



# 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](mailto:PLANNING@CO.COOS.OR.US) PHONE: 541-396-7770

FILE NUMBER: ACU-21-075

Date Received: 10/28/21 Receipt #: 228671 Received by: UMP

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)** Jason Smith, Etal (See Deed)

Mailing address: 65611 East Bay Road, North Bend, Or. 97459

Phone: 541-404-6806 Email: jason@southportlumber.com

Township: 25S Range: 13W Section: 12 ¼ Section: C 1/16 Section: Select Tax lots: Portion 102

Select Select Select Select Select

Tax Account Number(s): 322704 Zone: Select Zone Forest Mixed Use (FMU)

Tax Account Number(s): \_\_\_\_\_ Please Select

**B. Applicant(s)** Same as Above

Mailing address: \_\_\_\_\_

Phone: \_\_\_\_\_

**C. Consultant or Agent:** Stuntzner Engineering and Forestry, LLC (Chris Hood)

Mailing Address PO Box 118, Coos Bay, Or. 97420

Phone #: 541-269-2106 Email: chris@stuntzner.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  On-Site Septic

School District: North Bend  Fire District: North Bend 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 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](#)



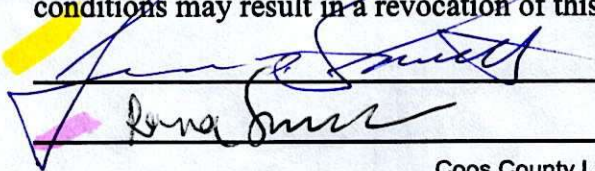
D. **ATTACHED WRITTEN STATEMENT.** With all land use applications, the “burden of proof” is on the applicant. It is important that you provide information that clearly describes the nature of the request and indicates how the proposal complies with all of the applicable criteria within the Coos County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

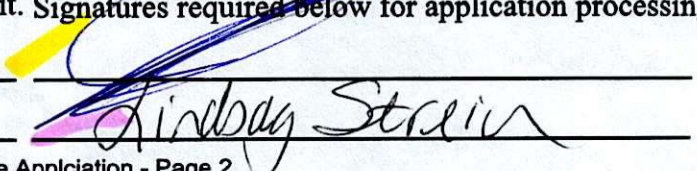
Application Check List: Please make off all steps as you complete them.

- 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. Signatures required below for application processing.

  
\_\_\_\_\_  
Dana Smith

  
\_\_\_\_\_  
Lindsey Strain



# APPLICANT'S EXHIBIT "A"

## JASON SMITH, ETAL FOREST (TEMPLATE) DWELLING

LOCATED IN TOWNSHIP 25 SOUTH, RANGE 13 WEST W.M.,  
SECTION 12C, PORTION OF TAX LOT 102

### Application Requirements

#### A. STATEMENT OF INTENT:

The purpose of this application is to request approval for a forest (Template) dwelling in the Forest (F) zone on the property described above. Evidence has been submitted below addressing the required criteria pursuant to the Coos County Zoning and Land Development Ordinance (CCZLDO).

The subject property consists of a 2.03 acre parcel with direct access from Kirkendall Lane, a Public dedicated right-of-way. The northerly portion of the property slopes gradually to the north, however the proposed development area is relatively flat. The vegetation on the property consists of young commercial tree species (Douglas Fir) with intermingled coastal vegetation. The property is currently vacant with no improvements. The land to the north, east and west also contains young reprod, while the land to the south contains small lot residential development within the City of Coos Bay Subdivision Plat. Potable water will be from a drilled well source that is exempt from permitting through the Oregon Department of Water Resources. Sanitary sewer will be from an onsite septic system that has yet to be approved.

#### B. PLOT PLAN:

A Plot Plan has been submitted showing all of the elements required pursuant the Coos County Land Use Permit Application.

### Application Criteria and Evidence

#### 4.6.120 Review Standards

(9)(B)(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.

*APPLICANT'S RESPONSE: The property is composed of soils that are capable of producing more than 85 Cubic Feet, Per Acre, Per Year of Growth.*

*Attached is evidence in the form of current assessment maps showing in excess of 11 lots (legal parcels) within the City of Coos Bay subdivision that are within or touching the 160 acre template centered on the subject property. Also included is assessment information verifying that a minimum of seven dwellings exist within those legal parcels, that were built prior to January 1, 1993.*

(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.

*APPLICANT'S RESPONSE: None of the parcels used to satisfy the required criteria are located within an Urban Growth Boundary.*

(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.

*APPLICANT'S RESPONSE: It is believed that there are no identified special considerations or natural hazards that preclude residential development on the subject property. Because the property qualifies with the "acknowledged provisions" of the CCZLDO for a forest dwelling, the proposed use is deemed to be in compliance with all state and local provisions of law.*



(b) Unless it complies with the requirements of ORS 215.730.

*APPLICANT'S RESPONSE: This criterion is redundant and unnecessary as the provisions of ORS 215.730 are specifically addressed under CCZLDO 4.6.130 and 4.6.140 below.*

(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.

*APPLICANT'S RESPONSE: The subject tract consists of one parcel of land. A copy of the current deed of record has been submitted with the application showing that there are no restrictions prohibiting residential development. More specifically, the parcel has not been utilized to qualify a dwelling under the large tract standards and therefore no development restrictions have been imposed pursuant to ORS 215.750(3).*

(d) If the tract on which the dwelling will be sited includes a dwelling.

*APPLICANT'S RESPONSE: There is currently no residential dwelling on the tract (parcel).*

(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.

*APPLICANT'S RESPONSE: A 160 acre square was utilized to qualify the subject parcel.*

(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.

*APPLICANT'S RESPONSE: A 160 acre square was utilized to qualify the subject parcel.*



(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]

*APPLICANT'S RESPONSE: This criterion is not applicable.*

**NOTE:** Section 4.6.120(9)(c) "Additional Criteria for all Dwellings allowed in the Forest and Forest Mixed Use Zones," is addressed at the bottom of this document.

### **Section 4.6.130 Additional Criteria for all New and Replacement Dwellings and Structures in Forest**

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 or adjoining forest or agricultural lands;

*APPLICANT'S RESPONSE: The subject property contains 2.03 acres. The proposed Dwelling will be sited in the southeast corner of parcel in close proximity to the county road providing access to the parcel. There will be a 200 foot buffer (north) and a 150 foot buffer (west) from adjacent forest land. The land to the east consist of a 2.10 acre parcel that will likely be utilized for a residential use and the property to the south contains small lot residential uses and is not suitable for commercial forest use. There are no commercial agricultural uses adjacent to or nearby the subject property. The proposed Dwelling will not impact resource uses on nearby or adjoining lands.*

(b) The siting ensures that adverse impacts on forest operations and accepted farming practices on the tract will be minimized;

*APPLICANT'S RESPONSE: The subject property contains 2.03 acres and is likely not suitable for commercial forest use. With that said, the proposed Dwelling will be sited in the southeast corner of parcel in close proximity to the county road providing access to the parcel. There will be a 200 foot buffer (north) and a 150 foot buffer (west) from adjacent forest land. The dwelling is located in an area that will have minimal impact to resource use of the parcel and there is no reason why commercial timber on the undeveloped portion the parcel could not be harvested.*

(c) The amount of forest lands used to site access roads, service corridors, the dwelling and structures is minimized; and



*APPLICANT'S RESPONSE: The proposed dwelling will be located in close proximity to the county access road and therefore, the amount of land utilized for the dwelling and driveway will be minimal.*

(d) The risks associated with wildfire are minimized.

*APPLICANT'S RESPONSE: The applicant will comply with all statutory fire siting and safety requirements to assure that risks associated with wildfires are minimized.*

**3 For the purpose of this section "Nearby" is defined as within the decision notification area as defined in Section 5.0.900(2) for farm zoned property.**

(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.

*APPLICANT'S RESPONSE: This criteria has been sufficiently addressed above or within the "Applicant's Response" elsewhere in this application.*

(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
- (d) 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.

*APPLICANT'S RESPONSE: The domestic water source will be from an onsite well that is exempt under Oregon Department of Water resources regulations. A contractors report will be provided 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.

*APPLICANT'S RESPONSE: Access to the subject property is by way of Kirkendall Lane, a public dedicated right-of-way. The access does not cross a road that is owned or maintained by ODF, BLM, or USFS.*

(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.

*APPLICANT'S RESPONSE: The subject property contains an adequate number of commercial tree species to meet current DOF stocking requirements. The property does not contain more than 10 acres and is therefore exempt under this criterion(c). The owner, as a requirement of law, will record a non-remonstrative agreement to farm and forest practices prior to residential development.*

**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.

*APPLICANT'S RESPONSE: There is no partition or subdivision proposed. This is not applicable.*

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.

*APPLICANT'S RESPONSE: The site plan clearly show that the dwelling meets the road setback.*

3. Fences, Hedges and Walls: No requirement, except for vision clearance provisions in Section 7.1.525.

*APPLICANT'S RESPONSE: There are no fences, hedges or walls proposed.*

4. Off-Street Parking and Loading: See Chapter VII.

*APPLICANT'S RESPONSE: There are no requirements for off-street parking or loading zones and therefore this criterion is not applicable.*

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.

*APPLICANT'S RESPONSE: As a "Requirement of Approval" to this application, the applicant will be responsible for recording a deed covenant or written contract with the County Clerk, or its equivalent, that recognizes the rights of adjacent and nearby land owners to conduct forest operations consistent with the Oregon Forest Practices Act and related Oregon Administrative Rules.*

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.

*APPLICANT'S RESPONSE: There are no wetlands, streams, lakes or rivers located within 50 feet of proposed dwelling.*

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.

*APPLICANT'S RESPONSE: The subject property is located within the North Bend Rural Fire Protection District.*



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;

*APPLICANT'S RESPONSE: The property owner at the time of development shall comply with any alternative fire suppression requirements deemed necessary by the Planning Director.*

- 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;

*APPLICANT'S RESPONSE: The property owner at the time of development shall comply with any alternative fire suppression requirements deemed necessary by the Planning Director.*

- 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

*APPLICANT'S RESPONSE: There is no water diversion proposed for fire suppression other than from the applicant's domestic water source. The domestic water source will be from an on-site well which is exempt from permitting under the Oregon Water Resources Department regulations.*

- 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.

*APPLICANT'S RESPONSE: There is currently no body of water or stream available for fire suppression purposes.*

#### 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.

*APPLICANT'S RESPONSE: The property owner at the time of development shall construct 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.

*APPLICANT'S RESPONSE: There is no existing pond, swimming pool, stream or lake available for fire suppression.*

10. Firebreak:

a. A firebreak shall be established and maintained around all structures, including decks, for a distance of at least 30 feet in all directions.

b. 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.

*APPLICANT'S RESPONSE: The owner at the time of development shall establish and maintain a 30 foot primary firebreak as described in subsection (b) around all structures, including decks.*

c. Sufficient garden hose to reach the perimeter of the primary safety zone shall be available at all times.

*APPLICANT'S RESPONSE: The owner shall maintain a garden hose capable of reaching the perimeter of the primary safety zone at all times.*

d. 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.

<i>Table 1 – Minimum Primary Safety Zone Slope</i>	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



*APPLICANT'S RESPONSE: The locations of the dwelling and surrounding area is relatively flat and at no point exceeds a 10% grade. The property owner will construct and maintain a 30 foot primary safety zone.*

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.

*APPLICANT'S RESPONSE: All new and replacement structures will use non-combustible or fire resistant roofing materials 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).

*APPLICANT'S RESPONSE: There is currently no water source exceeding 4000 gallons existing on the subject property.*

13. The dwelling shall not be sited on a slope of greater than 40 percent.

*APPLICANT'S RESPONSE: No portion of the dwelling site exceeds a 10% grade, including the area surrounding the dwelling site.*

14. If the dwelling has a chimney or chimneys, each chimney shall have a spark arrester.

*APPLICANT'S RESPONSE: If the proposed dwelling has a chimney or chimneys, each chimney shall have a spark arrester.*

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.

*APPLICANT'S RESPONSE: Access to the subject property is directly from Kirkendall Lane, a public dedicated right-of-way. The existing road is capable of supporting firefighting equipment.*

17. Access to new dwellings shall meet road and driveway standards in Chapter VII.

*APPLICANT'S RESPONSE: The applicant will be responsible for meeting driveway standards pursuant to Chapter VII CCZLDO.*

**Section 4.6.120(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.

APPLICANTS RESPONSE: This criterion is addressed above at Section 4.6.130(5)

(b) The dwelling meets the following requirements:

(A) The dwelling has a fire retardant roof.

APPLICANTS RESPONSE: This criterion is addressed above at Section 4.6.140(11)

(B) The dwelling will not be sited on a slope of greater than 40 percent.

APPLICANTS RESPONSE: This criterion is addressed above at Section 4.6.140(13)

(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.

APPLICANTS RESPONSE: This criterion is addressed above at Section 4.6.130(3)

(D) The dwelling is located upon a parcel within a fire protection district or is provided with residential fire protection by contract.

APPLICANTS RESPONSE: This criterion is addressed above at Section 4.6.140(7)

(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.

APPLICANTS RESPONSE: This criterion is addressed above at Section 4.6.130(7)

(F) If the dwelling has a chimney or chimneys, each chimney has a spark arrester.

APPLICANTS RESPONSE: This criterion is addressed above at Section 4.6.140(14)

(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.

APPLICANTS RESPONSE: This criterion is addressed above at Section 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.

APPLICANTS RESPONSE: This criterion is addressed above at Section 4.6.140(8)

(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.

APPLICANTS RESPONSE: This criterion is addressed above at Section 4.6.140(8)



JASON SMITH, ETAL FOREST (TEMPLATE) DWELLING PLOT PLAN  
LOCATED IN TOWNSHIP 25 SOUTH, RANGE 13 WEST W.M.,  
SECTION 12C, PORTION OF TAX LOT 102

2.03 ACRES +/-

N00°00'00"W, 262.66'

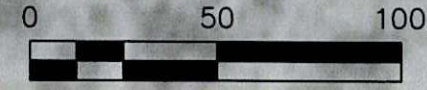
N73°57'56"E, 303.66'

219.64' +/-

S00°00'00"E, 345.68'

191.74' +/-

SLOPE

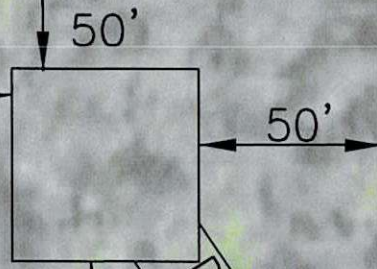


\*THE PROPERTY IS NOT LOCATED WITHIN A  
100 YEAR FLOOD PLAIN  
\*THE PROERPTY CONTAINS YOUNG COMMERCIAL  
TIMBER AND NATIVE VEGETATION  
\*WELL AND SEPTIC LOCATIONS  
ARE UNKNWN AT THIS TIME

KIRKENDALL LANE  
EXISTING GRAVEL SURFACE  
30' +/- IN WIDTH

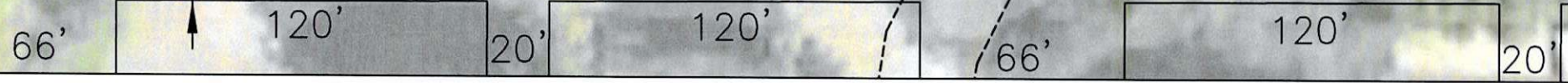
30'

S89°49'58"W, 291.84'



DRIVEWAY

Kirkendall Ln

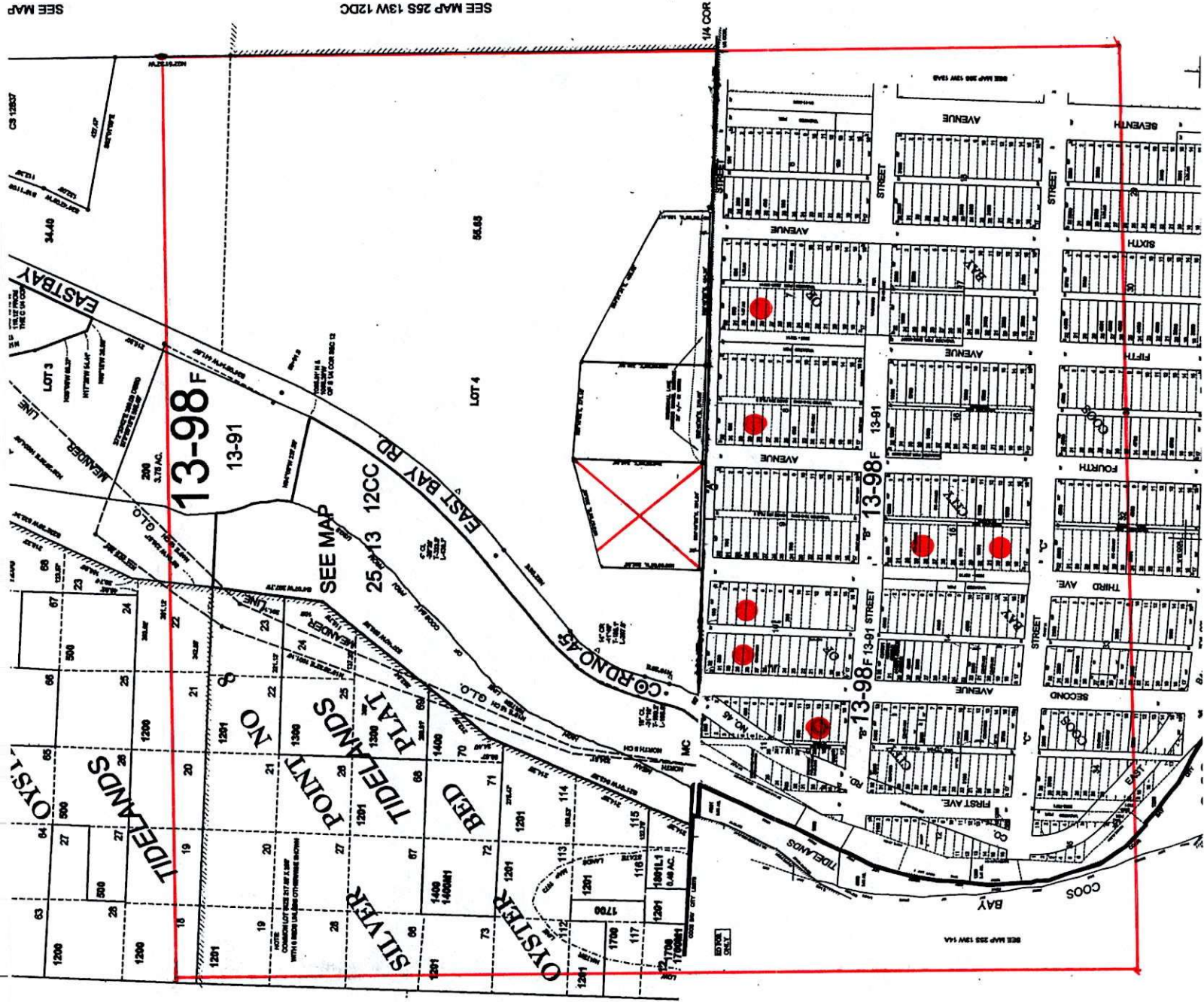




SEE MAP

SEE MAP 255 13W 12DC

6004-7008



SEE MAP 255 13W 11D



# COOS County Assessor's Summary Report

## Real Property Assessment Report

FOR ASSESSMENT YEAR 2021

October 25, 2021 12:40:19 pm

Account # 3571800  
 Map # 25S1313BA00500  
 Code - Tax # 1398-3571800

Tax Status ASSESSABLE  
 Acct Status ACTIVE  
 Subtype NORMAL

Legal Descr See Record

Mailing Name WILLIAMS, JUSTIN ET AL

Deed Reference # 2018-7078  
 Sales Date/Price 07-20-2018 / \$427,500.00  
 Appraiser JIM HARTER

Agent  
 In Care Of  
 Mailing Address 94076 KIRKENDALL LN  
 NORTH BEND, OR 97459-8206

Prop Class 101 MA SA NH Unit  
 RMV Class 101 02 11 RRL 31014-2

Situs Address(s)	Situs City
ID# 10 94076 KIRKENDALL LN	NORTH BEND

Code Area	RMV	MAV	Value Summary			RMV Exception	CPR %
			AV	SAV	MSAV		
1398 Land	161,410					0	62.3
Impr.	536,720					46,880	
<b>Code Area Total</b>	<b>698,130</b>	<b>393,380</b>	<b>393,380</b>	<b>0</b>	<b>0</b>	<b>46,880</b>	
<b>Grand Total</b>	<b>698,130</b>	<b>393,380</b>	<b>393,380</b>	<b>0</b>	<b>0</b>	<b>46,880</b>	

Code Area	ID#	RFPD	Ex	Plan Zone	Value Source	Land Breakdown		Size	Land Class	LUC	Trended RMV
						TD%	LS				
1398	10	<input checked="" type="checkbox"/>		RR-5	Market	112	A	1.57	HS	002	161,410
<b>Grand Total</b>											<b>161,410</b>

Code Area	ID#	Yr Built	Stat Class	Description	Improvement Breakdown		Total Sq. Ft.	Ex% MS Acct #	Trended RMV
					TD%				
1398	2	1992	141	One story-Class 4	112		864		135,860
1398	1	1992	153	Two story-Class 5	112		2,523		400,860
<b>Grand Total</b>							<b>3,387</b>		<b>536,720</b>

Code Area	Type	Exemptions/Special Assessments/Potential Liability				
1398		<b>FIRE PATROL:</b>				
		■ FIRE PATROL SURCHARGE	Amount	47.50	Year	2021
		■ FIRE PATROL TIMBER	Amount	18.75 Acres	1.89 Year	2021

Appr Maint: 2022 - OTHER NEW CONSTRUCTION (ADDITIONS OR ALTERATION)  
 Comments:



# COOS County Assessor's Summary Report

## Real Property Assessment Report

FOR ASSESSMENT YEAR 2021

October 25, 2021 12:26:53 pm

Account # 3575000  
 Map # 25S1313BA00601  
 Code - Tax # 1398-3575000

Tax Status ASSESSABLE  
 Acct Status ACTIVE  
 Subtype NORMAL

Legal Descr See Record

Mailing Name OJEDA, PHILLIP M JR & MCKENNA E

Deed Reference # 2019-12048  
 Sales Date/Price 12-30-2019 / \$352,500.00  
 Appraiser JIM HARTER

Agent

In Care Of

Mailing Address 94020 KIRKENDALL LN  
 NORTH BEND, OR 97459-8206

Prop Class 101 MA SA NH Unit  
 RMV Class 101 02 11 RRL 31015-1

Situs Address(s)	Situs City
ID# 10 94020 KIRKENDALL LN	NORTH BEND

Code Area	RMV	MAV	Value Summary			RMV Exception	CPR %
			AV	SAV	MSAV		
1398 Land	188,580					0	
Impr.	301,110					0	
<b>Code Area Total</b>	<b>489,690</b>	<b>330,650</b>	<b>330,650</b>	<b>0</b>	<b>0</b>	<b>0</b>	
<b>Grand Total</b>	<b>489,690</b>	<b>330,650</b>	<b>330,650</b>	<b>0</b>	<b>0</b>	<b>0</b>	

Code Area	ID#	RFPD	Ex	Plan Zone	Value Source	Land Breakdown		Size	Land Class	LUC	Trended RMV
						TD%	LS				
1398	10	<input checked="" type="checkbox"/>		RR-5	Market	112	A	1.19	HS	002	167,620
1398	20	<input checked="" type="checkbox"/>		RR-5	Market	112	A	0.15	MV	001	20,960
<b>Grand Total</b>								<b>1.34</b>			<b>188,580</b>

Code Area	ID#	Yr Built	Stat Class	Description	Improvement Breakdown		Total Sq. Ft.	Ex% MS Acct #	Trended RMV
					TD%				
1398	3		145	Garage-Class 4	112		0		19,890
1398	1	1979	142	One story with basement-Class 4	112		1,766		281,220
<b>Grand Total</b>							<b>1,766</b>		<b>301,110</b>

Code Area	Type	Exemptions/Special Assessments/Potential Liability			
1398		<b>FIRE PATROL:</b>			
		■ FIRE PATROL SURCHARGE	Amount	47.50	Year 2021
		■ FIRE PATROL TIMBER	Amount	18.75 Acres	0.34 Year 2021

Appr Maint: 2021 - OTHER NEW CONSTRUCTION (ADDITIONS OR ALTERATION)



# COOS County Assessor's Summary Report

## Real Property Assessment Report

FOR ASSESSMENT YEAR 2021

October 25, 2021 12:41:58 pm

Account # 3597500  
 Map # 25S1313BA00800  
 Code - Tax # 1398-3597500

Tax Status ASSESSABLE  
 Acct Status ACTIVE  
 Subtype NORMAL

Legal Descr See Record

Mailing Name JONES, LESA C

Deed Reference # 2019-11649

Agent

Sales Date/Price 12-20-2019 / \$320,000.00

In Care Of

Appraiser JIM HARTER

Mailing Address 93960 KIRKENDALL LN  
 NORTH BEND, OR 97459-8239

Prop Class 101 MA SA NH Unit  
 RMV Class 101 02 11 RRL 31052-1

Situs Address(s)	Situs City
ID# 10 93960 KIRKENDALL LN	NORTH BEND

Code Area		RMV	MAV	Value Summary		MSAV	RMV Exception	CPR %
				AV	SAV			
1398	Land	158,390					0	
	Impr.	243,570					0	
<b>Code Area Total</b>		401,960	265,420	265,420	0	0	0	
<b>Grand Total</b>		401,960	265,420	265,420	0	0	0	

Code Area	ID#	RFPD	Ex	Plan Zone	Value Source	Land Breakdown		Size	Land Class	LUC	Trended RMV
						TD%	LS				
1398	10	<input checked="" type="checkbox"/>		RR-2	Market	112	A	0.75	HS	001	158,390
<b>Grand Total</b>								0.75			158,390

Code Area	ID#	Yr Built	Stat Class	Description	Improvement Breakdown		Total Sq. Ft.	Ex% MS Acct #	Trended RMV
					TD%				
1398	1	1973	141	One story-Class 4	112		2,240		243,570
<b>Grand Total</b>							2,240		243,570



# COOS County Assessor's Summary Report

## Real Property Assessment Report

FOR ASSESSMENT YEAR 2021

October 25, 2021 12:43:01 pm

**Account #** 3596700  
**Map #** 25S1313BA01001  
**Code - Tax #** 1398-3596700

**Tax Status** ASSESSABLE  
**Acct Status** ACTIVE  
**Subtype** NORMAL

**Legal Descr** See Record

**Mailing Name** HOSSLEY, JAMES G. & MARGOT G.

**Deed Reference #** See Record

**Agent**

**Sales Date/Price** See Record

**In Care Of**

**Appraiser** JASON CORBUS

**Mailing Address** 93975 BRIDGE VIEW LN  
 NORTH BEND, OR 97459-8303

**Prop Class** 101      **MA**    **SA**    **NH**    **Unit**  
**RMV Class** 101      02    11    RRL    31050-1

Situs Address(s)	Situs City
ID# 10 93975 BRIDGE VIEW LN	NORTH BEND

Code Area		Value Summary					RMV Exception	CPR %
		RMV	MAV	AV	SAV	MSAV		
1398	Land	159,490					0	
	Impr.	262,680					0	
<b>Code Area Total</b>		422,170	251,480	251,480	0	0	0	
<b>Grand Total</b>		422,170	251,480	251,480	0	0	0	

Code Area	ID#	RFPD	Ex	Plan Zone	Value Source	Land Breakdown			Land Class	LUC	Trended RMV
						TD%	LS	Size			
1398	10	<input checked="" type="checkbox"/>		RR-2	Market	112	A	0.56	HS	001	159,490
<b>Grand Total</b>								0.56			159,490

Code Area	ID#	Yr Built	Stat Class	Description	Improvement Breakdown			Total Sq. Ft.	Ex% MS Acct #	Trended RMV
					TD%					
1398	1	1968	141	One story-Class 4	112		1,976			262,680
<b>Grand Total</b>								1,976		262,680



# COOS County Assessor's Summary Report

## Real Property Assessment Report

FOR ASSESSMENT YEAR 2021

October 25, 2021 12:33:46 pm

Account # 3581400  
 Map # 25S1313BB00100  
 Code - Tax # 1398-3581400  
 Legal Descr See Record  
 Mailing Name GIMLIN, BARBARA J.  
 Agent  
 In Care Of  
 Mailing Address PO BOX 1527  
 NORTH BEND, OR 97459-0090

Tax Status ASSESSABLE  
 Acct Status ACTIVE  
 Subtype NORMAL  
 Deed Reference # See Record  
 Sales Date/Price See Record  
 Appraiser JASON CORBUS

Prop Class 101 MA SA NH Unit  
 RMV Class 101 02 11 RRL 31019-1

Situs Address(s)	Situs City
ID# 10 65357 EAST BAY RD	NORTH BEND

Code Area		Value Summary					RMV Exception	CPR %
		RMV	MAV	AV	SAV	MSAV		
1398	Land	96,970					Land	0
	Impr.	104,250					Impr.	0
<b>Code Area Total</b>		201,220	55,590	55,590	0	0		0
<b>Grand Total</b>		201,220	55,590	55,590	0	0		0

Code Area	ID#	RFPD	Ex	Plan Zone	Value Source	Land Breakdown			LUC	Trended RMV	
						TD%	LS	Size			
1398	10	<input checked="" type="checkbox"/>		RR-2	Market	112	A	0.55	MISC	001	96,970
<b>Grand Total</b>								0.55			96,970

Code Area	ID#	Yr Built	Stat Class	Description	Improvement Breakdown			Total Sq. Ft.	Ex% MS Acct #	Trended RMV
					TD%					
1398	1	1974	138	One story with attic-Class 3	112		1,248			104,250
<b>Grand Total</b>								1,248		104,250



# COOS County Assessor's Summary Report

## Real Property Assessment Report

FOR ASSESSMENT YEAR 2021

October 25, 2021 12:34:46 pm

**Account #** 3582600  
**Map #** 25S1313BB00300  
**Code - Tax #** 1398-3582600  
**Legal Descr** See Record  
**Mailing Name** GIMLIN, BARBARA J.  
**Agent**  
**In Care Of**  
**Mailing Address** PO BOX 1527  
 NORTH BEND, OR 97459-0090

**Tax Status** ASSESSABLE  
**Acct Status** ACTIVE  
**Subtype** NORMAL

**Deed Reference #** See Record  
**Sales Date/Price** See Record  
**Appraiser** JASON CORBUS

**Prop Class** 101      **MA**   **SA**   **NH**   **Unit**  
**RMV Class** 101      02   11   RRL   31021-1

Situs Address(s)	Situs City
ID# 10 65357 EAST BAY RD	NORTH BEND

Code Area		Value Summary				MSAV	RMV Exception	CPR %
		RMV	MAV	AV	SAV			
1398	Land	283,080					0	
	Impr.	411,380					0	
<b>Code Area Total</b>		694,460	419,020	419,020	0	0	0	
<b>Grand Total</b>		694,460	419,020	419,020	0	0	0	

Code Area	ID#	RFPD	Ex	Plan Zone	Value Source	Land Breakdown			LUC	Trended RMV	
						TD%	LS	Size			
1398	10	<input checked="" type="checkbox"/>		RR-2	Market	112	A	0.00	HS	001	283,080
<b>Grand Total</b>								0.00			283,080

Code Area	ID#	Yr Built	Stat Class	Description	Improvement Breakdown		Total Sq. Ft.	Ex% MS Acct #	Trended RMV
					TD%				
1398	1	1974	153	Two story-Class 5	112		3,430		411,380
<b>Grand Total</b>							3,430		411,380



# COOS County Assessor's Summary Report

## Real Property Assessment Report

FOR ASSESSMENT YEAR 2021

October 25, 2021 12:35:34 pm

Account # 3585600  
 Map # 25S1313BB00500  
 Code - Tax # 1398-3585600

Tax Status ASSESSABLE  
 Acct Status ACTIVE  
 Subtype NORMAL

Legal Descr See Record

Mailing Name WILCOX, STEVEN A. & NANCY J.

Deed Reference # See Record

Agent

Sales Date/Price See Record

In Care Of

Appraiser JASON CORBUS

Mailing Address 65359 EAST BAY RD  
 NORTH BEND, OR 97459-8223

Prop Class 101 MA SA NH Unit  
 RMV Class 101 02 11 RRL 31024-1

Situs Address(s)	Situs City
ID# 10 65359 EAST BAY RD	NORTH BEND

Code Area	RMV	MAV	Value Summary			RMV Exception	CPR %
			AV	SAV	MSAV		
1398 Land	147,120					Land Impr.	0
	Impr.	328,610					0
<b>Code Area Total</b>	<b>475,730</b>	<b>378,890</b>	<b>378,890</b>	<b>0</b>	<b>0</b>		<b>0</b>
<b>Grand Total</b>	<b>475,730</b>	<b>378,890</b>	<b>378,890</b>	<b>0</b>	<b>0</b>		<b>0</b>

Code Area	ID#	RFPD	Ex	Plan Zone	Value Source	Land Breakdown			LUC	Trended RMV	
						TD%	LS	Size			
1398	10	<input checked="" type="checkbox"/>		RR-2	Market	112	A	0.44	HS	001	147,120
<b>Grand Total</b>								<b>0.44</b>			<b>147,120</b>

Code Area	ID#	Yr Built	Stat Class	Description	Improvement Breakdown			Total Sq. Ft.	Ex% MS Acct #	Trended RMV
					TD%					
1398	1	1992	141	One story-Class 4	112		2,200		328,610	
<b>Grand Total</b>								<b>2,200</b>		<b>328,610</b>



# COOS County Assessor's Summary Report

## Real Property Assessment Report

FOR ASSESSMENT YEAR 2021

October 25, 2021 12:37:54 pm

**Account #** 3650200  
**Map #** 25S1313BB02000  
**Code - Tax #** 1398-3650200

**Tax Status** ASSESSABLE  
**Acct Status** ACTIVE  
**Subtype** NORMAL

**Legal Descr** See Record

**Mailing Name** SUMMIT EQUIPMENT LEASING, LLC

**Deed Reference #** 2012-5499

**Agent**

**Sales Date/Price** 07-06-2012 / \$191,250.00

**In Care Of**

**Appraiser** JASON CORBUS

**Mailing Address** 93962 BRIDGE VIEW LN  
 NORTH BEND, OR 97459-8303

**Prop Class** 101      **MA**   **SA**   **NH**   **Unit**  
**RMV Class** 101      02   11   RRL   31144-1

Situs Address(s)	Situs City
ID# 10 93964 BRIDGE VIEW LN	NORTH BEND

Code Area		Value Summary					RMV Exception	CPR %
		RMV	MAV	AV	SAV	MSAV		
1398	Land	167,620					0	
	Impr.	221,470					0	
<b>Code Area Total</b>		389,090	216,610	216,610	0	0	0	
<b>Grand Total</b>		389,090	216,610	216,610	0	0	0	

Code Area	ID#	RFPD	Ex	Plan Zone	Value Source	Land Breakdown			LUC	Trended RMV	
						TD%	LS	Size			
1398	10	<input checked="" type="checkbox"/>		RR-2	Market	112	A	0.00	HS	001	167,620
<b>Grand Total</b>								0.00			167,620

Code Area	ID#	Yr Built	Stat Class	Description	Improvement Breakdown			MS Acct #	Trended RMV
					TD%	Total Sq. Ft.	Ex%		
1398	1	1970	141	One story-Class 4	112	1,452		221,470	
<b>Grand Total</b>							1,452		221,470



RECORDING REQUESTED BY:  
(GRANTOR'S NAME:  
John L. Holt and Sharon J. Holt

GRANTEE'S NAME:  
Jacob Smith, Jason Smith, Lindsay Smith, and  
Ranee Smith

SEND TAX STATEMENTS TO:  
Jacob Smith, Jason Smith, Lindsay Smith, and  
Ranee Smith  
65611 East Bay Road  
North Bend, OR 97459

AFTER RECORDING RETURN TO:  
Jacob Smith  
65611 East Bay Road  
North Bend, OR 94759  
AFTER RECORDING RETURN TO  
FIDELITY NATIONAL TITLE COMPANY

Escrow No: 643709000419-FTCOOS24 *ff*

251312DC 1109  
North Bend, OR 97459

SPACE ABOVE THIS LINE FOR RECORDER'S USE

**STATUTORY WARRANTY DEED**

John L. Holt and Sharon J. Holt, Grantor, conveys and warrants to

Jacob Smith, Jason Smith, Lindsay Smith, and Ranee Smith, each as to an undivided 1/4 interest,  
Grantee, the following described real property, free and clear of encumbrances except as specifically set  
forth below, situated in the County of Coos, State of Oregon:

Lot 1, Block 1, PORTLAWN ADDITION TO NORTH BEND, Coos County, Oregon.

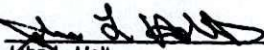
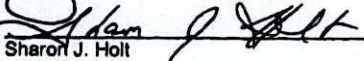
Subject to and excepting:

see attached Exhibit "A"

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. 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.

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS \$5,000.00. (See ORS 93.030)

DATED: 5-9-09

  
\_\_\_\_\_  
John L. Holt  
  
\_\_\_\_\_  
Sharon J. Holt

State of COLORADO  
COUNTY of Denver

This instrument was acknowledged before me on May 9<sup>th</sup>, 2009



by John L. Holt & Sharon J. Holt

[Signature]

Saleh S. Ajour, Notary Public - State of Colorado  
My commission expires: 6/7/2011

SALEH S. AJOUR  
NOTARY PUBLIC  
STATE OF COLORADO

My Commission Expires 06/07/2011



Exhibit "A"

1. Rights of the public and governmental agencies in and to any portion of said land lying within the boundaries of streets, roads, and highways.

2. Covenants, conditions and restrictions but omitting any covenants or restrictions, if any, including but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law, as set forth in the document

Recording Date: June 6, 2005

Recording No: 2005-7956



After recording return to:  
Jason Smith/Jacob Smith  
P.O. Box 298  
Coos Bay, OR 97420

Send tax statements to:  
Jason Smith  
P.O. Box 298  
Coos Bay, OR 97420

### PROPERTY LINE ADJUSTMENT DEED

JASON SMITH, as an undivided  $\frac{1}{4}$  interest, LINDSAY STREICH (formerly Lindsey Smith), as an undivided  $\frac{1}{4}$  interest, RANEE SMITH, as an undivided  $\frac{1}{4}$  interest, JACOB SMITH, as an undivided  $\frac{1}{4}$  interest, Grantor(s), conveys and warrants to JACOB SMITH, JASON SMITH, LINDSAY STREICH, and RANEE SMITH, each as to an undivided  $\frac{1}{4}$  interest, Grantee(s), free of encumbrances except those of record the following described property:

All that part of Government Lots 3 and 4 of Section 12, Township 25 South, Range 13 West of the Willamette Meridian, Coos County, Oregon, which lies east of East Bay Road.

EXCEPT that property located in said Government Lot 3 described as, beginning at a  $\frac{5}{8}$  inch iron rod on the east boundary of said Government Lot 3, from which the Center quarter corner of said Section 12 bears N  $2^{\circ} 51' 32''$  W a distance of 364.99 feet; thence S  $89^{\circ} 41' 26''$  W a distance of 117.61 feet to a  $\frac{5}{8}$  inch iron rod; thence S  $49^{\circ} 42' 40''$  W a distance of 210.84 feet to a  $\frac{5}{8}$  inch iron rod; thence S  $6^{\circ} 16' 01''$  W a distance of 210.96 feet to a  $\frac{5}{8}$  inch iron rod; thence S  $18^{\circ} 11' 09''$  W a distance of 112.35 feet to a  $\frac{5}{8}$  inch iron rod; thence S  $24^{\circ} 42' 09''$  W a distance of 132.06 feet to a  $\frac{5}{8}$  inch iron rod; thence S  $82^{\circ} 01' 00''$  E a distance of 427.47 feet to a  $\frac{5}{8}$  inch iron rod on the east boundary of said Government Lot 3; thence N  $2^{\circ} 51' 32''$  W a distance of 633.54 feet to the point of beginning. Said parcel contains 4.28 acres, more or less.

The true and actual consideration for this conveyance stated is other than dollars. ~~0~~ 0.48

Coos County Assessor's Account No. 3227.00, 3227.90 and 43564.09.

This is a property line adjustment deed. In compliance with ORS 92.190, the following information is furnished:

1. The names of the parties to this deed are as set forth above.
2. The description of the adjusted property line is as follows:

Beginning at a point on the west boundary of Arch Street, Plat of Portlawn Addition to the City of North Bend, being West of the northwest corner of Lot 1, Block 1, Plat of Portlawn Addition to the City of North Bend; thence N  $2^{\circ} 52' 58''$  W a distance of 30 feet, more or less, to the Center-South sixteenth corner of Section 12, Township 25 South, Range 13 West of the Willamette Meridian, Coos County, Oregon; thence N  $2^{\circ} 51' 32''$  W a distance of 315.84 feet to a  $\frac{5}{8}$  inch iron rod; thence N  $82^{\circ} 01' 00''$  W a distance of 427.47 feet to a  $\frac{5}{8}$  inch iron rod; thence N  $24^{\circ} 42' 09''$  E a distance of 132.06 feet to a  $\frac{5}{8}$  inch iron rod; thence N  $18^{\circ} 11' 09''$  E a distance of 112.35 feet to a  $\frac{5}{8}$  inch iron rod; thence N  $6^{\circ} 16' 01''$  E a distance of 210.96 feet to a  $\frac{5}{8}$  inch iron rod; thence N  $49^{\circ} 42' 40''$  E a distance of 210.84 feet to a  $\frac{5}{8}$  inch iron rod; thence N  $89^{\circ} 41' 26''$  E a distance of 117.61 feet to a  $\frac{5}{8}$  inch iron rod on the east boundary of said Government Lot 3; thence N  $2^{\circ} 51' 32''$  W a distance of 364.99 feet to the Center quarter corner of said Section 12; thence West along the East-West centerline of said Section 12 to the east boundary of East Bay Road; thence southerly along the east boundary of East Bay Road to the south line of said Section 12; thence

COOS COUNTY CLERK, OREGON TOTAL \$36.00  
TERRI L. TURI, CCC, COUNTY CLERK

06/30/2009 #2009-6563  
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East along the said south line to the South quarter corner of said Section 12; thence N 2° 52' 58" W a distance of 1254.54 feet, more or less, to a point on the east boundary of said Arch Street to a point West of the southwest corner of said Lot 1, Block 1.

3. The deed whereby the Grantors acquired title to the transferred property is recorded as the second parcel of land described in Microfilm Reel No. 1998-07-1305, Coos County Deed Records.

4. The deed whereby the Grantees acquired title to the property to which the transferred property is joined is recorded as Instruments No. 2009-4542, Coos County Deed Records.

5. See survey per CS# 12B37 filed with the Coos County Surveyor's Office.

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. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING AND 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.

Dated this 15 day of June, 2009.



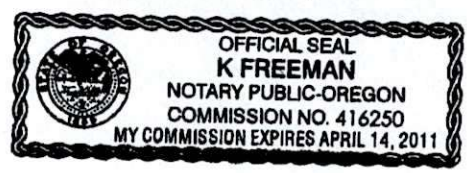
Grantors: Jason Smith  
Jacob Smith

Lindsay Streich  
Lindsay Streich  
Ranee Smith  
Ranee Smith

STATE OF OREGON )  
County of Coos ) ss.

June 15, 2009

Personally appeared before me the above named JASON SMITH and JACOB SMITH and acknowledged the foregoing instrument to be their voluntary act and deed. Before me:

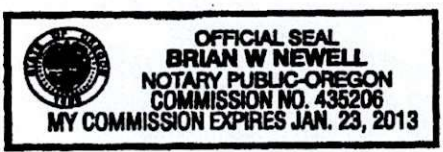


[Signature]  
Notary Public for Oregon

STATE OF OREGON )  
County of MULTNOMAH ) ss.

June 20, 2009  
LINDSEY STREICH

Personally appeared before me the above named ~~LINDSEY SMITH~~ and acknowledged the foregoing instrument to be her voluntary act and deed. Before me: Brian W Newell

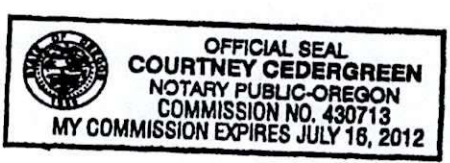


[Signature]  
Notary Public for Oregon

STATE OF OREGON )  
County of Yamhill ) ss.

June 23, 2009

Personally appeared before me the above named RANEE SMITH and acknowledged the foregoing instrument to be her voluntary act and deed. Before me:



[Signature]  
Notary Public for Oregon