



Coos County Planning Department Lawfully Established Parcel Determination Application

Official Use Only

Fee \$600 Receipt No. 212862 Check No./Cash 219 Date 7/16/19 Received By L.OM File No.

D-19-004

The following application must be completed in full. An application will not be processed for a land use request without this information. The County will use these answers in its analysis of the merits of the application. Please submit readable deeds. A signed consent form will be required if the applicant and owner are not the same.

A. PLEASE PRINT OR TYPE (please attach additional sheets, if necessary):

Owner(s): Kevin R. SHARP-SMITH Telephone: 503-381-2750 Address: 8566 W 11TH AVE City: Kennewick, WA Zip Code: 99338 Email: KSHARPSMITH@NETZERO.COM

Applicant(s): SAME Telephone: SAME Address: 50372 S. Fourmile Rd City: Bandon Zip Code: 97411 Email: SAME

B. PROPERTY INFORMATION:

Township: 305 Section: 9 subsection 00 Range: 14 W Tax Lot: 400 Tax Account: 1351200 Zoning District: EFU

C. SUBMISSION REQUIREMENTS:

- Completed application form with appropriate fee
A copy of the current deed of record
A copy of each deed being used as evidence to support the application
A detailed map indicating the relation of the existing property boundary to the discrete parcel boundaries

D. AUTHORIZATION: All areas must be initialed by all owners/applicant prior to the Planning Department accepting any application.

KRP

I hereby attest that I am authorized to make the application for an administrative review 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.

KRP

ORS 215.416 Permit application; fees; consolidated procedures; hearings; notice; approval criteria; decision without hearing.

(1) When required or authorized by the ordinances, rules and regulations of a county, an owner of land may apply in writing to such persons as the governing body designates, for a permit, in the manner prescribed by the governing body. The governing body shall establish fees charged for processing permits at an amount no more than the actual or average cost of providing that service.

The Coos County Board of Commissioners has adopted a schedule of fees which reflects the average review cost of processing and set-forth that the Planning Department shall charge the actual cost of processing an application. Therefore, upon completion of review of your submitted application/permit a cost evaluation will be done and any balance owed will be billed to the applicant(s) and is due at that time. By signing this form you acknowledge that you are responsible to pay any debt caused by the processing of this application. Furthermore, the Coos County Planning Department reserves the right to determine the appropriate amount of time required to thoroughly complete any type of request and, by signing this page as the applicant and/or owner of the subject property, you agree to pay the amount owed as a result of this review. If the amount is not paid within 30 days of the invoice, or other arrangements have not been made, the Planning Department may chose to revoke this permit or send this debt to a collection agency at your expense.

KRP

I understand it is the function of the planning office to impartially review my application and to address all issues affecting it regardless of whether the issues promote or hinder the approval of my application. In the event a public hearing is required to consider my application, I agree I 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.

KRP

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.

KRP

As the applicant(s) I/we acknowledge, pursuant to CCZLDO Section 6.1.150, a deed describing any recognized lawfully created parcels must be recorded with the County Clerk within one year from the date of final approval from the Planning Department.

E. SIGNATURES:

Ken Styer
Applicant(s) Original Signature

Applicant(s) Original Signature

7/11/19
Date

Date

Applicant(s) Original Signature

Applicant(s) Original Signature

Date

Date

CCZLDO	§ 6.1.125	LAWFULLY CREATED LOTS OR PARCELS:
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SECTION 6.1.125 LAWFULLY CREATED LOTS OR PARCELS:

“Lawfully established unit of land” means:

1. The unit of land was created:
 - a. Through an approved or pre-ordinance plat;
 - b. Through a prior land use decision including a final decision from a higher court. A higher court includes the Land Use Board of Appeals;
 - c. In compliance with all applicable planning, zoning and subdivision or partition ordinances and regulations at the time it was created.
 - d. By a public dedicated road that was held in fee simple creating an interviewing ownership prior to January 1, 1986;
 - e. By deed or land sales contract, if there were no applicable planning, zoning or subdivision or partition ordinances or regulations that prohibited the creation.
 - f. By the claim of intervening state or federal ownership of navigable streams, meandered lakes or tidewaters. “Navigable-for-title” or “title-navigable” means that ownership of the waterway, including its bed, was passed from the federal government to the state at statehood. If a waterway is navigable-for-title, then it also is generally open to public use for navigation, commerce, recreation, and fisheries.
2. Creation of parcel previously approved but not acted upon (92.178).
 - a. The governing body of a county may approve an application requesting formation of one parcel if the county issued a land use decision approving the parcel prior to January 1, 1994, and:
 - b. A plat implementing the previous land use decision was not recorded; or
 - c. A condition of approval of the previously approved land use decision requiring consolidation of adjacent lots or parcels was not satisfied by a previous owner of the land.
 - d. An application under this section is not subject to ORS 215.780.
 - e. Approval of an application under this section does not affect the legal status of land that is not the subject of the application.

CCZLDO	§ 6.1.150	APPLICATIONS ESTABLISHING LAWFULLY CREATED LOTS OR PARCELS
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SECTION 6.1.150 APPLICATIONS ESTABLISHING LAWFULLY CREATED LOTS OR PARCELS:

An application to establish a lawfully created unit of land shall be submitted in the case of Section 6.1.125.1.d, e and f and Section 6.1.125.2. This is an administrative land use decision. If County Counsel is required to review information to determine legal status of the unit of land additional fees may be charged.

All notices will be provided in accordance with LDO Section 5.1.

Once it is determined that a lawfully created unit of land exists it shall be separated out on its own deed prior to any reconfiguration such as a property line adjustment. A copy of that deed needs to be provided to the Planning Department showing the process has been completed. If there are more than two lawfully created units of land (discrete parcels) found to exist, a road may be required to provide access. The applicable road standards in Chapter VII will apply.

RECORDING REQUESTED BY:



300 W Anderson, PO Box 1075
Coos Bay, OR 97420

GRANTOR'S NAME:
The John H. Long and Martha M. Long Revocable Living Trust

GRANTEE'S NAME:
Kevin R. Sharp-Smith

AFTER RECORDING RETURN TO:
Order No.: 360618024666-SL
Kevin R. Sharp-Smith
7804 W. 5th Avenue
Kennewick, WA 99336

SEND TAX STATEMENTS TO:
Kevin R. Sharp-Smith
7804 W. 5th Avenue
Kennewick WA 99336

APN: 1350200
1351200
50372 S Fourmile Road, Bandon, OR 97411

COOS COUNTY, OREGON 2018-10050
\$96.00 10/18/2018 02:51:00 PM
DEBBIE HELLER, CCC, COOS COUNTY CLERK Pgs=3

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

SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY WARRANTY DEED

Roger Gould, Successor Trustee of The John H. Long and Martha M. Long Revocable Living Trust, Grantor, conveys and warrants to Kevin R. Sharp-Smith, a singler person, 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:

The SE 1/4 of the NE 1/4 and NE 1/4 of the SE 1/4 of Section 8, Township 30 South, Range 14 West of the Willamette Meridian, Coos County, Oregon.

ALSO: The SW 1/4 and the SE 1/4; the South 1/2 of the NW 1/4 and the SE 1/4 of the NE 1/4 all in Section 9, Township 30 South, Range 14 West of the Willamette Meridian, Coos County, Oregon. Together with easement for ingress and egress as set forth in instrument recorded June 1, 2018 bearing instrument 2018-05131, Records Coos County, Oregon.

SAVE AND EXCEPT THAT PROPERTY conveyed from Spencer Long, a single man and John M. Long and Annie R. Long, husband and wife to B. L. Tracy, by Deed recorded April 27, 1932 in Book 116 Pages 562 Deed Records, Coos County, Oregon.

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS SIX HUNDRED EIGHTY THOUSAND AND NO/100 DOLLARS (\$680,000.00). (See ORS 93.030).

Subject to:

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

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING 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: 10/17/18

The John H. Long and Martha M. Long Revocable Living Trust

BY: Roger Gould
Roger Gould, Successor Trustee

State of Oregon
County of Coos

This instrument was acknowledged before me on October 17, 2018 by Roger Gould, Successor Trustee of The John H long and Martha M. Long Revocable Living Trust.

Michelle Kay Lindsey
Notary Public - State of Oregon

My Commission Expires: July 15, 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 2018/2019.

The Land has been classified as Forest/Farm, as disclosed by the tax roll. If the Land becomes disqualified, said Land may be subject to additional taxes and/or penalties.

Account No.: 1350200 and 1351200

Notwithstanding the covered risks as set forth in the policy, the company does not insure against loss or damage by reason of a lack of a right of access to and from the Land.

NOTE: Appears there is no recorded easement for ingress and egress from the subject property to the West to South Four Mile County Road.

Easement(s), if any, as disclosed on the Coos County Assessment Maps

Rights and easements for navigation and fishery which may exist over that portion of said Land lying beneath the waters of unnamed streams.

The rights of the public and governmental bodies for fishing, navigation and commerce in and to any portion of the Land herein described, lying below the high water line of the unnamed streams.

The right, title and interest of the State of Oregon in and to any portion lying below the high water line of unnamed streams.

Any interest in any oil, gas and/or minerals, as disclosed by document

Entitled: Deed
Recording Date: March 14, 1928
Recording No: Book 105 Pages 8 and 9 Deed Records

The present ownership or any other matters affecting said oil, gas and/or minerals are not shown herein.

Any rights incidental to the ownership and development of the mineral interest excepted or reserved in the document

Entitled: Deed
Dated: February 11, 1928
Recording Date: March 14, 1928
Recording No: Book 105 Pages 8 and 9 Deed Records

Effect, if any of Easement(s) for the purpose(s) shown below and rights incidental thereto, as implied in a document:

Granted to: General Telephone Co of the NW
Purpose: utilities
Recording Date: March 1, 1971
Recording No: 71-3-56429

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

Granted to: Lone Rock Timberland Co.
Purpose: ingress and egress
Recording Date: June 1, 2018
Recording No: 2018-05130

Easement Agreement

Executed by: Roger Gould, Successor Trust, pursuant to that stipulated judgment filed in case number 17PB00197, Coos County, Circuit Court of The John H. Long and Martha M. Long Revocable Living Trust AND Lone Rock Timberland Co.
Recording Date: June 1, 2018
Recording No.: 2018-05131

year last above written.

Recorded April 19, 1932, 8 A.M.
Robt. R. Watson, County Clerk

O. C. Sanford
Notary Public for Oregon
My commission expires Sep 30 1931
(Notarial seal)

45787- KNOW ALL MEN BY THESE PRESENTS, That C. B. Matson and Rose E. Matson, his wife, of Marshfield, Coos County, Oregon, in consideration of ten and no/100 Dollars to them paid by Alice H. Hoagland do hereby grant, bargain, sell and convey unto said Alice H. Hoagland, her heirs and assigns, all the following real property, with the tenements, hereditaments and appurtenances situated in the County of Coos and State of Oregon, bounded and described as follows, to-wit:

All the following bounded and described lands, situate in Coos County, State of Oregon beginning 30 feet east of the northeast corner of Block 10 of Schetter's Addition to the Town of Marshfield, Coos County, Oregon according to the plat thereof on file in said County and State, thence east 125 feet; thence north 50 feet; thence west 125 feet to the east line of Schetter's Addition, thence south 60 feet to place of beginning.

To Have and to Hold the above described and granted premises unto the said Alice H. Hoagland, her heirs and assigns forever. And we the grantors above named do covenant to and with the above named grantees, their heirs and assigns that we are lawfully seized in fee simple of the above granted premises, that the above granted premises are free from all incumbrances and that we will and our heirs, executors and administrators shall warrant and forever defend the above granted premises, and every part and parcel thereof, against the lawful claims and demands of all persons whomsoever.

Witness our hands and seal this ___ day of May, 1931.

Executed in the presence of
Hugh Barclay, Clyde F. Hoagland
Loran E. Mattson, Marilyn M. Mattson

C. B. Mattson
Rose E. Mattson

State of Oregon
County of Coos :ss BE IT REMEMBERED, That on this 24 day of June A. D. 1931 before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named C. B. Matson and Rose E. Matson, his wife, who are known to me to be the identical individuals described in and who executed the within instrument and acknowledged to me that they executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal the day and year last above written.

Recorded April 19, 1932, 10:30 A.M.
Robt. R. Watson, County Clerk

Hugh Barclay
Notary Public for Oregon
My commission expires Jan 15th 1933
(Notarial seal)

45788- KNOW ALL MEN BY THESE PRESENTS, That I, Spencer C. Long, a single man, being of lawful age, in consideration of Ten and no/100 Dollars to me paid by John M. Long do hereby remise, release and forever quitclaim unto the said John M. Long and unto his heirs and assigns, all my rights, title and interest in and to all that parcel of real estate situate in the County of Coos, State of Oregon, to-wit:

The Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ and the Northeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ in Section 8, Township 30 South Range 14 West and the Southwest $\frac{1}{4}$ and the South $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ and the West $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ in Section 9, Township 30 South, Range 14 West.

TO HAVE AND TO HOLD the same, with all the privileges and appurtenances thereunto belonging to said John M. Long, and to his heirs and assigns forever.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 3rd day of

9-116

October, A. D. 1931.

Signed, sealed and delivered in the presence of us as witnesses Ida K. Coburn, Geo. L. Coburn

Spencer C. Long)Seal(

State of Oregon :ss THIS CERTIFIES That on this 3rd day of October, A. D. 1931 before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named Spencer C. Long who is known to me to be the identical individual described in and who executed the within instrument and acknowledged to me that he executed the same as his free act and deed, for the uses and purposes therein expressed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and my seal the day and year last above written.

Geo. L. Coburn
Notary Public for Oregon
My commission expires Oct. 7, 1934
(Notarial Seal)

Recorded April 19, 1932, 1:45 P.M.
Robt. R. Watson, County Clerk

45789- THIS INDENTURE WITNESSETH, That Nonda Anderson, of North Bend, Oregon, as grantor and the owner of the whole of the hereinafter described real property, for and in consideration of the sum of one dollar (\$1.00) and love and affection, does by these presents grant, bargain, sell and convey to Nealie Anderson, his wife, of North Bend, Oregon, the grantee, an undivided one-half interest in and to the following described real property, to-wit:

The North half of Lots nine (9), ten (10), eleven (11) and twelve (12) of Block sixty-six (66) of Coos Bay Plat "B", according to the plat thereof on file and of record in the County Clerk's office of Coos County, Oregon, which said property is a part of the City of North Bend, Coos County, Oregon, together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the above described premises unto the said Nealie Anderson, her heirs and assigns forever. It being the intention by this conveyance to create and invest in the said grantor and grantee an estate by the entirety in said real property.

IN WITNESS WHEREOF, the said Grantor above named has hereunto set his hand and seal this 20th day of April, 1932.

Signed and sealed in presence of: W. U. Douglas, Annie Smith

Nonda Anderson)Seal(

State of Oregon :ss Be it remembered, that on this 20 day of April, 1932, before me, the undersigned, a Notary Public in and for said County and State, appeared Nonda Anderson, to me personally known to be the identical person described in and who executed the within and foregoing instrument; and he acknowledged to me that he executed the same freely and voluntarily and for the uses and purposes therein expressed.

IN WITNESS WHEREOF, I have hereunto set my hand and notary seal the date and year last above herein written.

W. U. Douglas
Notary Public for Oregon
My commission expires January 5, 1935
(Notarial seal)

Recorded April 21, 1932, 10:45 A.M.
Robt. R. Watson, County Clerk

WARRANTY DEED

45790- THIS INDENTURE WITNESSETH, That Empire Development Company, a Corporation organized and existing under and by virtue of the Laws of the State of Oregon, the Grantor, in consideration of Ten Dollars do grant, bargain, sell and convey unto Robertson Sales Company, the Grantee, the following described premises, to-wit:

...Beginning at the Northwest corner of Lot 24, Plat of Bay 1, Coos County,

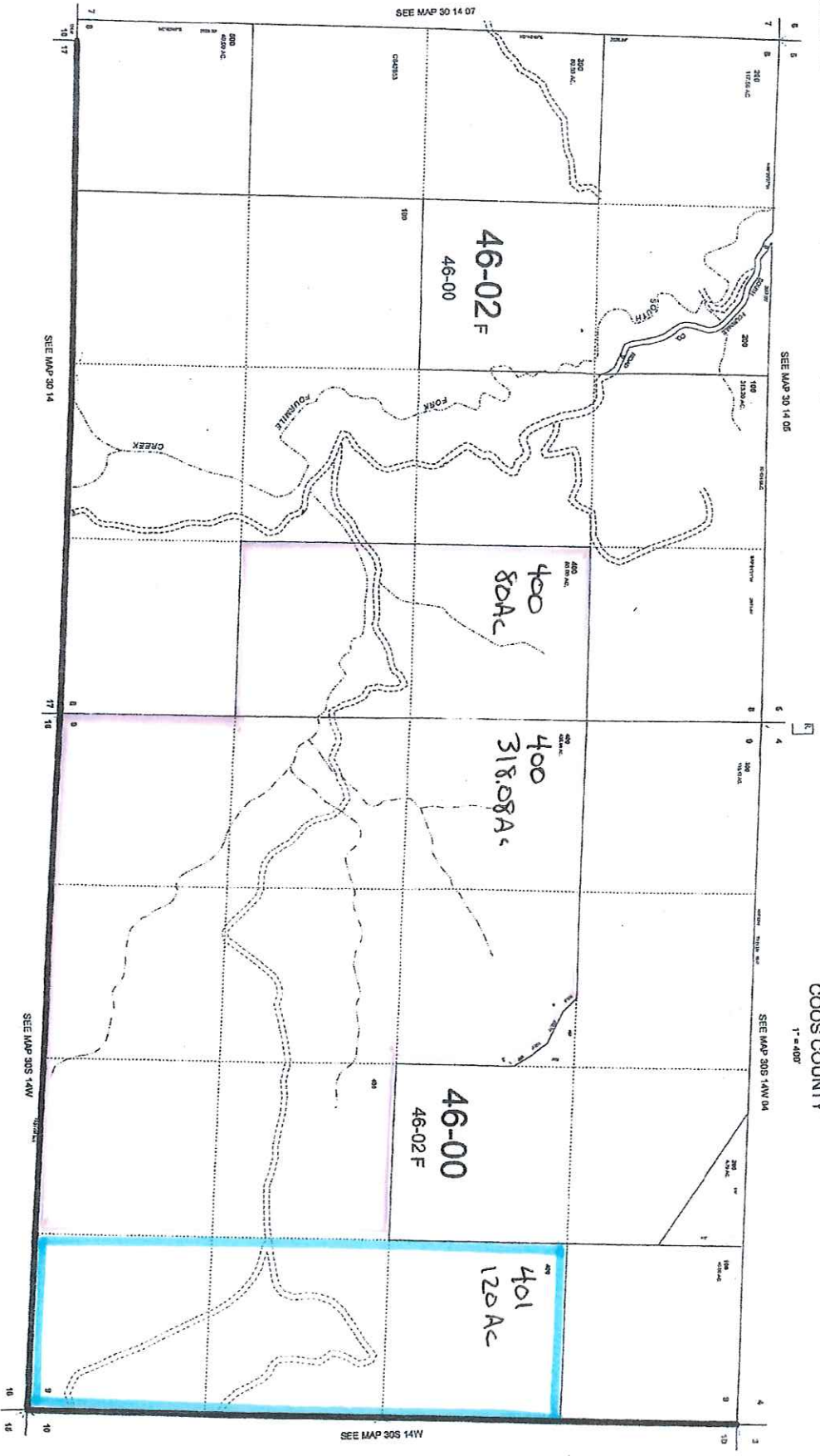
D-116

THIS MAP WAS PREPARED FOR
KASPERVOLDT FARMER ONLY

SECTION 8 T30S R14W W.M.
COOS COUNTY
1" = 400'

SECTION 8 T30S R14W W.M.
COOS COUNTY
1" = 400'

30S 14W
CANCELLED



INST. No 2018-10050

KEVIN R. SHARR-SMITH

REMAINDER PROPERTY HELD BY KEVIN R. SHARR-SMITH

Vol 116 Pgs 540 & 541 Record Date APRIL 19, 1932
JOHN M. LONG NEW INST. NO. 2019-2710 HELD BY
C&S WATERMAN RANCH LLC