

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

COMPLETED BY STAFF	
Received By: <u>MB</u>	<input type="checkbox"/> COMP PLAN AMENDMENT
Date Submitted: <u>5/1/20</u>	<input type="checkbox"/> ZONE CHANGE
Application No.: <u>SUB-20-001</u>	<input type="checkbox"/> TEXT AMENEDMENT
Fee: <u>1785⁰⁰</u>	CONDITIONAL USE REVIEW
Fee Paid: <u>1785⁰⁰</u>	<input type="checkbox"/> HEARINGS BODY
Receipt No.: <u>219229</u>	<input 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: Susanna Mendizabal

II. OWNER(S)

Name: Oyster Cove, LLC

Mailing Address: 11200 SW 58th Court

Mailing Address: 11200 SW 58th Court

City Miami, Florida 33156-5017

City: Miami State: FL Zip: 33156-5017

State Zip

Daytime Phone 214-729-9459

Daytime Phone: 214-729-9459

Email:

Email:

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

Location or Address: 63346 Boat Basin Road

No. Acreage

Tax Acct.

Township: 26 Range: 14 Section: 02 ¼ Section: D 1/16 Section: B Tax lot: 4900

Zone: Commercial (C-1)

Water Service Type: Coos Bay

Sewage Disposal Type: Charleston

School District: Coos Bay

Fire District: Coos Bay

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:
 - 1. A complete explanation of how the request complies with the applicable provisions and criteria in the Zoning Ordinance. A planner will explain which sections of the Ordinance pertain to your specific request. You must address each of the Ordinance criteria on a point-by-point basis in order for this application to be deemed complete.
 - 2. A description of the property in question, including, but not limited to the following: size, vegetation, crops grown, access, existing buildings, topography, etc.
 - 3. A complete description of the request, including any new structures proposed.
 - 4. If applicable, documentation from sewer and water district showing availability for connection.
- B. A plot plan (map) of the property. Please indicate the following on your plot plan:
 - 1. Location of all existing and proposed buildings and structures
 - 2. Existing County Road, public right-of-way or other means of legal access
 - 3. Location of any existing septic systems and designated repair areas
 - 4. Limits of 100-year floodplain elevation (if applicable)
 - 5. Vegetation on the property
 - 6. Location of any outstanding physical features
 - 7. Location and description (paved, gravel, etc.) of vehicular access to the dwelling location
- 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.

Oyster Cove LLC by Sivama Mudzidil, member
Applicant/Owner Signature Applicant/Owner Signature

Coos County Planning
Land Division Supplemental Application

VI. Additional Information Required –

1. Lien holder(s) name: NONE
2. List of Easements and type:
SEE TITLE REPORT-PART TWO-ENCUMBRANCES
3. Covenants or Deed Restrictions that apply: NONE
4. Legal Access and maintenance agreements:
PUBLIC ACCESS - BOAT BASIN DRIVE
5. Is the subject property part of an existing plat (partition or subdivision) Yes, answer the following:
 - a. What year was the plat recorded; and 1989
 - b. Was it part of a partition or subdivision? Remember if property that has been partitioned or was part of a partition within the prior three years then the partition shall be reviewed pursuant to subdivision criteria.
6. Does the property current have water, sewer or on-site septic, Development?
7. Is the applicant requesting the Planning Director to waive the water requirements yes no, and if yes please explain why.
8. Are there natural hazards that apply to this property? No
9. Is any portion of this property located within the Coastal Shoreland Boundary or Estuary? If so this shall be indicated on the plat. If within a CSB there will be additional site development criteria that apply. No
10. Is this property with the Beaches and Dunes? If so, this feature shall be identified and a noted that additional criteria may apply. No

- VII. General Outline of process – If there is missing information the application will be deemed incomplete. The following is a general outline of the process for the review of land divisions in Coos County:
- a. Application is filed and reviewed for completeness pursuant to §5.0.200;
 - b. Technical Review Committee (TRC) reviews tentative plans within 30 days from the date the application has been deemed complete. The Planning Director may extend this timeline if needed;

- c. Planning Director makes a decision unless subject to limited land use notice. If subject to limited land use notice pursuant to Article 5.0 a notice of decision will be mailed out within seven days of the expiration of the limited land use notice;
- d. Applicant submits construction drawings for any new public roads or access easements to the Roadmaster. The County Roadmaster reviews construction drawings and applicable specifications for public roads and access easements;
- e. Applicant constructs or bonds for required improvements;
- f. County Roadmaster inspects construction unless improvements are bonded;
- g. Applicant submits final plat after all conditions of approval have been completed;
- h. Planning Department coordinates review of final plat by affected County Departments;
- i. Board of Commissioners reviews final plats for subdivisions and for partitions proposing public dedications;
- j. Planning Director reviews final plats for partitions not proposing public dedications; and
- k. If the final plat is approved, the applicant shall comply with Section 6.2.825 and file the plat with the County Clerk. (OR 92-07-012PL)

VIII. SECTION 6.2.350 TENTATIVE PLAT REQUIRMENTS (Tentative Plan):

1. Application Requirements

- a. An application and a tentative plat for approval shall be initiated as provided in Section 5.0.150 of this ordinance.
- b. The applicant shall file with the Director the original and four (4) additional copies of the tentative map on 11" X 17" paper for partitions and 18" x 24" paper for subdivisions.
- c. The tentative plat shall be clearly and legibly drawn. It shall show all required information to scale so that the Approving Authority may have an adequate understanding of what is proposed. Under ordinary circumstances, the scale shall use a typical engineer scale (example 1" = 50').
- d. If the tentative plat requirements have not been met the application will be deemed incomplete until the maps have been correct and at that time the Technical Review Committee meeting will be scheduled.

2. Information required for tentative plat.

a. All Land Divisions

- North arrow, scale and date of the drawing.
- Appropriate identification clearly stating the map is a tentative plat.
- Names and addresses of the landowners, subdivider/partitioner and the engineer, surveyor, land planner or landscape architect responsible for designing.
- The tract designation or other description according to the real estate records of Coos County [Township, Range, Section, Tax Lot Number(s), and Assessor's Tax Account Number(s)].
- The boundary line (accurate in scale) of the tract to be divided and approximate acreage of the property.
- Contours with intervals of forty (40) feet or less referred to United States Geological Survey (or mean sea level) datum.
- The names of adjacent subdivisions or the names of recorded owners of adjoining parcels of unsubdivided land.
- The location, widths, and names of existing or platted streets or other public ways (including easements) within or adjacent to the tract, existing permanent buildings, railroad rights-of-way and other important features such as section lines, political subdivision boundary lines and school district boundaries.

- Existing sewers, water mains, culverts, drainage ways or other underground utilities or structures within the tract or immediately adjacent thereto, together with pipe sizes, grades and locations indicated.
- Location, acreage and dimensions of land to be dedicated for public use or reserved in the deeds for the common use of property owners in the proposed land division, together with the purpose of conditions or limitations of such reservations, if any.
- Easements, together with their dimensions, purpose and restrictions on use.
- Zoning classification of the land and Comprehensive Plan map designation.
- Draft of proposed restrictions and covenants affecting the plat if applicable. If not applicable indicate that on the form.
- Predominant natural features such as water courses and their flows, marshes, rock outcropping, and areas subject to flooding, sliding or other natural hazards. Applicable natural hazards may be verified with planning staff.
- 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.

b. Subdivisions – Shall include the following additional information:

- The proposed name of the subdivision must be on the plat.
- The proposed street pattern or layout showing the name and widths of proposed streets and alleys.
- Private streets and all restrictions or reservations relating to such private streets.
- Proposed Subdivision proposed lots, approximate dimensions, size and boundaries. Residential lots shall be numbered consecutively. Lots that are to be used for other than residential purposes shall be identified with letter designations.
- Parks, playgrounds, recreation areas, parkways, and open space for public use, clearly identified.
- The location of existing or proposed bicycle and/or pedestrian facilities if required under Article VII of this Ordinance.
- Proposed means and location of sewage disposal and water supply systems.

3. Development Phasing

a. Subdivisions shall:

- i. provide for platting in as many as three (3) phases. The preliminary plan must show each phase and be accompanied by proposed time limitations for approval of the final plat for each phase.
- ii. Time limitations for the various phases must meet the following requirements:
 - 1. Phase 1 final plat shall be approved within twenty-four (24) months of preliminary approval.
 - 2. Phase 2 final plat shall be approved within thirty-six (36) months of preliminary approval.
 - 3. Phase 3 final plat shall be approved within forty-eight (48) months of preliminary approval.

b. Partitions shall:

- i. Provide all phasing for partitions. If phasing is proposed then road standards for subdivisions shall apply.
- ii. If a land division is proposed on a property that has been partitioned in the prior three years then the partition shall be reviewed pursuant to subdivision criteria.

IX. Criteria: The following criteria will need to be addressed:

- a. A decision on the tentative land division plan application shall be made and notices shall be processed as required in Chapter 5.0 of this ordinance.
- b. The preliminary plan shall be approved if the Approving Authority finds the following:
 - i. The information required by this Article has been provided;
 - ii. The design and development standards of Chapter 6 have been met;
 - iii. Applicable transportation standards in chapter VII have been or will be complied with;
 - iv. Minimum parcel/lot sizes and requirements have been complied with for the zoning district.
 - v. If the preliminary plan provides for development in more than one phase, then Approving Authority makes findings and conclusions that such phasing is necessary due to the nature of the development, and that the applicant will be able to comply with the proposed time limitations.
 - vi. In granting tentative approval, the Approving Authority may impose conditions of approval deemed necessary to carry out the Comprehensive Plan and the provisions of this ordinance. Such conditions may include the construction of offsite public improvements, or money equivalent, deemed necessary, either immediately or in the future, as a result of the proposed development and shall be reasonably conceived to fulfill public needs emanating from the proposed development in the following respects:
 - i. Protection of the public from the potentially deleterious effects of the proposed development; or
 - ii. Fulfillment of the need for public service demands created by the proposed development.
- c. Conditional Approval. The Planning Director may impose special conditions upon the approval of a tentative plan when it is established that such conditions are necessary to protect health, safety or welfare. Conditions may include but are not limited to the following:
 - i. roadway and plat design modifications;
 - ii. utility design modifications;
 - iii. conditions deemed necessary to provide safeguards against documented geologic hazards; and/or
 - iv. Other conditions deemed necessary to implement the objectives of the Comprehensive Plan.

OYSTER COVE, LLC

ADOPTION OF RESOLUTION WITHOUT MEETING

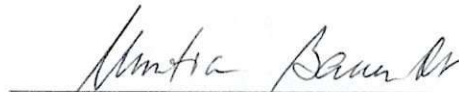
Pursuant to Section 3.10 of the abovesaid limited liability company's Operating Agreement, the undersigned, being all of the members of Oyster Cove, LLC, an Oregon limited liability company, (the "LLC"), acting by unanimous consent in lieu of a meeting of the members, do hereby adopt the resolution set forth below and approve and authorize the actions set forth herein:

"RESOLVED, that LLC member Susanna M. Bauer Mendizabal is authorized to sign for and on behalf of the LLC any and all documents in connection with the subdivision and/or any other land use process involving any real property owned by the LLC."

DATED this 24 day of April, 2020.



Mislen Stol Bauer, Member



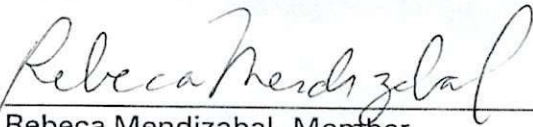
William Christian Bauer, Member



Christopher Bauer, Member



Andrea Bauer, Member



Rebeca Mendizabal, Member



Susanna M. Bauer Mendizabal, Member



Cristina Mendizabal, Member



Coos County Planning Department

Coos County Courthouse Annex, Coquille, Oregon 97423
Mailing Address: Planning Department, Coos County Courthouse, Coquille, Oregon 97423

(541) 396-7770
FAX (541) 396-1022 / TDD (800) 735-2900

Jill Rolfe Planning Director

CONSENT

On this 24 day of April, 2020,

I, Oyster Cove LLC by Susanna Mendydel, member
(Print Owners Name as on Deed) manager

as owner/owners of the property described as Township 26, Range 14,

Section 2 DB, Tax Lot 4900, Deed Reference 2000-12960

hereby grant permission to Doug C. McMahan
Stuntzner Eng. & Forestry, LLC. so that a(n)
(Print Name)

Land Use Permit Application
Land Division Supplemental App. application can be submitted to the Coos
(Print Application Type)

County Planning Department.

Owners Signature/s Oyster Cove LLC

by Susanna Mendydel, member +
manager

Ticor Title Company of Oregon
Order No. 360620030232



300 W Anderson
(541)269-5127

OWNERSHIP AND ENCUMBRANCES REPORT WITH GENERAL INDEX LIENS
Informational Report of Ownership and Monetary and Non-Monetary Encumbrances

To ("Customer"): Stuntzner Engineering and Forestry, LLC
PO Box 118
Coos Bay, OR 97420

Customer Ref.: _____
Order No.: 360620030232
Effective Date: February 25, 2020 at 08:00 AM
Charge: \$300.00

The information contained in this report is furnished by Ticor Title Company of Oregon (the "Company") as a real property information service based on the records and indices maintained by the Company for the county identified below. THIS IS NOT TITLE INSURANCE OR A PRELIMINARY TITLE REPORT FOR, OR COMMITMENT FOR, TITLE INSURANCE. No examination has been made of the title to the herein described property, other than as specifically set forth herein. Liability for any loss arising from errors and/or omissions is limited to the lesser of the charge or the actual loss, and the Company will have no greater liability by reason of this report. THIS REPORT IS SUBJECT TO THE LIMITATIONS OF LIABILITY STATED BELOW, WHICH LIMITATIONS OF LIABILITY ARE A PART OF THIS REPORT.

THIS REPORT INCLUDES MONETARY AND NON-MONETARY ENCUMBRANCES.

Part One - Ownership and Property Description

Owner. The apparent vested owner of property ("the Property") as of the Effective Date is:

Oyster Cove, LLC, an Oregon Limited Liability Company

Premises. The Property is:

(a) Street Address:

Boat Basin Rd, Coos Bay, OR 97420

(b) Legal Description:

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

Part Two - Encumbrances

Encumbrances. As of the Effective Date, the Property appears subject to the following monetary and non-monetary encumbrances of record, not necessarily listed in order of priority, including liens specific to the subject property and general index liens (liens that are not property specific but affect any real property of the named person in the same county):

EXCEPTIONS

1. Regulations, levies, liens, assessments, rights of way and easements of Charleston Sanitary District.

2. ✓ Easement(s) and rights incidental thereto, as granted in a document:

Granted to: Cary Cox and Sandra Cox, Husband and wife
Recording Date: February 14, 1967
Recording No: 67-2-15661

3. ✓ Easement(s) and rights incidental thereto, as granted in a document:

Granted to: Gary Cox and Sandra Cox, husband and wife
Recording Date: March 3, 1967
Recording No: 67-3-16167

4. ✓ Easement(s) for the purpose(s) shown below and rights incidental thereto as delineated or as offered for dedication, on the Minor Land Partition, Volume 3, Page 102, recorded as Microfilm No. 89-12-1431, Records of Coos County, Oregon.

5. ✓ Easement(s) and rights incidental thereto, as granted in a document:

Granted to: Coos Bay-North Bend Water Board
Recording Date: April 27, 1990
Recording No: 90-4-1931

6.

Easement(s) for the purpose(s) shown below and rights incidental thereto as delineated or as offered for dedication, on the Final Land Partition Plat 1992 #34, CAB B-464, Recorded as Microfilm No. 92-10-0219, Records of Coos County, Oregon.

system & SANITARY
92-09-0961 & PUBLIC POWER 128-92

7. ✓ Easement(s) and rights incidental thereto, as granted in a document:

Granted to: Coos Bay-North Bend Water Board
Recording Date: May 24, 1995
Recording No: 95-05-1112

89-11-0188
(WATER BOARD)

8. Any rights of the parties in possession of a portion of, or all of, said Land, which rights are not disclosed by the Public Records.

The Company will require, for review, a full and complete copy of any unrecorded agreement, contract, license and/or lease, together with all supplements, assignments and amendments thereto, before issuing any policy of title insurance without excepting this item from coverage.

The Company reserves the right to except additional items and/or make additional requirements after reviewing said documents.

9. Existing leases and tenancies, if any, and any interests that may appear upon examination of such leases.

10. Any right, interest or claim that may exist, arise or be asserted under or pursuant to the Perishable

Agricultural Commodities Act of 1930, as amended, 7 USC 499a et seq., the Packers and Stockyard Act of 1921, as amended, 7 USC 181 et seq., or any similar state laws.

11. Please be advised that our search did not disclose any open Deeds of Trust of record. If you should have knowledge of any outstanding obligation, please contact the Title Department immediately for further review prior to closing.

Note: Property taxes for the fiscal year shown below are paid in full.

Fiscal Year: 2019-2020
Amount: \$12,569.75
Levy Code: 0927
Account No.: 1545700
Map No.: 26-14-02DB TL4900

Note: Personal Property taxes for the fiscal year shown below are paid in full.

Fiscal Year: 2019-2020
Amount: \$361.81
Levy Code: 0927
Account No.: 1088
Map No.: 26-14-02DB TL4900
Assessed to: Miller's at the Cove, Inc.

Note: Personal Property taxes for the fiscal year shown below are paid in full.

Fiscal Year: 2019-2020
Amount: \$235.88
Levy Code: 0927
Account No.: 99918970
Map No.: 26-14-02DB TL4900
Assessed to: Bayside Coffee, Inc.

End of Reported Information

There will be additional charges for additional information or copies. For questions or additional requests, contact:

John Beaver
541-269-5127
john.beaver@ticortitle.com

Ticor Title Company of Oregon
300 W Anderson
Coos Bay, OR 97420

EXHIBIT "A"
Legal Description

Beginning at a point on the West boundary of Block 9, PLAT OF CHARLESTON, Coos County, Oregon, 50 feet North of the Southwest corner of said Block 9; thence North along said West line 295.38 feet to the Southwest corner of property conveyed to Cary A. Cox, et ux in deed recorded January 28, 1966, bearing Microfilm Reel No. 66-1-5674, Records of Coos County, Oregon; thence East 127.19 feet along Cox's South boundary; thence North 40° 17' East 178.69 feet, more or less, to the East boundary of said Block 9; thence South along the East boundary of Block 9, 355.2 feet to the most Northerly corner of property conveyed to Willis R. Short, et ux in deed recorded December 26, 1964, in Book 154, Page 88, Deed Records of Coos County, Oregon; thence South 60° 13' West parallel to the Southerly boundary of Block 9, 120.0 feet to Short's most Westerly corner; thence Southwest 340 feet, more or less, to the point of beginning.

EXCEPTING THEREFROM that portion as conveyed in Warranty Deed recorded August 4, 1992, as Microfilm No. 92-08-0095, Records of Coos County, Oregon.

ALSO EXCEPTING Parcel II of Minor Partition recorded as Volume 3, Page 102, as Microfilm No. 89-12-1431, Records of Coos County, Oregon.

LIMITATIONS OF LIABILITY

"CUSTOMER" REFERS TO THE RECIPIENT OF THIS REPORT.

CUSTOMER EXPRESSLY AGREES AND ACKNOWLEDGES THAT IT IS EXTREMELY DIFFICULT, IF NOT IMPOSSIBLE, TO DETERMINE THE EXTENT OF LOSS WHICH COULD ARISE FROM ERRORS OR OMISSIONS IN, OR THE COMPANY'S NEGLIGENCE IN PRODUCING, THE REQUESTED REPORT, HEREIN "THE REPORT." CUSTOMER RECOGNIZES THAT THE FEE CHARGED IS NOMINAL IN RELATION TO THE POTENTIAL LIABILITY WHICH COULD ARISE FROM SUCH ERRORS OR OMISSIONS OR NEGLIGENCE. THEREFORE, CUSTOMER UNDERSTANDS THAT THE COMPANY IS NOT WILLING TO PROCEED IN THE PREPARATION AND ISSUANCE OF THE REPORT UNLESS THE COMPANY'S LIABILITY IS STRICTLY LIMITED. CUSTOMER AGREES WITH THE PROPRIETY OF SUCH LIMITATION AND AGREES TO BE BOUND BY ITS TERMS

THE LIMITATIONS ARE AS FOLLOWS AND THE LIMITATIONS WILL SURVIVE THE CONTRACT:

ONLY MATTERS IDENTIFIED IN THIS REPORT AS THE SUBJECT OF THE REPORT ARE WITHIN ITS SCOPE. ALL OTHER MATTERS ARE OUTSIDE THE SCOPE OF THE REPORT.

CUSTOMER AGREES, AS PART OF THE CONSIDERATION FOR THE ISSUANCE OF THE REPORT AND TO THE FULLEST EXTENT PERMITTED BY LAW, TO LIMIT THE LIABILITY OF THE COMPANY, ITS LICENSORS, AGENTS, SUPPLIERS, RESELLERS, SERVICE PROVIDERS, CONTENT PROVIDERS AND ALL OTHER SUBSCRIBERS OR SUPPLIERS, SUBSIDIARIES, AFFILIATES, EMPLOYEES, AND SUBCONTRACTORS FOR ANY AND ALL CLAIMS, LIABILITIES, CAUSES OF ACTION, LOSSES, COSTS, DAMAGES AND EXPENSES OF ANY NATURE WHATSOEVER, INCLUDING ATTORNEY'S FEES, HOWEVER ALLEGED OR ARISING, INCLUDING BUT NOT LIMITED TO THOSE ARISING FROM BREACH OF CONTRACT, NEGLIGENCE, THE COMPANY'S OWN FAULT AND/OR NEGLIGENCE, ERRORS, OMISSIONS, STRICT LIABILITY, BREACH OF WARRANTY, EQUITY, THE COMMON LAW, STATUTE OR ANY OTHER THEORY OF RECOVERY, OR FROM ANY PERSON'S USE, MISUSE, OR INABILITY TO USE THE REPORT OR ANY OF THE MATERIALS CONTAINED THEREIN OR PRODUCED, **SO THAT THE TOTAL AGGREGATE LIABILITY OF THE COMPANY AND ITS AGENTS, SUBSIDIARIES, AFFILIATES, EMPLOYEES, AND SUBCONTRACTORS SHALL NOT IN ANY EVENT EXCEED THE COMPANY'S TOTAL FEE FOR THE REPORT.**

CUSTOMER AGREES THAT THE FOREGOING LIMITATION ON LIABILITY IS A TERM MATERIAL TO THE PRICE THE CUSTOMER IS PAYING, WHICH PRICE IS LOWER THAN WOULD OTHERWISE BE OFFERED TO THE CUSTOMER WITHOUT SAID TERM. CUSTOMER RECOGNIZES THAT THE COMPANY WOULD NOT ISSUE THE REPORT BUT FOR THIS CUSTOMER AGREEMENT, AS PART OF THE CONSIDERATION GIVEN FOR THE REPORT, TO THE FOREGOING LIMITATION OF LIABILITY AND THAT ANY SUCH LIABILITY IS CONDITIONED AND PREDICATED UPON THE FULL AND TIMELY PAYMENT OF THE COMPANY'S INVOICE FOR THE REPORT.

THE REPORT IS LIMITED IN SCOPE AND IS NOT AN ABSTRACT OF TITLE, TITLE OPINION, PRELIMINARY TITLE REPORT, TITLE REPORT, COMMITMENT TO ISSUE TITLE INSURANCE, OR A TITLE POLICY, AND SHOULD NOT BE RELIED UPON AS SUCH. THE REPORT DOES NOT PROVIDE OR OFFER ANY TITLE INSURANCE, LIABILITY COVERAGE OR ERRORS AND OMISSIONS COVERAGE. THE REPORT IS NOT TO BE RELIED UPON AS A REPRESENTATION OF THE STATUS OF TITLE TO THE PROPERTY. THE COMPANY MAKES NO REPRESENTATIONS AS TO THE REPORT'S ACCURACY, DISCLAIMS ANY WARRANTY AS TO THE REPORT, ASSUMES NO DUTIES TO CUSTOMER, DOES NOT INTEND FOR CUSTOMER TO RELY ON THE REPORT, AND ASSUMES NO LIABILITY FOR ANY LOSS OCCURRING BY REASON OF RELIANCE ON THE REPORT OR OTHERWISE.

IF CUSTOMER (A) HAS OR WILL HAVE AN INSURABLE INTEREST IN THE SUBJECT REAL PROPERTY, (B) DOES NOT WISH TO LIMIT LIABILITY AS STATED HEREIN AND (C) DESIRES THAT ADDITIONAL LIABILITY BE ASSUMED BY THE COMPANY, THEN CUSTOMER MAY REQUEST AND PURCHASE A POLICY OF TITLE INSURANCE, A BINDER, OR A COMMITMENT TO ISSUE A POLICY OF TITLE INSURANCE. NO ASSURANCE IS GIVEN AS TO THE INSURABILITY OF THE TITLE OR STATUS OF TITLE. CUSTOMER EXPRESSLY AGREES AND ACKNOWLEDGES IT HAS AN INDEPENDENT DUTY TO ENSURE AND/OR RESEARCH THE ACCURACY OF ANY INFORMATION OBTAINED FROM THE COMPANY OR ANY PRODUCT OR SERVICE PURCHASED.

NO THIRD PARTY IS PERMITTED TO USE OR RELY UPON THE INFORMATION SET FORTH IN THE REPORT, AND NO LIABILITY TO ANY THIRD PARTY IS UNDERTAKEN BY THE COMPANY.

CUSTOMER AGREES THAT, TO THE FULLEST EXTENT PERMITTED BY LAW, IN NO EVENT WILL THE COMPANY, ITS LICENSORS, AGENTS, SUPPLIERS, RESELLERS, SERVICE PROVIDERS, CONTENT PROVIDERS, AND ALL OTHER SUBSCRIBERS OR SUPPLIERS, SUBSIDIARIES, AFFILIATES, EMPLOYEES AND SUBCONTRACTORS BE LIABLE FOR CONSEQUENTIAL, INCIDENTAL, INDIRECT, PUNITIVE, EXEMPLARY, OR SPECIAL DAMAGES, OR LOSS OF PROFITS, REVENUE, INCOME, SAVINGS, DATA, BUSINESS, OPPORTUNITY, OR GOODWILL, PAIN AND SUFFERING, EMOTIONAL DISTRESS, NON-OPERATION OR INCREASED EXPENSE OF OPERATION, BUSINESS INTERRUPTION OR DELAY, COST OF CAPITAL, OR COST OF REPLACEMENT PRODUCTS OR SERVICES, REGARDLESS OF WHETHER SUCH LIABILITY IS BASED ON BREACH OF CONTRACT, TORT, NEGLIGENCE, THE COMPANY'S OWN FAULT AND/OR NEGLIGENCE, STRICT LIABILITY, BREACH OF WARRANTIES, FAILURE OF ESSENTIAL PURPOSE, OR OTHERWISE AND WHETHER CAUSED BY NEGLIGENCE, ERRORS, OMISSIONS, STRICT LIABILITY, BREACH OF CONTRACT, BREACH OF WARRANTY, THE COMPANY'S OWN FAULT AND/OR NEGLIGENCE OR ANY OTHER CAUSE WHATSOEVER, AND EVEN IF THE COMPANY HAS BEEN ADVISED OF THE LIKELIHOOD OF SUCH DAMAGES OR KNEW OR SHOULD HAVE KNOWN OF THE POSSIBILITY FOR SUCH DAMAGES.

END OF THE LIMITATIONS OF LIABILITY

After Recording, Return To:

Lawrence F. Finneran
P.O. Box 359
Coos Bay, Oregon 97420

BARGAIN AND SALE DEED

MARTHA S. BUTLER, "Grantor," conveys to OYSTER COVE, LLC, an Oregon Limited Liability Company, "Grantee" the following described real property:

See Exhibit "A" attached hereto and by this 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 and actual consideration for this conveyance is other property or value which is the whole consideration therefor.

Until a change is requested all tax statements should be sent to the following address: Oyster Cove, LLC, 1160 N. 10th Street, Coos Bay, Oregon, 97420.

DATED this 6th day of December, 2000.

Martha S. Butler
Martha S. Butler

STATE OF OREGON)
) ss.
County of Coos)

December 6, 2000

Personally appeared before me the above-named Martha S. Butler who acknowledged the foregoing instrument as her voluntary act and deed.



Lawrence F. Finneran
Notary Public for Oregon
My Commission Expires: 12-6-00

EXHIBIT "A"

PARCEL I

Parcel II of Minor Land Partition recorded at Volume 3, Page 102, as instrument no. 89-12-1431, real property records of Coos County, Oregon.

PARCEL II

Parcel III of Minor Land Partition recorded at Volume 3, Page 102, as instrument no. 89-12-1431, real property records of Coos County, Oregon.

PARCEL III

Parcel 1 of Partition Plat 1992 no. 34 recorded October 7, 1992, at microfilm no. 92-10-0219, and filed in CAB B-464, real property records of Coos County, Oregon.

PARCEL IV

Parcel 2 of Partition Plat 1992 no. 34 recorded October 7, 1992, at microfilm no. 92-10-0219, and filed in CAB B-464, real property records of Coos County, Oregon.

PARCEL V

Lot Twelve (12), Block One (1), Sunset View, Coos County, Oregon.

92 08 0095

WARRANTY DEED

JOHN W. BUTLER, JR. and MARTHA S. BUTLER, husband and wife, Grantors, convey and warrant to MARTHA S. BUTLER, Grantee, the following described real property free of encumbrances except as specifically set forth herein:

See Exhibit "A" attached hereto and by this reference incorporated herein.

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.

The true and actual consideration for this conveyance is other property or value which is the whole consideration therefor.

Until a change is requested all tax statements should be sent to the following address: 1160 North 10th, Coos Bay, Oregon 97420.

DATED this 3rd day of August, 1992.

John W. Butler, Jr.
John W. Butler, Jr.

Martha S. Butler
Martha S. Butler

STATE OF OREGON)
) ss.
County of Coos)

August 3, 1992.

Personally appeared before me the above named John W. Butler, Jr. and acknowledged the foregoing instrument as his voluntary act and deed.



Lawrence F. Finneran
Notary Public for Oregon
My Commission Expires: 6-4-95

After Recording Return To: Lawrence F. Finneran, P.O. Box 359, Coos Bay, Oregon 97420

1 - Warranty Deed


92 08 0095

STATE OF OREGON)
County of Coos) ss.

August 3, 1992.

Personally appeared before me the above named Martha S. Butler and acknowledged the foregoing instrument as her voluntary act and deed.




Notary Public for Oregon
My Commission Expires: 6-4-95

2 - Warranty Deed

92 08 0095

EXHIBIT "A"

Beginning at a 5/8" iron rod on the West boundary of Block 9 - Plat of Charleston, Coos County, Oregon, said iron rod being N 02° 41' 54" E - 50.0 feet from the S.W. corner of said Block 9; thence along the West line of said Block 9, N 02° 41' 54" E - 143.87 feet to a 5/8" iron rod; thence leaving said West line N 71° 03' 53" E - 102.12 feet to a 5/8" iron rod; thence S 55° 54' 08" E - 143.82 feet to a 5/8" iron rod; thence S 13° 49' 18" E - 60.75 feet to a 5/8" iron rod on the south boundary of that parcel conveyed to John W. and Martha S. Butler in deed recorded November 2, 1989, bearing microfilm reel no. 89-11-0188, records of Coos County, Oregon; thence S 81° 04' 17" W - 239.88 feet along the Butler south boundary back to the point of beginning. Said parcel containing 0.66 acres more or less.

(Tax Account No. 15457.00)

SUBJECT TO AND EXCEPTING:

1. An easement for roadway purposes, including the terms and provisions thereof, as set forth in instrument recorded February 14, 1967 as Microfilm Reel No. 67-2-15661, Records of Coos County, Oregon.
2. An easement for roadway purposes, including the terms and provisions thereof, as set forth in instrument recorded March 3, 1967 as Microfilm Reel No. 67-3-16167, Records of Coos County, Oregon.
3. These premises are within the boundaries of the Charleston Sanitary District, and are subject to the levies, assessments and easements thereof, if any.

RECORDING # 92080095

I, Mary Ann Wilson,
Coos County Clerk, certify
the within instrument
was filed for record at



11:08 ON 08/04/1992
M. WILSON

By _____ Deputy

pages 3 Fee \$ 43.00

Exhibit "A"

90 4 1931

John W. Butler, Jr. and Martha S. Butler, husband and wife, grantor, in consideration of the covenants herein contained and of other good and valuable consideration, conveys to the Coos Bay-North Bend Water Board, a joint instrumentality of the Cities of Coos Bay and North Bend, Oregon, municipal corporations, GRANTEE, together with their successors and assigns forever, rights-of-way and easements for the purposes of laying, constructing, maintaining, and repairing a water pipeline over and upon a parcel of land described as follows:

A parcel of land in the northwest quarter of the southeast quarter of Section 2, Township 26 South, Range 14 West of the Willamette Meridian Coos County, Oregon; more particularly described as the west twenty (20) feet of the South 160 feet of that portion of Block 9 in the Plat of Charleston as described in Coos County Deed records Microfilm No. 89-11-0188,

together with easements for the construction, operation, and maintenance of all water services, meters, and other water works facilities needed for serving customers from the above-described water pipeline.

The Grantee of the rights herein granted shall have the right at all reasonable times to go upon the property under and upon which said easement right is granted by Grantor for the purposes of laying, repairing, and maintaining the above-described water main, together with all the privileges necessary and incidental to the enjoyment of the rights herein granted.

Grantor agrees that they will not place any structure over or upon property where the easement is hereby granted, nor cause any weight to be placed over or upon said easement area, nor change the grade of the existing easement area which shall cause any damage to Grantee's water main; and if Grantee's water main is damaged as a result of any activity by Grantor taking place upon the property where the easement is granted, Grantor will pay to Grantee upon demand the cost of the repair thereof.

By the acceptance of this grant, Grantee herein agrees to lay all pipelines below the surface of the ground; and in the event that Grantee shall be required to go upon the easement area for the purpose of repairing or reconstruction of such water main, after any such repairs or reconstruction have been completed, Grantee shall place the property of Grantor in substantially the same condition as it was immediately prior to any construction or reconstruction.

1308 State of Oregon
County of Coos 90-4-1931
I, Mary Ann Wilson, County Clerk, certify the
within instrument was filed for record at
11:20 AM Apr 27, 1931
By J. Taylor Deputy
#pages = 2 1/2 Fec \$ 10-2-20

24-55517MB

459

(3)

pages / Fee \$ 28.00

10:40 DN 10/07/1992
By M. BRIGHT
Deputy



was filed for record at
the within instrument
Coos County Clerk, certify
I, Mary Ann Wilson,
Recording # 2100219

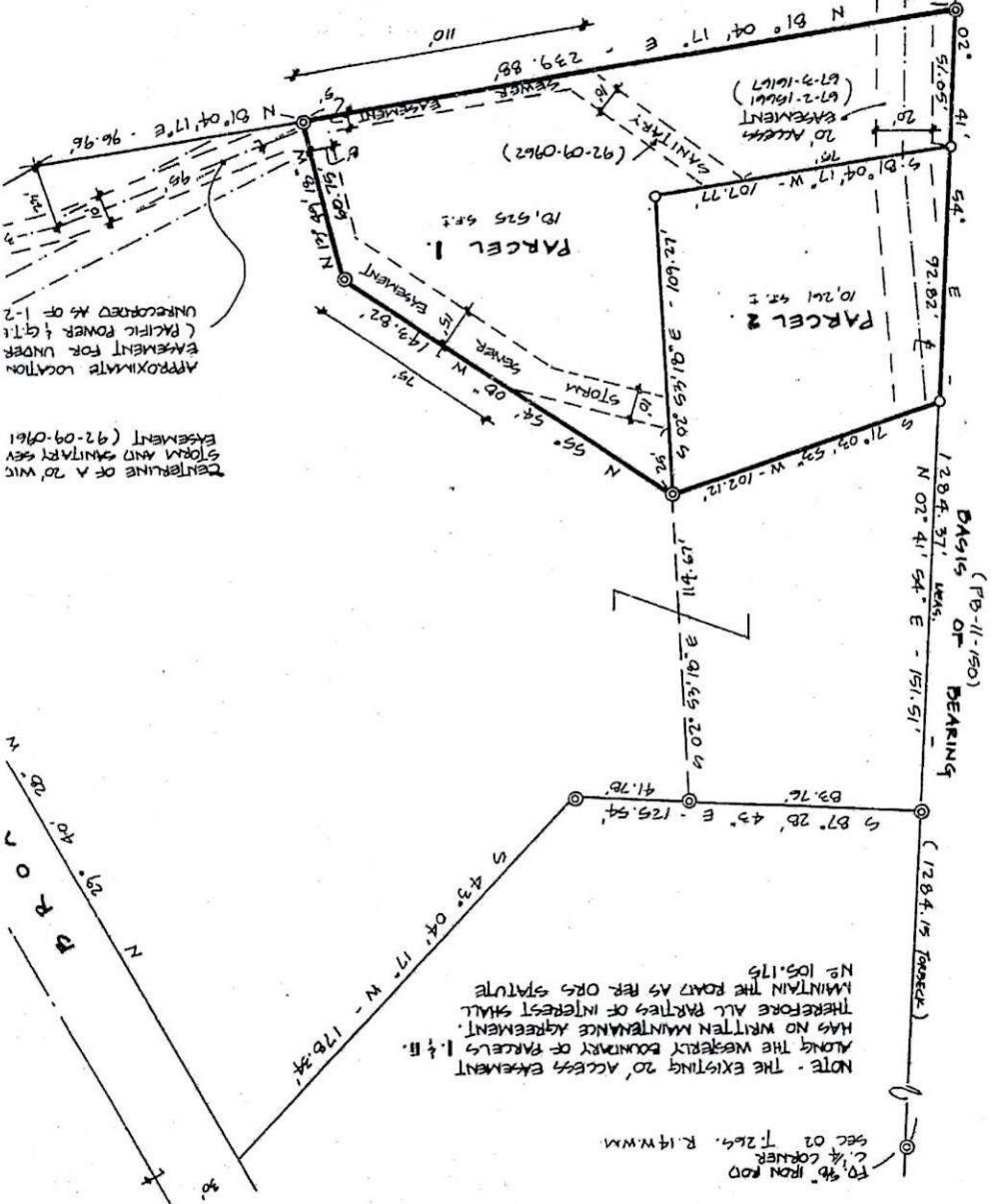
Plat of Chatterton
Block 7 - Iron Pipe
S.W. 1/4 Corner

JANUARY

SCALE = 1" = 40'



Legend
○ SET 3/8" x 3/8"
● FOUND 3/8"
○ (except)



A PORTION OF THE N.W. 1/4 OF THE S.E. 1/4 OF SECTION 2, TOWNSHIP 26 SOUTH, COOS COUNTY, OREGON, BEING A PORTION OF TAX LOT 4900, MAP 26-14-207, BY JOHN I. MARTIN BUTLER (tentative)

FINAL LAND PARTITION

92 10 0219

NOTE - THE EXISTING 20' ACCESS EASEMENT ALONG THE WESTERN BOUNDARY OF PARCELS 1 & 2 HAS NO WRITTEN MAINTENANCE AGREEMENT. THEREFORE ALL PARTIES OF INTEREST SHALL MAINTAIN THE ROAD AS PER ORS STATUTE NE 105.115

FO 3/8" IRON ROD
C 1/4 CORNER
SEC 02 T. 26 S. R. 14 W. W.M.

CENTERLINE OF A 20' WIDE
STORM AND SEWER SEW
EASEMENT (92-09-0961)

APPROXIMATE LOCATION
EASEMENT FOR UNDER
PACIFIC POWER & LIGHT
UNRECORDED AS OF 1-2

20' ACCESS
EASEMENT (67-2-18661)
(67-2-10617)

SEWER
EASEMENT (92-09-0962)

STORM
SEWER
EASEMENT (92-09-0962)

SEWER
EASEMENT (92-09-0962)

STORM
SEWER
EASEMENT (92-09-0962)

SEWER
EASEMENT (92-09-0962)

STORM
SEWER
EASEMENT (92-09-0962)

SEWER
EASEMENT (92-09-0962)

STORM
SEWER
EASEMENT (92-09-0962)

SEWER
EASEMENT (92-09-0962)

STORM
SEWER
EASEMENT (92-09-0962)

PARTITION PLAT

92 10 0219

TION 2 • TOWNSHIP 26 SOUTH • RANGE 14 W.W.M.
 F TAX LOT 4900 • MAP 26-14-2DR • BEING A PORTION OF BLOCK 9 - PLAT OF CHARLESTON
 FILED NOV. 22, 1989 BY JOHN & MARTHA BUTLER

NARRATIVE

THE PURPOSE OF THIS SURVEY WAS TO DIVIDE THE SUBJECT PROPERTY AS APPROVED BY THE COOS COUNTY PLANNING DEPT. IN A LETTER DATED JANUARY THE BASIS OF BEARING FOR THIS SURVEY WAS THE 5/8" IRON ROD FOUND AT THE CORNER OF SECTION 2 T.26S. R.14 W.W.M. SAID BEARING WAS TAKEN FROM LAMBERT GRID-SOUTH ZONE. THE MONUMENTS FOUND ON THE N/4 CORNE

DESCRIPTION

BEGINNING AT A 5/8" IRON ROD ON THE WEST BOUNDARY OF BLOCK 9 - PLAT OF CHARLESTON FROM THE S.W. CORNER OF SAID BLOCK 9; THENCE ALONG THE WEST LINE THENCE LEAVING SAID WEST LINE N 71° 05' 53" E - 102.12 FEET TO A 5/8" IRON ROD S 13° 49' 10" E - 60.75 FEET TO A 5/8" IRON ROD ON THE SOUTH BOUNDARY OF T. RECORDED NOVEMBER 2, 1989, BEARING MICROFILM REEL NO 89-11-0180 FEET ALONG THE BUTLER SOUTH BOUNDARY BACK TO THE POINT OF BEGINNING.

REFERENCE

PB 11-150 - TORBECK - APRIL '86
 C.G. # 47-A-273 - HINTZ - JUNE '80

CERTIFICATES

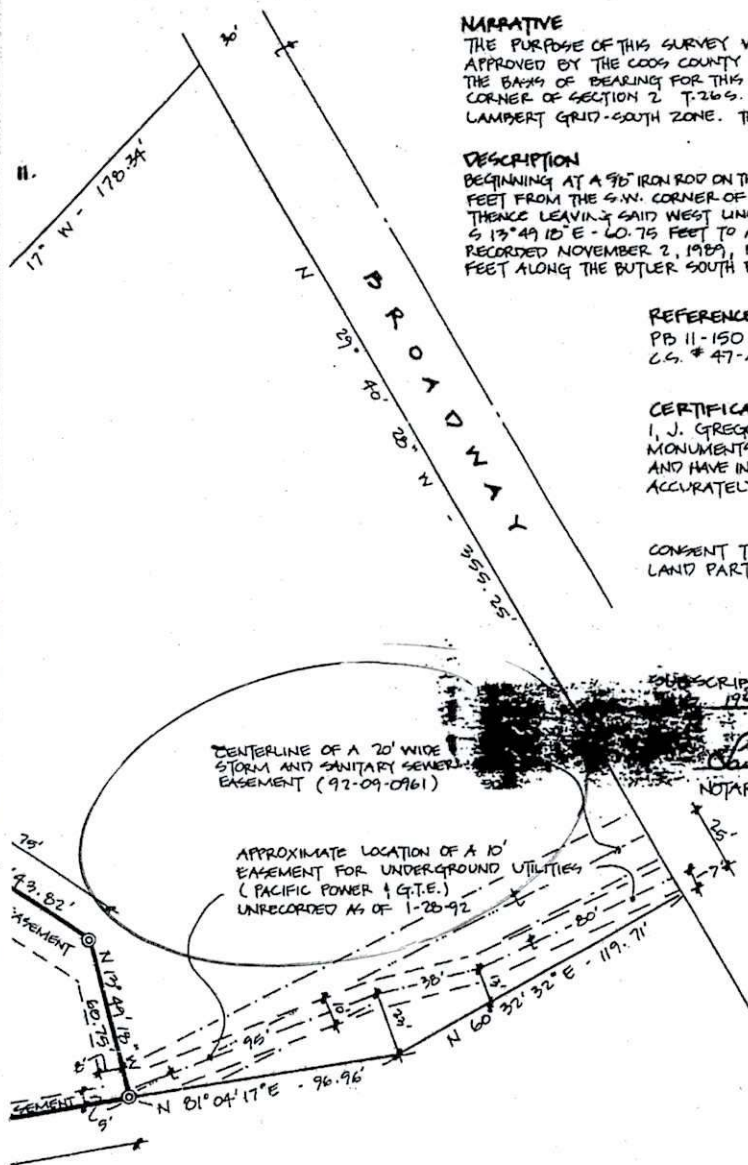
I, J. GREGORY SOLARZ, A REGISTERED LAND SURVEYOR OF OREGON, HAVE EXAMINED THE MONUMENTS THE LAND AS REPRESENTED, AND HAVE PLACED THESE MONUMENTS AND HAVE INDICATED THE DIMENSIONS, KIND AND LOCATION ACCURATELY DESCRIBED THE TRACT OF LAND UPON WHICH

I, MARTHA S. BUTLER DO HEREBY CONSENT TO THE PREPARATION AND RECORDING OF THIS LAND PARTITION PLAT

Martha S. Butler
 MARTHA S. BUTLER

SUBSCRIBED AND SWORN TO BEFORE ME
 1992 DAY OF August, 1992

Shirley J. Jensen
 NOTARY PUBLIC FOR OREGON



THIS PLAT IS IN CONFORMITY WITH COUNTY CODES. THE COUNTY HEREBY GIVES NOTICE TO THIRD PARTIES WHATSOEVER THAT THE WHICH MAY OCCUR AS A RESULT OF THE ROADS IN OR ADJACENT TO THIS PROPERTY

THIS PLAT COMPLIES WITH THE REQUIREMENTS OF SECTION 2.1 AND THAT ALL MONUMENTS HAVE BEEN PLACED

ALL AD VALOREM TAXES AND ALL OTHER TAXES BY LAW TO BE PLACED UPON THIS PLAT AS A LIEN DURING THE CALENDAR YEAR

I, MARY ANN WILSON, COUNTY CLERK OF COOS COUNTY, HAVE RECORDED THIS PLAT

Mary Ann Wilson

ZONE - UR-2
 WATER - C.B./N.P.D. WATER BOARD
 SANITARY SEWER - CHARLESTON

LEGEND

- ⊙ FOUND 5/8" IRON ROD #497 (C.G.# 47-A-273) (EXCEPT AS NOTED)
- SET 5/8" x 30" IRON ROD W/PLASTIC CAP #1331

JANUARY 28, 1992



SCALE = 1" = 40'

460

1992 # 34
CAB B-464

92 10 0219

THE SUBJECT PROPERTY AS SHOWN ON THE TENTATIVE PARTITION PLAT DATED OCTOBER 10, 1991 AND
IN A LETTER DATED JANUARY 2, 1992.
A 5/8" IRON ROD FOUND AT THE C 1/4 CORNER OF SECTION 2 AND THE 1 1/2" IRON PIPE FOUND AT THE C 3/16
AND BEARING WAS TAKEN FROM PD 11-150 - TORBECK - APRIL '86. TYPE OF BEARING IS
FOUND ON THE N 1/4 1/4 CORNER SECTION LINE CONTROLLED THE POSITION OF THE MONUMENTS SET.

Y OF BLOCK 9 - PLAT OF CHARLESTON, COOS COUNTY, OREGON, SAID IRON ROD BEING N 02°41'54"E - 50.0
THENCE ALONG THE WEST LINE OF SAID BLOCK 9, N 02°41'54"E - 143.87 FEET TO A 5/8" IRON ROD;
102.12 FEET TO A 5/8" IRON ROD; THENCE S 85°54'00"E - 143.82 FEET TO A 5/8" IRON ROD; THENCE
N THE SOUTH BOUNDARY OF THAT PARCEL CONVEYED TO JOHN W. & MARTHA S. BUTLER IN DEED
FILM REEL NO 89-11-0188, RECORDS OF COOS COUNTY, OREGON; THENCE S 81°04'17"W - 239.88
TO THE POINT OF BEGINNING. SAID PARCEL CONTAINING 0.66 ACRES MORE OR LESS.

NOTE

APRIL '86
- JUNE '88

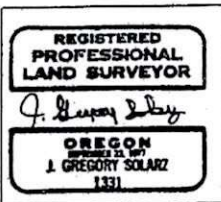
THE PROPERTY WAS CONVEYED TO MARTHA BUTLER IN
DEED 92-00-095 ON AUGUST 4, 1992 BY JOHN AND MARTHA BUTLER

REGISTERED LAND SURVEYOR CERTIFY THAT I HAVE CORRECTLY SURVEYED AND MARKED WITH PROPER
EVIDENCE, AND HAVE PLACED A PROPER MONUMENT INDICATING THE INITIAL POINT OF BEGINNING
DIRECTIONS, KIND AND LOCATIONS OF MONUMENTS IN ACCORDANCE WITH O.R.S. 92-060(1) AND HAVE
SET TRACT OF LAND UPON WHICH THE PARCELS ARE LAID OUT.

MARSHA S. BUTLER DO HEREBY
SIGN AND RECORDING OF THIS

Marsha S. Butler
MARTHA S. BUTLER

J. Gregory Solarz
J. GREGORY SOLARZ L.S. # 1331



READ TO BEFORE ME
JUSTICE, 1992



LAWRENCE F. FINNERAN
Commission No. 005967
COMMISSION EXPIRES JUNE 4, 1995

new
2 OREGON

IT IS IN CONFORMITY WITH THE APPLICABLE REQUIREMENTS OF THIS ORDINANCE; AND COOS
HEREBY GIVES NOTICE TO ALL DEVELOPERS, PURCHASERS, POTENTIAL PURCHASERS, AND ALL
PARTIES WHATSOEVER THAT THE COUNTY DISCLAIMS ANY LIABILITY WHATSOEVER FOR ANY DAMAGE
MAY OCCUR AS A RESULT OF THE FAILURE OF THE DEVELOPER TO CONSTRUCT, IMPROVE, OR MAINTAIN
THE LAND OR ADJACENT TO THIS PROPOSED LAND DIVISION

William P. Grille 2 OCT 92
WILLIAM P. GRILLE, PLANNING DIRECTOR

IT COMPLIES WITH THE REQUIREMENTS FOR ACCURACY AND COMPLETENESS PURSUANT TO ARTICLE
1 THAT ALL MONUMENTS HAVE BEEN SET PURSUANT TO THIS ORDINANCE.

Russell F. Torbeck 25 Sep 92
RUSSELL F. TORBECK, COUNTY SURVEYOR

VALOREM TAXES AND ALL SPECIAL ASSESSMENTS, FEES, OR OTHER CHARGES REQUIRED
TO BE PLACED UPON THE TAX ROLL WHICH HAVE BECOME OR WHICH WILL BECOME
DURING THE CALENDAR YEAR HAVE BEEN PAID

Allen A. Swenson 10/27/92
ALLEN A. SWENSON, COUNTY ASSESSOR

ANN WILSON, COUNTY CLERK HEREBY CERTIFY THE WITHIN MAP WAS RECORDED BY
COOS COUNTY RECORDS AT 10:40 AM ON 10/07/92 MICROFILM # 92-10-0219

Ann Wilson

UR-2
C.B./N.B. WATER BOARD
SEWER - CHARLESTON SANITARY DISTRICT

461

K.E. 1431

67-2-15661

N/A

EASEMENT

We, the undersigned grantors, do by these presents, grant, sell and convey unto CARY COX and SANDRA COX, husband and wife, Grantees herein, their heirs and assigns, an easement in, to, upon and over all that portion of the present existing roadway extending in a general Northerly direction from Kuper Street of the Plat of Charleston, across Lot 9, Plat of Charleston and of the property lying and abutting the West boundary of Lot 9, Plat of Charleston, to the property of the Grantees herein more particularly described as follows, to-wit:

Beginning at the Northwest corner of Block 9, Plat of Charleston, Coos County, Oregon, thence, East along the North line of said Block 9, a distance of 128.67 feet; thence, South 28° 15' East a distance of 127.68 feet; thence South 40° 17' West a distance of 126.69 feet; thence West a distance of 127.19 feet to the West line of said Block 9; thence, North along the West line of said Block 9, a distance of 209.12 feet to the point of beginning.

Said roadway may from time to time be widened by any of the parties hereto so as to create an easement not exceeding however, 20 feet in width and extending from the North terminus of Kuper Street above mentioned to the Grantees property above described. The purpose of this easement is to create a way in common for each of the parties hereto, their executors, administrators and assigns, owning the property abutting upon or presently belonging to either of the parties hereto and it shall be used solely as a means of ingress and egress to their respective properties. It is distinctly agreed and understood, however, that this easement is not an exclusive easement but is subject to equal rights on the part of the Grantors herein, their heirs, executors, administrators and assigns as well as the Grantees herein, their respective heirs, executors, administrators and assigns, and shall be appurtenant to the property abutting said easement including also the property owned presently by Ruth Day, described as Lot 15, Block B, Townsite of Seaport (Plat A), Charleston, Coos County, Oregon.

Each of the parties hereto, their respective heirs, executors, administrators and assigns do hereby covenant and agree that they will, in the use and enjoyment of said easement, use the same so as not to interfere with the rights of the others to have like unrestricted use thereof.

The Grantees in joining in the Execution of this Agreement do hereby agree to all of the terms and conditions set forth herein pertaining to said easement.

IN WITNESS WHEREOF the parties have hereunto set their hands and seals the 10th day of February, 1967.

Ruth Day (SEAL)

Donna Cox (SEAL)

Ladies Cox (SEAL)
Grantors

Cary A Cox (SEAL)

Sandra G Cox (SEAL)
Grantees

67-2-15662

STATE OF OREGON)
COUNTY OF COOS) ss.

FEB 10 1967.

Personally appeared RUTH DAY, LESLIE E. COX and DORIS COX, husband and wife, the Grantors in the above Easement, and CARY COX and SANDRA COX, husband and wife, the Grantees in the above Easement, and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me:

Henry N. Stanton
Notary Public for Oregon

My commission expires: May 8 1970



118 ✓ 67-2-15661-2 385 ✓
 State of Oregon)
 County of Coos) ss. 118 ✓
 I hereby certify that the within instrument was filed for record

FEB 14 10 39 AM '67

and recorded in Book 118 on page 118 of said County.
 WITNESS my hand and Seal of County at Coos Bay, Oregon
 By F. F. Crabtree Coos County Clerk
 By B. W. Winters Deputy
 Return to B. W. Winters
 Fee 3.00

67-3-46167

N/A

EASEMENT

We, the undersigned Grantors do by these presents grant, sell and convey unto GARY COX and SANDRA COX, husband and wife, an easement twenty (20) feet in width, the center line of which being described as follows, to-wit:

Beginning at a point on the West line of Block 9, Plat. of Charleston, Coos County, Oregon, said point being located South a distance of 130.00 feet from the iron pipe at the Northwest corner of the said Block 9; thence S. 48° 22' 00" E a distance of 6.02 feet; thence S. 6° 50' 40" W. a distance of 25.18 feet; thence S 5° 42' 40" E a distance of 25.12 feet; thence S 6° 48' 40" E a distance of 25.30 feet; thence S 0° 43' 30" E a distance of 105.84 feet; thence, S 7° 43' 30" E a distance of 131.15 feet; thence, S 2° 32' 30" E a distance of 110.48 feet to a point on the South line of the said Block 9, said point being located East a distance of 20.00 feet from the iron pipe at the S.W. corner of Government Lot 5 of Section 2, Township 26 South, Range 14 West, W.M., Coos County, Oregon.

Said easement extending from the North terminus of Kuper Street to the Grantees property which is described as follows:

Beginning at the Northwest corner of Block 9, Plat of Charleston, Coos County, Oregon; thence, East along the North line of said Block 9, a distance of 148.67 feet; thence, South 28° 15' East a distance of 127.68 feet; thence South 40° 17' West a distance of 126.69 feet; thence West a distance 127.19 feet to the West line of said Block 9; thence, North along the West line of said Block 9, a distance of 209.12 feet to the point of beginning.

It being the purpose and intention of this easement not only to create a means of ingress and egress to the Grantees property above described but also to create a way in common for each of the parties hereto, their executors, administrations and assigns, and as a means of ingress and egress to each the respective properties abutting upon said easement including the property owned by Ruth Day, described as Lot 15, Block 8, Townsite of Seaport, Plat A, Charleston, Coos County, Oregon, and her said property described by Tax Serial Number 5666X of the Assessors Office of Coos County, Oregon.

Each party does hereby agree that this easement is not an exclusive easement to Grantees but is subject to equal rights on the part of the grantors herein, their respective heirs, administrators and assigns as well as the Grantees, their respective heirs, executors and assigns, and shall be appurtenant to each of their properties as herein described and/or referred to.

Each of the parties hereto, their respective heirs, executors, administrators and assigns do hereby covenant and agree that they will, in the use and enjoyment of said easement, use the same so as not to interfere with the rights of the others to have like unrestricted use thereof.

The Grantees in joining in the execution of this Agreement do hereby agree to all of the terms and conditions set forth herein.

67-3-16168

pertainning to said easement.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals the 2nd day of March, 1967.

Ruth Day (SEAL)
Leslie E. Cox (SEAL)
Doris K. Cox (SEAL)
 Grantors

Cary A. Cox (SEAL)
Sandra D. Cox (SEAL)
 Grantees

STATE OF OREGON)
COUNTY OF COOS) SS.

March 2 1967

Personally appeared RUTH DAY, LESLIE E. COX and DORIS COX, husband and wife, the Grantors in the above Easement, and CARY COX and SANDRA COX, the Grantees in the above Easement, and acknowledge the forgoing instrument to be their voluntary act and deed.

Before me:



Marie Bellah
Notary Public for Oregon

My commission expires: May 12, 1969

118/ 67-3-16167-8 385/ 118/

State of Oregon)
County of Coos) ss

I hereby certify that the within instrument was filed for record

MAR 3 1 49 PM '67

and, recorded in book 4224 on page 1 Record of _____ of said County.

WITNESS my hand and Seal of County affixed.


Fay F. Crabtree, Coos County Clerk
By B. Williams Deputy

Return to R772

Fee 3.00

95 05 1112

COVER SHEET FOR RECORDING ATTACHED DOCUMENT

NAMES OF TRANSACTIONS	EASEMENT
NAMES OF PARTIES	MARTHA S. BUTLER, GRANTOR COOS BAY-NORTH BEND WATER BOARD, GRANTEE
DOCUMENT TO BE RETURNED TO	COOS BAY-NORTH BEND WATER BOARD PO BOX 539 COOS BAY OR 97420
TRUE AND ACTUAL CONSIDERATION	NONE
UNTIL A CHANGE IS REQUESTED, ALL TAX STATEMENTS SHALL BE SENT TO	MARTHA S. BUTLER
FOR COUNTY CLERK LIEN RECORD	
INFORMATION REQUIRED BY ORS 205.125(c)&(e)	<p style="text-align: right;">RECORDING # 95051112</p> <p>I, Mary Ann Wilson, Coos County Clerk, certify the within instrument was filed for record at</p> 
(f) IF DOCUMENT IS A SATISFACTION, THE BOOK AND PAGE RECORDING THE LIEN	<p>BOOK: 10:49 ON 05/24/1995 By J. WILSON Deputy</p> <p>PAGE: # pages 3 Fee \$ 23.00</p>

2279

95 05 1112

EASEMENT

Martha B. Butler, GRANTOR, in consideration of the covenants herein contained and of other good and valuable consideration, conveys to the Coos Bay-North Bend Water Board, a joint instrumentality of the Cities of Coos Bay and North Bend, Oregon, municipal corporations, GRANTEE, together with their successors and assigns forever, rights-of-way and easements for the purposes of laying, constructing, maintaining, and repairing a water pipeline over and upon a strip of land twenty (20) feet in width described as follows:

A parcel of land in the Northwest quarter of the Southeast quarter of Section 2, Township 26 South, Range 13 West of the Willamette Meridian, Coos County, Oregon; more particularly described as the west twenty (20) feet of the north 136 feet of that portion of Block 9 in the Plat of Charleston as described in Coos County deed records, microfilm no. 89-11-0188;

together with easements for the construction, operation, and maintenance of all water services, meters, and other water works facilities needed for serving customers from the above-described water pipeline.

The Grantee of the rights herein granted shall have the right at all reasonable times to go upon the property under and upon which said easement right is granted by Grantor for the purposes of laying, repairing, and maintaining the above-described water main, together with all the privileges necessary and incidental to the enjoyment of the rights herein granted.

Grantor agrees that they will not place any structure over or upon property where the easement is hereby granted, nor cause any weight to be placed over or upon said easement area, nor change the grade of the existing easement area which shall cause any damage to Grantee's water main; and if Grantee's water main is damaged as a result of any activity by Grantor taking place upon the property where the easement is granted, Grantor will pay to Grantee upon demand the cost of the repair thereof.

By the acceptance of this grant, Grantee herein agrees to lay all pipelines below the surface of the ground; and in the event that Grantee shall be required to go upon the easement area

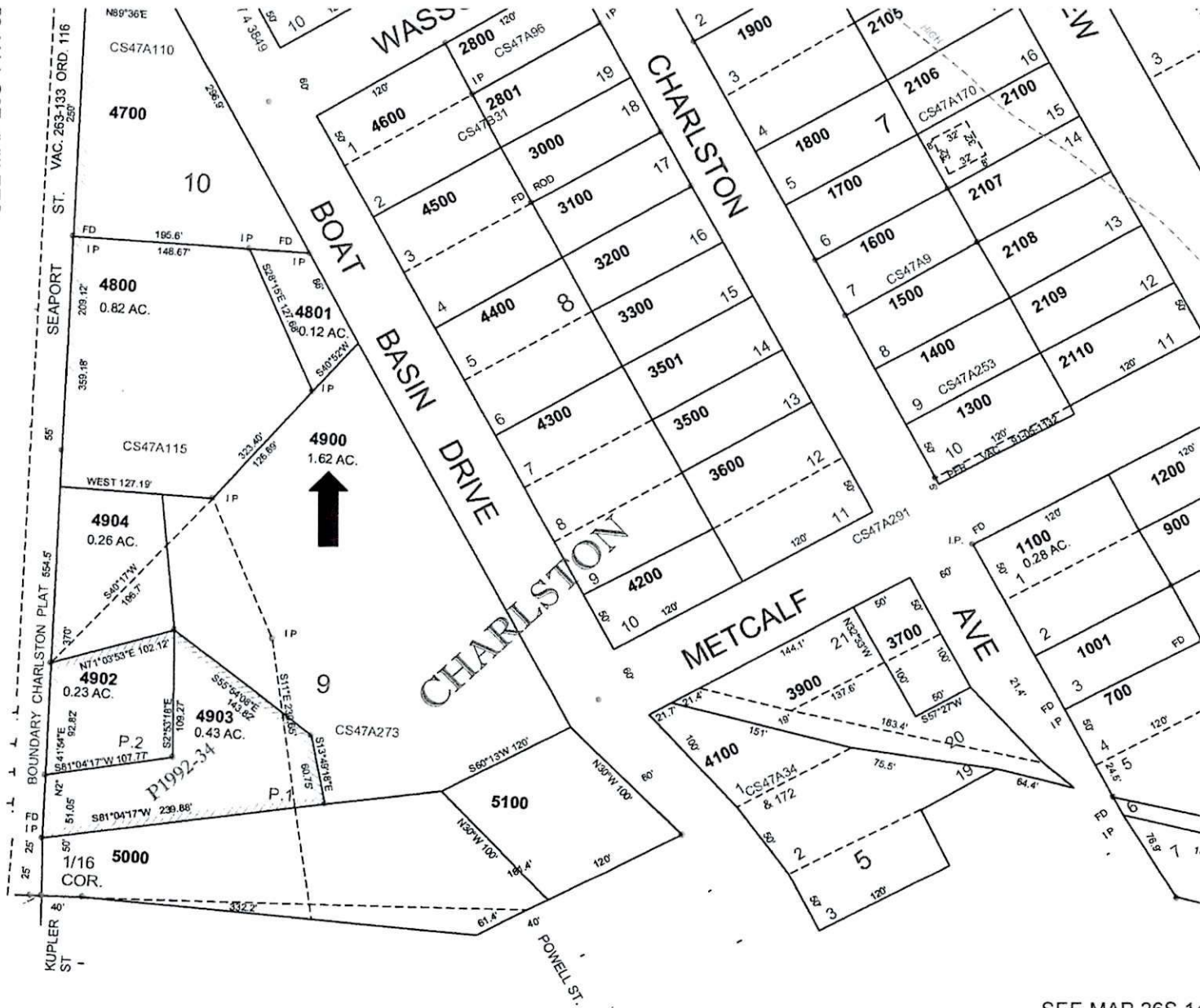
Easement - 1

22.80



This map/plat is being furnished as an aid in locating the herein described Land in relation to adjoining streets, natural boundaries and other land, and is not a survey of the land depicted. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the Company does not insure dimensions, distances, locations of easements, acreage or other matters shown thereon.

SEE MAP 26S 14W 02



SEE MAP 26S 14

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY

NW1/4 SE1/4 SEC.2 T26S R14W W.M.
COOS COUNTY

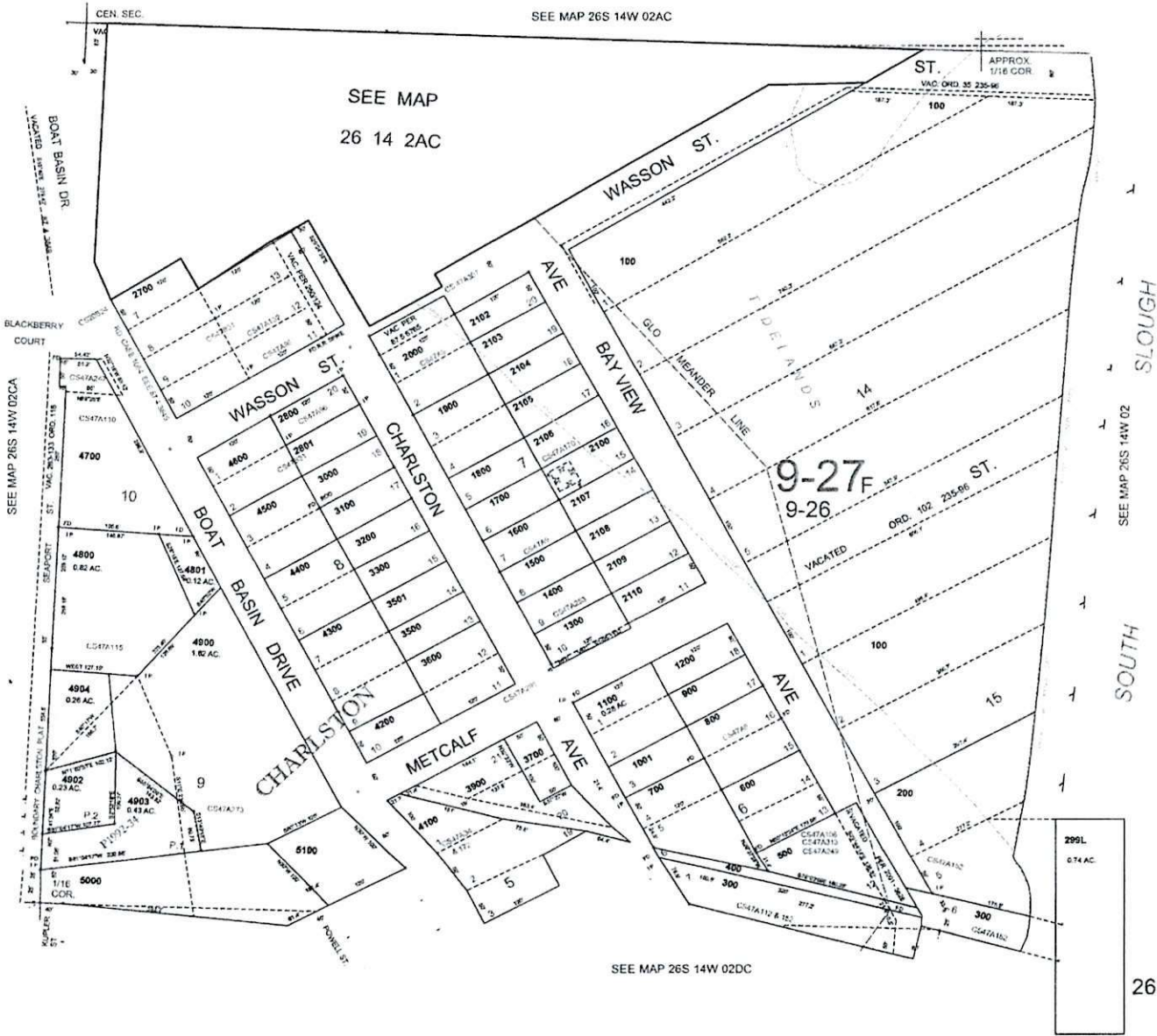
26S 14W 02DB

1" = 100'

CANCELLED NO.

SEE MAP 26S 14W 02AC

- 300A1
- 4901
- 3400
- 3800
- 4000
- 1399
- 301A1
- 2300
- 2500
- 2400
- 2200
- 2100A1
- 2600
- 2900
- 2101L1
- 1000



SEE MAP 26S 14W 02DC

SEE MAP 26S 14W 02

SOUTH

SLOUGH

299L
0.74 AC

07-14-2015

26S 14W 02DB

COOS County Assessor's Summary Report

Real Property Assessment Report

FOR ASSESSMENT YEAR 2020

NOT OFFICIAL VALUE

February 25, 2020 11:33:15 am

Account # 1545700	Tax Status ASSESSABLE
Map # 26S1402DB04900	Acct Status ACTIVE
Code - Tax # 0927-1545700	Subtype NORMAL
Legal Descr See Record	
Mailing Name OYSTER COVE, LLC	Deed Reference # See Record
Agent	Sales Date/Price See Record
In Care Of	Appraiser
Mailing Address 11200 SW 58TH CT MIAMI, FL 33156-5017	
Prop Class 201 MA SA NH Unit	
RMV Class 201 01 03 CHA 24419-1	

Situs Address(s)	Situs City
ID# 63346 BOAT BASIN RD	COOS BAY
ID# 10 63330 BOAT BASIN RD	COOS BAY
ID# 63336 BOAT BASIN RD	COOS BAY
ID# 63340 BOAT BASIN RD	COOS BAY

Code Area		RMV	MAV	Value Summary		MSAV	RMV Exception	CPR %
				AV	SAV			
0927	Land	173,100					Land	0
	Impr.	925,480					Impr.	0
Code Area Total		1,098,580	947,800	947,800	0	0		0
Grand Total		1,098,580	947,800	947,800	0	0		0

Code Area	ID#	RFPD	Ex	Plan Zone	Value Source	Land Breakdown		Size	Land Class	LUC	Trended RMV
						TD%	LS				
0927	10	<input checked="" type="checkbox"/>		C-1	Market	100	A	1.62	IMP	008	173,100
Grand Total								1.62			173,100

Code Area	ID#	Yr Built	Stat Class	Description	Improvement Breakdown		Total Sq. Ft.	Ex%	MS Acct #	Trended RMV
					TD%					
0927	1	1999	599	Miscellaneous	100		0			181,600
0927	3	2004	599	Miscellaneous	100		0			223,720
0927	2	1999	599	Miscellaneous	100		0			291,170
0927	4	2005	599	Miscellaneous	100		0			228,990
Grand Total								0		925,480

Code Area	Type	Exemptions/Special Assessments/Potential Liability					
0927		FIRE PATROL:					
	■ FIRE PATROL SURCHARGE	Amount	47.50		Year	2020	
	■ FIRE PATROL TIMBER	Amount	18.75	Acres	0.62	Year 2020	

PP Account(s): 0927-1088, 99918970

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

25-Feb-2020

OYSTER COVE, LLC
 11200 SW 58TH CT
 MIAMI, FL 33156-5017

Tax Account #	1545700	Lender Name	
Account Status	A	Loan Number	
Roll Type	Real	Property ID	0927
Situs Address	63346 BOAT BASIN RD COOS BAY, OR 97420	Interest To	Mar 15, 2020

Tax Summary

Tax Year	Tax Type	Total Due	Current Due	Interest Due	Discount Available	Original Due	Due Date
2019	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$12,569.75	Nov 15, 2019
2018	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$11,246.68	Nov 15, 2018
2017	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$9,894.56	Nov 15, 2017
2016	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$9,419.53	Nov 15, 2016
2015	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$10,015.56	Nov 15, 2015
2014	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$10,577.25	Nov 15, 2014
2013	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$10,568.76	Nov 15, 2013
2012	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$10,258.67	Nov 15, 2012
2011	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$9,654.32	Nov 15, 2011
2010	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$9,368.17	Nov 15, 2010
2009	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$9,126.55	Nov 15, 2009
2008	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$9,056.65	Nov 15, 2008
2007	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$8,726.76	Nov 15, 2007
2006	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$9,157.32	Nov 15, 2006
2005	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$7,214.31	Nov 15, 2005
2004	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$6,503.62	Nov 15, 2004
2003	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$6,987.54	Nov 15, 2003
Total		\$0.00	\$0.00	\$0.00	\$0.00	\$160,346.00	

COOS COUNTY ASSESSOR
REAL PROPERTY ACCOUNT NAMES

2/25/2020 11:34:38 AM

Account # 1545700
Map 26S1402-DB-04900
Owner OYSTER COVE, LLC
11200 SW 58TH CT
MIAMI, FL 33156-5017

Name Type	Name	Ownership Type	Own Pct
OWNER	OYSTER COVE, LLC	OWNER	100.00

COOS COUNTY ASSESSOR
Personal Property Assessment Report
 FOR ASSESSMENT YEAR 2020
 NOT OFFICIAL VALUE

Feb 25, 2020 11:34:54 AM

Account # 1088

Tax Status

ASSESSABLE

Acct Status

ACTIVE

Subtype

Owner MILLER'S AT THE COVE, INC.

Agent

Business Class

DINE-ENT/TAVERN/AVERA

In Care Of MILLER, SCOTT

Return Mailed

GE-CAFE

Mailing Address

Filing Date

12-31-2019

PO BOX 5654
 CHARLESTON, OR 97420

Extension Date

Last Voucher

12-20-2019

Process Code

Value Summary				
Code Area	Tax Acct #	AV	RMV	RMV Exception
0927	1088	18,630	18,630	0
Grand Totals		18,630	18,630	0

Situs Addresses:

Code Area 0927

Real 1545700 : 26S1402DB04900 63346 BOAT BASIN RD COOS BAY, OR 97420

Comments:

STATEMENT OF TAX ACCOUNT

COOS COUNTY TAX COLLECTOR

COOS COUNTY COURTHOUSE

COQUILLE, OREGON 97423

(541) 396-7725

25-Feb-2020

MILLER'S AT THE COVE, INC.
MILLER, SCOTT
PO BOX 5654
CHARLESTON, OR 97420

Tax Account #	1088	Lender Name	
Account Status	A	Loan Number	
Roll Type	Personal	Property ID	0927
Situs Address	63346 BOAT BASIN RD COOS BAY, OR 97420	Interest To	Mar 15, 2020

Tax Summary

Tax Year	Tax Type	Total Due	Current Due	Interest Due	Discount Available	Original Due	Due Date
2019	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$361.81	Nov 15, 2019
2018	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$375.54	Nov 15, 2018
2017	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$361.99	Nov 15, 2017
2017	FEE	\$0.00	\$0.00	\$0.00	\$0.00	\$62.00	Nov 15, 2017
2016	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$400.18	Nov 15, 2016
2016	FEE	\$0.00	\$0.00	\$0.00	\$0.00	\$102.00	Nov 15, 2016
2015	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$433.32	Nov 15, 2015
2014	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$482.26	Nov 15, 2014
2013	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$357.20	Nov 15, 2013
2012	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$477.06	Nov 15, 2012
2011	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$342.67	Nov 15, 2011
2006	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	Nov 15, 2006
2005	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$107.02	Nov 15, 2005
Total		\$0.00	\$0.00	\$0.00	\$0.00	\$3,863.05	

**COOS COUNTY ASSESSOR
PERSONAL ACCOUNT NAMES**

2/25/2020 11:35:16 AM

Account # 1088
Owner MILLER'S AT THE COVE, INC.
MILLER, SCOTT
PO BOX 5654
CHARLESTON, OR 97420

Name Type	Name	Ownership Type	Own Pct
OWNER	OYSTER COVE GRILL, INC	OWNER	

COOS COUNTY ASSESSOR
Personal Property Assessment Report
 FOR ASSESSMENT YEAR 2020
 NOT OFFICIAL VALUE

Feb 25, 2020 11:36:03 AM

Account # 99918970

Tax Status

ASSESSABLE

Acct Status

INACTIVE

Subtype

Owner BAYSIDE COFFEE INC.

Agent

Business Class

DINE-ENT/REST/COFFEE

In Care Of TWILA VEYSEY

Return Mailed

SHP-INDEP
12-31-2019

Mailing Address

Filing Date

PO BOX 5556
CHARLESTON , OR 97420

Extension Date

Last Voucher

12-20-2019

Process Code

Value Summary				
Code Area	Tax Acct #	AV	RMV	RMV Exception
0927	99918970	15,860	15,860	0
Grand Totals		15,860	15,860	0

Situs Addresses:

Code Area 0927

Real 1545700 : 26S1402DB04900 63340 BOAT BASIN RD COOS BAY, OR 97420

Comments:

STATEMENT OF TAX ACCOUNT

COOS COUNTY TAX COLLECTOR

COOS COUNTY COURTHOUSE

COQUILLE, OREGON 97423

(541) 396-7725

25-Feb-2020

BAYSIDE COFFEE INC.
TWILA VEYSEY
PO BOX 5556
CHARLESTON , OR 97420

Tax Account #	99918970	Lender Name	
Account Status	A	Loan Number	
Roll Type	Personal	Property ID	0927
Situs Address	63340 BOAT BASIN RD COOS BAY, OR 97420	Interest To	Mar 15, 2020

Tax Summary

Tax Year	Tax Type	Total Due	Current Due	Interest Due	Discount Available	Original Due	Due Date
2018	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$235.88	Nov 15, 2018
2017	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$277.92	Nov 15, 2017
2016	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$273.62	Nov 15, 2016
	Total	\$0.00	\$0.00	\$0.00	\$0.00	\$787.42	

COOS COUNTY ASSESSOR
PERSONAL ACCOUNT NAMES

2/25/2020 11:36:24 AM

Account # 99918970
Owner BAYSIDE COFFEE INC.
TWILA VEYSEY
PO BOX 5556
CHARLESTON , OR 97420

Name Type	Name	Ownership Type	Own Pct
OWNER	BAYSIDE COFFEE INC.		
SECRETARY	VEYSEY, DOUG		
PRESIDENT	VEYSEY, TWILA		



360620030232

Remit Payment To:

Ticor Title Company of Oregon
10151 SE Sunnyside Rd. Suite 300
Clackamas, OR 97015
Phone: (541)269-5127 Fax: (541)269-7583

INVOICE

Due upon receipt

Stuntzner Engineering and Forestry, LLC
PO Box 118
Coos Bay, OR 97420

Order Number: 360620030232

Invoice Date: 2/27/2020
Invoice Number: 360620030232-1
Operation: 02743.470028

Buyer/Borrower(s): Oyster Cove, LLC, an Oregon Limited Liability Company

Title Officer: John Beaver

Sales Rep: TT Coos House

Property Description (1):

Boat Basin Rd, Coos Bay, OR 97420

Bill Code	Description	Amount
OER	OAE	300.00

Invoice total amount due: \$300.00

**Thank you for the opportunity to serve you.
Please return a copy of this invoice with your payment**