

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

Mailed notices to owners of real property required by ORS 215 shall be deemed given to those owners named in an affidavit of mailing executed by the person designated by the governing body of a county to mail the notices. The failure of the governing body of a county to cause a notice to be mailed to an owner of a lot or parcel of property created or that has changed ownership since the last complete tax assessment roll was prepared shall not invalidate an ordinance.

The application, staff report and any conditions can be found at the following link:<http://www.co.coos.or.us/Departments/Planning/PlanningDepartment-Applications2020.aspx>. The application and all documents and evidence contained in the record, including the staff report and the applicable criteria, are available for inspection, at no cost, in the Planning Department located at 225 North Adams Street, Coquille, Oregon. Copies may be purchased at a cost of 50 cents per page. The decision is based on the application submittal and information on record. The name of the Coos County Planning Department representative to contact is Crystal Orr, Planner I and the telephone number where more information can be obtained is (541) 396-7770.

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

Reviewed by: 
Crystal Orr, Planner I

Date: Tuesday, April 14, 2020 .

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

EXHIBITS

- Exhibit A: Conditions of Approval
- Exhibit B: Vicinity Map
- Exhibit C: Before & After Maps

The Exhibits below are mailed to the Applicant only. Copies are available upon request or at the following website:<http://www.co.coos.or.us/Departments/Planning/PlanningDepartment-Applications2020.aspx> or by visiting the Planning Department at 225 N. Baxter, Coquille OR 97423. **If you have any questions please contact staff at (541) 396-7770.**

- Exhibit D: PLA-20-001 Staff Report -**Findings of Fact and Conclusions**
- Exhibit E: Comments Received
- Exhibit D: Application

EXHIBIT "A"
CONDITIONS OF APPROVAL

The applicant shall comply with the following conditions of approval with the understanding that all costs associated with complying with the conditions are the responsibility of the applicants and that the applicants are not acting as an agent of the county. If the applicant fails to comply or maintain compliance with the conditions of approval the permit may be revoked as allowed by the Coos County Zoning and Land Development Ordinance. Please read the following conditions of approval and if you have any questions contact planning staff.

1. All applicable mapping and filing requirements shall be complied with as listed below. If a map is required it shall be submitted to the Surveyor's office with the deeds. The deeds shall not be filed and that map has the appropriate signatures. Copies of all recorded deeds shall be submitted as the final step in the process.
2. Shall comply with any requirements from Coos County Surveyor or Assessor's Office.
3. Documentation from Department of Environmental Quality (DEQ) that the sanitation system located on tax lot 1800 will still meet their requirements must be submitted prior to staff signing the Property Line Adjustment Map

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 § 6.3.175.f.

**EXHIBIT "B"
VICINITY MAP**



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



File: PLA-20-001

Owner: Kevin & Deborah St. Pierre
 Owner: Chloe Jordan
 Surveyor: Troy Rambo

Date: March 21, 2020

Location: Township 24S Range 13W
 Section 35C TL 1700 & 1800

Proposal: Property Line Adjustment

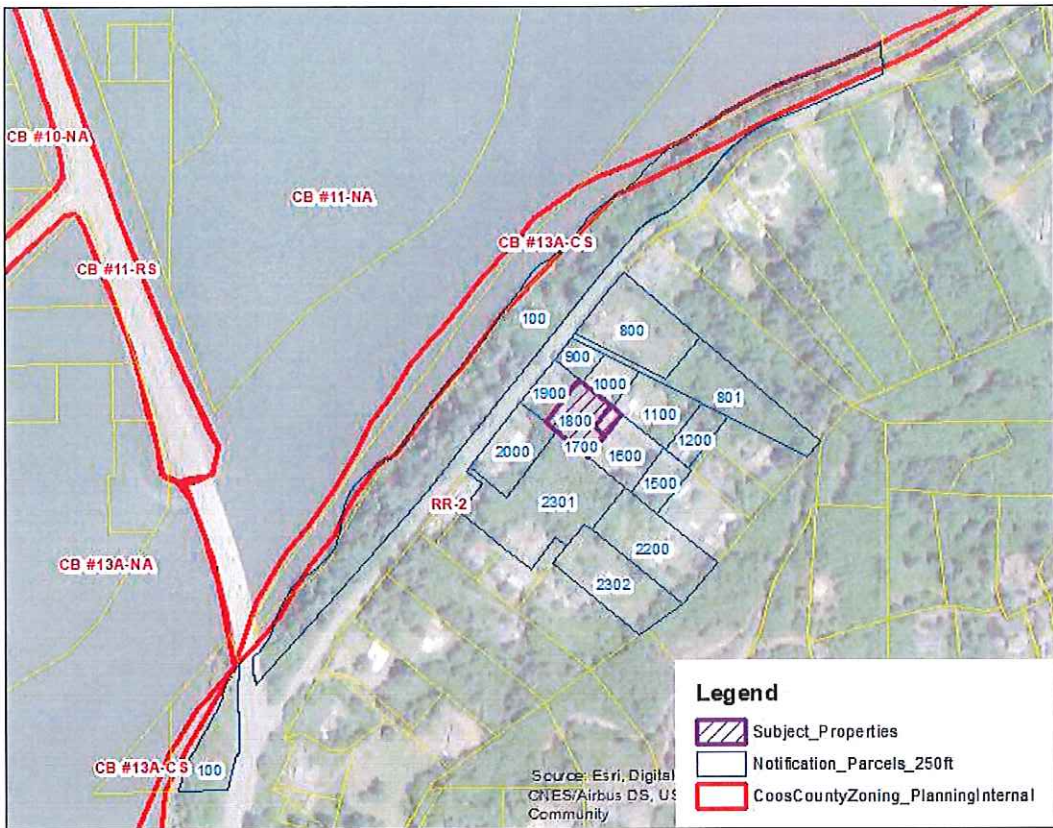


EXHIBIT "C"
BEFORE & AFTER MAPS

Before



After



EXHIBIT "D"
STAFF REPORT
FINDINGS OF FACT AND CONCLUSIONS

VI. PROPOSAL

The proposal is a request for Planning Director Approval of a Property Line Adjustment. Part of the adjustment is an encroachment as part of the septic system for tax lot 1700 is located on tax lot 1800.

II. BACKGROUND INFORMATION:

- Tax lot 1800 located at 93504 Shady Lane is developed with a 1954 Single Family Dwelling. In 2003 a Zoning Compliance Letter was issued to site an accessory structure and increase the footprint of the existing Single Family Dwelling.
- Tax lot 1700 located at 93510 Shady Lane is developed with a 1948 Single Family Dwelling. In 1999 the property was given a Zoning Compliance Letter to repair and/or alter the Single Family Dwelling.

III. PROPERTY DESCRIPTION AND PROPOSAL

LOCATION: These units of land are located north of the City of North Bend. The parcels have access through Shady Lane, which is a privately maintained private road that is accessed off of North Bay Road (Public County Maintained Road)

LAWFULLY CREATED:

Tax lot 1800 was created prior to 1966 through a deed conveyance Documents 66-14439, 66-14440 and 66-12-14282. The legal description that carries forward from pages 14439 and 14440 are one lawfully created unit of land. The legal description described on page 14282 is a separate legal description that describes a unit of land to be .01 of an acre. The Assessor's Office gave this a tax lot number 1801 and did an exception to tax lot 1800 to create 1801 for taxing purposes only.

Tax lot 1700 was a unit of land that was created prior to 1971 though a deed document as 71-6-4100. This lawfully created unit of land was about 0.15 acres. In 1988 through a Warranty Deed tax lot 801 (document # 88-7-1803) was conveyed to tax lot 1700 which increased the acreage to .16 of an acre. This tax lot is lawfully created with two units of land originally described under deed documents 71-6-4100 and 66-12-14282.

Therefore, pursuant to CCZLDO Section 6.1.125(e) these tax lots are considered lawfully established units of land because they were conveyed by deed or land sales contract prior to the any regulations that prohibited the creation.

IV. APPLICABLE CRITERIA & FINDINGS OF FACT

- **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.*

FINDING: The application stated that the reason for the adjustment is to fix an encroachment as well as adjust a portion of tax lot 1800 so that 1700 retains the portion of the property that they have been maintaining. A complete application with a plot plan showing the before and after maps as well as a current property report was supplied. The application failed to identify that either property had a lien. Through research by the Planning Department it appears that tax lot 1800 has a lien through James and Adrienne Jordan and tax lot 1700 has a lien through Quicken Loans. The Notice of Decision and Staff Report will be supplied to both lien holders. Therefore, these criteria have been addressed.

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).**

FINDING: The minimum lot size for the zoning district of the two parcels in question is 2 acres. Both parcels are under the minimum lot size, which makes them legal non conforming parcels. The property line adjustment will not affect the conformance status of the properties. Both parcels will remain non conforming after the adjustment.

Therefore, this request complies with the criteria under this section.

3. *An encroachment of existing or planned structures will not be created within required setbacks as a result of the line adjustment.*

FINDING: No encroachment of existing structures will be created by adjusting the property boundary line. Therefore, this criterion has been met. Any future structures will be required to comply with the setback requirements in the applicable zoning district.

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.*

FINDING: Tax lot 1800 is under an acre and will be further reduced as a result of this adjustment. Documentation from Department of Environmental Quality (DEQ) that the sanitation system will still meet their requirements must be submitted prior to

staff signing the Property Line Adjustment Map. Therefore, this condition does not apply.

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.*

FINDING: **The properties are not resource lands and the purpose of this adjustment is not to qualify for a dwelling. Therefore, this criterion does not apply.**

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.*

FINDING: **The zoning districts will not change. Therefore, this criterion has been met.**

- **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.

FINDING: **There will be no affect on existing easements. Therefore, this criterion has been met.**

VI. DECISION:

The proposed Property Line Adjustment meets the requirements of the Coos County Zoning and Land Development Ordinance, with conditions as listed above. This is a tentative approval that is valid for up to one year. To finalize this decision the applicant shall comply with the approval and filing requirements found in the conditions of approval in Exhibit "A" of this report.

EXHIBIT "E"
Comments Received



COOS COUNTY SURVEYOR
250 N. Baxter Street, Coquille, Oregon 97423

Michael L. Dado
541-396-7586
Email coosurvey@co.coos.or.us

March 5, 2020

PLA-20-001
Kevin & Deborah St. Pierre
24-13- 35C, TL 1700
Chloe Jordan
24-13- 35C, TL 1800

Crystal,

I have no objections to this proposed Property Line Adjustment. However, Item 5 on the PLA Checklist has not been addressed. As the purpose of this PLA Survey is to alleviate an encroachment the structure must be located in the field to ensure that the new line is properly placed. Said structure must then be shown on the drawing which should include clearance dimensions. The new line will need to be monumented. I have no further comments at this time.

Very truly yours

A handwritten signature in black ink that reads "Michael L. Dado". The signature is written in a cursive style with a large initial "M".

Michael L. Dado



**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.D.M.
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: 24S 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: 24S 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.

MSB *MSB*
Property 1

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.

J.
Property 2

MSB *MSB*
Property 1

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.

J.
Property 2

MSB *MSB*
Property 1

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.

J.
Property 2

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.

RSR RSR
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.

RSR RSR
Property 1

[Signature]
Property 2

Kevin C. St. Pierre
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	2019-07395
\$96.00 Pgs=3	08/20/2019 01:08 PM
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 Clatsop

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, Grantee, 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 \$^{108,200.00}~~100,000.00~~

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: 588
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

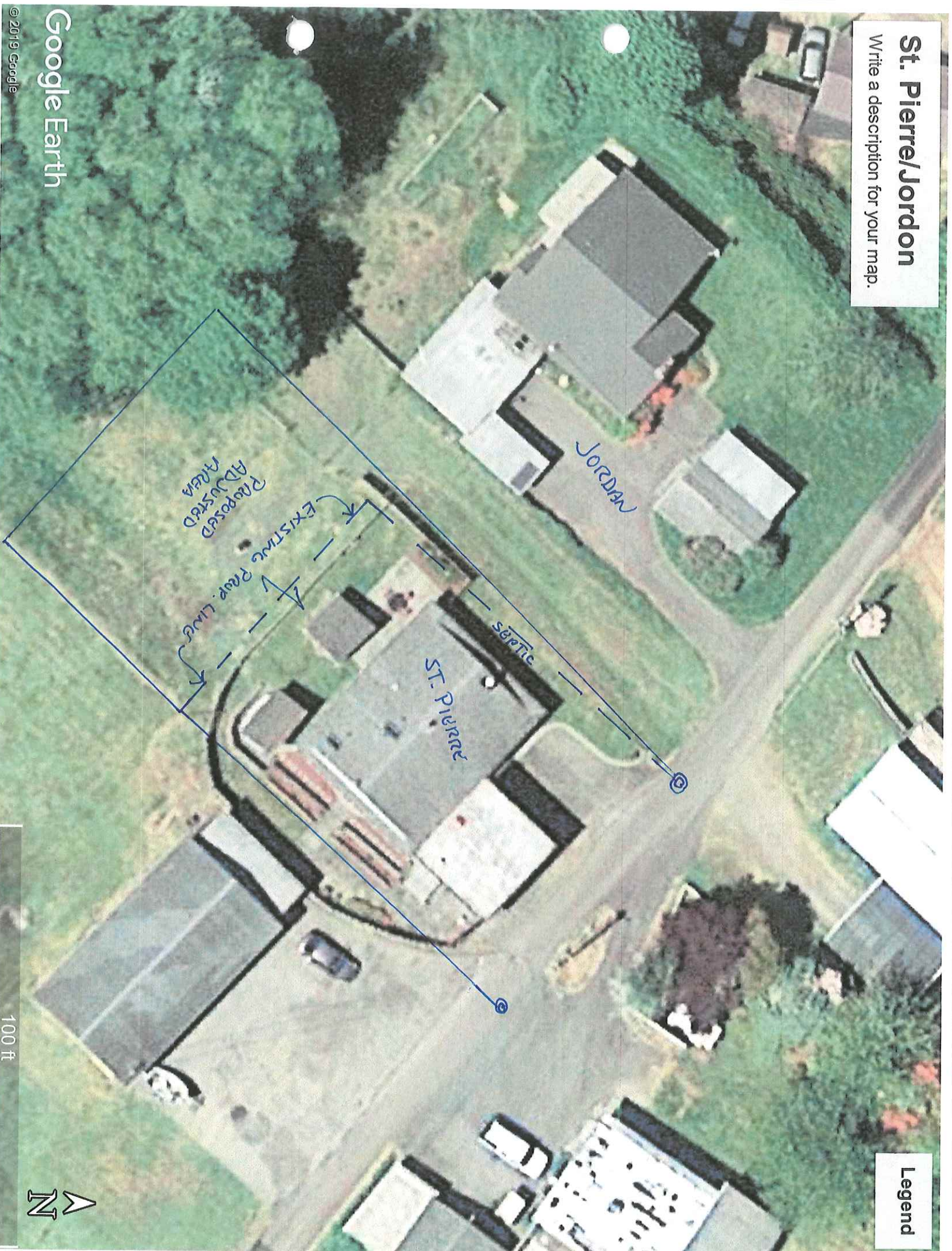
Recorded: January 28, 1960

Book: 276 Page: 106

In Coos County, Oregon.

St. Pierre/Jordan

Write a description for your map.



Legend



BEFORE
ADJUSTMENT

15' Wide Easement

TL 1900 24-13-35C
Deed Reference: 67-17345

Fnd 5" IR W/
Plastic Cap "LS1312"
Per CS9A99.

"CLOE"
"JORDAN"
TL 1800 24-13-35C
Deed Reference: 2002-297
93504 SHADY LANE
NORTH BEND, OR

Fnd 3 1/4" IP
Per CS52A50

Fnd 5" IR W/
Cap "LS1331"
Per CS9B27

Fnd 5" IR W/
Plastic Cap "LS1331"

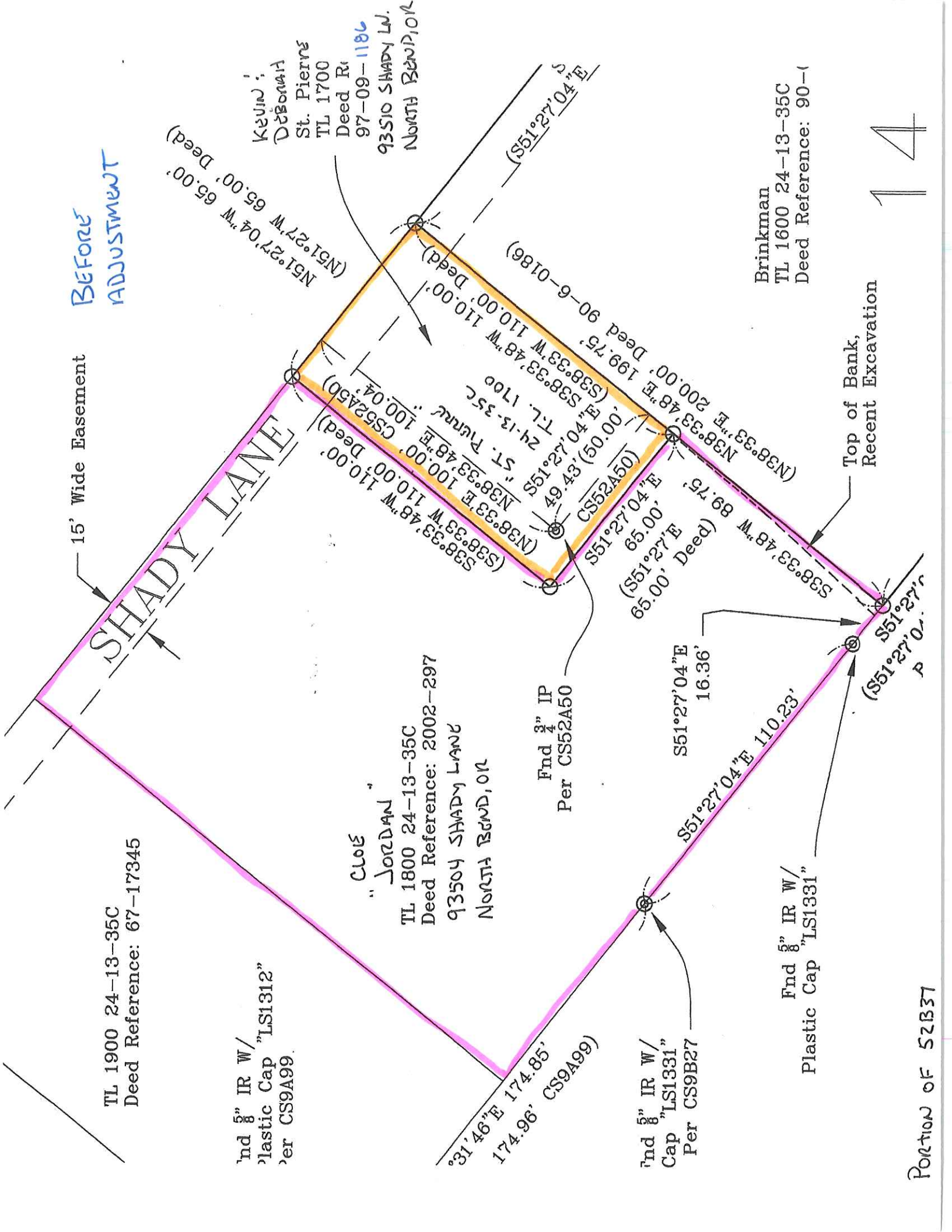
Kevin;
Deborah
St. Pierre
TL 1700
Deed R/
97-09-1186
93510 SHADY LN.
NORTH BEND, OR

Brinkman
TL 1600 24-13-35C
Deed Reference: 90-

Top of Bank,
Recent Excavation

PORTION OF S2B37

14



AFTER
ADJUSTMENT

15' Wide Easement

SHADY LANE

TL 1900 24-13-35C
Deed Reference: 67-17345

1/2" IR W/
Plastic Cap "LS1312"
Per CS9A99.

"CLOE"
JORDAN

TL 1800 24-13-35C
Deed Reference: 2002-297
2019-7395

93504 SHADY LANE
NORTH BEND, OR

Fnd 3/4" IP
Per CS52A50

31'46"E 174.85'
174.96' CS9A99)

1/2" IR W/
Cap "LS1331"
Per CS9B27

Fnd 5/8" IR W/
Plastic Cap "LS1331"

Kevin:
Deborah
St. Pierre
TL 1700
Deed R:
97-09-1186
93510 SHADY LANE
NORTH BEND, OR

N51°27'04" W 65.00' Deed
(N51°27'04" W 65.00' Deed)

CS52A50
ST. PIERRE
TL 1700
24-13-35C

N38°33'48" W 110.00' Deed
(N38°33'48" W 110.00' Deed)

S38°33'48" E 199.75'
(S38°33'48" E 199.75' Deed 90-6-0186)

S51°27'04" E (50.00')
(S51°27'04" E 50.00' Deed)

(S51°27'04" E)

S51°27'04" E 65.00' Deed
(S51°27'04" E 65.00' Deed)

S51°27'04" E 110.23'
(S51°27'04" E 110.23' Deed)

S51°27'04" E 16.36'
(S51°27'04" E 16.36' Deed)

S51°27'04" E 110.23'
(S51°27'04" E 110.23' Deed)

S51°27'04" E 110.23'
(S51°27'04" E 110.23' Deed)

S51°27'04" E 110.23'
(S51°27'04" E 110.23' Deed)

S51°27'04" E 110.23'
(S51°27'04" E 110.23' Deed)

Brinkman
TL 1600 24-13-35C
Deed Reference: 90-

Top of Bank,
Recent Excavation

14

PORTION OF 52B37

Crystal Orr

From: mandrllc@frontier.com
Sent: Thursday, March 12, 2020 6:55 AM
To: Crystal Orr
Subject: Re: St Pierre PLA

This Message originated outside your organization.

Crystal,

There is no structure within 10 feet of the adjusted line.

Troy Rambo

On Wednesday, March 11, 2020, 2:54:10 PM PDT, Crystal Orr <corr@co.coos.or.us> wrote:

Troy,

Can you address item 5 for st pierres. If there isn't a structure within 10 feet let me know.

Crystal Orr

Planner I

Coos County Planning

225 N Adams, Coquille, OR 97423 (Physical address)

250 N Baxter Coquille, OR 97423 (Mailing Address)

541-396-7770

Disclaimer

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived by **Mimecast Ltd**, an innovator in Software as a Service (SaaS) for business. Providing a **safer** and **more useful** place for your human generated data. Specializing in; Security, archiving and compliance. To find out more [Click Here](#).

Until a change is requested all tax statements shall be sent to the following address.

Quicken Loans Inc. Escrow Dept.
1050 Woodward Ave
Detroit, MI 48226-1906

When Recorded Return To:
Indecomm Global Services
2925 Country Drive
St. Paul, MN 55117

~~When Recorded Return To~~
~~Indecomm Global Services~~
~~2925 Country Drive~~
~~St. Paul, MN 55117~~
~~1050 Woodward Ave~~
~~Detroit, MI 48226-1906~~

78557737

TAX ACCOUNT NUMBER
187121

True and Actual Consideration is:

\$138,650.00

57574896 - 18910813

[Space Above This Line For Recording Data]

3314807946

DEED OF TRUST

Mortgage Electronic Registration Systems, Inc. (MERS) is the Grantee of this Security Instrument

MIN 100039033148079464

VA Case Number: 48-4860372546

DEFINITIONS

Words used in multiple sections of this document are defined below and other words are defined in Sections 3, 11, 13, 18, 20 and 21. Certain rules regarding the usage of words used in this document are also provided in Section 16.

(A) "Security Instrument" means this document, which is dated March 27, 2013, together with all Riders to this document.

(B) "Borrower" is Kevin C. St Pierre and Deborah C. St Pierre, husband and wife

Borrower is the trustor under this Security Instrument.

(C) "Lender" is Quicken Loans Inc., MML 5357

Lender is a Corporation organized and existing under the laws of the State of Michigan
Lender's address is 1050 Woodward Ave, Detroit, MI 48226-1906

(D) "Trustee" is Pacific Northwest Company of Oregon, Inc.

OREGON- Single Family - Fannie Mae/Freddie Mac UNIFORM INSTRUMENT WITH MERS
2578286437

Form 3038 1/01

VMP-6A(OR) (0811)

Page 1 of 15

Initials: *TSB*

VMP Mortgage Solutions, Inc. *TSB*



(Q) "RESPA" means the Real Estate Settlement Procedures Act (12 U.S.C. Section 2601 et seq.) and its implementing regulation, Regulation X (24 C.F.R. Part 3500), as they might be amended from time to time, or any additional or successor legislation or regulation that governs the same subject matter. As used in this Security Instrument, "RESPA" refers to all requirements and restrictions that are imposed in regard to a "federally related mortgage loan" even if the Loan does not qualify as a "federally related mortgage loan" under RESPA.

(R) "Successor in Interest of Borrower" means any party that has taken title to the Property, whether or not that party has assumed Borrower's obligations under the Note and/or this Security Instrument.

TRANSFER OF RIGHTS IN THE PROPERTY

The beneficiary of this Security Instrument is MERS (solely as nominee for Lender and Lender's successors and assigns) and the successors and assigns of MERS. This Security Instrument secures to Lender: (i) the repayment of the Loan, and all renewals, extensions and modifications of the Note; and (ii) the performance of Borrower's covenants and agreements under this Security Instrument and the Note. For this purpose, Borrower irrevocably grants and conveys to Trustee, in trust, with power of sale, the following described property located in the

County of Coos :
[Type of Recording Jurisdiction] [Name of Recording Jurisdiction]

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.
SUBJECT TO COVENANTS OF RECORD.

93510 Shady Ln which currently has the address of
North Bend [Street]
[City], Oregon 97459 [Zip Code]
("Property Address"):

TOGETHER WITH all the improvements now or hereafter erected on the property, and all easements, appurtenances, and fixtures now or hereafter a part of the property. All replacements and additions shall also be covered by this Security Instrument. All of the foregoing is referred to in this Security Instrument as the "Property." Borrower understands and agrees that MERS holds only legal title to the interests granted by Borrower in this Security Instrument, but, if necessary to comply with law or custom, MERS (as nominee for Lender and Lender's successors and assigns) has the right to exercise any or all of those interests, including, but not limited to, the right to foreclose and sell the Property; and to take any action required of Lender including, but not limited to, releasing and canceling this Security Instrument.

OREGON- Single Family - Fannie Mae/Freddie Mac UNIFORM INSTRUMENT WITH MERS
VMP-6A(OR) (0811) Page 3 of 15 Initials: *TL*

Form 3038 1/01

q03314807946 0233 357 0315