



Coos County Land Use Permit Application

SUBMIT TO COOS COUNTY PLANNING DEPT. AT 60 E. SECOND STREET OR MAIL
TO: COOS COUNTY PLANNING 250 N. BAXTER, COQUILLE OR 97423. EMAIL
PLANNING@CO.COOS.OR.US PHONE: 541-396-7770

FILE NUMBER: ACU-21-031

Date Received: 4/28/21 Receipt #: 224352 Received by: MB

This application shall be filled out electronically. If you need assistance please contact staff.
If the fee is not included the application will not be processed.
(If payment is received on line a file number is required prior to submittal)

LAND INFORMATION

A. Land Owner(s) Smith River Land & Cattle Co.

Mailing address: 19678 Lower Smith River Road, Reedsport, OR 97467

Phone: 541-271-4940 Email: _____

Township: 23S Range: 13W Section: 13 ¼ Section: Select 1/16 Section: Select Tax lots: 00201
Select Select Select Select Select

Tax Account Number(s): 99918296 Zone: Select Zone Forest Mixed Use (FMU)
Tax Account Number(s) _____ Please Select

B. Applicant(s) Mike Mast

Mailing address: 19678 Lower Smith River Road, Reedsport, OR 97467

Phone: 541-271-4940

C. Consultant or Agent: Troy Rambo

Mailing Address P.O. Box 809, North Bend, OR 97459

Phone #: 541-751-8900 Email: mandrllc@frontier.com

Type of Application Requested

- | | | |
|--|---|---|
| <input type="checkbox"/> Comp Plan Amendment | <input checked="" type="checkbox"/> Administrative Conditional Use Review - ACU | <input type="checkbox"/> Land Division - P, SUB or PUD |
| <input type="checkbox"/> Text Amendment | <input type="checkbox"/> Hearings Body Conditional Use Review - HBCU | <input type="checkbox"/> Family/Medical Hardship Dwelling |
| <input type="checkbox"/> Map - Rezone | <input type="checkbox"/> Variance - V | <input type="checkbox"/> Home Occupation/Cottage Industry |

Special Districts and Services

Water Service Type: On-Site (Well or Spring) Sewage Disposal Type: On-Site Septic
School District: North Bend Fire District: Lakeside RFPD

Please include the supplement application with request. If you need assistance with the application or supplemental application please contact staff. Staff is not able to provide legal advice. If you need help with findings please contact a land use attorney or consultant.

Any property information may be obtained from a tax statement or can be found on the County Assessor's webpage at the following links: [Map Information](#) Or [Account Information](#)


D. **ATTACHED WRITTEN STATEMENT.** With all land use applications, the “burden of proof” is on the applicant. It is important that you provide information that clearly describes the nature of the request and indicates how the proposal complies with all of the applicable criteria within the Coos County Zoning and Land Development Ordinance (CCZLDO). You must address each of the Ordinance criteria on a point-by-point basis in order for this application to be deemed complete. A planner will explain which sections of the Ordinance pertain to your specific request. The information described below is required at the time you submit your application. The processing of your application does not begin until the application is determined to be complete. An incomplete application will postpone the decision, or may result in denial of the request. Please mark the items below to ensure your submittal is complete.

Application Check List: Please make off all steps as you complete them.

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

I certify that this application and its related documents are accurate to the best of my knowledge. I am aware that there is an appeal period following the date of the Planning Director's decision on this land use action. I understand that the signature on this application authorizes representatives of the Coos County Planning Department to enter upon the subject property to gather information pertinent to this request. If the application is signed by an agent, the owner's written authorization must be attached.

If this application is refereed directly to a hearings officer or hearings body I understand that I am obligated to pay the additional fees incurred as part of the conditions of approval. I understand that I/we are not acting on the county's behalf and any fee that is a result of complying with any conditions of approval is the applicants/property owner responsibility. I understand that conditions of approval are required to be complied with at all time and an violation of such conditions may result in a revocation of this permit.

X 

ACCESS INFORMATION

The Coos County Road Department will be reviewing your proposal for safe access, driveway, road, and parking standards. There is a fee for this service. If you have questions about these services please contact the Road Department at 541-396-7660.

Property Address: 0 Wind Song Lane

Type of Access: Private Easement - Provide Easement Name of Access: Wind Song Lane

Is this property in the Urban Growth Boundary? No

Is a new road created as part of this request? No

Required parking spaces are based on the use of the property. If this is for a residential use two spaces are required. Any other use will require a separate parking plan submitted that is required to have the following items:

- Current utilities and proposed utilities;
- Roadmaster may require drawings and specs from the Oregon Standards Specification Manual (OSSC) (current edition).
- The location and design of bicycle and pedestrian facilities shall be indicated on the site plan if this is a parking plan;
- Location of existing and proposed access point(s) on both sides of the road where applicable;
- Pedestrian access and circulation will be required if applicable. Internal pedestrian circulation shall be provided in new commercial, office, and multi-family residential developments through the clustering of buildings, construction of walkways, landscaping, accessways, or similar techniques;
- All plans (industrial and commercial) shall clearly show how the internal pedestrian and bicycle facilities of the site connect with external existing or planned facilities or systems;
- Distances to neighboring constructed access points, median openings (where applicable), traffic signals (where applicable), intersections, and other transportation features on both sides of the property;
- Number and direction of lanes to be constructed on the road plus striping plans;
- All planned transportation features (such as sidewalks, bikeways, auxiliary lanes, signals, etc.); and
- Parking and internal circulation plans including walkways and bikeways, in UGB's and UUC's.

Additional requirements that may apply depending on size of proposed development.

- a. Traffic Study completed by a registered traffic engineer.
- b. Access Analysis completed by a registered traffic engineer
- c. Sight Distance Certification from a registered traffic engineer.

Regulations regarding roads, driveways, access and parking standards can be found in Coos County Zoning and Land Development Ordinance (CCZLDO) Article 7.

By signing the application I am authorizing Coos County Roadmaster or designee to enter the property to determine compliance with Access, Parking, driveway and Road Standards. Inspections should be made by calling the Road Department at 541-396-7660

Coos County Road Department Use Only

Roadmaster or designee: _____

Driveway Parking Access Bonded Date: Receipt # _____

File Number: DR-21-

ADDRESS OF DRIVEWAY #1 CLOSEST TO YOUR NEW DRIVEWAY: 94845 Wind Song Lane

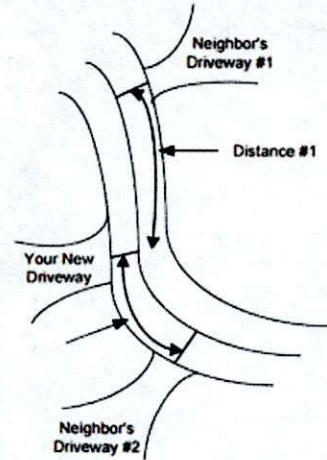
DISTANCE FROM DRIVEWAY #1 TO YOUR NEW DRIVEWAY: 375'

Is this driveway on the same side of the road as your Driveway: No

ADDRESS OF DRIVEWAY #2 CLOSEST TO YOUR NEW DRIVEWAY: 94766 Wind Song Lane

DISTANCE FROM DRIVEWAY #2 TO YOUR NEW DRIVEWAY: 40

Is this driveway on the same side of the road as your Driveway: Yes



The distance information is important from your new driveway to the closest driveways on either side of you (doesn't matter which side of the road) and what the addresses are to those two driveways. This information is important to include in the formula used to calculate the correct address.

Staff from the County Road Department will place the stake and once the driveway stake has been placed, it must not be moved. If your stake is removed or damaged you may purchase replacements.

Additional Notes or directions:

This application is not required.

SANITATION INFORMATION

If this is a request for a recreational, commercial, industrial, vacation rental, manufactured home park, mass or small gathering Coos Health and Wellness, Environmental Health Staff will be reviewing the proposal to ensure the use meets environmental health standards for sanitation and water requirements to serve the facility. If the proposal indicates that you are using a community water system a review may be required. A fee is charged for this service and shall be submitted with the application \$83.00. If you have questions about regulations regarding environmental health services please call 541-266-6720. This form is required to be signed off for any type of subdivision, recreational, commercial, industrial, vacation rental, manufactured home park, mass or small gathering.

Water Service Type: On-site Well

Sewage Disposal Type: On-site septic

Please check if this request is for industrial, commercial, recreational or home base business use and complete the following questions:

- How many employees/vendors/patrons, total, will be on site?
- Will food be offered as part of the an on-site business?
- Will overnight accommodations be offered as part of an on-site business?
- What will be the hours of operation of the business?

Please check if the request is for a land division.

Coos County Environmental Health Use Only:

Staff Reviewing Application: _____

Staff Signature: _____

- This application is found to be in compliance and will require no additional inspections
- This application is found to be in compliance but will require future inspections
- This application will require inspection prior to determining initial compliance. The applicant shall contact Coos Health and Wellness, Environmental Health Division to make an appointment.

Additional Comments:

April 17, 2020

Coos County Planning Dept.

Subject Properties - T.L. 201 - 23S 13W 13

Applicant/Owner:

Smith River Land & Cattle Co.
19678 Lower Smith River Road
Reedsport, OR 97467

RE: Forest Dwelling (Template Dwelling) criteria and applicant's findings

Coos County Zoning and Land Development Ordinance (CCZLDO)

SECTION 4.6.100 FOREST AND FOREST MIXED USE – USE TABLES Table 1 identifies the uses and activities in the Forest (F) and Forest/Mixed Use (FMU) zone. The tables describe the use, type of review, applicable review standards. Development shall also comply with Section 4.6.140 Development and Siting Standards. All dwellings and structures are subject to the siting standards found in Section 4.6.130. Exceptions to minimum lot and parcel sizes for the purpose of land division may apply as set out in Section 4.6.145 Land Division for Open Space and Special Assessment, and Section 4.6.145 Exceptions to Minimum Parcel Size. Properties that are located in a Special Development Consideration and/or overlays shall comply with the applicable review process identified by that Special Development Consideration and/or overlay located in Article 4.11.

If a use specifically states Forest Mixed Use only it is not permitted in the Forest Zone. If land is in a zone that allows both farm and forest uses, a dwelling may be sited based on the predominate use of the tract on January 1, 1993.

SECTION 4.6.110 (OAR 660-006-0025) Uses Authorized in Forest Zones (1) Goal 4 requires that forest land be conserved. Forest lands are conserved by adopting and applying comprehensive plan provisions and zoning regulations consistent with the goals and this rule. In addition to forest practices and operations and uses auxiliary to forest practices, as set forth in ORS 527.722, the Commission has determined that five general types of uses, as set forth in the goal, may be allowed in the forest environment, subject to the standards in the goal and in this rule. These general types of uses are: (a) Uses related to and in support of forest operations; (b) Uses to conserve soil, air and water quality and to provide for fish and wildlife resources, agriculture and recreational opportunities appropriate in a forest environment; (c) Locationally dependent uses, such as communication towers, mineral and aggregate resources, etc.; (d) Dwellings authorized by ORS 215.705 to 215.755; and (e) Other dwellings under prescribed conditions.

Use	TR	Subject to
Dwellings authorized by ORS 215.705 to 215.755; and (e) Other dwellings under prescribed conditions.		
63.	Template Dwelling (Alternative forestland dwellings ORS 215.750)	ACU (9)(B)(II), (9)(C)

(9)(B) DWELLING ON FOREST AND FOREST MIXED USE ZONES -

(II) Template Dwelling - 215.750 Alternative forestland dwellings; criteria.

- (1) In western Oregon, a governing body of a county or its designate may allow the establishment of a single-family dwelling on a lot or parcel located within a forest zone if the lot or parcel is predominantly composed of soils that are:**
 - (a) Capable of producing 0 to 49 cubic feet per acre per year of wood fiber if:**
 - (A) All or part of at least three other lots or parcels that existed on January 1, 1993, are within a 160-acre square centered on the center of the subject tract; and**
 - (B) At least three dwellings existed on January 1, 1993, on the other lots or parcels continue to exist on the other lots or parcels;**
 - (b) Capable of producing 50 to 85 cubic feet per acre per year of wood fiber if:**
 - (A) All or part of at least seven other lots or parcels that existed on January 1, 1993, are within a 160-acre square centered on the center of the subject tract; and**
 - (B) At least three dwellings existed on January 1, 1993, on the other lots or parcels; or**
 - (c) Capable of producing more than 85 cubic feet per acre per year of wood fiber if:**
 - (A) All or part of at least 11 other lots or parcels that existed on January 1, 1993, are within a 160-acre square centered on the center of the subject tract; and**
 - (B) At least three dwellings existed on January 1, 1993, on the other lots or parcels.**
- (3) Lots or parcels within urban growth boundaries shall not be used to satisfy the eligibility requirements under subsection (1) or (2) of this section.**
- (4) A proposed dwelling under this section is not allowed:**
 - (a) If it is prohibited by or will not comply with the requirements of an acknowledged comprehensive plan and acknowledged land use regulations or other provisions of law.**
 - (b) Unless it complies with the requirements of ORS 215.730.**
 - (c) Unless no dwellings are allowed on other lots or parcels that make up the tract and deed restrictions established under ORS 215.740 (3) for the other lots or parcels that make up the tract are met.**
 - (d) If the tract on which the dwelling will be sited includes a dwelling.**
- (5) Except as described in subsection (6) of this section, if the tract under subsection (1) or (2) of this section abuts a road that existed on January 1, 1993, the measurement may be made by creating a 160-acre rectangle that is one mile long and one-fourth mile wide centered on the center of the subject tract and that is to the maximum extent possible, aligned with the road.**
- (6) (a) If a tract 60 acres or larger described under subsection (1) or (2) of this section abuts a road or perennial stream, the measurement shall be made in accordance with subsection (5) of this section. However, one of the three required dwellings shall be on the same side of the road or stream as the tract and:**
 - (A) Be located within a 160-acre rectangle that is one mile long and one-fourth mile wide centered on the center of the subject tract and that is, to the maximum extent possible, aligned with the road or stream; or**

(B) Be within one-quarter mile from the edge of the subject tract but not outside the length of the 160-acre rectangle, and on the same side of the road or stream as the tract.

(b) If a road crosses the tract on which the dwelling will be located, at least one of the three required dwellings shall be on the same side of the road as the proposed dwelling.

(7) Notwithstanding subsection (4)(a) of this section, if the acknowledged comprehensive plan and land use regulations of a county require that a dwelling be located in a 160-acre square or rectangle described in subsection (1), (2), (5) or (6) of this section, a dwelling is in the 160-acre square or rectangle if any part of the dwelling is in the 160-acre square or rectangle. [1993 c.792 §4(6),(7),(8); 1999 c.59 §58; 2005 c.289 §1]

Response to SECTION 4.6.110(9)(B)(II)

- **The attached Soil Classification letter shows the property is capable of producing more than 85 cubic feet per acre per year of wood fiber and is required to meet Section 4.6.110(9)(B)(II)(1)(c).**
- **There are no parcels located within the Urban Growth Boundary.**
- **The subject property does not have a dwelling located and there are no deed or comprehensive plan restrictions that would prohibit siting a new dwelling as long as it complies with the Forest Template Dwelling criteria. The tract in this case is of tax lot 201 in Township 23 South, Range 13 West, Section 13 and consists of 31.85 acres.**
- **The template was configured based on the criteria. The template used is a 160-acre rectangle ¼ mile wide by 1 mile long. The rectangle was centered on the center of the subject tract and meets or exceeds the required 11 units of land required and within those properties there are a minimum of three dwellings sited on or before January 1, 1993. There are a minimum of 38 parcels within the 160 acre rectangle ranging from 0.05 acres to 160.00 acres of which are zoned F and RR-2. A minimum of ten of these parcels have pre – 1993 dwellings. By allowing the siting of a dwelling on this site, the parcel would conform to what already exists within the area.**

9(C) ADDITIONAL CRITERIA FOR ALL DWELLINGS ALLOWED IN THE FOREST AND FOREST MIXED USE ZONES.

- (1) A local government shall require as a condition of approval of a single-family dwelling allowed on lands zoned forestland:
- (a) If the lot or parcel is more than 10 acres in western Oregon as defined in ORS 321.257, the property owner submits a stocking survey report to the assessor and the assessor verifies that the minimum stocking requirements adopted under ORS 527.610 to 527.770 have been met.
 - (b) the dwelling meets the following requirements:
 - (A) The dwelling has a fire retardant roof.
 - (B) The dwelling will not be sited on a slope of greater than 40 percent.
 - (C) Evidence is provided that the domestic water supply is from a source authorized by the Water Resources Department and not from a Class II stream as designated by the State Board of Forestry.

- (D) The dwelling is located upon a parcel within a fire protection district or is provided with residential fire protection by contract.
- (E) If the dwelling is not within a fire protection district, the applicant provides evidence that the applicant has asked to be included in the nearest such district.
- (F) If the dwelling has a chimney or chimneys, each chimney has a spark arrester.
- (G) The owner provides and maintains primary fuel-free break and secondary break areas on land surrounding the dwelling that is owned or controlled by the owner.

Response to SECTION 4.6.110(9)(C)(1)

- The property is over 10 acres therefore a stocking survey is required. A portion of the subject property was logged 6 few years ago and was replanted.
- The dwelling will have a fire retardant roof.
- The property has steep slopes along South and East boundaries. The proposed home site is relatively flat.
- The property is located within the Lakeside Rural Fire Protection District.
- The water source for this property will be from well and not a Class II steam. As a condition of approval the applicant will receive a sign off from Oregon Water Resources to verify the water source. Under ORS 537.545 (b) & (d) - no permit is required.
- If the proposed dwelling has a chimney, a spark arrester will be installed.
- The owner will provide and maintains primary fuel-free break and secondary break areas on land surrounding the dwelling that is owned or controlled by the owner consist with the requirements of Section 4.6.140.9 and 4.6.140.10.

- (2) (a) If a governing body determines that meeting the requirement of subsection (1)(b)(D) of this section would be impracticable, the governing body may provide an alternative means for protecting the dwelling from fire hazards. The means selected may include a fire sprinkling system, on-site equipment and water storage or other methods that are reasonable, given the site conditions. The applicant shall request and provide alternatives to be considered.

(b) If a water supply is required under this subsection, it shall be a swimming pool, pond, lake or similar body of water that at all times contains at least 4,000 gallons or a stream that has a minimum flow of at least one cubic foot per second. Road access shall be provided to within 15 feet of the water's edge for fire-fighting pumping units, and the road access shall accommodate a turnaround for fire-fighting equipment. [1993 c.792 §5; 1995 c.812 §6; 1997 c.293 §1; 2003 c.621 §103]

Response to SECTION 4.6.110(9)(C)(2)

- The property is within a fire district and there is no need for alternative fire protections.
- There is no need for an additional water supply.

<p>SECTION 4.6.130 ADDITIONAL CRITERIA FOR ALL NEW AND REPLACEMENT DWELLINGS AND STRUCTURES IN FOREST</p>
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The following siting criteria or their equivalent shall apply to all new dwellings and structures in forest and agriculture/forest zones. These criteria are designed to make such uses compatible with forest operations and agriculture, to minimize wildfire hazards and risks and to conserve values found on forest

lands. A governing body shall consider the criteria in this rule together with the requirements OAR 660-0060-0035 to identify the building site:

- (1) Dwellings and structures shall be sited on the parcel so that:
 - (a) They have the least impact on nearby⁽¹⁾ or adjoining forest or agricultural lands;
 - (b) The siting ensures that adverse impacts on forest operations and accepted farming practices on the tract will be minimized;
 - (c) The amount of forest lands used to site access roads, service corridors, the dwelling and structures is minimized; and
 - (d) The risks associated with wildfire are minimized.
- (2) Siting criteria satisfying section (1) of this section may include setbacks from adjoining properties, clustering near or among existing structures, siting close to existing roads and siting on that portion of the parcel least suited for growing trees.
- (3) The applicant shall provide evidence to the governing body that the domestic water supply is from a source authorized in accordance with the Water Resources Department's administrative rules for the appropriation of ground water or surface water and not from a Class II stream as defined in the Forest Practices rules (OAR chapter 629). For purposes of this section, evidence of a domestic water supply means:
 - (a) Verification from a water purveyor that the use described in the application will be served by the purveyor under the purveyor's rights to appropriate water;
 - (b) A water use permit issued by the Water Resources Department for the use described in the application; or
 - (c) Verification from the Water Resources Department that a water use permit is not required for the use described in the application. If the proposed water supply is from a well and is exempt from permitting requirements under ORS 537.545, the applicant shall submit the well constructor's report to the county upon completion of the well.
- (4) As a condition of approval, if road access to the dwelling is by a road owned and maintained by a private party or by the Oregon Department of Forestry, the U.S. Bureau of Land Management, or the U.S. Forest Service, then the applicant shall provide proof of a long-term road access use permit or agreement. The road use permit may require the applicant to agree to accept responsibility for road maintenance.
- (5) Approval of a dwelling shall be subject to the following requirements:
 - (a) Approval of a dwelling requires the owner of the tract to plant a sufficient number of trees on the tract to demonstrate that the tract is reasonably expected to meet Department of Forestry stocking requirements at the time specified in department of Forestry administrative rules;
 - (b) The planning department shall notify the county assessor of the above condition at the time the dwelling is approved;
 - (c) If the lot or parcel is more than 10 acres in western Oregon or more than 30 acres in eastern Oregon, the property owner shall submit a stocking survey report to the county assessor and the assessor will verify that the minimum stocking requirements have been met by the time required by Department of Forestry rules;
 - (d) Upon notification by the assessor the Department of Forestry will determine whether the tract meets minimum stocking requirements of the Forest Practices Act. If that department determines that the tract does not meet those requirements, that department will notify the owner and the assessor that the land is not being managed as forest land. The assessor will then remove the forest land designation pursuant to ORS 321.359 and impose the additional tax; and

- (e) The county governing body or its designate shall require as a condition of approval of a single-family dwelling under ORS 215.213, 215.383 or 215.284 or otherwise in a farm or forest zone, that the landowner for the dwelling sign and record in the deed records for the county a document binding the landowner, and the landowner's successors in interest, prohibiting them from pursuing a claim for relief or cause of action alleging injury from farming or forest practices for which no action or claim is allowed under ORS 30.936 or 30.937.

Response to SECTION 4.6.130

- **The property owner is relocating the old home site to a new home site. The area was partially cleared during forest operations. The exiting driveway was extended to the proposed new home site. The site is a broad flat that is located near the Northerly boundary of the property. The proposed site is near an existing driveway on the neighboring property and adjacent to a powerline easement. Give all of these factors this seems to be area to site the dwelling ensuring the least impact to the nearby or adjoining forest or agricultural lands. Utilizing the existing cleared area ensures that adverse impacts on forest operations and accepted farming practices on the tract will be minimized. The applicant is using an existing site which requires little to no vegetation to be removed; therefore, the removal of forest lands used to site access roads, service corridors, the dwelling and structures has been minimized. The fuel free setbacks will ensure risks associated with wildfire are minimized.**
- **The applicant acknowledges and will provide evidence to the governing body that the domestic water supply is from a source authorized in accordance with the Water Resources Department's administrative rules prior to obtaining a zoning compliance letter to constructed the dwelling. Under ORS 537.545 (b) & (d) - no permit is required to take water for single or group purposes in the amount not to exceed 15,000 gallons per day.**
- **The access is a private driveway off of Wind Song Lane. Wind Song Lane is a privately maintained road.**
- **A portion of the subject property was logged a six years ago and will meet the minimum stocking requirements.**

SECTION 4.6.140 DEVELOPMENT AND SITING CRITERIA:

This section contain all of the development standards for uses (unless otherwise accepted out by a use review) and all of the siting standards for development.

1. **Minimum Lot Size for the creation of new parcels shall be at least 80 acres. Minimum lot size will not affect approval for development unless specified in use. The size of the parcel will not prohibit development as long as it was lawfully created or otherwise required to be a certain size in order to qualify for a use.**
2. **Setbacks: All buildings or structures with the exception of fences shall be set back a minimum of thirty-five (35) feet from any road right-of-way centerline, or five (5) feet from any right-of-way line, whichever is greater.**
3. **Fences, Hedges and Walls: No requirement, except for vision clearance provisions in Section 7.1.525.**
4. **Off-Street Parking and Loading: See Chapter VII.**

5. **Minimizing Impacts:** In order to minimize the impact of dwellings in forest lands, all applicants requesting a single family dwelling shall acknowledge and file in the deed record of Coos County, a Forest Management Covenant. The Forest Management Covenant shall be filed prior to any final County approval for a single family dwelling.
6. **Riparian Vegetation Protection.** Riparian vegetation within 50 feet of a wetland, stream, lake or river, as identified on the Coastal Shoreland and Fish and Wildlife habitat inventory maps shall be maintained except that:
 - a. Trees certified as posing an erosion or safety hazard. Property owner is responsible for ensuring compliance with all local, state and federal agencies for the removal of the tree.
 - b. Riparian vegetation may be removed to provide direct access for a water-dependent use if it is a listed permitted within the zoning district;
 - c. Riparian vegetation may be removed in order to allow establishment of authorized structural shoreline stabilization measures;
 - d. Riparian vegetation may be removed to facilitate stream or stream bank clearance projects under a port district, ODFW, BLM, Soil & Water Conservation District, or USFS stream enhancement plan;
 - e. Riparian vegetation may be removed in order to site or properly maintain public utilities and road right-of-ways;
 - f. Riparian vegetation may be removed in conjunction with existing agricultural operations (e.g., to site or maintain irrigation pumps, to limit encroaching brush, to allow harvesting farm crops customarily grown within riparian corridors, etc.) provided that such vegetation removal does not encroach further into the vegetation buffer except as needed to provide an access to the water to site or maintain irrigation pumps; or
 - g. The 50 foot riparian vegetation setback shall not apply in any instance where an existing structure was lawfully established and an addition or alteration to said structure is to be sited not closer to the estuarine wetland, stream, lake, or river than the existing structure and said addition or alteration represents not more than 100% of the size of the existing structure's "footprint".
 - h. Riparian removal within the Coastal Shoreland Boundary will require a conditional use. See Special Development Considerations Coastal Shoreland Boundary.
 - i. The 50' measurement shall be taken from the closest point of the ordinary high water mark to the structure using a right angle from the ordinary high water mark.
7. All new dwellings and permanent structures and replacement dwellings and structures shall, at a minimum, meet the following standards. The dwelling shall be located within a fire protection district or shall be provided with residential fire protection by contract. If the dwelling is not within a fire protection district, the applicant shall provide evidence that the applicant has asked to be included within the nearest such district. If the applicant is outside the rural fire protection district, the applicant shall provide evidence that they have contacted the Coos Forest Protective Association of the proposed development.
8. The Planning Director may authorize alternative forms of fire protection when it is determined that these standards are impractical that shall comply with the following:
 - a. The means selected may include a fire sprinkling system, onsite equipment and water storage or other methods that are reasonable, given the site conditions;
 - b. If a water supply is required for fire protection, it shall be a swimming pool, pond, lake, or similar body of water that at all times contains at least 4,000 gallons or a stream that has a continuous year round flow of at least one cubic foot per second;

- c. The applicant shall provide verification from the Water Resources Department that any permits or registrations required for water diversion or storage have been obtained or that permits or registrations are not required for the use; and
- d. Road access shall be provided to within 15 feet of the water's edge for firefighting pumping units. The road access shall accommodate the turnaround of firefighting equipment during fire season. Permanent signs shall be posted along the access route to indicate the location of the emergency water source.

9. Fire Siting Standards for New Dwellings:

- a. The property owner shall provide and maintain a water supply of at least 500 gallons with an operating water pressure of at least 50 PSI and sufficient ¾ inch garden hose to reach the perimeter of the primary fuel-free building setback.
- b. If another water supply (such as a swimming pool, pond, stream, or lake) is nearby, available, and suitable for fire protection, then road access to within 15 feet of the water's edge shall be provided for pumping units. The road access shall accommodate the turnaround of firefighting equipment during the fire season. Permanent signs shall be posted along the access route to indicate the location of the emergency water source.

10. Firebreak:

- a. This firebreak will be a primary safety zone around all structures. Vegetation within this primary safety zone may include mowed grasses, low shrubs (less than ground floor window height), and trees that are spaced with more than 15 feet between the crowns and pruned to remove dead and low (less than 8 feet from the ground) branches. Accumulated needles, limbs and other dead vegetation should be removed from beneath trees.
- b. Sufficient garden hose to reach the perimeter of the primary safety zone shall be available at all times.
- c. The owners of the dwelling shall maintain a primary fuel-free break area surrounding all structures and clear and maintain a secondary fuel-free break on land surrounding all structures and clear and maintain a secondary fuel-free break area on land surrounding the dwelling that is owned or controlled by the owner in accordance with the provisions in "Recommended Fire Siting Standards for Dwellings and Structures and Fire Safety Design Standards for Roads" dated March 1, 1991, and published by Oregon Department of Forestry and shall demonstrate compliance with Table 1.

Table 1 – Minimum Primary Safety Zone

Slope	Feet of Primary Safety Zone	Feet of Additional Primary Safety Zone Down Slope
0%	30	0
10%	30	50
20%	30	75
25%	30	100
40%	30	150

- 11. All new and replacement structures shall use non-combustible or fire resistant roofing materials, as may be approved by the certified official responsible for the building permit.
- 12. If a water supply exceeding 4,000 gallons is suitable and available (within 100 feet of the driveway or road) for fire suppression, then road access and turning space shall be provided for fire protection

pumping units to the source during fire season. This includes water supplies such as a swimming pool, tank or natural water supply (e.g. pond).

13. The dwelling shall not be sited on a slope of greater than 40 percent.
14. If the dwelling has a chimney or chimneys, each chimney shall have a spark arrester.
15. The dwelling shall be located upon a parcel within a fire protection district or shall be provided with residential fire protection by contract. If the dwelling is not within a fire protection district, the applicant shall provide evidence that the applicant has asked to be included within the nearest such district.
16. Except for private roads and bridges accessing only commercial forest uses, public roads, bridges, private roads and driveways shall be constructed so as to provide adequate access for firefighting equipment.
17. Access to new dwellings shall meet road and driveway standards in Chapter VII.

Response to SECTION 4.6.140

- **The property is a legal non-conforming unit of land and no land division is proposed.**
- **The applicant will exceed the road setback.**
- **There is no proposed fence at this time.**
- **A driveway/access/parking permit will be requested at the time of the application.**
- **The applicant has acknowledged and will file in the deed record of Coos County, a Forest Management Covenant prior to receiving a zoning compliance letter.**
- **The riparian vegetation will not be disturbed during the development of the site.**
- **The property is within the Lakeside Rural Fire Protection District. No additional fire protection is required.**
- **The property owner will provide and maintain a water supply of at least 500 gallons with an operating water pressure of at least 50 PSI and sufficient ¾ inch garden hose to reach the perimeter of the primary fuel-free building setback.**
- **The slope on the proposed home site is between 3% to 5% and does not require additional primary safety zone. The applicant will meet the primary setback of 30 feet.**
- **The proposed dwelling use non-combustible or fire resistant roofing materials.**
- **There is no water supply exceeding 4,000 gallons.**
- **The dwelling will not be sited on a slope of greater than 40 percent.**
- **The new dwelling will not have a chimney and in the event one is installed it will install a spark arrester.**

The property is within the Lakeside RFPD. The access and driveway will meet the minimum standards of Chapter VII which meets the requirement to allow emergency vehicles to enter the property.

FILE COPY

MULKINS & RAMBO, LLC
P.O. BOX 809 NORTH BEND, OR 97459 Ph. (541)751-8900 Fax (541)751-9000

April 23, 2021

Mike Mast
19678 Lower Smith River Road
Reedsport, OR 97467

Re: Landslide Hazard Mapping

Dear Mike:

Coos County Planning has Tax Lots 201 (31.85 acres) and Tax Lot 207 (20.00 acres), T23S, R12W, S13 shown as Very High Existing Landslide areas. DOGAMI mapped these areas in 2013 and Coos County adopted them in 2015.

Yesterday I inspected the two adjacent properties for hazard risks. These sites are not overly steep and the soils are not high risk for soil movement.

I hereby certify that there are no high or very high geological hazards present on either of these two sites. If you have any questions please call. Thank you!

Sincerely,



RENEWAL 12/31/2022

cc. Coos County Planning

MULKINS & RAMBO, LLC

**P.O. BOX 809
NORTH BEND, OR 97459
PHONE (541) 751-8900**

April 16, 2021

Coos County Planning Dept.
250 N. Baxter
Coos County Courthouse
Coquille, OR 97423

RE: Soil Classification for T.L. 201 - 23S 13W 13 – 31.85 acres

Based on Sheet Number 4 of the Soil Survey of Coos County, Oregon the subject property contains two soil types. Soil type 28 – Heceta fine sand (bottom land/high water table) and 54D and 54E – Templeton silt loam – 7% - 30% & 30% - 50% slopes respectively.

The Soil type 54D & 54E is capable of producing average of 270 cubic feet of Sitka spruce per year and has a mean site index of 180 based on a 100 year site curve. The mean site index for Douglas fir is 170 based on a 100 year site curve

If you have any questions, please give me a call. Thank you.

Troy Rambo

STATE OF OREGON
WATER SUPPLY WELL REPORT
(as required by ORS 537.765 & OAR 690-205-0210)

COOS 56625
8/30/2017

WELL I.D. LABEL# L 124696
START CARD # 1034996
ORIGINAL LOG #

(1) LAND OWNER
Owner Well I.D. _____
First Name MIKE Last Name MAST
Company _____
Address 19678 LOWER SMITH RIVER RD
City REEDSPORT State OR Zip 97467

(2) TYPE OF WORK New Well Deepening Conversion
 Alteration (complete 2a & 10) Abandonment (complete 5a)

(2a) PRE-ALTERATION
Dia + From To Gauge Stl Plstc Wld Thrd
Casing: _____
Material From To Amt sacks/lbs
Seal: _____

(3) DRILL METHOD
 Rotary Air Rotary Mud Cable Auger Cable Mud
 Reverse Rotary Other _____

(4) PROPOSED USE Domestic Irrigation Community
 Industrial/ Commercial Livestock Dewatering
 Thermal Injection Other _____

(5) BORE HOLE CONSTRUCTION Special Standard (Attach copy)
Depth of Completed Well 104.00 ft.

BORE HOLE SEAL
Dia From To Material From To Amt lbs
10 0 58 Bentonite Grout 0 58 36 S
6 58 104 Calculated 26.47
Calculated

How was seal placed: Method A B C D E
 Other POURED AND TAMPED
Backfill placed from 0 ft. to 58 ft. Material BENTONITE CHIPS
Filter pack from _____ ft. to _____ ft. Material _____ Size _____
Explosives used: Yes Type _____ Amount _____

(5a) ABANDONMENT USING UNHYDRATED BENTONITE
Proposed Amount _____ Actual Amount _____

(6) CASING/LINER
Casing Liner Dia + From To Gauge Stl Plstc Wld Thrd
6 2 58 25
4 4 104 c1160
Shoe Inside Outside Other Location of shoe(s) 104
Temp casing Yes Dia _____ From + _____ To _____

(7) PERFORATIONS/SCREENS
Perforations Method Skill Saw
Screens Type _____ Material _____
Perf/ Casing/ Screen Scrm/slot Slot # of Tele/
Screen Liner Dia From To width length slots pipe size
Perf Liner 4 44 104 .125 6 90

(8) WELL TESTS: Minimum testing time is 1 hour
 Pump Bailer Air Flowing Artesian
Yield gal/min Drawdown Drill stem/Pump depth Duration (hr)
16 _____ 103 1
Temperature 51 °F Lab analysis Yes By _____
Water quality concerns? Yes (describe below) TDS amount 126 ppm
From To Description Amount Units

(9) LOCATION OF WELL (legal description)
County coos Twp 23.00 S N/S Range 13.00 W E/W WM
Sec 13 SE 1/4 of the SW 1/4 Tax Lot 201
Tax Map Number _____ Lot _____
Lat _____ " or _____ DMS or DD
Long _____ " or _____ DMS or DD
 Street address of well Nearest address
94658 WIND SONG LANE NORTH BEND, OR 97459

(10) STATIC WATER LEVEL
Date SWL(psi) + SWL(ft)
Existing Well / Pre-Alteration _____
Completed Well 6/21/2017 _____ 49
Flowing Artesian? Dry Hole?

WATER BEARING ZONES Depth water was first found 83.00
SWL Date From To Est Flow SWL(psi) + SWL(ft)
6/21/2017 83 84 16 49

(11) WELL LOG
Ground Elevation _____
Material From To
Brown Clay 0 9
Grey Sand 9 49
Grey Sandstone 49 104

Date Started 6/21/2017 Completed 6/21/2017

(unbonded) Water Well Constructor Certification
I certify that the work I performed on the construction, deepening, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.
License Number _____ Date _____
Signed _____

(bonded) Water Well Constructor Certification
I accept responsibility for the construction, deepening, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.
License Number 1960 Date 8/30/2017
Signed JACOB HOWELL (E-filed)
Contact Info (optional) Jacob L Howell

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY

SECTION 13 T23S R13W W.M.
COOS COUNTY

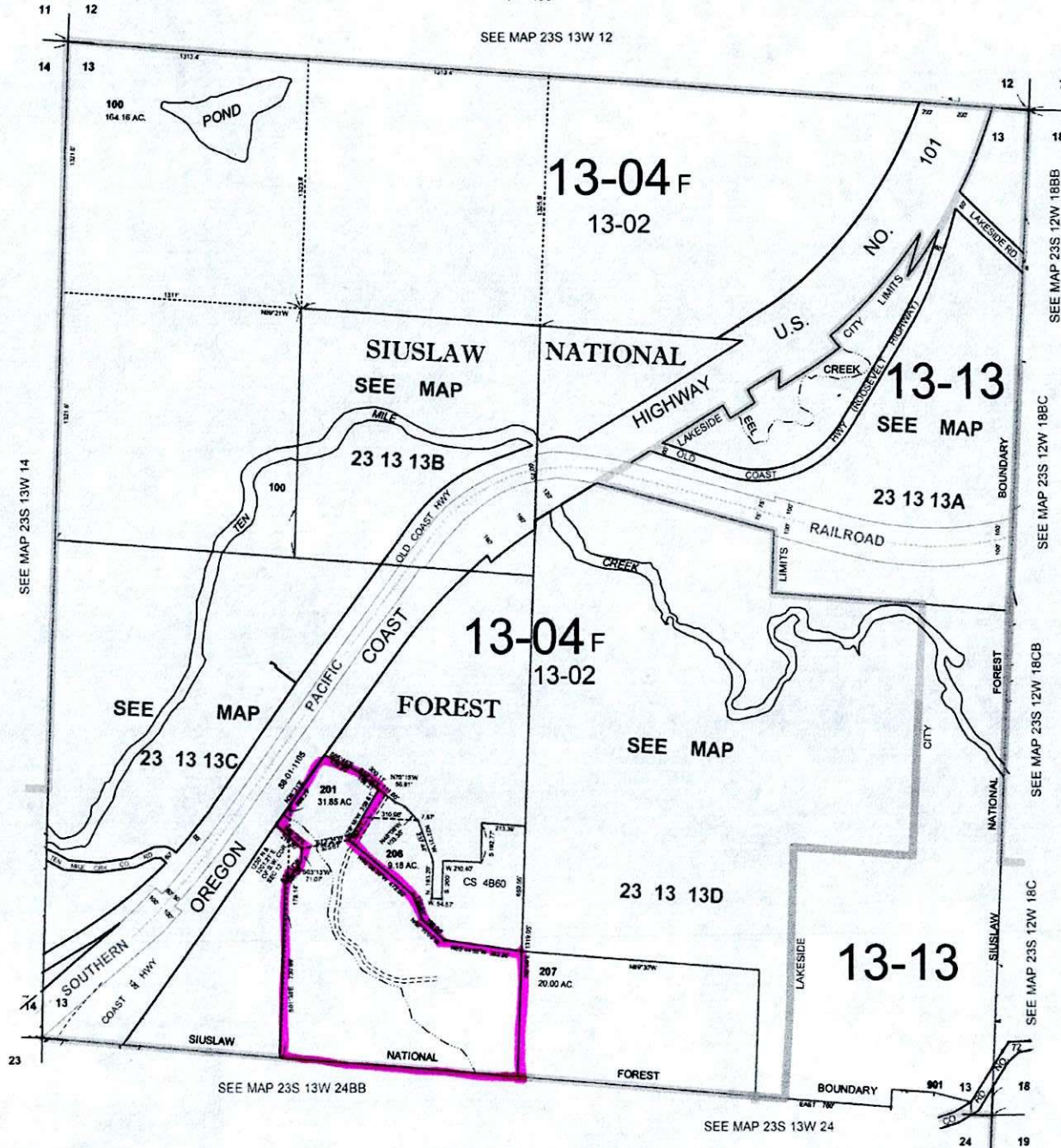
1" = 400'

SEE MAP 23S 13W 12

23S 13W 13
& INDEX
LAKESIDE

CANCELLED NO.

- 200
- 202
- 203
- 204
- 205
- 208



SEE MAP 23S 12W 18BB
SEE MAP 23S 12W 18BC
SEE MAP 23S 12W 18CB
SEE MAP 23S 12W 18C
SEE MAP 23S 12W 18D

SEE MAP 23S 13W 14

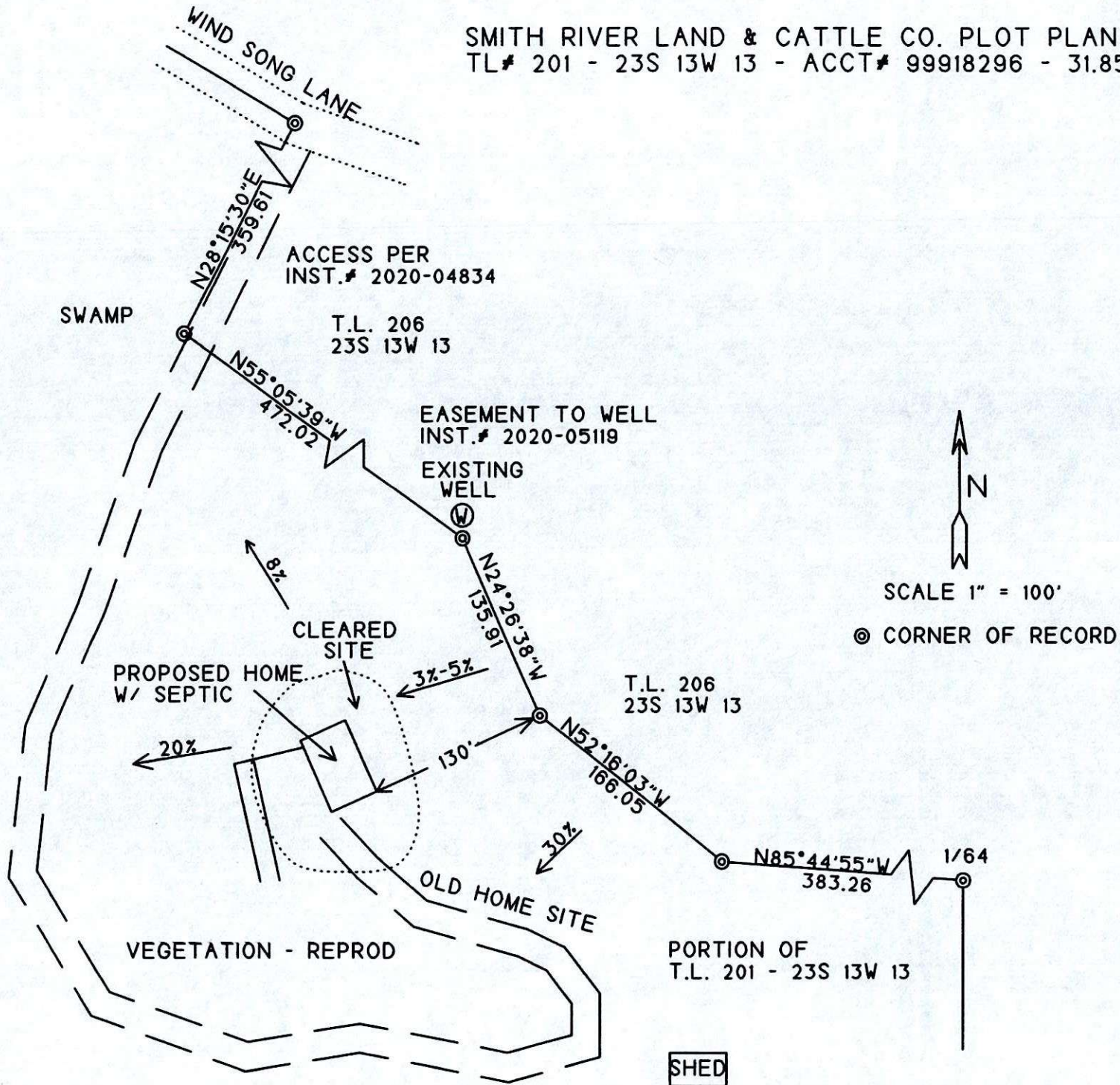
SEE MAP 23S 13W 24BB

SEE MAP 23S 13W 24

5-6-2015
23S 13W 13
& INDEX
LAKESIDE



SMITH RIVER LAND & CATTLE CO. PLOT PLAN
TL# 201 - 23S 13W 13 - ACCT# 99918296 - 31.85 ACRES



RECORDING REQUESTED BY:



300 Anderson Ave
Coos Bay, OR 97420

Coos County, Oregon **2020-00513**
\$106.00 Pgs=5 01/15/2020 02:42 PM
eRecorded by: TICOR TITLE COOS BAY
Debbie Heller, CCC, Coos County Clerk

AFTER RECORDING RETURN TO:

Order No.: 360619028664-DM
Mike Mast, Jared Mast and Rachel Mast, individually and doing
business as Smith River Land & Cattle Co.
19678 Lower Smith River Road
Reedsport, OR 97467

SEND TAX STATEMENTS TO:

Mike Mast, Jared Mast and Rachel Mast, individually and doing
business as Smith River Land & Cattle Co.
19678 Lower Smith River Road
Reedsport, OR 97467

SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY WARRANTY DEED

Barbara Ann Everest and Richard J. Everest, Trustees of the Barbara Ann Everest Trust; Gerald A. Phillips and Kathleen A. Phillips, Trustees of the Gerald and Kathleen Phillips Trust; Mark Shelton, Bruce Shelton and Bradley Shelton, as their interests may appear, as to PARCELS I and II
AND

Mike Mast and Jared Mast, each as to an undivided 50% interest, as to PARCELS III, IV and V, Grantor, conveys and warrants to Mike Mast, Jared Mast and Rachel Mast, individually and doing business as Smith River Land & Cattle Co., 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:

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

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS THE CONSIDERATION OF \$500,000.00 IS FOR PARCELS I AND II AND THE CONSIDERATION FOR PARCELS III AND IV IS FOR VESTING CHANGE FOR FINANCING PURPOSES. (See ORS 93.030).

Subject to:

SEE EXHIBIT "B" 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: 1-15-2020

Barbara Ann Everest and Richard J. Everest, Trustees of the Barbara Ann Everest Trust

BY: Barbara Ann Everest
Barbara Ann Everest
Trustee

BY: Richard J. Everest
Richard J. Everest
Trustee

Gerald A. Phillips and Kathleen A. Phillips, Trustees of the Gerald and Kathleen Phillips Trust

BY: Gerald A. Phillips
Gerald A. Phillips
Trustee

BY: Kathleen A. Phillips
Kathleen A. Phillips
Trustee

²⁵ Mark Shelton
Mark Shelton

Bruce Shelton
Bruce Shelton

Brad Shelton
Brad Shelton

Mike Mast
Mike Mast

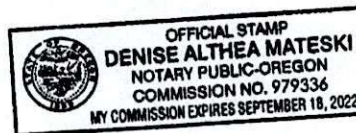
Jared Mast
Jared Mast

State of Oregon
County of Coos

This instrument was acknowledged before me on 01-15-2020 by Barbara Ann Everest and Richard J. Everest, Trustees of the Barbara Ann Everest Trust.

Denise Mateski
Notary Public - State of Oregon

My Commission Expires: 9-18-22

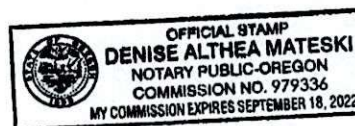


State of Oregon
County of Coos

This instrument was acknowledged before me on 01-15-2020 by Gerald A. Phillips and Kathleen A. Phillips, Trustees of the Gerald and Kathleen Phillips Trust.

Denise Mateski
Notary Public - State of Oregon

My Commission Expires: 9-18-22



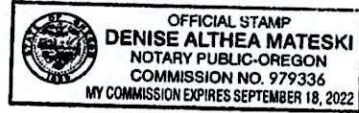
State of Oregon
County of Coos

STATUTORY WARRANTY DEED
(continued)

This instrument was acknowledged before me on 01-15-2020 by Mark Shelton.

Denise Mateski
Notary Public - State of Oregon

My Commission Expires: 9-18-22

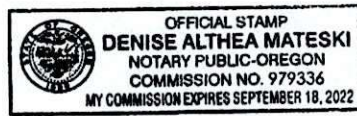


State of Oregon
County of Coos

This instrument was acknowledged before me on 01-15-2020 by Bruce Shelton

Denise Mateski
Notary Public - State of Oregon

My Commission Expires: 9-18-22



State of Oregon
County of Coos

This instrument was acknowledged before me on 01-15-2020 by Bradley Shelton.

Denise Mateski
Notary Public - State of Oregon

My Commission Expires: 9-18-2022



State of Oregon
County of Coos

This instrument was acknowledged before me on 01/14/2020 by Mike Mast and Jared Mast.

Denise Mateski
Notary Public - State of Oregon

My Commission Expires: 9-18-22

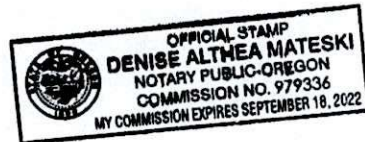


EXHIBIT "A"
Legal Description

Parcel I:

Beginning at the iron pipe at the Northeast corner of the Northwest quarter of the Northwest quarter of Section 34, Township 25 South, Range 13 West of the Willamette Meridian, Coos County, Oregon; thence along the North line of the said Section 34 South 89° 41' 50" West a distance of 207.00 feet; thence South 0° 16' East a distance of 472.35 feet to an iron pipe the true point of beginning of the following described tract; thence North 89° 44' East a distance of 235.25 feet; thence South 49° 44' East a distance of 163.78 feet, more or less, to the Northwest line of a county road; being the center line of a 40 foot roadway.

Parcel II:

Beginning at an iron pipe at the Northwest corner of Section 34, Township 25 South, Range 13 West of the Willamette Meridian, Coos County, Oregon; thence along the West line of said Section 34, South 0° 21' 30" East a distance of 1104.73 feet to an iron pipe on the North line of the Plat of Roosevelt Heights; thence along the said North line, South 89° 49' 50" East a distance of 592.74 feet to an iron pipe at the Northwest corner of Block "C" of said Plat; thence along the North line of Block "C", South 89° 49' 50" East a distance of 284.41 feet to an iron pipe; thence North 0° 10' 10" East a distance of 502.06 feet to an iron pipe; thence South 89° 40' 10" East a distance of 217.91 feet to an iron pipe; thence North 0° 16' West a distance of 612.17 feet to an iron pipe on the North line of said Section 34, said point lying South 89° 41' 50" West a distance of 207.00 feet from the iron pipe at the Northeast corner of the NW 1/4 of the NW 1/4 of said Section 34; thence along the North line of the said Section 34 South 89° 41' 50" West a distance of 1,100.51 feet to the point of beginning.

25-13-34B TL1300 as to Parcel I & II

Parcel III:

The South 1/2 of the SW 1/4 of the SE 1/4; that portion of the SW 1/4 of the SW 1/4 and the SE 1/4 of the SW 1/4 lying South and East of the Easterly line of U.S. Highway No. 101, except the following:

That portion of the SW 1/4 of the SW 1/4 and the SE 1/4 of the SW 1/4 lying between the following traverse line and the Easterly right of way boundary of Highway 101:

Starting at a point on the Easterly right of way boundary of Highway 101, said point being 1230.00 feet North and 1201.21 feet East of the Southwest corner of Section 13, Township 23 South, Range 13 West of the Willamette Meridian, Coos County, Oregon; thence South 50° 25' East 218.50 feet; thence South 3° 13' West 71.07 feet; thence South 34° 17' West 146.05 feet; thence South 1° 53' East 178.14 feet; thence South 1° 35' East 730.89 feet to the West 1/16 corner common to Sections 13 and 24, Township 23 South, Range 13 West of the Willamette Meridian, Coos County, Oregon.

ALSO EXCEPTING THEREFROM: That portion of the following described real estate lying within the aforesaid SE 1/4 of the SW 1/4:

Beginning at an iron pipe from which point the Northeast corner of the SE 1/4 of the SW 1/4 of Section 13, Township 23 South, Range 13 West of the Willamette Meridian, Coos County, Oregon bears South 68° 54' East a distance of 228.71 feet and running thence South for a distance of 277.83 feet; thence West for a distance of 210.40 feet to an iron pipe; thence South for a distance of 200.00 feet to an iron pipe; thence West for a distance of 54.57 feet to an iron pipe; thence North for a distance of 193.30 feet to an iron pipe; thence North 22° 21' West for a distance of 237.44 feet to an iron pipe; thence North 48° 08' West for a distance of 103.38 feet to an iron pipe; thence North 30° 31' East for a distance of 242.08 feet to an iron pipe; thence South 82° 54' East for a distance of 205.70 feet; thence East for a distance of 105.20 feet to an iron pipe; thence South for a distance of 187.18 feet to the point of beginning. Being a portion of the East 1/2 of the SW 1/4 of Section 13, Township 23 South, Range 13 West of the Willamette Meridian, Coos County, Oregon.

PARCEL IV:

A portion of the NE 1/4 of the SW 1/4 of Section 13, Township 23 South, Range 13 West of the Willamette Meridian, Coos County, Oregon, described as follows:

Beginning at a point on the South boundary of said NE 1/4 of the SW 1/4 from which point the Southeast corner of the NE 1/4 of the SW 1/4 of said Section 13 bears South 89° 31' East 564.59 feet; thence North 22° 21' West 13.49 feet to an iron pipe; thence North 48° 08' West 103.38 feet to an iron pipe on the South boundary of a 20 foot right of way; thence along the South boundary of said right of way North 70° 15' West 56.59 feet; thence North 53° 16' West 300.11 feet; thence North 66° 46' West 180.48 feet to the Easterly right of way boundary of Oregon State Highway 101; thence South 36° 31' West along said State Highway boundary to the West boundary of said NE 1/4 of the SW 1/4; thence South along said West boundary to the Southwest corner of said NE 1/4 of the SW 1/4; thence East along the South boundary of the NE 1/4 of the SW 1/4 to the point of beginning.

All in Section 13, Township 23 South, Range 13 West of the Willamette Meridian, Coos County, Oregon.
Tax Lots 201, 206 and 207 as to Parcels III & IV

EXHIBIT "B"
Exceptions

Subject to:

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

Rights of the public to any portion of the Land lying within the area commonly known as streets, roads, alleys and highways.

EXCEPTIONS AFFECTING PARCELS III AND IV

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

Rights of the public to any portion of the Land lying within the area commonly known as streets, roads and highways

Limited access to and from the Land as set forth in Deed shown below, which provides that there shall be no right of easement or right of access to, from or across the State Highway other than as expressly provided for in said Deed:

Grantor: William L. McDonald and Florence T. McDonald
Grantee: State of Oregon, by and through its State Highway Commission
Recording Date: April 22, 1953
Recording No.: Book 226, Page 399

and
Modified by Indenture of Access
Recording Date: May 20, 1954
Recording No: Book 234, Page 94

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

Granted to: Earl H. Rodgers and Annabelle Rodgers
Recording Date: March 10, 1965
Recording No: Book 315, Page 673

Easement(s) for the purpose(s) shown below and rights incidental thereto as reserved in a document;

Reserved by: Earl H. Rodgers and Annabelle Rodgers
Recording Date: March 27, 1967
Recording No: 67-03-16657

Terms, provisions and conditions, including, but not limited to, maintenance provisions, and a covenant to share the costs of maintenance, contained in Warranty Deed

Recording Date: March 27, 1967
Recording No.: 67-3-16657

Terms, provisions and conditions, including, but not limited to, maintenance provisions, and a covenant to share the costs of maintenance, contained in Easement

Recording Date: March 27, 1967
Recording No.: 67-3-16664

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

Granted to: Ronald A. Newlander and Janice F. Newlander
Recording Date: February 23, 2010
Recording No: 2010-1753

After recording return to: Mike Mast, Jared Mast and Rachel Mast, individually and
Doing business as Smith River Land & Cattle Co.
19678 Lower Smith River Road
Reedsport, OR 97467

Consideration: \$0.00

Until a change is requested, all tax statements are to be sent to the following address:
Mike Mast, Jared Mast and Rachel Mast, individually and
Doing business as Smith River Land & Cattle Co.
19678 Lower Smith River Road
Reedsport, OR 97467

PERPETUAL EASEMENT

Known all men by these presents that Mike Mast, Jared Mast and Rachel Mast, individually and doing business as Smith River Land & Cattle Co., Grantor, owner of that property described in Exhibit "A", conveys to Mike Mast, Jared Mast and Rachel Mast, individually and doing Business as Smith River Land & Cattle Co., Grantee's, their successor's, heir's or assigns, owner of those properties described in Exhibit "B", a perpetual easement for ingress, egress and utilities over and across the most Northwesterly 40 feet of the Grantor's property.

This easement shall be maintained by the Grantee's and their successor's, heir's or assigns.

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, 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007. 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 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 TO 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.

Dated this 19TH day of MAY, 2020.

Coos County, Oregon

2020-04834

\$101.00

05/22/2020 02:22 PM

Pgs=4



00114516202000049340040041

Debble Heller, CCC, Coos County Clerk

Exhibit "A"

Tax Lot 206 – Section 13 23S 13W Tax Account No. 99918297

A parcel of land located in the E1/2 of the SW1/4 of Section 13, Township 23 South, Range 13 West of the Willamette Meridian, Coos County, Oregon, more particularly described as follows:

Beginning at an 1" iron pipe at the CS1/16 of said Section 13 thence S0°06'W a distance of 659.55 feet to an 1" iron pipe; thence N85°44'55"W a distance of 383.26 feet to a 5/8" rebar; thence N52°16'03"W a distance of 166.05 feet to a 5/8" rebar; thence N24°26'38"W a distance of 135.91 feet to a 5/8" rebar; thence N55°05'39"W a distance of 472.02 feet to a 5/8" rebar; thence N28°15'30"E a distance of 359.61 feet to a 5/8" rebar; thence S53°16'00"E a distance of 111.66 feet to a 5/8" rebar; thence S70°15'00"E a distance of 56.81 feet to a 5/8" rebar; thence S30°31'00"W a distance of 7.67 feet to a 3/4" iron pipe; thence S48°08'E a distance of 103.38 feet, more or less, to a 3/4" iron pipe; thence S22°21'00"E a distance of 237.44 feet, more or less, to a 3/4" iron pipe; thence S0°00'00"E a distance of 193.20 feet to a 3/4" iron pipe; thence East a distance of 54.57 feet; thence N0°00'00"E a distance of 200.00 feet; thence East a distance of 192.77 feet, more or less, to a point on the North boundary of the SE1/4 of the SW1/4 of said Section 13; thence N89°16'03"E a distance of 213.39 feet, more or less, to the point of beginning. See CS# 4B60 for the basis of bearing.

Exhibit "B"

Tax Lot 201 – Section 13 23S 13W Tax Account No. 99918296

A parcel of land located in the E1/2 of the SW1/4 of Section 13, Township 23 South, Range 13 West of the Willamette Meridian, Coos County, Oregon, more particularly described as follows:

Beginning at an 1" iron pipe from which the at the CS1/16 of said Section 13 bears N0°06'E a distance of 659.55 feet; thence N85°44'55"W (basis of bearing per CS# 4B60) a distance of 383.26 feet to a 5/8" rebar; thence N52°16'03"W a distance of 166.05 feet to a 5/8" rebar; thence N24°26'38"W a distance of 135.91 feet to a 5/8" rebar; thence N55°05'39"W a distance of 472.02 feet to a 5/8" rebar; thence N28°15'30"E a distance of 359.61 feet to a 5/8" rebar on the South boundary of Parcel 1 of Partition 1995 #13, Coos County, Oregon; thence N53°16'00"W (basis of bearing per Partition 1995 #13) along said boundary a distance of 188.14 feet to a 5/8" rebar; thence N66°46'00"W a distance of 179.29 feet to a 5/8" rebar on the Easterly boundary of U.S. Highway 101; thence S36°31'00"W (basis of bearing per Instrument No. 91-08-0986, Deed Records of Coos County, Oregon) along said Highway boundary a distance of 566.29 feet, more or less, to a point that bears 1230.00 feet North and 1201.21 feet East of the of the Southwest corner of said Section 13; thence leaving said Highway boundary S50°25'E a distance of 218.50 feet; thence S3°13'W a distance of 71.07 feet; thence S34°17'W a distance of

146.05 feet; thence S1°53'E a distance of 178.14 feet; thence S1°35'E a distance of 730.89 feet to the W1/16 corner common to Sections 13 and 24, Township 23 South, Range 13 West of the Willamette Meridian, Coos County, Oregon; thence East along the said common line between Sections 13 and 24 a distance of 1320 feet, more or less, to the 1/4 corner between said Sections 13 and 24; thence North a distance of 660 feet, more or less to the point of beginning

Tax Lot 207 – Section 13 23S 13W Tax Account No. 99918693

A parcel of land located in the SW1/4 of the SE1/4 of Section 13, Township 23 South, Range 13 West of the Willamette Meridian, Coos County, Oregon, more particularly described as follows:

The S1/2 of the SW1/4 of the SE1/4 of Section 13, Township 23 South, Range 13 West of the Willamette Meridian, Coos County, Oregon.

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GRANTOR'S:

Mike Mast
Mike Mast, individually and doing business
as Smith River Land & Cattle Co.

Jared Mast
Jared Mast, individually and doing business
as Smith River Land & Cattle Co.

Rachel Mast
Rachel Mast, individually and doing business
as Smith River Land & Cattle Co.

STATE OF OREGON)
) ss.
County of COOS)



The foregoing instrument was acknowledged before me this 19TH day of MAY, 2020 by Mike Mast, Jared Mast and Rachel Mast, individually and doing business as Smith River Land & Cattle Co.

Troy Jon Rambo
Notary Public for Oregon



Debbie Heller, CCC, Coos County Clerk

After recording return to: Mike Mast, Jared Mast and Rachel Mast, individually and Doing business as Smith River Land & Cattle Co. 19678 Lower Smith River Road Reedsport, OR 97467

Consideration: \$0.00

Until a change is requested, all tax statements are to be sent to the following address: Mike Mast, Jared Mast and Rachel Mast, individually and doing business as Smith River Land & Cattle Co. 19678 Lower Smith River Road Reedsport, OR 97467

WELL AND PIPELINE EASEMENT

Known all men by these presents that Mike Mast, Jared Mast and Rachel Mast, individually and doing business as Smith River Land & Cattle Co., Grantor, owner of that property described in Exhibit "A", conveys to Mike Mast, Jared Mast and Rachel Mast, individually and doing Business as Smith River Land & Cattle Co., Grantee, it's successor's, heir's or assigns, owner of those properties described in Exhibit "B", a perpetual easement to use and maintain the existing well located within the following described parcel more particularly described as follows:

A parcel of land located in the E1/2 of the SW1/4 of Section 13, Township 23 South, Range 13 West of the Willamette Meridian, Coos County, Oregon, more particularly described as follows: Beginning at a 5/8" rebar from which the 1" iron pipe at the CS1/16 of said Section 13 bears N54°35'47"E a distance of 700.45 feet; thence N55°05'39"W along the Grantor's and Grantee's common property line a distance of 137.00 feet to the TRUE POINT OF BEGINNING; thence N34°54'21"E a distance of 10.00 feet; thence N55°05'39"W a distance of 10.00 feet; thence S34°54'21"W a distance of 10.00 feet; thence S55°05'39"E a distance of 10.00 feet to the point of beginning.

This easement and well shall benefit only the Grantee's and their successor's, heir's or assigns.

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, 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007. 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 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 TO 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.

Dated this 2ND day of JUNE, 2020.

Exhibit "A"

Tax Lot 206 – Section 13 23S 13W Tax Account No. 99918297

A parcel of land located in the E1/2 of the SW1/4 of Section 13, Township 23 South, Range 13 West of the Willamette Meridian, Coos County, Oregon, more particularly described as follows:

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Exhibit "B"

Tax Lot 201 – Section 13 23S 13W Tax Account No. 99918296

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Jared Mast

Jared Mast, individually and doing business
as Smith River Land & Cattle Co.

Rachel Mast

Rachel Mast, individually and doing business
as Smith River Land & Cattle Co.

STATE OF OREGON)

County of COOS)

) ss.



The foregoing instrument was acknowledged before me this 2ND day of JUNE, 2020 by Mike Mast, Jared Mast and Rachel Mast, individually and doing business as Smith River Land & Cattle Co.

Troy Jon Rambo
Notary Public for Oregon