

M06-13725

Klamath County, Oregon

07/06/2006 03:57:22 PM

Pages 13 Fee: \$81.00

RECORDING COVER SHEET

THIS COVER SHEET HAS BEEN PREPARED BY THE
PERSON PRESENTING THE ATTACHED INSTRUMENT
FOR RECORDING. ANY ERRORS IN THIS COVER SHEET
DO NOT AFFECT THE TRANSACTION(S) CONTAINED
IN THE INSTRUMENT ITSELF.

After Recording Return To:

Soco Development Inc.
PO Box 127
Klamath Falls Or 97601

1. Name(s) of the Transaction(s):

~~Affidavit of compliance~~
Deeds: Deeds
Disposal Site

2. Direct Party (Grantor):

Falcon Heights Condominiums

3. Indirect Party (Grantee):

Soco Development, Inc.

4. True and Actual Consideration Paid:

Compliance for a new
Solid waste Disposal Site

5. Legal Description:

See attached



State of Oregon
Department of
Environmental
Quality

Application For A New Solid Waste Disposal Site Permit

Oregon Department of
Environmental Quality

(Attach Additional Sheets If Necessary)

DEQ USE ONLY - BUSINESS OFFICE

Date Received: _____

Amount Received: _____

Check No.: _____

Deposit No.: _____

Forward confirmation of fee payment for
Eastern Region applications to:

DEQ - The Dalles

Northwestern Region applications to

DEQ-NWR - Portland

Western Region applications to:

DEQ - Salem

A. REFERENCE INFORMATION (Please Print clearly. SEE ATTACHED INSTRUCTIONS)

1. SOCO Development Inc
Legal Name of Applicant Registered (See #23 below.)
2. Ph. 541-882-1869 FAX 541-882-1987
3. SOCO Development, Inc
Legal Name of Business/Facility (May be same as above.)
4. P.O. Box 127 / 2115 Orchard Ave.
Mailing Address of Applicant
Klamath Falls, OR 97601
City State Zip
5. _____
Legal Name of Property Owner
6. _____
Mailing Address of Property Owner
City State Zip
7. Ph. _____ FAX _____
8. FALCON HEIGHTS CONDOMINIUM
Common Name of Facility
Old Midland Road
10301 Freddy Av.
Facility Physical Address
Klamath Falls OR 97601
City State Zip
10. P.O. Box 127
Facility's Mailing Address
Klamath Falls, OR 97601
City State Zip
11. WIKI@69@cvcwireless.net
E-Mail at Facility
11. SOCO Ph. 541-882-1869
Name of Facility Operator
12. Klamath
County in which Facility is Located

13. Enter Facility Location by LATITUDE and LONGITUDE,
SECTION, TOWNSHIP, and RANGE.

Section: 34 Township: 39S Range: 09E

LATITUDE			LONGITUDE		
Degrees	Minutes	Seconds	Degrees	Minutes	Seconds
N 42°	07	897	W 121°	45	123

B. TYPE OF PERMIT REQUESTED I am applying for the following permit (check one): Each type of permit listed below has an accompanying instruction sheet that describes steps you must complete in order to submit a completed application. If the appropriate instruction sheet is not attached to this application or for more information, call DEQ at (503) 378-8240, Ext. 252.

- | | |
|---|---|
| <input type="checkbox"/> 14. Transfer Station/Material Recovery Facility Permit | <input type="checkbox"/> 18. Land Disposal Site Permit |
| <input type="checkbox"/> 15. Composting Facility Permit or Registration | <input checked="" type="checkbox"/> 19. Solid Waste Letter Authorization Permit
(short-term projects only) |
| <input type="checkbox"/> 16. Closure Permit | <input type="checkbox"/> 20. Energy Recovery Facility Permit |
| <input type="checkbox"/> 17. Solid Waste Treatment Facility Permit | |

C. SIGNATURE I hereby certify by my signature below that the information contained in this application, and the documents I have attached, are true and correct to the best of my knowledge and belief.



W. Louis Kelly Executive Director 6/27
20. Signature of Legally Authorized Representative (See Instructions.) Print Name Title Date

Acknowledgment in a Representative Capacity

State of OREGON

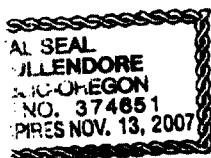
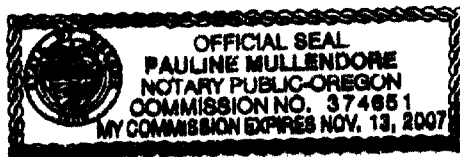
County of Kamath

This instrument was acknowledged before me on July 6, 2006 by W. Louellen Kelly
as Executive Director of SOCO Development Inc

Pauline Mullenore

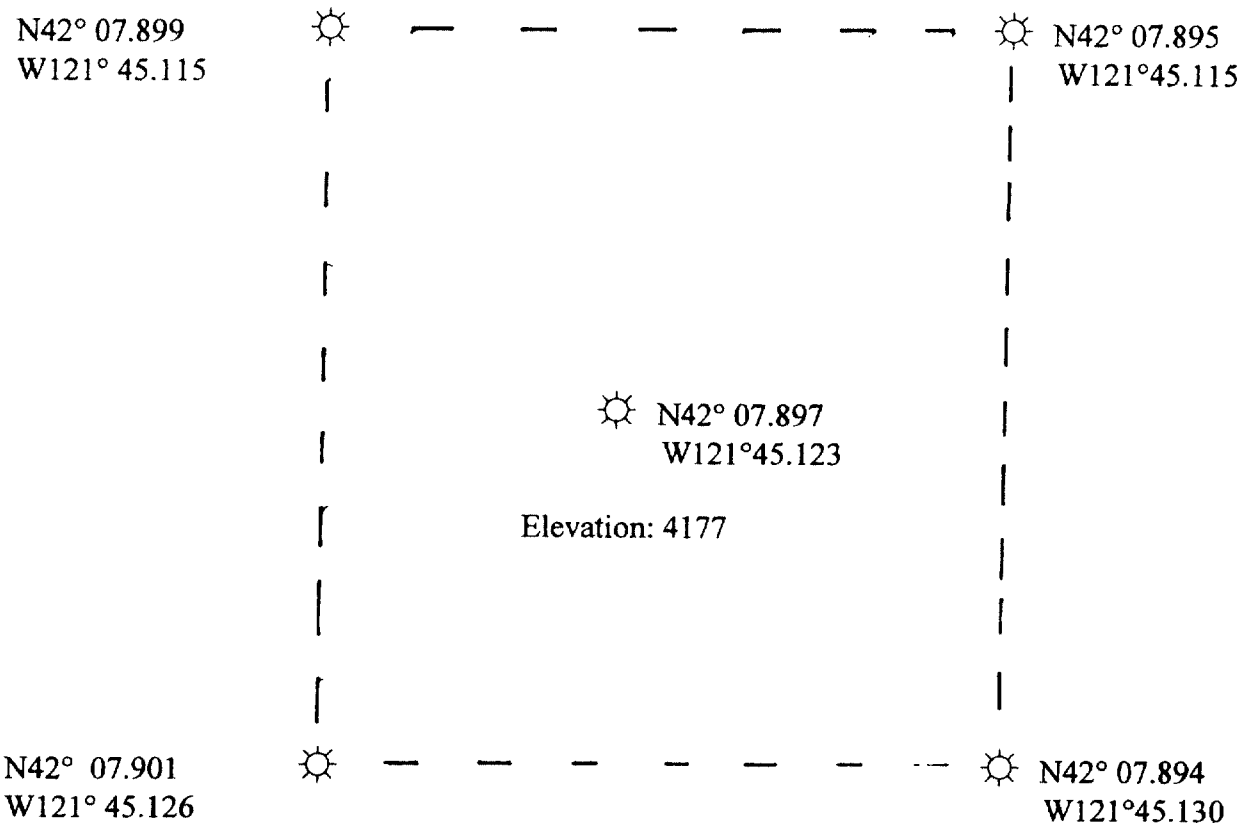
Notary Public - State of Oregon

W. Louellen Kelly



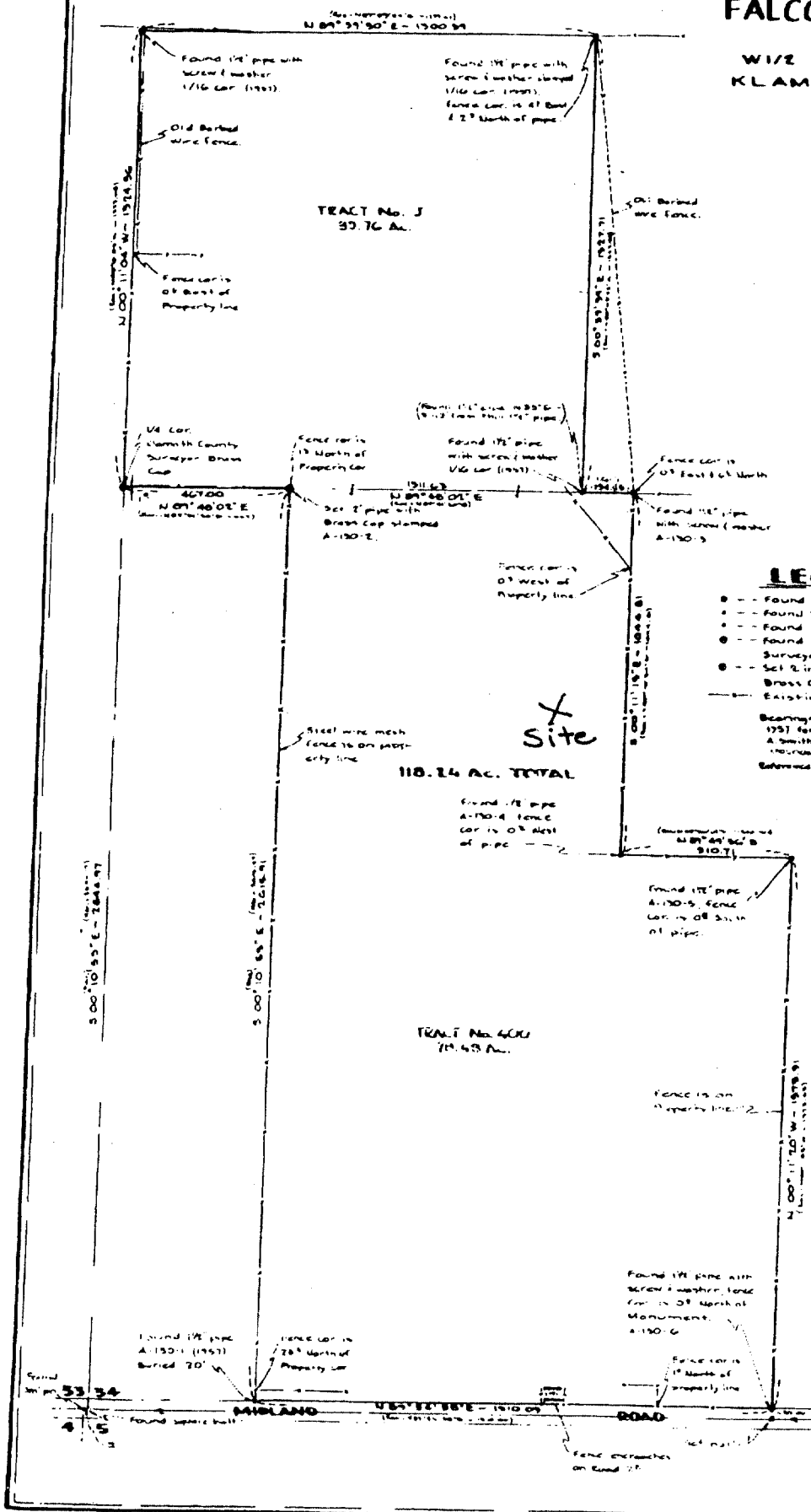
LAND USE COMPATABILITY STATEMENT [LUCS]

Solid Waste Letter Authorization Permit



FALCON HEIGHTS CONDOMINIUMS, OLD MIDLAND ROAD, KLAMATH COUNTY

MAP OF SURVEY
OF
FALCON HEIGHTS BOUNDARY
IN
W 1/2 SEC. 34 T39S. R. 9E. WM.
KLAMATH COUNTY, OREGON



LEGEND

- - - Found 1 1/2 inch iron pipe.
 - - - Found 3/8 inch iron pin
 - - - Found Square Bolt
 - - - Found Klamath County Surveyor Brass Cap.
 - - - Set 2 inch pipe with Brass Cap
- Existing fence.

Bearying traced on number of June 1957 for Corps of Engineers, by Oliver A. Smith, Oregon Land Manager No 106 (no record in records and record)

Reference: EO 1718
EO 1419
EO 1401

CERTIFICATION -

1. Donald A. Crandall, do hereby certify that this map is based on an actual survey, that the distances are correct and within the error of accuracy; that all corners are marked as indicated and that there are no encroachments or other things shown.

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

REGISTERED
PROFESSIONAL
LAND SURVEYOR

BRICON
JULY 8, 1966
DONALD A. GRIEDEL
Inc.

DORTCH
GRESDER and ASSOCIATES

UNIVERSITY AIR U.S. AIR FORCE
SURVEYED BY D.A.G. MARCH 74
MAPPED BY W.F.S. MARCH 74
#0131093
SCALE: 1" = 200'

1' = 000'

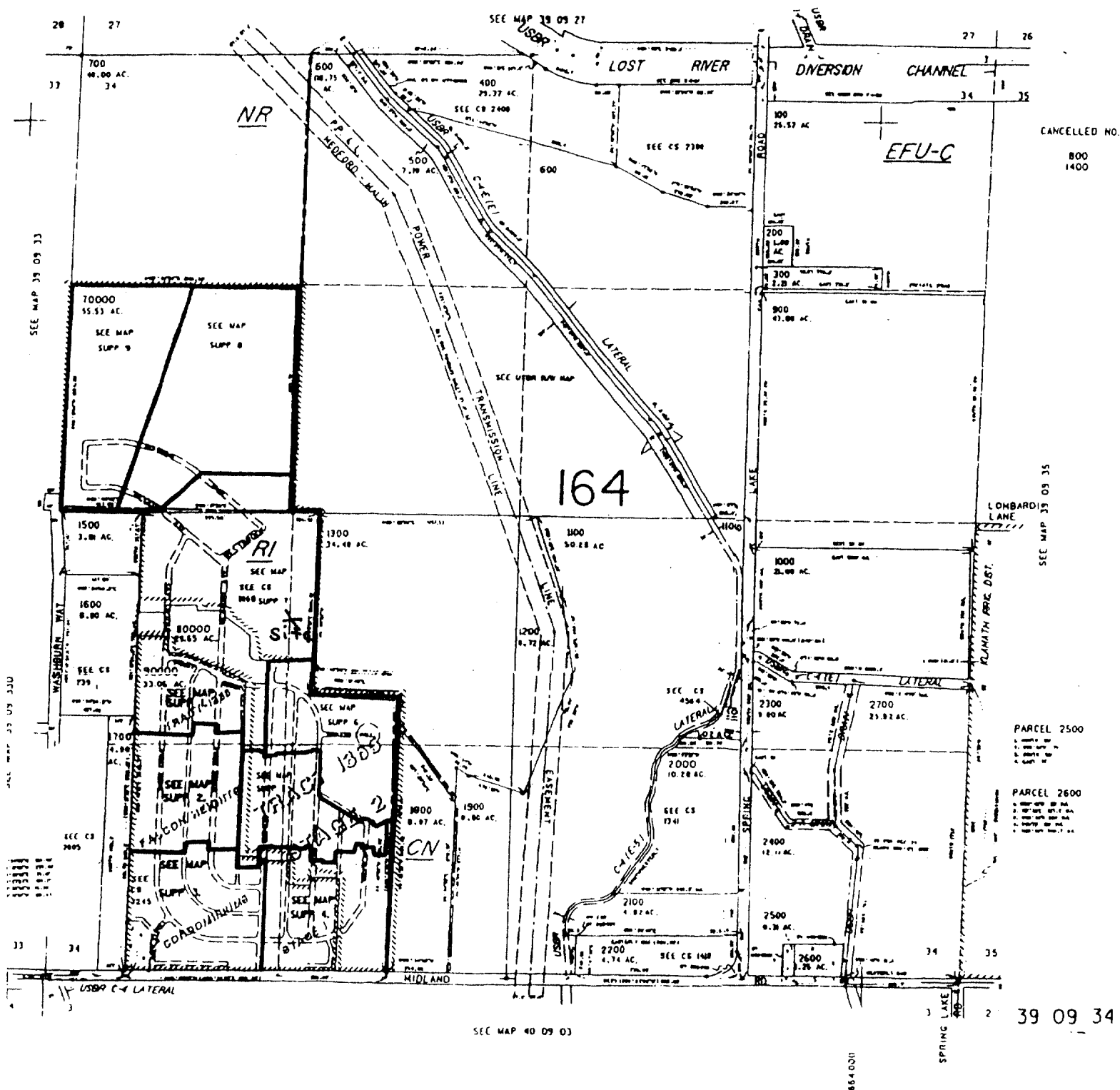


EXHIBIT "A"

A tract of land platted as Falcon Heights Condominiums - Stages 1,2 and 3 situated in the W1/2 of Section 34, Township 39 South, Range 9 East, W.M. Klamath County, Oregon more particularly described as follows:

Commencing at a square bolt marking the Southwest corner of said Section 34; thence N 89° 54' 58" E - 467.00 feet and N 00° 10' 55" W - 30.00 feet to a 1-1/2" pipe stamped A-130-1 on the north right of way of Old Midland Road and marking the True Point of Beginning for this description; thence N 00° 10' 55" W - 2615.91 feet to a 2" pipe with a brass cap stamped A-130-2; thence S 89° 48' 02" W - 467.00 feet to a Klamath County brass cap marking the W1/4 corner of said Section 34, thence N 00° 11' 04" W - 1324.56 feet to a 1-1/2" pipe with a screw and washer marking the N1/16 corner on the west line of said Section 34; thence N 89° 39' 50" E - 1300.59 feet to a 1-1/2" pipe with a screw and washer marking the NW 1/16 corner of said Section 34; thence S 00° 39' 39" E - 1327.71 feet to a 1-1/2" pipe with screw and washer marking the CW 1/16 corner of said Section 34; thence N 89° 48' 02" E - 154.45 feet to a 1-1/2" pipe with screw and washer stamped A-130-3; thence S 00° 11' 15" E - 1044.81 feet to a 1-1/2" pipe stamped A-130-4; thence N 89° 49' 36" E - 510.71 feet to a 1-1/2" pipe stamped A-130-5; Thence S 00° 11' 20" E - 1573.91 feet to a 1-1/2" pipe with a screw and washer stamped A-130-6 marking the north right of way of Old Midland Road; thence along said north right of way S 89° 54' 58" W - 1510.09 to the Point of Beginning. Bearings and distances for this description are based on Survey #1959.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Michael R. Markus

OREGON
JULY 16, 1987
MICHAEL R. MARKUS
2298

RENEWAL 12/31/2006

*

- - Property Data Selection Menu - -

Owner: SOCO DEVELOPMENT INC

Prop ID : R885918 (Real Estate) (180981) 2115 ORCHARD AVE
 Map Tax Lot: R-3909-03400-80000-000 KLAMATH FALLS, OR 97601
 Legal : FALCON HEIGHTS CONDM STAGE 2, ACRES
 29.65, COMMON AREA

Situs : Year Built :
 Name(s) : Living Area:
 Code Area : 164
 Sale Info : 2005 Roll Values
 Deed Type : RMV Land \$ 48,920 (+)
 Instrument: RMV Improvements \$ 0 (+)
 2005 Tax Status * No Taxes Due * RMV Total \$ 48,920 (=)
 Current Levied Taxes : 0.00 Total Exemptions \$ 48,920
 Special Assessments : M5 Net Value \$ 0
 2006-07 SB125 Taxes : M50 Assd Value \$ 0

(AD) Alt Disp	(Y) primary	(SE) condary	(L) and/ Impr
(G) en Appr	(O) wnership	(H) istory	(.) More

Enter Option from Above or <RET> to Exit: __

@

*

- - Property Data Selection Menu - -

Owner: SOCO DEVELOPMENT INC

Prop ID : R887680 (Real Estate) (191557) C/O W LOUELLYN KELLY
 Map Tax Lot: R-3909-03400-70000-000 135 SOUTH 9TH ST
 Legal : FALCON HEIGHTS CONDM STAGE 3, ACRES KLAMATH FALLS, OR 97601
 55.53, COMMON AREA

Situs : Year Built :
 Living Area:

Name(s) :

Code Area : 164

Sale Info :

2005 Roll Values

Deed Type :	RMV Land \$	550,000 (+)
Instrument:	RMV Improvements \$	0 (+)
2005 Tax Status * No Taxes Due *	RMV Total \$	550,000 (=)
Current Levied Taxes : 0.00	Total Exemptions \$	550,000
Special Assessments :	M5 Net Value \$	0
2006-07 SB125 Taxes :	M50 Assd Value \$	0

(AD) Alt Disp	(Y) primary	(SE) condary	(L) and/Impr
(G) en Appr	(O)wnership	(H) istory	(.) More

Enter Option from Above or <RET> to Exit: [24~^[[24~^[[24~^[[24~^[[24~^[[24~^[[
 24~^[[24~haracters in response. Please re-enter.

*

- - Property Data Selection Menu - -

Owner: FALCON HEIGHTS CONDOMINIUM A

Prop ID : R883567 (Real Estate) (185663) C/O KELLY W LOU ELLYN

Map Tax Lot: R-3909-03400-90000-000 135 S 9TH ST

Legal : FALCON HEIGHTS CONDM STAGE 1, ACRES KLAMATH FALLS, OR 97601
33.06, COMMON AREA

Situs : Year Built :
Living Area:

Name(s) :

Code Area : 164

Sale Info : 02/25/98

Deed Type : 10

Instrument: M98-6191

2005 Tax Status * No Taxes Due *

Current Levied Taxes : 0.00

Special Assessments :

2006-07 SB125 Taxes :

2005 Roll Values

RMV Land \$ 54,550 (+)

RMV Improvements \$ 0 (+)

RMV Total \$ 54,550 (=)

Total Exemptions \$ 54,550

M5 Net Value \$ 0

M50 Assd Value \$ 0

(AD) Alt Disp	(Y) primary	(SE) condary	(L) and/Impr
(G) en Appr	(O) wnership	(H) istory	(.) More

Enter Option from Above or <RET> to Exit: __

D. ATTACH TO THIS PERMIT APPLICATION (You must check all of the following in order for this application to be complete.)

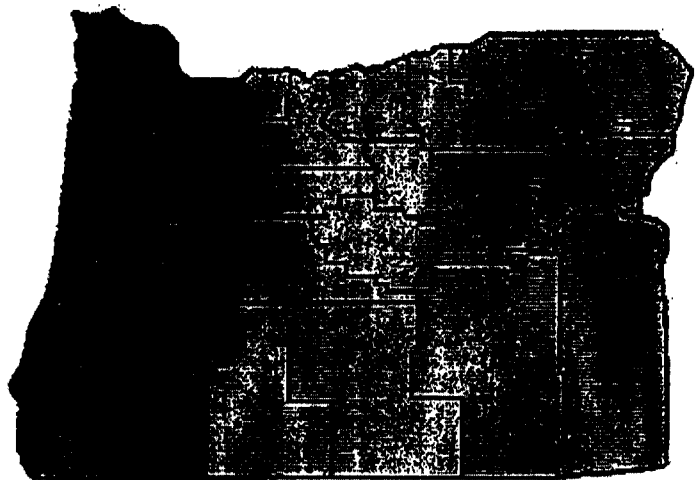
- ☐ 21. I have attached a completed LAND USE COMPATIBILITY STATEMENT.
- ☐ 22. I have contacted a DEQ solid waste staff person to determine if I must get a WRITTEN RECOMMENDATION from the local government unit having jurisdiction of solid waste in my area.
- ☐ 23. I have attached a CERTIFICATE OF BUSINESS REGISTRY of this business with the State of Oregon.
- ☐ 24. I have attached a LIST OF DEQ PERMITS issued or applied for under the business name listed above.
☒ Check here if no other permits issued or applied for.
- ☒ 25. I have reviewed the instruction sheet that describes steps necessary to submit a completed application. I have attached additional materials, if any, as listed on that instruction sheet.

E. FEES – MUST ACCOMPANY THIS APPLICATION

26. Application Filing Fee: \$ 500⁰⁰ (Make check payable to Oregon DEQ)
 Compliance Fee (if required): \$ _____ TOTAL FEE(S): \$ 500⁰⁰

Please mail two copies of completed packet to the appropriate regional office.

- ✓ 1. Eastern Region
 Department of Environmental Quality
 400 E Scenic Drive, Ste 2.307
 The Dalles, OR 97058
 (541) 298-7255 ext. 21
2. Northwest Region
 DEQ Solid Waste Programs
 2020 SW Fourth Ave. Ste 400
 Portland, OR 97201
 (503) 229-5353
3. Western Region
 DEQ Solid Waste Programs
 750 Front St. NE Suite 120
 Salem, OR 97301
 (503) 378-8240 ext. 252



STATE OF OREGON
 DEPARTMENT OF ENVIRONMENTAL QUALITY

116428

Issuing Office Eastern Region - The Dalles Date 6/30/06
 Received From SOCO Development
 Address PO Box 127, Klamath Falls, OR Zip 97601-0377
 Description of Permit Requested
 1. SW disposal site permit
 2. for Falcon Heights Condominiums
 3. Old Midland Rd, Klamath Falls
 Received: Cash Amt. \$ _____
 Check # 12196 \$ 500.00
 Fees Received
 On-Site Sewage Permit \$ 500.00
 On-Site Sewage Surcharge _____
 Other _____
 Total \$ 500.00
 Issued By Glaine Butts

340 Planning *no set backs, no one has to go out to site* *Klam. Co. Planning*

Department of Environmental Quality
LAND USE COMPATIBILITY STATEMENT (LUCS)

WHAT IS A LUCS? The Land Use Compatibility Statement is the process used by the DEQ to determine whether DEQ permits and other approvals affecting land use are consistent with local government comprehensive plans.

WHY IS A LUCS REQUIRED? Oregon law requires state agency activities that impact land use be consistent with local comprehensive plans. DEQ Oregon Administrative Rules (OAR) Chapter 340, Division 18 identifies agency activities or programs that significantly affect land use and must have a process for determining local plan consistency.

WHEN IS A LUCS REQUIRED? A LUCS is required for nearly all DEQ permits and certain approvals of plans or related activities that affect land use. These permits and activities are listed on p. 2 of this form. A single LUCS can be used if more than one DEQ permit/approval is being applied for concurrently.

A permit modification requires a LUCS when any of the following applies:

1. Physical expansion on the property or proposed use of additional land;
2. A significant increase in discharges to water;
3. A relocation of an outfall outside of the source property; or
4. Any physical change or change of operation of an air pollutant source that results in a net significant emission rate increase as defined in OAR 340-200-0020.

A permit renewal requires a LUCS if one has not previously been submitted, or if any of the above modification factors apply.

HOW TO COMPLETE A LUCS:

Step	Who Does It	What Happens
1	Applicant	Completes Section 1 of the LUCS and submits it to the appropriate city or county planning office.
2	City or County Planning Office	Completes Section 2 of the LUCS by determining if the activity or use meets all local planning requirements, and returns to the applicant the signed and dated LUCS form <u>with findings of fact for any local reviews or necessary planning approvals</u> .
3	Applicant	Includes the completed LUCS with <u>findings of fact</u> with the DEQ permit or approval submittal application to the DEQ.

WHERE TO GET HELP: For questions about the LUCS process, contact the DEQ staff responsible for processing the permit/approval. Headquarters and regional staff may be reached using DEQ's toll-free telephone number 1-800-452-4011. For general questions, please contact DEQ land use staff listed at: www.deq.state.or.us/pubs/permithandbook/lucs.htm.

CULTURAL RESOURCES PROTECTION LAWS: Applicants involved in ground-disturbing activities should be aware of federal and state cultural resources protection laws. *ORS 358.920* prohibits the excavation, injury, destruction, or alteration of an archeological site or object, or removal of archeological objects from public and private lands without an archeological permit issued by the State Historic Preservation Office. *16 USC 470, Section 106, National Historic Preservation Act of 1966* requires a federal agency, prior to any undertaking, to take into account the effect of the undertaking that is included on or eligible for inclusion in the *National Register*. For further information, contact the State Historic Preservation Office at 503-378-4168, extension 232.

SECTION I - TO BE COMPLETED BY APPLICANT

A. Applicant Name: SCPD Development Inc B. Project Name: FALCON HEIGHTS CONDOMINIUM
 Contact Name: W. Lou Ellen Kelly Physical Address: 10301 Freddy Ave.
 Mailing Address: P.O. Box 127 / 2115 Orchard City, State, Zip: ad Midland Road
 City, State, Zip: Klamath Falls OR 97603 Tax Lot No.: 70000, 80000, 800, 90000
 Telephone: 541-882-1869 Township: 39S Range: 09E Section: 34
 Tax Account No.: 887680, 885918, 883567 Latitude: N 42° 07.897'
 Longitude: W 121° 45.123'
 elevation 4177

For latitude/longitude, use the DEQ Location Finder at <http://deq12.deq.state.or.us/website/findloc>.

Map: 3909
 C. Describe the type of business or facility and services or products provided:

SECTION 1 - TO BE COMPLETED BY APPLICANT (Continued)

Applicant Name: SERO Development Inc.Project Name: Falcon Heights Condominiums, Old Midland Rd

D. Check the type of DEQ permit(s) or approval(s) being applied for at this time.

<input type="checkbox"/> Air Notice of Construction	<input type="checkbox"/> Pollution Control Bond Request
<input type="checkbox"/> Air Discharge Permit (excludes portable facility permits)	<input type="checkbox"/> Hazardous Waste Treatment, Storage, or Disposal Permit
<input type="checkbox"/> Title V Air Permit	<input type="checkbox"/> Clean Water State Revolving Fund Loan Request
<input type="checkbox"/> Parking/Traffic Circulation Plan	<input type="checkbox"/> Wastewater/Sewer Construction Plan/Specifications (includes review of plan changes that require use of new land)
<input type="checkbox"/> Air Indirect Source Permit	<input type="checkbox"/> Water Quality NPDES Individual Permit
<input checked="" type="checkbox"/> Solid Waste Disposal Permit	<input type="checkbox"/> Water Quality WPCF Individual Permit (for onsite construction-installation permits use DEQ's Onsite LUCS form)
<input type="checkbox"/> Solid Waste Treatment Permit	<input type="checkbox"/> Water Quality NPDES Stormwater General Permit (1200-A, 1200-C, 1200-CA, 1200-COLS, and 1200-Z)
<input type="checkbox"/> Solid Waste Compost Registration or Permit	<input type="checkbox"/> Water Quality General Permit (all general permits, except 600, 700-PM, 1700-A, and 1700-B when they are mobile.)
<input checked="" type="checkbox"/> Solid Waste Letter Authorization Permit	<input type="checkbox"/> Water Quality 401 Certification for federal permit
<input type="checkbox"/> Solid Waste Material Recovery Facility Permit	
<input type="checkbox"/> Solid Waste Transfer Station Permit	
<input type="checkbox"/> Solid Waste Tire Storage Permit	

E. This application is for: ☐ permit renewal ☒ new permit ☐ permit modification ☐ other: _____

SECTION 2 - TO BE COMPLETED BY CITY OR COUNTY PLANNING OFFICIAL

Please Note: A LUCS approval cannot be accepted by DEQ until all local requirements have been met. Written findings of fact for all local decisions addressed under Item C below are required. Written findings for an activity or use addressed by the acknowledged comprehensive plan in accordance with OAR 660-031-0020 may simply reference the specific plan policies, criteria, or standards that were relied upon in rendering the decision and indicate why the decision is justified based on the plan policies, criteria, or standards.

- A. The facility proposal is located: ☐ inside city limits ☐ inside UGB ☒ outside UGB
- B. Name of the city or county that has land use jurisdiction (the legal entity responsible for land use decisions for the subject property or land use): Klamath County
- C. Does the activity or use comply with all applicable local land use requirements (as required by OAR Chapter 660, Division 31)?
- ☒ YES, you must complete below or attach findings to support the affirmative compliance decision
- i) Relevant specific plan policies, criteria, or standards: Proposed Plan is not regulated by KCLDC
- ii) Provide the reasons for the decision: _____
- ☐ NO, you must complete below or attach findings for noncompliance, and identify requirements the applicant must comply with before LUCS compatibility can be determined.
- i) Relevant specific plan policies, criteria, or standards: _____
- ii) Provide the reasons for the decision: _____

D. Planning Official Signature: Elizabeth Hulse Title: Planner I
 Print Name: ELIZABETH HAMBLIN Telephone No.: 541-8835721 Date: 6/27/06

E. If necessary, depending upon city/county agreement on jurisdiction outside city limits but within UGB:

Planning Official Signature: _____ Title: _____
 Print Name: _____ Telephone No.: _____ Date: _____