



NOTICE OF LAND USE DECISION BY THE COOS COUNTY PLANNING DIRECTOR

Coos County Planning
225 N. Adams St.
Coquille, OR 97423
<http://www.co.coos.or.us/>
Phone: 541-396-7770
Fax: 541-396-1022

Date of Notice: December 4, 2019

File No: D-19-006

RE: Request for a land use authorization for a Lawfully Created Unit of Land Application

Applicant(s): Beverly Dunlap
475 E 3rd St
Coquille, OR 97423

This decision notice serves as public notice to all participants, adjacent property owners, special districts, agency with interests, or person with interests. If you are an adjacent property owner, this notice is being mailed to you because the applicant has applied for a use or activity on their property that requires that you receive notice pursuant to ORS 197.763. Please read all information carefully as this decision may affect you. (See attached vicinity map for the location of the subject property).

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 a person named in the affidavit to receive the notice shall not invalidate an ordinance. 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.

NOTICE TO MORTGAGEE, LIENHOLDER, VENDOR OR SELLER: ORS CHAPTER 215 (ORS 215.513) REQUIRES THAT IF YOU RECEIVE THIS NOTICE, IT MUST PROMPTLY BE FORWARDED TO THE PURCHASER.”

The request for a lawfully created unit of land determination has been reviewed and found to meet the applicable criteria. Therefore, staff concurs with the applicant that tax lot 500 and 602 are separate discrete lawfully created units of land. Approval is based on findings and facts represented in the staff report.

Property Information

Account Numbers	1165901
Map Numbers	29S1228D0-00701
Property Owners	BEVERLY J DUNLAP 2016 FAMILY TRUST DUNLAP, BEVERLY J TTEE 475 E 3RD ST COQUILLE, OR 97423-1818
Situs Addresses	51450 HWY 242 MYRTLE POINT, OR 97458
Acreages	20.19 Acres
Zoning	INDUSTRIAL (IND)
Special Considerations	FLOODPLAIN (FP) NATIONAL WETLAND INVENTORY SITE (NWI)

Notice shall be posted from December 4, 2019 until 5 pm on December 19, 2019

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.

PROPOSAL: Request for Planning Director Approval of a Lawfully Created Parcel D-19-006

The application, staff report and any conditions can be found at the following link: <http://www.co.coos.or.us/Departments/Planning/PlanningDepartment-Applications2019.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, Planning Specialist and the telephone number where more information can be obtained is (541) 396-7770.

This decision will become final at 5 p.m. on December 16, 2019 unless before this time a completed **APPLICATION FOR AN APPEAL OF A DECISION BY THE PLANNING DIRECTOR** form is submitted to and received by the Coos County Planning Department.

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.

Prepared by:  Date: December 4, 2019
Crystal Orr, Planning Specialist

Authorized by:  Date: December 4, 2019
Jill Rolfe, Planning Director

EXHIBITS

Exhibit A: Vicinity Map
Exhibit B: Discrete Parcel Map

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-Applications2019.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 C: Documentation of Discrete Parcel
Exhibit D: D-19-006 Staff Report

**EXHIBIT "A"
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



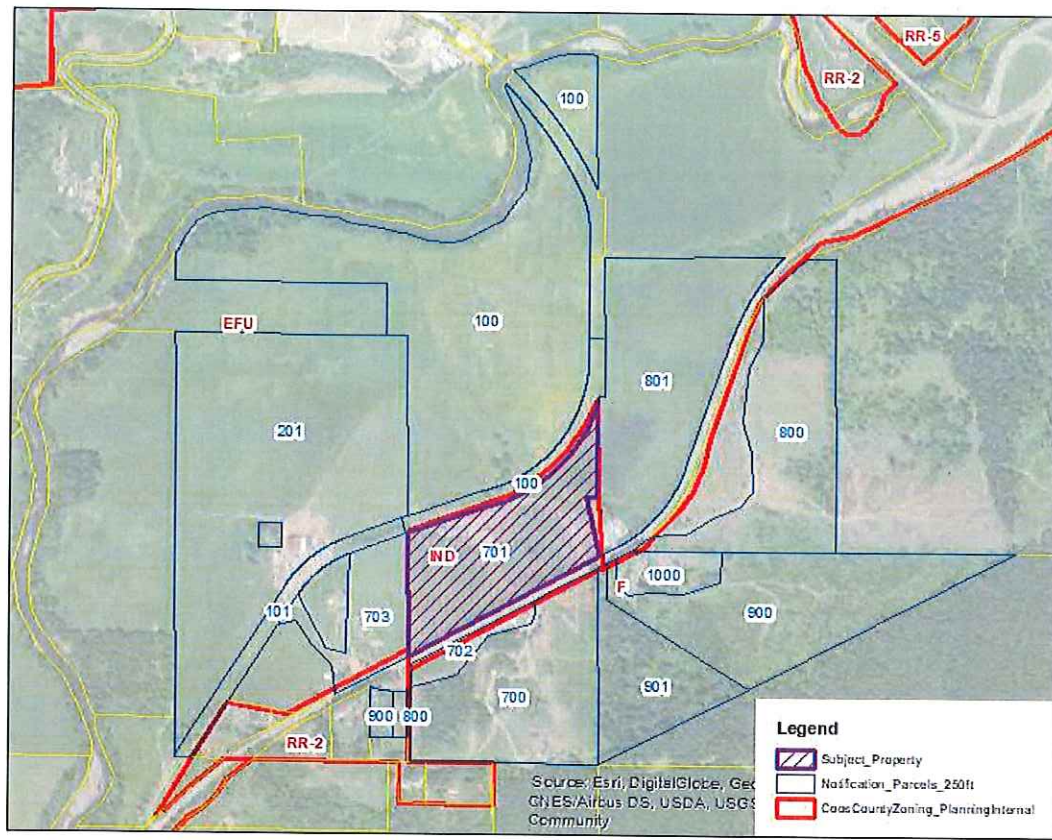
File: D-19-006

Applicant/ Owner: Troy Rambo/
Beverly Dunlap

Date: December 3, 2019

Location: Township 29S Range 12W
Section 28D TL 701

Proposal: Lawfully Established Parcel
Determination



Legend

- Subject_Property
- Notification_Parcels_250ft
- CoosCountyZoning_PlanningInternal

Source: Esri, DigitalGlobe, GeoEye, GEBCO, Airbus DS, USDA, USGS

EXHIBIT "B"
Discrete Parcel Map
COOS COUNTY

1" = 200'

CANCELLED

500
 600
 899
 704

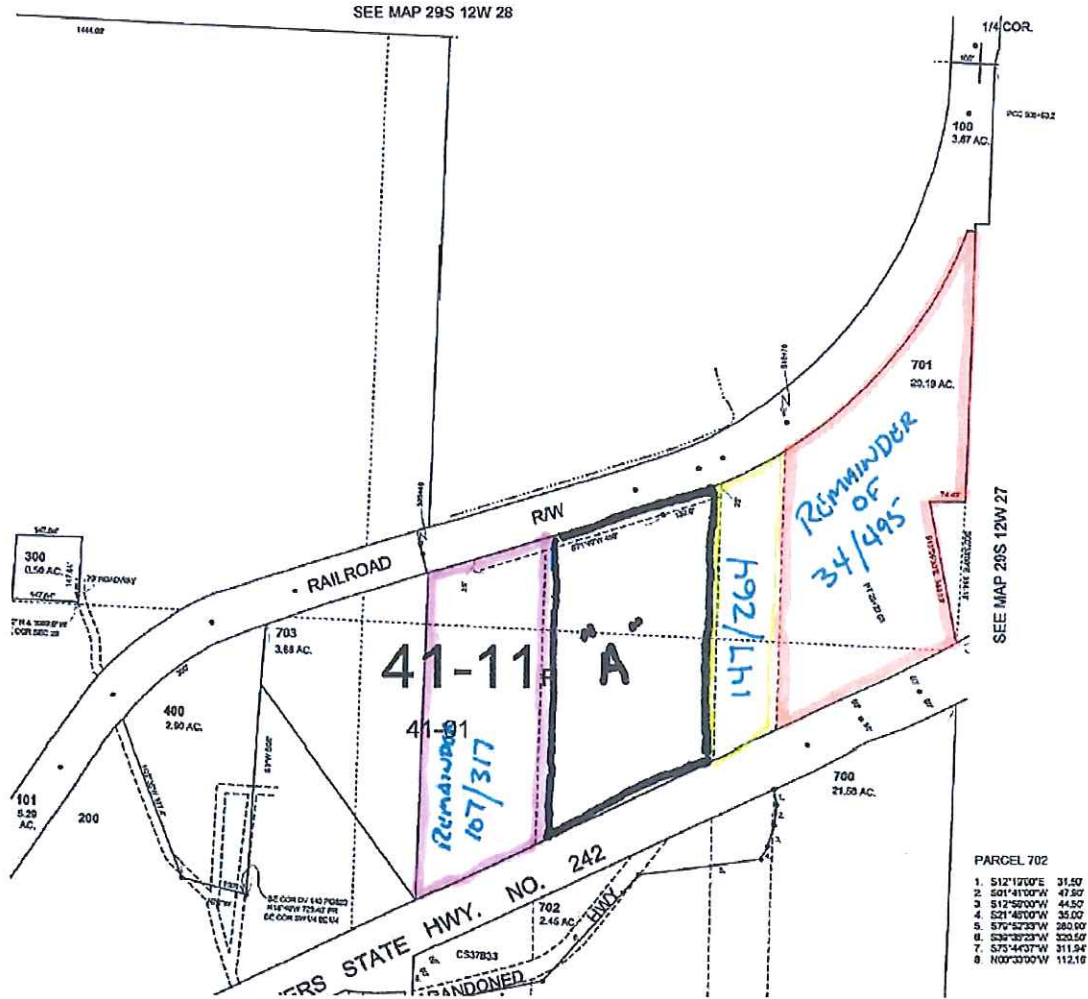


EXHIBIT "C"
Documentation of Lawfully Established Parcel

495

KNOW ALL MEN BY THESE PRESENTS, That John C. Warner, unmarried, of Coos County, State of Oregon, in consideration of Six Hundred Dollars, to him paid by WILLIAM T. VECHEE, of Coos County, State of Oregon, has bargained and sold and by these presents does grant, bargain, sell and convey unto said WILLIAM T. WARNER, his heirs and assigns, all the following bounded and described real property, situated in the County of Coos and State of Oregon:

Beginning at the corner of sections 27, 28 and 33 and 34, in Township 29 South, of Range 12 West of Willamette Meridian, and running thence west 5 chains, thence north 83.50 chains to the right bank of the Coquille river, thence down said right bank to the line between sections 27 and 28, thence south 84.00 chains to the place of Beginning, containing 19 acres more or less, subject to the lower interest of Fannie Warner, which lower right is described as follows, to-wit:

Beginning at corner of sections 27, 28, 33 and 34, in Township 29 South, of Range 12 West of the Willamette Meridian, and running thence north 16 chains, thence west 40 chains to the quarter section line, thence south 16 chains to quarter section corner, thence east 40 chains to the place of beginning.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereto belonging or in any wise appertaining, and also all their estate, right, title and interest in and to the same, including dower and claim of dower.

TO HAVE AND TO HOLD the above described and granted premises unto the said WILLIAM T. WARNER his heirs and assigns for ever. And John C. Warner grantor above named does covenant to and with WILLIAM T. WARNER, the above named grantee his heirs and assigns that he in the lawfully seized in fee simple of the above granted premises, that the above granted premises are free from all incumbrances, and that he will and his 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.

IN WITNESS WHEREOF, I, the grantor above named, hereunto set my hand and seal this twenty third day of April, 1901.

Signed, sealed and delivered in the presence of us as witnesses: John C. Warner John C. Warner, (SEAL)
Jessie Warner, Josie Boon [REDACTED]

State of Washington }
 County of Walla Walla }

I, THE NOTARY, Notary Public in and for said County and State, personally appeared the within named John C. Warner, unmarried, known to me to be the identical person described in and who executed the within instrument, and acknowledged to me that he executed the same, freely and voluntarily for the uses and purposes therein named.

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

Recorded May 31, 1901, (SEAL) Albert E. Green,
 L. H. Wagner, County Clerk } Notary Public, residing at Freecott,
 By G. H. [REDACTED] Deputy } Washington.

THIS INSTRUMENT, made the 15th day of May 1901, between Stephen Gallier, Sheriff of the County of Coos, State of Oregon, the party of the first part, and John F. Hall as Executor of the last will and testament of Abraham J. M. Campbell, deceased, of the said County of Coos, the party of the second part, WITNESSETH that whereas, by virtue of an execution and order of sale duly issued out of and under the seal of the Circuit Court for the State of Oregon, for the said County of Coos, dated the 20th day of March, 1900, upon a decree of foreclosure and judgment duly made and rendered in the said Court on the 27th day of September, 1899 in a suit for the foreclosure of a mortgage, in which John F. Hall as Executor of the last will and testament of Abraham J. M. Campbell, deceased, were plaintiff, and William S. Jenkins, Maria Jenkins,

D-34

Executed in the presence of
A. J. Hillstrom, Kerle Grove

FRANK J. FISH
Vivian G. Fish
(Seal)

State of Oregon
County of _____ :ss
BE IT REMEMBERED, That on this 24th day of January A. D. 1929 before me, the undersigned a Notary Public in and for said County and State, personally appeared the within named individuals, Frank J. Fish and Vivian G. Fish, 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 WITNESS WHEREOF I have hereunto set my hand and seal the day and year last above written.

W. E. Atchison
Notary Public for Oregon
My commission expires Jan. 20, 1931
(Notarial Seal)

Recorded Mar. 16, 1929, 11 A.M.
Robt. R. Watson, County Clerk

32181-
KNOW ALL MEN BY THESE PRESENTS, That H. A. Johnson and Julia J. J. Johnson his wife of the town of Mt. Shasta, County of Siskiyou, State of California in consideration of Ten and no/100 Dollars to them paid by W. T. Warner of Coos County, State of Oregon, have bargained and sold and by these presents do grant, bargain, sell and convey unto said W. T. Warner, his heirs and assigns, all the following bounded and described real property, situated in the County of Coos and State of Oregon:

Commencing 14.18 chains West of the Corner of Sections 27, 28, 33, and 34, Township 29 South, Range 12 West, Willamette Meridian, Coos County, Oregon, and running thence West 4 chains, thence North 40 chains to the South line of lot 2 Section 28, thence West 2 chains to the South-West corner of lot 9, thence North 8.68 chains to the right bank of the Coquille River, thence down stream said right bank to a point due North of the place of commencing, thence South 43.50 chains to the place of commencing, containing 19 acres, more or less; subject to the dower interest of Fannie Warner, nee Fannie Endicott.

This is intended as a correction deed, correcting description given in deed H. A. Johnson and Julia J. J. Johnson, his wife, to W. T. Warner, dated May 31, 1909, recorded June 22, 1909 in book 84 page 155 of deeds in Coos County, Oregon, together with all and singular the tenements, hereditaments and appurtenances therunto belonging or in anywise appertaining, and also all my estate, right, title and interest in and to the same, including dower and claim of dower.

WE HAVE AND TO HOLD the above described and granted premises unto the said W. T. Warner, his heirs and assigns forever. And H. A. Johnson and Julia J. J. Johnson, the grantors above named do covenant to and with W. T. Warner, the above named grantee, his heirs and assigns that they lawfully seized in fee simple of the above granted premises, that the above granted premises are free from all incumbrances, and that they will and their 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 whatsoever.

IN WITNESS WHEREOF The grantors above named, have hereunto set their hands and seals this 27th day of February, 1929.

Executed in the presence of
Ira K. Bean, D. H. Lorenzen

H. A. Johnson
Julia J. J. Johnson
(Seal)

State of California
County of Siskiyou :ss
On this 27 day of February in the year one thousand nine hundred and twenty-nine before me, I. H. Lorenzen, a Notary Public in and for the County of Siskiyou, State of California, residing therein, duly commissioned and sworn, personally appeared H. A. Johnson and Julia J. J. Johnson known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal

D-197

in the County of Siskiyou, the day and year in this certificate first above written.

L. H. Lorentzen
Notary Public in and for the County of Siskiyou
State of California
(Notarial Seal)

State of California
County of Siskiyou :ss BE IT REMEMBERED, That on this 27th day of February A. D. 1929 before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named N. A. Johnson and Julia J. Johnson, who I know to me to be the identical persons 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 Mar. 18, 1929, 2:20 P.M.
Robt. R. Watson, County Clerk

L. H. Lorentzen
Notary Public for County of Siskiyou, State
of California
My commission expires July 29, 1932
(Notarial Seal)

39198-

AFFIDAVIT

State of Oregon
County of Coos :ss I, Samuel Brauer, being first duly sworn on oath depose and say that I am a resident of Coos County, State of Oregon, and I am 71 years of age. That I was personally acquainted with Fannie Warner during her life, and that Fannie Warner died on 26th day of August, 1928.

Samuel Brauer

Subscribed and sworn to before me, a Notary Public this 8 day of March, 1929.

Recorded Mar. 18, 1929, 2:20 P.M.
Robt. R. Watson, County Clerk

Ralph D. Kring
Notary Public for Oregon
My commission expires Aug. 24, 1931
(Notarial Seal)

39198-

AFFIDAVIT

State of Oregon
County of Coos :ss I, Samuel Brauer, being first duly sworn on oath depose and say that I am a resident of Coos County, State of Oregon, and I am 71 years of age. That I was personally acquainted with Jennie Huffman during her life and that Jennie Huffman died on 8 day of July, 1924.

Samuel Brauer

Subscribed and sworn to before me, a Notary Public this 5 day of March, 1929.

Recorded Mar. 18, 1929, 2:20 P.M.
Robt. R. Watson, County Clerk

Ralph D. Kring
Notary Public for Oregon
My commission expires Aug. 24, 1931
(Notarial Seal)

39197-

KNOW ALL MEN BY THESE PRESENTS, That Eugene Bosco, a single man, sometimes known as Eugen Bosco, of Laneve, County of Coos, State of Oregon, in consideration of Ten Dollars to him paid by George W. Gilbertson, of Marshfield, County of Coos, State of Oregon, has bargained and sold and by these presents does hereby grant, bargain, sell and convey unto the said George W. Gilbertson, his heirs and assigns, all the following bounded and described real property situated in the County of Coos, and State of Oregon:

Lots Three (3), Four (4), Five (5), Six (6) and Seven (7)

THIS INDENTURE WITNESSETH, That S. W. Warner and Viola Warner, his wife; Charles S. Warner and Florence Warner, his wife; Horace Warner, a widower; Lloyd Warner and Josephine Warner, his wife; Wallace Warner and Mary Warner, his wife; Clayton Warner, a single man; Alden Warner and Mildred Warner, his wife; Douglas Warner, a single man; Dorothy Drollner and Edward Drollner, her husband; Vernon E. Warner, a single man; Jessie Johnson and E. M. Johnson, her husband; Elmer Johnson and Stella M. Johnson, his wife; Floyd Johnson and Helthy Johnson, his wife; Thomas Haggerty and Evelyn Haggerty, his wife; Mollie Neill, (formerly Mollie Warner) and Richard Neill, her husband; Josephine Warner, a single woman; John Warner, a single man; Carl Warner and Fredabelle Warner, his wife; the said S. W. Warner, Charles S. Warner, Horace Warner, Lloyd Warner, Wallace Warner, Clayton Warner, Alden Warner, Douglas Warner, Dorothy Drollner, Vernon E. Warner, Jessie Johnson, Elmer Johnson, Floyd Johnson, Thomas Haggerty, Mollie Neill, formerly Mollie Warner, Josephine Warner, John Warner, Carl Warner, being the heirs and only heirs at law of David Henry Warner, deceased, for the consideration of the sum of Eighteen Hundred and No/100 Dollars (\$1800.00), to them paid, have bargained and sold and by these presents do bargain, sell and convey unto Clarence L. Knupp and Florence E. Knupp, husband and wife, the following described premises, to-wit:

Beginning 4 chains West of Corner Section 27, 28, 33, and 34, Township 29, South Range 12, running west 2 chains, North 40 chains to quarter Section line, West 1 chain, North 12 chains to right bank South Fork Coquille River, running down said right bank to a point due North of beginning, thence South 62.60 chains to beginning, Less Railroad right of way of W. & Co. railroad, being in Section 28, Township 29 South, Range 12 West of the Willamette Meridian, Coos County, Oregon; and also

The east half of the Northeast quarter of the Northeast quarter of Section 33, Township 29 South Range 12 West Willamette Meridian, Coos County, Oregon, containing 20 acres, more or less, together with all tenements, hereditaments and appurtenances in anywise belonging, and also all their estate, right, title and interest in and to the same, including does and claim of deed.

TO HAVE AND TO HOLD the said premises, unto the said Grantees, their Heirs and Assigns forever.

IN WITNESS WHEREOF We have hereunto set our hands and seals this 30th day of April, 1942.

Carl Warner	(Seal)	S. W. Warner	(Seal)
Fredabelle Warner	(Seal)	Viola Warner	(Seal)
Mildred Warner	(Seal)	Charles S. Warner	(Seal)
Alden Warner	(Seal)	Florence Warner	(Seal)
Stella M. Johnson	(Seal)	V. E. Warner	(Seal)
Elmer Johnson	(Seal)	E. M. Johnson	(Seal)
Floyd Johnson	(Seal)	Jessie Johnson	(Seal)
Helthy Johnson	(Seal)	Wallace Warner	(Seal)
Thomas Haggerty	(Seal)	Mary E. Warner	(Seal)
Evelyn Haggerty	(Seal)	Clayton Warner	(Seal)
Mollie Neill	(Seal)	Dorothy Drollner	(Seal)
Richard E. Neill	(Seal)	E. D. (Edward) Drollner	(Seal)
Lloyd Warner	(Seal)	Josephine Warner	(Seal)
Josephine Warner	(Seal)	John Warner	(Seal)
Douglas Warner by	(Seal)	Horace W. Warner	(Seal)
Lena M. Warner,			
His Attorney in fact			

\$1.85 Documentary Stamp, Cancelled

STATE OF OREGON
County of Coos
On this, the 30th day of April, 1942, personally came before me, the undersigned, a Notary Public in and for said county and state, the within named S. W. Warner and Viola Warner, his wife; Charles S. Warner and Florence Warner, his wife; Horace Warner, a widower; Thomas Haggerty and Evelyn Haggerty, his wife; Wallace Warner and Mary Warner, his wife; Clayton Warner, a single man; Lloyd Warner and Josephine Warner, his wife; Dorothy Drollner and Edward Drollner, her husband; Alden Warner and Mildred Warner, his wife; to me personally known to be the identical persons described in and who executed the within instrument, and acknowledged to me that they executed the same freely and voluntarily

For the uses and purposes therein named.

Witness my hand and Notarial Seal this 30th day of April, 1943.

(Notarial Seal)

E. J. Roberts
Notary Public for Oregon
My Commission Expires: June 19, 1944

STATE OF OREGON
County of Jackson ss. On this the 1st day of June, 1943, personally came before me, the undersigned, a Notary Public in and for said county and state, the within named Mollie Neill (formerly Mollie Warner), and Richard L. Neill, her husband, to me personally known to be the identical persons described in and who executed the within instrument, and acknowledged to me that she executed the same freely and voluntarily for the uses and purposes therein named.

Witness my hand and Notarial Seal this 1st day of June, 1943.

(Notarial Seal)

F. S. Engle
Notary Public for Oregon
My Commission Expires: Jan. 10, 1944

STATE OF OREGON
County of _____ ss. On this, the 22 day of June, 1942, personally came before me, the undersigned, a Notary Public in and for said county and state, the within named Vernon E. Warner, to me personally known to be the identical person described in and who executed the within instrument, and acknowledged to me that he executed the same freely and voluntarily for the uses and purposes therein named.

WITNESS my hand and Notarial Seal this 22 day of June, 1942.

(Notarial Seal)

Wm. Fain
Notary Public for Oregon
My Commission Expires: 9-29-43

STATE OF WASHINGTON
County of King ss. On this, the 21st day of May, 1943, personally came before me, the undersigned, a Notary Public in and for said county and state, the within named Elmer Johnson to me personally known to be the identical person described in and who executed the within instrument, and acknowledged to me that he executed the same freely and voluntarily for the uses and purposes therein named.

Witness my hand and Notarial Seal this 21st day of May, 1943.

(Notarial Seal)

N. E. Albertson
Notary Public for Washington
My Commission Expires: 8-13-45

STATE OF CALIFORNIA
COUNTY OF SISKIYOU ss. On this, the 1st day of July, 1942, personally came before me, the undersigned, a Notary Public in and for said county and state, the within named Jessie Johnson and H. N. Johnson, her husband, to me personally known to be the identical persons described in and who executed the within instrument, and acknowledged to me that they executed the same freely and voluntarily for the uses and purposes therein named.

Witness my hand and Notarial Seal this 1st day of July, 1942.

(Notarial Seal)

John Ruls
Notary Public for California
My Commission Expires: June 8, 1943

STATE OF CALIFORNIA
County of Siskiyou ss. On this, the 4th day of February, 1943, personally came before me, the undersigned, a Notary Public in and for said county and state, the within named Floyd Johnson and Walky Johnson, his wife, to me personally known to be the identical persons described in and who executed the same freely and voluntarily for the uses and purposes therein named.

Witness my hand and Notarial Seal this 4th day of February, 1943.

(Notarial Seal)

Floyd A. Boyd
Notary Public for California
My Commission Expires: 2/16/44

STATE OF CALIFORNIA
County of Fresno ss. On this, the 4th day of August, 1942, personally came before me, the undersigned, a Notary Public in and for said county and state, the within named Josephine Warner, a single woman, to me personally known to be the identical person described in and who executed the within instrument, and acknowledged to me that she executed the same freely and voluntarily for the uses and purposes therein named.

D-19-7

Witness my hand and Notarial Seal this 4th day of August, 1942.

(Notarial Seal)

Lucille Miller
Notary Public for County of Fresno, California
My Commission Expires July 19, 1943

STATE OF CALIFORNIA
County of Tulare iss. On this, the 15th day of Sept., 1942, personally came before me, the undersigned, a Notary Public in and for said county and state, the within named John Warner, a single man, to me personally known to be the identical person described in and who executed the within instrument, and acknowledged to me that he executed the same freely and voluntarily for the uses and purposes therein named.

Witness my hand and Notarial Seal this 15th day of Sept., 1942.

(Notarial Seal)

M. E. Henderson
Notary Public for California
My Commission Expires Aug. 24th, 1944

STATE OF CALIFORNIA
County of Tulare iss. On this, the 10th day of October, 1942, personally came before me, the undersigned, a Notary Public in and for said county and state, the within named Carl Warner and Pradeselle Warner, his wife, to me personally known to be the identical persons described in and who executed the within instrument, and acknowledged to me that they executed the same freely and voluntarily for the uses and purposes therein named.

Witness my hand and Notarial Seal this 10th day of October, 1942.

(Notarial Seal)

Ashene Haigh
Notary Public in and for the County
of Tulare, State of California
My Commission Expires Sept. 5, 1945

STATE OF WASHINGTON,
Walla Walla County iss. I, the undersigned, a Notary Public, certify that on this the 27th day of January, 1943, personally came before me Stella M. Johnson, wife of Elmer Johnson, to me personally known, and known to me to be one of the persons named in and who signed the within and foregoing instrument, and she acknowledged to me that she executed the same freely and voluntarily, for all the uses and purposes therein mentioned.

All done within Walla Walla County, Wash.

(Notarial Seal)

R. B. Holand
Notary Public in and for the State of Washington,
residing therein at Walla Walla,
My Notarial Commission expires Dec. 5, 1946.

STATE OF OREGON
COUNTY OF COOS iss. On this the 16th day of June, 1943, before me personally came Lana H. Warner, to me personally known to be the person described in and appointed attorney in fact by that certain power of attorney executed by Douglas A. Warner, bearing date the 18th day of February, 1943, and filed in the office of the County Clerk of the County of Coos and State of Oregon, on the ___ day of June, 1943, and acknowledged to me that she executed the within instrument as the free act and deed of the said Douglas A. Warner.

Recorded August 8, 1943, 4:50 P.M.
L. W. Gddy, County Clerk

E. C. Roberts
Notary Public for Oregon
My commission expires June 19, 1944
(Notarial Seal)

VP28- THIS INSTRUMENT, Made this 26th day of July, 1943, by and between Coos County, a political subdivision of the State of Oregon, party of the first part, and Mae McKie party of the second part,

WITNESSETH: That, Whereas, by a deed executed by the Sheriff of Coos County pursuant and in obedience to a decree of the Circuit Court of the State of Oregon, for Coos County, which suit was a suit for foreclosure of liens for delinquent taxes, there was conveyed to Coos County the real property hereinafter described; and

WHEREAS, the party of the second part is the former owner of said property and has applied to the County Court of said party of the first part to repurchase the said real property from the party of the first part for the amount of taxes and interest accrued and charged against said property at the time of its purchase by the County, together with

**EXHIBIT "D"
STAFF REPORT**

File Number	D-19-006
Applicants	Beverly Dunlap
Account Number	1165901
Map Number	29S1228D0-00701
Property Owners	BEVERLY J DUNLAP 2016 FAMILY TRUST DUNLAP, BEVERLY J TTEE 475 E 3RD ST COQUILLE, OR 97423-1818
Situs Address	51450 HWY 242 MYRTLE POINT, OR 97458
Acreage	20.19 Acres
Zonings	INDUSTRIAL (IND)
Special Considerations	FLOODPLAIN (FP) NATIONAL WETLAND INVENTORY SITE (NWI)

Reviewing Staff: Crystal Orr, Planning Specialist
Date of Report: December 4, 2019

I. PROPOSAL

The proposal is a request for Planning Director Approval of a lawfully created unit of land determination.

III. PROPERTY DESCRIPTION

LOCATION: The subject properties are located south of the City of Myrtle Point along Highway 242, a State Maintained Highway, also known as Powers Highway.

IV. APPLICABLE CRITERIA & FINDINGS OF FACT

LAWFULLY CREATED:

SECTION 6.1.100 WHAT IS NOT A LAWFULLY CREATED LOT OR PARCEL:

A unit of land shall not be considered a separate parcel simply because the subject tract of land;

- 1. Is a unit of land created solely to establish a separate tax account;*
- 2. Includes properties that have divided interest;*
- 3. Lies in different counties;*
- 4. Lies in different sections or government lots;*
- 5. Lies in different land use or zoning designations; or*
- 6. Is dissected by a public or private road.*

SECTION 6.1.125 LAWFULLY CREATED UNIT OF LAND

"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.*

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 5.0.

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.

Finding: Troy Rambo, Registered Profession Surveyor certified that tax lot 701 consists of four (4) discrete parcels. Three (3) of the parcels are the remaining portions of those parcels described in Volume 34 Page 496, Volume 107 Page 317 & 208 and Volume 147 Page's 264 through 266. Based on the previously listed deeds the remaining property labeled "A" is therefore also discrete.

Therefore, given the evidence in the record staff concurs that all four (4) lots are lawfully created and can be sold separately.

VI. DECISION:

The lawfully created unit of land determination is approved based on the evidence received by the applicant and information on file.