



# COOS COUNTY CONDITIONAL USE LAND USE 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**

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)*

Date Received: \_\_\_\_\_ Receipt #: \_\_\_\_\_ Amount: \_\_\_\_\_ Received by: \_\_\_\_\_

This application shall be filled out electronically. If you need assistance please contact staff.

**Applications shall be submitted by the property owner or a purchaser under a recorded land sale contract. "Property owner" means the owner of record, including a contract purchaser.**

**The application shall include the signature of all owners of the property.**

**A legal representative may sign on behalf of an owner upon providing evidence of formal legal authority to sign.**

## LAND INFORMATION

### A. Property Owner(s)

Mailing address:

Phone:

Email:

Township: \_\_\_\_\_ Range: \_\_\_\_\_ Section: \_\_\_\_\_ ¼ Section: \_\_\_\_\_ 1/16 Section: \_\_\_\_\_ Tax lots: \_\_\_\_\_

Tax Account Number(s):

Zone: Select Zone

Tax Account Number(s)

### B. Special Districts and Services

Water

Sewage Disposal

School

Fire District

### C. Type of Application (s) please consult with staff to determine prior to submittal

Administrative Conditional Use for

Hearings Body Conditional Use for

Historical, Cultural and Archaeological Resources, Natural Areas of Wilderness

Beaches and Dunes

Non-Estuarine Shoreland Boundary

Significant Wildlife Habitat

Natural Hazards

Flood

Landslide

Liquefaction

Erosion

Wildfires

Airport Surfaces Overlay

Variance to which standard

Include the supplemental application with all criteria addressed. If you require assistance with the criteria please contact a land use attorney or professional consultant. Property information may be obtained from a tax statement or can be found on the County Assessor's web page 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. PROPOSAL AND CRITERIA: A written statement of intent, attached to this application, with necessary supporting evidence which fully and factually describes the following:

1. Project summary and details including time limes.
2. 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. This shall be addressed on the supplemental criteria page (see staff for criteria).

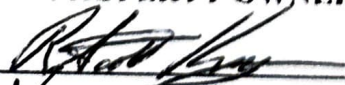

II. PLOT PLAN OR SKETCH PLAN: A detailed drawing delineating the following:

- Owner's name, address, and phone number, map and Tax lot number
- North Arrow and Scale - using standard engineering scale.
- Accurate shape and dimensions of parcel, development site, including the lengths of the all property lines.
- Any adjacent public or private roads, all easements and/or driveway locations. Include road names. Driveway location and parking areas, including the distance from at least one property line to the intersection of the driveway and the road (apron area);
- All natural features, which may include, but are not limited to water features, wetlands, ravines, slope and distances from features to structures.
- Existing and proposed structures, water sources, sewage disposal system and distances from these items to each other and the property boundaries.

III. DEED: A copy of the current deed, including the legal description, of the subject property.

IV. CERTIFICATION: 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 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. If the property owner would like staff to contact a legal representative or consultant please provide the contact information using a consent form.

**PROPERTY OWNER SIGNATURES REQUIRED FOR PROCESSING**

 3/18/2023  
 5/2/23

**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: \_\_\_\_\_

Type of Access: \_\_\_\_\_ Name of Access: \_\_\_\_\_

Is this property in the Urban Growth Boundary? \_\_\_\_\_

Is a new road created as part of this request? \_\_\_\_\_

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

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

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

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

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

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

**Coos County Road Department Use Only**

Roadmaster or designee: \_\_\_\_\_

Driveway

Parking

Access

Bonded

Date:

Receipt #

\_\_\_\_\_

File Number: DR-

## SANITATION INFORMATION

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

Water Service Type: Choose a Service-Type.

Sewage Disposal Type: Choose a Type.

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

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

Please check  if the request is for a land division.

### **Coos County Environmental Health Use Only:**

Staff Reviewing Application: \_\_\_\_\_

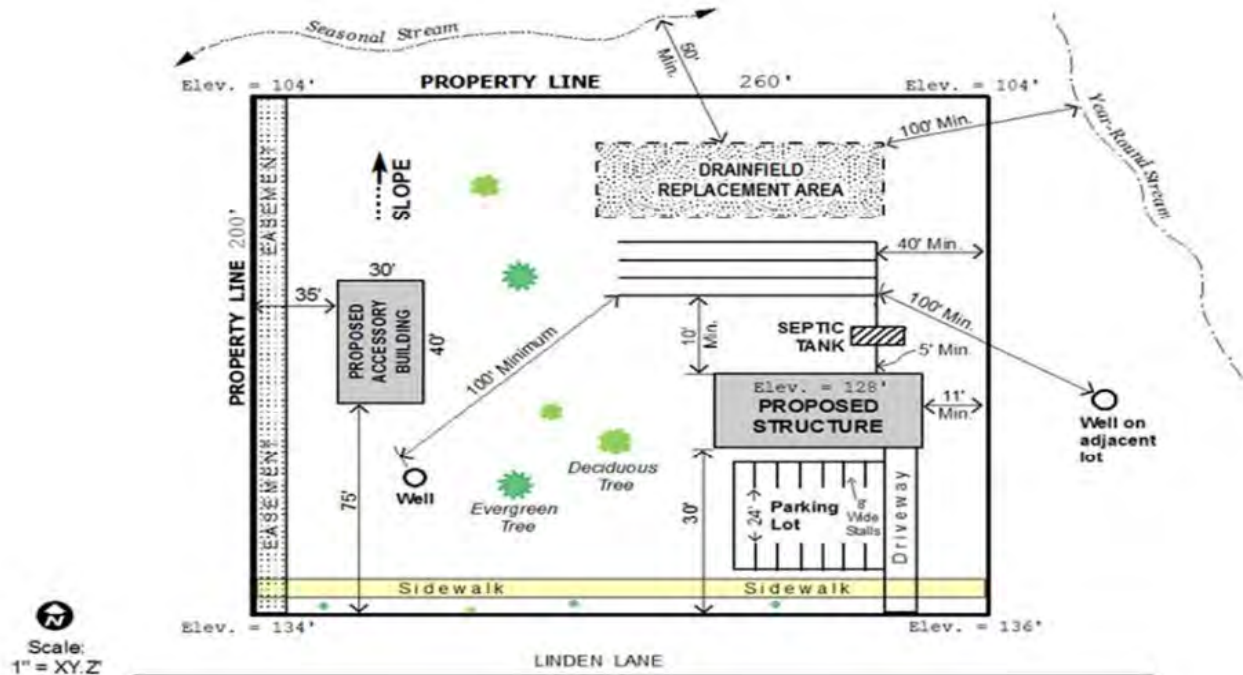
Staff Signature: \_\_\_\_\_

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

Additional Comments:

Plot Plan  
The grid for the plot plan is found on the next page

**SAMPLE PLOT PLAN**



**ITEMS THAT MUST BE ON THE PLOT PLAN:**

At a minimum, the site plan should provide information on the following items:

- Existing and proposed lot lines, lot or parcel numbers, and acreage/square footage of lots.
- Dimensions of all illustrated features (i.e. all structures, septic systems, driveways, roads, etc.)
- Significant natural features (slopes greater than 20%, geologic hazards, wetlands, drainage ways, rivers, streams, and the general location of existing trees, etc.).
- Existing easements (access, storm drainage, utility, etc.).
- Existing and proposed (structures, outbuildings, septic, etc.) on site and on adjoining properties.
- Existing and proposed road locations including widths, curbs, and sidewalks.
- Existing and proposed driveway approach locations on site, existing driveway approaches on adjoining properties on the same side of the street, and existing driveway approaches across the street from the site.
- Contiguous properties under the same ownership.
- General predevelopment topographical information (minimum 10' contour intervals).
- Location of utilities.
- If redevelopment is viable in the future, a redevelopment plan should be included.
- Preliminary site utility plan.
- Please add any additional Road or parking items from the parking form.



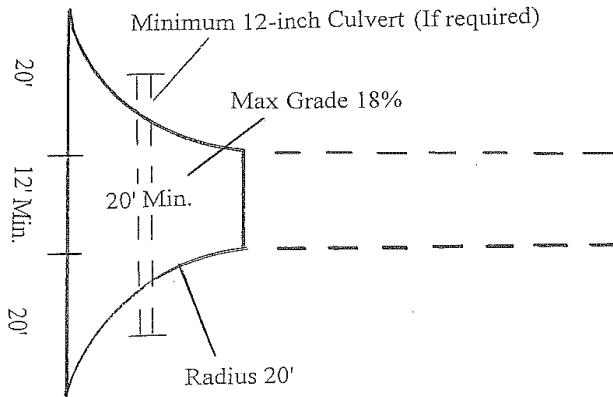
A private road which is created to provide ingress or egress in conjunction with the use of land for forestry, mining or agricultural purposes shall not be required to meet minimum road, bridge or driveway standards set forth in this ordinance, nor are such resource-related roads, bridges or driveways reviewable by the County. However, all new and re-opened forestry, mining or agricultural roads shall meet the access standards listed in this section.

**Forestry, Mining or Agricultural Access Standard drawing**  
Sight Distance Requirements (at the approach entrance)

- Speed less than 35 mph – 100’ both directions
- Speed greater than 35 mph – 150’ both directions

All Weather Surfaces – minimum aggregate base as required by the Roadmaster  
The access will be developed from the edge of the developed road.

Figure 7.1.450

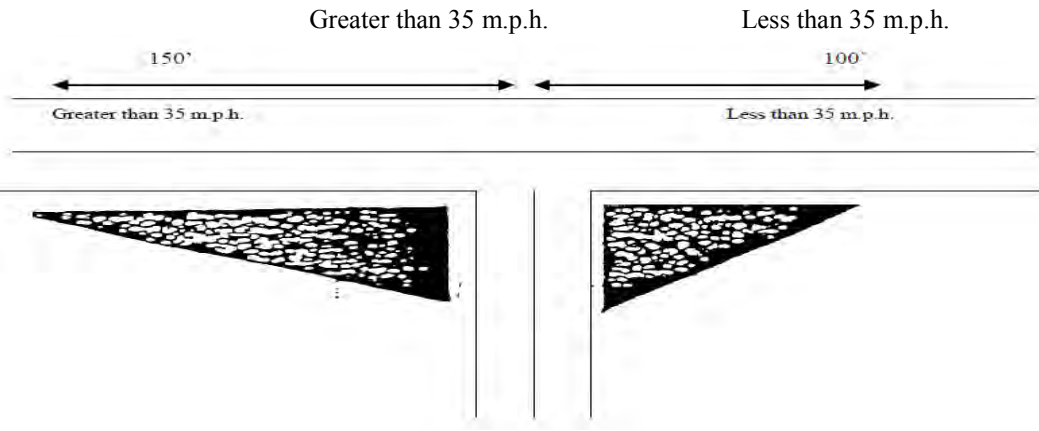


Construct appropriate ditches to prevent water runoff from discharging from the land onto a road under county jurisdiction. Pursuant to ORS 368.256 creation of a road hazard is prohibited.

**VISION CLEARANCE TRIANGLE:**

The following regulations shall apply to all intersections of streets and roads within all districts in order to provide adequate visibility for vehicular traffic. There shall be no visual obstructions over thirty-six (36) inches in height within the clear vision area established herein. In addition to street or road intersections, the provisions of this section shall also apply to mobile home park, recreational vehicle park, and campground accesses (entrances or exists).

The clear vision area shall extend along the right-of-way of the street for a minimum of 100 feet where the speed limit is less than 35 M.P.H.; and not less than 150 feet where the speed limit is greater than 35 m.p.h. The clear vision area shall be effective from a point in the center of the access not less than 25 feet back from the street right-of-way line.



**PARKING STANDARDS**

USE	STANDARD
Retail store and general commercial except as provided in subsection b. of this section.	1 space per 200 square feet of floor area, plus 1 space per employee. 1 Bicycle space
Retail store handling bulky merchandise (furniture, appliances, automobiles, machinery, etc.)	1 space per 600 square feet of floor area, plus 1 space per employee. 1 Bicycle space
Bank, general office, (except medical and dental).	1 space per 600 square feet of floor area, plus 1 space per employee. 1 Bicycle space
Medical or dental clinic or office.	1 ½ space per examination room plus 1 space per employee. 1 Bicycle space
Eating or drinking establishment.	1 space per 200 square feet of floor area, plus 1 space for every 4 seats. 1 Bicycle space
Bowling Alley	5 spaces per alley plus 1 space per 2 employees. 1 Bicycle space
Dance hall, skating rink, lodge hall.	1 space per 100 square feet of floor area plus 1 space per 2 employees. 1 Bicycle space
Stadium, arena, theater, race track	1 space per 4 seats or every 8 feet of bench length or equivalent capacity if no seating is provided. 1 Bicycle space
Storage warehouse, manufacturing establishment, or trucking freight terminal	1 space per employee. 1 Bicycle space
Wholesale establishment.	1 space per employee plus 1 space per 700 square feet of patron serving area. 1 Bicycle space
Welfare or correctional institution	1 space per 5 beds for patients or inmates, plus 1 space per employee. 1 Bicycle space
Convalescent hospital, nursing home, sanitarium, rest home, home for the aged.	1 space per 5 beds for patients or residents, plus 1 space per employee. 1 Bicycle space
Church, mortuary, sports arena, theater.	1 space for 4 seats or every 8 feet of bench length in the main auditorium. 1 Bicycle space
Library, reading room.	1 space per 400 square feet of floor area plus 1 space per employee. 1 Bicycle space
Preschool nursery, kindergarten.	2 spaces per teacher; plus off-street loading and unloading facility. 1 Bicycle space per 20 students
Elementary or junior high school.	1 space per classroom plus 1 space per administrative employee or 1 space per 4 seats or every 8 feet of bench length in the auditorium or assembly room whichever is greater. 1 Bicycle space per 10 students
High school	1 space per classroom plus 1 space per administrative employee plus 1 space for each 6 students or 1 space per 4 seats or 8 feet of bench length in the main Auditorium, whichever is greater. 1 Bicycle space per 20 students

Other auditorium, meeting room.	1 space per 4 seats or every 8 feet of bench length. 1 Bicycle space
Single-family dwelling.	2 spaces per dwelling unit.
Two-family or multi-family dwellings.	1 ½ spaces per dwelling unit. 1 bicycle space per unit for buildings with 4 or more units.
Motel, hotel, rooming or boarding house.	1 space per guest accommodation plus 1 space per employee.
Mobile home or RV park.	1 ½ spaces per mobile home or RV site.

Parking lot standards – Use the table above along with the area available to calculate the number of spaces required and determine the type of parking lot that needs to be created. The table below explains the spacing and dimensions to be used.

Minimum Horizontal Parking Widths for Standard Automobiles					
	One-way Parallel	30 deg	45 deg	60 deg	90 deg
<b>Figures</b>	A	B	C	D	E
<b>Single row of Parking</b>					
Parking Aisle	9'	20'	22'	23'	20'
Driving Aisle	12'	16'	17'	20'	24'
Minimum width of module (row and aisle)	21'	36'	39'	43'	44'
<b>Figures #'s</b>					
	F	G	H	I	J
<b>Two Rows of Parking</b>					
Parking Aisle	18'	40'	44'	46'	40'
Driving Aisle	12'	16'	17'	20'	24'
Minimum width of module (row and aisle)	30'	56'	61'	66'	64'

For figures please see Coos County Zoning and Land Development Ordinance (CCZLDO) § 7.5.175.

**Please note: If you are developing in any wetlands or floodplain please contact Department of State Lands to ensure you are not required to obtain a state permit.**

**Coos County Land Use Permit Application  
Administrative Conditional Use Review**

**Attachment A – Written Statement of Compliance with CCZLDO**

Project Name: Lillian Slough Habitat Complexity Project

Applicant: Haley Lutz

Organization: Coos Watershed Association

Dear Coos County Planning Department,

We have prepared this written statement as an attachment to the Coos County Land Use Permit Application for our Lillian Slough Habitat Complexity Project. The purpose of this statement is to describe the nature of our permit request, and address how the proposed project complies with all of the applicable criteria within the Coos County Zoning and Land Development Ordinance (CCZLDO). We will address each of the Ordinance criteria, as communicated by Planning Department staff, on a point-by-point basis.

The Lillian Slough Habitat Complexity Project will take place on parcel 25S12W29 1500, 1600 and 1700 and 25S12W32A 100 and 200, located along South Coos River Lane. The parcels total ~117 acres and our restoration efforts are proposing to enhance ~10+ acres owned by Scott and Karen Knox. The property is a working lands (grazed) pasture with no structures or utilities; access is directly off of the adjacent South Coos River Ln. The Lillian Slough Project plans to restore this marginally functional lowland habitat by realigning ~2,540' of historic channel, ~1,300' of primary channel and ~3,830' of secondary and swale channels to improve habitat complexity/fish access and floodplain connectivity. Restoring these tidal channels will reestablish proper stream grade and provide both floodplain and hydrologic connectivity that this tidal stream network requires to flow and interact properly.

In addition to reconnecting tidal inundation to the historic channels this project plans to upgrade a total of 4 stream crossings (3 railcar bridges & 1 culvert). These actions will improve hydrologic connectivity between critical primary and secondary habitat types and provide access to ~1.6 miles of summer/winter rearing habitat (key limiting factors) in the Lillian Slough sub-basin.

The Lillian Slough Habitat Complexity looks to target 4 primary objectives, for the purpose of creating habitat for fish and other wildlife. The objectives include: 1. Improve year-round fish access for all aquatic species (specifically juvenile salmonids) in tidal habitats upstream from the newly installed tidegate; 2. Improve floodplain connectivity and available off channel habitat by developing a ~3.5 acre wetland pond, reconnecting and aligning ~7,670' (1.45 miles) of tidal stream channels and installing 30 rootwad/log structures to improve overall habitat complexity; 3. Improve riparian function/habitat by developing ~14 acres of riparian buffers along 0.8 miles of stream channels within the project area; and 4. Improve Water Quality by reducing sediment, increasing shade, and reducing bacteria loading while

improving dissolved oxygen levels. By installing 8,500 feet of riparian fencing along 0.8 miles of stream, while planting 7,500 native trees/shrubs and 1,200 locally sourced cuttings within 14 acres of riparian buffers along 100% of the historic and primary stream channels within our project area.

We are seeking a Coos County Land Use Permit to allow for the completion of the above listed ecological restoration activities. Communication with Coos County Planning Department staff flagged local approvals for the following CCZLDO policies as required for issuance of the requested permit: General Conditions #1 (Policies #17, #18) and #2 (Policy #23); Special Conditions #1, #4 and #9a (Policy #22b).

## **GENERAL CONDITIONS**

### **1. *“Inventoried resources requiring mandatory protection in this district are subject to Policies #17 and #18”***

#### **#17 Protection of “Major Marshes” and “Significant Wildlife Habitat” in Coastal Shorelands**

The proposed ecological restoration project will be compliant with this policy.

- a. The property does not lie within a designated “major marsh”
- b. The property does not lie within a designated “significant wildlife habitat”
- c. The property does not lie within a designated “coastal headland”
- d. The property does not lie within a designated “exceptional aesthetic resource”

The proposed ecological restoration will not limit uses in any of the aforementioned special areas. If the property did lie within any of those special areas, the project would constitute an enhancement to the land’s natural value and would provide additional protection to those values. The proposal will improve wildlife habitat by creating natural channel networks and planting native vegetation.

#### **#18 Protection of Historical, Cultural and Archaeological Sites**

The proposed ecological restoration project will be compliant with this policy.

Archaeological surveys of the entire property were completed in January of 2023. The results of those surveys were communicated to 1) the Coquille Indian Tribe, 2) the Cow Creek Band of Umpqua Tribe of Indians, 3) the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians, 4) the Confederated Tribes of the Grand Ronde Community of Oregon, 5) the Confederated Tribes of Siletz Indians, and 6) the Confederated Tribes of Warm Springs. Incorporating feedback from those tribes, we then completed an archaeology report which was submitted to Oregon’s State Historic Preservation Office (SHPO) in March 2023 as part of the Section 106 Consultation process. After 30 days, SHPO declined to provide a response, which constitutes

fulfillment of our responsibilities and an acknowledgement that the project may proceed (email records of this exchange have been retained and can be provided upon request).

We acknowledge that within three working days of receipt of the proposal, the local government shall notify the Coquille Indian Tribe and Coos, Siuslaw, Lower Umpqua Tribe(s) in writing, together with a copy of the site plan application. We further acknowledge that the Tribe(s) shall have the right to submit a written statement to the local government within thirty days of receipt of such notification, stating whether the project as proposed would protect the cultural, historical, and archaeological values of the site or, if not, whether the project could be modified by appropriate measures to protect those value.

As we have been actively consulting with the Tribes, our current engineered designs make accommodations to minimize disturbance to cultural resources on the property. Additionally, we plan to employ a cultural resource monitor to oversee any portions of the project which may adversely affect cultural resources on the property.

**2. *“All permitted uses and activities shall be consistent with Policy #23, requiring protection of riparian vegetation”***

**#23 Riparian Vegetation and Streambank Protection**

The proposed ecological restoration project will be compliant with this policy.

Our project includes a robust planting plan, incorporating native vegetation copiously throughout the project area. Dense plantings of grasses, shrubs, and trees will constitute an enhancement to the stability of soils within the project area. The project proposal also includes erosion control measures, including temporary measures during the construction phase. Certified weed free straw and seed will be used to ensure all bare earth areas are vegetated with native ground cover prior to fall/winter rainfall arrives.

**SPECIAL CONDITIONS**

**1. Stream alterations shall be allowed when findings are made which document that the alternations will not negatively impact bankline stabilization or salmonid populations.**

The proposed ecological restoration project will be compliant with this policy.

Restoration actions for this project are located upstream of a small (48”) agricultural tide gate structure that was permitted and replaced in 2020 with assistance from ODFW and our private

lowland landowner. Proposed restoration treatments will further enhance ecological uplift upstream from the new structure and address summer and winter rearing as significant limiting factors towards abundance/survival of this species in the upper estuary (Coos River/Catching Creek). Furthermore the proposed work will provide access to more than a mile of tidal channels and acres of rearing areas that juvenile salmonids will use on their migration to the ocean. Reshaping of stream channels will lessen the steepness of stream banks and provide stable slopes that can be re vegetated as outlined in this projects robust planting plan.

**4. Creation of ponds or additional water surfaces shall only be allowed for restoration/resource enhancement or agricultural uses.**

The proposed ecological restoration project will be compliant with this policy.

This habitat restoration project is proposing to develop a single wetland pond feature located in a low-lying area that currently experiences frequent ground water saturation and surface water accumulation throughout much of the year. This project will restore portions of the landscape and connect this wetland pond habitat to the historic tidal network to promote water quality and use by all aquatic species.

**9a. Active restoration shall be allowed only when consistent with Policy #22b.**

**#22b Limiting Dredge and Fill as Estuarine Restoration**

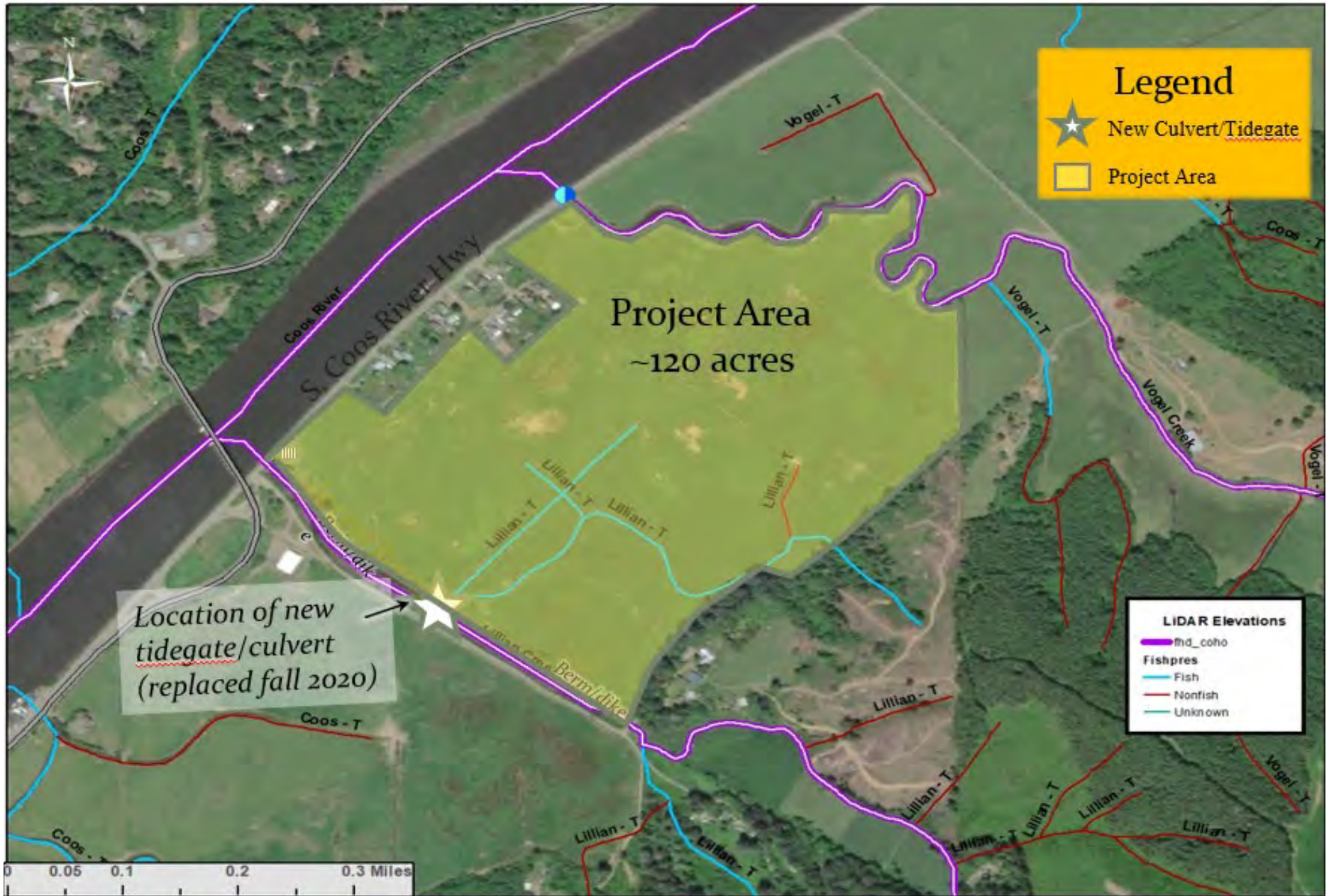
The proposed ecological restoration project will be compliant with this policy.

Fill and removal volumes for this habitat restoration project are balanced resulting in "No Net Fill" into wetland and estuary landforms. Lowland portions of the Coos Estuary were drastically altered over the last century to enhance farming opportunities on these fertile lowland landscapes located within the Coos Watershed. Our proposed habitat restoration project will restore tidal inundation to portions of this ~117 acre working lands parcel, which prior to European settlement was part of the Coos Estuary tidal network. The project area has an average elevation of 4-5' (NAVD88) that would have been inundated daily during historic high tide events and winter freshets. The project plan will restore portions of the historic channel network and enhance low-lying areas to mimic natural function and habitat condition.

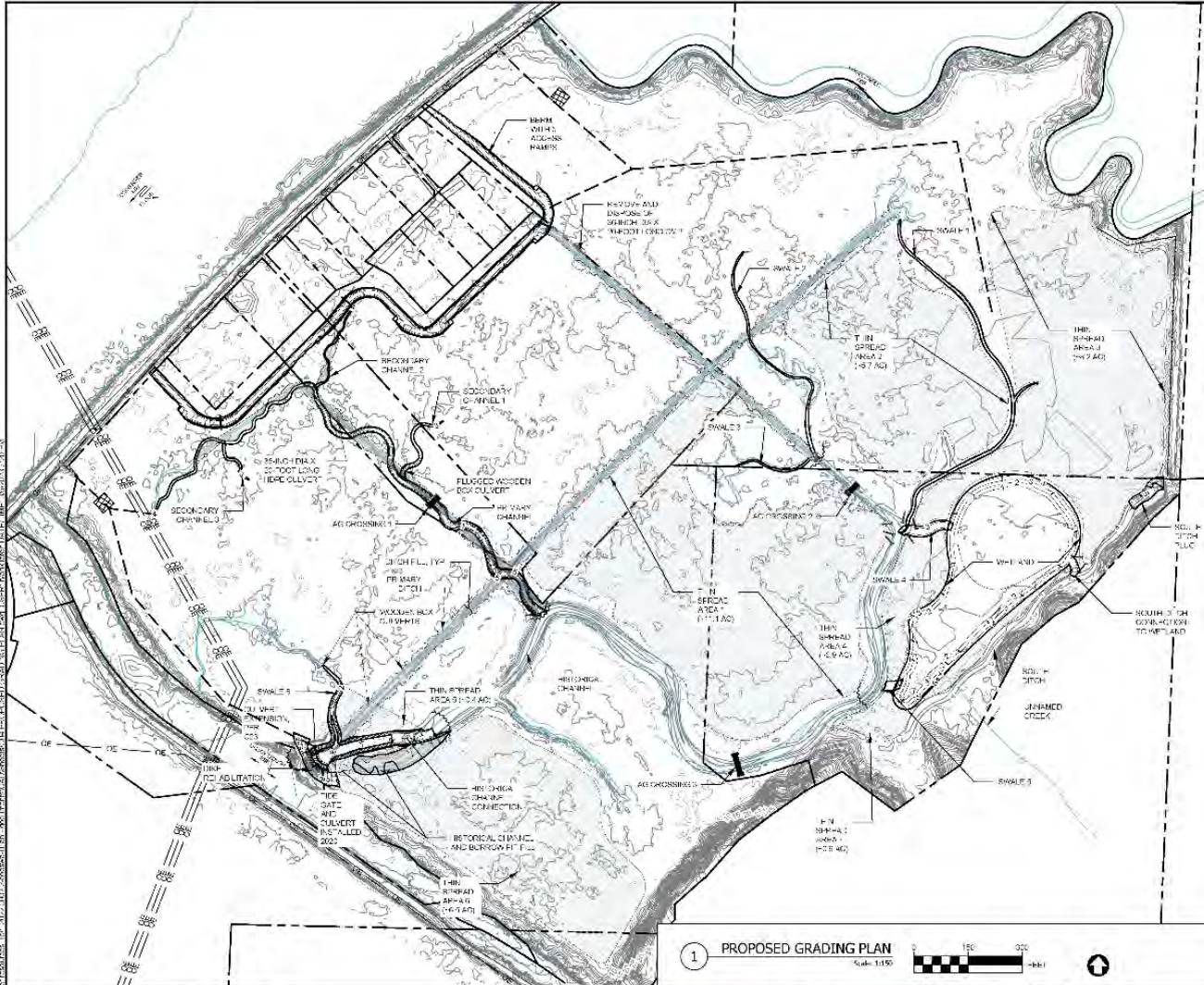
Attachment B – Project Maps

Map 1 – Site Map

Existing road, infrastructure, vegetation, and outstanding physical features



Map 2 – Construction Plan  
Proposed ecological restoration plan



CUT AND FILL SUMMARY		
SITE	CUT (CY)	FILL (CY)
HISTORICAL CHANNEL CONNECTION	1,735	0
PRIMARY CHANNEL	1,550	0
SECONDARY CHANNEL 1	100	0
SECONDARY CHANNEL 2	30	0
SECONDARY CHANNEL 3	30	0
WETLAND	12,535	0
SWALE 1	350	0
SWALE 2	35	0
SWALE 3	25	0
SWALE 4	170	0
SWALE 5	45	0
SWALE 6	110	0
BORROW PIT FILL	0	120
HISTORICAL CHANNEL FILL	0	1,020
DITCH FILL	0	3,740
BOTTOM WITH ACCESS RAMPS	0	3,055
THIN SPREAD AREA 1*	0	2,245
THIN SPREAD AREA 2*	0	1,140
THIN SPREAD AREA 3*	0	1,590
THIN SPREAD AREA 4*	0	180
THIN SPREAD AREA 5*	0	180
THIN SPREAD AREA 6*	0	1,805
THIN SPREAD AREA 7*	0	130
SOUTH DITCH PLUG	0	125
DIKE REHABILITATION	65	505
<b>TOTAL</b>	<b>16,835</b>	<b>16,835</b>

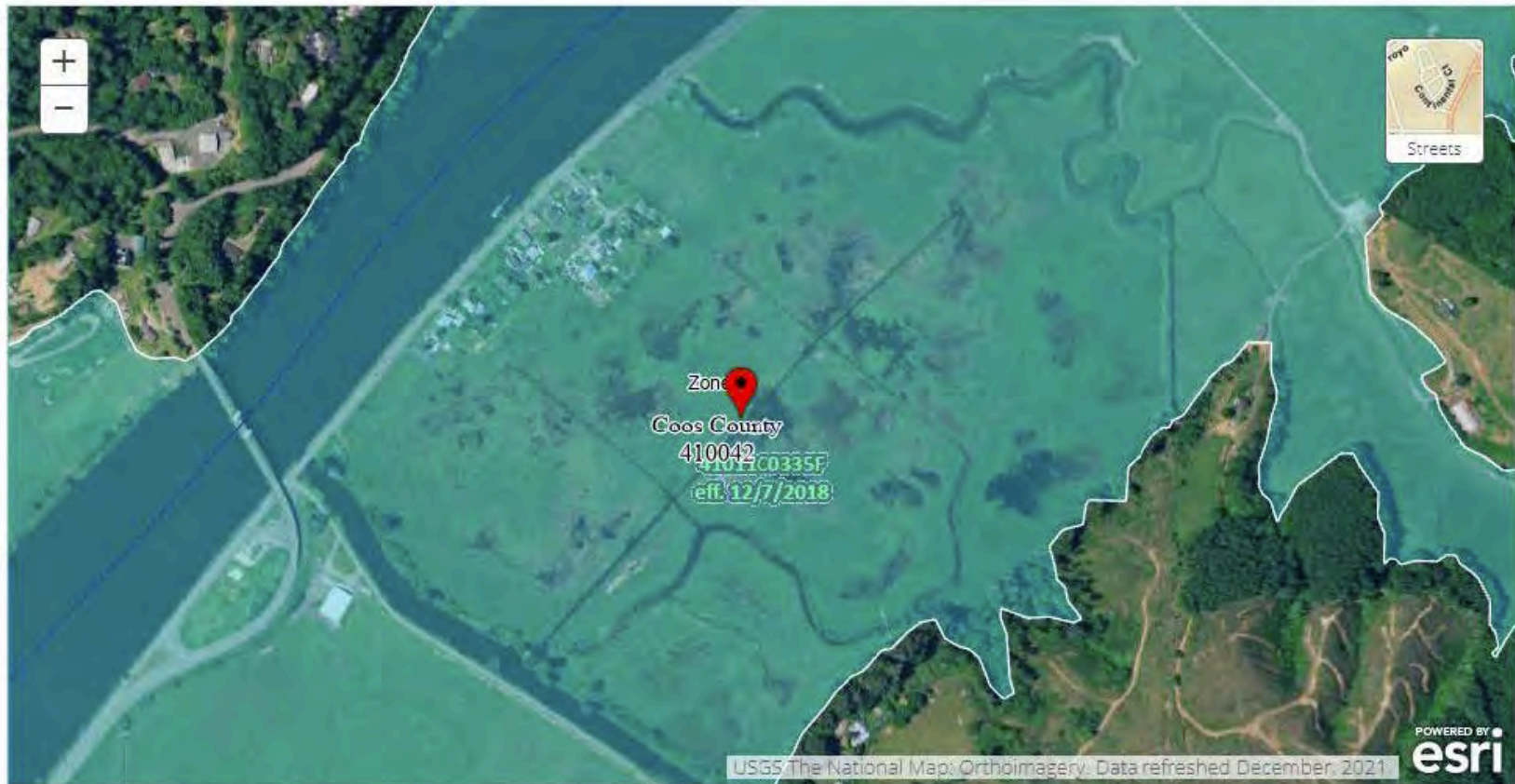
\* PLACE A UNIFORM LAYER IN A SINGLE LIFT TO ENHANCE THIN SPREAD AREAS PER DIRECTION OF CAR AND WITHIN EXTENTS SHOWN. THIN SPREAD AREA ESTIMATED VOLUMES ASSUME A 1.5-INCH THICK LAYER FOR THE ENTIRE EXTENT SHOWN EXCEPT FOR THIN SPREAD AREA 5, WHICH ASSUMES A 3-INCH THICK LAYER, AND THIN SPREAD AREA 6, WHICH ASSUMES A 2-INCH THICK LAYER. ACTUAL APPLICATION MAY COVER A SMALLER EXTENT AND TO A DEEPER DEPTH NOT TO EXCEED 3-INCHES THICK.

1 PROPOSED GRADING PLAN  
Scale: 1"=50'

REV	DATE	DESCRIPTION	BY

<p>Kiloran Water Resources 2025 855-346-2211 1100 N. 24th Ave. Phoenix, AZ 85016</p>	<p>COOS Watershed Association 1100 N. 24th Ave. Phoenix, AZ 85016 PHONE: 602-885-9822</p>	PROJECT NO. 1.2022.0002.2	LILLIAN SLOUGH HABITAT COMPLEXITY PROJECT	DRAWING NO. C04
		DESIGNED BY RWK		
		DRAWN BY RWK	OF 25	

Map 3 – 100 Year Floodplain Map  
Limits of 100-Year Floodplain Elevation



<p><b>PIN</b></p> <ul style="list-style-type: none"> <li> Approximate location based on user input and does not represent an authoritative property location</li> </ul>	<p><b>MAP PANELS</b></p> <ul style="list-style-type: none"> <li> Selected FloodMap Boundary</li> <li> Digital Data Available</li> <li> No Digital Data Available</li> <li> Unmapped</li> </ul>	<p><b>SPECIAL FLOOD HAZARD AREAS</b></p> <ul style="list-style-type: none"> <li> Without Base Flood Elevation (BFE) Zone A, V, A99</li> <li> With BFE or Depth</li> <li> Regulatory Floodway Zone AE, AO, AH, VE, AR</li> </ul>	<p><b>OTHER AREAS OF FLOOD HAZARD</b></p> <ul style="list-style-type: none"> <li> 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X</li> <li> Future Conditions 1% Annual Chance Flood Hazard Zone X</li> <li> Area with Reduced Flood Risk due to Levee. See Notes, Zone X</li> <li> Area with Flood Risk due to Levee Zone D</li> </ul>	<p><b>OTHER FEATURES</b></p> <ul style="list-style-type: none"> <li> 20.2 Cross Sections with 1% Annual Chance Water Surface Elevation</li> <li> 17.5 Coastal Transect</li> <li> Base Flood Elevation Line (BFE)</li> <li> Limit of Study</li> <li> Jurisdiction Boundary</li> <li> Coastal Transect Baseline</li> <li> Profile Baseline</li> <li> Hydrographic Feature</li> </ul>	<p><b>GENERAL STRUCTURES</b></p> <ul style="list-style-type: none"> <li> Channel, Culvert, or Storm Sewer</li> <li> Levee, Dike, or Floodwall</li> </ul>
<p><b>OTHER AREAS</b></p> <ul style="list-style-type: none"> <li> Area of Minimal Flood Hazard Zone X</li> <li> Effective LOMRs</li> <li> Area of Undetermined Flood Hazard Zone D</li> <li> Otherwise Protected Area</li> <li> Coastal Barrier Resource System Area</li> </ul>					

RECORDING REQUESTED BY:



300 W Anderson, PO Box 1075  
Coos Bay, OR 97420

COOS COUNTY, OREGON	<b>2017-06557</b>
\$81.00	07/12/2017 02:20:00 PM
DEBBIE HELLER, CEA, COOS COUNTY CLERK Pgs=8	

**GRANTOR'S NAME:**

Helen Brunell Mineau, Connie Brunell Glass, and Nancy Layne

**GRANTEE'S NAME:**

Robert Scott Knox and Karen M. Knox

**AFTER RECORDING RETURN TO:**

Order No.: 360617018988-KF  
Robert Scott Knox and Karen M. Knox  
P O Box 194  
Wedderburn, OR 97491

**SEND TAX STATEMENTS TO:**

Robert Scott Knox and Karen M. Knox  
P O Box 194  
Wedderburn, OR 97491

AFTER RECORDING  
RETURN TO  
Ticor Title Company  
300 West Anderson Ave. - Box 1075  
Coos Bay, OR 97420-0233

APN: 297900,291100,291200,297801,297800,290300  
95094 S Coos River Lane, Coos Bay, OR 97420

SPACE ABOVE THIS LINE FOR RECORDER'S USE

### STATUTORY WARRANTY DEED

Helen Brunell Mineau, Nancy Layne and Connie Brunell Glass individually and as members of Running 3 LLC and Nancy Kay Layne as trustee of Brookmead Girls Holding Trust, Grantor, conveys and warrants to Robert Scott Knox and Karen M. Knox, as tenants by the entirety, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Coos, State of Oregon:

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

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS \$385,000.00. (See ORS 93.030).

**Subject to:**

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

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

**STATUTORY WARRANTY DEED**

(continued)

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

Dated: 7-10-17

Helen Brunell Mineau, Individually and as member of Running 3, LLC

*Connie Brunell Glass*

Connie Brunell Glass, Individually and as member of Running 3, LLC

Nancy Layne, Individually and as member of Running 3, LLC, and as Trustee of Brookmead Girls Holding Trust

State of Oregon  
County of Coos

This instrument was acknowledged before me on 7/10/17 by ~~Helen Brunell Mineau, Connie Brunell Glass, and Nancy Layne~~, Individually and as members of Running 3, LLC, and ~~Nancy Layne as Trustee of the Brookmead Girls Holding Trust~~

*Vicki Renee Rossback*  
Notary Public - State of Oregon

My Commission Expires: 7/06/19



**STATUTORY WARRANTY DEED**

(continued)

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

Dated: July 10 2017

Helen Brunell Mineau  
Helen Brunell Mineau, Individually and as member of Running 3, LLC

Connie Brunell Glass, Individually and as member of Running 3, LLC

Nancy Layne  
Nancy Layne, Individually and as member of Running 3, LLC, and as Trustee of Brookmead Girls Holding Trust

State of Oregon  
County of Coos

This instrument was acknowledged before me on 7-10-17 by Helen Brunell Mineau, ~~Connie Brunell Glass~~, and Nancy Layne, Individually and as members of Running 3, LLC, and Nancy Layne as Trustee of the Brookmead Girls Holding Trust

[Signature]  
Notary Public - State of Oregon

My Commission Expires: 11-1-19



**EXHIBIT "A"**  
Legal Description

**PARCEL 1:** Beginning at a point in the NW ¼ of the NE ¼ of Section 32, Township 25 South, Range 12 West of the Willamette Meridian, Coos County, Oregon, from which point the Northeast corner of said Section 32 bears North 82° 50' East 1958.20 feet; thence South 37° 56' West 12.70 feet; thence North 57° 36' West 300.51 feet; thence South 60° 00' East 302.00 feet to the point of beginning, being a portion of the NW ¼ of the NE ¼ of Section 32, Township 25 South, Range 12 West of the Willamette Meridian, Coos County, Oregon.

**PARCEL 2:** Beginning at a point in Government Lot 1 of Section 29, Township 25 South, Range 12 West of the Willamette Meridian, Coos County, Oregon, from which point the Southeast corner of said Section 29 bears South 84° 31' 1/3" East 2550.7 feet, said point being on the boundary line between the lands owned by H. J. Curl and Sarah A. Watson; thence South 45° 30' East along the said boundary line 481.70 feet; thence South 60° 00' East along said boundary line 342.0 feet to the center of a drainage ditch; thence North along the center of the drainage ditch 34.50 feet; thence North 54° 00' East along the center of a drainage ditch 41.06 feet; thence North 45° 00' West 798.60 feet; thence South 43° 21' West 157.72 feet to the point of beginning, being a portion of Government Lot 1 of Section 29, Township 25 South, Range 12 West of the Willamette Meridian, Coos County, Oregon and being a portion of the NW ¼ of the NE ¼ of Section 32, Township 25 South, Range 12 West of the Willamette Meridian, Coos County, Oregon.

**SAVING AND EXCEPTING THEREFROM the following described parcel to-wit:** Beginning at a point in the NW ¼ of the NE ¼ of Section 32, Township 25 South, Range 12 West of the Willamette Meridian, Coos County, Oregon, from which point the Northeast corner of said Section 32 bears North 82° 50' East 1958.20 feet; thence South 60° 00' East 40.0 feet to the center of a small drainage ditch; thence North along said ditch 34.5 feet; thence North 54° 00' East along said ditch 41.06 feet; thence leaving said ditch North 45° 00' West 30.0 feet; thence South 37° 56' West 75.88 feet to the point of beginning, being a portion of the NW ¼ of the NE ¼ of Section 32, Township 25 South, Range 12 West of the Willamette Meridian, Coos County, Oregon.

**PARCEL 3:** Beginning at a point on the right bank of a dredged slough on the East side of the County Road, said point being situated 205 feet South and 3180 feet West of the corner common to Sections 28, 29, 32 and 33 of Township 25 South, Range 12 West of the Willamette Meridian, Coos County, Oregon; thence North 39° 00' East 767 feet along the South side of the said County Road; thence South 45° 30' East 691 feet; thence South 60° 00' East 342 feet to a small slough; thence South 38° 00' East 230 feet along the slough to the right bank of a larger slough; thence South 38° East 37.54 feet; thence South 73° 00' East 20 feet to the middle of the channel of the slough; thence up stream along the channel of the slough North 65° 00' East 50 feet; thence South 71° 30' East 50 feet; thence South 59° 30' East 300 feet; thence South 13° 00' East 105 feet; thence South 30° 00' East 95 feet; thence South 53° 00' East 90 feet; thence North 77° 00' East 96 feet; thence North 68° 00' East 140 feet to the West side of a bridge; thence South 18° 00' East 72 feet to the foot of a hill; thence South 54° 05' West 120 feet; thence South 51° 20' West 110 feet; thence South 40° 30' West 231 feet; thence South 141 feet; thence South 52° 15' West 295 feet to the right bank of the dredged slough; thence along said right bank of the dredged slough down stream North 59° 00' West 274 feet; thence North 57° 00' West 1130 feet; thence North 43° 30' West 240 feet; thence North 28° 50' West 261 feet; thence North 49° 30' West 200 feet, more or less, to the point of beginning.

**SAVING AND EXCEPTING THEREFROM:** Beginning at an iron pipe in Government Lot 1 of Section 29, Township 25 South, Range 12 West of the Willamette Meridian, Coos County, Oregon, from which point the Southeast corner of the said Section 29 bears South 84° 31' 20" East 2559.70 feet; thence South 45° 30' East 481.70 feet; thence South 60° 00' East 342.0 feet to the center of a small slough; thence South 58° 58' East along the said slough 29.60 feet; thence South 40° 30' West 324.45 feet; thence North 45° 30' West 1060.3 feet, more or less, to the Southerly boundary of the right of way of the Coos River State Highway; thence North 42° 18' East along the said right of way boundary 231.35 feet; thence South 45° 30' East 205 feet, more or less, to the point of beginning.

**SAVING AND EXCEPTING THEREFROM:** Beginning at the iron pipe marking the NE 1/16<sup>th</sup> corner as shown found on Map CS 11B7, Surveyor's Records of Coos County, Oregon, from which the Northeast corner of Section 32, Township 25 South, Range 12 West of the Willamette Meridian, Coos County, Oregon bears North 42° 15' 41" East 1882.67 feet and the NE 1/16<sup>th</sup> corner per map CS 11A75 bears North 14° 55' 51" West 75.63 feet; thence

**EXHIBIT "A"**  
Legal Description

South 52° 15' 00" West 218.50 feet to a 5/8 inch iron rod; thence North 30° 58' 57" East 128.59 feet to a 5/8 inch iron rod; thence North 9° 08' 53" West 91.41 feet to a 5/8 inch iron rod in an existing fence line; thence along said fence line North 43° 05' 03" East 63.69 feet to a 5/8 inch iron rod; thence North 3° 37' 42" West 41.30 feet to a 5/8 inch iron rod; thence North 46° 20' 27" East 110.88 feet to a 5/8 inch iron rod on said common boundary; thence leaving said fence South 0° 00' East 231.00 feet (formerly South 141.00 feet, more or less) along said common boundary to the point of beginning.

**PARCEL 4:** Beginning at a 5/8 inch iron rod from which the Northeast corner of Section 32, Township 25 South, Range 12 West of the Willamette Meridian, Coos County, Oregon bears North 47° 39' 15" East 1369.92 feet, said iron rod located along an existing fence; thence along said fence South 25° 23' 12" West 7.79 feet to a 5/8 inch iron rod; thence South 43° 14' 53" West 41.88 feet to a 5/8 inch iron rod; thence South 46° 02' 53" West 114.72 feet to a 5/8 inch iron rod; thence South 67° 24' 07" West 62.20 feet to a 5/8 inch iron rod; thence leaving said fence North 39° 38' 14" East (formerly North 40° 30' West 16.08 feet) along the common boundary between that Parcel 2 described in instrument bearing Microfilm Reel No. 77-10-16894, Records of Coos County, Oregon and said Parcel described in instrument bearing Microfilm Reel No. 66-07-10606, Records of Coos County, Oregon; thence continuing along said common boundary North 50° 15' 45" East 111.96 feet (formerly North 51° 20' West 110.00 feet); thence North 52° 57' 64" East (formerly North 54° 05' West) 94.83 feet to the point of beginning.

**PARCEL 5:** Beginning at a iron pipe in Government Lot 1 of Section 29, Township 25 South, Range 12 West of the Willamette Meridian, Coos County, Oregon, from which point the Southeast corner of the said Section 29 bears South 84° 31' 1/3" East 2559.7 feet; thence South 45° 30' East 481.70 feet; thence South 60° East along said property line 342.0 feet to the center of a small slough; thence South 58° 58' East along the said slough 29.60 feet; thence South 40° 30' West along a fence line on the Southeasterly side of a small drainage ditch 324.45 feet to an iron pipe; thence North 45° 30' West 857.50 feet; thence North 42° 50' East 231.25 feet to the point of beginning, being a portion of Government Lot 1 of Section 29, Township 25 South, Range 12 West of the Willamette Meridian, Coos County, Oregon and also being a portion of the NW ¼ of the NE ¼ of Section 32, Township 25 South, Range 12 West of the Willamette Meridian, Coos County, Oregon.

**PARCEL 6:** Beginning at a point in the NW ¼ of the NE ¼ of Section 32, Township 25 South, Range 12 West of the Willamette Meridian, Coos County, Oregon, from which point the Northeast corner of the said Section 32 bears North 82° 50' East 1958.20 feet; thence South 60° 00' East 40.0 feet to the center of a small drainage ditch; thence North along said ditch 34.5 feet; thence North 54° 00' East along the said ditch 41.06 feet; thence leaving said ditch North 45° 00' West 30.0 feet; thence South 37° 56' West 75.88 feet to the point of beginning, being a portion of the NW ¼ of the NE ¼ of Section 32, Township 25 South, Range 12 West of the Willamette Meridian, Coos County, Oregon.

**PARCEL 7:** Beginning at a point in Government Lot 1 of Section 29, Township 25 South, Range 12 West of the Willamette Meridian, Coos County, Oregon, from which point the Southeast corner of the said Section 29 bears South 81° 37.7' East 2466.02 feet; thence North 43° 21' East 82.96 feet to an iron pipe; thence North 66° 20' East 71.29 feet to an iron pipe; thence North 43° 21' East 49.71 feet to an iron pipe; thence continuing North 43° 21' East 5.45 feet to the approximate center of a drainage ditch; thence South 70° 39' East along the said drainage ditch 32.53 feet; thence South 45° 24' East 400.0 feet; thence South 41° 17' West 217.30 feet; thence North 45° 00' West 465.6 feet to the point of beginning, being a portion of Government Lot 1 of Section 29, Township 25 South, Range 12 West of the Willamette Meridian, Coos County, Oregon.

**PARCEL 8:** Beginning at a point in the SE ¼ of the SE ¼ of Section 29, Township 25 South, Range 12 West of the Willamette Meridian, Coos County, Oregon, from which point the Southeast corner of Section 29 bears South 81° 01' East 1230.45 feet; thence North 53° 03' 1/2" West 788.82 feet; thence South 43° 21' West 412 feet; thence South 45° 24' East 237.57 feet; thence South 41° 17' West 217.30 feet; thence South 45° East 333 feet to a point in the center of a small slough; thence South 54° West along the center of the slough 41.06 feet; thence South along the center of the slough 34.50 feet to the center line of a larger slough; thence South 38° East along the center of a larger slough 192.46 feet; thence North 43° 21' East 836.48 feet to the point of beginning, being a portion of Government Lot 1 and the SE ¼ of the SE ¼ of Section 29, Township 25 South, Range 12 West of the

**EXHIBIT "A"**  
Legal Description

Willamette Meridian, Coos County, Oregon and the NW ¼ of the NE ¼ of Section 32, Township 25 South, Range 12 West of the Willamette Meridian, Coos County, Oregon.

**PARCEL 9:** Beginning at the corner common to Sections 28, 29, 32 and 33, Township 25 South, Range 12 West of the Willamette Meridian, Coos County, Oregon; thence South 38 feet; thence South 46° 20' West 98 feet; thence South 40° 20' West 150 feet; thence South 33° 20' West 155 feet; thence South 60° 40' West 75 feet; thence South 48° 15' West 119 feet; thence South 25° 20' West 80 feet; thence South 26° West 190 feet; thence South 24° 15' West 95 feet; thence South 54° 05' West 220 feet; thence North 53° 40' West 185 feet; thence South 61° 35' West 110 feet; thence South 54° 05' West 20 feet; thence North 18° West 72 feet to the West side of a bridge; thence South 68° West 140 feet along the channel of a slough; thence South 77° West 96 feet along the channel of the slough; thence North 53° West 90 feet along the channel of a slough; thence North 30° West 95 feet along the channel of the slough; thence North 13° West 105 feet along the channel of the slough; thence North 59° 30' West 300 feet along the channel of the slough; thence North 71° 30' West 50 feet along the channel of the slough; thence South 65° West 50 feet along the channel of the slough; thence North 73° West 20 feet to the right bank of the slough; thence North 38° West 37.54 feet; thence North 43° 21' East 836.48 feet; thence North 53° 03' ½ West 1210.74 feet to the Southeasterly boundary of the County Road; thence North 44° 50' East 119.70 feet along the Southeasterly boundary of the County Road; thence North 48° 24' East 345 feet along the Southeasterly boundary of the road to the center of the channel of Wallace Slough; thence along the channel of Wallace Slough as follows: South 45° 30' East 221.2 feet; North 65° 06' East 82.3 feet; North 69° 59' East 250.2 feet; South 59° 57' East 236.9 feet; North 74° 11' East 200.3 feet; South 69° 57' East 205.8 feet; North 42° 32' East 190.6 feet; South 61° 42' East 81.5 feet; South 85° 57' East 104.4 feet; North 64° 35' East 153.9 feet; North 73° 27' East 87.9 feet; South 6° 59' East 170.8 feet; South 6° 00' West 77.6 feet; South 58° 04' West 156 feet; South 9° 09' West 80.8 feet; South 39° 20' East 90.4 feet; thence continuing up stream along the center of the channel of Wallace Slough 400 feet to the East boundary of said Section 29; thence South along the East boundary of Section 29 a distance of 773 feet to the point of beginning, being a portion of Government Lot 1 and the SE ¼ of the SE ¼ of Section 29, Township 25 South, Range 12 West of the Willamette Meridian, Coos County, Oregon and also being a portion of the NE ¼ of the NE ¼ and the NW ¼ of the NE ¼ of Section 32, Township 25 South, Range 12 West of the Willamette Meridian, Coos County, Oregon.

**EXHIBIT "B"**  
Exceptions

**Subject to:**

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

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

Any adverse claim based upon the assertion that:

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

The rights of the public and governmental bodies for fishing, navigation and commerce in and to any portion of the Land herein described, lying below the high water line of the Wallace Slough, Lillian Slough, small slough, larger slough, unnamed creeks and drainage ditches.

The right, title and interest of the State of Oregon in and to any portion lying below the high water line of Wallace Slough, Lillian Slough, small slough, larger slough, unnamed creeks and drainage ditches.

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

Granted to: United States of America  
Purpose: transmission line  
Recording Date: March 14, 1951  
Recording No: Book 207, Page 169

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

Granted to: United States of America, Department of Energy, Bonneville Power Administration  
Purpose: access road  
Recording Date: March 31, 1987  
Recording No: 87-2-2493

Option Agreement for Pipeline Construction Easement and Construction Workspace, including the terms and provisions thereof

Recording Date: November 21, 2013  
Recording No.: 2013-11104

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

Granted to: Williams Pacific Connector Gas Operator, LLC  
Purpose: Right-of-way and Easement - see document for full particulars  
Recording Date: November 21, 2013  
Recording No: 2013-11105

Option Agreement for Pipeline Construction Easement and Construction Workspace, including the terms and provisions thereof

Recording Date: November 21, 2013  
Recording No.: 2013-11106

The effect, if any, of the Easement(s) and rights incidental thereto, as granted in a document:

Granted to: Williams Pacific Connector Gas Operator, LLC on behalf of Pacific Connector Gas Pipeline L.P.  
Recording Date: May 18, 2015  
Recording No: 2015-04067

Appendage to Easement, including the terms and provisions thereof;

Recording Date: July 21, 2015

**EXHIBIT "B"**  
Exceptions

Recording No.: 2015-06571

Appendage to Easement, including the terms and provisions thereof;

Recording Date: July 21, 2015

Recording No.: 2015-06572

The effect, if any, of the Easement(s) and rights incidental thereto, as granted in a document:

Granted to: Williams Pacific Connector Gas Operator, LLC on behalf of Pacific Connector Gas Pipeline L.P.

Recording Date: May 18, 2015

Recording No: 2015-04068

Appendage to Easement, including the terms and provisions thereof;

Recording Date: July 21, 2015

Recording No.: 2015-06573

Appendage to Easement, including the terms and provisions thereof;

Recording Date: July 21, 2015

Recording No.: 2015-06574

The effect, if any, of the Easement(s) and rights incidental thereto, as granted in a document:

Granted to: Williams Pacific Connector Gas Operator, LLC on behalf of Pacific Connector Gas Pipeline L.P.

Recording Date: May 18, 2015

Recording No: 2015-04069

Appendage to Easement, including the terms and provisions thereof;

Recording Date: July 21, 2015

Recording No.: 2015-06575

Appendage to Easement, including the terms and provisions thereof;

Recording Date: July 21, 2015

Recording No.: 2015-06576

Appendage to Easement, including the terms and provisions thereof;

Recording Date: July 21, 2015

Recording No.: 2015-06578

Appendage to Easement, including the terms and provisions thereof;

Recording Date: July 21, 2015

Recording No.: 2015-06580

Appendage to Easement, including the terms and provisions thereof;

Recording Date: July 21, 2015

Recording No.: 2015-06582

Appendage to Easement, including the terms and provisions thereof;

Recording Date: July 21, 2015

Recording No.: 2015-06583

Appendage to Easement, including the terms and provisions thereof;

Recording Date: July 21, 2015

Recording No.: 2015-06584

Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other matters which a correct survey would disclose and which are not shown by the public records.

**TICOR TITLE INSURANCE 94 03 1237**

**STATUTORY WARRANTY DEED**

**IRVIN E. BROWN** Grantor,  
conveys and warrants to **FRED MESSERLE & SONS INC.**

Grantee, the following described real property free of encumbrances except as specifically set forth herein situated in  
**COOS** County, Oregon, to wit:

**AS SET FORTH ON ATTACHED LEGAL DESCRIPTION-----**  
**(TAX A/C #2981.02, 2981.04, 2981.90, 2982.00, 2981.01, 2986.00, 2988.00, 2988.01 & 2989.00)**

**THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES. THE SAID PROPERTY IS FREE FROM ENCUMBRANCES EXCEPT AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930. The said property is free from encumbrances except AS SET FORTH ON ATTACHED LEGAL DESCRIPTION-----**

The true consideration for this conveyance is \$ **I.R.C. SECTION 1031 (Here comply with the requirements of ORS 93.030)**  
**TAX-DEFERRED EXCHANGE**

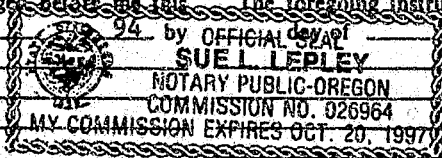
Dated this **23** day of **MARCH** 19 **94**

**THIS DEED IS BEING GIVEN FROM GRANTOR DIRECTLY TO GRANTEE AT THE INSTRUCTION AND DIRECTION OF AMERICAN EXCHANGE SERVICES CORPORATION.**

*Irvin E. Brown*  
\_\_\_\_\_  
**IRVIN E. BROWN**

State of Oregon, County of **COOS** State of Oregon, County of \_\_\_\_\_

The foregoing instrument was acknowledged before me this **23** day of **MARCH** 19 **94** by **IRVIN E. BROWN** by **SUEL LEPLEY** President and Secretary of \_\_\_\_\_ a corporation.



*Suel Lepley*  
\_\_\_\_\_  
Notary Public for Oregon  
My commission expires: **10-20-97**

\_\_\_\_\_  
Notary Public for Oregon  
My commission expires: \_\_\_\_\_

**WARRANTY DEED**

**BROWN** GRANTOR  
**FRED MESSERLE & SONS INC.** GRANTEE  
2330 E. Catching Slough Rd.  
Coos Bay, OR 97420  
Until a change is requested, all tax statements shall be sent to the following address:  
**FRED MESSERLE & SONS INC.**  
2330 E. Catching Slough Rd.  
Coos Bay, OR 97420  
Escrow No. 6-64-523 Title No. 6-64-523

After recording return to:  
**FRED MESSERLE & SONS INC.**  
2330 E. Catching Slough Rd.  
Coos Bay, OR 97420

**AFTER RECORDING RETURN TO**  
Ticor Title Insurance  
131 N 3rd - Box 1078  
Coos Bay, OR 97430-0222

This Space Reserved for Recorder's Use

**RECORDING # 94031237**

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

**11:33** ON **03/24/1994**  
By **M. BRIGHT** Deputy

# pages **8** Fee \$ **68.00**

*2782*

LEGAL DESCRIPTION

PARCEL 1: All that portion of Government Lot 2 and the NW 1/4 of the NE 1/4 West of Lillian Slough or Channel; the SE 1/4 of the NW 1/4; the NE 1/4 of the SW 1/4; beginning at SE 1/4 of Government Lot 1 of Section 32, Township 25 South, Range 12 West of the Willamette Meridian, Coos County, Oregon; thence along the quarter section line at the South boundary of said Government Lot 1 South 89° 27' West a distance of 855 feet to a point of intersection of said South boundary with the center of a slough; thence along the center line of said slough along the following courses and distances: North 34° 10' East 278 feet; thence North 16° 50' East 205 feet; thence North 28° 27' West 428 feet to a point on the low water line of the left bank of Coos River; thence along said low water line North 42° 56' East 221 feet; thence North 48° 35' East 413 feet to a point where said low water line intersects the center line of a slough; thence along the center line of said slough along the following courses and distances South 39° 45' East 147 feet; South 13° 17' East 74 feet; South 21° West 250.6 feet; South 37° 54' West 257.3 feet; South 19° 40' East 77.5 feet; South 79° 50' East 237.7 feet; South 48° 19' East 219.6 feet; North 73° 15' East 118.1 feet to a point of intersection with the quarter quarter line on the East boundary of said Government Lot 1; thence along said quarter quarter line South 1° 6' East 391 feet to the place of beginning.

The NE 1/4 of the NW 1/4 of the SW 1/4, and the N 1/2 of the SE 1/4 of the NW 1/4 of the SW 1/4; all in Section 32, Township 25 South, Range 12 West of the Willamette Meridian, Coos County, Oregon.

EXCEPTING a strip of land 60 feet wide along the left bank of Coos River for a County Road right of way; and also excepting and reserving a strip of land 40 feet in width for County Road purposes along the quarter quarter line running North and South between the NW 1/4 of the SW 1/4 and the NE 1/4 of the SW 1/4, and between Government Lot 1 and the SE 1/4 of the NW 1/4, and Government Lot 2 in said Section 32, Township 25 South, Range 12 West of the Willamette Meridian, Coos County, Oregon.

EXCEPTING that portion of Government Lot 2, Section 32, Township 25 South, Range 12 West of the Willamette Meridian, Coos County, Oregon, lying Southerly of the 1921 Coos River Market Road as described in Volume 88, Page 346, Deed Records of Coos County, Oregon, and Northerly of Coos River State Highway No. 241, said State Highway being described in Volume 208, Page 298, said Deed Records of Coos County, Oregon.

ALSO EXCEPTING: Beginning at a 5/8 inch iron rod from which a 3/4 inch iron rod with alum. cap marking the quarter corner common to Sections 29 and 32, Township 25 South, Range 12 West of the Willamette Meridian, Coos County, Oregon, bears North 52° 06' 24" East 636.07 feet; thence North 57° 07' 58" East 40 feet, more or less, to the centerline of Lillian Slough; thence Northerly 250 feet, more or less, along said Slough centerline to a point on the Southerly right of way of the 1921 Coos River Market Road, as in Volume 88, Page 346, Deed Records of Coos County, Oregon; thence Southwesterly 75 feet, more or less, along said Southerly right of way to a point on the Easterly right of way of the Coos River Highway No. 241 as described in that deed recorded in Volume 208, Page 298, said Deed Records of Coos County, Oregon; thence Southerly 245 feet, more or less, along said Easterly right of way to a point which bears South 57° 07' 58" West from the point of beginning; thence North 57° 07' 58" East 5 feet, more or less, to a 5/8 inch iron rod; thence continuing North 57° 07' 58" East 125 feet to the point of beginning. The basis of bearing of the above described exception is that survey dated January 28, 1988, and recorded as CS Map 11B30, Survey Records of said Coos County, Oregon.

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**TICOR TITLE INSURANCE**

6-64-523

**PARCEL 2:** Beginning at the quarter section corner on the line between Sections 31 and 32, Township 25 South, Range 12 West of the Willamette Meridian, Coos County, Oregon; thence due South along the section line 530 feet to the middle of Cutoff Slough; thence in a Northeasterly direction along the middle of said slough 1420 feet to the South line of the dike along the left bank of Coos River; thence downstream along said dike 583 feet to said section line; thence due South along said section line 409 feet to the place of beginning.

**ALSO:** All the land lying between the above described land and the low water line of Coos River.

**PARCEL 3:** Beginning at a point at the intersection of the quarter quarter line on the East side of Government Lot 1 of Section 32, Township 25 South, Range 12 West of the Willamette Meridian, Coos County, Oregon, with the center line of a slough, said point being North 1° 06' West 391.0 feet from the quarter quarter corner post at the Southeast corner of said Lot 1; thence along the centerline of said slough on the following courses and distances; South 73° 15' West 118.1 feet; North 48° 19' West 219.6 feet; North 79° 50' West 237.7 feet; North 19° 40' West 77.5 feet; North 37° 54' East 257.3 feet; North 21° 00' East 223.46 feet to the centerline of an intersecting slough; thence South 71° 12' East along the center line of the slough 304.89 feet to the East line of Government Lot 1 of said Section 32; thence along said East line South 1° 06' East 540.44 feet to the point of beginning, being a portion of Government Lot 1 of said Section 32.

**PARCEL 4:** All that portion of the following described premises lying South of that certain right of way deed to Coos County in Book 88, Page 349, Deed Records of Coos County, Oregon; Beginning at a point at the intersection of the quarter quarter line on the East side of Government Lot 1 of Section 32, Township 25 South, Range 12 West of the Willamette Meridian, Coos County, Oregon, with the center line of a slough, said point being North 1° 06' West 391 feet from the quarter quarter corner post at the Southeast corner of said Government Lot 1; thence along the center line of said slough on the following courses and distances; South 73° 15' West 118.1 feet; North 48° 19' West 219.6 feet; North 79° 50' West 237.7 feet; North 19° 40' West 77.5 feet; North 37° 54' East 257.3 feet; North 21° East 250.6 feet; North 13° 17' West 74 feet; North 39° 45' West 147 feet to a point on the low water line on the left bank of Coos River; thence along said low water line North 32° 33' East 291.8 feet and North 36° 51' East 362.4 feet to a point where said low water line intersects the quarter quarter line on the East side of Government Lot 1; thence along said quarter quarter line South 1° 06' East 1385.3 feet to the place of beginning, being in Government Lot 1 of said Section 32.

**EXCEPTING:** Beginning at a point at the intersection of the quarter quarter line on the East side of Government Lot 1 of Section 32, Township 25 South, Range 12 West of the Willamette Meridian, Coos County, Oregon, with the center line of a slough, said point being North 1° 06' West 391.0 feet from the quarter quarter corner post at the Southeast corner of said Government Lot 1; thence along the center line of said slough on the following courses and distances; South 73° 15' West 118.1 feet; North 48° 19' West 219.6 feet; North 79° 50' West 237.7 feet; North 19° 40' West 77.5 feet; North 37° 54' East 257.3 feet; North 21° 00' East 223.46 feet to the center line of an intersecting slough; thence South 71° 12' East along the center line of the slough 304.89 feet to the East line of Government Lot 1 of said Section 32; thence along said East line South 1° 06' East 540.44 feet to the point of beginning, being a portion of Government Lot 1 of said Section 32.

**PARCEL 5:** Beginning at the center of Section 32, Township 25 South, Range 12 West of

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the Willamette Meridian, Coos County, Oregon; thence North  $87^{\circ} 35'$  East along the East-West quarter section line to a point which is 701.06 feet Westerly of the East quarter corner of Section 32; thence South  $14^{\circ} 30'$  West 200 feet; thence South  $16^{\circ} 27'$  East 1344.42 feet; thence South  $77^{\circ} 20'$  East 426.93 feet to the East line of said Section 32; thence Southerly along the section line to the Southeast corner of Section 32; thence Westerly along the Section line to a point in a creek which is 1675.6 feet East of the South quarter corner of Section 32; thence Northerly and Westerly along the creek to a point where it crosses the North-South quarter section line of Section 32; thence North along the North-South quarter section line to the point of beginning.

ALSO: Beginning at a point which bears South  $52^{\circ} 15'$  West 218.5 feet from an iron pipe marking the center of the NE 1/4 of Section 32, Township 25 South, Range 12 West of the Willamette Meridian, Coos County, Oregon; thence South  $52^{\circ} 15'$  West 76.5 feet to an iron pipe; thence North  $59^{\circ}$  West 274 feet; thence North  $57^{\circ} 0'$  West 60 feet, more or less, to the North boundary of the SW 1/4 of the NE 1/4 of said Section 32; thence West along the North boundary of said SW 1/4 of the NE 1/4 of said Section 32 a distance of 800 feet, more or less, to the Northwest corner thereof; thence South along the West boundary of said SW 1/4 of the NE 1/4 of Section 32 a distance of 1320 feet, more or less, to the Southwest corner thereof; thence East along the South boundary of said SW 1/4 of the NE 1/4 a distance of 1147.2 feet; thence North 1186.2 feet, more or less, to the place of beginning.

EXCEPT: That portion described in deed recorded May 18, 1976, bearing Microfilm Reel No. 76-5-7322, Records of Coos County, Oregon.

PARCEL 6: Beginning at a point on the South boundary of the SW 1/4 of the NE 1/4 of Section 32, Township 25 South, Range 12 West of the Willamette Meridian, Coos County, Oregon, a distance of 1147.2 feet East of the Southwest corner of the said SW 1/4 of the NE 1/4 of Section 32; thence North for a distance of 609.6 feet to an iron pipe in the center of a drainage ditch; thence South  $47^{\circ} 58'$  West for a distance of 103.65 feet to an iron pipe; thence South  $21^{\circ} 38'$  West for a distance of 356.6 feet to a blazed 24-inch spruce tree; thence South for a distance of 208.7 feet to a point on the said South boundary of the SW 1/4 of the SE 1/4 of Section 32; thence East for a distance of 208.7 feet to the point of beginning. Being a portion of the SW 1/4 of the NE 1/4 of Section 32, Township 25 South, Range 12 West of the Willamette Meridian, Coos County, Oregon.

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## LEGAL DESCRIPTION CONTINUED

1. As disclosed by the tax rolls, the premises herein described have been zoned or classified for farm use. At any time that said land is disqualified for such use, the property will be subject to additional taxes or penalties and interest.
2. As disclosed by the tax rolls, the premises herein described have been zoned or classified as forest lands. At any time that said land is disqualified for such use, the property will be subject to additional taxes or penalties and interest pursuant to the provisions of ORS chapter 321.
3. Rights of the public in and to that portion lying within streets, roads and highways.
4. Rights of the public and governmental bodies in and to any portion of the premises herein described now or at any time lying below high water mark of the Coos River, Lillian Slough and Cutoff Slough, including any ownership rights which may be claimed by the State of Oregon below the high water mark as it now exists or at any time existed.
5. Any adverse claim based upon the assertion that:  
  
Said land or any part thereof is now or at any time has been below the ordinary high water mark of the Coos River, Lillian Slough and Cutoff Slough.  
  
Some portion of said land has been created by artificial means or has accreted to such portion so created.  
  
Some portion of said land has been brought within the boundaries thereof by an avulsive movement of the Coos River, Lillian Slough and Cutoff Slough or has been formed by an accretion to any such portion.
6. The rights of fishing, navigation and commerce in the State of Oregon and the Federal Government and the rights of the public in and to that portion thereof lying below the ordinary high water mark of the Coos River, Lillian Slough and Cutoff Slough.
7. Reservations for County Road as disclosed in deed from Coos River Farm Land Co. to R. C. Dement, recorded April 5, 1922, in Book 87, Page 3, Deed Records of Coos County, Oregon.
8. Easement, including the terms and provisions thereof, reserved by Hewitt Land and Coal Company in instrument recorded September 11, 1930, in Book 111, Page 606, Deed Records of Coos County, Oregon.
9. Easement, including the terms and provisions thereof,  
To: Mountain States Power Company  
Recorded: December 16, 1936  
Book: 133 Page: 6  
Records of Coos County, Oregon.  
For: Power line  
Affects: Parcel 1
10. Easement, including the terms and provisions thereof,  
To: United States of America

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**TICOR TITLE INSURANCE**

94 03 1237

- Recorded: December 8, 1949  
Book: 195 Page: 106  
Records of Coos County, Oregon.  
For: Transmission line  
Affects: Parcel 1
11. Easement, including the terms and provisions thereof,  
To: Mountain States Power Company  
Recorded: April 12, 1951  
Book: 207 Page: 741  
Records of Coos County, Oregon.  
For: Power line  
Affects: Parcel 1
12. That portion of said premises conveyed to State of Oregon, by and through its State Highway Commission, together with the conditions contained therein, recorded June 11, 1956, in Book 251, Page 289, Deed Records of Coos County, Oregon. (affects Parcel 2)
13. That portion of said premises conveyed to State of Oregon, by and through its State Highway Commission, together with the conditions contained therein, recorded December 9, 1957, in Book 262, Page 64, Deed Records of Coos County, Oregon.
14. Easement, including the terms and provisions thereof,  
To: Coos Bay Pulp Corporation  
Recorded: November 18, 1958  
Book: 268 Page: 513  
Records of Coos County, Oregon.  
For: Right of way
15. Easement, including the terms and provisions thereof,  
To: Georgia Pacific Corporation  
Recorded: April 19, 1963  
Book: 300 Page: 423  
Records of Coos County, Oregon.  
For: Right of way
16. Easement, including the terms and provisions thereof, as set forth in instrument recorded January 22, 1971, bearing Microfilm Reel No. 71-1-55311, Records of Coos County, Oregon.
17. Easement, including the terms and provisions thereof,  
To: General Telephone Company of the Northwest, Inc.  
Recorded: March 6, 1972  
Microfilm Reel No. 72-3-69031  
Records of Coos County, Oregon.  
For: poles and lines
18. Easement, including the terms and provisions thereof,  
To: U. S. National Bank, Executor of the Estate of Fred W. Brunell  
Recorded: October 10, 1977  
Microfilm Reel No. 77-10-16882  
Records of Coos County, Oregon.  
For: Road

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**TICOR TITLE INSURANCE**

19. Easement, including the terms and provisions thereof,  
 To: Coos Bay-North Bend Water Board  
 Recorded: December 5, 1984  
 Microfilm Reel No. 84-5-6687  
 Records of Coos County, Oregon.  
 For: Water line
20. Terms and provisions of deed as set forth in instrument recorded April 3, 1985,  
 bearing Microfilm Reel No. 85-2-4021, Records of Coos County, Oregon.
21. Easement, including the terms and provisions thereof,  
 To: United States of America, Department of Energy, Bonneville Power  
 Administration  
 Recorded: March 31, 1987  
 Microfilm Reel No. 87-2-2493  
 Records of Coos County, Oregon.  
 For: Road
22. Easement, including the terms and provisions thereof,  
 To: Fred Messerle and Sons, Inc., dba Messerle and Sons  
 Recorded: December 23, 1987  
 Microfilm Reel No. 87-12-1527  
 Records of Coos County, Oregon.
23. Easement Agreement, including the terms and provisions thereof, in instrument  
 recorded April 15, 1988, bearing Microfilm Reel No. 88-4-0802, Records of Coos  
 County, Oregon, for water line.
24. Easement Agreement, including the terms and provisions thereof, in instrument  
 recorded April 15, 1988, bearing Microfilm Reel No. 88-4-0806, Records of Coos  
 County, Oregon, for ingress and egress.
25. Reservation of Easement, including the terms and provisions thereof, in instrument  
 recorded April 15, 1988, bearing Microfilm Reel No. 88-04-0810, Records of Coos  
 County, Oregon, for water line.
26. Agreement for Relocation of a Portion of Right of Way Easement, dated February 20,  
 1991, by and between Fred Messerle & Sons, Inc. and Betty C. Watkins, Phyllis J.  
 Bolden, Irvin E. Brown and Sandra Kidner, recorded February 25, 1991, bearing  
 Microfilm Reel No. 91-02-1038, Records of Coos County, Oregon.
27. Easement, including the terms and provisions thereof,, in instrument recorded  
 March 16, 1992, bearing Microfilm Reel No. 92-03-0687, Records of Coos County,  
 Oregon, for ingress and egress.
28. Easement, including the terms and provisions thereof,  
 From: Irvin E. Brown, et al  
 To: Richard Clarke McCarthy, et al  
 Recorded: February 12, 1993  
 Microfilm Reel No. 93-02-0434  
 Records of Coos County, Oregon.  
 For: Water system and dam
29. Easement, including the terms and provisions thereof,  
 From: Estate of Dell F. Brunell

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94 03 1237

 **TICOR TITLE INSURANCE**

To: Sandra Kidner and Irvin E. Brown  
Recorded: April 29, 1993  
Microfilm Reel No. 93-04-1339  
Records of Coos County, Oregon.  
For: ingress and egress

30. Easement, including the terms and provisions thereof,  
From: Irvin E. Brown and Sandra Kidner  
To: Estate of Dell F. Brunell  
Recorded: April 29, 1993  
Microfilm Reel No. 93-04-1340  
Records of Coos County, Oregon.  
For: ingress and egress

Ticor Title Insurance Company

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