



**Coos County  
Planning Department  
Property Line Adjustment  
Application**

Official Use Only  
Fee \$300  
Receipt No. 214517  
Check No./Cash \_\_\_\_\_  
Date 2/10/2020  
Received By P. DM  
File No. \_\_\_\_\_  
PLA-20-001

**Introduction**

The purpose of a property line adjustment application is to review changes in property lines when no new lots are being created. Property lines may be changed to account for the location of fences, driveways, gardens and buildings. For example, a property owner may discover that a fence is located on a neighbor's property. As a solution, the affected property owners may agree to relocate their property lines. A property line adjustment review is needed to make sure the change is consistent with zoning standards.

In addition to filling out the application form, the applicant needs to draw a plot plan. The plot plan will show the property lines and dimensions, and the location of all buildings, wells, septic tanks and drain field for the parcels which are being adjusted.

The applicants need to submit the application to the Planning Department. Once the application and plot plan are accepted, staff will review the proposal.

A single adjustment of one line between two abutting properties will be approved as an administrative act.

Multiple adjustments between more than two abutting properties will be processed as a land use decision and may be approved as a single application on condition that each adjustment is completed prior to the next, in accordance with ORS Chapter 92.

Approval will become final after the applicant(s) complies with the approval criteria including completion of surveys when required and recording of the property line adjustment deed(s). These must be completed within one year of the approval.

This information is provided as a courtesy and is not intended to replace the provisions of Article 6.3.

If you have any questions about this application, please feel free to contact this office at 541-396-7770 or visit us at 225 North Adams Street in Owen Building in Coquille, Oregon.

Please complete the following sections:

**A. Property 1:**

Owner(s): KEVIN: DEBORAH ST. PIERRE Telephone: 757-619-8622  
Address: 93510 SHADY LN.  
City/State: NORTH BEND, OR Zip Code: 97459  
Lien Holder(s): \_\_\_\_\_  
Address: \_\_\_\_\_  
City/State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
Township: 245 Section: 35C  
Range: 13W Tax Lot: 1700  
Tax Account: 187121 Zoning District: RR-2  
Initial Lot Size: 0.16 ac Adjusted Lot Size: 0.29

**B. Property 2:**

Owner(s): CHLOE JORDAN Telephone: \_\_\_\_\_  
Address: 93504 SHADY LN.  
City/State: NORTH BEND, OR Zip Code: 97459  
Lien Holder(s): \_\_\_\_\_  
Address: \_\_\_\_\_  
City/State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
Township: 245 Section: 35C  
Range: 13W Tax Lot: 1800  
Tax Account: 187112 Zoning District: RR-2  
Initial Lot Size: 0.76 Adjusted Lot Size: 0.63

**C. Applicant:**

Name: DEBORAH ST. PIERRE Telephone: 757-619-8622  
Address: 93510 SHADY LN.  
City/State: NORTH BEND, OR Zip Code: 97459

**D. Surveyor**

Name/Company: TROY RAMBO Telephone: 541-751-8900  
Address: P.O. Box 809  
City/State: NORTH BEND, OR Zip Code: 97459

**E. Purpose of the Property Line Adjustment**

Owner of 93504 Shady Lane negotiated sale to  
avoid potential adverse possession lawsuit by owner  
of 93510 Shady Lane. "ENCROACHMENT"

**F. Criteria from Article 6.3**

ARTICLE 6.3 PROPERTY LINE ADJUSTMENTS

**SECTION 6.3.100 PROPERTY LINE ADJUSTMENTS:**

As set forth in ORS 92.190(3), the common boundary line between lots or parcels may be adjusted in accordance with this section without the replatting procedures in ORS 92.180 and 92.185 or the vacation procedures in ORS Ch. 368. Once a lot or parcel line has been adjusted, the adjusted line shall be the boundary or property line, not the original line. The Director has authority to approve a line adjustment as an Administrative Action.

**SECTION 6.3.125 PROCEDURE:**

1. An application for a line adjustment or elimination shall be filed by the owners of all lots or parcels affected. The application shall be accompanied by an appropriate fee and contain the following information:
  - a. Reason for the line adjustment;
  - b. Vicinity map locating the proposed line adjustment or elimination in relation to adjacent subdivisions, partitions, other units of land and roadways;
  - c. A plot plan showing the existing boundary lines of the lots or parcels affected by the line adjustment and the approximate location for the proposed adjustment line. The plot plan shall also show the approximate location of all structures within ten (10) feet of the proposed adjusted line;
  - d. A current property report (less than 6 months old) 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.
- e. A notice of application and decision will be provided to any and all lien holders of record for the property that will be affected by the proposed adjustment. Applicants should consult with any and all such lien holders prior to submittal of an application.
2. A line adjustment is permitted only where an additional unit of land is not created and where the lot or parcel reduced in size by the adjustment complies with the requirements of the applicable zone except that a line adjustment for the purpose of exchange or transfer of land between resource land owners shall be allowed so long as:
    - a. No parcel is reduced in size contrary to a condition under which it was formed;
    - b. The resulting parcel sizes do not change the existing land use pattern (e.g. two conforming parcels must remain conforming; and
    - c. Two non-conforming parcels may remain non-conforming; and, two parcels, one conforming and one non-conforming, may remain as such regardless of which parcel is non-conforming after the exchange or transfer).
  3. An encroachment of existing or planned structures will not be created within required setbacks as a result of the line adjustment.
  4. A line adjustment for a lot or parcel that contains a dwelling, not on a public sanitation system, and is less than an acre before the adjustment and further reduced as a result of the adjustment shall obtain documentation from Department of Environmental Quality (DEQ) that the sanitation system will still meet their requirements.
  5. In resource lands, a unit of land containing a dwelling, or approved for construction of a dwelling, cannot be adjusted with a vacant resource unit of land for the purpose of qualifying the vacant unit for a 160-acre dwelling.
    - a. A resource unit of land less than 160 acres and containing a (preexisting) dwelling, or approved for construction of a dwelling, cannot be adjusted with a vacant resource unit of land for the purpose of qualifying the vacant unit for a 160-acre dwelling;
    - b. A resource unit of land 160 acres or greater and containing a (preexisting) dwelling, or approved for construction of a dwelling, cannot be adjusted below 160 acres with a vacant resource unit of land for the purpose of qualifying the vacant unit for a 160-acre dwelling;
    - c. A resource unit of land 160 acres or greater and containing a dwelling approved as a 160-acre dwelling, or approved for construction of a 160-acre dwelling, cannot be reduced below 160 acres for the purpose of qualifying the vacant unit for a 160-acre dwelling.
  6. Same Designation: A line adjustment shall only be permitted where the sale or transfer of ownership is made between abutting owners of like designated lands, residential lands, commercial lands, industrial lands, resource lands, and estuary zoned lands unless an existing structure encroaches over an existing property boundary or the boundary line adjustment is required to comply with requirements of the State Department of Environmental Quality for a subsurface sewage system.

7. Property line adjustments are subject to a twelve (12) day appeal period. If appealed, this will be treated as a Planning Director's decision and the procedures in Article 5.8 will be followed. A notice of the decision will be mailed to the applicant and to all neighborhood or community organizations recognized by the County and whose boundaries include the site. Notice of the decision will also be mailed to the owners of record of property on the most recent property tax assessment roll where such property is located:
  - a. Within 100 feet of the exterior boundaries of the contiguous property ownership which is the subject of the notice if the subject property is wholly or in part within an urban growth boundary;
  - b. Within 250 feet of the exterior boundaries of the contiguous property ownership which is the subject of the notice if the subject property is outside an urban growth boundary and not within a farm or forest zone;
  - c. Within 750 feet of the exterior boundaries of the contiguous property ownership which is the subject of the notice if the subject property is within a farm or forest zone.

#### SECTION 6.3.150 EASEMENTS AND ACCESS:

A line adjustment shall have no affect on existing easements or access. Access shall not be eliminated through a property line adjustment process. If an access is potentially affected then an easement may be created for access to comply with this criterion.

#### SECTION 6.3.175 MAPPING AND FILING REQUIREMENTS:

##### 1. Map and Monuments Required:

- a. For any resulting lot or parcel ten acres or less, a survey map that complies with ORS 209.250 shall be prepared;
- b. The survey map shall show all structures within ten (10) feet of the adjusted line;
- c. The survey shall establish monuments to mark the adjusted line.

##### 2. Approval and Filing Requirements:

- a. Upon determination that the requirements of this section have been met, the Director shall advise the applicant in writing that the line adjustment is tentatively approved;
- b. Within one year from the date of tentative approval, the applicant shall prepare and submit to the Director any map required by Section 6.2.800(4) and Section 6.2.800(5) if a survey is required. If no map is required, the applicant shall submit proof that the requirements of the tentative approval have been met. The Director shall indicate final approval by endorsement upon the map, if any, or if no map is required the Director shall advise the applicant in writing that final approval has been granted;
- c. Once endorsed by the Director, the map shall then be submitted to the County Surveyor. When the map is filed, the County Surveyor shall indicate the filing information on the map;
- d. A line adjustment shall be effective when the map is filed by the County Surveyor and an instrument (e.g. deed or covenant) is recorded with the County Clerk. If no map is required, then the line adjustment shall be effective when final approval is granted by the Director and an instrument is recorded with the County Clerk;

- e. If a survey is required, the Deed shall be recorded and the Survey Map shall be filed simultaneously. The survey map, with the signature of the Coos County Planning Director shall be submitted to the County Surveyor along with the required filing fee. The survey map will be given a filing number which will be added to the Property Line Adjustment deed. The deed will then be recorded whereupon the recording number for said deed will be added to the face of the survey map. Said map will then be filed with the County Surveyor, completing the process.
- f. The property line adjustment deed must be submitted on the exact format found in Figure 1 below.

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

*MS*   
Property 1

*J.*  
Property 2

I hereby attest that I am authorized to make the application for a discretionary decision 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.

*MS*   
Property 1

*J.*  
Property 2

**FEES**

The Coos County Board of Commissioners has adopted a schedule of fees and if the property owners understand they are subject to the fee. If a hearings officer is required to review this matter the property is responsible for actual cost of processing the application.

*MS*   
Property 1

*J.*  
Property 2

I understand it is the function of the Planning Department 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 bear 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.

WJ WJ  
Property 1

[Signature]  
Property 2

As the applicant(s) I/we acknowledge pursuant to Section 6.3.175(2), the property line adjustment deed must be recorded with the County Clerk within one year from the date of final approval from the Planning Department.

WJ WJ  
Property 1

[Signature]  
Property 2

[Signature]  
Applicant(s) Original Signature

JAN 5, 2020  
Date

[Signature]  
Applicant(s) Original Signature

Jan 5, 2020  
Date

[Signature]  
Applicant(s) Original Signature

Jan 5, 2020  
Date

\_\_\_\_\_  
Applicant(s) Original Signature

\_\_\_\_\_  
Date



RECORDING REQUESTED BY:



300 Anderson Ave  
Coos Bay, OR 97420

**GRANTOR'S NAME:**

James Alphonsus Jordan and Adrienne Jordan

**GRANTEE'S NAME:**

Chloe Delaney Margaret Jordan

**AFTER RECORDING RETURN TO:**

Order No.: 360619028287-LS  
Chloe Delaney Margaret Jordan  
93504 Shady Lane  
North Bend, OR 97459

**SEND TAX STATEMENTS TO:**

Chloe Delaney Margaret Jordan  
93504 Shady Lane  
North Bend, OR 97459

93504 Shady Lane, North Bend, OR 97459

Coos County, Oregon	<b>2019-07395</b>	
<b>\$96.00</b>	<b>Pgs=3</b>	<b>08/20/2019 01:08 PM</b>
eRecorded by: TICOR TITLE COOS BAY		
Debbie Heller, CCC, Coos County Clerk		

SPACE ABOVE THIS LINE FOR RECORDER'S USE

### STATUTORY WARRANTY DEED

James Alphonsus Jordan and Adrienne Jordan, as tenants by the entirety, Grantor, conveys and warrants to Chloe Delaney Margaret Jordan, 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:

Beginning at a point North 51° 27' West 605 feet and North 38° 33' East 100 feet from a point which is 822.51 feet North North and 637.19 feet West of the quarter section corner on the South boundary of Section 35, Township 24 South, Range 13 West of the Willamette Meridian, Coos County, Oregon; run thence North 51° 27' West 50 feet to a point; thence North 38° 33' East 100 feet; thence North 51° 27' West 150 feet; thence South 38° 33' West 200 feet; thence South 51° 27' East 200 feet; thence North 38° 33' East 100 feet to the point of beginning.

Together with a right of way and the joint use thereof as set forth in Instrument recorded April 23, 1954 in Book 233, Page 471, Deed Records of Coos County, Oregon.

EXCEPTING THEREFROM that portion described in Deed to Greg Chineworth, et ux, in Deed Recorded November 5, 1992 as Microfilm Reel No. 92-11-0167, Records of Cos County, Oregon.

EXCEPTING THEREFROM all oil and mineral rights as reserved in that certain deed recorded February 14, 1936 as book 125, Page 59, Records of Coos County, Oregon.

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS ONE HUNDRED SIXTY-SEVEN THOUSAND TWENTY-EIGHT AND 77/100 DOLLARS (\$167,028.77). (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 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.

**STATUTORY WARRANTY DEED**  
(continued)

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

Dated: August 16, 19

James A. Jordan  
James Alphonsus Jordan

Adrienne Jordan  
Adrienne Jordan

State of Oregon  
County of COOS

This instrument was acknowledged before me on Aug. 16, 19 by James Alphonsus Jordan and Adrienne Jordan.

Lisa Lynn Summa  
Notary Public - State of Oregon

My Commission Expires: 1-17-2022



**EXHIBIT "A"**  
Exceptions

**Subject to:**

Property taxes in an undetermined amount, which are a lien but not yet payable, including any assessments collected with taxes to be levied for the fiscal year 2019-2020.

Rights of the public to any portion of the Land lying within the area commonly known as public roads, streets and highways.

Easement(s) for the purpose(s) shown below and rights incidental thereto as reserved in a document;

Entitled: Deed  
In favor of: Loritan Investment Company  
Recording Date: February 14, 1936  
Recording No: Book 125, Page 59

Easement(s) for the purpose(s) shown below and rights incidental thereto as reserved in a document;

Entitled: Deed  
Purpose: water pipe line  
In favor of: Loritan Investment Company  
Recording Date: February 14, 1936  
Recording No: Book 125, Page 59

Easement(s) for the purpose(s) shown below and rights incidental thereto as set forth in a document:

Entitled: Deed  
In favor of: West Coast Power Co.  
Purpose: electric power line  
Recording Date: November 13, 1939  
Recording No: Book 135, Page 47

Easement(s) for the purpose(s) shown below and rights incidental thereto as set forth in a document:

Entitled: Deed  
In favor of: Guy L Lasater et al  
Purpose: 15 foot right for joint use  
Recording Date: April 23, 1954  
Recording No: Book 233, Page 471

Terms and provisions, including, but not limited to mutual obligations, including rights of lien, for maintenance pursuant to the provisions of ORS 105.170 et seq., of that certain access easement which is set forth in instrument,

Recorded: April 23, 1954  
Book: 233 Page 471

Easement(s) for the purpose(s) shown below and rights incidental thereto as set forth in a document:

In favor of: Herbert E Ahlquist and Alma E Ahlquist  
Purpose: ingress and egress  
Recording Date: January 28, 1960  
Recording No: Book 276 Page 106

Easement for Use of Buried Water Line

Recording Date: August 15, 2007  
Recording No.: 2007-10786



# Fidelity National Title Company

**After Recording Return To:**  
Fidelity National Title Company  
215 Curtis Ave.  
PO Box 355  
Coos Bay OR 97420-0037

**AFTER RECORDING RETURN TO  
FIDELITY NATIONAL TITLE COMPANY**

**Send Tax Statements To:**  
Kevin C. St. Pierre  
Deborah C. St. Pierre  
93510 Shady Lane  
North Bend, OR 97459

Title Order No. 24-89785  
Escrow No. 24-89785 *LS*  
Tax Account No. T24R13S35C  
1700 A#1871.21

## WARRANTY DEED (ORS 93.850)

Janice Lenhart, who acquired title as Janice M. Crane, Grantor, conveys and warrants to Kevin C. St. Pierre and Deborah C. St. Pierre, as tenants by the entirety, Grantees, the following described real property free of encumbrances except as specifically set forth herein:

See Exhibit 'A' attached hereto and by reference made a part hereof.

**THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.**

The true consideration for this conveyance is ~~\$100,000.00~~ <sup>108,200.00</sup>

Dated this 30 day of October, 2003

Janice Lenhart  
Janice Lenhart

*CA Humboldt*  
State of OR, County of Coos )ss.



This instrument was acknowledged before me on 10/30/03, 2003  
by Janice Lenhart.

David J. Crane  
Notary Public

My commission expires: \_\_\_\_\_

COOS COUNTY, OREGON TOTAL \$36.00  
TERRI L. TURI, CCC, COUNTY CLERK

11/06/2003 #2003-17604  
02:31PM 1 OF 3

Title No. 24-89785

Escrow No. 24-89785

**EXHIBIT 'A'**Legal Description:

Beginning at a point North 51° 27' West 605 feet and North 38° 33' East 100 feet of a point 822.51 feet North and 637.19 feet West of the quarter section corner on the South boundary of Section 35, Township 24 South, Range 13 West of the Willamette Meridian, Coos County, Oregon; thence North 51° 27' West 65 feet to a point; thence North 38° 33' East 100 feet to a point; thence South 51° 27' East 65 feet to a point; thence South 38° 33' West 100 feet to the point of beginning.

ALSO: Beginning at a point North 51° 27' West 605 feet and North 38° 33' East 100 feet of a point 822.51 feet North and 637.19 feet West of the quarter section corner on the South boundary of Section 35, Township 24 South, Range 13 West of the Willamette Meridian, Coos County, Oregon; thence North 51° 27' West 65 feet to a point; thence South 38° 33' West 10 feet to a point; thence South 51° 27' East 65 feet to a point; thence North 38° 33' East 10 feet to the point of beginning.

Together with an easement for ingress and egress of a joint user driveway as set out in Instrument recorded January 28, 1960 in Book 276, Page 106, Records of Coos County, Oregon.

Also together with an easement for construction, maintenance and repairing of a water pipeline for domestic water supply, created by instruments recorded January 25, 1960 in Book 276, Page 25 and in Book 276, Page 29, records of Coos County, Oregon.

Subject to:

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

An Easement created by instrument, including the terms and provisions thereof,

In favor of: Loritan Investment Company  
 For: Water pipeline and ingress and egress for the mining and removal of minerals  
 Recorded: February 14, 1936  
 Book: 125 Page: 59  
 in Coos County, Oregon.

An Easement created by instrument, including the terms and provisions thereof,

In favor of: West coast Power Co.  
 For: Electric power line  
 Recorded: November 13, 1939  
 Book: 135 Page: 47  
 in Coos County, Oregon.

An Easement created by instrument, including the terms and provisions thereof,

In favor of: Joint users of existing right of way  
 For: Ingress and egress  
 Recorded: July 24, 1953  
 Book: 228 Page: 586  
 in Coos County, Oregon.

Title No. 24-89785 Escrow No. 24-89785

An Easement and Maintenance Agreement, created by instrument, including the terms and provisions thereof,

Between: Tom Taylor and Ellene Taylor, and Charles Castle and Esther Castle and Herbert E. Ahlquist and Alma E. Ahlquist

For: Construction, maintenance and repairing of water pipeline for domestic water supply

Recorded: January 25, 1960

Book: 276 Page: 25

in Coos County, Oregon.

An Easement and Maintenance Agreement, created by instrument, including the terms and provisions thereof,

Between: W. J. Potts and Ethel Potts, and Herbert E. Ahlquist and Alma E. Ahlquist

For: Construction, maintenance and repairing of a water pipeline for domestic water supply

Recorded: January 25, 1960

Book: 276 Page: 29

in Coos County, Oregon.

An Easement and Maintenance Agreement created by instrument, including the terms and provisions thereof,

Between: William R. Pearson and Mary Jane Pearson, and Herbert E. Ahlquist and Alma E. Ahlquist

For: Share in the costs of maintaining a joint user driveway

Recorded: January 28, 1960

Book: 276 Page: 106

in Coos County, Oregon.

# St. Pierre/Jordan

Write a description for your map.

Legend

Google Earth

100m

