

ADJUSTMENT #2 (2)



Coos County Planning Department Property Line Adjustment Application

	Official Use Only
Fee	\$700.00
Receipt No.	212890
Check No./Cash	3986
Date	8/12/19
Received By	P.O.M
File No.	PLA-19-012

Introduction

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

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

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

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

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

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

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

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

Please complete the following sections:

A. Property 1:

Owner(s): JOHN MEYER :
MARY R. MEYER REV. TRUST Telephone: 541-290-4159
Address: P.O. Box 582
City/State: BANDON, OR Zip Code: 97411
Lien Holder(s): N/A
Address: _____
City/State: _____ Zip Code: _____
Township: 29S Section: 12A
Range: 15W Tax Lot: 1400
Tax Account: 1235802 Zoning District: EFU
Initial Lot Size: 42.46 ac Adjusted Lot Size: 5.00 ac

B. Property 2:

Owner(s): MARY R. MEYER REV. TRUST Telephone: 541.347.3798
Address: P.O. Box 582
City/State: BANDON, OR Zip Code: 97411
Lien Holder(s): N/A
Address: _____
City/State: _____ Zip Code: _____
Township: 29S Section: 12
Range: 15W Tax Lot: 200
Tax Account: 1236600 Zoning District: EFU
Initial Lot Size: 38.00 ac Adjusted Lot Size: 75.46

C. Applicant:

Name: JOHN MEYER Telephone: 541-290-4159
Address: P.O. Box 1624
City/State: BANDON, OR Zip Code: 97411

D. Surveyor

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

E. Purpose of the Property Line Adjustment

ESTATE PLANNING

F. Criteria from Article 6.3

ARTICLE 6.3 PROPERTY LINE ADJUSTMENTS

SECTION 6.3.100 PROPERTY LINE ADJUSTMENTS:

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

SECTION 6.3.125 PROCEDURE:

1. An application for a line adjustment or elimination shall be filed by the owners of all lots or parcels affected. The application shall be accompanied by an appropriate fee and contain the following information:
 - a. Reason for the line adjustment;
 - b. Vicinity map locating the proposed line adjustment or elimination in relation to adjacent subdivisions, partitions, other units of land and roadways;
 - c. A plot plan showing the existing boundary lines of the lots or parcels affected by the line adjustment and the approximate location for the proposed adjustment line. The plot plan shall also show the approximate location of all structures within ten (10) feet of the proposed adjusted line;
 - d. A current property report (less than 6 months old) indicating any taxes, assessment

- or other liens against the property, easements, restrictive covenants and rights-of-way, and ownerships of the property of the proposed development. A title report is acceptable.
- e. A notice of application and decision will be provided to any and all lien holders of record for the property that will be affected by the proposed adjustment. Applicants should consult with any and all such lien holders prior to submittal of an application.
2. A line adjustment is permitted only where an additional unit of land is not created and where the lot or parcel reduced in size by the adjustment complies with the requirements of the applicable zone except that a line adjustment for the purpose of exchange or transfer of land between resource land owners shall be allowed so long as:
 - a. No parcel is reduced in size contrary to a condition under which it was formed;
 - b. The resulting parcel sizes do not change the existing land use pattern (e.g. two conforming parcels must remain conforming; and
 - c. Two non-conforming parcels may remain non-conforming; and, two parcels, one conforming and one non-conforming, may remain as such regardless of which parcel is non-conforming after the exchange or transfer).
 3. An encroachment of existing or planned structures will not be created within required setbacks as a result of the line adjustment.
 4. A line adjustment for a lot or parcel that contains a dwelling, not on a public sanitation system, and is less than an acre before the adjustment and further reduced as a result of the adjustment shall obtain documentation from Department of Environmental Quality (DEQ) that the sanitation system will still meet their requirements.
 5. In resource lands, a unit of land containing a dwelling, or approved for construction of a dwelling, cannot be adjusted with a vacant resource unit of land for the purpose of qualifying the vacant unit for a 160-acre dwelling.
 - a. A resource unit of land less than 160 acres and containing a (preexisting) dwelling, or approved for construction of a dwelling, cannot be adjusted with a vacant resource unit of land for the purpose of qualifying the vacant unit for a 160-acre dwelling;
 - b. A resource unit of land 160 acres or greater and containing a (preexisting) dwelling, or approved for construction of a dwelling, cannot be adjusted below 160 acres with a vacant resource unit of land for the purpose of qualifying the vacant unit for a 160-acre dwelling;
 - c. A resource unit of land 160 acres or greater and containing a dwelling approved as a 160-acre dwelling, or approved for construction of a 160-acre dwelling, cannot be reduced below 160 acres for the purpose of qualifying the vacant unit for a 160-acre dwelling.
 6. Same Designation: A line adjustment shall only be permitted where the sale or transfer of ownership is made between abutting owners of like designated lands, residential lands, commercial lands, industrial lands, resource lands, and estuary zoned lands unless an existing structure encroaches over an existing property boundary or the boundary line adjustment is required to comply with requirements of the State Department of Environmental Quality for a subsurface sewage system.

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

SECTION 6.3.150 EASEMENTS AND ACCESS:

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

SECTION 6.3.175 MAPPING AND FILING REQUIREMENTS:

1. Map and Monuments Required:

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

2. Approval and Filing Requirements:

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

Property Line Adjustment Application

Revised 2018

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

As applicant(s) I/we acknowledge that it is in my/our desire to submit this application and staff has not encouraged or discouraged the submittal of this application.

[Signature]
Property 1
[Signature]
Property 2

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

[Signature]
Property 1
[Signature]
Property 2

Mary R. Meyer
Applicant(s) Original Signature

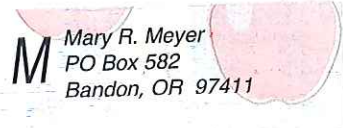
7 30 2019
Date

[Signature]
Applicant(s) Original Signature
7-30-2019
Date

Mary R. Meyer
Applicant(s) Original Signature

7 30 2019
Date

[Signature]
Applicant(s) Original Signature
7-30-2019
Date

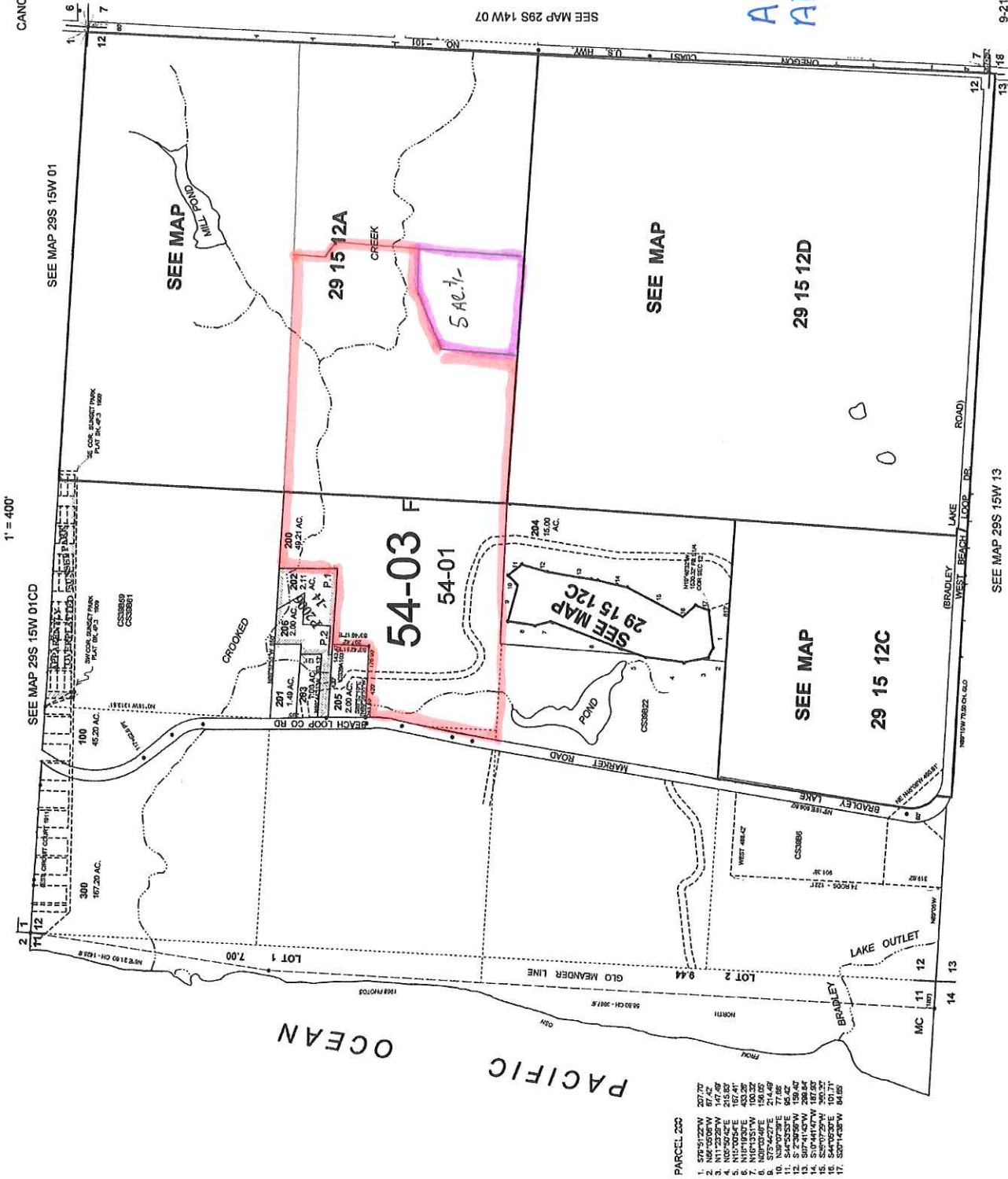


THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY

SECTION 12 T29S R15W W.M.
COOS COUNTY

29S 15W 12
& INDEX

CANCELLED



AFTER
ADJUSTMENT

29S 15W 12
& INDEX

NOTE: THERE WILL BE NO STRUCTURES
WITHIN 30' OF THE ADJUSTED LINE
Tony Rambo

- PARCEL 200
- 570°51'22"W 207.77'
 - N86°00'00"W 67.42'
 - N11°22'25"W 247.89'
 - N11°22'25"W 247.89'
 - N10°00'54"E 167.91'
 - N16°18'30"E 433.29'
 - N10°00'54"E 167.91'
 - S75°46'27"E 214.69'
 - S41°52'52"E 66.42'
 - S7°39'56"W 136.47'
 - S10°00'00"W 187.83'
 - S10°41'17"W 187.83'
 - S28°07'29"W 300.37'
 - S44°02'54"E 101.71'
 - S20°48'24"W 64.85'

SEE MAP 29S 15W 13

9-21-2006

SEE MAP 29S 14W 07

SEE MAP 29S 15W 01

SEE MAP 29S 15W 01CD

1" = 400'

PACIFIC OCEAN

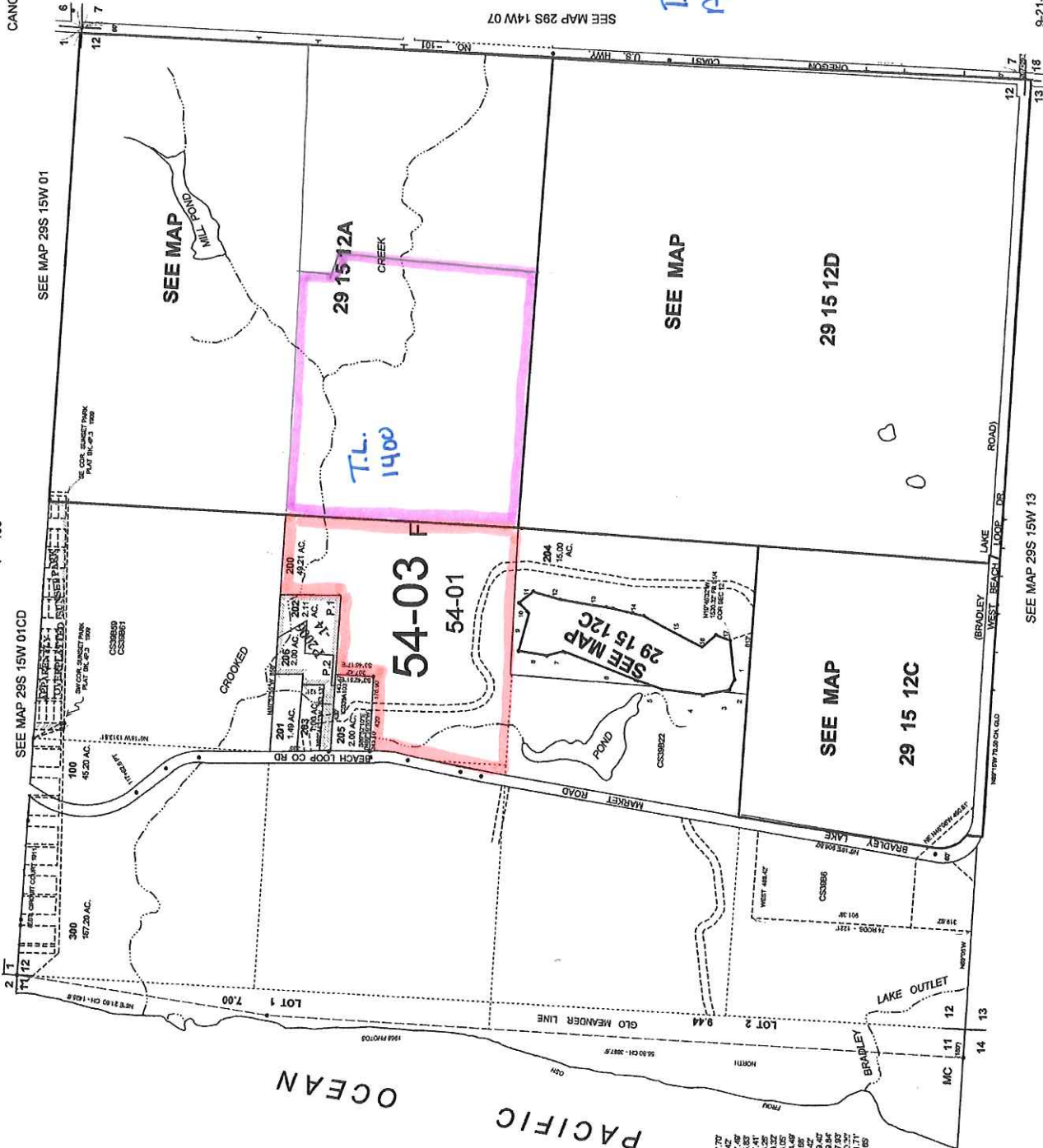
29S 15W 12
& INDEX

CANCELLED

SECTION 12 T29S R15W W.M.
COOS COUNTY

1" = 400'

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY.



BEFORE
ADJUSTMENT

9-21-2006

29S 15W 12
& INDEX

SEE MAP 29S 15W 13

- PARCEL 200
1. 578°51'22"W 207.70'
 2. N46°50'09"W 67.42'
 3. N52°50'42"E 215.80'
 4. N52°50'42"E 187.41'
 5. N11°00'54"E 187.41'
 6. N11°00'54"E 133.32'
 7. N11°00'54"E 133.32'
 8. N11°00'54"E 133.32'
 9. S73°46'27"E 71.49'
 10. S44°33'32"E 52.42'
 11. S44°33'32"E 52.42'
 12. S73°46'27"E 139.42'
 13. S73°46'27"E 139.42'
 14. S10°41'07"W 187.83'
 15. S28°12'29"W 300.27'
 16. S28°12'29"W 300.27'
 17. S28°12'29"W 300.27'

RECORDING REQUESTED BY:



1010 1st Street, Ste 215
Bandon, OR 97411

GRANTOR'S NAME:
Patrick T. Foley

GRANTEE'S NAME:
John Meyer and Mary R. Meyer Revocable Living Trust

AFTER RECORDING RETURN TO:

Order No.: 360618023137-JF
Mary R. Meyer
P.O. Box 582
Bandon, OR 97411

SEND TAX STATEMENTS TO:

Mary R. Meyer
P.O. Box 582
Bandon, OR 97411

APN: 1001235802
49324 Highway 101, Bandon, OR 97411

COOS COUNTY, OREGON	2018-03446
\$61.00	04/13/2018 01:31:00 PM
DEBBIE HELLER, CEA, COOS COUNTY CLERK Pgs=2	

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

Patrick T. Foley, Grantor, conveys and warrants to John Meyer to an undivided 20% interest and Mary R. Meyer, Trustee of the Mary R. Meyer Revocable Living Trust to an undivided 80% interest, 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:

PARCEL 1: The SW ¼ of the NE ¼ of Section 12, Township 29 South, Range 15, West of the Willamette Meridian, Coos County, Oregon.

ALSO: Beginning at a point on the West line of the SE ¼ of the NE ¼ of said Section 12, 212.4 feet South of the Northwest corner thereof, said point being the Southwest corner of the parcel conveyed to Bandon Planing Mill, Inc. in Book 238, Page 75, Deed Records, Coos County, Oregon; thence along said quarter quarter section line 1107.6 feet to the Southwest corner of said quarter quarter; thence East along the South boundary of said quarter quarter 100 feet; thence North parallel to the West boundary of said quarter quarter section line 1000 feet, more or less, to a point which is South 75° 42' East from the point of beginning; thence North 75° 42' West to the point of beginning.

PARCEL 2: Together with easement for ingress and egress, including the terms and provisions thereof, as set forth in Instrument recorded July 17, 1986 bearing Microfilm Reel No. 86-3-3252, Records Coos County, Oregon.

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS FOUR HUNDRED TEN THOUSAND AND NO/100 DOLLARS (\$410,000.00). (See ORS 93.030).

Subject to:

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

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 Crooked Creek.

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

Any adverse claim based upon the assertion that:

- a) Said Land or any part thereof is now or at any time has been below the highest of the high watermarks of Crooked Creek, in the event the boundary of said Crooked Creek has been artificially raised or is now or at any time has been below the high watermark, if said Crooked Creek is in its natural state.
- b) Some portion of said Land has been created by artificial means or has accreted to such portion so created.
- c) Some portion of said Land has been brought within the boundaries thereof by an avulsive movement of Crooked Creek, or has been formed by accretion to any such portion.

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

STATUTORY WARRANTY DEED

(continued)

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

Granted to: George A. MacDonald and Mary I. MacDonald and Donald S. MacDonald and Betty M. MacDonald
Purpose: Roadway for ingress and egress, course of Crooked Creek, utilities, irrigation water
Recording Date: July 10, 1986
Recording No: 86-3-3252

Lease Agreement, including the terms and provisions thereof,

Lessor: Pat Foley
Lessee: James D. Perry
Recording Date: June 1, 2015
Recording No: 2015-04486

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

The proposed transaction may be subject to statutory requirements for the partitioning or subdivision of land pursuant to Chapter 92 of Oregon Revised Statutes. Violation may subject parties to both civil and criminal penalties. Furthermore, title insurance policies do not provide coverage against violation of these statutes.

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.

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

Dated: 4 12 18

[Signature]
Patrick T. Foley

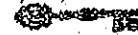
State of WASHINGTON
County of CLALLAM

This instrument was acknowledged before me on 4-12-18, 2018 by Patrick T. Foley.

[Signature]
Notary Public - State of Washington

My Commission Expires: 8-9-19





97 06 0421

WARRANTY DEED TO REVOCABLE TRUST

Grantor: Mary R. Meyer

Grantee: Lowell Meyer and Mary Meyer, as Trustee of the Mary R. Meyer Revocable Trust created August 16, 1993.

Person Authorized to receive the instrument after recording, as required by ORS 205.180(4) and 205.238:

Lowell Meyer and Mary Meyer
P.O. Box 582
Bandon, OR 97411

For instruments conveying or contracting to convey fee title to any real estate and all memoranda of such instruments, the true and actual consideration paid for such transfer as required by ORS 93.030:

The true and actual consideration paid for this conveyance is the mutual covenants and conveyances contained herein, which are for purposes of estate planning, and consist of value wholly other than of cash.

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

NO CHANGE

KNOW ALL MEN BY THESE PRESENTS, That Mary R. Meyer hereinafter called the grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto Lowell Meyer and Mary Meyer, Trustees of the Mary R. Meyer Revocable Trust created August 16, 1993, hereinafter called the grantee, and to grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Coos and State of Oregon, described as follows, to-wit:

The South 1/2 of the NW 1/4 and the North 1/2 of the SW 1/4 of Section 12, Township 29 South, Range 15 West of the Willamette Meridian, Coos County, Oregon.

EXCEPT: That portion conveyed to the State of Oregon, by and through its State Highway Commission in deed recorded May 19, 1954 in Book 234, page 89, Deed Records of Coos County, Oregon.

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97 06 0421

- EXCEPT: That portion conveyed to Pamela Halgren, by instrument recorded August 9, 1982, bearing Microfilm Reel No. 82-3-6040, Records of Coos County, Oregon.
- EXCEPT: That portion conveyed to Lowell E. Meyer, by instrument recorded December 10, 1975, bearing Microfilm Reel No. 75-12-264, Records of Coos County, Oregon and by instrument recorded September 19, 1981, bearing Microfilm Reel No. 81-4-1209, Records of Coos County, Oregon.
- EXCEPT: That portion conveyed to Nell Korpi, by instrument recorded February 23, 1983, bearing Microfilm Reel No. 83-1-7155, Records of Coos County, Oregon.
- EXCEPT: That portion conveyed to Stephen C. Canning, et ux. by instrument recorded May 20, 1982, bearing Microfilm Reel No. 82-2-2804, Records of Coos County, Oregon.
- EXCEPT: That portion conveyed to Douglas G. Sharon, et ux. by instrument recorded September 29, 1986, bearing Microfilm Reel No. 86-4-7703, Records of Coos County, Oregon.

Subject to reservations, easements and rights of way of record.

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever.

Grantor hereby covenants to and with said grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises and that grantor will warrant and forever defend the said premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever.

The true and actual consideration paid for this conveyance is the mutual covenants and conveyances contained herein, which are for purposes of estate planning, and consist of value wholly other than of cash.

In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

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

WARRANTY DEED TO REVOCABLE TRUST

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97 06 0421

COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.

DATED this December 7, 1993.

Mary R. Meyer
Grantor

STATE OF OREGON,)
) ss.
County of Coos)

On December 7, 1993, personally appeared the above named Mary R. Meyer and acknowledged the foregoing instrument to be his/her/their voluntary act and deed.

Before me: _____
Notary Public for Oregon
My commission expires: _____



RECORDING # 97060421
I, Mary Ann Wilson,
Coos County Clerk, certify
the within instrument
was filed for record at



3:22 P.M. 06/11/1997
M. BRIGHT

By _____ Deputy
pages 3 Fee \$ 43.00

WARRANTY DEED TO REVOCABLE TRUST

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MULKINS & RAMBO, LLC

P.O. BOX 809

NORTH BEND, OR 97459

PHONE (541) 751-8900

Email: mandrllc@frontier.com

August 5, 2019

Crystal Orr, Planning Specialist
Coos County Planning Dept.
250 N. Baxter
Coquille, OR 97423

RE: Proposed Property Line Adjustments between Tax Lots 200 & 204 – 29S 15W 12
and 200 – 29S 15W 12 & 1400 – 29S 15W 12A

Crystal,

The subject properties are owned 100% (no lenders) by the owners therefore sort reports were not ordered.

The only easements of record are for power/phone. The proposed adjustment will not impact these easements.

After the proposed adjustments, all parcels will have their own access to Beach Loop County Road or HWY 101.

If you have any questions, please give me a call or send me an email.



Troy Rambo, LS 2865