

LAND USE PERMIT APPLICATION – BALANCE OF COUNTY
COOS COUNTY PLANNING DEPARTMENT

COMPLETED BY STAFF	
Received By: <u>L. O. M</u>	<input type="checkbox"/> COMP PLAN AMENDMENT
Date Submitted: <u>3/11/20</u>	<input type="checkbox"/> ZONE CHANGE
Application No.: <u>ACU-20-006</u>	<input type="checkbox"/> TEXT AMENEDMENT
Fee: <u>1480⁰⁰</u>	CONDITIONAL USE REVIEW
Fee Paid: <u>\$1480.00</u>	<input type="checkbox"/> HEARINGS BODY
Receipt No.: _____	<input checked="" type="checkbox"/> ADMINISTRATIVE
	<input type="checkbox"/> VARIANCE
	<input type="checkbox"/> LAND DIVISION *
	<input type="checkbox"/> HAZARD REVIEW *
	<input type="checkbox"/> FARM OR FOREST REVIEW *
	<input type="checkbox"/> FAMILY/MEDICAL HARDSHIP*
	<input type="checkbox"/> HOME OCCUPATION/COTTAGE INDUSTRY
	*Supplemental Application required
	STAFF NOTES:

Please type or clearly print all of the requested information below. Please be sure to include any supplemental application for if required.

I. APPLICANT

Name: Don Crowe

Mailing Address: 57744 Round Lake Road

City Bandon State OR Zip 97411

Daytime Phone 541-347-5733

Email: lremy@bandondunesgolf.com

II. OWNER(S)

Name: Michael L. Keiser

Mailing Address: 57744 Round Lake Road

City Bandon State OR Zip 97411

Daytime Phone 541-347-5959

Email: lremy@bandondunesgolf.com

III. PROPERTY - If multiple properties are part of this review please check here and attached a separate sheet with property information.

Location or Address: 88822 Polly Creek Lane, Bandon, OR 97411

No. Acreage 40.00

Tax Acct. 769300

Township: Range: Section: ¼ Section: 1/16 Section: Tax lot:

27S 14W 32 0 0 100

Zone: Forest Mixed Use

Water Service Type: On-Site

Sewage Disposal Type: On-Site

School District: Bandon

Fire District: Bandon

IV. REQUEST SUMMARY (Example: "To establish a template dwelling in the Forest Zoning District.")

V. ATTACHED WRITTEN STATEMENT. With all land use applications, the "burden of proof" is on the applicant. It is important that you provide information that clearly describes the nature of the request and indicates how the proposal complies with all of the applicable criteria within the Coos County Zoning and Land Development Ordinance (CCZLDO). You must address each of the Ordinance criteria on a point-by-point basis in order for this application to be deemed complete. A planner will explain which sections of the Ordinance pertain to your specific request. The information described below is required at the time you submit your application. The processing of your application does not begin until the application is determined to be complete. An incomplete application will postpone the decision, or may result in denial of the request. Please mark the items below to ensure your submittal is complete.

Application Check List: Please make off all steps as you complete them.

- A. A written statement of intent, attached to this application, with necessary supporting evidence which fully and factually describes the following:
- A complete explanation of how the request complies with the applicable provisions and criteria in the Zoning Ordinance. A planner will explain which sections of the Ordinance pertain to your specific request. You must address each of the Ordinance criteria on a point-by-point basis in order for this application to be deemed complete.
 - A description of the property in question, including, but not limited to the following: size, vegetation, crops grown, access, existing buildings, topography, etc.
 - A complete description of the request, including any new structures proposed.
 - If applicable, documentation from sewer and water district showing availability for connection.
- B. A plot plan (map) of the property. Please indicate the following on your plot plan:
- Location of all existing and proposed buildings and structures
 - Existing County Road, public right-of-way or other means of legal access
 - Location of any existing septic systems and designated repair areas
 - Limits of 100-year floodplain elevation (if applicable)
 - Vegetation on the property
 - Location of any outstanding physical features
 - Location and description (paved, gravel, etc.) of vehicular access to the dwelling location
- C. A copy of the current deed, including the legal description, of the subject property. Copies may be obtained at the Coos County Clerk's Office.

I certify that this application and its related documents are accurate to the best of my knowledge. I am aware that there is an appeal period following the date of the Planning Director's decision on this land use action. I understand that the signature on this application authorizes representatives of the Coos County Planning Department to enter upon the subject property to gather information pertinent to this request. If the application is signed by an agent, the owner's written authorization must be attached.

If this application is refereed directly to a hearings officer or hearings body I understand that I am obligated to pay the additional fees incurred as part of the conditions of approval. I understand that I/we are not acting on the county's behalf and any fee that is a result of complying with any conditions of approval is the applicants/property owner responsibility. I understand that conditions of approval are required to be complied with at all time and an violation of such conditions may result in a revocation of this permit.


Applicant/Owner Signature

3/3/2020
Applicant/Owner Signature

APPLICANT'S EXHIBIT "A"

KEISER FOREST (TEMPLATE) DWELLING

LOCATED IN TOWNSHIP 27 SOUTH, RANGE 14 WEST W.M.,
SECTION 32, TAX LOT 100

Application Requirements

A. STATEMENT OF INTENT:

The purpose of this application is to request approval for a forest (Template) dwelling in the Forest (F) zone on the property described above. Evidence has been submitted below addressing the required criteria pursuant to the Coos County Zoning and Land Development Ordinance (CCZLDO).

The subject property consists of 40.00 acres (assessment records) with access from Seven Devils County Road, by way of a private easement over Polly Creek Lane. The land is relatively flat and covered with a mix of commercial and non-commercial tree species and natural coastal vegetation. The proposed dwelling site is located in the northeast corner of the property where Polly Creek Lane abuts the property. There are currently accessory structures on the property that were accompanied by a prior residential dwelling that has been removed. Potable water will be from a drilled well source that is exempt from permitting through the Oregon Water Resources Department. Sanitary sewer will be from an onsite septic system that has yet to be approved.

B. PLOT PLAN:

A Plot Plan has been submitted showing all of the elements required pursuant the Coos County Land Use Permit Application.

Application Criteria and Evidence

SECTION 4.6.110(3)

b. Template Dwelling

A single-family dwelling on a lot or parcel located within a forest zone may be allowed as a conditional use if:

- i. There are no other dwellings on the tract on which the dwelling will be sited.

APPLICANT'S RESPONSE: There is currently no residential dwelling on the tract.

ii. There are no deed restrictions established on the lots or parcels that make up the tract which do not allow a dwelling.

APPLICANT'S RESPONSE: A copy of the current deed of record has been submitted with the application showing that there are no restrictions prohibiting residential development.

iii. The lot or parcel on which the dwelling is to be located is predominantly composed of soils that are capable of producing the following cubic feet per acre per year:

APPLICANT'S RESPONSE: The property is composed of soils that are capable of producing more than 85 Cubic Feet, Per Acre, Per Year of Growth.

On January 8, 2020, the Coos County Planning Department issued a determination in response to a Research Request by the applicant, showing that the property qualified for a Template Dwelling under the provisions of Section 4.6.110(B)(3)(iii through v.) More specifically, the Department determined that there are 12 parcels and 4 dwellings that were created prior to January 1, 1993 and are either within or touching the 160 acre rectangular template utilized for the test.

iv. If the tract on which the dwelling is to be sited is 60 acres or larger and abuts a road or perennial stream, the measurement shall be made by using a 160-acre rectangle that is one mile long and one-fourth mile wide centered on the center of the subject tract and that is to maximum extent possible, aligned with the road or stream. If a road crosses the tract on which the dwelling will be located, at least one of the three required dwellings shall be on the same side of the road as the proposed dwelling. However, one of the three required dwellings shall be on the same side of the road or stream as the tract and:

1) Be located within a 160-acre rectangle that is one mile long and one-fourth mile wide centered on the center of the subject tract and that is, to the maximum extent possible aligned with the road or stream. Or

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

v. If a tract abuts a road that existed on January 1, 1993, the measurement may be made by creating a 160-acre rectangle that is one mile long and one-fourth mile wide centered on the center of the subject tract and that is to the maximum extent possible, aligned with the road. Road, as used in this subsection, means a public or private way that is created to provide ingress or egress for persons to one or more lots, parcels, areas or tracts of land. This excludes a private way that is created to provide ingress or egress to such land in conjunction with the use of such land for forestry, mining or agricultural purposes.

APPLICANT'S RESPONSE: The subject property contains 40.00 acres by assessment records and therefore the provisions above (iv, 1, 2, or v) do not apply. With that said, a 160-acre rectangle was utilized by Coos County to qualify the dwelling.

vi. A proposed “template” dwelling under this ordinance is not allowed if:

1) It is prohibited by or will not comply with the requirements of the acknowledged comprehensive plan, acknowledged land use regulations, or other provisions of law;

APPLICANT’S RESPONSE: It is believed that there are no identified special considerations or natural hazards that preclude residential development on the subject property. Because the property qualifies with the “acknowledged provisions” of the CCZLDO, the proposed use is deemed to be in compliance with all state and local provisions of law.

2) Unless it complies with the requirements of Section 4.6.130.6 through 8 and Section 4.6.140.8 through 16.

APPLICANT’S RESPONSE: Section 4.6.130 (6)(7) have been addressed below. There is no section 4.6.130(8) contained within the CCZLDO.

SECTION 4.6.130 ADDITIONAL CRITERIA FOR ALL ADMINISTRATIVE AND HEARINGS BODY APPLICATION REVIEW:

All Conditional Use Applications (Administrative and Hearings Body) are subject to requirements that are designed to make the use compatible with forest operations and agriculture and to conserve values found on forest lands as follows:

1. The proposed use will not force a significant change in, or significantly increase the cost of, accepted farming or forest practices on agriculture or forest lands.

APPLICANT’S RESPONSE: The evidence submitted throughout this application clearly indicates that the applicant will comply with all provisions intended to alleviate any potential conflicts associated with nearby farm or forest uses. It is therefore reasonable to conclude that the use will not force a significant change in, or significantly increase the cost of, accepted farming or forest practices on agricultural or forest land.

2. The proposed use will not significantly increase fire hazard or significantly increase fire suppression costs or significantly increase risks to fire suppression personnel.

APPLICANT’S RESPONSE: The applicant has addressed the statutory development standards and fire siting and safety standards, and also agreed to comply with those standards. Therefore, a reasonable conclusion can be made that the proposed use will not significantly increase fire suppression costs or significantly increase the risks to fire suppression personnel. It should be noted that the proposed dwelling will be sited in the same general location as the prior dwelling that existed for many years.

3. All uses must comply with applicable development standards and fires siting and safety standards.

APPLICANT'S RESPONSE: As a "Requirements of Approval" pursuant to this application, the property owner shall be responsible for implementing and maintaining all development and fire siting standards.

4. A "Forest Management Covenant", which recognized the right of adjacent and nearby landowners to conduct forest operations consistent with the Forest Practices Act and shall be recorded in the deed records of the County prior to any final County approval for uses authorizing any type of residential use in the Forest and Forest Mixed Use zones. There may be other criteria listed that applies to individual uses.

APPLICANT'S RESPONSE: As a "Requirement of Approval" to this application, the applicant will be responsible for recording a deed covenant or written contract with the County Clerk, or its equivalent, that recognizes the rights of adjacent and nearby land owners to conduct forest operations consistent with the Oregon Forest Practices Act and related Oregon Administrative Rules.

5. The following siting criteria shall apply to all dwellings, including replacement dwellings, and structures in the Forest and Forest Mixed Use zones. Replacement dwellings may be sited in close proximity to the existing developed home site. These criteria are designed to make such uses compatible with forest operations and agriculture, to minimize wildfire hazards and risks and to conserve values found on forest lands. These criteria may include setbacks from adjoining properties, clustering near or among existing structures, siting close to existing roads and siting on that portion of the parcel least suited for growing trees.

a. Dwellings and structures shall be sited on the parcel so that:

i. They have the least impact on nearby or adjoining forest or agricultural lands.

APPLICANT'S RESPONSE: The proposed dwelling will be located in the northeast corner of the property in the same general location as the prior dwelling. There are appropriate buffers from the northerly and easterly property boundaries to assure that there will be no impacts to adjacent forest lands. There are no agricultural uses occurring on nearby or adjoining lands.

ii. The siting ensures that adverse impacts on forest operations and accepted farming practices on the tract will be minimized.

APPLICANT'S RESPONSE: The subject property contains 40 acres. The proposed dwelling will be located in the northeast corner of the property in the same general location as the prior dwelling. The proposed dwelling is located near the primary access to the property and as far as possible from forest uses occurring within the tract. There are currently no agricultural uses occurring on the tract.

iii. The amount of forest lands used to site access roads, service corridors, the dwelling and structures is minimized. And

APPLICANT'S RESPONSE: The proposed dwelling will be located in the northeast corner of the property in the same general location as the prior dwelling. The proposed dwelling is located near the primary access to the property and no new access roads will need to be constructed in conjunction with the residential development.

iv. The risks associated with wildfires are minimized.

APPLICANT'S RESPONSE: The applicant will comply with all statutory fire siting and safety requirements to assure that risks associated with wildfires are minimized.

b. The applicant shall provide evidence that the domestic water supply is from a source authorized in accordance with the Water Resources Department's administrative rules for the appropriation of ground water or surface water and not from a Class II stream as defined in the Forest Practices Rules. For the purposed of this Section, evidence of a domestic water supply means:

i. Verification from a water purveyor that the use described in the application will be served by the purveyor under the purveyor's rights to appropriate water.

ii. A water use permit issued by the Water Resources Department for the use described in the application. Or

iii. Verification from the Water Resources Department that a water use permit is not required for the use described in the application. If the proposed water supply is from a well and is exempt from permitting requirements under ORS 537.545, the applicant shall submit the well constructor's report to the County upon completion of the well.

APPLICANT'S RESPONSE: The domestic water source will be from an onsite well that is exempt under Oregon Department of Water resources regulations.

6. As a condition of approval, if road access to the dwelling is by a road owned and maintained by a private party or by the Oregon Department of Forestry, the United States Bureau of Land Management, or the United States Forest Service, then the applicant shall provide proof of a long-term road access use permit or agreement. The road use permit may require the applicant to agree to accept responsibility for road maintenance.

APPLICANT'S RESPONSE: Access to the subject property is from Seven Devils County Road, by way of a private easement over Polly Creek Lane. The primary access does not cross a road that is owned or maintained by ODF, BLM, or USFS. Information in the form of an easement agreement has been submitted with this application.

7. Approval of a dwelling shall be subject to the following additional requirements:

- a. Approval of a dwelling requires the owner to plant a sufficient number of trees on the tract to demonstrate that the tract is reasonably expected to meet Department of Forestry stocking requirements at the time specified in Department of Forestry administrative rules.
- b. The Planning Department shall notify the County Assessor of the above condition at the time the dwelling is approved.
- c. If the lot or parcel is more than 10 acres, the property owner shall submit a stocking survey report to the County Assessor and the Assessor will verify that the minimum stocking requirements have been met by the time required by Department of Forestry Rules. The Assessor will inform the Department of Forestry in cases where the property owner has not submitted a stocking survey report of where the survey report indicates that minimum stocking requirements have not been met.
- d. Upon notification by the Assessor the Department of Forestry will determine whether the tract meets minimum stocking requirements of the Forest Practices Act. If the Department of Forestry determines that the tract does not meet those requirements, it will notify the owner and Assessor that the land is not being managed as forest land. The Assessor will then remove the forest land designation pursuant to ORS 321.359 and impose the additional tax pursuant to ORS 321.372.

APPLICANT'S RESPONSE: The subject property contains 40 acres that are primarily covered with sufficient commercial tree species to meet the Oregon Department of Forestry stocking requirements. The owner will comply with subsection "c" of this requirement.

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

APPLICANT'S RESPONSE: Sub Section 7(e) shall be imposed upon the property owner as "Requirements of Approval" pursuant to this application. The property owner shall be responsible for recording the required non-remonstrative deed restriction.

SECTION 4.6.140 DEVELOPMENT AND SITING CRITERIA:

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

8. The Planning Director may authorize alternative forms of fire protection when it is determined that these standards are impractical that shall comply with the following:
 - a. The means selected may include a fire sprinkling system, onsite equipment and water storage or other methods that are reasonable, given the site conditions;

APPLICANT'S RESPONSE: The property owner at the time of development shall comply with any alternative fire suppression requirements deemed necessary by the Planning Director.

b. If a water supply is required for fire protection, it shall be a swimming pool, pond, lake, or similar body of water that at all times contains at least 4,000 gallons or a stream that has a continuous year round flow of at least one cubic foot per second;

APPLICANT'S RESPONSE: The property owner at the time of development shall comply with any alternative fire suppression requirements deemed necessary by the Planning Director.

c. The applicant shall provide verification from the Water Resources Department that any permits or registrations required for water diversion or storage have been obtained or that permits or registrations are not required for the use; and

APPLICANT'S RESPONSE: There is no water diversion proposed for fire suppression other than from the applicant's domestic water source. The domestic water source will be from an on-site well which is exempt from permitting under the Oregon Water Resources Department regulations.

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

APPLICANT'S RESPONSE: There is currently no body of water or stream available for fire suppression purposes.

9. Fire Siting Standards for New Dwellings:

a. The property owner shall provide and maintain a water supply of at least 500 gallons with an operating water pressure of at least 50 PSI and sufficient $\frac{3}{4}$ inch garden hose to reach the perimeter of the primary fuel-free building setback.

APPLICANT'S RESPONSE: The property owner at the time of development shall construct and maintain a water supply of at least 500 gallons with an operating water pressure of at least 50 PSI and sufficient $\frac{3}{4}$ inch garden hose to reach the perimeter of the primary fuel-free building setback.

b. If another water supply (such as a swimming pool, pond, stream, or lake) is nearby, available, and suitable for fire protection, then road access to within 15 feet of the water's edge shall be provided for pumping units. The road access shall accommodate the turnaround of firefighting equipment during the fire season. Permanent signs shall be posted along the access route to indicate the location of the emergency water source.

APPLICANT'S RESPONSE: There is no existing pond, swimming pool, stream or lake available for fire suppression.

10. Firebreak:

a. A firebreak shall be established and maintained around all structures, including decks, for a distance of at least 30 feet in all directions.

b. This firebreak will be a primary safety zone around all structures. Vegetation within this primary safety zone may include mowed grasses, low shrubs (less than ground floor window height), and trees that are spaced with more than 15 feet between the crowns and pruned to remove dead and low (less than 8 feet from the ground) branches. Accumulated needles, limbs and other dead vegetation should be removed from beneath trees.

APPLICANT'S RESPONSE: The owner at the time of development shall establish and maintain a 30 foot primary firebreak as described in subsection (b) around all structures, including decks.

c. Sufficient garden hose to reach the perimeter of the primary safety zone shall be available at all times.

APPLICANT'S RESPONSE: The owner shall maintain a garden hose capable of reaching the perimeter of the primary safety zone at all times.

d. The owners of the dwelling shall maintain a primary fuel-free break area surrounding all structures and clear and maintain a secondary fuel-free break on land surrounding all structures and clear and maintain a secondary fuel-free break area on land surrounding the dwelling that is owned or controlled by the owner in accordance with the provisions in "Recommended Fire Siting Standards for Dwellings and Structures and Fire Safety Design Standards for Roads" dated March 1, 1991, and published by Oregon Department of Forestry and shall demonstrate compliance with Table 1.

<i>Table 1 – Minimum Primary Safety Zone</i>	Feet of Primary Safety Zone	Feet of Additional Primary Safety Zone Down Slope
0%	30	0
10%	30	50
20%	30	75
25%	30	100
40%	30	150

APPLICANT'S RESPONSE: No portion of the subject property exceeds a 10% grade, including the area surrounding the dwelling site. The property owner will construct and maintain a 30 foot primary safety zone.

11. All new and replacement structures shall use non-combustible or fire resistant roofing materials, as may be approved by the certified official responsible for the building permit.

APPLICANT'S RESPONSE: All new and replacement structures will use non-combustible or fire resistant roofing materials approved by the certified official responsible for the building permit.

12. If a water supply exceeding 4,000 gallons is suitable and available (within 100 feet of the driveway or road) for fire suppression, then road access and turning space shall be provided for fire protection pumping units to the source during fire season. This includes water supplies such as a swimming pool, tank or natural water supply (e.g. pond).

APPLICANT'S RESPONSE: There is currently no water source exceeding 4000 gallons existing on the subject property.

13. The dwelling shall not be sited on a slope of greater than 40 percent.

APPLICANT'S RESPONSE: No portion of the subject property exceeds a 10% grade, including the area surrounding the dwelling site.

14. If the dwelling has a chimney or chimneys, each chimney shall have a spark arrester.

APPLICANT'S RESPONSE: If the proposed dwelling has a chimney or chimneys, each chimney shall have a spark arrester.

15. The dwelling shall be located upon a parcel within a fire protection district or shall be provided with residential fire protection by contract. If the dwelling is not within a fire protection district, the applicant shall provide evidence that the applicant has asked to be included within the nearest such district.

APPLICANT'S RESPONSE: The subject property is located within the Bandon Rural Fire Protection District.

16. Except for private roads and bridges accessing only commercial forest uses, public roads, bridges, private roads and driveways shall be constructed so as to provide adequate access for firefighting equipment.

APPLICANT'S RESPONSE: Access to the property is provided from Seven Devils County Road via Polly Creek Lane. Seven Devils county road is paved and Polly Creek Lane is a gravel road that is constructed so as to provide adequate access for fire-fighting equipment.

17. Access to new dwellings shall meet road and driveway standards in Chapter VII.

APPLICANT'S RESPONSE: The applicant will meet driveway standards pursuant to Chapter VII CCZLDO.



Coos County Planning Department
 Coos County Courthouse Annex, Coquille, Oregon 97423
 Mailing Address: 250 N. Baxter, Coos County Courthouse, Coquille, OR 97423
 Physical Address: 225 N. Adams, Coquille, Oregon 97423
 (541) 396-7770
 FAX (541) 396-1022 / TDD (800) 735-2900
planning@co.coos.or.us
 Jill Rolfe, Planning Director

January 8, 2020

Michael Keiser
 c/o LeeAnn Remy
 57744 Round Lake Road
 Bandon, OR 97411

RE: Research Request on property located at Township 27S, Range 14W, Section 32, Tax Lot 100

Ms. Remy:

Pursuant to your research request, a forest template dwelling test was conducted for the parcel located north of the City of Bandon. The purpose of the test was to determine if the parcel was zoned Forest (F) Mixed Use (MU) if it would qualify for a dwelling based on the relevant Coos County Zoning and Land Development Ordinance ("CCZLDO") provisions.

The applicable CCZLDO criteria for the template test are:

Section 4.6.110(3) – Residential Uses [in the Forest Zone]

b. **TEMPLATE DWELLING.** A single-family dwelling on a lot of parcel located within a forest zone may be allowed as a conditional use if:

iii. The lot of parcel on which the dwelling is to be located is predominantly composed of soils that are capable of producing the following cubic feet per acre per year:

	<i>Cf/Ac/Yr of Growth</i>		
	<u>0-49</u>	<u>50-85</u>	<u>85+</u>
<i>Required minimum number of lots or parcels or portions thereof existing on January 1, 1993, within a 160-acre square centered on the subject tract.</i>	3	7	11
<i>Required minimum number of dwellings existing on January 1, 1993, on the lots or parcels.</i>	3	3	3

NOTE: Lots or parcels within urban growth boundaries shall not be used to satisfy the above requirements.

iv. If the tract on which the dwelling is to be sited is 60 acres or larger and abuts a road or perennial stream, the measurement shall be made by using a 160-acre rectangle that is one mile long and one-fourth mile wide centered on the center of the subject tract and that is to maximum extent possible, aligned with the road or stream. If a road crosses the

tract on which the dwelling will be located, at least one of the three required dwellings shall be on the same side of the road as the proposed dwelling. However, one of the three required dwellings shall be on the same side of the road or stream as the tract and:

- 1) Be located within a 160-acre rectangle that is one mile long and one-fourth mile wide centered on the center of the subject tract and that is, to the maximum extent possible aligned with the road or stream. or*
 - 2) Be within one-quarter mile from the edge of the subject tract but not outside the length of the 160-acre rectangle, and on the same side of the road or stream as the tract.*
- v. *If a tract abuts a road that existed on January 1, 1993, the measurement may be made by creating a 160-acre rectangle that is one mile long and one-fourth mile wide centered on the center of the subject tract and that is to the maximum extent possible, aligned with the road. Road, as used in this subsection, means a public or private way that is created to provide ingress or egress for persons to one or more lots, parcels, areas or tracts of land. This excludes a private way that is created to provide ingress or egress to such land in conjunction with the use of such land for forestry, mining or agricultural purposes.*

As the property is not 60 acres or larger but does abut a road that existed prior to January 1, 1993 therefore, the rectangle template was used and results are as follows:

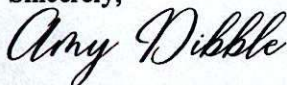
Rectangle Template

Minimum of eleven (11) required pre-1993 parcels within a 160 acre square:	MET (12 parcels)
Minimum of three (3) required pre-1993 dwellings within a 160 acre square:	MET (4 dwellings)

This test shows that CCZLDO Section 4.6.110 (B)(3)(iii through v) **would be satisfied** using the property's current configuration. If the configuration of the subject property were to change, such as through a partition or property line adjustment, if additional discrete parcels are discovered, or any of the qualifying dwellings were replaced within the test area, this test will no longer be valid and a new test will be required.

If there are any questions regarding this test, please contact the Planning Department.

Sincerely,



Amy Dibble, Planner II
Coos County Planning Department

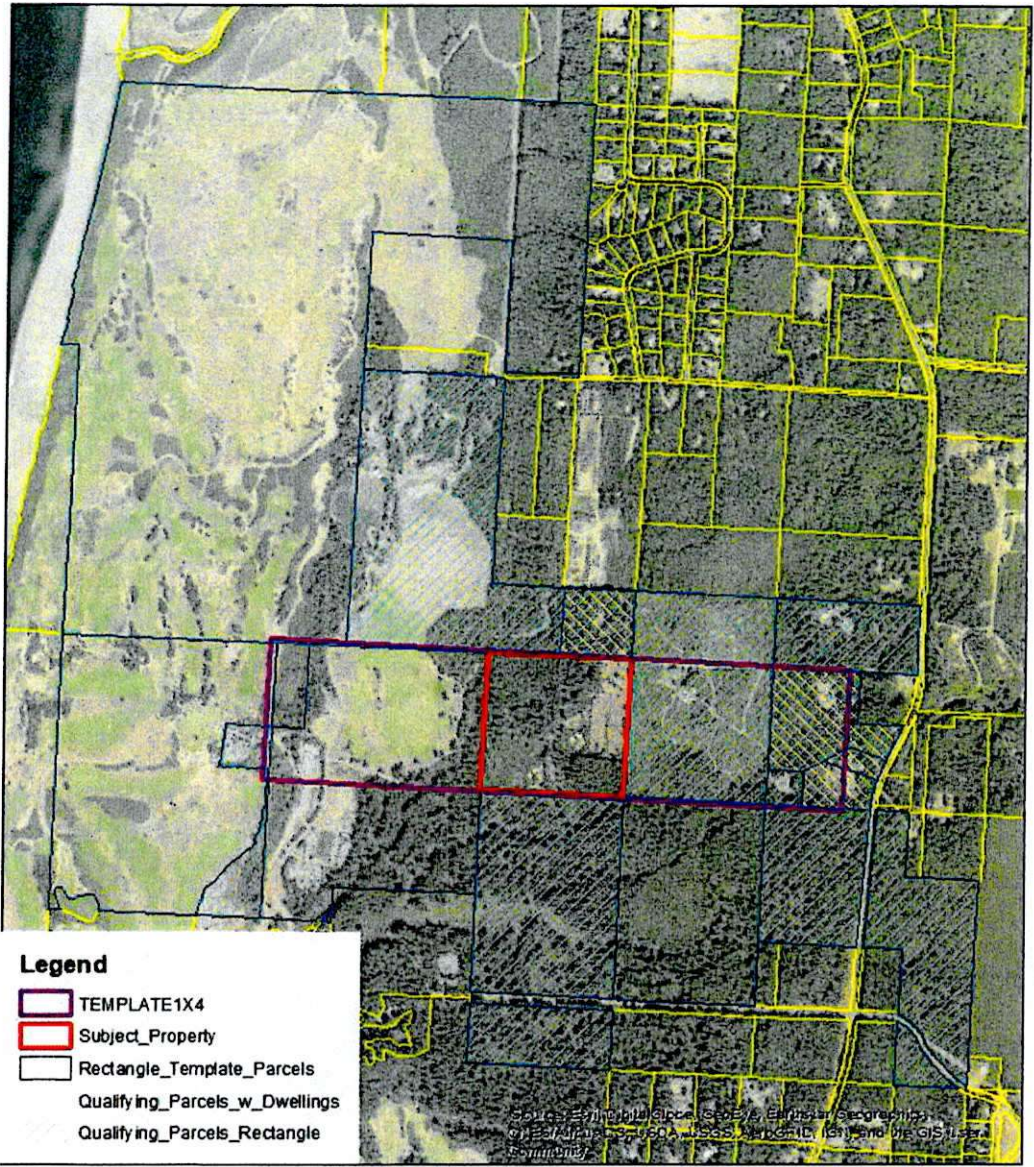
Attachment: Template Test Map – Rectangle Template Test

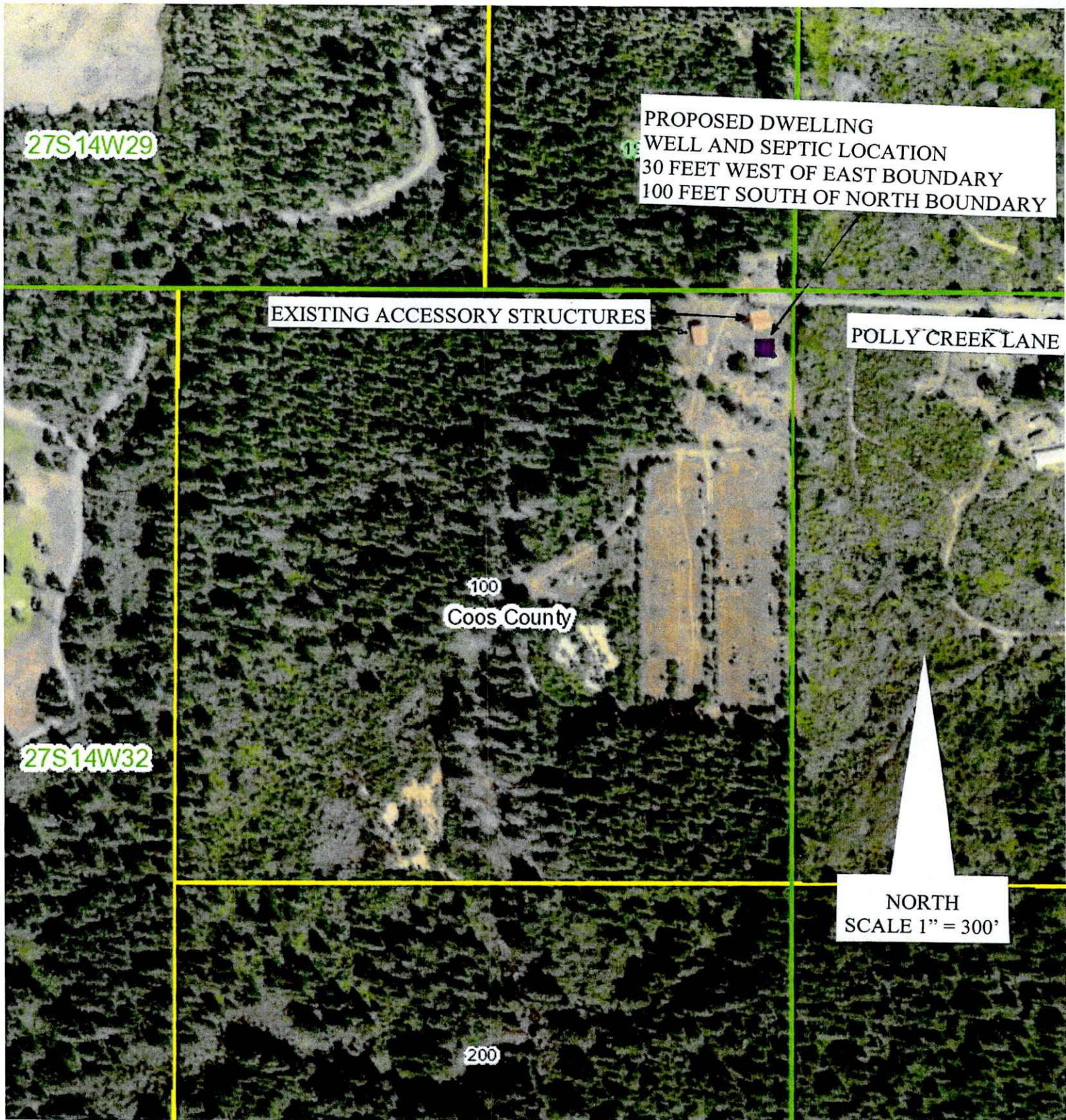
C: File



COOS COUNTY PLANNING DEPARTMENT

Mailing Address: 250 N. Baxter, Coos County Courthouse, Coquille, Oregon 97423
Physical Address: 225 N. Adams, Coquille Oregon
Phone: (541) 396-7770
Fax: (541) 396-1022/TDD (800) 735-2900





KEISER FOREST (TEMPLATE) DWELLING PLOT PLAN

LOCATED IN TOWNSHIP 27 SOUTH, RANGE 14 WEST W.M.,
SECTION 32, TAX LOT 100

AFTER RECORDING RETURN TO:
Order No.: 360618022604-DM
Michael L. Kelsner
2450 Lakeview Ave
Chicago, IL 60614

COOS COUNTY, OREGON 2018-02054
\$71.00 03/02/2018 02:09:00 PM
DEBBIE HELLER, CEA, COOS COUNTY CLERK Page 6

SEND TAX STATEMENTS TO:
Michael L. Kelsner
2450 Lakeview Ave
Chicago, IL 60614

APN: 769200
771012
771000
769300
Map: 27-14-32 TL 200
27-14-33 TL 1301
27-14-33 TL 1300
27-14-32 TL 100

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

SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY WARRANTY DEED

Steve Beetham, Grantor, conveys and warrants to Michael L. Kelsner, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Coos, State of Oregon:

PARCEL 1: T27-14-32 TL# 100

The Northeast quarter of the Northeast quarter of Section 32, Township 27 South, Range 14 West of the Willamette Meridian, Coos County, Oregon.

TOGETHER WITH an easement for road purposes created by instrument recorded February 26, 1968 in Microfilm Reel Number 68-2-26077, deed records of Coos County, Oregon.

TOGETHER WITH an easement for road created by instruments recorded June 22, 1989 in Microfilm Reel Numbers 89-08-1269, 89-08-1270, 89-06-1271, 89-06-1272, 89-06-1273, 89-06-1274, 89-06-1275 and 89-06-1276, deed records of Coos County, Oregon.

TOGETHER WITH an easement for access and egress created by instrument recorded January 9, 1996 in Microfilm Reel Number 96-01-0287, deed records of Coos County, Oregon.

PARCEL 2: T27-14-32 TL# 200; TT27-14-33 TL# 1300; T27-14-33 TL# 1301

PARCEL I:

The SE 1/4 of the NE 1/4; and the NE 1/4 of the SE 1/4 of Section 32 in Township 27 South, Range 14 West of the Willamette Meridian, Coos County, Oregon.

ALSO:

The NW 1/4 of the SW 1/4 of Section 33 in Township 27 South, Range 14 West of the Willamette Meridian, Coos County, Oregon.

EXCEPTING THEREFROM that portion conveyed in Property Line Adjustment Deed recorded January 22, 2003 as Microfilm Reel Number 2003-965, deed records of Coos County, Oregon.

PARCEL II:

The SW 1/4 of the NW 1/4 of Section 33 in Township 27 South, Range 14 West of the Willamette Meridian, Coos County, Oregon; ALSO INCLUDING that portion conveyed in Property Line Adjustment Deed recorded January 22, 2003 as Microfilm Reel Number 2003-965, deed records of Coos County, Oregon.

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS TWO MILLION FIVE HUNDRED THOUSAND AND NO/100 DOLLARS (\$2,500,000.00). (See ORS 93.030).

Subject to:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING


STATUTORY WARRANTY DEED

(continued)

THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

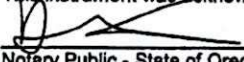
Dated: February 20, 2018



Steve Beetham

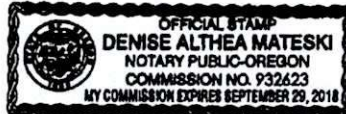
State of Oregon
County of Coos

This instrument was acknowledged before me on 2-28-18 by Steve Beetham.



Notary Public - State of Oregon

My Commission Expires: 9-29-18



RETURN TO KEY TITLE & RECORD

Dan and Karen Fugate
9644 Garden Valley Road
Roseburg OR 97470

96 01 0287

EASEMENT AGREEMENT

24-MIL

KNOW ALL MEN BY THESE PRESENTS, that DANIEL H. & KAREN J. FUGATE, husband & wife of 9644 Garden Valley Rd., Roseburg, OR 97470, & FARRAR LOVING TRUST; ETAL of 306 Wild River Dr., Roseburg, OR 97470; do hereby grant, and convey to MELVIN & BOBBIE MC KINNEY, husband and wife and CURTIS MC KINNEY an exclusive easement and right-of-way for access and egress purposes over and across the following strip of land owned by the said DANIEL H. & KAREN FUGATE, husband & wife and FARRAR LOVING TRUST; ETAL to wit:

A strip of land 35 feet in width along the South boundary line of the following described premises of the SE1/4 of the SE1/4 of SE1/4 of Section 29, Township 27 South of Range 14 West of the Willamette Meridian, T1, 1900, Coos County, Oregon.

MELVIN & BOBBIE MC KINNEY and CURTIS MC KINNEY are aware that DANIEL H. & KAREN FUGATE and FARRAR LOVING TRUST; ETAL are merely granting an exclusive right-of-way easement and are expressly reserving all other rights incident to fee ownership of this real property for themselves, their heirs, assigns and successors. The rights reserved include, but are not limited to, the further granting of non-exclusive right of way easements for access and egress over the strip of land described above.

This easement is not perpetual and is for the benefit of access and egress to the land of MELVIN & BOBBIE MC KINNEY in Coos County, Oregon, described as follows:

The NE1/4 of the NE1/4 of said Section 32, Township 27 South, Range 14 West of the Willamette Meridian, T1100, Coos County, Oregon.

In Consideration for this easement grant, MELVIN & BOBBIE MC KINNEY and CURTIS MC KINNEY shall be obligated to contribute to the road's maintenance in a manner that is reasonable and in agreement with others who share the road, based on their usage.

IN WITNESS WHEREOF, the parties have hereunto set their hands on the dates indicated.

GRANTORS
Daniel H. Fugate
Daniel H. Fugate

Karen J. Fugate
Karen J. Fugate

Farrar Loving Trust; Etal
BY Paul Farrar
Paul Farrar, trustee
Signed this 2nd day of

BY Vicky Farrar
Vicky Farrar, trustee
Jan 1995.

24-MIL ACCOM

640

96 01 0287

STATE OF OREGON)
) ss.
County of Douglas)

Personally appeared the above-named PAUL FARRAR and VICKY FARRAR, Trustees of FARRAR LOVING TRUST; ETAL, and acknowledge the foregoing instrument to be their voluntary act and deed.

Before me:



Mary K. Robbins
Notary Public for Oregon
My Commission Expires 5-22-96

STATE OF OREGON)
) ss.
County of Douglas)

Personally appeared the above-named DANIEL H. and KAREN J. FIGATE, and acknowledge the foregoing instrument to be their voluntary act and deed.

Before me:



Mary K. Robbins
Notary Public for Oregon
My Commission Expires 5-22-96

RECORDING# 96010287
I, Mary Ann Wilson,
Cooks County Clerk, certify
the within instrument
was filed for record at



2:18 ON 01/09/1996
By M. BRIGHT Deputy

#pages 2 Fee \$ 38.00

641

68-2-26077

WARRANT

FOR VALUE RECEIVED, LEROY MCKINNEY and ESTHER NAOMI MCKINNEY, husband and wife, hereinafter referred to as the grantors, do hereby grant, bargain, sell and convey unto MELVIN J. MCKINNEY and BOBBIE S. MCKINNEY, husband and wife, and unto JOSEPH B. WHEATNALL and EITH S. WHEATNALL, husband and wife, hereinafter referred to as the grantees, their heirs or assigns, a perpetual easement for road purposes over the following described property:

The North 30 East of the Northeast quarter of the Northeast quarter of Section 29, Township 27 South, Range 14 West of Willamette Meridian, in Coos County, Oregon.

Said easement is for the benefit of the following described real property and is to be used in common with the grantors, their heirs or assigns:

1. The Northeast quarter of the Northeast quarter of Section 29, Township 27 South, Range 14 West of Willamette Meridian, in Coos County, Oregon (owned by Melvin J. McKinney and Bobbie S. McKinney, husband and wife).
2. The Southeast quarter of the Southeast quarter of the Southeast quarter of Section 29, Township 27 South, Range 14 West of Willamette Meridian, in Coos County, Oregon (owned by Melvin J. McKinney and Bobbie S. McKinney, husband and wife; being sold under contract to Joseph B. Wheatnall and Eith S. Wheatnall, husband and wife).

IN WITNESS WHEREOF, the grantors have hereunto set their hands this 22nd day of February, 1968.

Leroy McKinney
 Leroy McKinney
Esther Naomi McKinney
 Esther Naomi McKinney

STATE OF OREGON) ss.
County of Lane)

Personally appeared the above named Leroy McKinney and Esther Naomi McKinney and acknowledged the foregoing instrument to be their voluntary act and deed. Before me:

Dated: February 22, 1968
My commission expires Dec. 12, 1971.

Melvin J. McKinney
 Melvin J. McKinney
 Notary Public for Oregon



Warrant - 1-

State 68-2-26077
 County of Coos
 and recorded in 2023 Oregon Records
 Microfilm: Read No. 211
 of said County
 WITNESS: Notary Seal of County
 signed
 By *Melvin J. McKinney*
 Return to *Esther Naomi McKinney*
 4993 East Highway 10, Eureka, OR
 Feb 26 8 39 AM '68
 626
 4183

ROAD MAINTENANCE AGREEMENT

Rosemary W. Siple, I. Gene Schrader, Helen Ann Schrader, LeRoy McKinney, Esther McKinney, Jack Klein, Sr., Jack Klein, Jr., Ruth M. Klein, Laurel Klein, Linda Klein, Samuel E. McKinney, Leora F. McKinney, Melvin J. McKinney, Bobbie Sue McKinney and Curtis J. McKinney, who are the landowners or have an interest in or use the road over the following described property hereby agree to maintain the said road they share described below:

That roadway now in existence over and along the following portions of property, as follows: The South line of the SE 1/4 of the SW 1/4 of Section 28, Township 27 South, Range 14 West of the Willamette Meridian, Coos County, Oregon, the Northwest corner of the NE 1/4 of the NW 1/4 of Section 33, Township 27 South, Range 14 West of the Willamette Meridian, Coos County, Oregon; the North line of the NW 1/4 of the NW 1/4 of Section 33, Township 27 South, Range 14 West of the Willamette Meridian, Coos County, Oregon; the Northeast corner of the NE 1/4 of the NE 1/4 of Section 32, Township 27 South, Range 14 West of the Willamette Meridian, Coos County, Oregon

The landowners agree to maintain only the portion of road they use to gain access to their property, and are not obligated to maintain portions of the road they do not normally use.

The undersigned landowners, their heirs, successors and assigns who may someday own property and seek and wish to gain a road easement across the above described road shall be obliged to contribute to the road's maintenance in a manner that is reasonable and in agreement with others who share the road. The obligations of road maintenance shall be undertaken when all who use the road feel it is necessary.

In construing this instrument and whenever the context hereof so requires, the masculine gender includes the feminine and the neuter and the singular number includes the plural. IN WITNESS WHEREOF, the undersigned has hereunto set his hand and seal; if the undersigned is a corporation, it has caused its corporate name to be signed and its corporate seal to be affixed hereunto by its officers duly authorized thereunto by order of its Board of Directors.

DATED: June 12, 1989. Rosemary W. Siple (SEAL) ROSEMARY W. SIPLE (SEAL)

STATE OF OREGON, County of Coos, June 12, 1989. Personally appeared the above named Rosemary W. Siple and acknowledged the foregoing instrument to be voluntary act and deed.

Before me: Leona Roberts, Notary Public for Oregon, My commission expires: 12-28-90



STATE OF OREGON, County of Coos, 1989. Personally appeared... who, being duly sworn, each for himself and not one for the other, did say that the former is the president and that the latter is the secretary of... a corporation, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed.

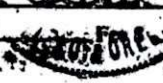
Before me: Notary Public for Oregon, My commission expires:

State of Oregon, County of Coos 89-06-1269

I, Mary Ann Wilson, County Clerk, certify the within instrument was filed for record at 2:00 PM June 23, 89

By [Signature] Deputy #pages 1

RECORDED BY TICOR TITLE INSURANCE Coos County Branch



89 06 1270

ROAD MAINTENANCE AGREEMENT

Rosemary W. Sipie, I. Gene Schrader, Helen Ann Schrader, LeRoy McKinney, Esther McKinney, Jack Klein, Sr., Jack Klein, Jr., Ruth M. Klein, Laurel Klein, Linda Klein, Samuel E. McKinney, Leora F. McKinney, Melvin J. McKinney, Bobbie Sue McKinney and Curtis J. McKinney, who are the landowners or have an interest in or use the road over the following described property hereby agree to maintain the said road they share described below:

That roadway now in existence over and along the following portions of property, as follows: The South line of the SE 1/4 of the SW 1/4 of Section 28, Township 27 South, Range 14 West of the Willamette Meridian, Coos County, Oregon, the Northwest corner of the NE 1/4 of the NW 1/4 of Section 33, Township 27 South, Range 14 West of the Willamette Meridian, Coos County, Oregon; the North line of the NW 1/4 of the NW 1/4 of Section 33, Township 27 South, Range 14 West of the Willamette Meridian, Coos County, Oregon; the Northeast corner of the NE 1/4 of the NE 1/4 of Section 32, Township 27 South, Range 14 West of the Willamette Meridian, Coos County, Oregon

The landowners agree to maintain only the portion of road they use to gain access to their property, and are not obligated to maintain portions of the road they do not normally use.

The undersigned landowners, their heirs, successors and assigns who may someday own property and seek and wish to gain a road easement across the above described road shall be obliged to contribute to the road's maintenance in a manner that is reasonable and in agreement with others who share the road. The obligations of road maintenance shall be undertaken when all who use the road feel it is necessary.

In construing this instrument and whenever the context hereof so requires, the masculine gender includes the feminine and the neuter and the singular number includes the plural. IN WITNESS WHEREOF, the undersigned has hereunto set his hand and seal; if the undersigned is a corporation, it has caused its corporate name to be signed and its corporate seal to be affixed hereunto by its officers duly authorized thereunto by order of its Board of Directors.

DATED: June 9th, 19 89

I. Gene Schrader (SEAL)
HELEN ANN SCHRADER (SEAL)

If executed by a corporation, affix corporate seal

If the signer of the above is a corporation, use the form of acknowledgment opposite.

(ORS 93.490)

STATE OF OREGON, County of Jackson, June 9th, 19 89

STATE OF OREGON, County of Coos, 19 89

I, Gene Schrader & Helen Ann Schrader and acknowledged the foregoing instrument to be their voluntary act and deed.

Personally appeared... and each for himself and not one for the other, did say that the former is the president and that the latter is the secretary of... a corporation, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed.

Notary Public for Oregon, My commission expires: 07-08-92

Notary Public for Oregon, My commission expires:

RECORDED BY TICOR TITLE INSURANCE Coos County Branch

State of Oregon, County of Coos 89-06-1270, I, Mary Ann Wilson, County Clerk, certify the within instrument was filed for record at 2:00 PM June 22, 89 By Deputy

ROAD MAINTENANCE AGREEMENT

Rosemary W. Siple, I. Gene Schrader, Helen Ann Schrader, LeRoy McKinney, Esther McKinney, Jack Klein, Sr., Jack Klein, Jr., Ruth M. Klein, Laurel Klein, Linda Klein, Samuel E. McKinney, Leora F. McKinney, Melvin J. McKinney, Bobbie Sue McKinney and Curtis J. McKinney, who are the landowners or have an interest in or use the road over the following described property hereby agree to maintain the said road they share described below:

That roadway now in existence over and along the following portions of property, as follows: The South line of the SE 1/4 of the SW 1/4 of Section 28, Township 27 South, Range 14 West of the Willamette Meridian, Coos County, Oregon, the Northwest corner of the NE 1/4 of the NW 1/4 of Section 33, Township 27 South, Range 14 West of the Willamette Meridian, Coos County, Oregon; the North line of the NW 1/4 of the NW 1/4 of Section 33, Township 27 South, Range 14 West of the Willamette Meridian, Coos County, Oregon; the Northeast corner of the NE 1/4 of the NE 1/4 of Section 32, Township 27 South, Range 14 West of the Willamette Meridian, Coos County, Oregon

The landowners agree to maintain only the portion of road they use to gain access to their property, and are not obligated to maintain portions of the road they do not normally use.

The undersigned landowners, their heirs, successors and assigns who may someday own property and seek and wish to gain a road easement across the above described road shall be obliged to contribute to the road's maintenance in a manner that is reasonable and in agreement with others who share the road. The obligations of road maintenance shall be undertaken when all who use the road feel it is necessary.

In construing this instrument and whenever the context hereof so requires, the masculine gender includes the feminine and the neuter and the singular number includes the plural. IN WITNESS WHEREOF, the undersigned has hereunto set his hand and seal; if the undersigned is a corporation, it has caused its corporate name to be signed and its corporate seal to be affixed hereunto by its officers duly authorized thereto by order of its Board of Directors.

DATED: 6/5, 1989

LeRoy McKinney (SEAL)
Esther McKinney (SEAL)
Leora F. McKinney (SEAL)

If executed by a corporation, affix corporate seal.
If the signer of the above is a corporation, use the form of acknowledgment opposite.

STATE OF OREGON, County of Coos, 1989

STATE OF OREGON, County of Coos, 1989

Personally appeared the above named LeRoy McKinney, Esther McKinney & Leora F. McKinney each for himself and not one for the other, did say that the former is the president and that the latter is the secretary of a corporation, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation, and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed.

Before me: Christina McNAIR
My Commission Expires 4-24-90
NOTARY PUBLIC - OREGON

Before me:
Notary Public for Oregon
My commission expires:

REMOVED BY TICOR TITLE INSURANCE

State of Oregon, County of Coos, 89-06-1271
I, Mary Ann Wilson, County Clerk, certify the within instrument was filed for record at 2:00 PM June 23, 89
By [Signature] Deputy
Pages 1-2

ROAD MAINTENANCE AGREEMENT

Rosemary W. Siple, I. Gene Schrader, Helen Ann Schrader, LeRoy McKinney, Esther McKinney, Jack Klein, Sr., Jack Klein, Jr., Ruth M. Klein, Laurel Klein, Linda Klein, Samuel E. McKinney, Leora F. McKinney, Melvin J. McKinney, Bobbie Sue McKinney and Curtis J. McKinney, who are the landowners or have an interest in or use the road over the following described property hereby agree to maintain the said road they share described below:

That roadway now in existence over and along the following portions of property, as follows: The South line of the SE 1/4 of the SW 1/4 of Section 28, Township 27 South, Range 14 West of the Willamette Meridian, Coos County, Oregon, the Northwest corner of the NE 1/4 of the NW 1/4 of Section 33, Township 27 South, Range 14 West of the Willamette Meridian, Coos County, Oregon; the North line of the NW 1/4 of the NW 1/4 of Section 33, Township 27 South, Range 14 West of the Willamette Meridian, Coos County, Oregon; the Northeast corner of the NE 1/4 of the NE 1/4 of Section 32, Township 27 South, Range 14 West of the Willamette Meridian, Coos County, Oregon

The landowners agree to maintain only the portion of road they use to gain access to their property, and are not obligated to maintain portions of the road they do not normally use.

The undersigned landowners, their heirs, successors and assigns who may someday own property and seek and wish to gain a road easement across the above described road shall be obliged to contribute to the road's maintenance in a manner that is reasonable and in agreement with others who share the road. The obligations of road maintenance shall be undertaken when all who use the road feel it is necessary.

In construing this instrument and whenever the context hereof so requires, the masculine gender includes the feminine and the neuter and the singular number includes the plural. IN WITNESS WHEREOF, the undersigned has hereunto set his hand and seal; if the undersigned is a corporation, it has caused its corporate name to be signed and its corporate seal to be affixed hereunto by its officers duly authorized thereunto by order of its Board of Directors.

DATED: 6/9, 1989 (SEAL)

(If executed by a corporation, affix corporate seal) (SEAL)

(If the signer of the above is a corporation, use the form of acknowledgment opposite.) (SEAL)

STATE OF OREGON, County of Washington } ss. June 9, 1989. Personally appeared the above named Laurel Klein Wilson and acknowledged the foregoing instrument to be her voluntary act and deed.

STATE OF OREGON, County of ... ss. Personally appeared ... and ... who, being duly sworn, each for himself and not one for the other, did say that the former is the president and that the latter is the secretary of ... a corporation, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its Board of directors; and each of them acknowledged said instrument to be its voluntary act and deed.

Before me: Cheryl D. Brough, Notary Public for Washington, My commission expires 1991

Before me: Notary Public for Oregon, My commission expires: (OFFICIAL SEAL)

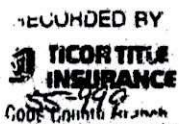


Laurel Klein Wilson, Laurel Klein, WBK # WLSOLA 43857

State of Oregon, County of Coos, 89-06-1272

I, Mary Ann Wilson, County Clerk, certify the within instrument was filed for record at 2:20 P.M. June 23, 89

By [Signature] Deputy, #page 1, Fee \$5.00



ROAD MAINTENANCE AGREEMENT

89 06 1273

Rosemary W. Siple, I. Gene Schrader, Helen Ann Schrader, LeRoy McKinney, Esther McKinney, Jack Klein, Sr., Jack Klein, Jr., Ruth M. Klein, Laurel Klein, Linda Klein, Samuel E. McKinney, Leora F. McKinney, Melvin J. McKinney, Bobbie Sue McKinney and Curtis J. McKinney, who are the landowners or have an interest in or use the road over the following described property hereby agree to maintain the said road they share described below:

That roadway now in existence over and along the following portions of property, as follows: The South line of the SE 1/4 of the SW 1/4 of Section 28, Township 27 South, Range 14 West of the Willamette Meridian, Coos County, Oregon, the Northwest corner of the NE 1/4 of the NW 1/4 of Section 33, Township 27 South, Range 14 West of the Willamette Meridian, Coos County, Oregon; the North line of the NW 1/4 of the NW 1/4 of Section 33, Township 27 South, Range 14 West of the Willamette Meridian, Coos County, Oregon; the Northeast corner of the NE 1/4 of the NE 1/4 of Section 32, Township 27 South, Range 14 West of the Willamette Meridian, Coos County, Oregon

The landowners agree to maintain only the portion of road they use to gain access to their property, and are not obligated to maintain portions of the road they do not normally use.

The undersigned landowners, their heirs, successors and assigns who may someday own property and seek and wish to gain a road easement across the above described road shall be obliged to contribute to the road's maintenance in a manner that is reasonable and in agreement with others who share the road. The obligations of road maintenance shall be undertaken when all who use the road feel it is necessary.

In construing this instrument and whenever the context hereof so requires, the masculine gender includes the feminine and the neuter and the singular number includes the plural. IN WITNESS WHEREOF, the undersigned has hereunto set his hand and seal; if the undersigned is a corporation, it has caused its corporate name to be signed and its corporate seal to be affixed hereunto by its officers duly authorized thereunto by order of its Board of Directors.

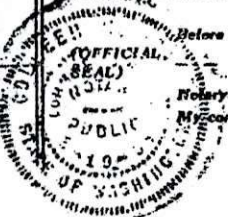
DATED: 6/9/89, 1989 (SEAL)

(If executed by a corporation, affix corporate seal) (SEAL)

(If the signer of the above is a corporation, use the form of acknowledgment opposite.) (SEAL)

STATE OF WASHINGTON } Washington } Co. }
County of Thurston }
June 9, 1989
Personally appeared the above named
Linda Klein
and acknowledged the foregoing instrument to be
her voluntary act and deed.

Washington }
STATE OF WASHINGTON } County of Thurston } Co. }
June 9, 1989
Personally appeared _____ and
_____, who, being duly sworn,
each for himself and not one for the other, did say that the former is the
president and that the latter is the
secretary of
_____, a corporation, and that the seal affixed to the
foregoing instrument is the corporate seal of said corporation and that said
instrument was signed and sealed in behalf of said corporation by author-
ity of its board of directors; and each of them acknowledged said instrument
to be voluntary act and deed.



Before me
Callie [Signature]
Notary Public for Washington
My commission expires: 2/19/93

Before me:
Notary Public for Oregon
My commission expires:



Linda Klein

Linda Klein RECORDED BY



State of Oregon 89-06-1273
County of Coos

I, Mary Ann Wilson, County Clerk, certify the within instrument was filed for record at 2:00 PM June 23, 89

By *[Signature]* Deputy

1-5-89

ROAD MAINTENANCE AGREEMENT

Rosemary W. Siple, I. Gene Schrader, Helen Ann Schrader, LeRoy McKinney, Esther McKinney, Jack Klein, Sr., Jack Klein, Jr., Ruth M. Klein, Laurel Klein, Linda Klein, Samuel E. McKinney, Leora F. McKinney, Melvin J. McKinney, Bobbie Sue McKinney and Curtis J. McKinney, who are the landowners or have an interest in or use the road over the following described property hereby agree to maintain the said road they share described below:

That roadway now in existence over and along the following portions of property, as follows: The South line of the SE 1/4 of the SW 1/4 of Section 28, Township 27 South, Range 14 West of the Willamette Meridian, Coos County, Oregon, the Northwest corner of the NE 1/4 of the NW 1/4 of Section 33, Township 27 South, Range 14 West of the Willamette Meridian, Coos County, Oregon; the North line of the NW 1/4 of the NW 1/4 of Section 33, Township 27 South, Range 14 West of the Willamette Meridian, Coos County, Oregon; the Northeast corner of the NE 1/4 of the NE 1/4 of Section 32, Township 27 South, Range 14 West of the Willamette Meridian, Coos County, Oregon

The landowners agree to maintain only the portion of road they use to gain access to their property, and are not obligated to maintain portions of the road they do not normally use.

The undersigned landowners, their heirs, successors and assigns who may someday own property and seek and wish to gain a road easement across the above described road shall be obliged to contribute to the road's maintenance in a manner that is reasonable and in agreement with others who share the road. The obligations of road maintenance shall be undertaken when all who use the road feel it is necessary.

In construing this instrument and whenever the context hereof so requires, the masculine gender includes the feminine and the neuter and the singular number includes the plural. IN WITNESS WHEREOF, the undersigned has hereunto set his hand and seal; if the undersigned is a corporation, it has caused its corporate name to be signed and its corporate seal to be affixed hereunto by its officers duly authorized thereunto by order of its Board of Directors.

DATED: June 3, 1989

Jack Klein, Sr. (SEAL)
Ruth M. Klein (SEAL)

If executed by a corporation, affix corporate seal.
If the signer of the above is a corporation, use the form of acknowledgment opposite.

STATE OF OREGON, County of Coos, June 3, 1989. Personally appeared the above named JACK KLEIN, SR. & RUTH M. KLEIN and acknowledged the foregoing instrument to be THEIR voluntary act and deed.

STATE OF OREGON, County of Coos, 1989. Personally appeared... who, being duly sworn, each for himself and not one for the other, did say that the former is the president and that the latter is the secretary of... a corporation, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed.

Notary Public for Oregon, Beverly J. Harrington, My commission expires: 2/14/93

Notary Public for Oregon, My commission expires:

RECORDED BY TICOR TITLE INSURANCE Coos County Branch

State of Oregon, County of Coos, 89-06-1274. I, Mary Ann Wilson, County Clerk, certify the within instrument was filed for record at 2:00 PM June 23, 89. By Deputy, #page 13 OF OREGON 5-2

89 06 1275

ROAD MAINTENANCE AGREEMENT

Rosemary W. Siple, I. Gene Schrader, Helen Ann Schrader, LeRoy McKinney, Esther McKinney, Jack Klein, Sr., Jack Klein, Jr., Ruth M. Klein, Laurel Klein, Linda Klein, Samuel E. McKinney, Leora F. McKinney, Melvin J. McKinney, Bobbie Sue McKinney and Curtis J. McKinney, who are the landowners or have an interest in or use the road over the following described property hereby agree to maintain the said road they share described below:

That roadway now in existence over and along the following portions of property, as follows: The South line of the SE 1/4 of the SW 1/4 of Section 28, Township 27 South, Range 14 West of the Willamette Meridian, Coos County, Oregon, the Northwest corner of the NE 1/4 of the NW 1/4 of Section 33, Township 27 South, Range 14 West of the Willamette Meridian, Coos County, Oregon; the North line of the NW 1/4 of the NW 1/4 of Section 33, Township 27 South, Range 14 West of the Willamette Meridian, Coos County, Oregon; the Northeast corner of the NE 1/4 of the NE 1/4 of Section 32, Township 27 South, Range 14 West of the Willamette Meridian, Coos County, Oregon

The landowners agree to maintain only the portion of road they use to gain access to their property, and are not obligated to maintain portions of the road they do not normally use.

The undersigned landowners, their heirs, successors and assigns who may someday own property and seek and wish to gain a road easement across the above described road shall be obliged to contribute to the road's maintenance in a manner that is reasonable and in agreement with others who share the road. The obligations of road maintenance shall be undertaken when all who use the road feel it is necessary.

In construing this instrument and whenever the context hereof so requires, the masculine gender includes the feminine and the neuter and the singular number includes the plural.

IN WITNESS WHEREOF, the undersigned has hereunto set his hand and seal; if the undersigned is a corporation, it has caused its corporate name to be signed and its corporate seal to be affixed hereunto by its officers duly authorized thereunto by order of its Board of Directors.

DATED: June 5, 19 89

If executed by a corporation, affix corporate seal

If the signer of the above is a corporation, use the form of acknowledgment opposite.

MELVIN J. MC KINNEY (SEAL)
BOBBIE SUE MC KINNEY (SEAL)
CURTIS J. MC KINNEY (SEAL)

ORS 93.493

STATE OF OREGON, County of Coos, Personally appeared the above named

and acknowledged the foregoing instrument to be voluntary act and deed.

Before me: (OFFICIAL SEAL)

Notary Public for Oregon My commission expires:

STATE OF OREGON, County of Coos, June 05 19 89

Personally appeared Melvin J. and Bobbie Sue McKinney and Curtis J. McKinney who, being duly sworn, each for himself and not one for the other, did say that the former is the president and that the latter is the secretary of

a corporation, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and used in behalf of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed.

Before me: LAURA A. CRAIG (OFFICIAL SEAL) Notary Public for Oregon My commission expires:

State of Oregon's REGISTRY County of Coos 89-06-1275

RECORDED BY TICOR TITLE INSURANCE Coos County Branch

I, Mary Ann Wilson, County Clerk, certify the within instrument was filed for record at 2:00 PM June 22, 89

By G. Whitham Deputy #page 1-1000-1000-5-2

LAURA A. CRAIG NOTARY PUBLIC - OREGON My Commission Expires 3/29/1992

ROAD MAINTENANCE AGREEMENT

Rosemary W. Sipia, I. Gene Schrader, Helen Ann Schrader, LeRoy McKinney, Esther McKinney, Jack Klein, Sr., Jack Klein, Jr., Ruth M. Klein, Laurel Klein, Linda Klein, Samuel E. McKinney, Leora F. McKinney, Melvin J. McKinney, Bobbie Sue McKinney and Curtis J. McKinney, who are the landowners or have an interest in or use the road over the following described property hereby agree to maintain the said road they share described below:

That roadway now in existence over and along the following portions of property, as follows: The South line of the SE 1/4 of the SW 1/4 of Section 28, Township 27 South, Range 14 West of the Willamette Meridian, Coos County, Oregon, the Northwest corner of the NE 1/4 of the NW 1/4 of Section 33, Township 27 South, Range 14 West of the Willamette Meridian, Coos County, Oregon; the North line of the NW 1/4 of the NW 1/4 of Section 33, Township 27 South, Range 14 West of the Willamette Meridian, Coos County, Oregon; the Northeast corner of the NE 1/4 of the NE 1/4 of Section 32, Township 27 South, Range 14 West of the Willamette Meridian, Coos County, Oregon

The landowners agree to maintain only the portion of road they use to gain access to their property, and are not obligated to maintain portions of the road they do not normally use.

The undersigned landowners, their heirs, successors and assigns who may someday own property and seek and wish to gain a road easement across the above described road shall be obliged to contribute to the road's maintenance in a manner that is reasonable and in agreement with others who share the road. The obligations of road maintenance shall be undertaken when all who use the road feel it is necessary.

In construing this instrument and whenever the context hereof so requires, the masculine gender includes the feminine and the neuter and the singular number includes the plural. IN WITNESS WHEREOF, the undersigned has hereunto set his hand and seal; if the undersigned in a corporation, it has caused its corporate name to be signed and its corporate seal to be affixed hereunto by its officers duly authorized thereunto by order of its Board of Directors.

DATED: 6-14, 1989

(If executed by a corporation, affix corporate seal)

(If the signer of the above is a corporation, use the form of acknowledgment opposite.)

STATE OF OREGON }
County of Coos }
6-14, 1989

Personally appeared the above named Jack Klein Jr. and acknowledged the foregoing instrument to be his voluntary act and deed.



FORM 93.410

STATE OF OREGON, County of Coos) ss.

Personally appeared _____ and _____ who, being duly sworn, each for himself and not one for the other, did say that the former is the president and that the latter is the secretary of _____ a corporation, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors, and each of them acknowledged said instrument to be its voluntary act and deed.

Notary Public for Oregon
My commission expires:

(OFFICIAL SEAL)

State of Oregon
County of Coos 89-06-1276

I, Mary Ann Wilson, County Clerk, certify the within instrument was filed for record at 2:00 P.M. June 22, 89

By _____ Deputy

Jack Klein Jr. RECORDED BY

TICOR TITLE INSURANCE CO. Coos County

