentative map;

iv. evidence establishing that approval of the proposed foot access would be consistent with Coos County Comprehensive Plan, Coos Bay Estuary Management Plan, or the Coquille River Estuary Management Plan.

16. **Public Road Access.** If a lot or parcel abuts a public road, verification of a road access permit shall be submitted. [OR-92-07-012PL]

17. **Staff Initials:** ____________________________

G. **Tentative Plat Map and Base Map Standards.** NOTE: All review criteria must be addressed; if not applicable a statement indicating why the criteria do not apply must accompany the application. Section 6.5.250(2). An application for a partition or subdivision shall include a tentative plat map and a base map, each drawn on Mylar or substantial high quality tracing paper measuring 18" x 24" using archival ink and drafting material. The maps shall be clearly and legibly drawn to a standard engineer's scale. All maps shall be drawn to the same scale except as otherwise authorized by the County Surveyor. Each map shall be clearly titled as being part of a tentative partition, subdivision plat, or planned community. (OR 00-05-014PL)
Required Maps. A tentative partition or subdivision plat map and base map shall be submitted for the lot or parent parcel to be divided.

A. Base Map. A base map shall be submitted containing the following information:

i. Map Data.
   a. Property Boundaries;
   b. Lot or parcel area in acres or square feet;
   c. North point, scale of drawing, and date;
   d. Location of the property by quarter-quarter section, township, range, and tax lot number(s);
   e. Names and addresses of the owner(s) and any other person employed in the preparation, layout or design of the base map;
   f. Section lines;
   g. City boundaries;
   h. Location(s) of existing zoning districts applicable to the subject property.

ii. Topography. All existing natural features including:
   a. Contour lines (may be taken from USGS 7.5 minute quad sheets);
   b. Areas subject to inundation;
   c. Lakes, streams, creeks, rivers, and other bodies of water;
   d. Identified wetlands;
   e. Identified geologic hazards and other features affecting development.

iii. Existing Improvements. All existing improvements including:
   a. Location, name, right-of-way width and road improvement width of all existing streets, roads, highways, alleys, and other easements;
   b. Existing monuments;
   c. Adjacent subdivisions;
   d. Existing non-dedicated roads, trails, and driveways;
   e. Existing dwellings, farm buildings or other structures.

iv. Utilities. The location(s) of existing utilities including:
   a. Sewer and water mains;
   b. Wells or springs that provide potable water;
   c. Septic systems;
   d. Culverts and drainage lines or pipes.

B. Tentative Plan. This map shall show the following additional information proposed for the development:

i. Map Data.
   a. Appropriate identification clearly stating the map is part of a tentative plan. Proposed subdivision name if applicable.
   b. Names and addresses of the owners and any other person employed in the preparation, layout or design of the tentative plan.
   c. North point, scale of drawing, and date.
   d. Property boundaries.
ii. **Proposed Developments.** The following improvements where applicable shall be shown as approximate:

a. the name, location, width, grade and radii of the streets, roads or private access easements. Stationing shall be shown at 100-foot intervals;

b. the location, width and purpose of all proposed easements;

c. the location, dimension, acreage and numbers of all proposed lots or parcels;

d. proposed finish grades of the property and streets, showing all cut and fill areas, location of proposed retaining walls or slope protection and proposed drainage systems or drainage ways;

e. sites, if any, allocated for purposes other than residential structures;

f. any proposed public areas;

g. locations, grade and size of proposed utilities including water, sewer, fire hydrants, storm drains, electricity and communication lines, and service and utility structures. All facilities shall be considered in their relation to existing and planned facilities, topographical conditions, public convenience and safety, and proposed use of the land;

h. existing structures to remain;

i. location and area of all open spaces, setbacks where applicable. Buffers, screens, recreational facilities, or landscaping.
H. Authorization:

All areas must be initialed by all applicant(s) prior to the Planning Department accepting any application.

I hereby attest that I am authorized to make the application for a conditional use and the statements within this application are true and correct to the best of my knowledge and belief. I affirm that this is a legally created tract, lot or parcel of land. I understand that I have the right to an attorney for verification as to the creation of the subject property. I understand that any action authorized by Coos County may be revoked if it is determined that the action was issued based upon false statements or misrepresentation.

ORS 215.416 Permit application; fees; consolidated procedures; hearings; notice; approval criteria; decision without hearing. (1) When required or authorized by the ordinances, rules and regulations of a county, an owner of land may apply in writing to such persons as the governing body designates, for a permit, in the manner prescribed by the governing body. The governing body shall establish fees charged for processing permits at an amount no more than the actual or average cost of providing that service. The Coos County Board of Commissioners adopt a schedule of fees which reflect the average review cost of processing and set-forth that the Planning Department shall charge the actual cost of processing an application. Therefore, upon completion of review of your submitted application/permit a cost evaluation will be done and any balance owed will be billed to the applicant(s) and is due at that time. By signing this form you acknowledge that you are response to pay any debt caused by the processing of this application. Furthermore, the Coos County Planning Department reserves the right to determine the appropriate amount of time required to thoroughly complete any type of request and, by signing this page as the applicant and/or owner of the subject property, you agree to pay the amount owed as a result of this review. If the amount is not paid within 30 days of the invoice, or other arrangements have not been made, the Planning Department may chose to revoke this permit or send this debt to a collection agency at your expense.

I understand it is the function of the planning office to impartially review my application and to address all issues affecting it regardless of whether the issues promote or hinder the approval of my application. In the event a public hearing is required to consider my application, I agree I bare the burden of proof. I understand that approval is not guaranteed and the applicant(s) bear the burden of proof to demonstrate compliance with the applicable review criteria.

As applicant(s) I/we acknowledge that is in my/our desire to submit this application and staff has not encouraged or discouraged the submittal of this application.

[Signature]
Applicant(s) Original Signature

[Date]
3/31/2014

Land Division Application
Revised 10/07
NOTE: Consent of owner is required should the applicant be other than the owner. The appropriate deed of record showing the ownership is also required.

File #: ____________________

Bill Due ☐
No Bill Due ☐
March 6, 2014

Terence Campbell  
Bandon Surveying

Re: McMahon Partition-28S-15W-36DA TL3100

Frontier will provide service to and within the development in accordance with tariffs on file with the Oregon Public Utilities Commission. Easement ingress and egress rights for access to the above lot must be granted to Frontier for our facilities and personnel if no public right-of-way exists along the access route.

The nearest existing facilities to the McMahon property is located on Edna Street.

If you have any further questions regarding this, please contact me at (541) 269-3396.

Sincerely,

Monte Rutherford  
Frontier Communications
McMahon Partition Sewage Disposal Certificate

I, John McMahon, owner of tax lot 2100, tax map 28-15-36DA certify that the owner of Parcel 1 of the proposed partition has the right to use the existing septic drain field that occurs on parcel 2 of the proposed partition.

I also certify that no sewage disposal system will be available to the purchaser of parcel 3 of the proposed partition.

John McMahon                              3/31/2014

Date
McMahon Partition Water Supply Certificate

I, John McMahon, owner of tax lot 2100, tax map 28-15-36DA certify that water will be available to the southern lot line of Parcel 1 of the proposed partition from the existing well that occurs on parcel 2 of the proposed partition.

I also certify that no domestic water supply will be available to the purchaser of parcel 3 of the proposed partition.

John McMahon

Date

3/31/2014
Agreement
For shared well driveway (Road) and drain field for septic system

I John Mark McMahon am the owner of property described as 87558 Edna Lane Bandon, Oregon 97411

I do hereby acknowledge that the well, septic and driveway are shared by both houses and agree to maintain the well, driveway and septic system for both houses on subdivided property. The second house known to City of Bandon Oregon Electrical Department as: 87558 B Edna Lane Bandon, OR 97411

Signed this 27th day of March 2014

[Signature]
John M. McMahon
McMahon Partition Application Required Submissions (F) Answers

F. (6) Phasing: At this time Mr. McMahon has no plans to sell or develop parcel 3 of the proposed partition.

F. (8) Water Supply: Parcels 1 and 2 of the proposed partition will share water from the existing well. No domestic water supply is provided to parcel 3.

F. (9) Sewage Disposal: Parcels 1 and 2 of the proposed partition have their own septic tanks but will share a drain field. No sewage disposal system is provided to parcel 3.
Electric Service McMahon partition

Bob Shaffer

Mar 5 at 3:48 PM

To: Terence Campbell,

To whom it may concern, Bandon Power can provide electric service to the three parcels within the proposed partition of tax lot 3100 Map 28-15-36 DA.

__________________________________________________________________________
PUBLIC RECORDS LAW DISCLOSURE
This is a public document. This email is subject to the State Retention Schedule and may be made available to the public upon request.

Bob Shaffer
Electric Dept. Supervisor
City of Bandon
PO Box 67
Bandon, OR 97411
Voice: 541-347-2437 x 233
Email: electric@ci.bandon.or.us
Web: www.ci.bandon.or.us

https://us-mg4.mail.yahoo.com/neo/launch?.rand=75hpai3u539jn

3/6/2014
1.6% 

MAXIMUM GRADE OF ROAD CROSS SECTION
STATUTORY BARGAIN AND SALE DEED

John Mark McMahon and Donna M. McMahon, husband and wife, as tenants by the entireties, Grantors, conveys to John Mark McMahon Trustee or his successors in trust of the John Mark McMahon Living Trust, dated September 29, 2009, Grantee, the following described real property:

See Exhibit "A"

The true consideration for this conveyance is $0.00 and other valuable consideration.

(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 197.352. 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 APPROVED USES, 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 197.352.

DATED this 29th day of September, 2009.

John Mark McMahon

STATE OF Oregon  )
                      ) ss.
County of Coos  )

This instrument was acknowledged before me on this 29 day of September 2009 by John Mark McMahon.

Notary Public for Oregon

Page 1 of 2
Exhibit "A"

Beginning at the Northeast Corner of property described in Memorandum of Contract of Sale, recorded February 9, 1976, bearing microfilm reel No. 76-2-2692, records of Coos County, Oregon, said point being 30 feet South and 300 feet West of the Southeast corner of Block 19, Smith First Addition to Bandon, Coos County, Oregon; run thence West 410.25 feet, more or less, to the Northeast corner of property conveyed to Douglas Lionel Haney et ux, in deed recorded October 14, 1977, bearing microfilm reel No. 77-10-17277; thence South 228 feet, 8 inches to Haney's Southeast corner; thence West 579.75 feet to the East boundary of Block 18, Bennett's Plat "B" Addition to Bandon; more or less to the Southeast corner of Block 19, said Bennett's Plat "B"; thence North 72 degrees East 1040 feet more or less, to a point South of the point of beginning; thence North 280 feet, more or less, to the point of beginning. Being a portion of the Northeast quarter of the Southeast quarter of Section 36, Township 28 South, Range 15 West Willamette Meridian, Coos County, Oregon.

Corrections made 11/10/09

...
COOS COUNTY TITLE UNIT
FAX (541)269-0470

Title Officer: Debbie Graber
(541)269-0119
dgraber@firstam.com

LOT BOOK SERVICE

Bandon Surveying/c/o Terrence Campbell
87833 Dew Valley Lane
Bandon, OR 97411

Order No.: 7139-2222213
March 11, 2014

Attn:
Phone No.: (541)294-9642 - Fax No.:
Email: bandonsurveyor@gmail.com

Re:

Fee: $250.00

We have searched our Tract Indices as to the following described property:

The land referred to in this report is described in Exhibit A attached hereto.

and as of March 05, 2014 at 5:00 p.m.

We find that the last deed of record runs to

John Mark McMahon Trustee or his successors in trust of the John Mark McMahon Living Trust, dated September 29, 2009

We find the following apparent encumbrances within ten (10) years prior to the effective date hereof:

NONE

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

2. Any improvement located upon the insured property, which is described or defined as a mobile home under the provisions of Chapter 820, Oregon Revised Statutes, is subject to registration as herein provided.
Exhibit "A"

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

BEGINNING AT THE NORTHWEST CORNER OF PROPERTY DESCRIBED IN MEMORANDUM OF CONTRACT OF SALE, RECORDED FEBRUARY 9, 1976, BEARING MICROFILM REEL NO. 76-2-2692, RECORDS OF COOS COUNTY, OREGON, SAID POINT BEING 30 FEET SOUTH AND 300 FEET WEST OF THE SOUTHEAST CORNER OF BLOCK 19, SMITH'S FIRST ADDITION TO BANDON, COOS COUNTY, OREGON; RUN THENCE WEST 410.25 FEET, MORE OR LESS, TO THE NORTHEAST CORNER OF PROPERTY CONVEYED TO DOUGLAS LIONEL HANEY ET UX, IN DEED RECORDED OCTOBER 14, 1977, BEARING MICROFILM REEL NO. 77-10-17277; THENCE SOUTH 228 FEET, 8 INCHES TO HANEY'S SOUTHEAST CORNER; THENCE WEST 579.75 FEET TO THE EAST BOUNDARY OF BLOCK 18, BENNETT'S PLAT "B" ADDITION TO BANDON; THENCE SOUTH ALONG THE EAST BOUNDARY OF SAID PLAT "B" 388.8 FEET, MORE OR LESS, TO THE SOUTHEAST CORNER OF BLOCK 19, SAID BENNETT'S PLAT "B"; THENCE NORTH 72° EAST 1040 FEET MORE OR LESS, TO A POINT SOUTH OF THE POINT OF BEGINNING; THENCE NORTH 280 FEET, MORE OR LESS, TO THE POINT OF BEGINNING. BEING A PORTION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 36, TOWNSHIP 28 SOUTH, RANGE 15 WEST OF THE WILLAMETTE MERIDIAN, COOS COUNTY, OREGON.

NOTE: This legal description was created prior to January 1, 2008.
NOTE: The tax roll discloses a mobile home on the herein described premises which is not included in a title insurance search. Upon specific request and payment of appropriate fee, the Company may issue a Personal Property Report which discloses ownership, financing statements, judgments and taxes on said mobile home.

3. Terms, provisions, conditions of the Trust Agreement of John Mark McMahon Trust dated September 29, 2009, and any subsequent modifications, a copy of which should be submitted to this office for inspection.

We have also searched our General Index for Judgments and State and Federal Liens against the Grantee(s) named above and find:

NONE

We find the following unpaid taxes and city liens:

NOTE: Taxes for the year 2013-2014 PAID IN FULL
Tax Amount: $175.56
Map No.: 28S1536DA03100
Property ID: 1054700
Tax Code No.: 5401

NOTE: Taxes for the year 2013-2014 PAID IN FULL
Tax Amount: $1,015.95
Map No.: 28S1536DA03100
Property ID: 1054790
Tax Code No.: 5403

NOTE: Taxes for the year 2013-2014 PAID IN FULL
Tax Amount: $475.63
Map No.: 28S1536DA03100
Property ID: 2292
Tax Code No.: 5403

NOTE: Taxes for the year 2013-2014 PAID IN FULL
Tax Amount: $283.83
Map No.: 28S1536DA03100
Property ID: 218766
Tax Code No.: 5403

THIS IS NOT a title report since no examination has been made of the title to the above described property. Our search for apparent encumbrances was limited to our Tract Indices, and therefore above listings do not include additional matters which might have been disclosed by an examination of the record title. We assume no liability in connection with this Lot Book Service and will not be responsible for errors or omissions therein. The charge for this service will not include supplemental reports, rechecks or other services.

First American Title
Statement of Tax Account

COOS COUNTY TAX COLLECTOR
COOS COUNTY COURTHOUSE
COQUILLE, OREGON 97423
(541) 396-7725


JOHN MARK McM AHON TRUST
MCMAHON, JOHN MARK, TRUSTEE
PO BOX 1644
BANDON, OR 97411-1644

<table>
<thead>
<tr>
<th>Tax Account #</th>
<th>1054700</th>
<th>Lender</th>
<th>Loan #</th>
<th>Property ID</th>
<th>Interest To</th>
<th>Mar 15, 2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>Account Status</td>
<td>Active</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Roll Type</td>
<td>Real Property</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Situs Address</td>
<td>87558 EDNA LN, BANDON, OR 97411</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Tax Summary

<table>
<thead>
<tr>
<th>Tax Year</th>
<th>Tax Type</th>
<th>Total Due</th>
<th>Current Due</th>
<th>Interest Due</th>
<th>Discount Available</th>
<th>Original Due</th>
<th>Due Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>2013</td>
<td>ADVALOREM</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>175.56</td>
<td>Nov 15, 2013</td>
</tr>
<tr>
<td>2012</td>
<td>ADVALOREM</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>169.86</td>
<td>Nov 15, 2012</td>
</tr>
<tr>
<td>2011</td>
<td>ADVALOREM</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>167.36</td>
<td>Nov 15, 2011</td>
</tr>
<tr>
<td>2010</td>
<td>ADVALOREM</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>163.33</td>
<td>Nov 15, 2010</td>
</tr>
<tr>
<td>2008</td>
<td>ADVALOREM</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>162.55</td>
<td>Nov 15, 2009</td>
</tr>
<tr>
<td>2006</td>
<td>ADVALOREM</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>187.51</td>
<td>Nov 15, 2008</td>
</tr>
<tr>
<td>2004</td>
<td>ADVALOREM</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>145.32</td>
<td>Nov 15, 2006</td>
</tr>
<tr>
<td>2005</td>
<td>ADVALOREM</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>145.27</td>
<td>Nov 15, 2005</td>
</tr>
<tr>
<td>2003</td>
<td>ADVALOREM</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>148.13</td>
<td>Nov 15, 2004</td>
</tr>
</tbody>
</table>

Total | 6.00 | 0.00 | 0.00 | 0.00 |
**Statement of Tax Account**

COOS COUNTY TAX COLLECTOR  
COOS COUNTY COURTHOUSE  
COQUILLE, OREGON 97423  
(541) 396-7725


**John Mark McMahon Trust**  
MCMAHON, JOHN MARK, TRUSTEE  
PO BOX 1644  
BANDON, OR 97411-1644

---

<table>
<thead>
<tr>
<th>Tax Account #</th>
<th>1054790</th>
</tr>
</thead>
<tbody>
<tr>
<td>Account Status</td>
<td>Active</td>
</tr>
<tr>
<td>Roll Type</td>
<td>Real Property</td>
</tr>
<tr>
<td>Situs Address</td>
<td>87558 EDNA LN, BANDON, OR 97411</td>
</tr>
</tbody>
</table>

**Lender**  
**Loan #**  
**Property ID** | 5403 28S1538DA03100 |
| **Interest To** | Mar 15, 2014 |

### Tax Summary

<table>
<thead>
<tr>
<th>Year</th>
<th>Type</th>
<th>Total Due</th>
<th>Current Due</th>
<th>Interest Due</th>
<th>Discount Available</th>
<th>Original Due</th>
<th>Due Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>2013</td>
<td>ADVALOREM</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>1,015.95</td>
<td>Nov 15, 2013</td>
</tr>
<tr>
<td>2012</td>
<td>ADVALOREM</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>985.88</td>
<td>Nov 15, 2012</td>
</tr>
<tr>
<td>2011</td>
<td>ADVALOREM</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>941.72</td>
<td>Nov 15, 2011</td>
</tr>
<tr>
<td>2010</td>
<td>ADVALOREM</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>913.40</td>
<td>Nov 15, 2010</td>
</tr>
<tr>
<td>2009</td>
<td>ADVALOREM</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>895.61</td>
<td>Nov 15, 2009</td>
</tr>
<tr>
<td>2008</td>
<td>ADVALOREM</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>885.89</td>
<td>Nov 15, 2008</td>
</tr>
<tr>
<td>2007</td>
<td>ADVALOREM</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>759.99</td>
<td>Nov 15, 2007</td>
</tr>
<tr>
<td>2006</td>
<td>ADVALOREM</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>741.05</td>
<td>Nov 15, 2006</td>
</tr>
<tr>
<td>2005</td>
<td>ADVALOREM</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>730.83</td>
<td>Nov 15, 2005</td>
</tr>
<tr>
<td>2004</td>
<td>ADVALOREM</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>749.20</td>
<td>Nov 15, 2004</td>
</tr>
<tr>
<td>2003</td>
<td>ADVALOREM</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>718.04</td>
<td>Nov 15, 2003</td>
</tr>
</tbody>
</table>

**Total** | 0.00 | 0.00 | 0.00 | 0.60 |
### COOS County Assessor's Summary Report

**Real Property Assessment Report**

**FOR ASSESSMENT YEAR 2013**

March 11, 2014 1:22:27 pm

---

**Account #** 1054700  
**Map #** 2851536-DA-03100  
**Code - Tax #** 5401-1054700  
**5403-1054700**  
**Tax Status** ASSESSABLE  
**Acct Status** ACTIVE  
**Subtype** NORMAL  
**Legal Descr** See Record  
**Mailing Name** JOHN MARK MCMAHON TRUST  
**Agent** MCMAHON, JOHN MARK, TRUSTEE  
**Deed Reference #** 1801-116474 (SOURCE ID(T): 900090763)  
**Sales Date/Price** 09-01-1990 / $0.00  
**Appraiser**

**Prop Class** 109  
**MA**  
**SA**  
**NH**  
**Unit**  
**RMV Class** 109  
**06**  
**27**  
**RRL**  
**18840-1**  
**Situs Address(s)**  
**ID#** 10 87558 EDNA LN  
**Situs City** BANDON  
**ID#** 10 87558 EDNA LN  
**BANDON**

<table>
<thead>
<tr>
<th>Code Area</th>
<th>AV</th>
<th>RMV</th>
<th>MAV</th>
<th>RMV Exception</th>
<th>CPR %</th>
</tr>
</thead>
<tbody>
<tr>
<td>5401</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Land</td>
<td>60,940</td>
<td></td>
<td>Land 0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Impr.</td>
<td>0</td>
<td></td>
<td>Impr. 0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Code Area Total</td>
<td>11,720</td>
<td>50,940</td>
<td>11,720</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>5403</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Land</td>
<td>141,020</td>
<td></td>
<td>Land 0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Impr.</td>
<td>37,160</td>
<td></td>
<td>Impr. 0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Code Area Total</td>
<td>198,090</td>
<td>179,110</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>107,740</td>
<td>230,050</td>
<td>107,740</td>
<td>0</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Code Area</th>
<th>ID#</th>
<th>RFD</th>
<th>Ex</th>
<th>Plan Zone</th>
<th>Value Source</th>
<th>TD%</th>
<th>LS</th>
<th>Size</th>
<th>Land Class</th>
<th>LUC</th>
<th>Trended RMV</th>
</tr>
</thead>
<tbody>
<tr>
<td>5401</td>
<td>10</td>
<td>R</td>
<td>C-1</td>
<td>Market</td>
<td></td>
<td>100</td>
<td>A</td>
<td>2.32</td>
<td>MV</td>
<td>*</td>
<td>50,940</td>
</tr>
<tr>
<td>Code Area Total</td>
<td>2.32</td>
<td>50,940</td>
<td>50,940</td>
<td>50,940</td>
<td>50,940</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5403</td>
<td>20</td>
<td>R</td>
<td>C-1</td>
<td>Market</td>
<td></td>
<td>100</td>
<td>A</td>
<td>1.00</td>
<td>MHS</td>
<td>*</td>
<td>54,690</td>
</tr>
<tr>
<td>5403</td>
<td>30</td>
<td>R</td>
<td>C-1</td>
<td>Market</td>
<td></td>
<td>100</td>
<td>A</td>
<td>4.00</td>
<td>MV</td>
<td>*</td>
<td>87,330</td>
</tr>
<tr>
<td>Code Area Total</td>
<td>6.00</td>
<td>141,020</td>
<td>141,020</td>
<td>141,020</td>
<td>141,020</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>7.32</td>
<td>182,660</td>
<td>182,660</td>
<td>182,660</td>
<td>182,660</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Code Area</th>
<th>ID#</th>
<th>Yr</th>
<th>Built</th>
<th>Stat Class</th>
<th>Description</th>
<th>TD%</th>
<th>Sq. Ft</th>
<th>Ex% MS Acct #</th>
<th>Trended RMV</th>
</tr>
</thead>
<tbody>
<tr>
<td>5403</td>
<td>1</td>
<td>0</td>
<td>303</td>
<td>General Purpose Building</td>
<td>100</td>
<td>450</td>
<td>0</td>
<td>37,190</td>
<td></td>
</tr>
<tr>
<td></td>
<td>450</td>
<td>37,190</td>
<td>37,190</td>
<td>37,190</td>
<td>37,190</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Exemptions/Special Assessments/Potential Liability**

**SPECIAL ASSESSMENT:**  
- FIRE PATROL SRC HG  
- FIRE PATROL TIMBER

**NOTATION(S):**  
- OUT OF CYCLE ADDED 2003

**5403**  
**NOTATION(S):**  
- HARDSHIPS SITE ADDED 2010  
- BHD-10-15; 2CL 09-71  
- OUT OF CYCLE ADDED 2003

Page 1 of 2
Account #: 1054700
NS Account(s): 5403-P-218766

Comments: SPLIT CODE 10547.90
S 8ND BANDON AV SW
FIRE PAT ACRES 6.32'
85 BOE #180 1986-87 N/C
### COOS COUNTY ASSESSOR’S NAME LEDGER

**Account ID**: 1054700  
**Township**: 28S  
**Range**: 15  
**Section**: 36  
**1/4**: D  
**1/16**: A  
**Taxlot**: 03100

<table>
<thead>
<tr>
<th>Effective Date</th>
<th>01-Feb-1983 12:00 AM</th>
<th>Transaction ID</th>
<th>-168581</th>
<th>Entry Date</th>
<th>01-Feb-1983</th>
<th>Recorded Date</th>
<th>01-Feb-1983</th>
<th>Sale Date</th>
<th>01-Feb-1983</th>
</tr>
</thead>
<tbody>
<tr>
<td>Seq</td>
<td>Voucher ID</td>
<td>Tax Year</td>
<td>Document Source</td>
<td>Type</td>
<td>ID #1</td>
<td>ID #2</td>
<td>PID</td>
<td>Source ID</td>
<td>PT</td>
</tr>
<tr>
<td>-----</td>
<td>------------</td>
<td>----------</td>
<td>------------------</td>
<td>------</td>
<td>-------</td>
<td>-------</td>
<td>-----</td>
<td>-----------</td>
<td>----</td>
</tr>
<tr>
<td>1</td>
<td>-205008</td>
<td>1991</td>
<td>HISTORICAL - BOR</td>
<td>U</td>
<td>1991</td>
<td>139268</td>
<td>1</td>
<td>830200370</td>
<td>NAME CHANGE</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Name Changes</th>
<th>Status</th>
<th>Name</th>
<th>Name Type</th>
<th>Ownership Type</th>
<th>Ownership %</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>MCMAHON, JOHN M.</td>
<td></td>
<td>OWNER</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Size Totals</th>
<th>Code</th>
<th>Acres</th>
<th>Sqft</th>
<th>Alternate Size</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Effective Date</th>
<th>01-Sep-1990 12:00 AM</th>
<th>Transaction ID</th>
<th>-191451</th>
<th>Entry Date</th>
<th>01-Sep-1990</th>
<th>Recorded Date</th>
<th>01-Sep-1990</th>
<th>Sale Date</th>
<th>01-Sep-1990</th>
</tr>
</thead>
<tbody>
<tr>
<td>Seq</td>
<td>Voucher ID</td>
<td>Tax Year</td>
<td>Document Source</td>
<td>Type</td>
<td>ID #1</td>
<td>ID #2</td>
<td>PID</td>
<td>Source ID</td>
<td>PT</td>
</tr>
<tr>
<td>-----</td>
<td>------------</td>
<td>----------</td>
<td>------------------</td>
<td>------</td>
<td>-------</td>
<td>-------</td>
<td>-----</td>
<td>-----------</td>
<td>----</td>
</tr>
<tr>
<td>1</td>
<td>-205009</td>
<td>1991</td>
<td>HISTORICAL - BOR</td>
<td>U</td>
<td>1991</td>
<td>116474</td>
<td>1</td>
<td>900900752</td>
<td>NAME CHANGE</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Name Changes</th>
<th>Status</th>
<th>Name</th>
<th>Name Type</th>
<th>Ownership Type</th>
<th>Ownership %</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>MCMAHON, JOHN M. &amp;</td>
<td></td>
<td>OWNER</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Size Totals</th>
<th>Code</th>
<th>Acres</th>
<th>Sqft</th>
<th>Alternate Size</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Effective Date</th>
<th>29-Sep-2009 12:00 AM</th>
<th>Transaction ID</th>
<th>-51769</th>
<th>Entry Date</th>
<th>29-Sep-2009</th>
<th>Recorded Date</th>
<th>29-Sep-2009</th>
<th>Sale Date</th>
<th>29-Sep-2009</th>
</tr>
</thead>
<tbody>
<tr>
<td>Seq</td>
<td>Voucher ID</td>
<td>Tax Year</td>
<td>Document Source</td>
<td>Type</td>
<td>ID #1</td>
<td>ID #2</td>
<td>PID</td>
<td>Source ID</td>
<td>PT</td>
</tr>
<tr>
<td>-----</td>
<td>------------</td>
<td>----------</td>
<td>------------------</td>
<td>------</td>
<td>-------</td>
<td>-------</td>
<td>-----</td>
<td>-----------</td>
<td>----</td>
</tr>
<tr>
<td>1</td>
<td>-51769</td>
<td>2010</td>
<td>HISTORICAL - BOR</td>
<td>B&amp;S</td>
<td>2010</td>
<td>2631</td>
<td>1</td>
<td>2009-11265</td>
<td>NAME CHANGE</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Name Changes</th>
<th>Status</th>
<th>Name</th>
<th>Name Type</th>
<th>Ownership Type</th>
<th>Ownership %</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>MCMAHON, JOHN MARK, TRUSTEE</td>
<td></td>
<td>AGENCY</td>
<td></td>
<td></td>
</tr>
<tr>
<td>A</td>
<td>JOHN MARK MCMAHON TRUST</td>
<td></td>
<td>OWNER</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Size Totals</th>
<th>Code</th>
<th>Acres</th>
<th>Sqft</th>
<th>Alternate Size</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Effective Date</th>
<th>13-Sep-2010 12:00 AM</th>
<th>Transaction ID</th>
<th>-29091</th>
<th>Entry Date</th>
<th>13-Sep-2010</th>
<th>Recorded Date</th>
<th>13-Sep-2010</th>
<th>Sale Date</th>
<th>13-Sep-2010</th>
</tr>
</thead>
<tbody>
<tr>
<td>Seq</td>
<td>Voucher ID</td>
<td>Tax Year</td>
<td>Document Source</td>
<td>Type</td>
<td>ID #1</td>
<td>ID #2</td>
<td>PID</td>
<td>Source ID</td>
<td>PT</td>
</tr>
<tr>
<td>-----</td>
<td>------------</td>
<td>----------</td>
<td>------------------</td>
<td>------</td>
<td>-------</td>
<td>-------</td>
<td>-----</td>
<td>-----------</td>
<td>----</td>
</tr>
<tr>
<td>1</td>
<td>-29091</td>
<td>2010</td>
<td>ASSESSOR'S FILE</td>
<td>2010</td>
<td>-1054700</td>
<td>1</td>
<td>CONVERSION</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Size Changes</th>
<th>Code</th>
<th>+/- Size</th>
<th>Alternate Size</th>
<th>Code Area Deleted</th>
<th>Move to Acct</th>
<th>Move To Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>5401</td>
<td>2.32 Acres</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Date</td>
<td>Event</td>
<td>Description</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>------------</td>
<td>------------------------</td>
<td>---------------------------------------</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>24-May-2013</td>
<td>Entry Date</td>
<td>Recorded Date 24-May-2013</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>25-May-2013</td>
<td>Effective Date</td>
<td>Recorded Date 25-May-2013</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>07-Nov-2012</td>
<td>Entry Date</td>
<td>Recorded Date 07-Nov-2012</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>08-Nov-2012</td>
<td>Effective Date</td>
<td>Recorded Date 08-Nov-2012</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Account ID:** T14 1/16 Taxlot Special Interest

**Payment:** A 03100

**Type:** 421846

**Source ID:** 448

**PT Operation:**

<table>
<thead>
<tr>
<th>Code</th>
<th>亩</th>
<th>Code</th>
<th>亩</th>
<th>Code</th>
<th>亩</th>
</tr>
</thead>
<tbody>
<tr>
<td>6940</td>
<td>232</td>
<td>6940</td>
<td>232</td>
<td>6940</td>
<td>232</td>
</tr>
</tbody>
</table>

**T Township Range Section:** 104700 285 36 D 4 A 03314 1/2234 Pm
COOS COUNTY TAX COLLECTOR
COOS COUNTY COURTHOUSE
COQUILLE, OREGON 97423
(541) 396-7725

JOHN MARK MCMAHON TRUST
MCMAHON, JOHN MARK, TRUSTEE
PO BOX 1644
BANDON, OR 97411

3/11/2014 1:23:04 PM

<table>
<thead>
<tr>
<th>Tax Account #</th>
<th>81206</th>
</tr>
</thead>
<tbody>
<tr>
<td>Account Status</td>
<td>Cancelled</td>
</tr>
<tr>
<td>Roll Type</td>
<td>Real Property</td>
</tr>
<tr>
<td>Situs Address</td>
<td>87558 EDNA LN, BANDON, OR 97411</td>
</tr>
<tr>
<td>Lender</td>
<td></td>
</tr>
<tr>
<td>Loan #</td>
<td></td>
</tr>
<tr>
<td>Property ID</td>
<td>5403 28S1536D03100</td>
</tr>
<tr>
<td>Interest To</td>
<td>Mar 15, 2014</td>
</tr>
</tbody>
</table>

**Tax Summary**

<table>
<thead>
<tr>
<th>Tax Year</th>
<th>Total Due</th>
<th>Current Due</th>
<th>Interest Due</th>
<th>Discount Available</th>
<th>Original Due</th>
<th>Due Date</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Tax Notations**

<table>
<thead>
<tr>
<th>Notation Code</th>
<th>Date Added</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>CODE SPLIT</td>
<td>05/23/2013</td>
<td>REAL PROPERTY ACCOUNT 1054790 CANCELLED AND COMBINED INTO 1054700</td>
</tr>
</tbody>
</table>
March 11, 2014 1:23:09 pm

COOS County Assessor's Summary Report
Real Property Assessment Report
FOR ASSESSMENT YEAR 2013

Account # 1054780
Map # 2851536-DA-03100
Legal Descr See Record
Mailing Name JOHN MARK McMACHON TRUST
Agent McMACHON, JOHN MARK, TRUSTEE
In Care Of See Record
Mailing Address PO BOX 1644
BANDON, OR 97411

Prop Class 109 MA SA NH Unit
RMV Class 109 05 27 RRL -16843-0

Value Summary

<table>
<thead>
<tr>
<th>Code Area</th>
<th>AV</th>
<th>RMV</th>
<th>MAV</th>
<th>RMV Exception</th>
<th>CPR %</th>
</tr>
</thead>
<tbody>
<tr>
<td>5403</td>
<td></td>
<td>141,020</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Value Summary

| Code Area Total | 96,020 | 179,110 | 96,020 |

| Code Area Total | 96,020 | 179,110 | 96,020 |

Land Breakdown

<table>
<thead>
<tr>
<th>Code Area</th>
<th>ID#</th>
<th>RFD</th>
<th>Ex</th>
<th>Plan</th>
<th>Zone</th>
<th>Value Source</th>
<th>TD %</th>
<th>LS</th>
<th>Size</th>
<th>Land Class</th>
<th>LUC</th>
<th>Trended RMV</th>
</tr>
</thead>
<tbody>
<tr>
<td>5403</td>
<td>10</td>
<td>R</td>
<td>C-1*</td>
<td>Market</td>
<td>100</td>
<td>A</td>
<td>1.60</td>
<td>MHS</td>
<td>54,560</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5403</td>
<td>20</td>
<td>R</td>
<td>C-1*</td>
<td>Market</td>
<td>100</td>
<td>A</td>
<td>4.00</td>
<td>MV</td>
<td>67,330</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Grand Total | 5.00 | 141,020 |

Improvement Breakdown

<table>
<thead>
<tr>
<th>Code Area</th>
<th>ID#</th>
<th>Yr</th>
<th>Stat</th>
<th>Class</th>
<th>Description</th>
<th>TD %</th>
<th>En %</th>
<th>MS Acct #</th>
<th>Trended RMV</th>
</tr>
</thead>
<tbody>
<tr>
<td>5403</td>
<td>1</td>
<td>0</td>
<td>303</td>
<td>General Purpose Building</td>
<td>100</td>
<td>450</td>
<td>37,190</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5403</td>
<td>2</td>
<td>1993</td>
<td>482</td>
<td>MH REAL DOUBLE CLASS 6</td>
<td>100</td>
<td>1,460</td>
<td>P - 216766</td>
<td>29,480</td>
<td></td>
</tr>
<tr>
<td>5403</td>
<td>1</td>
<td>2008</td>
<td>442</td>
<td>MH REAL DOUBLE CLASS 4</td>
<td>100</td>
<td>1,680</td>
<td>P - 2292</td>
<td>49,840</td>
<td></td>
</tr>
</tbody>
</table>

Grand Total | 3,534 | 116,520 |

Exemptions/Special Assessments/Potential Liability

NOTATION(S):
- HARDSHIP SITE ADDED 2010
- BND-10-15; 2CL 09-71
- OUT OF CYCLE ADDED 2003

Comments:
SPLIT CODE 10547.00
S END BANDON AV SW
95 BGE #178 1996-87 N/C
PER JORDAN, HID 325540 SITED ON PROPERTY LAST YEAR AS FHD. LOIS
STILL HAS UNDER DEALER INVENTORY. SENT NOTICE OF SALECHANGE OF
OWNERSHIP APPLICATION TO OWNER
DAUGHTER CALLED, SHERRY McMACHON, FATHER IS OUT OF TOWN FOR 3 WEEKS.
WILL SUBMIT CHANGE OF OWNERSHIP WHEN HE RETURNS. (541-838-1788)
<table>
<thead>
<tr>
<th>State Table Code</th>
<th>State Acres</th>
<th>Site Number</th>
<th>Allowance Size</th>
<th>Status Change To</th>
</tr>
</thead>
<tbody>
<tr>
<td>22.8747</td>
<td>37.84</td>
<td>304</td>
<td>0.00 Acres</td>
<td>CANCELLED</td>
</tr>
</tbody>
</table>

**Emitter Data**

- **Id**: 22-May-2013 T-2200 A
- **Transaction Id**: 428146

**Effective Date**: 23-May-2013

**Recorded Date**: 23-May-2013

<table>
<thead>
<tr>
<th>State Table Code</th>
<th>State Acres</th>
<th>Site Number</th>
<th>Allowance Size</th>
</tr>
</thead>
<tbody>
<tr>
<td>5000.650</td>
<td>37.84</td>
<td>304</td>
<td>0.00 Acres</td>
</tr>
</tbody>
</table>

**Emitter Data**

- **Id**: 22-Nov-2012 T-308 P
- **Transaction Id**: 42799

**Effective Date**: 28-Nov-2012

**Recorded Date**: 28-Nov-2012

<table>
<thead>
<tr>
<th>State Table Code</th>
<th>State Acres</th>
<th>Site Number</th>
<th>Allowance Size</th>
</tr>
</thead>
</table>
| 1064790.285 | 15 36 D A | 03100 | 1/16 | Township Range Section 1/4 Special Interest

3/11/2014 10:23 PM
**Statement of Tax Account**

**COOS COUNTY TAX COLLECTOR**
**COOS COUNTY COURTHOUSE**
**COQUILLE, OREGON 97423**
(541) 396-7725

3/11/2014 1:27:26 PM

MCMAHON, JOHN
PO BOX 1644
BANDON, OR 97411-1644

<table>
<thead>
<tr>
<th>Tax Account #</th>
<th>2292</th>
<th></th>
<th>Lender</th>
<th></th>
<th></th>
<th>Loan #</th>
<th>Property ID</th>
<th>5403 28S1538D003100</th>
<th>Interest To</th>
<th>Mar 15, 2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>Account Status</td>
<td>Active</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Roll Type</td>
<td>MFD Structure Property</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Situs Address</td>
<td>87558 EDNA LN, BANDON, OR 97411</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Tax Summary**

<table>
<thead>
<tr>
<th>Tax Year</th>
<th>Tax Type</th>
<th>Total Due</th>
<th>Current Due</th>
<th>Interest Due</th>
<th>Discount Available</th>
<th>Original Due</th>
<th>Due Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>2013</td>
<td>ADVALOREM</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>475.63</td>
<td>Nov 15, 2013</td>
</tr>
<tr>
<td>2012</td>
<td>ADVALOREM</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>510.68</td>
<td>Nov 15, 2012</td>
</tr>
<tr>
<td>2011</td>
<td>ADVALOREM</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>545.33</td>
<td>Nov 15, 2011</td>
</tr>
<tr>
<td>2010</td>
<td>ADVALOREM</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>528.00</td>
<td>Nov 15, 2010</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td><strong>0.00</strong></td>
<td><strong>0.00</strong></td>
<td><strong>0.00</strong></td>
<td><strong>0.00</strong></td>
<td><strong>0.00</strong></td>
<td><strong>0.00</strong></td>
</tr>
</tbody>
</table>
COOS COUNTY ASSESSOR
Manufactured Structure Assessment Report
FOR ASSESSMENT YEAR 2013

Account # 2282
Code - Tax # 5403
Mailing Address MCMAHON, JOHN
PO BOX 1644
BANDON, OR 97411-1644

TAX STATUS ASSESSABLE
ACCT STATUS ACTIVE
SUBTYPE PERSONAL
HOME ID 325540
X NUMBER 1917

SITUS ADDRESS
67558 EDNA LN
BANDON

APPRaiser DEBBY E. HILVERDA

VALUE SUMMARY

<table>
<thead>
<tr>
<th>CODE AREA</th>
<th>AV</th>
<th>RMV</th>
<th>MAV</th>
<th>TREND %</th>
<th>RMV EXCEPTION</th>
<th>CPR %</th>
</tr>
</thead>
<tbody>
<tr>
<td>5403</td>
<td>$44,860</td>
<td>$44,860</td>
<td>$53,990</td>
<td>90%</td>
<td>IMPR.</td>
<td>$0</td>
</tr>
</tbody>
</table>

Manufactured Structure Information

VIN # HERO2655500RA.B
BRAND MARLETTE
MODEL
YEAR BUILT 2008
STICKER #
STAT CLASS 442
QUALITY 100
CONDITION A
MA / SA / NH 06 / 27 / RRL
BEDROOMS / BATHS 3 / 2

VIN # HERO2655500RA.B
BRAND MARLETTE
MODEL
YEAR BUILT 2008
STICKER #
STAT CLASS 442
QUALITY 100
CONDITION A
MA / SA / NH 06 / 27 / RRL
BEDROOMS / BATHS 3 / 2

Real Property Information

FLOORS

DESCRIPTION  CLASS  SOFT SIZE  TYPE OF HEAT  RMV
FIRST FLOOR DR-1 LR-1 KT-1 BD-1 BR-1 U-1 OTH-1
1003 Fndtn - Pier/Piling 176 0 6007 IntComp - C'lop Plastics Lam 30 0
1007 Fndtn - Stirling - Aluminum 176 0 6009 IntComp - Appliance Basic Set 1660 0
2004 HARDBOARD 1 1700 6016 IntComp - Appliance Blt-In Mwave 1 550
3102 Roof - Gable - Med Arch Comp 1 600 6020 IntComp - Appliance GarbDisposal 1 115
4001 Floor - 1st Flr - Carpet/Vinyl 1660 0 8001 PlumbBr - Full Bath 1660 0
5001 Partitions - Drywall 1660 0 9001 Heatg - EBB/Wal/Cell 1660 0
6004 IntComp - Good Built-Ins 1660 0 9013 Heatg - Super Good Cen 1660 0
Total Floor RMV 59,203

EXEMPTIONS / SPECIAL ASSESSMENTS / POTENTIAL LIABILITY

TYPE MOBILE HOME PARKS ACCOUNT FEE
AMOUNT $6.00

NOTATION(S):
DESCRIPTION SUBSEQUENT YEAR UPDATE ADDED 2012 AMT TAX
DESCRIPTION SUBSEQUENT YEAR UPDATE ADDED 2013 AMT TAX
APPRaisal MAINT: 2013 - REQUEST FOR REVIEW (REQUEST FOR REAPPRAISAL
COMMENTS: MARLETTE; reduced per 2012 RFR #12-153 to $49,840

Page 1 of 1
**Statement of Tax Account**

COOS COUNTY TAX COLLECTOR
COOS COUNTY COURTHOUSE
COQUILLE, OREGON 97423
(541) 396-7725

3/11/2014 1:28:50 PM

MCMAHON, JOHN MARK & NANCY T
PO BOX 1644
BANDON, OR 97411-1644

| Tax Account # | 218766 |
| Lender | |
| Account Status | Active |
| Loan # | |
| Roll Type | MFD Structure Property |
| Situs Address | 87598 EDNA LN, BANDON, OR 97411 |
| Property ID | 5403 28S1536M03100 |
| Interest To | Mar 15, 2014 |

**Tax Summary**

<table>
<thead>
<tr>
<th>Tax Year</th>
<th>Tax Type</th>
<th>Total Due</th>
<th>Current Due</th>
<th>Interest Due</th>
<th>Discount Available</th>
<th>Original Due</th>
<th>Due Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>2013</td>
<td>ADVALOREM</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>283.83</td>
<td>Nov 15, 2013</td>
</tr>
<tr>
<td>2012</td>
<td>ADVALOREM</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>302.15</td>
<td>Nov 15, 2012</td>
</tr>
<tr>
<td>2011</td>
<td>ADVALOREM</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>544.94</td>
<td>Nov 15, 2011</td>
</tr>
<tr>
<td>2010</td>
<td>ADVALOREM</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>528.50</td>
<td>Nov 15, 2010</td>
</tr>
<tr>
<td>2009</td>
<td>ADVALOREM</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>516.30</td>
<td>Nov 15, 2009</td>
</tr>
<tr>
<td>2008</td>
<td>ADVALOREM</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>512.68</td>
<td>Nov 15, 2008</td>
</tr>
<tr>
<td>2007</td>
<td>ADVALOREM</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>497.10</td>
<td>Nov 15, 2007</td>
</tr>
<tr>
<td>2006</td>
<td>ADVALOREM</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>484.72</td>
<td>Nov 15, 2006</td>
</tr>
<tr>
<td>2005</td>
<td>ADVALOREM</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>478.02</td>
<td>Nov 15, 2005</td>
</tr>
<tr>
<td>2004</td>
<td>ADVALOREM</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>460.02</td>
<td>Nov 15, 2004</td>
</tr>
<tr>
<td>2003</td>
<td>ADVALOREM</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>469.57</td>
<td>Nov 15, 2003</td>
</tr>
</tbody>
</table>

Total: 0.00 0.00 0.00 0.00
COOS COUNTY ASSESSOR
Manufactured Structure Assessment Report
FOR ASSESSMENT YEAR 2013

Account #: 218766
Code - Tax #: 5403
Mailing Address: MCMAHON, JOHN MARK & NANCY T
PO BOX 1644
BANDON, OR 97411-1644

TAX STATUS: ASSESSABLE
ACCT STATUS: ACTIVE
SUBTYPE: PERSONAL
HOME ID: 269773
X NUMBER: X218766

SITUS ADDRESS: 87558 EDNA LN
SITUS CITY: BANDON
APPRaiser: MARY BETH RAWLINS

VALUE SUMMARY

<table>
<thead>
<tr>
<th>CODE</th>
<th>AREA</th>
<th>AV</th>
<th>RMV</th>
<th>MAV</th>
<th>TREND</th>
<th>RMV EXCEPTION</th>
<th>CPR %</th>
</tr>
</thead>
<tbody>
<tr>
<td>5403</td>
<td>IMPR</td>
<td>$26,540</td>
<td>$26,540</td>
<td>$53,950</td>
<td>90%</td>
<td>IMPR</td>
<td>$0</td>
</tr>
</tbody>
</table>

Manufactured Structure Information

VIN #: GDSTOR019315409
BRAND: KINGSWOOD
MODEL: 5403
YEAR BUILT: 1993
STICKER #: 1993

STAT CLASS: 462
QUALITY: 100
CONDITION: A
MA / SA / NH: 06 / 27 / RRL
BEDROOMS / BATHS: 3 / 2

Real Property Information

REAL ACCOUNT #: 1054700
MAP: 28S1636DA03100
UNIT: 16640
PARK NAME: COMMENTS: SPLIT CODE 10547.00
S END BANDON AV SW
FIRE PAT ACRES: 8.32
96 BOE #180 1996-97 N/C

Total Floor RMV: 48,112

FLOORS

<table>
<thead>
<tr>
<th>DESCRIPTION</th>
<th>CLASS</th>
<th>SOFT</th>
<th>SIZE</th>
<th>TYPE</th>
<th>TYPE OF HEAT</th>
<th>RMV</th>
</tr>
</thead>
<tbody>
<tr>
<td>9202 Open Porch No Roof</td>
<td>40</td>
<td>320</td>
<td>5001 Partitions - Drywall</td>
<td>1404</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>1003 Findn - Plan/Placng</td>
<td>1404</td>
<td>0</td>
<td>6003 IntComp - Avg Built Ins</td>
<td>1404</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>1007 Findn - Skirting - Aluminum</td>
<td>156</td>
<td>632</td>
<td>8001 Plumb/b - Full Bath</td>
<td>1404</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>1022 Findn Conc Rndrs Dbl</td>
<td>1404</td>
<td>1553</td>
<td>8011 Plumb/b - Kitchen Sink</td>
<td>1404</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>2002 MFS - Cedar Bevel Siding</td>
<td>1404</td>
<td>0</td>
<td>8012 Plumb/b - Water Heater</td>
<td>1404</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>3101 Roof - Gable - Light Comp</td>
<td>1404</td>
<td>0</td>
<td>8018 Plumb/b - Laundry Hookup</td>
<td>1404</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>4001 Floor - 1st Flr - Carpet/Vinyl</td>
<td>1404</td>
<td>0</td>
<td>9003 Heat/g - F/A</td>
<td>1404</td>
<td>0</td>
<td></td>
</tr>
</tbody>
</table>

Total Floor RMV: 48,112

EXEMPTIONS / SPECIAL ASSESSMENTS / POTENTIAL LIABILITY

TYPE: SPECIAL ASSESSMENT(S):
TYPE: MOBILE HOME PARKS ACCOUNT FEE
AMOUNT: $5.00
NOTATION(S): OUT OF CYCLE ADDED 2003 AMT TAX

Page 1 of 2
DESCRIPTION    SUBSEQUENT YEAR UPDATE ADDED 2012 AMT TAX
APPRaisal MAINT:  2013 - REQUEST FOR REVIEW (REQUEST FOR REAPPRAISAL)
COMMENTS:       KINGSWOOD; reduced per RFR #12-154 to $29,480
Attachment B

Maps
File: P-14-05
Applicant/Owner: John McMahon
Date: 5/1/14
Location: Township 28S Range 15W Section 36DA TL 3100
Proposal: Three Parcel Partition
Attachment C

Letters received marked as Exhibits 1 through 4
Dear Director Rolfe,

My wife and I have lived at the corner of Edna Lane and Evergreen Street, part of the “Bandon Donut”, for 30 years. Our property adjoins the above mentioned partition separated only by 25th Street SW (undeveloped) which is south of our property. We have concerns about this partition and want to thank you for giving us an opportunity to express our concerns through the request for comment process.

Mr. McMahon had only one residence just a few years ago but filed a “hardship” application in 2009 to bring in another manufactured home onto his property. Does the partition of the property remove the reason used for the “hardship” clause that justified allowing the second dwelling on a single property? Does the partition now justify the second dwelling without the “hardship” need? How can a “hardship” dwelling that uses the same well and septic system as the original dwelling qualify to have those utilities cross the new property line? It is inevitable that another dwelling will be placed on the parcels being partitioned and does “private well/septic” refer to in the application the same private well and septic or will each dwelling have their own private well and septic system?

A couple of years ago, Mr. McMahon purchased the DeOs’s property, which is right across the street from our house, and after a year or so he tore it down leaving a vacant lot. A couple of months ago, he brought in a used manufactured double wide and is currently establishing it as a dwelling on that property. Now he wants to divide his property to accommodate more dwellings, more residence and more traffic. His holdings of dwellings in the area will rise to 50%; his use of the roadway currently is about 75% to 80% and will be higher once his expansion is completed. The current population of residents on Edna is six not including those living on McMahon property. He currently has nine people living on his property (60% of the street population) and will probably increase to twelve (66.6%) when he is done with his partitioning project.

Another concern we have with this partition is the inevitable increase in traffic, dust, noise, speeding vehicles, stop sign violations and the increase in near accidents on tiny, dead ended Edna Lane. Edna Lane and Evergreen Street (60 foot easements) are single lane right-a-ways; two vehicles cannot travel in opposing directions at the same time. Not including Mr. McMahon’s property, there are only four developed properties with residences that use Edna Lane to access their property. McMahon’s daily activities currently can cause close to 40 trips on the road a day. Portions of one of Mr. McMahon’s property is zoned commercial and if Mr. McMahon uses that property for legitimate commercial use, traffic will increase even more. Commercial use has occurred in the past on McMahon’s property and the increased traffic day and night has been disturbing.

We request that Mr. McMahon be required to widen the road from Hwy 101 to his property line at current county standards (or the city of Bandon standards since this area is in the city’s expansion plan) so that traffic can flow in both directions at the same time. An alternative for Mr. McMahon would be to develop 25th Street (30 foot easement) to county standards to remove his traffic from traveling down Evergreen and Edna to highway 101.

Our stick-built house was built in 1928 and we have worked hard to upgrade, remodel and increase the value of our property. Every piece of 1928 wood has been replaced and our property value has increased 10 fold. We have landscaped our almost acre lot to make it a beautiful haven for birds and humans alike. We have concerns that the whole neighborhood is becoming a Mecca for old doublewides and manufactured homes which may bring down the value of our property.
We are willing to provide more information either in writing or in person on this matter if needed.

Sincerely,

Steve & Patricia Bodnar  
87572 Edna Lane  
PO Box 517  
Bandon, Oregon 87411  
541-347-3646
Coos County Planning Commission
201 N. Adams
Coquille, OR 97423

June 22, 2014

RE: McMahon response to the letter of concern submitted by Steve and Patricia Bodnar as it pertains to the McMahon land division partition, Coos County Planning File# P-14-05.

Dear Coos County Planning Commission,

My name is Terence Campbell, Oregon Professional Land Surveyor #83800, and I am writing this letter on behalf of my client, Mr. John McMahon, who has hired me to partition his existing 7.14 acre parcel (Tax Lot 3100, Map 28-15-36DA) into 3 parcels of 1.82, 2.45 and 2.87 acres respectively. The reason Mr. McMahon, who is 82 years old, has decided to partition his land is he wishes to create a separate parcel for the land that the existing hardship dwelling is sited upon. The purpose of this partition is to remove the conditions and restrictions that are associated with having a hardship dwelling on a parcel that is not zoned for multiple residential structures. Mr. McMahon then agreed with my recommendation to divide his land into 3 parcels, as the benefit of creating a third parcel greatly exceeds the minimal cost to do so. On June 3, 2014 the Coos County Planning Department received a letter from Mr. McMahon’s neighbors, Steve and Patricia Bodnar, who voiced their concerns regarding Mr. McMahon’s partition and I will be addressing these concerns as follows:

1. Responses to the Bodnars concerns regarding the hardship dwelling.

A) Upon the completion of the partition, the hardship dwelling will be sited on its own individual parcel and will no longer have the “hardship” designation. The dwelling will become a residential structure on a legally created parcel of land.

B) As a condition of obtaining a zoning compliance letter from the Coos County Planning Department, the hardship dwelling is required to have its own drain field and Mr. McMahon will be creating a drain field for the hardship dwelling as required by the Coos County Planning Department.

C) The hardship dwelling and Mr. McMahon’s residence will obtain their water from the existing well, thus creating a shared well. Maintenance agreements and water line easements will be created to address the logistics of the shared well. The undeveloped westernmost parcel will have water and septic systems that are independent of the systems used by Mr. McMahon’s residence and the hardship dwelling.

D) Mr. McMahon obtained all of the required permits when he brought in his hardship dwelling and had the legal right to do so at the time of construction. Further, Mr. McMahon has remained compliant with the conditions set forth in having a hardship dwelling and has inspections by government entities to verify his compliance.

E) I would like to reiterate the fact that Mr. McMahon is 82 years old and the purpose of the hardship dwelling is to allow a caretaker to live on site to assist Mr. McMahon in his daily activities.
2. Responses to the Bodnars concerns regarding the current development in the neighborhood.

A) Mr. McMahon has the right to divide and develop his property, regardless of the quantity of the property he owns, within the letter of the law.

B) It may be unclear to the Bodnars that the parcel they own is zoned Commercial (C-1) and the rest of the neighborhood is zoned Urban Residential (UR-2). Also the entire area falls within the City of Bandon Urban Growth Boundary. If the Bodnars want to live in an area without neighbors and development, they should consider moving to an area with a more rural zoning classification.

3. Responses to the Bodnars concerns regarding an increase in traffic and road improvements.

A) Again I would like to reiterate the fact that the neighborhood has zoning classifications Commercial (C-1) and Urban Residential (UR-2) and the entire area occurs within the City of Bandon Urban Growth Boundary. An increase in traffic in this area is expected with development as defined by Coos County land use planning goals and guidelines.

B) During the technical review committee (TRC) meeting with county officials for this partition (which included the county roadmaster), there were no comments made by the attending officials that would require improvements to the existing road system that is currently being used for ingress and egress to the McMahon property.

C) The westernmost parcel of this partition will gain access from Carter Street and its residents will not be driving by the Bodnars.

D) With regards to the request by the Bodnars to require Mr. McMahon to improve the existing roads to county standards up to his property line, this is impossible because the Bodnars have parked a metal shipping container in the road right-of-way which prohibits Mr. McMahon from creating a road that meets county standards.

E) With regards to the Bodnars traffic volume and vehicle violation claims; I request to see the traffic study to which these claims are based upon.

4. Responses to the Bodnars concerns regarding a decrease in property value with development.

A) I understand that no one likes development, but the truth is the Bodnars live in an area zoned for high density residential and commercial development and the current neighborhood is composed of manufactured and older stick built homes. Once again if the Bodnars want to live in an area without neighbors and development, they should consider moving to an area with a more rural zoning classification or a neighborhood that is composed of homes up to their standards.

Sincerely,

[Signature]

Terence Campbell
June 24, 2014

Re- File # P-14-05
McMahon Partition Application
Appeal

Jill,

I have reviewed the letter of appeal submitted by Steve and Patricia Bodnar as well as the rebuttal letter sent in from Terrence Campbell. I believe that Mr. Campbell has adequately addressed the concerns brought up by Mr. and Mrs. Bodnar.

The one correction I have is that Parcel 3 will NOT be accessed off of Carter Street but will gain access from a 50' wide easement as depicted on the original partition submittal. I have spoken to Mr. Campbell and he has agreed to this stipulation.

I have agreed to assist Terrence in the re-alignment of the easement through Parcels 1 and 2 as his initial submittal had some errors in the curve calculations.

In conclusion, after addressing these changes and corrections mentioned above, I am in support of this partition application.

Very truly yours

[Signature]

Michael L. Dado
Coos County Surveyor
June 23, 2014

Jill Rolfe
Planning Director

Re: Partition P-14-05
T28S, R15W, Section 36DA, TL 3100
Applicant: John McMahon

Additional Comments

- As per the CCZLDO Table 7.1 (1) Question: Must a road be improved in conjunction with a partition? Answer: No in all categories for Rural and City – UGBs.
- Current conditions on Edna Lane are a rocked surface with an average width on 13.5 feet to the west side of the intersection of Evergreen Street. Attachment “A”
- Current conditions on Evergreen Street are a rocked surface with an average width of 10 feet. Attachment “B”
- John McMahon and Kerry Brown applied for a Work in the Right of Way Permit in August of 2013 to “open up the R/W” on Evergreen and improve the drainage but never started or completed the work. Attachment “C”
- The shipping container owned by the Bodner’s in the R/W has been a concern to John McMahon and the Road Department. I talked to the Bodner’s in August of 2013 about the container. They said they would move it if they had too. I have not yet informed the Bodner’s to move the container. The existing rocked road on Evergreen is not impaired by the container. In August of 2013 I suggested to Kerry Brown that Vacating Evergreen might be an option.
- If the John McMahon wishes to improve Carter Street for access into the partition he will need City of Bandon approval. The existing R/W on Carter is only 30’ wide. As per the CCZLDO Table 7.3(Urban) Private roadways in conjunction with a residential partition, the R/W needs to be 50’ wide.

Thank you,

John Rowe
Roadmaster

Coos County is an Affirmative Action/Equal Opportunity Employer and complies with section 504 of the Rehabilitation Act of 1973
E-mail: jrowe@co.coos.or.us

Exhibit: 4
Date: 6/23/14
PERMIT

No: 13-107

BEFORE THE ROADMASTER OF COOS COUNTY

This permit is issued to

[Name]

Address

for the placement and/or construction of the following facility:

[Facility Description]

at the location:

[Location]

All work shall be in strict conformity with all terms of this permit, with any exhibits attached hereto, and with Article Four, Division One of the Coos County Code and ORS 374.305 to 374.340.

TS 27S R 15W S 36DA
TL 2100, 3100

GENERAL PROVISIONS

Permit Holder shall be solely responsible for any and all damages of or destruction to any road, road structure, utility, cable, pipe, sidewalk, ditch or culvert arising out of or incident to this permit. Permit Holder shall repair or reimburse the County or Utility for any and all costs of repair, restoring or replacing damaged or destroyed property.

Permit Holder shall indemnify, hold harmless, and defend Coos County, its elected officials, officers and employees from any liability, claim, damage, loss and/or expense, including, but not limited to, reasonable attorneys fees, arising out of or resulting from the performance of or failure to perform the obligations of this Permit by Permit Holder, its employees, agents and subcontractors.

Permit Holder shall supply all materials and labor at own expense.

Permit Holder shall provide adequate warning and traffic control in a manner to insure public safety and cause minimum inconvenience.

A minimum of two lane traffic will be maintained at all times and control of traffic will be in accordance with the current provisions in the Manual on Uniform Traffic Control Devices for Streets and Highways.

This permit authorizes no work other than that specifically mentioned.

SPECIAL PROVISIONS

1. Permit Holder shall compact backfill material to 95% of original density and maintain finish conformation same as original for 90 days after completion of construction replacing any rock and/or asphalt to its original depth.

2. Permit Holder shall supply the county with a performance bond or cash in the amount of _________ to be refunded 90 days after completion of the project if at that time an inspection is made and all measures in this permit are found to have been complied with.

3. Permit Holder shall install a minimum of _________ culvert located as directed by county.

4. Permit Holder shall not fell trees within the traveled portion of the roadway and shall clear the right-of-way of any slash or debris caused from the felling of said trees.

5. This permit is issued pursuant to ORS 368.942 and is for the explicit purpose of allowing the construction and maintenance of a tourism sign within the county right-of-way. This sign shall in no way impede vision or cause an unsafe traffic condition. Permit is revocable for non-maintenance of signs or signs for which permit holder is responsible.

6. Permit Holder shall construct driveway to meet at right angles with county road and shall construct driveway to be at same level as county road for a distance of 20 feet more or less.

7. This permit is revocable at any time when area is determined to be needed for road purposes.

8. Permit Holder or his contractor shall notify the Coos County Road Dept., at 360-1121 Oct 39th, forty-eight (48) hours prior to commencing work and after completing work covered by this permit.

9. All construction operations will be performed off limits of the highway travel way and shoulders.

10. Additional Special Provisions attached.

I accept and agree to the conditions herein: ____________________________

Permittee

Date: 8/27/2013

This permit shall be void unless the work herein contemplated shall have been completed before: 12/2013

[Signature]

[Name]

Permittee

Date: 12/2013

ISSUED BY AGENT OF BOARD OF COMMISSIONERS

[Signature]

[Name]

Roadmaster

Date: 8/26/2013
# TABLE 7.3

**MINIMUM ROAD AND STREET DEVELOPMENT STANDARDS WITHIN CITY URBAN GROWTH BOUNDARIES**

<table>
<thead>
<tr>
<th>Public or Private Road Type</th>
<th>Minimum Right-of-Way Width</th>
<th>Minimum Travel Surface Width</th>
<th>Minimum Sub-Grade Width</th>
<th>Intersections</th>
<th>Maximum Grade</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Minimum Acute Angle</td>
<td>Minimum Tangent Adjacent</td>
</tr>
<tr>
<td>Arterial (Four-lane)</td>
<td>80’</td>
<td>62’</td>
<td>66’</td>
<td>60 degrees</td>
<td>50’</td>
</tr>
<tr>
<td>Arterial (2 one-way lanes)</td>
<td>60’</td>
<td>36’</td>
<td>40’</td>
<td>60 degrees</td>
<td>50’</td>
</tr>
<tr>
<td>Collector</td>
<td>60’</td>
<td>36’</td>
<td>40’</td>
<td>60 degrees</td>
<td>50’</td>
</tr>
<tr>
<td>Residential</td>
<td>50’</td>
<td>28’</td>
<td>32’</td>
<td>60 degrees</td>
<td>50’</td>
</tr>
<tr>
<td>Cul-de-Sac (Not to exceed 400’ in length)</td>
<td>40’ with 50’ radius turn-around</td>
<td>28’</td>
<td>32’</td>
<td>60 degrees</td>
<td>50’</td>
</tr>
<tr>
<td>Commercial/ Industrial</td>
<td>60’</td>
<td>36’</td>
<td>40’</td>
<td>60 degrees</td>
<td>50’</td>
</tr>
</tbody>
</table>

1 In addition to right-of-way, slope easements may be required.