



Coos County Land Use Permit Application

SUBMIT TO COOS COUNTY PLANNING DEPT. AT 225 N. ADAMS 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: P-21-002

Date Received: 3/29/2021 Receipt #: 224302 Received by: P.O.M

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) Terry L. & Connie L. Emerson

Mailing address: 94037 Van Elsberg Lane, Coos Bay, OR 97420

Phone: 541-269-9755

Email: _____

Township:	Range:	Section:	¼ Section:	1/16 Section:	Tax lots:
26S	13W	24	A	Select	500
Select	Select	Select	Select	Select	

Tax Account Number(s): 534504

Zone: Select Zone Rural Residential-2 (RR-2)

Tax Account Number(s) _____

Please Select

B. Applicant(s) Same as Owner's

Mailing address: _____

Phone: _____

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 type="checkbox"/> Administrative Conditional Use Review - ACU | <input checked="" 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: Coos Bay

Fire District: Millington 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](#)

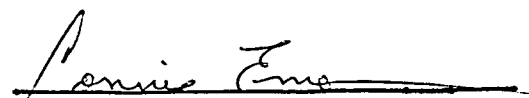
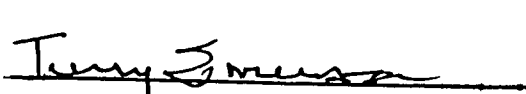
D. **ATTACHED WRITTEN STATEMENT.** With all land use applications, the “burden of proof” is on the applicant. It is important that you provide information that clearly describes the nature of the request and indicates how the proposal complies with all of the applicable criteria within the Coos County 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.



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: 94037 Van Elsberg Lane

Type of Access: Private Easement - Provide Easement Name of Access: Van Elsberg 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 his designee to enter the property to determine compliance with Access, Parking, driveway and Road Standards. I understand that I shall contact the Road Department to let them know when the improvements are ready to be inspected or Bonded. Contact by phone at 541-396-7600

Coos County Road Department Use Only

Roadmaster or designee: _____

Driveway Parking Access Bonded Date: Receipt # _____

File Number: DR-20-

Coos County Planning
Land Division Supplemental Application

VI. Additional Information Required –

1. Lien holder(s) name: N/A
2. List of Easements and type: See attached title report and tentative plan
3. Covenants or Deed Restrictions that apply: N/A
4. Legal Access and maintenance agreements:
Van Elsberg Lane
5. Is the subject property part of an existing plat (partition or subdivision) Yes, answer the following:
 - a. What year was the plat recorded; and
 - b. Was it part of a partition or subdivision? Remember if property that has been partitioned or was part of a partition within the prior three years then the partition shall be reviewed pursuant to subdivision criteria.
6. Does the property current have water, sewer or on-site septic, Development?
7. Is the applicant requesting the Planning Director to waive the water requirements yes no, and if yes please explain why.
8. Are there natural hazards that apply to this property? No
9. Is any portion of this property located within the Coastal Shoreland Boundary or Estuary? If so this shall be indicated on the plat. If within a CSB there will be additional site development criteria that apply. No
10. Is this property with the Beaches and Dunes? If so, this feature shall be identified and a noted that additional criteria may apply. No

VII. General Outline of process – If there is missing information the application will be deemed incomplete. The following is a general outline of the process for the review of land divisions in Coos County:

- a. Application is filed and reviewed for completeness pursuant to §5.0.200;
- b. Technical Review Committee (TRC) reviews tentative plans within 30 days from the date the application has been deemed complete. The Planning Director may extend this timeline if needed;

- c. Planning Director makes a decision unless subject to limited land use notice. If subject to limited land use notice pursuant to Article 5.0 a notice of decision will be mailed out within seven days of the expiration of the limited land use notice;
- d. Applicant submits construction drawings for any new public roads or access easements to the Roadmaster. The County Roadmaster reviews construction drawings and applicable specifications for public roads and access easements;
- e. Applicant constructs or bonds for required improvements;
- f. County Roadmaster inspects construction unless improvements are bonded;
- g. Applicant submits final plat after all conditions of approval have been completed;
- h. Planning Department coordinates review of final plat by affected County Departments;
- i. Board of Commissioners reviews final plats for subdivisions and for partitions proposing public dedications;
- j. Planning Director reviews final plats for partitions not proposing public dedications; and
- k. If the final plat is approved, the applicant shall comply with Section 6.2.825 and file the plat with the County Clerk. (OR 92-07-012PL)

VIII. SECTION 6.2.350 TENTATIVE PLAT REQUIRMENTS (Tentative Plan):

1. Application Requirements

- a. An application and a tentative plat for approval shall be initiated as provided in Section 5.0.150 of this ordinance.
- b. The applicant shall file with the Director the original and four (4) additional copies of the tentative map on 11" X 17" paper for partitions and 18" x 24" paper for subdivisions.
- c. The tentative plat shall be clearly and legibly drawn. It shall show all required information to scale so that the Approving Authority may have an adequate understanding of what is proposed. Under ordinary circumstances, the scale shall use a typical engineer scale (example 1" = 50').
- d. If the tentative plat requirements have not been met the application will be deemed incomplete until the maps have been correct and at that time the Technical Review Committee meeting will be scheduled.

2. Information required for tentative plat.

a. All Land Divisions

- North arrow, scale and date of the drawing.
- Appropriate identification clearly stating the map is a tentative plat.
- Names and addresses of the landowners, subdivider/partitioner and the engineer, surveyor, land planner or landscape architect responsible for designing.
- The tract designation or other description according to the real estate records of Coos County [Township, Range, Section, Tax Lot Number(s), and Assessor's Tax Account Number(s)].
- The boundary line (accurate in scale) of the tract to be divided and approximate acreage of the property.
- Contours with intervals of forty (40) feet or less referred to United States Geological Survey (or mean sea level) datum.
- The names of adjacent subdivisions or the names of recorded owners of adjoining parcels of unsubdivided land.
- The location, widths, and names of existing or platted streets or other public ways (including easements) within or adjacent to the tract, existing permanent buildings, railroad rights-of-way and other important features such as section lines, political subdivision boundary lines and school district boundaries.

- Existing sewers, water mains, culverts, drainage ways or other underground utilities or structures within the tract or immediately adjacent thereto, together with pipe sizes, grades and locations indicated.
- N/A Location, acreage and dimensions of land to be dedicated for public use or reserved in the deeds for the common use of property owners in the proposed land division, together with the purpose of conditions or limitations of such reservations, if any.
- Easements, together with their dimensions, purpose and restrictions on use.
- Zoning classification of the land and Comprehensive Plan map designation.
- N/A Draft of proposed restrictions and covenants affecting the plat if applicable. If not applicable indicate that on the form.
- N/A Predominant natural features such as water courses and their flows, marshes, rock outcropping, and areas subject to flooding, sliding or other natural hazards. Applicable natural hazards may be verified with planning staff.
- 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.

b. Subdivisions – Shall include the following additional information:

- The proposed name of the subdivision must be on the plat.
- The proposed street pattern or layout showing the name and widths of proposed streets and alleys.
- Private streets and all restrictions or reservations relating to such private streets.
- Proposed Subdivision proposed lots, approximate dimensions, size and boundaries. Residential lots shall be numbered consecutively. Lots that are to be used for other than residential purposes shall be identified with letter designations.
- Parks, playgrounds, recreation areas, parkways, and open space for public use, clearly identified.
- The location of existing or proposed bicycle and/or pedestrian facilities if required under Article VII of this Ordinance.
- Proposed means and location of sewage disposal and water supply systems.

3. Development Phasing

a. Subdivisions shall:

- i. provide for platting in as many as three (3) phases. The preliminary plan must show each phase and be accompanied by proposed time limitations for approval of the final plat for each phase.
- ii. Time limitations for the various phases must meet the following requirements:
 1. Phase 1 final plat shall be approved within twenty-four (24) months of preliminary approval.
 2. Phase 2 final plat shall be approved within thirty-six (36) months of preliminary approval.
 3. Phase 3 final plat shall be approved within forty-eight (48) months of preliminary approval.

b. Partitions shall:

- i. Provide all phasing for partitions. If phasing is proposed then road standards for subdivisions shall apply.
- ii. If a land division is proposed on a property that has been partitioned in the prior three years then the partition shall be reviewed pursuant to subdivision criteria.

IX. Criteria: The following criteria will need to be addressed:

- a. A decision on the tentative land division plan application shall be made and notices shall be processed as required in Chapter 5.0 of this ordinance.
- b. The preliminary plan shall be approved if the Approving Authority finds the following:
 - i. The information required by this Article has been provided;
 - ii. The design and development standards of Chapter 6 have been met;
 - iii. Applicable transportation standards in chapter VII have been or will be complied with;
 - iv. Minimum parcel/lot sizes and requirements have been complied with for the zoning district.
 - v. If the preliminary plan provides for development in more than one phase, then Approving Authority makes findings and conclusions that such phasing is necessary due to the nature of the development, and that the applicant will be able to comply with the proposed time limitations.
 - vi. In granting tentative approval, the Approving Authority may impose conditions of approval deemed necessary to carry out the Comprehensive Plan and the provisions of this ordinance. Such conditions may include the construction of offsite public improvements, or money equivalent, deemed necessary, either immediately or in the future, as a result of the proposed development and shall be reasonably conceived to fulfill public needs emanating from the proposed development in the following respects:
 - i. Protection of the public from the potentially deleterious effects of the proposed development; or
 - ii. Fulfillment of the need for public service demands created by the proposed development.
- c. Conditional Approval. The Planning Director may impose special conditions upon the approval of a tentative plan when it is established that such conditions are necessary to protect health, safety or welfare. Conditions may include but are not limited to the following:
 - i. roadway and plat design modifications;
 - ii. utility design modifications;
 - iii. conditions deemed necessary to provide safeguards against documented geologic hazards; and/or
 - iv. Other conditions deemed necessary to implement the objectives of the Comprehensive Plan.



300 W Anderson
(541)269-5127

OWNERSHIP AND ENCUMBRANCES REPORT WITH GENERAL INDEX LIENS
Informational Report of Ownership and Monetary and Non-Monetary Encumbrances

To ("Customer"): Mulkins and Rambo, LLC
PO Box 809
North Bend, OR 97459

Customer Ref.: _____
Order No.: 360621034106
Effective Date: January 11, 2021 at 08:00 AM
Charge: \$300.00

The information contained in this report is furnished by Ticor Title Company of Oregon (the "Company") as a real property information service based on the records and indices maintained by the Company for the county identified below. THIS IS NOT TITLE INSURANCE OR A PRELIMINARY TITLE REPORT FOR, OR COMMITMENT FOR, TITLE INSURANCE. No examination has been made of the title to the herein described property, other than as specifically set forth herein. Liability for any loss arising from errors and/or omissions is limited to the lesser of the charge or the actual loss, and the Company will have no greater liability by reason of this report. THIS REPORT IS SUBJECT TO THE LIMITATIONS OF LIABILITY STATED BELOW, WHICH LIMITATIONS OF LIABILITY ARE A PART OF THIS REPORT.

THIS REPORT INCLUDES MONETARY AND NON-MONETARY ENCUMBRANCES.

Part One - Ownership and Property Description

Owner. The apparent vested owner of property ("the Property") as of the Effective Date is:

Terry L. Emerson and Connie L. Emerson, as tenants by the entirety

Premises. The Property is:

(a) Street Address:

94037 Van Elsberg Lane, Coos Bay, OR 97420

(b) Legal Description:

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

Part Two - Encumbrances

Encumbrances. As of the Effective Date, the Property appears subject to the following monetary and non-monetary encumbrances of record, not necessarily listed in order of priority, including liens specific to the subject property and general index liens (liens that are not property specific but affect any real property of the named person in the same county):

EXCEPTIONS

1. 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.
2. Any adverse claim based on the assertion that any portion of the subject land has been removed from or brought within the subject land's boundaries by the process of accretion or reliction or any change in the location of unnamed creeks, streams and tributaries.

Any adverse claim based on the assertion that any portion of the subject land has been created by artificial means or has accreted to such portions so created, or based on the provisions of ORS 274.905 through 274.940.

Any adverse claim based on the assertion that any portion of the subject land is now or at any time has been below the ordinary high water line of unnamed creeks, streams and tributaries.

Rights of fishing, navigation, commerce, flood control, propagation of anadromous fish, and recreation, and other rights of the public, Indian tribes or governmental bodies in and to the waters of unnamed creeks, streams and tributaries.

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

Granted to: Carlos and Ilene Van Elsberg
Recording Date: March 30, 1967
Recording No: 67-3-16777

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

Granted to: Carlos L. Ilene F. Van Elsberg, husband and wife
Recording Date: July 19, 1966
Recording No: 66-7-10938

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

Granted to: Terry L. Emerson and Connie L. Emerson, husband and wife
Recording Date: April 25, 1994
Recording No: 94-04-1101

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

Granted to: Numerous Property Owners by Deed Reference
Recording Date: June 15, 1995
Recording No: 95-06-0526

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

Granted to: Robert Eugene Emerson and Barbara Ann Emerson, husband and wife
Recording Date: December 12, 2005
Recording No: 2005-18736

Ticor Title Company of Oregon
Order No. 360621034106

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

Granted to: PacifiCorp, an Oregon corporation
Recording Date: September 19, 2018
Recording No: 2018-09041

End of Reported Information

There will be additional charges for additional information or copies. For questions or additional requests, contact:

John Beaver
541-269-5127
john.beaver@ticortitle.com

Ticor Title Company of Oregon
300 W Anderson
Coos Bay, OR 97420

EXHIBIT "A"
Legal Description

Beginning at the center North 1/16 corner of Section 24, Township 26 South, Range 13 West of the Willamette Meridian, Coos County, Oregon; thence North 0° 53' West 1,372.44 feet to the quarter corner between Sections 24 and 13, Township 26 South, Range 13 West of the Willamette Meridian; thence South 84° 54' East 466.00 feet; thence South 0° 53' East 1,091.48 feet to the North boundary of a private road; thence along the North road boundary, South 42° 31' West 103.81 feet; thence further along said road boundary, South 22° 32' West 176.45 feet, more or less, to the 1/16th line between the NW 1/4 and the SW 1/4 of the NE 1/4 of said Section 24; thence Westerly 322.06 feet along said 1/16th line to the point of beginning.

SAVE AND EXCEPT that portion conveyed by Property Line Adjustment Deed, Recorded November 17, 2006 as Microfilm No. 2006-15531, Records of Coos County, Oregon.

LIMITATIONS OF LIABILITY

"CUSTOMER" REFERS TO THE RECIPIENT OF THIS REPORT.

CUSTOMER EXPRESSLY AGREES AND ACKNOWLEDGES THAT IT IS EXTREMELY DIFFICULT, IF NOT IMPOSSIBLE, TO DETERMINE THE EXTENT OF LOSS WHICH COULD ARISE FROM ERRORS OR OMISSIONS IN, OR THE COMPANY'S NEGLIGENCE IN PRODUCING, THE REQUESTED REPORT, HEREIN "THE REPORT." CUSTOMER RECOGNIZES THAT THE FEE CHARGED IS NOMINAL IN RELATION TO THE POTENTIAL LIABILITY WHICH COULD ARISE FROM SUCH ERRORS OR OMISSIONS OR NEGLIGENCE. THEREFORE, CUSTOMER UNDERSTANDS THAT THE COMPANY IS NOT WILLING TO PROCEED IN THE PREPARATION AND ISSUANCE OF THE REPORT UNLESS THE COMPANY'S LIABILITY IS STRICTLY LIMITED. CUSTOMER AGREES WITH THE PROPRIETY OF SUCH LIMITATION AND AGREES TO BE BOUND BY ITS TERMS

THE LIMITATIONS ARE AS FOLLOWS AND THE LIMITATIONS WILL SURVIVE THE CONTRACT:

ONLY MATTERS IDENTIFIED IN THIS REPORT AS THE SUBJECT OF THE REPORT ARE WITHIN ITS SCOPE. ALL OTHER MATTERS ARE OUTSIDE THE SCOPE OF THE REPORT.

CUSTOMER AGREES, AS PART OF THE CONSIDERATION FOR THE ISSUANCE OF THE REPORT AND TO THE FULLEST EXTENT PERMITTED BY LAW, TO LIMIT THE LIABILITY OF THE COMPANY, ITS LICENSORS, AGENTS, SUPPLIERS, RESELLERS, SERVICE PROVIDERS, CONTENT PROVIDERS AND ALL OTHER SUBSCRIBERS OR SUPPLIERS, SUBSIDIARIES, AFFILIATES, EMPLOYEES, AND SUBCONTRACTORS FOR ANY AND ALL CLAIMS, LIABILITIES, CAUSES OF ACTION, LOSSES, COSTS, DAMAGES AND EXPENSES OF ANY NATURE WHATSOEVER, INCLUDING ATTORNEY'S FEES, HOWEVER ALLEGED OR ARISING, INCLUDING BUT NOT LIMITED TO THOSE ARISING FROM BREACH OF CONTRACT, NEGLIGENCE, THE COMPANY'S OWN FAULT AND/OR NEGLIGENCE, ERRORS, OMISSIONS, STRICT LIABILITY, BREACH OF WARRANTY, EQUITY, THE COMMON LAW, STATUTE OR ANY OTHER THEORY OF RECOVERY, OR FROM ANY PERSON'S USE, MISUSE, OR INABILITY TO USE THE REPORT OR ANY OF THE MATERIALS CONTAINED THEREIN OR PRODUCED, SO THAT THE TOTAL AGGREGATE LIABILITY OF THE COMPANY AND ITS AGENTS, SUBSIDIARIES, AFFILIATES, EMPLOYEES, AND SUBCONTRACTORS SHALL NOT IN ANY EVENT EXCEED THE COMPANY'S TOTAL FEE FOR THE REPORT.

CUSTOMER AGREES THAT THE FOREGOING LIMITATION ON LIABILITY IS A TERM MATERIAL TO THE PRICE THE CUSTOMER IS PAYING, WHICH PRICE IS LOWER THAN WOULD OTHERWISE BE OFFERED TO THE CUSTOMER WITHOUT SAID TERM. CUSTOMER RECOGNIZES THAT THE COMPANY WOULD NOT ISSUE THE REPORT BUT FOR THIS CUSTOMER AGREEMENT, AS PART OF THE CONSIDERATION GIVEN FOR THE REPORT, TO THE FOREGOING LIMITATION OF LIABILITY AND THAT ANY SUCH LIABILITY IS CONDITIONED AND PREDICATED UPON THE FULL AND TIMELY PAYMENT OF THE COMPANY'S INVOICE FOR THE REPORT.

THE REPORT IS LIMITED IN SCOPE AND IS NOT AN ABSTRACT OF TITLE, TITLE OPINION, PRELIMINARY TITLE REPORT, TITLE REPORT, COMMITMENT TO ISSUE TITLE INSURANCE, OR A TITLE POLICY, AND SHOULD NOT BE RELIED UPON AS SUCH. THE REPORT DOES NOT PROVIDE OR OFFER ANY TITLE INSURANCE, LIABILITY COVERAGE OR ERRORS AND OMISSIONS COVERAGE. THE REPORT IS NOT TO BE RELIED UPON AS A REPRESENTATION OF THE STATUS OF TITLE TO THE PROPERTY. THE COMPANY MAKES NO REPRESENTATIONS AS TO THE REPORT'S ACCURACY, DISCLAIMS ANY WARRANTY AS TO THE REPORT, ASSUMES NO DUTIES TO CUSTOMER, DOES NOT INTEND FOR CUSTOMER TO RELY ON THE REPORT, AND ASSUMES NO LIABILITY FOR ANY LOSS OCCURRING BY REASON OF RELIANCE ON THE REPORT OR OTHERWISE.

IF CUSTOMER (A) HAS OR WILL HAVE AN INSURABLE INTEREST IN THE SUBJECT REAL PROPERTY, (B) DOES NOT WISH TO LIMIT LIABILITY AS STATED HEREIN AND (C) DESIRES THAT ADDITIONAL LIABILITY BE ASSUMED BY THE COMPANY, THEN CUSTOMER MAY REQUEST AND PURCHASE A POLICY OF TITLE INSURANCE, A BINDER, OR A COMMITMENT TO ISSUE A POLICY OF TITLE INSURANCE. NO ASSURANCE IS GIVEN AS TO THE INSURABILITY OF THE TITLE OR STATUS OF TITLE. CUSTOMER EXPRESSLY AGREES AND ACKNOWLEDGES IT HAS AN INDEPENDENT DUTY TO ENSURE AND/OR RESEARCH THE ACCURACY OF ANY INFORMATION OBTAINED FROM THE COMPANY OR ANY PRODUCT OR SERVICE PURCHASED.

NO THIRD PARTY IS PERMITTED TO USE OR RELY UPON THE INFORMATION SET FORTH IN THE REPORT, AND NO LIABILITY TO ANY THIRD PARTY IS UNDERTAKEN BY THE COMPANY.

CUSTOMER AGREES THAT, TO THE FULLEST EXTENT PERMITTED BY LAW, IN NO EVENT WILL THE COMPANY, ITS LICENSORS, AGENTS, SUPPLIERS, RESELLERS, SERVICE PROVIDERS, CONTENT PROVIDERS, AND ALL OTHER SUBSCRIBERS OR SUPPLIERS, SUBSIDIARIES, AFFILIATES, EMPLOYEES AND SUBCONTRACTORS BE LIABLE FOR CONSEQUENTIAL, INCIDENTAL, INDIRECT, PUNITIVE, EXEMPLARY, OR SPECIAL DAMAGES, OR LOSS OF PROFITS, REVENUE, INCOME, SAVINGS, DATA, BUSINESS, OPPORTUNITY, OR GOODWILL, PAIN AND SUFFERING, EMOTIONAL DISTRESS, NON-OPERATION OR INCREASED EXPENSE OF OPERATION, BUSINESS INTERRUPTION OR DELAY, COST OF CAPITAL, OR COST OF REPLACEMENT PRODUCTS OR SERVICES, REGARDLESS OF WHETHER SUCH LIABILITY IS BASED ON BREACH OF CONTRACT, TORT, NEGLIGENCE, THE COMPANY'S OWN FAULT AND/OR NEGLIGENCE, STRICT LIABILITY, BREACH OF WARRANTIES, FAILURE OF ESSENTIAL PURPOSE, OR OTHERWISE AND WHETHER CAUSED BY NEGLIGENCE, ERRORS, OMISSIONS, STRICT LIABILITY, BREACH OF CONTRACT, BREACH OF WARRANTY, THE COMPANY'S OWN FAULT AND/OR NEGLIGENCE OR ANY OTHER CAUSE WHATSOEVER, AND EVEN IF THE COMPANY HAS BEEN ADVISED OF THE LIKELIHOOD OF SUCH DAMAGES OR KNEW OR SHOULD HAVE KNOWN OF THE POSSIBILITY FOR SUCH DAMAGES.

END OF THE LIMITATIONS OF LIABILITY

78 4 4988

SEND TAX STATEMENTS TO:
Terry L. Emerson at WK
1840 Van Elsberg Way
Coos Bay, Ore 97420

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that MARCEL C. VAN ELSBERG and ELLEN E. VAN ELSBERG, husband and wife, hereinafter called the grantors, convey unto TERRY L. EMERSON and CONNIE L. EMERSON, husband and wife, hereinafter called the grantees, as tenants by the entirety, the heirs of the survivor and their assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Coos, State of Oregon, described as follows:

Beginning at the center North 1/16 corner of Section 24, Township 26 South, Range 13 West of the Willamette Meridian; thence N 0° 53' W 1,372.44 feet to the quarter corner between Sections 24 and 13, Township 26 South, Range 13 West of the Willamette Meridian; thence S 84° 54' E 466.00 feet; thence S 0° 53' E 1,091.48 feet to the North boundary of private road; thence along the North road boundary S 42° 31' W 103.81 feet; thence further along said road boundary S 22° 32' W 176.45 feet, more or less, to the 1/16 line between the Northwest quarter and the Southwest quarter of the Northwest quarter of Section 24, Township 26 South, Range 13 West of the Willamette Meridian; thence Westerly 322.06 feet along said 1/16 line to the point of beginning. The above parcel contains 13.92 acres, more or less.

SUBJECT TO: Pipeline easement dated November 8, 1966, Recorder's Instrument No. 67-3-16777, records of Coos County, Oregon.

TO HAVE AND TO HOLD the above premises unto said grantees, as tenants by the entirety, their heirs and assigns forever.

And grantors hereby covenant to and with grantees and the heirs of the survivor and their assigns, that grantors are lawfully seized in fee simple of the above granted premises, and that grantors will warrant and forever defend the same against the lawful claims and demands of all persons whomsoever, except as above stated.

The true and actual consideration for this transfer is \$10,500.

Marcel C. Van Elsberg
Ellen E. Van Elsberg

Ellen E. Van Elsberg

APR 25 1978

RECORDED BY
EMERSON NATIONAL
TITLE INSURANCE

Coos County Beach
STATE OF OREGON)
(ss.
County of Coos)

Before me this 16th day of April, 1978, personally appeared the above named MARCEL C. VAN ELSBERG and ELLEN E. VAN ELSBERG, husband and wife, and acknowledged the foregoing instrument to be their voluntary act and deed.

W. L. ...
NOTARY PUBLIC for Oregon
My Commission expires: 10-15-1978

(S L A L)

MAY - 8 1978
4988

MAY - 8 1978

67-3-16777

PIPELINE EASEMENT

KNOW ALL MEN BY THESE PRESENTS, That M. C. and Ellen Van Elsberg in consideration of \$10.00 Dollars, to them paid by Carlos & Ilene Van Elsberg do hereby grant, bargain, sell and convey unto said Carlos and Ilene Van Elsberg their successors and assigns, the right and privilege to enter upon, over and across the following real property, to wit:

A perpetual pipeline easement to construct, operate and maintain a pipeline over and across a portion of the N $\frac{1}{4}$ N E $\frac{1}{4}$, Section 24, Township 26 South, Range 13 W.W.M. more particularly described as follows:

A parcel of land 20 feet wide lying 10 feet on each side of the following described centerline. Beginning at a point 768.7 feet South and 43.5 feet East of the N $\frac{1}{4}$ corner Section 24, Township 26 South, Range 13 W.W.M; thence North 58°15' East 48.6 feet; thence North 43°00' East 119.8 feet; thence North 60°30' East 76.5 feet; thence South 72°30' East 38.0 feet; thence North 86°00' East 91.7 feet; thence South 68°45' East 100.2 feet; thence South 70°50' East 64.0 feet.

Also beginning at a point 521.6 feet South and 102.8 feet East of above mentioned N $\frac{1}{4}$ corner; thence South 26°15' East 30.1 feet; thence South 44°30' East 28.2 feet; thence South 66°45' East 33.2 feet; thence South 75°30' East 46.7 feet; thence South 58°15' East 67.8 feet to a point connecting with the above described parcel of land.

TO HAVE AND TO HOLD the above described and the granted rights and privileges unto the said Carlos and Ilene Van Elsberg their successors and assigns for a period of forever.

And the Grantors do covenant to and with the Grantee, its successors and assigns, that they are lawfully seized in fee simple of the above granted premises; that the above granted premises are free from all encumbrances, and that they will and their heirs, executors and administrators shall warrant and forever defend the above granted premises, and every part and parcel thereof, against the lawful claims and demands of all persons whomsoever.

67-3-16778

IN WITNESS WHEREOF, the Grantors above named have hereunto that
set their hands and seals, this

8th day of November, 1966.

(seal) M.C. Van Elsberg (seal)

(seal) Ellen E. Van Elsberg (seal)

BE IT REMEMBERED that on this 8th day of Nov.
1966, before me, the undersigned, a Notary Public in and for
said County and State, personally appeared the within named
Marcel and Ellen Van Elsberg husband and wife,
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.



Ethel Lowrey
Notary Public for Oregon

My Commission Expires:

May 6, 1970

2482 67-3-16777 2482
State of Oregon
County of Coos
I hereby certify that the within instrument
was filed for record

MAR 30 9 25 AM '67
and recorded in book 181 on
page 1 Record of
of said County.
WITNESS my hand and Seal of County
affixed at
Fay F. Crabtree, Coos County Clerk
By [Signature] Deputy
Return to [Signature]

RECORDED BY



Coos County Branch

Fee 3.42

66-7-10938

EASEMENT

THIS AGREEMENT, made this 22nd day of June, 1966 between Madge & Manferd Olson, husband and wife, hereinafter known as the Grantors, and Carlos L. & Ilene F. Van Elsberg, husband and wife, hereinafter known as the Grantees, witnesseth:

For the sum of Ten (\$10) Dollars and other valuable considerations to them paid by the Grantees, the Grantors hereby grant, bargain, sell and convey to the Grantees, their heirs and assigns, and any other persons, for the Grantees' benefit and advantage, the right of free ingress and egress on foot, with animals, with vehicles or otherwise, through and over a certain road or way located in the State of Oregon, County of Coos as follows:

The West one half of the Northeast Quarter in Section 24, Township 26 South, Range 13 West of the Willamette Meridian, Coos County, Oregon. Together with the land described in Volume 80, Page 400, Deed Records of Coos County, Oregon, being located at said Section 24, Township 26 South, Range 13 West of Willamette Meridian, Coos County, Oregon.

Also, beginning at a point 453.50 feet West of the center of Section 24, Township 26 South, Range 13 West of the Willamette Meridian, and running thence North 257.00 feet; thence East 432.50 feet; thence North 568 feet; thence West 1320 feet; thence South 358.38 feet; thence East 466.62 feet; thence South 466.62 feet; thence East 429.88 feet; to the place of beginning, containing 17 1/2 acres, more or less.

Witness our hands and seals this 22nd day of June 1966.

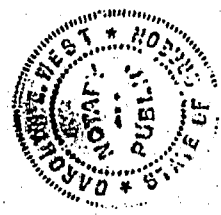
Madge Olson (SEAL)
Manferd Olson (SEAL)

(SEAL)
(SEAL)

STATE OF OREGON)
) ss
County of Coos)

June 22, 1966

Personally appeared the above named Manferd Olson and Madge Olson, his wife and acknowledged the foregoing instrument to be their voluntary act and deed. Before Me:



Carolyn E. Elliott
Notary Public for Oregon
My Commission Expires:
Sept 23, 1968

RECORDED JUL 19 1966 AT 12:12 pm
FAY F. CRABTREE, COUNTY CLERK

COOS COUNTY CLERK
RECORDED BY

After recording, return to:

94 04 1101

Nathan B. McClintock
Attorney at Law
P.O. Box 1178
Coos Bay, OR 97420.

EASEMENT

Grantors, ROBERT EUGENE EMERSON and BARBARA EMERSON, as husband and wife, convey to Grantees, TERRY L. EMERSON and CONNIE L. EMERSON, husband and wife, a perpetual, nonexclusive easement for access to the unnamed well which is located at or about the northern boundary of the following described property of Grantors:

A parcel of land lying in the Northwest quarter, Section 24, Township 26 South, Range 13 West, W.M., Coos County, Oregon. More particularly described as follows: Beginning at a 3/4 inch iron pipe, said pipe being North 00° 57' West 827.18 feet and South 87° 39' East 232.80 feet from the Southwest corner of the Southeast 1/4 of the Northwest 1/4, Section 24, Township 26 South, Range 13 West, W.M., Coos County, Oregon. The above point of beginning being based on a survey for James Callaghan by J. N. Gearhart, July 20, 1954; thence North 87° 39' West 82.80 feet to a 3/4 inch iron pipe; thence north 17° 43' East 740.06 feet to a 3/4 inch iron pipe; thence North 89° 49' East 940.95 feet to a 5/8 inch iron rod; thence South 00° 02' West 381.48 feet to an iron rod; thence North 86° 53' 30" West 622.30 feet to a 1/2 inch iron rod; thence South 24° 09' 30" West 268.31 feet to a 5/8 inch iron rod; thence West 179.01 feet to a 5/8 inch rod; thence South 31° 18' West 150.00 feet to the North Boundary of an existing 20 foot road right of way; thence North 87° 39' West 173.50 feet to the point of beginning. The above described parcel of land contains 10.5 acres, more or less.

The terms of the Easement are as follows:

1. Grantees shall have the right to place a pump and/or other equipment necessary for the operation of the well, including a holding tank, on the above-described property of Grantors, as well as a pipeline; said pipeline being placed in the most direct route feasible from said well to Grantees' property, which is described herein. Said pipeline shall be placed in the ground, except as necessary in the immediate vicinity of the well. The holding tank shall also be placed in the ground. Grantees are solely responsible for maintaining said well, holding tank and pipeline, and Grantees will give reasonable notice to Grantors before maintenance and repair work is performed on the well, holding tank and pipeline.
2. Grantors do not make any assurances or guarantees regarding the quality of the water available to Grantees at said well.
3. This easement is appurtenant to the real property owned by Grantees as described below.
4. This easement shall be perpetual in nature.

Easement -1-

2302

5. This easement is granted subject to all prior easements or encumbrances of record.

6. The following is a description of Grantees' property, to which this easement is appurtenant:

Beginning at the center North 1/16 corner of Section 24, Township 26 South, Range 13 West of the Willamette Meridian; thence N 0° 53' W 1,372.44 feet to the quarter corner between Sections 24 and 13, Township 26 South, Range 13 West of the Willamette Meridian; thence S 84° 54' E 456.00 feet; thence S 0° 53' E 1,091.48 feet to the North boundary of private road; thence along the North road boundary S 42° 31' W 103.61 feet; thence further along said road boundary S 22° 32' W 176.45 feet, more or less, to the 1/16 line between the Northwest quarter and the Southwest quarter of the Northeast quarter of Section 24, Township 26 South, Range 13 West of the Willamette Meridian; thence Westerly 322.06 feet along said 1/16 line to the point of beginning. The above parcel contains 13.92 acres, more or less.

SUBJECT TO: Pipeline easement dated November 8, 1966, Recorder's Instrument No. 67-3-16777, records of Coos County, Oregon.

IN WITNESS WHEREOF, the parties have caused this instrument to be executed the day and year written below.

4/12/94
Date

Robert Eugene Emerson
Robert Eugene Emerson, Grantor

4/12/94
Date

Barbara Emerson
Barbara Emerson, Grantor

4-12-94
Date

Terry L. Emerson
Terry L. Emerson, Grantee

4-12-94
Date

Connie L. Emerson
Connie L. Emerson, Grantee

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

Before me on the 12 day of April, 1994, personally appeared the above-named ROBERT EUGENE EMERSON and acknowledged the foregoing instrument to be his voluntary act and deed.



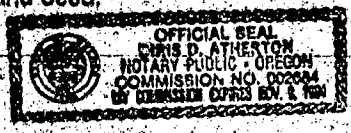
Dris W. Atherton
NOTARY PUBLIC FOR OREGON
My Commission Expires: 11-9-94

7303

94 04 1101

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

Before me on the 12 day of April, 1994, personally appeared the above-named BARBARA EMERSON and acknowledged the foregoing instrument to be her voluntary act and deed.



Davis D. Atherton
NOTARY PUBLIC FOR OREGON
My Commission Expires: 11-9-94

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

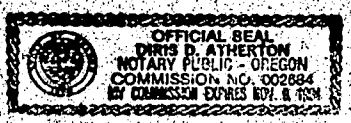
Before me on the 12 day of April, 1994, personally appeared the above-named TERRY L. EMERSON and acknowledged the foregoing instrument to be his voluntary act and deed.



Davis D. Atherton
NOTARY PUBLIC FOR OREGON
My Commission Expires: 11-9-94

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

Before me on the 12 day of April, 1994, personally appeared the above-named CONNIE L. EMERSON and acknowledged the foregoing instrument to be her voluntary act and deed.



Davis D. Atherton
NOTARY PUBLIC FOR OREGON
My Commission Expires: 11-9-94

RECORDING # 94041101

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



1:41 PM ON 04/25/1994
J. WILSON

By _____ Deputy

pages 3 Fee \$ 43.00

Easement -3-

2304

After recording 95 06 0528
return to:

YVONNE E. BROCK, trustee
of ELLEN ELIZA VAN ELSBERG trust
1510 Van Elsberg Way
Coos Bay, OR 97420

RECORDING # 95060524

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



11:48 ON 06/15/1995
H. BRIGHT

By _____ Deputy

EASEMENT # pages 2 Fee \$ 38.00

AFTER RECORDING
RETURN TO
THEY THE ADDRESS:
211 N. 2nd - Astoria
Call Dept. Of PROBATE

YVONNE EVELYN BROCK, trustee of the ELLEN ELIZA VAN ELSBERG trust intends and by this instrument grants a perpetual and non-exclusive easement for ingress and egress across real property owned by the trust and described as exhibit A attached hereto.

Said easement granted is described as that certain existing roadway commonly known as Van Elsberg Way, Coos Bay, Coos County, Oregon.

The easement granted herein is intended to benefit the following parcels of real property which are described as follows:

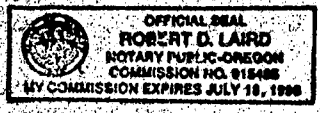
1. Real property described in Microfilm number 73 8 90227;
2. Real property described in Microfilm number 77 6 09484;
3. Real property described in Microfilm number 78 4 4988;
4. Real property described in Microfilm number 81 4 2703;
5. Real property described in Microfilm number 71 9 63399;
and
6. Real property described in Microfilm number 92 05 0111;

Dated this 15 day of June, 1995.

Yvonne E. Brock
YVONNE E. BROCK, trustee of the
ELLEN ELIZA VAN ELSBERG trust

STATE OF OREGON }
County of Coos } ss.

Personally appeared the above named YVONNE E. BROCK, trustee of the ELLEN ELIZA VAN ELSBERG trust and acknowledged the foregoing instrument to be her voluntary act and deed. Before me this 15 day of June, 1995.



Mr. Laird
Notary Public for Oregon
My Commission Expires: _____

1147

LEGAL DESCRIPTION

95 06 0526

The SE 1/4 of the NE 1/4; the West 1/2 of the NE 1/4; the SE 1/4 of the NW 1/4 lying East of the Ross Slough Market County Road of Section 24, Township 26 South, Range 13 West of the Willametta Meridian, Coos County, Oregon.

EXCEPT the South 525 feet of the SE 1/4 of the NW 1/4.

EXCEPT that portion conveyed to Cyrus Lanway, at ux, by instrument recorded August 15, 1963, in Book 303, Page 115, Dead Records of Coos County, Oregon.

EXCEPT that portion conveyed to Robert Eugene Emerson, at ux, by instrument recorded July 17, 1980, bearing Microfilm Reel No. 80-3-1297, Records of Coos County, Oregon.

EXCEPT that portion conveyed to William L. Hedges, at ux, by instrument recorded June 16, 1977, bearing Microfilm Reel No. 77-06-09484, Records of Coos County, Oregon.

EXCEPT that portion conveyed to Louis Brock, at ux, by instrument recorded August 28, 1973, bearing Microfilm Reel No. 73-08-90227, Records of Coos County, Oregon.

EXCEPT that portion conveyed to H. A. Hoyt, at ux, by instrument recorded March 3, 1969, bearing Microfilm Reel No. 69-03-36701 and 69-03-36702, Records of Coos County, Oregon.

EXCEPT that portion conveyed to George Van Elsberg, at ux, by instrument recorded April 18, 1968, bearing Microfilm Reel No. 68-04-27672 and 68-04-27674, Records of Coos County, Oregon.

EXCEPT that portion conveyed to Lynn Mathews by instrument recorded August 31, 1977, bearing Microfilm Reel No. 77-08-14282, Records of Coos County, Oregon.

EXCEPT that portion conveyed to Terry L. Emerson, at ux, by instrument recorded May 8, 1978, bearing Microfilm Reel No. 78-4-4788, Records of Coos County, Oregon.

EXCEPT that portion conveyed to Gayland C. Van Elsberg, by instrument recorded July 18, 1983, bearing Microfilm Reel No. 83-3-5939, Records of Coos County, Oregon.

EXCEPT that portion conveyed to Carlos Van Elsberg, at ux, by instrument recorded March 4, 1963, in Book 300, Page 223, Dead Records of Coos County, Oregon. -----

1148

After recording return to: Robert E. and Barbara A. Emerson
93853 Van Elsberg Lane
Coos Bay, OR 97420

The true and actual consideration for this conveyance is \$0.00

PERPETUAL EASEMENT

Terry L. Emerson and Connie L. Emerson, husband and wife and as tenants by the entirety, Grantor's, hereby grant to Robert Eugene Emerson and Barbara Ann Emerson, husband and wife, Grantee's, a perpetual nonexclusive easement for ingress, egress and utilities over and across the South 50 feet of that parcel of land located in the NW1/4 of the NE1/4 of Section 24, Township 26 South, Range 13 West of the Willamette Meridian, Coos County, Oregon also more particularly described in Microfilm Reel No. 78-44988 recorded in the Coos County Clerk's Office. This easement shall serve the Easterly 450 feet of the Grantee's property described in Microfilm Reel No. 80-31297.

Dated December 12, 2005

GRANTOR'S/GRANTEE'S:

Terry L. Emerson
Terry L. Emerson

Connie L. Emerson
Connie L. Emerson

Robert Eugene Emerson
Robert Eugene Emerson

Barbara Ann Emerson
Barbara Ann Emerson

STATE OF OREGON)
) ss.
County of Coos)



The foregoing instrument was acknowledged before me this 12TH day of December, 2005 by Terry L. Emerson, Connie L. Emerson, Robert Eugene Emerson and Barbara Ann Emerson.

Troy Rambo
Notary Public for Oregon

Return to: Pacific Power
135 Lockhart Ave.
Coos Bay, OR. 97420



DEBBIE HELLER, CCC, COOS COUNTY CLERK

CC#: 11171 WO#: 6545663

RIGHT OF WAY EASEMENT

For value received, *Terry L. Emerson and Connie L. Emerson* ("Grantor"), hereby grants to PacificCorp, an Oregon corporation, its successors and assigns, ("Grantee"), a perpetual easement for a right of way *15* feet in width and *250* feet in length, more or less, for the construction, reconstruction, operation, maintenance, repair, replacement, enlargement, and removal of Grantee's electric power transmission, distribution and communication lines and all necessary or desirable accessories and appurtenances thereto, including without limitation: supporting towers, poles, props, guys and anchors, including guys and anchors outside of the right of way; wires, fibers, cables and other conductors and conduits therefor; and pads, transformers, switches, vaults and cabinets, along the general course now located by Grantee on, over, across or under the surface of the real property of Grantor in *Coos* County, State of *Oregon*, more particularly described as follows and/or shown on Exhibit(s) *A & B* attached hereto and by this reference made a part hereof:

A portion of:

Northwest Quarter of the Northeast Quarter of Section 24, Township 26 South, Range 13 West of the Willamette Meridian, Coos County, Oregon.

Assessor's Map No. 26S 13W 24A

Parcel No. Tax Lot 500

Together with the right of ingress and egress, for Grantee, its contractors, or agents, to the right of way from adjacent lands of Grantor for all activities in connection with the purposes for which this easement has been granted; and together with the present and (without payment therefor) the future right to keep the right of way and adjacent lands clear of all brush, trees, timber, structures, buildings and other hazards which might endanger Grantee's facilities or impede Grantee's activities.

At no time shall Grantor place, use or permit any equipment, material or vegetation of any kind that exceeds twelve (12) feet in height, light any fires, place or store any flammable materials, on or within the boundaries of the right of way. Subject to the foregoing limitations, the surface of the right of way may be used for other purposes not inconsistent, as defined by the Grantee, with the purposes for which this easement has been granted.

JURY WAIVER. TO THE FULLEST EXTENT PERMITTED BY LAW, EACH OF THE PARTIES HERETO WAIVES ANY RIGHT IT MAY HAVE TO A TRIAL BY JURY IN RESPECT OF LITIGATION DIRECTLY OR INDIRECTLY ARISING OUT OF, UNDER OR

IN CONNECTION WITH THIS EASEMENT. EACH PARTY FURTHER WAIVES ANY RIGHT TO CONSOLIDATE, OR TO REQUEST THE CONSOLIDATION OF, ANY ACTION IN WHICH A JURY TRIAL HAS BEEN WAIVED WITH ANY OTHER ACTION IN WHICH A JURY TRIAL CANNOT BE OR HAS NOT BEEN WAIVED. THIS PARAGRAPH WILL SURVIVE THE EXPIRATION OR TERMINATION OF THIS AGREEMENT.

Grantor represents and warrants that it possesses all right, title and interest in and to the right of way area, free and clear of any lien, security interest, encumbrance, claim, license or other restriction that would interfere with Grantee's use of the right of way area for the purposes contemplated hereunder.

The rights and obligations of the parties hereto shall be binding upon and shall benefit their respective heirs, successors and assigns and shall run with the land.

Dated this 28th day of July, 2018.

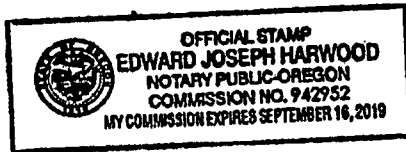
Terry L. Emerson
Terry L. Emerson GRANTOR

Connie L. Emerson
Connie L. Emerson GRANTOR

INDIVIDUAL ACKNOWLEDGEMENT

State of OREGON }
County of COOS } SS.

This instrument was acknowledged before me on this 28 day of July, 2018,
by TERRY L. EMERSON AND
CONNIE L. EMERSON, as OWNERS
Name of Representative of SUBJECT Title of Representative
of FACTIVE FOWER PROPERTY
Name of Entity on behalf of whom this instrument was executed



Edward J. Harwood
Notary Public
My commission expires: 9/16/2019

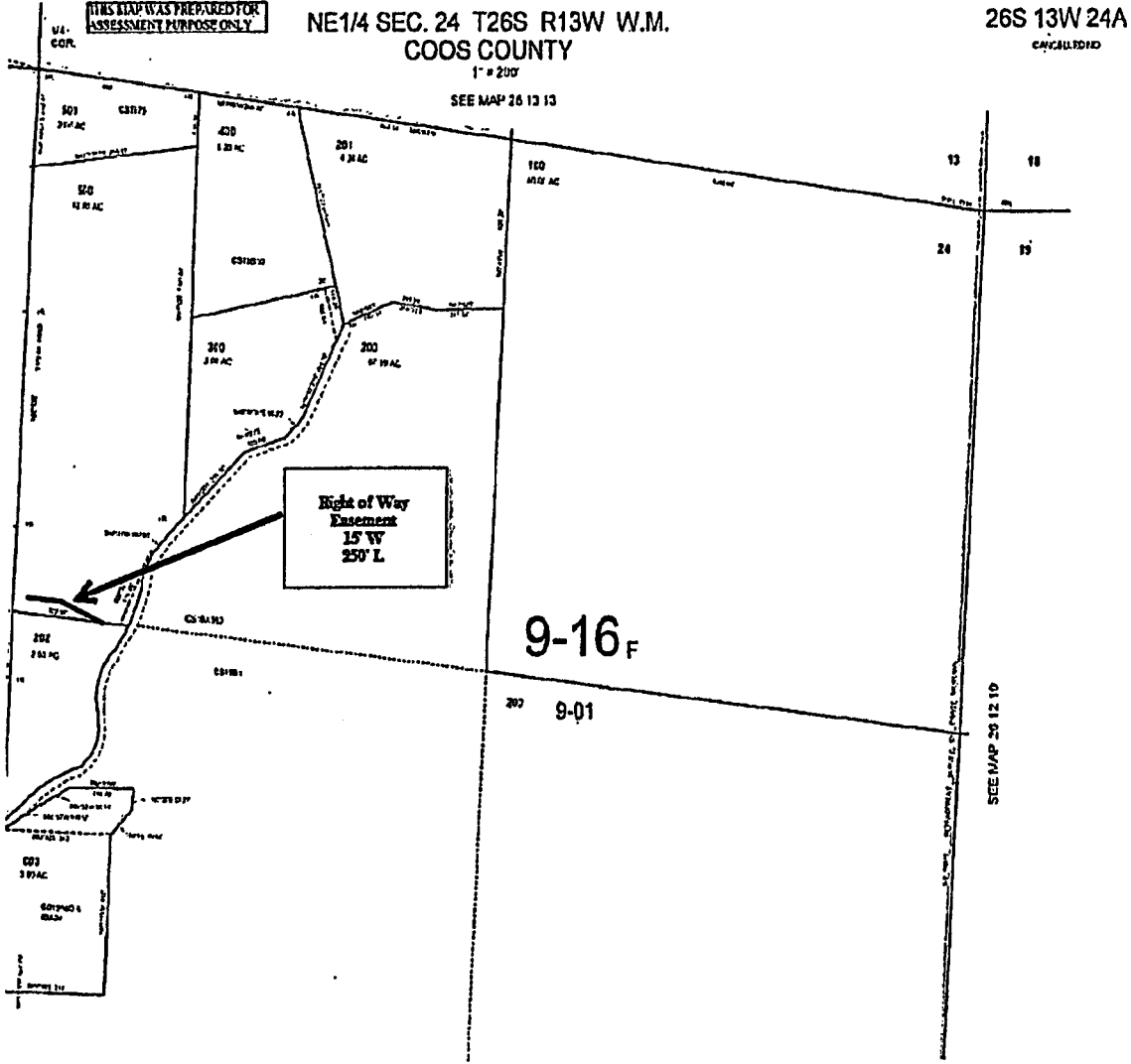
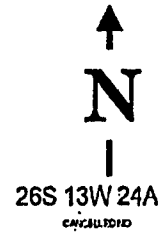
PROPERTY DESCRIPTION

Section: 24, Township: 26S, Range: 13W, Willamette Meridian,
Coos County, State of Oregon.

Map / Tax Lot or Parcel No.: 26S 13W 24A Tax Lot 500

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY

NE1/4 SEC. 24 T26S R13W W.M.
COOS COUNTY



CC#: 11171 WO#: 6545663
Landowner Name: Terry & Connie Emerson
Drawn by: L. McGriff

This drawing should be used only as a representation of the location of the easement area. The exact location of all structures, lines and appurtenances is subject to change within the boundaries of the described easement area.

EXHIBIT A



PROPERTY DESCRIPTION

"A Portion Of"

Beginning at the center North 1/16 corner of Section 24, Township 26 South, Range 13 West of the Willamette Meridian; thence ~~N 0° 53'~~ W 1,372.44 feet to the quarter corner between Sections 24 and 13, Township 26 South, Range 13 West of the Willamette Meridian; thence S 84° 54' E 466.00 feet; thence S 0° 53' E 1,091.48 feet to the North boundary of private road; thence along the North road boundary S 42° 31' W 103.81 feet; thence farther along said road boundary S 22° 32' W 176.45 feet, more or less, to the 1/16 line between the Northwest quarter and the Southwest quarter of the Northeast quarter of Section 24, Township 26 South, Range 13 West of the Willamette Meridian; thence Westerly 322.06 feet along said 1/16 line to the point of beginning. The above parcel contains 13.92 acres, more or less.

SUBJECT TO: Pipeline easement dated November 8, 1966, Recorder's Instrument No. 67-3-16777, records of Coos County, Oregon.

CC#: 11171 WO#: 6545663

Grantor Name: Terry & Connie Emerson

EXHIBIT B

PACIFIC POWER
A DIVISION OF PACIFICORP

**OS COUNTY ASSESSOR
REAL PROPERTY ACCOUNT NAMES**

1/7/2021 5:59:18 AM

Account # 534504
Map 26S1324-A0-00500
Owner EMERSON, TERRY L. & CONNIE L.
94037 VAN ELSBERG LN
COOS BAY OR 97420-6376

Name Type	Name	Ownership Type	Own Pct
OWNER	EMERSON, TERRY L. & CONNIE L.	OWNER	100.00

COOS County Assessor's Summary Report

Real Property Assessment Report

FOR ASSESSMENT YEAR 2021

NOT OFFICIAL VALUE

January 7, 2021 5:58:41 am

Account # 534504 Map # 26S1324A000500 Code - Tax # 0916-534504 Legal Descr See Record Mailing Name EMERSON, TERRY L. & CONNIE L. Agent In Care Of Mailing Address 94037 VAN ELSBERG LN COOS BAY, OR 97420-6376 Prop Class 641 MA SA NH Unit RMV Class 601 04 17 RRL 9699-1	Tax Status ASSESSABLE Acct Status ACTIVE Subtype NORMAL Deed Reference # See Record Sales Date/Price See Record Appraiser JIM HARTER
--	---

Situs Address(s)	Situs City
ID# 20 94037 VAN ELSBERG LN	COOS BAY

Code Area	RMV	MAV	Value Summary			RMV Exception	CPR %
			AV	SAV	MSAV		
0916 Land	69,632					Land	0
Impr.	207,050					Impr.	0
Code Area Total	276,682	262,270	269,002	10,582	6,732		0
Grand Total	276,682	262,270	269,002	10,582	6,732		0

Code Area	ID#	RFPD	Ex	Plan Zone	Value Source	Land Breakdown			LUC	Trended RMV	
						TD%	LS	Size			
0916	40	<input checked="" type="checkbox"/>		RR-2	Designated Forest Land	100	A	4.00	B	006*	3,820
0916	20	<input type="checkbox"/>		RR-2	Designated Forest Land	100	A	7.08	B	006*	6,762
0916	30	<input checked="" type="checkbox"/>		RR-2	Market	100	A	1.00	HS	003	59,050
Grand Total								12.08			69,632

Code Area	ID#	Yr Built	Stat Class	Description	Improvement Breakdown			Total Sq. Ft.	Ex% MS Acct #	Trended RMV
					TD%					
0916	3	2000	303	General Purpose Building	100		1,600		25,020	
0916	2	2007	303	General Purpose Building	100		2,000		27,060	
0916	1	1977	141	One story-Class 4	100		1,966		154,970	
Grand Total								5,566		207,050

Code Area	Type	Exemptions/Special Assessments/Potential Liability								
NOTATION(S):										
■ FARM/FOREST POT'L ADD'L TAX LIABILITY FOREST										
0916										
FIRE PATROL:										
■ FIRE PATROL SURCHARGE										
	Amount	47.50		Year	2021					
■ FIRE PATROL TIMBER										
	Amount	18.75	Acres	11.08	Year	2021				

|

STATEMENT OF TAX ACCOUNT
COOS COUNTY TAX COLLECTOR
COOS COUNTY COURTHOUSE
COQUILLE, OREGON 97423
(541) 396-7725

7-Jan-2021

EMERSON, TERRY L. & CONNIE L.
 94037 VAN ELSBERG LN
 COOS BAY OR 97420-6376

Tax Account #	534504	Lender Name	
Account Status	A	Loan Number	
Roll Type	Real	Property ID	0916
Situs Address	94037 VAN ELSBERG LN COOS BAY OR 97420	Interest To	Jan 15, 2021

Tax Summary

Tax Year	Tax Type	Total Due	Current Due	Interest Due	Discount Available	Original Due	Due Date
2020	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$3,055.78	Nov 15, 2020
2019	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$2,956.26	Nov 15, 2019
2018	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$2,770.95	Nov 15, 2018
2017	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$2,386.21	Nov 15, 2017
2016	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$2,382.75	Nov 15, 2016
2015	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$2,391.83	Nov 15, 2015
2014	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$2,427.21	Nov 15, 2014
2013	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$96.65	Nov 15, 2013
2012	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$95.75	Nov 15, 2012
2011	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$94.79	Nov 15, 2011
2010	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$94.05	Nov 15, 2010
2009	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$93.36	Nov 15, 2009
2008	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$119.09	Nov 15, 2008
2007	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$82.06	Nov 15, 2007
2006	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$91.05	Nov 15, 2006
2005	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$91.63	Nov 15, 2005
2004	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$89.77	Nov 15, 2004
2003	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$68.93	Nov 15, 2003
Total		\$0.00	\$0.00	\$0.00	\$0.00	\$19,388.12	

TAX NOTATION...

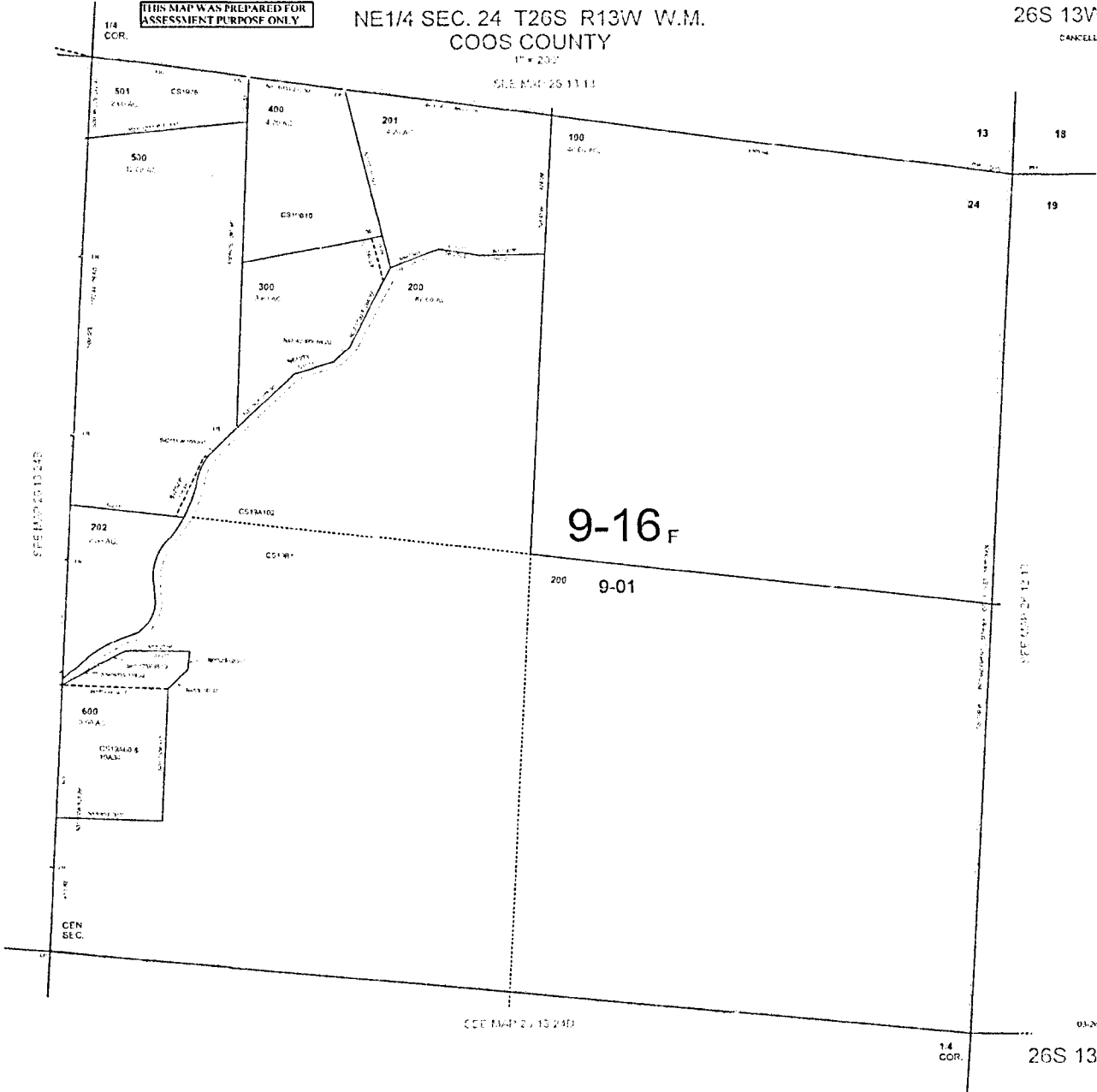
NOTATION CODE	DATE ADDED	DESCRIPTION
SPLIT CODE	4-Jun-2014	AFFIDAVIT #20303 - #534594 COMBINED INTO #534504 RURAL FIRE/FIRE PATROL SPLIT CODE CONSOLIDATION

THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY

NE 1/4 SEC. 24 T26S R13W W.M.
COOS COUNTY

26S 13W 24A
CANCELLED NO.

SEE MAP 25 13 11

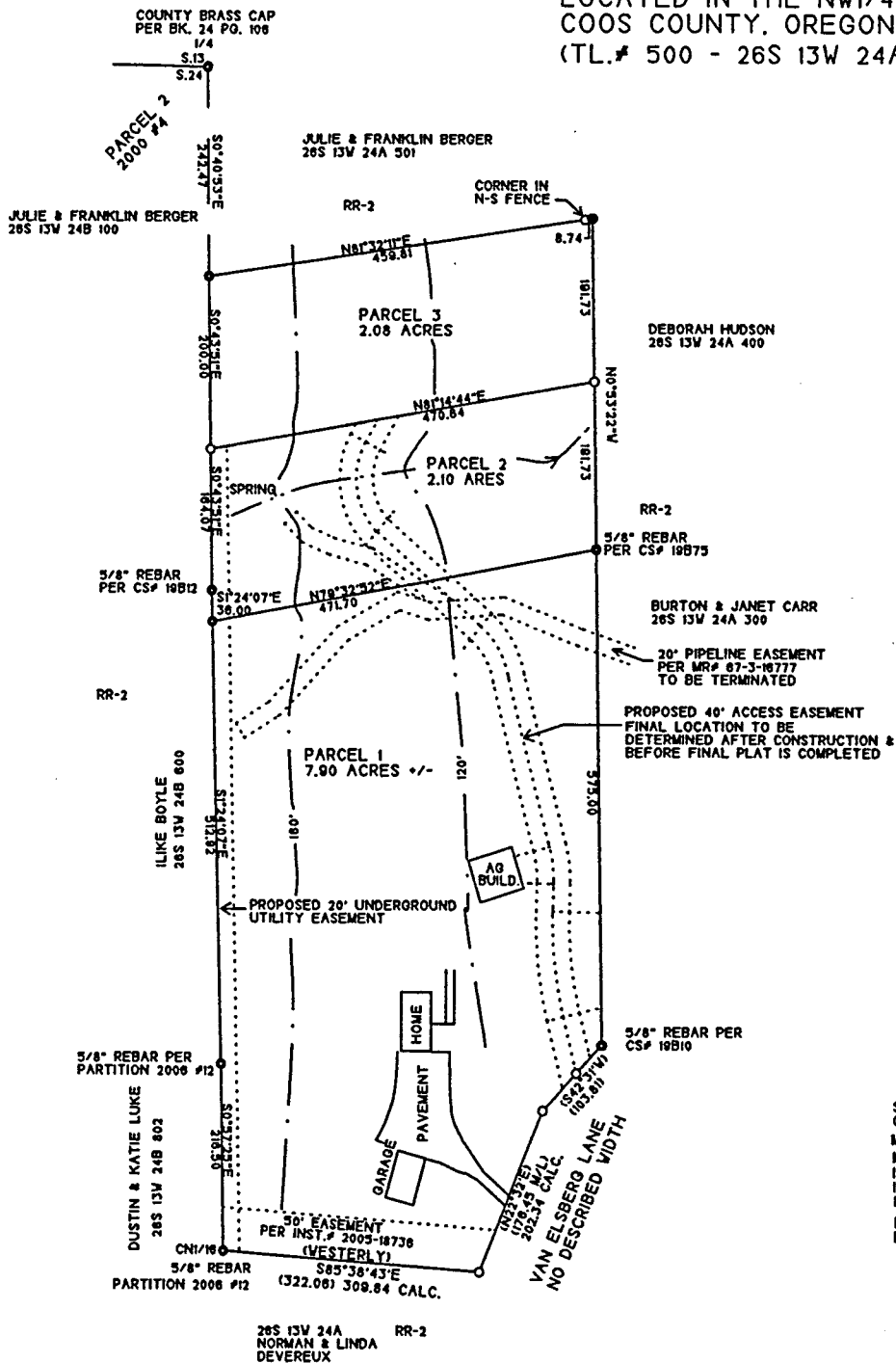


SEE MAP 25 13 11

1/4 CCR.

03-25-2007
26S 13W 24A

TENTATIVE PARTITION
 LOCATED IN THE NW1/4 NE1/4 OF SECTION 24, T.26S., R.13., W.M.,
 COOS COUNTY, OREGON
 (TL.# 500 - 26S 13W 24A - ACCT.# 534504 - 12.08 ACRES)



FEBRUARY 18, 2021
 SCALE 1" = 100'

NOTES

- ZONING - RR-2
- EXISTING LAND USE - RESIDENTIAL
- WATER - PARCEL 1 - EXISTING WELL
- PARCELS 2 & 3 - PROPOSED WELLS
- SEWAGE DISPOSAL - PARCEL 1 EXISTING SYSTEM
- PARCEL 2 & 3 - SEPTIC SYSTEMS - NOT PROVIDED
- POWER / PHONE - LOCATED ON PROPOSED PARCEL 1
- TOPOGRAPHY - VARIABLE

SURVEY FOR:

TERRY & CONNIE EMERSON
 94037 VAN ELSBERG LANE
 COOS BAY, OR 97420

STEPHEN & JEANNE BERGER
 93945 AUTUMN LANE
 COOS BAY, OR 97420

SURVEY BY:

MULKINS & RAMBO, LLC
 P.O. BOX 809
 NORTH BEND, OR 97450

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

Troy J. Rambo

OREGON
 JULY 1988
 TROY J. RAMBO
 2865

RENEWAL 12-31-2022

LEGEND

- CORNER OF RECORD
- PROPOSED CORNER
- () RECORD DEED BEARING/DISTANCE

PROPERTY SUBJECT TO

- SETBACKS - 35 FT. FROM CENTERLINE OR 5 FT. FROM THE RIGHT OF WAY, WHICHEVER IS GREATER
- MR# 66-7-10938 - UNDESCRIBED ACCESS EASEMENT
- MR# 67-3-18777 - PIPELINE EASEMENT - TO BE TERMINATED
- INST.# 84-04-1101 - EASEMENT TO WELL
- INST.# 85-08-0526 - UNDESCRIBED ROAD EASEMENT - VAN ELSBERG LANE
- INST.# 2005-18736 - 50' ACCESS EASEMENT ALONG SOUTH BOUNDARY
- INST.# 2018-09041 - 15' POWER LINE EASEMENT - PACIFICORP
- FALLS WITHIN THE 50' EASEMENT PER INST.# 2005-18736