



Coos County Planning Department Lawfully Established Parcel Determination Application

Official Use Only Fee 600.00 Receipt No. 224246 Check No./Cash 182 Date 2/25/21 Received By JMB File No. D-21-001

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.

(Discrete parcel)

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

Owner(s): LARSEN FAMILY TRUST Telephone: LAURA DAVIS 503-803-6640 Address: 5435 ECHO VALLEY RD City: MYRTLE POINT, OR Zip Code: 97458 Email: LAURA DAVIS - davisx4family@gmail.com

Applicant(s): TROY RAMBO Telephone: 541-751-8900 Address: P.O. BOX 809 City: NORTH BEND, OR Zip Code: 97459 Email: MANDRILL@FRONTIER.COM

B. PROPERTY INFORMATION:

Township: 29S Section: 04 Range: 12W Tax Lot: 100 Tax Account: 1111700 Zoning District: EFV

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.

TJR

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.

TJR

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.

TJR

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.

TJR

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.

TJR

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:

Tony Rasmussen
 Applicant(s) Original Signature
2/24/2021
 Date

 Applicant(s) Original Signature

 Date

 Applicant(s) Original Signature

 Date

 Applicant(s) Original Signature

 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 5.0.

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.



Terril L. Turt, Coos County Clerk

After recording, return to:
SCOTT C. SCHULTZ
Attorney at Law
969 Willagillespie Road
Eugene, OR 97401

Until a change is requested,
mail all tax statements to:
NO CHANGE

WARRANTY DEED

GARY LEE LARSEN and KATHLEEN LOUISE LARSEN, Trustees for the LARSEN LIVING TRUST, dated March 27, 2000, "Grantors", hereby convey and warrant to GARY LEE LARSEN and KATHLEEN LOUISE LARSEN, Trustees, or their successors in trust under the LARSEN FAMILY TRUST, dated August 25, 2015, a 5/6th interest, "Grantees", the following real property, free of encumbrances except for matters of public record:

SEE EXHIBIT "A" ATTACHED HERETO

Commonly known as: 53921 Echo Valley Road, Myrtle Point, Oregon 97458

THE LIABILITY AND OBLIGATIONS OF THE GRANTOR TO GRANTEE AND GRANTEE'S HEIRS AND ASSIGNS UNDER THE WARRANTIES AND COVENANTS CONTAINED HEREIN OR PROVIDED BY LAW SHALL BE LIMITED TO THE EXTENT OF COVERAGE THAT WOULD BE AVAILABLE TO GRANTOR UNDER A STANDARD POLICY OF TITLE INSURANCE CONTAINING EXCEPTIONS FOR MATTERS OF PUBLIC RECORD. THE LIMITATIONS CONTAINED HEREIN EXPRESSLY DO NOT RELIEVE GRANTOR OF ANY LIABILITY OR OBLIGATIONS UNDER THIS INSTRUMENT, BUT MERELY DEFINE THE SCOPE, NATURE, AND AMOUNT OF SUCH LIABILITY OR OBLIGATIONS.

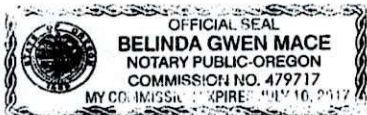
BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 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 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

THE TRUE CONSIDERATION FOR THIS CONVEYANCE IS \$-0-

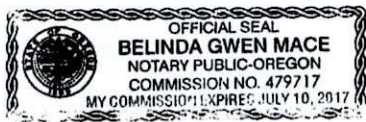
Dated this 19 day of October, 2015.

Gary Lee Larsen, Trustee
Kathleen Louise Larsen, Trustee
GARY LEE LARSEN, Trustee
KATHLEEN LOUISE LARSEN, Trustee

State of Oregon)
)ss.
County of Douglas)



This instrument was acknowledged before me on the 19 day of October, 2015, by GARY LEE LARSEN and KATHLEEN LOUISE LARSEN, Trustees of the LARSEN LIVING TRUST, dated March 27, 2000.



Belinda Mace
Notary Public for Oregon
Coos County, Oregon

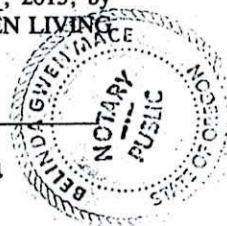


EXHIBIT "A"



The NE 1/4 of the NE 1/4 of Section 4, Township 29 South, Range 12 West of the Willamette Meridian, Coos County, Oregon.

ALSO: Government Lot 6 of Section 4, in Township 29 South, Range 12 West of the Willamette Meridian, Coos County, Oregon; also beginning at the quarter quarter section post between the NW 1/4 of Section 3 and the NE 1/4 of Section 4, in Township 29 South, Range 12 West of the Willamette Meridian, Coos County, Oregon, Variation 19° 45' East, run thence South 30 minutes East between said Sections 3 and 4, 17.77 chains to a post marked C.S. from which a white fir tree 30 inches in diameter bears South 81° East 13 links; thence East 8.44 chains, set post from which a fir tree 30 inches in diameter bears North 78° East 28 links, white fir tree 24 inches in diameter bears North 87° West 38 links, thence North 30 minutes West 5.77 chains, stream 10 links wide, course West, 14.50 chains, County Road East and West 17.77 chains set post from which a fir 15 inches in diameter bears South 77° West 12 links, a fir 12 inches in diameter bears North 26 1/2 ° East 33 links; thence South 89° West 8.32 chains to the place of beginning, lying in the Northwest part of the SW 1/4 of the NW 1/4 of Section 3, in Township 29 South of Range 12, West of the Willamette Meridian, Coos County, Oregon.

ALSO: A certain piece of land situated in Government Lot 5, Section 3, Township 29 South, Range 12 West of the Willamette Meridian, Coos County, Oregon, and described as follows:

Commencing at a point 217 links North of the quarter section corner between Sections 3 and 4; thence East 533 links to a post; thence South 11.16 chains to a post; thence downstream (North Fork of Coquille River) North 78° West 5.40 chains to a meander stake on the line between Sections 3 and 4; thence North on said line to place of beginning.

Subject to:

The assessment and tax rolls disclose that the premises herein described have been specially assessed as Farm Use Land. If the land becomes disqualified for the special assessment under the statute, an additional tax may be levied for previous years in which the farm use assessment was in effect for the land. In addition thereto, a penalty may be levied if notice of disqualification is not timely given.

The rights of the public in and to that portion of the premises herein described lying within the limits of public roads, streets, and highways.

The following matters are excluded from the coverage of the policy based on the proximity of the property to the North Fork of the Coquille River and unnamed creeks.

- a) Rights of the public and governmental bodies (including claims of ownership) to that portion of the premises lying below the high water mark of the North Fork of the Coquille River and unnamed creeks.
- b) Any adverse claim based on the assertion that:
 - i. Some portion of said land has been created by artificial means, or has accreted to such portion so created.
 - ii. Some portion of said land has been brought within the boundaries thereof by an avulsive movement of the North Fork of the Coquille River and unnamed creeks or has been formed by accretion to such portion.

EXHIBIT "A" CONTINUED

Title No. 24-95671

Escrow No. 24-95671

An Easement created by instrument, including the terms and provisions thereof,

In favor of: Mountain States Power Company

For: Power Lines

Recorded: October 25, 1948

Book: 186 Page: 147

In Coos County, Oregon.

An Easement created by instrument, including the terms and provisions thereof,

In favor of: United States of America

For: Access Road Easement

Recorded: July 28, 1964

Book 311 Page: 246

In Coos County, Oregon.

Road Easements, including the terms and provisions thereof, recorded December 11, 1987, bearing Microfilm Reel No. 87-12-0659 through 87-12-0687, Records of Coos County, Oregon.

An Easement created by instrument, including the terms and provisions thereof,

In favor of: Patra Anne Woodruff, as Trustee of the Patra Ann Woodruff Trust

For: Ingress and Egress

Filed: June 17, 2002

Circuit Court Case No.: 01CV0282

In Coos County, Oregon.

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That THAD FINLEY and VIOLA FINLEY, husband and wife, Grantors, in consideration of TEN AND NO/100(\$10.00) DOLLARS, together with other good and valuable consideration, receipt whereof is hereby acknowledged, to them paid by ELLIS SOUTHMAYD and MARGARET E. SOUTHMAYD, husband and wife, Grantees, do hereby grant, bargain, sell and convey unto the said Grantees, their heirs and assigns, all the following real property, together with the tenements, hereditaments and appurtenances, situated in the County of Coos and State of Oregon, bounded and described as follows, to-wit:

The NE $\frac{1}{2}$ of the NE $\frac{1}{2}$ of Section 4, Township 29 South, Range 12 West of the Willamette Meridian, Coos County, Oregon.

RESERVING, however, unto the Grantors herein, their heirs and assigns, all merchantable fir timber, poles and piling, standing, lying or being upon the premises described herein, together with the right, privilege and easement to go upon and over the above described premises and to construct and maintain thereon all roadways or other structures necessary for the removal of said timber until the 1st day of January, 1963, of which date all rights and privileges herein created and existing in favor of the Grantors, their heirs or assigns, shall automatically cease and terminate and all timber, whether down or standing, thereafter remaining upon the premises shall revert to and become the property of the Grantees herein, their heirs and assigns, without any act or deed being required.

To Have and To Hold the above described and granted premises unto the said Grantees, their heirs and assigns, forever.

And We, the Grantors, covenant that we are lawfully seized in fee simple of the above granted premises free from all incumbrances, excepting:

1. Rights of way for roads and electric transmission lines heretofore conveyed or reserved.

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 seals this 9th day of March, 1961.

Thad Finley (SEAL)

Viola Finley (SEAL)

STATE OF OREGON)
County of Coos) ss.

On this 9th day of March, 1961, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named THAD FINLEY and VIOLA FINLEY, husband and 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 affixed my official seal the day and year last above written.

Mary June Foote
Notary Public for Oregon

My Commission expires August 6, 1961



No. _____

State of Oregon
County of Coos

I hereby certify that the within instrument
was filed for record **MAR 9 - 1961**

at 4:30 o'clock P. M. and recorded
in book 283 Page 135

of Deed
GEORGINNA VAUGHAN
County Clerk

E. C. [Signature]
Deputy

Return to 7

Fee 250

4-19

THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY

SECTION 4 T29S R12W W.M.
COOS COUNTY

1" = 400'

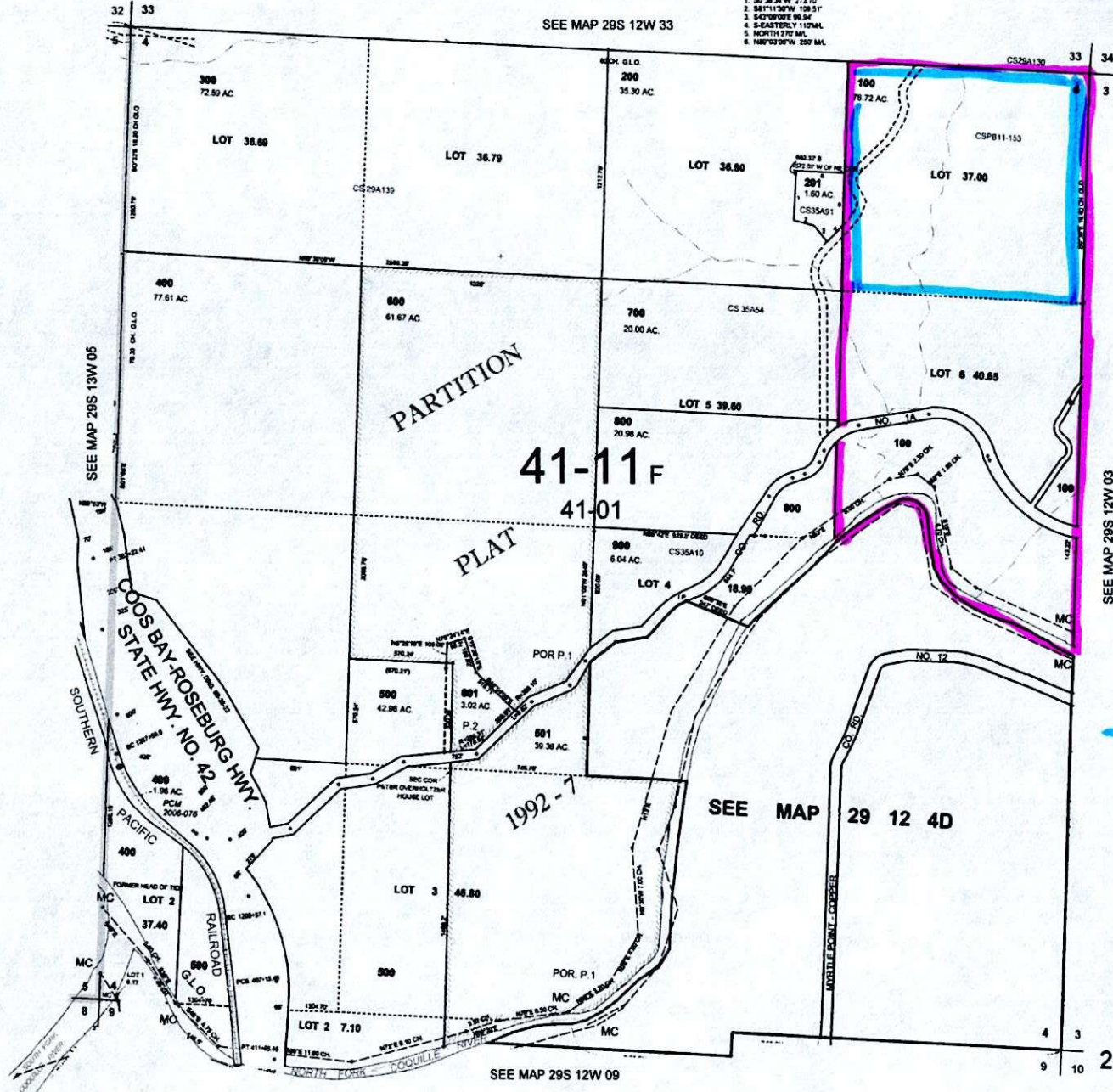
29S 12W 04
& INDEX

CANCELLED NO.

602

PARCEL 201

1. S0°38'34"W 273.70'
2. S81°11'32"W 108.51'
3. S42°03'00"E 90.94'
4. S-EASTERLY 117.74 ML
5. NORTH 137.02 ML
6. N89°03'00"W 257.00 ML



DISCRETE PARCEL
VOL. 283 PG. 735

11-23-2009
29S 12W 04
& INDEX