

# MULTNOMAH COUNTY

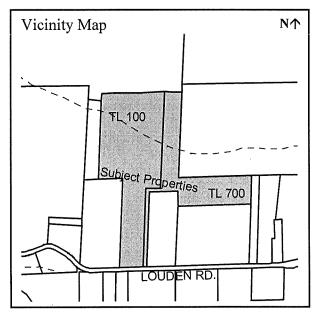
LAND USE AND TRANSPORTATION PROGRAM 1600 SE 190<sup>TH</sup> Avenue Portland, OR 97233 PH: 503-988-3043 FAX: 503-988-3389 http://www.co.multnomah.or.us/dbcs/LUT/land\_use

## EXHIBIT 2 Prince

# NOTICE OF DECISION

This notice concerns a Planning Director Decision on the land use case(s) cited and described below.

- Case File: T2-05-079
  Permit: Property Line Adjustment
  Location: 41025 SE Louden Road Tax Lot 100, Section 6C, & Tax Lot 700, Section 6 Township 1 South, Range 4 East, W.M.
  Applicant: Tom Steenson 815 SW 2<sup>nd</sup> Ave., Ste 500
- Portland, OR 97204 **Owners:** Tom Steenson 815 SW 2<sup>nd</sup> Ave., Ste 500 Portland, OR 97204 and John G. Chamberlin & Ellen G. Madnick 41024 SE Louden Rd. Corbett, OR 97019



**Summary:** Property line adjustment between Tax Lots 100 and 700. Tax 100 currently 34.80 acres in size will be increased to about 43.8 acres and Tax Lot 700 currently 19 acres will be reduced in size to about 10 acres. Both properties are within the Commercial Forest Use 4 (CFU4) Zone District in the East of the Sandy River Rural Plan Area.

**Decision:** Approved with Conditions.

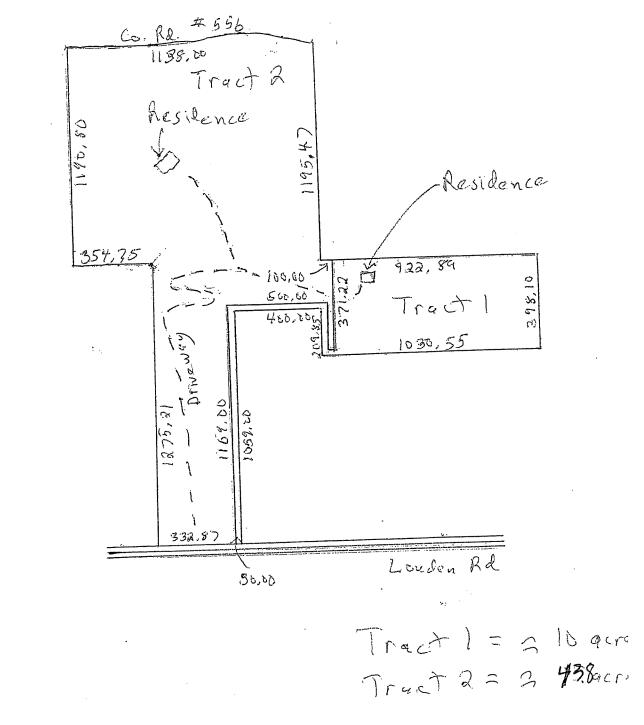
Unless appealed, this decision is effective November 23, 2005 at 4:30 pm.

Issued by:

raat Bv: George A.Plummer, Planner

For: Karen Schilling- Planning Director

Date: November 09, 2005 at 4:30 pm.



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North

Page 2

**Opportunity to Review the Record:** A copy of the Planning Director Decision, and all evidence submitted associated with this application, is available for inspection, at no cost, at the Land Use Planning office during normal business hours. Copies of all documents may be purchased at the rate of 30-cents per page. The Planning Director's Decision contains the findings and conclusions upon which the decision is based, along with any conditions of approval. For further information on this case, contact George A. Plummer, Staff Planner at 503-988-3043.

**Opportunity to Appeal:** This decision may be appealed within 14 days of the date it was rendered, pursuant to the provisions of MCC 37.0640. An appeal requires a \$250.00 fee and must state the specific legal grounds on which it is based. To obtain appeal forms or information on the procedure, contact the Land Use Planning offices at 1600 SE 190th Avenue (Phone: 503-988-3043). This decision cannot be appealed to the Land Use Board of Appeals (LUBA) until all local appeals are exhausted.

# This decision is final at the close of the appeal period, unless appealed. The deadline for filing an appeal is Wednesday, November 23, 2005 at 4:30 pm.

<u>Applicable Approval Criteria:</u> Multnomah County Code (MCC): Multnomah County Code (MCC): Chapter 37: Administration and Procedures; MCC 35.2200 et. al: Commercial Forest Use - 4; MCC 35.0005: Definitions and MCC 35.7970: Property Line Adjustment (Lot Line Adjustment)

Copies of the referenced Multnomah County Code sections can be obtained by contacting our office at 503-988-3043 or by visiting our website at http://www.co.multnomah.or.us/dbcs/LUT/land\_use.

# **Conditions of Approval**

The conditions listed are necessary to ensure that approval criteria for this land use permit are satisfied. Where a condition relates to a specific approval criterion, the code citation for that criterion follows in parenthesis.

- 1. This approval is based on submitted materials. The proposed property line adjustment shall be completed as shown and described in the application materials submitted by the applicant and as shown on Exhibit 1.2 [MCC 37.0580]. No additional lot or parcel shall be created through this process [MCC 36.2860(B) and 36.7970(C)(1)].
- 2. The applicant shall complete the procedures provided in the attached "Applicant's Instructions for Finishing a Property Line Adjustment," included as Exhibit 2.5 and in the attached "Surveyor's Instructions for Finishing a Property Line Adjustment" included as Exhibit 2.6.
- 3. Prior to recording the deeds, the property owner, or representative thereof, shall submit copies of the final survey, and legal descriptions to Multnomah County Planning for verification that the adjusted properties conform to the approved Tentative Plan Map. If the submitted documents conform with the approved Tentative Plan Map (Exhibit 1.2) and zoning requirements staff will sign the survey and deeds. Multnomah County Planning must review and sign the survey before you submit your deed(s), surveys, and legal descriptions to County Records Management office at Assessment and Taxation and County Surveying for recording [MCC 36.7970].
- 4. For each of the two properties, a new deed shall be filed with County Records describing the property boundaries with a metes-and-bounds description. When the process is complete the portion of

property that is transferred shall be merged into Tax Lot 100 through the deed description describing the entire property. No additional lot or parcel shall be created. [MCC 36.3160(E) and MCC 36.7970].

5. This approval will automatically become void if, within two years of the date of the final decision, if the final survey or plat has not been approved by the Planning Director and recorded with County Records [MCC 37.0690]. The Planning Director may grant one extension period of up to 12 months if the request meets the requirements listed under MCC 37.0690(A).

# Note: The Planning Director's policy is for the case planner to provide zoning approval of the final Plan on an appointment basis. Please contact George Plummer at 503-988-3043 to set a time for zoning approval.

Notice to Mortgagee, Lien Holder, Vendor, or Seller: ORS Chapter 215 requires that if you receive this notice it must be promptly forwarded to the purchaser. **Note:** To address Multnomah County Code requirements staff provides findings as necessary, referenced in the following section. Headings for each category of finding are underlined. Multnomah County Code language is referenced using a **bold** font. The Applicant's narrative, when provided, follows in *italic font*. Planning staff analysis and findings follow the **Staff** label. At the end of the report, Exhibits are described. The applicant's submittal is included and made part of this decision as Exhibit 1...

#### 1. <u>REQUEST FOR A PROPERTY LINE AJUSTMENT</u>

**Staff:** A Property line adjustment between Tax Lots (TL) 100 and 700 with TL 100 currently 34.80 acres in size increased to about 43.8 acres and Tax Lot 700 currently 19 acres reduced in size to about 10 acres (Exhibit 1.1 and 1.2). The properties are within the Commercial Forest Use 4 (CFU4) Zone District in the East of the Sandy River Rural Plan Area (Exhibit 2.3).

#### 2. <u>SITE AND VICINITY CHARACTERISTICS</u>

**Staff:** The subject properties are accessed from Louden Road. The properties are located north of the road in a rural area which is predominately forest lands (Exhibit 2.8). In the vicinity, there are several properties adjacent to road that are small farms and/or woodlots with residential developments located within a few hundred feet from the road. The subject properties while abutting the road are the exception with the residential development located about a quarter mile from the road.

Tax Lot 100 is relatively flat for about 900 feet north of the road. This area is farmed with nursery stock crops (Exhibit 2.9). The property then drops sharply about 170 feet to an area of shallower slope where the property is developed with a dwelling and agricultural buildings. The area around the development is also farmed with landscape nursery crops. The property then drops off steeply about 150 feet into a ravine and raises on the northern end of the property. The steep areas of the property are forested.

Tax Lot 700 is an oddly shaped flag lot with a 50 foot wide flag pole section that is relatively flat for the first 900 feet (Exhibit 2.9). Then the property drops similar to the other property with the flag bending 90 degrees to the east. There are two distinct sections making up the rest of the property, a narrow 1195 foot long leg to the north that is about 245 feet wide and an area to the east that is about 398 feet wide by about 1030 foot deep with the dwelling. The property is forested with a dwelling located in a relatively flat area.

#### 3. <u>TYPE II CASE PROCEDURES</u>

MCC 37.0530 (B): Type II decisions involve the exercise of some interpretation and discretion in evaluating approval criteria. Applications evaluated through this process are assumed to be allowable in the underlying zone. County Review typically focuses on what form the use will take, where it will be located in relation to other uses and natural features and resources, and how it will look. However, an application shall not be approved unless it is consistent with the applicable siting standards and in compliance with approval requirements. Upon receipt of a complete application, notice of application and an invitation to comment is mailed to the applicant, recognized neighborhood associations and property owners within 750 feet of the subject tract. The Planning Director accepts comments for 14

days after the notice of application is mailed and renders a decision. The Planning Director's decision is appealable to the Hearings Officer. If no appeal is filed the Planning Directors decision shall become final at the close of business on the 14th day after the date on the decision. If an appeal is received, the Hearings Officer decision is the County's final decision and is appealable to the Land Use Board of Appeals (LUBA) within 21 days of when the signed Hearings Officer decision is mailed pursuant to 37.0660(D).

**Staff:** Procedures outlined in MCC 37.0530 were followed in processing this case. An opportunity to appeal this case will be provided. If no appeal is filed, the decision will become final 14 days after the date on the decision. The application was submitted July 28, 2005 and was deemed complete on September 12, 2005 when the revised plan was submitted.

An "Opportunity to Comment" notice was mailed on September 29, 2005 to all owners of property within 750 feet of the subject site. They were given a 14-day period to provide comments on the application (MCC Chapter 37). No comments were submitted.

#### 4. COMMERCIAL FOREST USE – 4 ZONE DISTRICT

#### 4.1 Lot Line Adjustment

MCC 35.2270(A) An adjustment of the common lot line between contiguous Lots of Record based on a finding that:

- (1) The permitted number of dwellings will not thereby be increased above that otherwise allowed in this district;
- (2) The resulting lot configuration is at least as appropriate for the continuation of the existing commercial forest practices in the area as the lot configuration prior to adjustment;
- (3) The new lot line is in compliance with the dimensional requirements of MCC 35.2260 (C) through (D); and
- (4) Neither of the properties is developed with a dwelling approved under the provisions for a mobile home on a Health Hardship, or a dwelling for the housing of help required to carry out a farm or forest use.

**Staff:** Each of the properties have an existing dwelling (Exhibit 2.1), no additional dwelling would be allowed other than what is allowed in the district. The property line adjustment would reduce Tax Lot 700 by about 9 acres. However the nine acre area to be adjusted is a narrow 1195 foot long leg that is about 245 feet wide. The topography for this leg drops rapidly, about 150 feet, into a ravine and then rises to the north (Exhibit 2.9). The configuration of the property makes this area difficult to manage for forestry purposes. Joining this section of the property to Tax Lot 100 would make it easier to manage for forest practices with a larger block. The ability to develop access would be more feasible. Dimensional requirements of MCC 35.2260 (C) through (D) are addressed in findings in the following section of this decision. Neither of the properties are developed with a dwelling approved under the provisions for a mobile home on a Health Hardship, or a dwelling for the housing of help required to carry out a farm or forest use. The proposed property line adjustment meets these standards.

#### 4.2. Dimensional Standards and Development Requirements

MCC 35.2260(C) Minimum Forest Practices Setback Dimensions From Tract Boundary– Feet:

Road Frontage	Other Front	Side	Rear
60 from centerline of road from which access is gained	130	130	130

#### Maximum Structure Height - 35 feet

Minimum Front Lot Line Length - 50 feet.

Forest practices setback dimensions shall not be applied to the extent they would have the effect of prohibiting a use permitted outright. Exceptions to forest practices setback dimensions shall be pursuant to MCC 35.2310, as applicable, but in no case shall they be reduced below the minimum primary fire safety zone required by MCC 35.2305 (A) (5) (c) 2.

MCC 35.2260 (D) The minimum forest practices setback requirement shall be increased where the yard abuts a street having insufficient right-of-way width to serve the area. The Planning Commission shall determine the necessary right-of-way widths and additional yard requirements not otherwise established by ordinance.

**Staff:** The structures on both properties meet the 130 foot side yard forest setback in relation to the adjusted line. The dwelling on Tax Lot 100 meets all the forest practices setbacks (Exhibit 2.4 and 2.7). The dwelling on Tax Lot 700 does not meet the 130 foot rear yard setback, however it met the 30 foot rear yard setback (Exhibit 2.4) that was required when it was established in 1984 (Exhibit 2.1, 2.10 and 2.11). The property line adjustment will not affect the property lines adjacent to the road, and all structures are about a quarter mile from the road, thus MCC 35.2260(D) is not applicable.

#### 5. <u>COMMERCIAL FOREST USE – 4</u> ZONE DISTRICT LOT OF RECORD <u>REQUIRMENTS</u>

#### 5.1. Definition of Lot of Record

MCC 35.0005(L)(13) Definition: Lot of Record – Subject to additional provisions within each Zoning District, a Lot of Record is a parcel, lot, or a group thereof which when created and when reconfigured (a) satisfied all applicable zoning laws and (b) satisfied all applicable land division laws. Those laws shall include all required zoning and land division review procedures, decisions, and conditions of approval.

- (a) "Satisfied all applicable zoning laws" shall mean: the parcel, lot, or group thereof was created and, if applicable, reconfigured in full compliance with all zoning minimum lot size, dimensional standards, and access requirements.
- (b) "Satisfied all applicable land division laws" shall mean the parcel or lot was created:

- 1. By a subdivision plat under the applicable subdivision requirements in effect at the time; or
- 2. By a deed, or a sales contract dated and signed by the parties to the transaction, that was recorded with the Recording Section of the public office responsible for public records prior to October 19, 1978; or
- 3. By a deed, or a sales contract dated and signed by the parties to the transaction, that was in *recordable form* prior to October 19, 1978; or
- 4. By partitioning land under the applicable land partitioning requirements in effect on or after October 19, 1978; and
- 5. "Satisfied all applicable land division laws" shall also mean that any subsequent boundary reconfiguration completed on or after December 28, 1993 was approved under the property line adjustment provisions of the land division code. (See Date of Creation and Existence for the effect of property line adjustments on qualifying a Lot of Record for the siting of a dwelling in the EFU and CFU districts.)

#### 5.2. CFU-4 Lot of Record

MCC 35.2275 (A) In addition to the *Lot of Record* definition standards in MCC 35.0005, for the purposes of this district a Lot of Record is either:

(1) A parcel or lot which was not contiguous to any other parcel or lot under the same ownership on February 20, 1990, or

(2) A group of contiguous parcels or lots:

(a) Which were held under the same ownership on February 20, 1990; and

(b) Which, individually or when considered in combination, shall be aggregated to comply with a minimum lot size of 19 acres, without creating any new lot line.

1. Each Lot of Record proposed to be segregated from the contiguous group of parcels or lots shall be a minimum of 19 acres in area using existing legally created lot lines and shall not result in any remainder individual parcel or lot, or remainder of contiguous combination of parcels or lots, with less than 19 acres in area.

2. There shall be an exception to the 19 acre minimum lot size requirement when the entire same ownership grouping of parcels or lots was less than 19 acres in area on February 20, 1990, and then the entire grouping shall be one Lot of Record.

**Staff:** County Assessment records show both properties were in the same ownership in 1990. However, both properties met the 19 acre minimum in 1990 and currently meet it (Exhibit 2.2 and 2.4).

MCC 36.0005(L)(13) Lot of Record - Subject to additional provisions within each Zoning District, a Lot of Record is a parcel, lot, or a group thereof which when created and when reconfigured (a) satisfied all applicable zoning laws and (b) satisfied all applicable land division laws. Those laws shall include all required zoning and land division review procedures, decisions, and conditions of approval.

(a) "Satisfied all applicable zoning laws" shall mean: the parcel, lot, or group thereof was created and, if applicable, reconfigured in full compliance with all zoning minimum lot size, dimensional standards, and access requirements.

(b) "Satisfied all applicable land division laws" shall mean the parcel or lot was created:

4. By partitioning land under the applicable land partitioning requirements in effect on or after October 19, 1978; and

**Staff:** The Land Division which created both parcels was approved in 1988 under Land Use Planning Case LD 3-88 (Exhibit 2.4). Both properties met applicable zoning and land division laws when they were created. Both properties are Lots of Record.

#### 6. **PROPERTY LINE ADJUSTMENT**

MCC 36.7970: A property line adjustment is the relocation of a common property line between two abutting properties.

- (A) The Planning Director may approve a property line adjustment between two properties, in the Rural Area, where an additional lot or parcel is not created and where the existing lot or parcel reduced in size by the adjustment is not reduced below the minimum lot size established by the applicable zoning designation.
- (B) The Planning Director may approve a property line adjustment between two properties in the Rural Area where an additional lot or parcel is not created but where one or both of the adjusted properties are below the minimum lot size established by the applicable zoning district designation. Such an adjustment shall comply with any applicable zoning district standards for a Property Line Adjustment or Lot Line Adjustment.
- (C) Property line adjustments approved under subsections (A) and (B) above shall meet the following additional standards:
  - (1) No additional lot or parcel shall be created from any parcel by the property line adjustment; and
  - (2) Owners of both properties involved in the property line adjustment shall consent in writing to the proposed adjustment and record a conveyance or conveyances conforming to the approved property line adjustment; and
  - (3) The adjusted properties shall meet all dimensional requirements in the underlying zoning district designation except for lot area.
  - (4) The right-of-way width between the front line of each adjusted property and the centerline of any adjacent County road shall comply with the applicable provisions of the Street Standards Code and Rules as determined by the County Engineer.

**Staff:** The proposed Property Line Adjustment is between two adjacent properties with no additional property created by the proposal. Both properties are currently below the minimum parcel size for the CFU-4 District. The proposed Property Line Adjustment complies with the CFU-4 Zoning District standards for a Lot Line Adjustment (see Section 4 of this decision). A consent form was signed by owners of both properties, Tome Steenson for Tax Lot 700 and John Chamberlin and Ellen Madnick for Tax Lot 100 (Exhibit 1.3). The findings of compliance with dimensional standards are addressed under Section 4.2 of this decision.

In an email sent October 6, 2005 Alison Winter, County Transportation Planning Specialist stated, "Transportation does not have any issues with the proposal to adjust the lot lines between Tax Lots 100 and 700 located along Louden Road (Exhibit 12.12)" Louden Road is a rural local with a 50 foot minimum requirement. The right-of-way width is 60 feet, exceeding the minimum. No changes in road access to the properties result from the proposed Property Line Adjustment. These criteria have been met by the proposal.

#### 7. <u>CONCLUSION</u>

Considering the findings and other information contained herein, all the Multnomah County Code requirements are met or can be met through Conditions of Approval for the requested Property Line Adjustment.

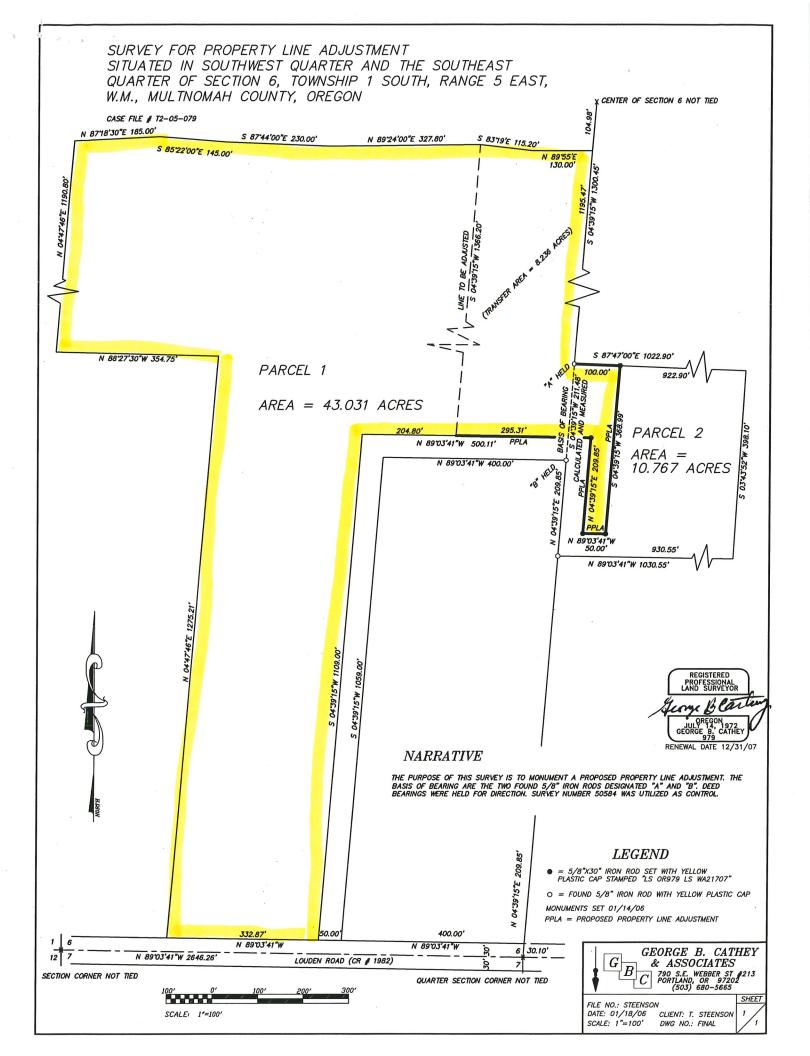
#### 8. <u>EXHIBITS</u>

#### **Exhibits 1: Submitted by the Applicant**

- Exhibit 1.1: Application form submitted 7/28/05 (1 page);
- Exhibit 1.2: Proposed property line adjustment plan map submitted 9/12/05 (1 page);
- Exhibit 1.3: Property Owner consent form submitted August 8, 2005 (1 page);
- Exhibit 1.4: Fire District Access Review form dated 7-19-05 completed and signed by Tom Layton, Fire Chief, Multnomah County RFPD #14 (3 pages);
- Exhibit 1.5: Certification of On-Site Sewage Disposal form dated 7-15-05 completed and signed by Philip Crawford, Sanitarian, City of Portland with maps attached (4 pages);

#### **Exhibits 2: Supplied by County**

- Exhibit 2.1: County Assessment Records for both properties (4 pages);
- Exhibit 2.2: Current County Assessment Maps (2 page);
- Exhibit 2.3: County Zoning Map (1 page);
- Exhibit 2.4: Approved Land Division Case LD 3-88 signed by David Prescott, County Planning Director
- Exhibit 2.5: Applicant's Instructions for Finishing a Property Line Adjustment (1 page);
- Exhibit 2.6: Surveyor's Instructions for Finishing a property line Adjustment (1 page)
- Exhibit 2.7: 2002 Aerial Photo of the Subject Property (1 page);
- Exhibit 2.8: 2002 Aerial Photo of Vicinity (1 page);
- Exhibit 2.9: 2002 Aerial Photo with 10 Foot Contours (1 page);
- Exhibit 2.10: 1980 Zoning Map for the subject properties (1 page);
- Exhibit 2.11: 1982 Multnomah County Zoning Code 11.15.2178: Multiple Use Forest District Dimensional Requirements (1 page);
- Exhibit 2.12: Email from Alison Winter, County Transportation Planning Specialist (1 page).



Parcel 1 (new)

5

A tract of land in the southwest quarter of Section 6, T.1S., R.5E., W.M., Multnomah County, Oregon described as follows:

Beginning at a point in the north line of Louden Road that is North 89°03'41" West 450.00 feet and North 4°39'15" East 30.10 feet from the south quarter corner of Section 6; thence continuing North 4°39'15" East parallel with the center of section line a distance of 1109.00 feet; thence South 89°03'41" East parallel with the south line of the Section a distance of 500.11 feet; thence South 4°39'15" West 209.85 feet; thence South 89°03'41" East 50.00 feet; thence North 4°39'15" East 368.99 feet; thence North 87°47' West 100.00 feet to the centerline of said Section; thence North 4°39'15" East along the center of Section a distance 1195.47 feet to a point in county road No. 556; thence in said road the following courses and distances South 89°55' West 130.0 feet; thence North 83°19' West 115.20 feet; thence South 89°24' West 327.8 feet; thence North 87°44' West 230.00 feet; thence North 85°22' West 145.00 feet; thence South 87°18'30" West 185.00 feet; thence leaving said county road South 4°47'46" West 1190.80 feet; Thence South 88°27'30" East 354.75 feet; thence South 4°47'46" West 1275.21 feet to point in the north line of Louden Road; thence South 89°03'41" East along said north line a distance of 332.87 to the point of beginning. Containing 43.031 acres, more or less....

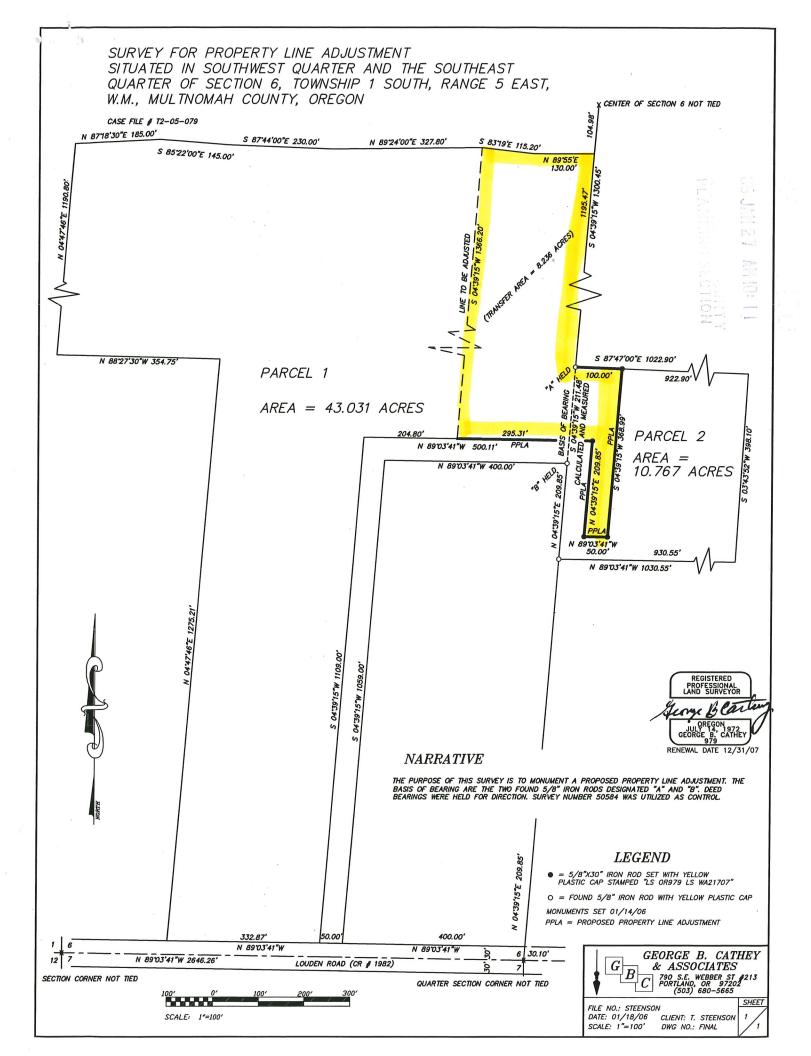
APPEDVED PROPERTY LINE ADJUSTMENT

In Accordance with MCO 35, 7970

Case # T2-05-079Date 1/26/06



Land Use Filming Division



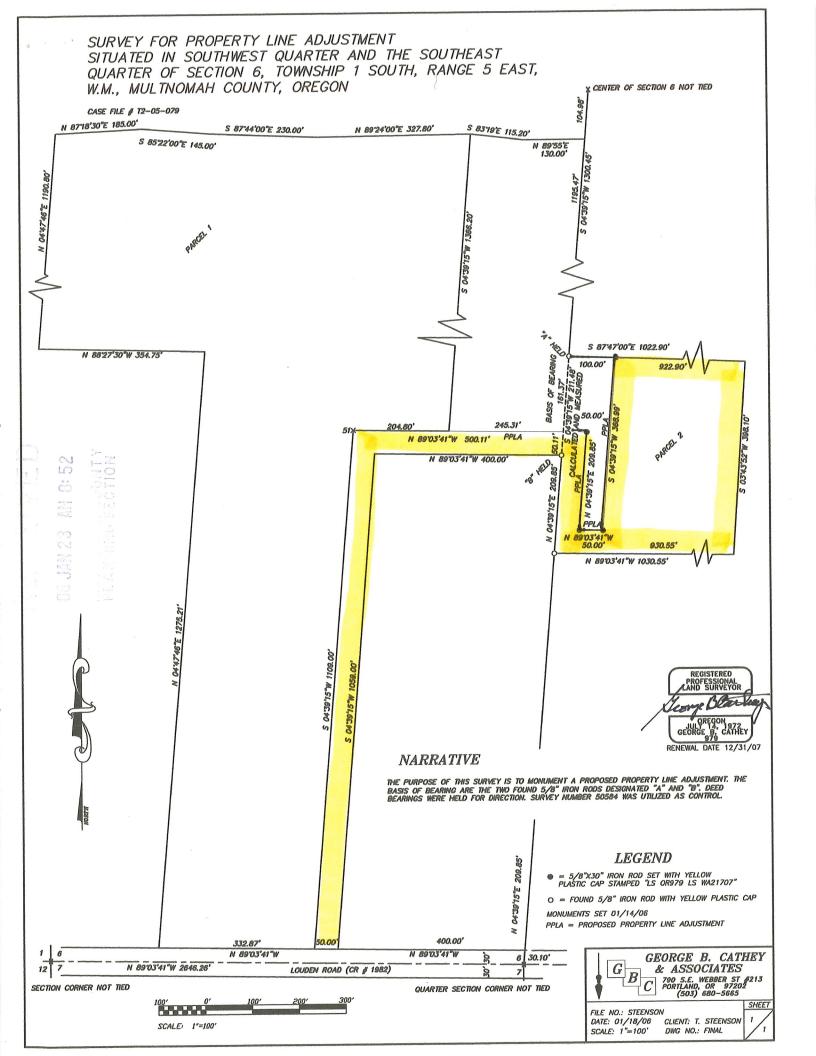
#### TRANSFER AREA

A tract of land in the southeast quarter of Section 6, T.1S., R.5E., W.M., Multnomah County, Oregon described as follows:

CO MMENCING a point in the north line of Louden Road that is North 89°03'41" West 400.00 feet and North 4°39'15" East 30.10 feet from the south quarter corner of Section 6; thence North 4°39'15" East parallel with the center of section line a distance of 1059.00 feet; thence South 89°03'41" East parallel with the south line of the Section a distance of 400.00 feet to a point on the centerline of said Section 6; thence North 4°39'15" East for a distance of 50.11 feet to the TRUE POINT OF BEGINNING; thence North 89°03'41" East for a distance of 50.00 feet; thence South 4°39'15" West for a distance of 209.85 feet; thence South 89°03'41" East for a distance of 50.00 feet; thence North 4°39'15" East for a distance of 368.99 feet; thence North 87°47' West for a distance of 100.00 feet to the centerline of said Section; thence North 4°39'15" East along said centerline for a distance of 1195.47 feet to the centerline of County Road #556; thence in said road South 89°55' West 130.0 feet; thence North 83°19' West 115.20 feet; thence leaving said road South 4°39'15" West parallel with the centerline of said Section a distance of 1366.20 feet; thence South 89°03'41" East 245.31 feet to the point of beginning. Containing 8.236 acres, more or less...

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APPEDVICO PEDPOTTY LINE ADJUSTIMENT In Australiance with MCC 35: 7970 Case of 12-05-074 Date 1/26/06 Australiance Australiance Division



Parcel 2 (new)

A tract of land in the southeast quarter and the southwest quarter of Section 6, T.1S., R.5E., W.M., Multnomah County, Oregon described as follows:

Beginning at a point in the north line of Louden Road that is North 89°03'41" West 400.00 feet and North 4°39'15" East 30.10 feet from the south quarter corner of Section 6; thence North 4°39'15" East parallel with the center of section line a distance of 1059.00 feet; thence South 89°03'41" East parallel with the south line of the Section a distance of 400.00 feet to a point in the center line of said Section 6; thence South 4°39'15" West along centerline a distance 209.85 feet; thence South 89°03'41" East 1030.55 feet; thence North 3°43'52" East 398.10 feet; thence North 87°47'00" West a distance of 922.90 feet; thence South 4°39'15" West 368.99 feet; thence North 89°03'41" West 50.00 feet; thence North 4°39'15" East 209.85 feet; thence North 89°03'41" West 500.11 feet; thence South 4°39'15" West 1109.00 feet to point in the north line of Louden Road; thence South 89°03'41" East along said north line a distance of 50.00 to the point of beginning. Containing 10.767 acres, more or less....

> ACREDITE PROPERTY LINE ADJUSTINE OF In Aucordance with MCO 35, 79.70 Case IT 2-05-079 Date 1/26/06 Augo Alama Land Use Muthing Elvision



# MULTNOMAH COUNTY

LAND USE AND TRANSPORTATION PROGRAM 1600 SE 190<sup>TH</sup> Avenue Portland, OR 97233 PH: 503-988-3043 FAX: 503-988-3389 http://www.co.multnomah.or.us/dbcs/LUT/land\_use

# 14 DAY OPPORTUNITY TO COMMENT

# **Application for Property Line Adjustment**

This notice serves as an invitation to comment on the application cited and described below.

**Case File:** T2-05-079

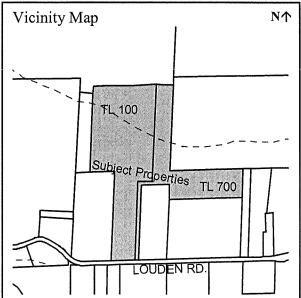
**Applicant:** 

Location: 41025 SE Louden Road Tax Lot 100, Section 6C, & Tax Lot 700, Section 6 Township 1 South, Range 4 East, W.M.

815 SW 2<sup>nd</sup> Ave., Ste 500

Portland, OR 97204

Tom Steenson



**Proposal:** Property line adjustment between Tax Lot 100 and 700 with Tax 100 currently 34.80 acres is size increased to about 43.8 acres and Tax Lot 700 currently 19 acres reduced in size to about 10 acres for properties in the Commercial Forest Use 4 (CFU4) Zone District in the East of the Sandy River Rural Plan Area.

**Applicable Approval Criteria**: Multnomah County Code (MCC): Chapter 37, MCC 35.2200 et al: CFU District, MCC 35.7970: Property Line Adjustment.

Copies of the referenced Multnomah County Code sections can be obtained by contacting our office or by visiting our website at http://www.multnomah.or.us/dbcs/LUT/land\_use.

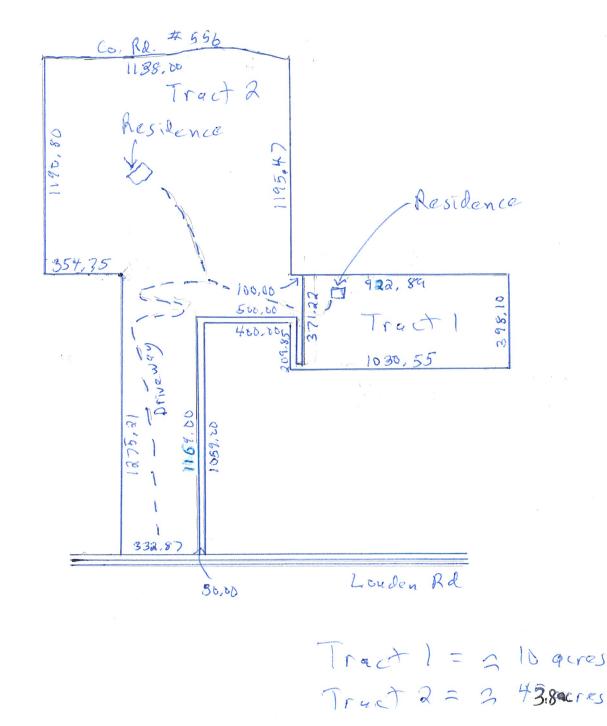
**Comment Period:** Written comments regarding this application will be accepted if received at the address above by **4:30 p.m., October 13, 2005**. Comments should be directed toward approval criteria applicable to the request. Application materials and other evidence relied upon are available for inspection at the Planning Division office at no cost. Copies of these materials may be purchased for 30-cents per page. For further information regarding this application, contact George A. Plummer, Staff Planner at 503-988-3043.

**Decision Making Process:** The Planning Director will render a decision on this application after the comment period expires. Notice of the Director's decision will be mailed to the applicant, parties within 750 feet of the subject property, and any other persons who submitted written comments during the comment period. The Planning Director's decision can be appealed. An explanation of the requirements for filing an appeal will be included in the notice of decision.

**Important Note:** Failure to raise an issue before the close of the public record in sufficient detail to afford the County and all parties an opportunity to respond may preclude appeal on that issue to the Land Use Board of Appeals.

Notice to Mortgagee, Lien Holder, Vendor, or Seller: ORS Chapter 215 requires that if you receive this notice it must be promptly forwarded to the purchaser. 05 SEP 12 AMIO: 18

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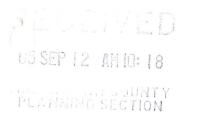


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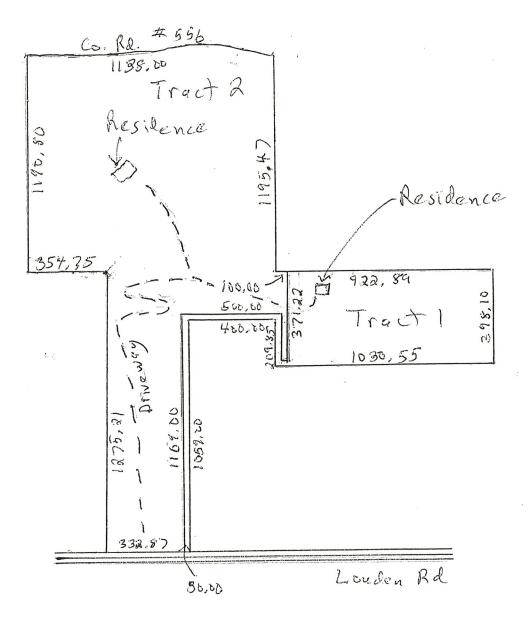
T2-05-079

North

\$19600 **Multnomah County** General Land Use & Transportation Program Application 1600 SE 190th Avenue Portland Oregon 97233 主拍 Ph. 503.988.3043 Fax 503.988.3389 ZONING Form MULTNOMAH COUNTY www.co.multnomah.or.us/dbcs/LUT/land use Coabett Property Address 41025 SE Louley Rd OR 97019 For Staff Use Tax Roll Description Section 06 15 5E; TL 700 **CASE NUMBER** A&T Alternate Account Number R# 995060180Map Tax Lot 155206-00700 Site Size 39.50acres<u>12-05-079</u> File Number OTHER PARCEL (if applicable) Property Address 41325 SE Londen Bd SR E7019 Tax Roll Description Section 06 15 5E; TL 100 LAND USE PERMIT(S) PLA A&T Alternate Account Number R# 25080260Map Tax Lot 155E06(-00100) Site Size 350.00 screened PROPERTY OWNER(S) OR CONTRACT PURCHASER(S) Tom Steenson Date Submitted Name \_\_\_\_ Street Address 815 SW 2nd Ave Ste 560 PF-05-143 City As Marl State DR Zip Code 97264 I authorize the applicant below to make this application. Ton Deam Property Owner's Signature Related Case No. If multiple property owners are party to the application, an additional application form shall be signed by each property owner. If no owner signature above, a letter of authorization from the owner is required.  $\Box$ Related Case No. NOTE: By signing this form, the property owner or property owner's agent is granting permission for Planning Staff to conduct site inspections on the property. Related Case No. APPLICANT'S NAME AND SIGNATURE Applicant's Name Ton Steensa Mailing Address 815 SW 2nd Ave Ste 550 Case Planner City Vertland State OR Zip Code 27264 Phone # 503/221-1782 ZONING Fax 503/223- e-mail 4546 INFORMATION 1516 CFU4 Zoning District Applicant's Signature **GENERAL DESCRIPTION OF APPLICATION (REQUIRED)** HOJ SECS Please provide a brief description of your project. Zoning Overlay. 1st line aljustment **EXHIBIT** 1.1



Proposed



Tract 1 = 2 10 ques Tract 2 = 2 43.8 acres



Scale; 1 = ~ 462'

North



MULTNOMAH COUNTY LAND USE & TRANSPORTATION PROGRAM 1600 SE 190<sup>TH</sup> Avenue Portland, OR 97233 (503) 988-3043 FAX: (503) 988-3389

# **Property Line Adjustment**

# **Statement of Property Owner Consent**

(Please print in black ink or type)

We the undersigned property owners, consent to the adjustment of the boundaries of our properties as shown on the attached map.

Address 41025 SE Louden Rd Corbett, UR 97019	
Tax Roll Description Section 06 15 5E; TL 760	
Owner's Name (print) <u>Tom Steenson</u> Owner's Signature <u>Appendeenson</u> Date <u>7626</u>	
Address <u>41025 SE Loulen Rel</u> Corbett, OR 97019 Tax Roll Description <u>Section</u> 08 15 5E; TL 100	( n
Owner's Name (print) Data Chamberlin and Ellen Madnicl Owner's Signature Only Ellen Mathematical Date	ć
Complete and return this form with the application for a property line adjustment.	

1.3

MULTNOMAH C JNTY LAND USE & TRANSPORTATION PROGRAM 1600 SE 190<sup>TH</sup> AVENUE PORTLAND, OREGON 97233 503-988-3043 FAX: 503-988-3389 www.co.multnomah.or.us/dbcs/LUT/land\_use

# FIRE DISTRICT ACCESS REVIEW

saldda

# TO THE APPLICANT

The Oregon Uniform Fire Code Section 10.207 and the Multnomah County Code Chapter 29.012 require safe access to a proposed dwelling site prior to issuance of a building permit. These requirements are to ensure that fire protection equipment can reach the site during the construction phase and after the occupancy of the structure. Take this form to the Fire District that serves the property, along with a site plan of the development that also shows driveway information. After the fire official signs this form, include it with your application. See the reverse side of this form for a list of fire-related access standards.

	$\mathcal{D}$
Address of Site: 41023 SE Loud	en hd R995060180
Map & Tax Lot: Parcel 1 - The iso (chan be din	R Number: unknown
Description of Proposed Use: Lot Line	Ad Justment (Kekne Tion
If Residential Use, Total Number of Units:	to 8-10 acres from 12acr
Applicant Name: Tom Steenson	Phone: 563/221-1772
Address 815 SU Dud Are St	E 540
City: Portland State	e: <u>07209</u> Zip Code: <u>77209</u>
FIRE APPARATUS MEANS OF APP	PROACH (ACCESS) REVIEW
Site plan must be Choose one of the three	e attached.
<ol> <li>The proposal is in compliance with the adopted Fire Multnomah County Code Section 29.012 (on the following)</li> </ol>	owind pages), which ever is more surfigent.
Multhoman County Code Geotion 20.012 (on and com	(Fire official's initials)
OR	
2. Access improvements will be required.	
The following improvements must be completed prior	r to issuance of a building permit:
A re-inspection must occur prior to occupancy.	Yes
	(Fire official's initials)
OR	
<b>3.</b> The proposal is <b>not</b> in compliance with the adopted I of Multnomah County Code Section 29.012 (on the follo proposed new dwelling is required to have a water sprin	owing pages), which ever is more sumgent. The
	Thoma Ligt
Site plan is attached and verified	Name of Official Multhomath Con REPD#14
	Fire District Fine chief
	Date 🔛
	10/18/04

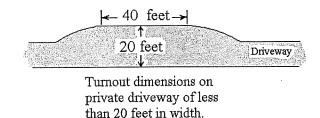
common by the abutting property owners for access and was approved under the provisions of the land division code after October 19, 1978.

(e) The Fire Marshal, or designee, may approve an off-site built and maintained width of less than 20 feet, but not less than 12 feet in width, for a private street as given in (c) above. That approval, however, may not be applied to a required improvement width that is part of a Multnomah County land use decision.

(5) Turnaround: Private streets and private driveways with lengths greater than 150 feet shall be built and maintained with a turn-around at or near the end of not less than 48 foot outside turning radius. Turnarounds may be circular or one of the variations of the hammerhead design (such as "T," one-sided, or "Y").

(6) Turnouts: No turnouts are required on private streets and private driveways that are improved to 20 feet or more in width as required by (D)(1) above. On private streets and private driveways that are improved to less than 20 feet in width, that are also greater than 200 feet in length, turnouts shall be built and maintained to:

(a) Measure 20 feet in width for a length of 40 feet with adequate transitional curve radii at each end;



(b) Have a maximum spacing of one-half the driveway length or 400 feet, whichever is less; and

(c) Where visibility is limited, the maximum spacing between turnouts shall be reduced appropriately.

(7) Grades: Shall not exceed an overall average grade of 12 percent with a maximum grade of 15 percent for lengths of no more than 200 feet.

(8) Distance to House: Shall reach to within 150 feet of all portions of the exterior wall of the first story of the dwelling as measured by an approved route around the exterior.
 (Ord. 1049, Add, 09/16/2004)

P .		05 144675				
AA	MULTNOMAH COUNTY LAND USE & TRANSPORTATION PROGRAM	CERTIFICATION OF ON-SITE SEWAGE DISPOSAL				
	1600 SE 190th AVENUE PORTLAND, OR 97233 (503) 988–3043 www.co.multnomah.or.us/dbcs/LUT/land_use	Take this form to the Environmental Soils Section, City of Portland Bureau of Development Services.				
Address of Pro	pposed Use or Parcel 41025 SE	Loulen Rd Corbett OR				
Tax Roll Desci	ription of Property	Man Taxlat # Steensph - 700				
Description of	Proposed Use This is for 15	Map Tax Lot #. Cheuber Tin # t live goinstment where				
each ni		1504's que Chamberlin's)				
has an e	t. V.O.	Number of Bedrooms Chamberlin - 4				
Applicant's Na		Chr				
A	ss 815 SW and Ave Ste	$\frac{500}{6R}$ Phone $\frac{503}{221} - 1792$ $\frac{500}{210}$ Zip Code $\frac{97204}{2004}$				
City fort	<u>- and</u> , DK <u>97204</u> State -TO THE APPLIC					
Approval of any		or the creation of a new parcel requires autho-				
rization by the	Sanitarian. If you propose to use a private on	-site sewage disposal system, complete the an at the address below prior to making any land				
applicable sect use application application.	After the Sanitarian has reviewed and return	ned this form to you, include the form in your				
If you propose	to create a flag lot or a lot served by an acce	ssway, or any use on a site where an existing				
residence will a	be retained, you must accompany this form w nce's sewage and storm water disposal syste	ith a scaled site plan showing the location of the ms when submitting this form to the Sanitarian.				
	—FOR SANITARIAN REVI					
	ity of Portland	1900 SW 4 <sup>th</sup> Avenue, 5th Floor				
	ureau of Development Services nvironmental Soils Section	Portland, OR 97201 (503) 823-7790				
		his form. Please contact them at the above				
	formation on the amount of the fee for you					
	TO BE COMPLETED BY 1	THE SANITARIAN				
Based on pre	esent knowledge of the area and of the pr	oposed use described above, and on cur-				
rent regulation of the Oregon Department of Environmental Quality, the Sanitarian hereby finds that the proposed use can be served by an on-site sewage disposal system in the form of:						
A Cesspo						
Other (describe) New lot line should not on pact existing septic						
system for the two quisting houses						
Land Feasibility Study No.						
Attach Copy						
RETURN THIS FORM TO THE APPLICANT						
revised 9/04						

# #2 - Steenool Parce' Porcel #1 - Chamberlin

# NARRATIVE : I readway exists -15 化的 a type III land divisio Ca. Rd. 555 random thru property 230.00 A Start monument marking the southwest corner of said sect. in the section and filed measurments to subdivide th 1. 李秋源 arter of the section to complete the survey of the property. Basis of bearings the monuments at the south quarter cerner and the 2 center of the section. Bearings from recorded survey No. 36318 m 30" iron, rods with plastic cap marked L.S. 475 ¥. 4 PARCEL 540.00 \$ 88°27'30 RESIDENCE Vicion & & the the start 1 ... 64 NOTE' Property corners 827.730 19.00 Ac. PARCEL #2 . M. F. Chi for ling ? 14.2 ۰. LOUDEN A ROAD TO STATE

LD 3-88

4

CENTIFICATE OF SURVEY IN SE 174 8 S.W. 14 OF SECTION 6 T.IS. R.5E Oregon

:: : F

Multhomah County, Scale: 1" = 200' July 14-22, 1988

> 1. 1 ALLAN & LEUTHOLD, INC. SURVEYING 4827 N.E. 103th AV2NUE PORTLAND, OREGON \$7220 503 - 254-0734

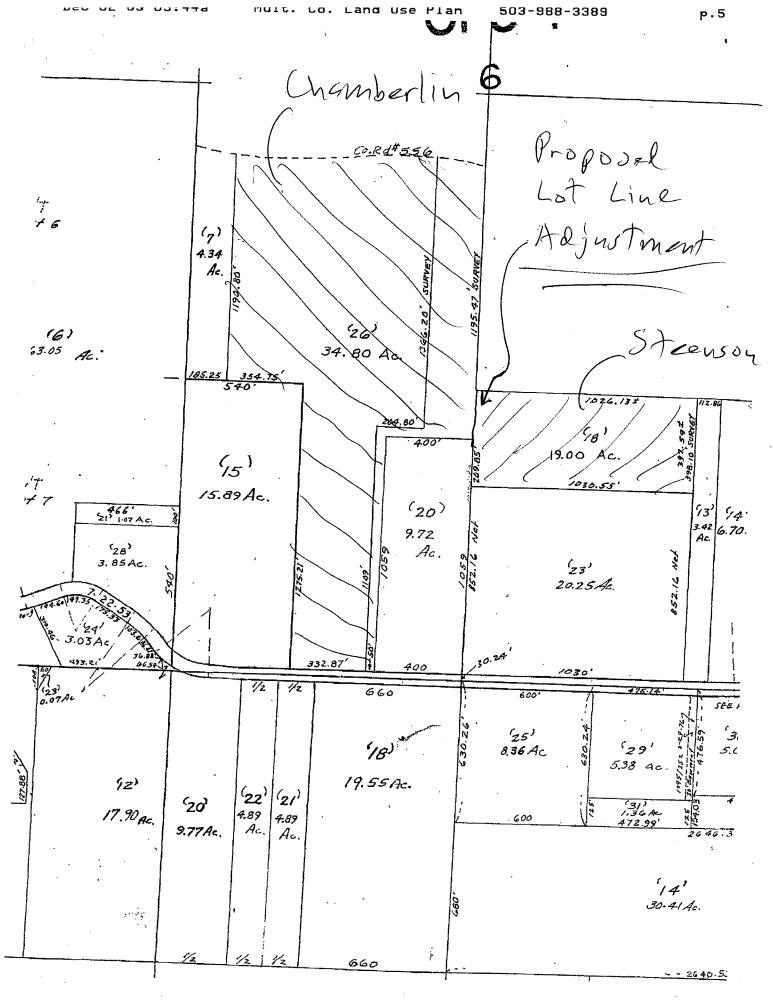
REGISTERED PROFESSIONAL'

REFERENCE SURVEYS 25807. 24564

EGEND

DENOTES

DEMOTES



CITY OF PORTLAND ENVIRONMENTAL SOILS SECTION REPORT OF SUBSURFACE SEWAGE SYSTEMS 11562 PERMIT NO. DATE 6/27/89 41025 SE Louden Road ADDRESS LOT BLOCK ADDITION Ť R Tom Steenson INSTALLER OWNER same NEW( X ) REPAIR ( ) ALTERATION ( CESSPOOL SEPTIC TANK 1000 9 Allow DRAINFIELD 265 1 instal SEPTIC TANK/DRAINFIELD SEPTIC TANK/SEEPAGE PIT SEEPAGE PIT LAND FEASIBILITY STUDY NO. 82-69 DATE REMARKS DATE OF INSPECTION 9/21/69 INSPECTOR well tel parcel 2, 12 700 4 200 - C 2014 4 ₹ŋ Los rolan 5000 11 11 ģ \$ \$

\_\_\_\_\_ MULTNOMAH COUNTY DEPARTMENT OF ENVIRONMENTAL SERVICES/PERMIT SECTION **REPORT OF SUBSURFACE SEWAGE SYSTEMS** 10862 Permit Number. Date 10/1/287 41025 SE Louden Road Address\_\_\_ \_\_ Block\_\_\_ Addition\_\_\_\_\_ Lot\_\_\_ Dan Roberts Installer\_ John Chamberlin Owner\_ New ( X ) Replacement ( )\_\_\_ Cesspool\_ Septic Tank\_\_\_\_\_ Drainfield Х Septic Tank/drainfield\_\_\_\_\_ Septic Tank/seepage pit\_\_\_\_ Seepage Pit\_\_\_\_ Land Feasibility Study No. 116-67 Date Remarks\_\_\_\_ 10/6/ Date of inspection RI 11 Inspector\_\_\_\_\_ Parcel 1 TUID 6 2 ¢ 1h ć Q 36\_ 5

**Property Information** 



PROPERTY INFORMATION



Property

Information

## MULTROMAH COURTY, OREGOR PROPERTY RECORDS

3	PROPER	TY RECO	RUS				
Property formation	Tax Summary	Assessment History	Improvement Information	New Search	Search Results	Printable Summary	Logoff
Search	Results for I	R342776					
Owner Name		Property ID Number					
STEENSON,TOM		R342776					
Owner A	ddress		Situs Address				
815 SW 2ND AVE #500 PORTLAND, OR 97204		41025 SE LOUDEN RD CORBETT, OR 97019					
Alternat	e Account Ni	umber	Neighborhood	I			
R995060	180		R010				
Мар Тах	Lot - Get Ma	ip	Levy Code Are	ea - Taxing	Districts		

Map Tax Lot - Get Map

1S5E06 -00700

074

**Property Description** 

Deed		Instrument	Year	
QCD (QUIT CLAIM DEED)		01181287	2001	
BSD		00142582	2000	
QC		22090836	1989	
Exemption	Expiration Date			
Tax Roll Description		Map Number		
SECTION 06 1S 5E; TL 700 19.00 ACRES		61S5E	1S5E06 -00700	
Parcel		Account Status		
		A - Active		
Property Use	Year Built	Acreage		
B - RESIDENTIAL IMPROVED	1984	19.00		

**Linked Accounts** 

Split/Merge Account

**Related Accounts** 

#### Split/Merge Account Message

#### **Special Account Information**

DEFERRAL - POTENTIAL ADDITIONAL TAX 2004 - (FB) FOREST LAND DEFERRAL 2003 - (FB) FOREST LAND DEFERRAL 2002 - (FB) FOREST LAND DEFERRAL 2001 - (FB) FOREST LAND DEFERRAL 2000 - (FB) FOREST LAND DEFERRAL 1999 - (FB) FOREST LAND DEFERRAL

2005 Land Information (Unedited and Uncertified)

**ID** Type

EXHIBIT 7/28/2005

http://catbird/property.asp?PropertyID=R342776

Acres

Sq Ft

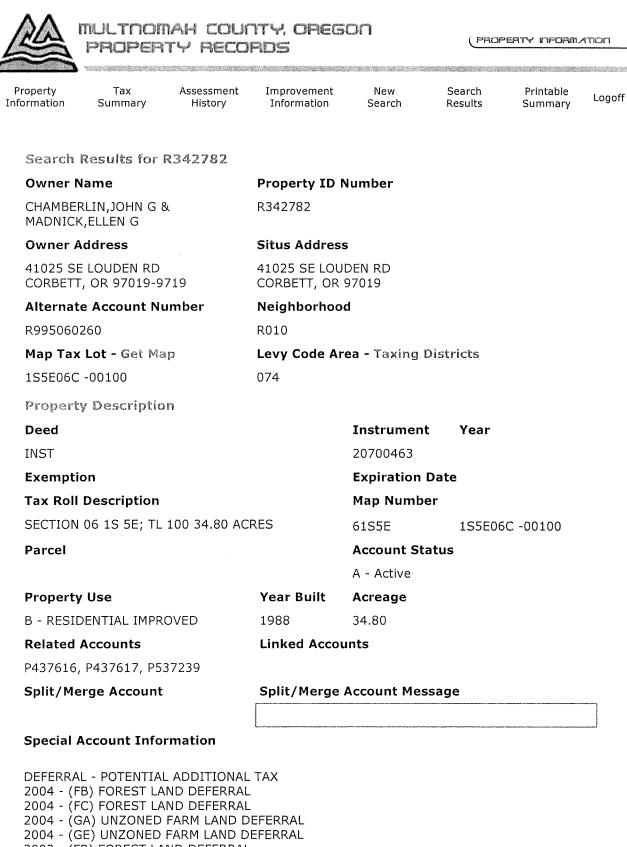
## **Property Information**

- L1 NA NQ HOMESITE 1 18
- L2 FB ZN A, CL B [FOREST LAND DEFERRAL]

INFORMATION SUBJECT TO DISCLAIMER - SEE HOME PAGE

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2003 - (FB) FOREST LAND DEFERRAL

2003 - (FC) FOREST LAND DEFERRAL 2003 - (GA) UNZONED FARM LAND DEFERRAL

2003 - (GE) UNZONED FARM LAND DEFERRAL

2002 - (FB) FOREST LAND DEFERRAL

- 2002 (FC) FOREST LAND DEFERRAL
- 2002 (GA) UNZONED FARM LAND DEFERRAL
- 2002 (GE) UNZONED FARM LAND DEFERRAL
- 2001 (FB) FOREST LAND DEFERRAL
- 2001 (FC) FOREST LAND DEFERRAL
- 2001 (GA) UNZONED FARM LAND DEFERRAL
- 2001 (GE) UNZONED FARM LAND DEFERRAL
- 2000 (FB) FOREST LAND DEFERRAL
- 2000 (FC) FOREST LAND DEFERRAL 2000 - (GA) UNZONED FARM LAND DEFERRAL
- 2000 (GE) UNZONED FARM LAND DEFERRAL
- 1999 (FB) FOREST LAND DEFERRAL
- 1999 (FC) FOREST LAND DEFERRAL
- 1999 (GA) UNZONED FARM LAND DEFERRAL
- 1999 (GE) UNZONED FARM LAND DEFERRAL

2005 Land Information (Unedited and Uncertified)

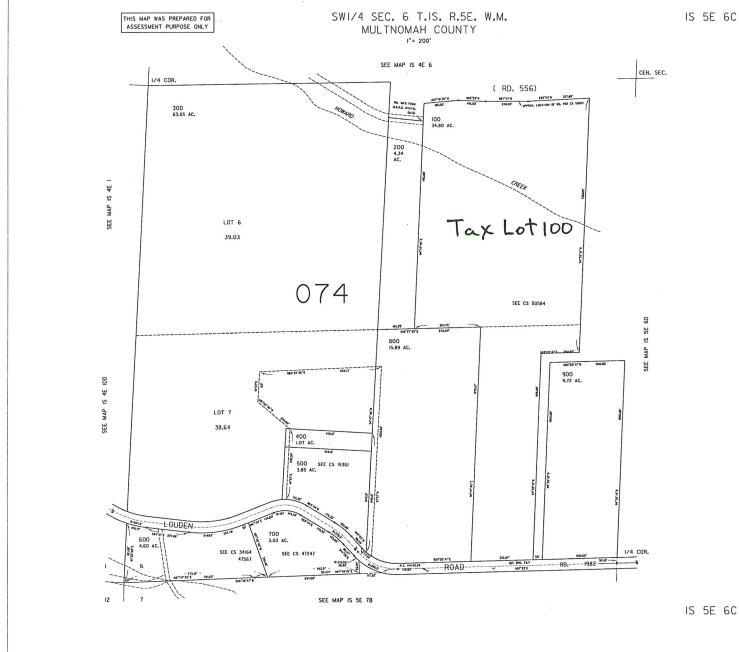
ID	Туре	Acres	Sq Ft
L1	NA - NQ HOMESITE	1	
L2	FC - ZN A, CL C [FOREST LAND DEFERRAL]	9.07	
L3	GA - NONEFU CLS 1, DRY [UNZONED FARM LAND DEFERRAL]	12	
L4	GE - NONEFU CLS 5, DRY [UNZONED FARM LAND DEFERRAL]	2.25	
L5	FB - ZN A, CL B [FOREST LAND DEFERRAL]	10.48	

#### INFORMATION SUBJECT TO DISCLAIMER - SEE HOME PAGE



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(Page 1 of 1)

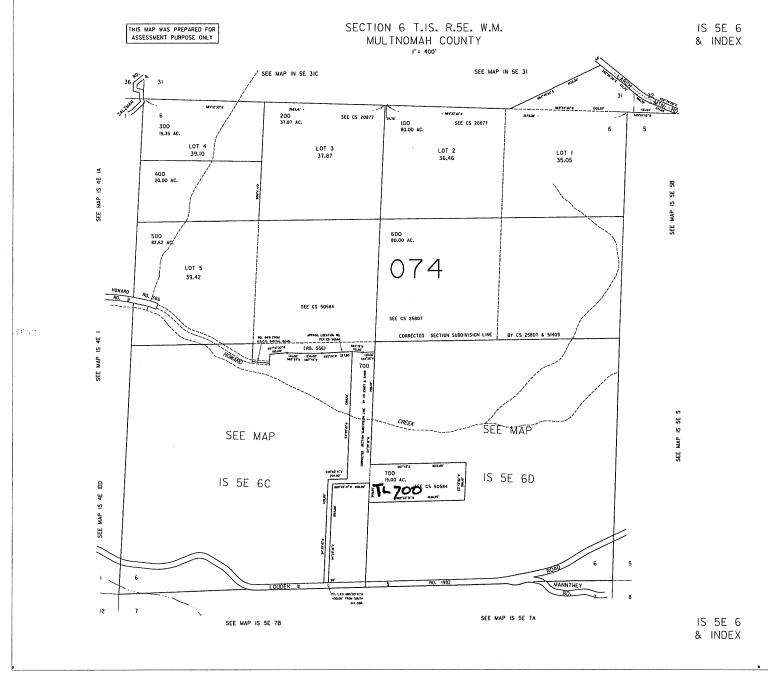


.../MAPS/MULT/1S5E/1S5E06C.DGN 04/16/2004 10:50:42 AM

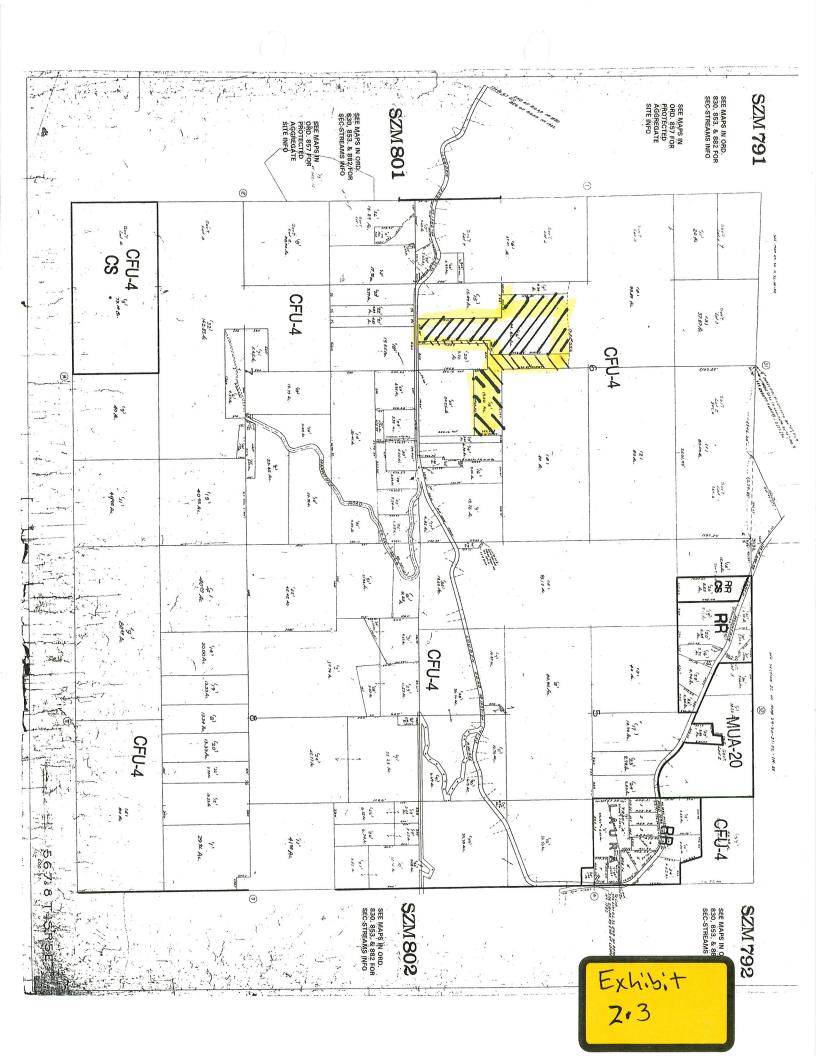


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(Page 1 of 1)



.../MAPS/MULT/1S5E/1S5E06.DGN 04/16/2004 10:50:41 AM



APPROVALS Prescal 8-10-88

COUNTY SURVEYOR

COUNTY RECORDER CORRECTED BY SURVEYOR; REC'D, SIGINGO & SENT TO IKE AZAR. DP 5-15-88

#### NARRATIVE :

S 87º47

1022 A (under const)

827,736

19.00 Ac.

PARCEL\*2

1030.55 N 89°03'41''

ROAD

g

Center Sec.

N 83º19'W 589055

1195.47

4°39'15"E

2600.90 neos

260' --

Set I. Rod

35

l 0 Set I. Rod

10

\$ The

Purpose of survey to perform a type III land division on the property survey in Louden Road at the menument marking the south quarter Roman Ran random thru property to the north and tied the center of the section. Keasured west along the south ent marking the southwest corner of said section ection to a work in the section and filed measurments to subdivide the quarter of the section to complete the survey of the property. Basis of bearings the monments at the south quarter corner and the center of the section.

5

800

Bearings from recorded survey No. 36318 Set 5/8" x 30" iron rods with plastic cap marked L.S. 475

NOTE! Property corners not set. Area not accessable.

LEGEND

2646.26 meas

1

NOTE

280't

35

47

190.

Set R

540.00

47'46"

5 88°27'30

5 87°18'30"W N85'22'W N87°44'W T 185.00 145.00 230.00

RESIDENCE (under const)

1,515,647

PARCEL

58 Rod

2

Sel 1. Rod

5:89°03'41

24 ot 1275. 34.79 Ac.

Location of road approximate. No evidence of traveled roadway exists in this area.

589°24'W 327,80

Set \$8903'4/Eset

\$ 4° 39'15" 10 N 4º 39'

00.001

Sat I.Rod

"F

59.00

Set I. Rot

400.00

Sal I. Rod

N 89°03'41"W

Co. Rd. \*556

○ DENOTES : Set 5/8" x 30" Iron rod • DENOTES : Found iron as indicated

> REFERENCE SURVEYS 25807, 24564, 25548 36318, 47158, 15361

LD 3-88

Con. Mon

á

CERTIFICATE OF SURVEY IN S.E. 1/4 & S.W. 1/4 OF SECTION 6 T.IS., R.5E Multhomah County, Oregon Scale: I" = 200' July 14-22, 1988

LOUDEN

ALLAN & LEUTHOLD, INC. SURVEYING 4827 N. E. 105th AVENUE PORTLAND, OREGON 97220 503 - 284-0734







MULTNOMAH COUNTY LAND USE & TRANSPORTATION PROGRAM 1600 SE 190<sup>™</sup> AVENUE PORTLAND, OREGON 97233 503-988-3043 Fax: 503-988-3389 www.co.multnomah.or.us/dbcs/LUT/land\_use

# **Applicant's Instructions for**

# **Finishing A Property Line Adjustment**

- 1. Review the Planning Director's approval decision of the proposed Property Line Adjustment. Take particular notice of any "conditions of approval" that may be required.
- 2. Retain a surveyor (who is licensed by the State of Oregon) to:
  - A. Survey the properties and relocate the common property line as proposed on the approved Tentative Plan Map.
  - B. Prepare a survey map following the Surveyor's Instructions for Finishing a Property Line Adjustment and provide three (3) exact copies of the map.
  - C. Prepare metes-and-bounds legal descriptions for each adjusted tract and exchange area (if needed) and provide three (3) copies of each description.
- 3. Make an appointment with the Planner whose name is on the approval "Decision." At that appointment, bring the maps and legal descriptions prepared by your surveyor. Once we verify that the adjusted properties conform to the approved Tentative Plan Map and meet applicable zoning requirements, we will stamp, date, and sign all three copies of the map and legal descriptions. We will retain one set of documents and return the remaining two sets to you.
- 4. After the Land Use Planning Division approval of the final map and legal descriptions, have a deed or deeds prepared that conveys the exchanged area from one property owner to the other. *Remember:* a Property Line Adjustment <u>does not create a parcel</u>; the process simply provides a method to adjust the property line between two existing properties.
- 5. Take your deed(s), your stamped maps, and stamped legal descriptions as well as a copy of your general application form to the Assessment and Taxation office at **501 SE Hawthorne Blvd**. Go to the **Records Management** office in **Suite 125**. The Records Management staff will add their department's certification to the documents. They will make a copy to keep for their records. After you receive their certification, you will need to take all original documents to recording located in Room 158.
- 6. The cashier in room 158 will collect a fee and keep the last set of certified documents for recording. The documents will be mailed back to you after they have been recorded.
- 7. File a survey with the Multnomah County Surveyor's office to complete the Property Line Adjustment process. ORS 209.250 states that a survey must be filed within 45 days of setting a monument.



O:\Brochures & Forms\Planning Forms\PLA appl finish.doc



MULTNOMAH COUNTY LAND USE & TRANSPORTATION PROGRAM 1600 SE 190<sup>™</sup> AVENUE PORTLAND, OREGON 97233 503-988-3043 FAX: 503-988-3389 www.co.multnomah.or.us/dbcs/LUT/land use

# Surveyor's Instructions for

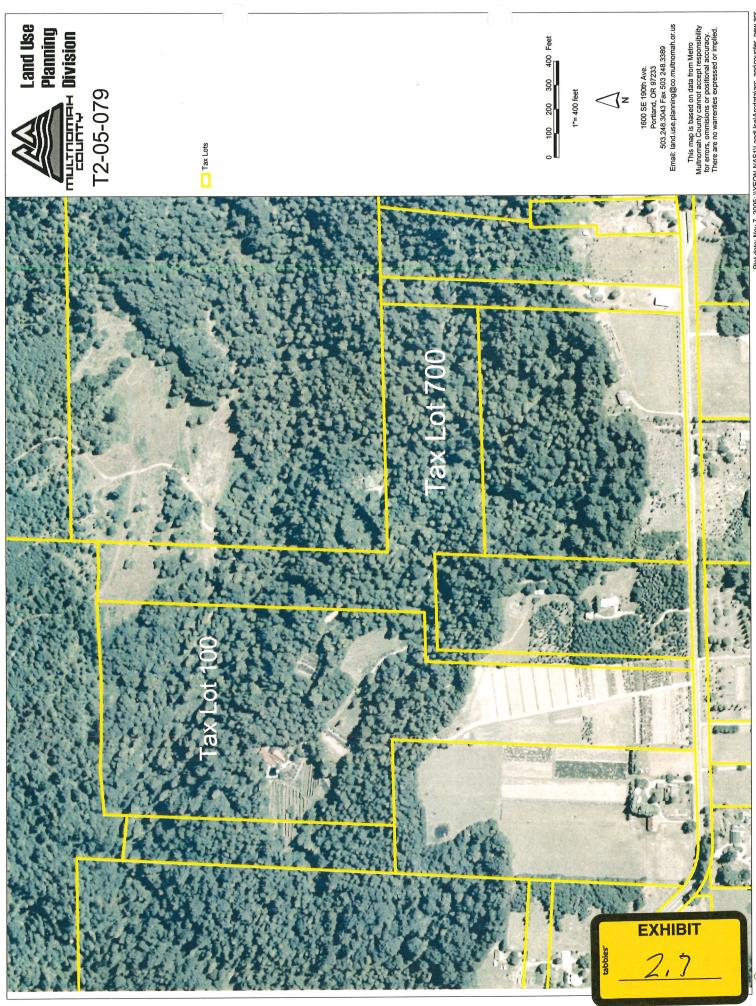
# **Finishing A Property Line Adjustment**

If you are a surveyor who is retained by the applicant for a Property Line Adjustment in Multnomah County's planning jurisdiction, you will perform the following services:

- 1. Survey the tracts as necessary to relocate the common property line as proposed on the approved Tentative Plan Map.
- 2. Prepare a property line adjustment map showing the adjusted tracts. The map shall be 18" x 24" in size. Provide three (3) prints to the applicant. The map must include:
  - A. Date, north arrow and scale;
  - B. Each property identified as Tract 1 and Tract 2 with all new areas and dimensions resulting from the adjusted lines clearly identified;
  - C. Name and present right-of-way width of abutting streets;
  - D. Location of existing buildings and distances to adjusted property lines on a copy of the survey map for the Land Use Planning file;
  - E. Show monuments set on the new property line;
  - F. Leave a blank area at least 3" wide and 2" tall for the Land Use Planning approval stamp.
- 3. Prepare metes-and-bounds legal descriptions on 8 <sup>1</sup>/<sub>2</sub>" x 11" sheets for each adjusted tract. Provide three (3) copies of each description to the applicant.
  - A. Begin each description with the corresponding tract number as shown on the map;
  - B. Conclude each description with the phrase "containing \_\_\_\_\_\_ square feet/acres, more or less;
  - C. Leave a blank area at least 3" wide and 2" tall for the Land Use Planning approval stamp.
- 4. File the tracing for the final approved map with the County Surveyor.

**IMPORTANT:** To be acceptable for recording, prints of maps and copies of legal descriptions must have sharp contrast and may have no dark background.



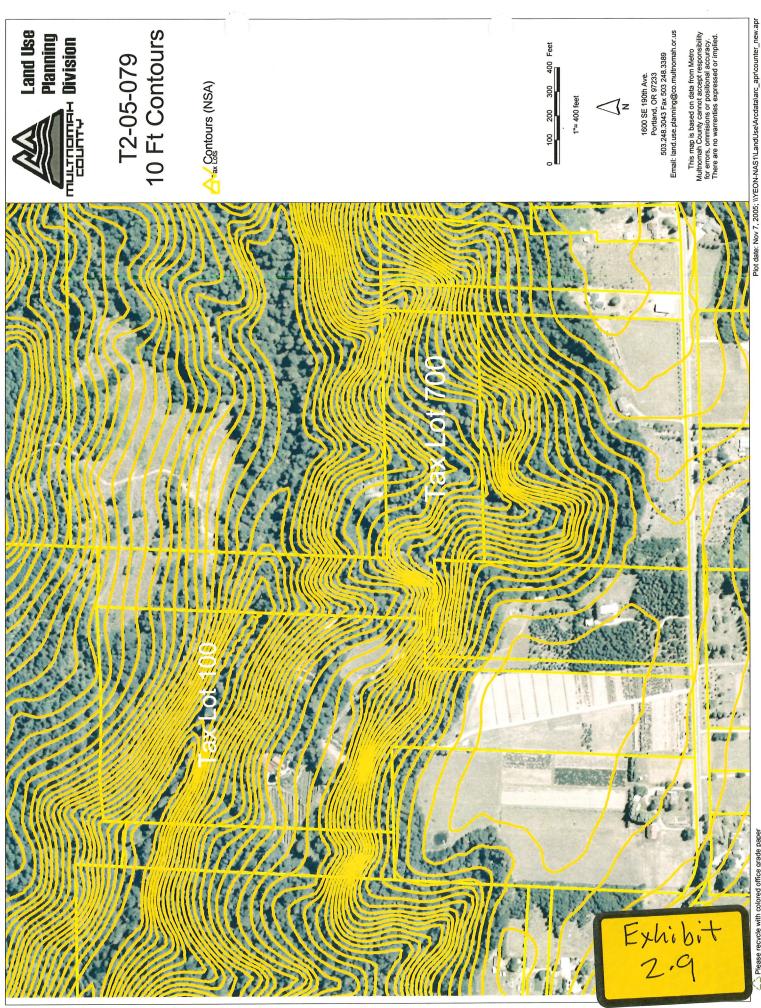


Plot date: Nov 7, 2005; \\YEON-NAS1\LandUse\Arcdata\arc\_apr\counter\_new.apr

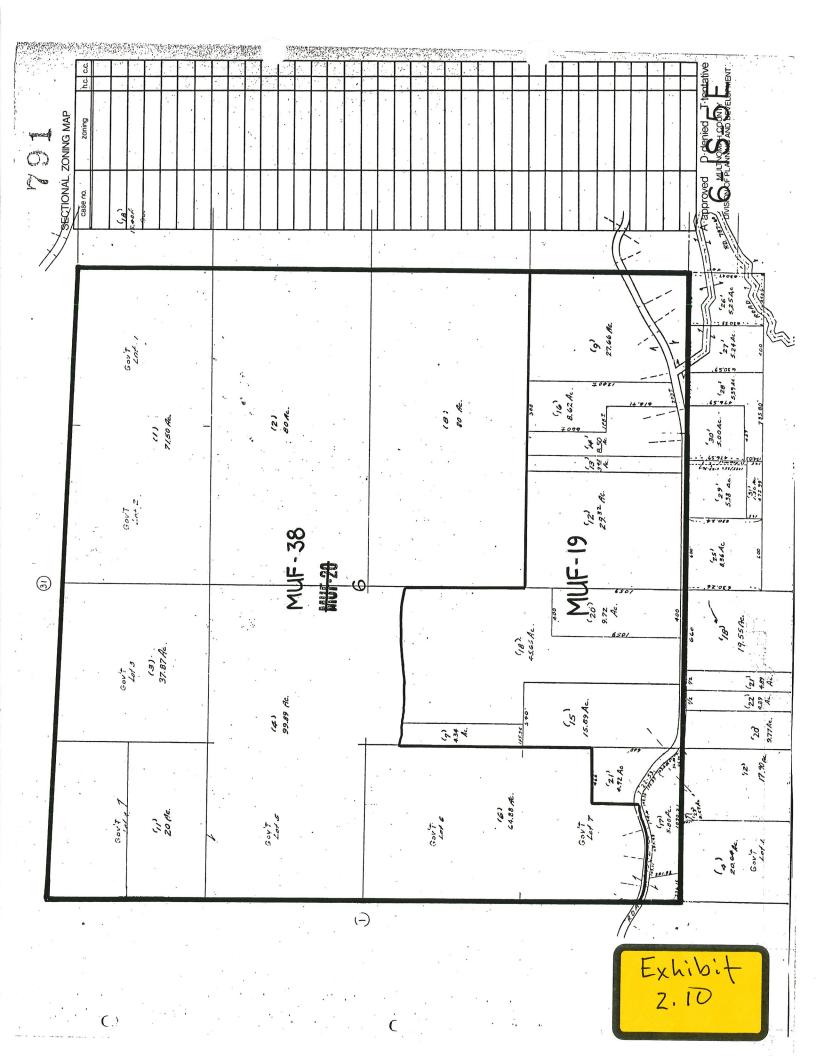
Please recycle with colored office grade paper



Please recycle with colored office grade paper



Please recycle with colored office grade pape



#### 11.15.2174 Accessory Uses

- (A) Unless otherwise prohibited or regulated, the following nonilluminated signs shall be permitted in this district:
  - A temporary sign advertising the sale or rental of the premises, with a maximum area on one side of eight square feet, erected not less than ten feet from the front property line;
  - (2) A sign stating the name of the owner or occupant of the property, with a maximum area on one side of two square feet; and
  - (3) Not more than two signs, with a combined area of no more than 18 square feet, advertising the sale of products pursuant to the provisions of MCC .2170 (C).
- (B) Off-street parking and loading;
- (C) Home occupations; and
- (D) Other structures or uses customarily accessory or incidental to any use permitted or approved in this district.
- 11.15.2176 Temporary uses

When approved pursuant to MCC .8705 and .8710.

- 11.15.2178 Dimensional Requirements
  - (A) Except as provided in MCC .2180, .2182, .2184 and .7720, the minimum lot size shall be according to the short-title zone district designation on the Zoning Map, as follows:

(B) That portion of a street which would accrue to an adjacent lot if the street were vacated shall be included in calculating the area of such lot.

(C)	Minimum	Maximum		Minimum Yard Dimensions - Feet			
	Front Lot Line Length	Structur Height Stories	e Feet	Front	Side	Street Side	Rear
	50 feet	2-1/2	35	30	10	30	30

(D) The minimum yard requirement shall be increased where the yard abuts a street having insufficient right-of-way width to serve the area. The Planning Commission shall determine the necessary right-of-way widths and additional yard requirements not otherwise established by Ordinance.



MUF

### **PLUMMER George A**

From:WINTER Alison TSent:Thursday, October 06, 2005 12:43 PMTo:PLUMMER George ACc:DREYFUS KateSubject:T2-05-079

### George,

Transportation does not have any issues with the proposal to adjust the lot lines between Tax Lots 100 and 700 located along Louden Road.

Alison

Exhibit 2.12

Department Business and Community Service MULTNOMA, COUNTY OREGON



Land Use and Transportation Program 1600 SE 190<sup>th</sup> Avenue Portland, Oregon 97233-5910 (503) 988-3043

September 23, 2005

Tom Steenson 815 SW 2<sup>nd</sup> Ave Ste 500 Portland, OR 97204

### **RE:** Application for Property Line Adjustment (Case # T2-05-079)

Dear Mr. Steenson:

After having reviewed the materials submitted, and in accordance with ORS 215.427 and Multhomah County Code (MCC) 37.0600, you are hereby informed that your application for a Property Line Adjustment for the property located at 41025 SE Louden Road was deemed complete, as of September 12, 2005 the date when we received the revised plans.

Now that the application is complete, notice of your request will be mailed to recognized neighborhood associations and property owners within 750 feet of the subject property, as required under MCC 37.0530(B). Persons receiving this notice will have 14 days to provide comments. A copy of the notice will also be sent to you for your records.

A decision on the application will be made after the comment period is concluded. We anticipate that the decision will be available within 30 days of the date the comment period expires. The decision will be subject to a 14-day appeal period.

Please do not hesitate to contact me if you have any questions.

Sincerely,

when a Plum

Géorge A. Plummer Planner

xc: File





## Department Business and Community Service MULTNOM

Land Use and Transportation Program 1600 SE 190<sup>th</sup> Avenue Portland, Oregon 97233-5910 (503) 988-3043 www.co.multnomah.or.us/dbcs/LUT/land\_use

August 25, 2005

Subject: Application for Case # T2-05-079)

Dear Applicant:

As indicated in the attached correspondence, your application has been deemed to be incomplete.

You must acknowledge in writing your intent to provide the additional information identified in the attached letter. To do this, please sign below and return this acknowledgement by September 23, 2005 to the above address.

If you indicate your intent to complete the application, you will have 180 days from the date the application was originally submitted, July 28, 2005, to submit the required information.

If you fail to submit the information within 180 days, your application will be deemed void. The case file regarding the application will then be closed pursuant to Multnomah County Code MCC 37.0600(B). All materials submitted will be returned and all fees will be forfeited.

If you do not return this acknowledgement by the above date, we will assume you are refusing to submit the requested information and to complete the application pursuant to MCC 37.0600 and ORS 215.427. Your application will then be processed based upon the information you have previously submitted. Note that failure to submit sufficient evidence to demonstrate that the request meets the applicable code requirements is grounds for denial of the application.

### ACKNOWLEDGEMENT

- I intend to provide the additional information identified in the attached letter from Multnomah County Planning within 180 days.
- [] I refuse to provide the additional information identified in the attached letter from Multnomah County Planning.

oenne

Signed and Acknowledged (Applicant)

Date

To: George A. Plummer

From: Tom Steenson

Date: 7/27/05

Re: Pre-Filing No.: PF-05-143

Property Address: 41025 SE Louden Rd

Request for a Lot Line Adjustment Between TL 700 & TL 100

Enclosed:

General Application Form

Check for \$196.00

Plan Map - Tract 1 (Steenson property - TL 700; Chamberlin property - TL 100) - based on 1988 survey

Certification of On-Site Sewage Disposal

Fire District Access Review

Proposed Quit Claim Deed (property from Steenson to Chamberlin)

Proposed Agreement for Easement (granting/extending easement to Steenson for use of Chamberlin's driveway)

Statement of Property Owner Consent

1988 Survey

Existing (8/8/88) Agreement for Easement (granting easement to Steenson for use of Chamberlin's driveway)

1989 Quitclaim Deed (property from Chamberlin to Steenson)

Note: I am hopeful that with the 1988 survey there will be no need to complete a new survey to simply confirm what the previous survey determined.

Existing

BOOK 2246 PAGE 20.16

#### AGREEMENT FOR EASEMENT

THIS AGREEMENT, made and entered in this  $\mathcal{S-H}$  day of August, 1988, by and between John Chamberlin and Ellen Madnick, hereinafter called "Chamberlin", and Tom and Mariah Steenson, hereinafter called "Steenson";

1. Chamberlin is the record owner of the following described real estate in Multnomah County, Oregon, legally described as:

A tract of land in the southwest quarter of Section 6 T. l S., R. 5 E., W.M. Multnomah County, Oregon described as follows:

Beginning at a point in the North line of Louden Road that is North 89° 03' 41" West 450.00 feet and North 4° 39' 15" East 30.10 feet from the south quarter corner of section 6; thence continuing North 4° 39' 15" East parallel with the center of the section line a distance of 1109.00 feet; thence South 89° 03' 41" East parallel with the south line of the Section a distance of 204.80 feet; thence North 4° 39' 15" East parallel with the center of the Section a distance of 1366.20 feet to a point in county road No. 556; thence in said road the following courses and distances South 89° 24' West 327.8 feet; thence North 87° 44' West 230.00 feet; thence North 85° 22' West 145.00 feet; thence South 87° 18' 30" West 185.00 feet; thence leaving said county road 4° 47' 46" West 1190.80 feet; thence South 88° 27' 30" East 345.75 feet; thence South 4° 47' 46" West 1275.21 feet to a point in the North line of Louden Road; thence South 89° 03' 41" East along said North line a distance of 332.87 feet to the point of beginning.

Containing 1,515,647 sq. ft. or 34.79 acres more or less

and has the uncostricted right to grant the easement hereinafter described relative to said real estate, excepting all existing rights and matters of record.

2. Contemporaneously with the execution of this agreement, Steenson has agreed to purchase from Chamberlin the adjacent real estate described as:

1 - AGREEMENT FOR EASEMENT

10..22.00

A tract of land in the S.E. ¼ and the S.W. ½ of Section 6 T. 1 S., R. 5 E., W.M. Multnomah County, Oregon described as follows:

*6*6

Beginning at a point in the North line of Louden Road that is North 89° 03' 41" West 400.00 feet and North 4° 39' 15" East 30.10 feet from the south quarter corner of section 6; thence continuing North 4° 39' 15" East parallel with the center of the section a distance of 1059.00 feet; thence South 89° 03' 41" East parallel with the south line of the Section a distance of 400.00 feet to a point in the center line of said section 6; thence South 4° 39' 15" West along said centerline a distance of 209.85 feet; thence South 89° 03' 41" East 1030.55 feet; thence North 3° 43' 52" East 398.10 feet; thence North 87° 47' West 1022.89 feet to a point in the centerline of section 6; thence North 4° 39' 15" East along said centerline a distance of 1195.47 feet to a point in County Road No. 556; thence in said road South 89° 55' West 130.00 feet; thence North 83° 19' West 115.20 feet; thence leaving said road South 4° 39' 15" West parallel with the centerline of the section a distance of 1366.20 feet; thence North 89° 03' 41" West 204.80 feet; thence South 4° 39' 15" West parallel with the centerline of the section a distance of 1109.00 feet to a point in the North line of Louden Road; thence South 89° 03' 41" East along said North line a distance of 50.00 feet to the point of beginning.

Containing 827,736 sq. ft. or 19.00 acres more or less ...

and now desires an easement over the Chamberlin property described in paragraph 1 above in order to have access and egress to Louden Road.

3. Therefore, in consideration of the purchase described in paragraph 2 and the agreements herein, it is hereby agreed as follows:

4. Chamberlin does hereby grant, bargain, sell and convey unto Steenson a perpetual non-exclusive easement to use the existing driveway, approximately twenty (20) feet in width, which extends from Louden Road and through the Chamberlin property to the Steenson property, or any reasonable replacement driveway agreed upon by the parties in writing. A sketch of the driveway is in-

2 - AGREEMENT FOR EASEMENT

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corporated by reference and attached hereto as Sketch "A". This easement shall be for access and egress in and over the Chamberlin property as described in paragraph 1 above.

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

6. Steenson shall have all rights of access and egress to, from and over the real estate described in paragraph 1 above necessary for Steenson's use, enjoyment, operation and maintenance of the easement thereby granted and of its property described in paragraph 2 above. The easement shall be appurtenant to Steenson's property. Steenson shall have all rights incident to the improvement, maintenance, repair, and use of the easement, including the right from time to time to cut, trim and remove trees, brush, overhanging branches or other obstructions.

7. Chamberlin and Steenson shall equally share the expense associated with maintaining and repairing the driveway in good repair. Any dispute between Chamberlin and Steenson regarding the need for maintenance or repairs of said driveway shall be submitted to binding arbitration. If the parties cannot agree on the selection of an arbitrator, the American Arbitration Association shall serve as the arbitrator. Steenson may place a sign within the easement to advertise or direct the public to its adjacent property.

8. The driveway shall be maintained for use by either party and their tenants and guests and, except as to the rights herein granted, Chamberlin shall have the full use and control of the real estate described in paragraph 1.

9. Steenson agrees to hold Chamberlin harmless from any and all claims of third parties arising from Steenson's use of the rights granted herein.

3 - AGREEMENT FOR EASEMENT

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10. This agreement shall bind and inure to the benefit of, as the circumstances may require, not only the immediate parties hereto, but also their respective heirs, executors, administrators, assigns and cuccessors in interest as well.

In construing this agreement and where the context so requires, words in the singular include the plural; the masculine includes the feminine and the neuter; and, generally, all changes shall be made or implied so that this instrument shall apply both to individuals and to corporations.

IN WITNESS WHEREOF, the parties hereto have subscribed this instrument inclusion of August, 1988.

CHAMBERLIN

ELLEN MADNI Madnick

STATE OF OREGON

County of Multnomah

August <u>6</u>, 1988

Personally appeared the abovenamed John Chamberlin and Ellen Madnick and acknowledged the foregoing instrument to be their voluntary act and deed.

ss.

Before me:

Notary Public 'for My Commission Expires:

4 - AGREEMENT FOR EASEMENT

STEENSO

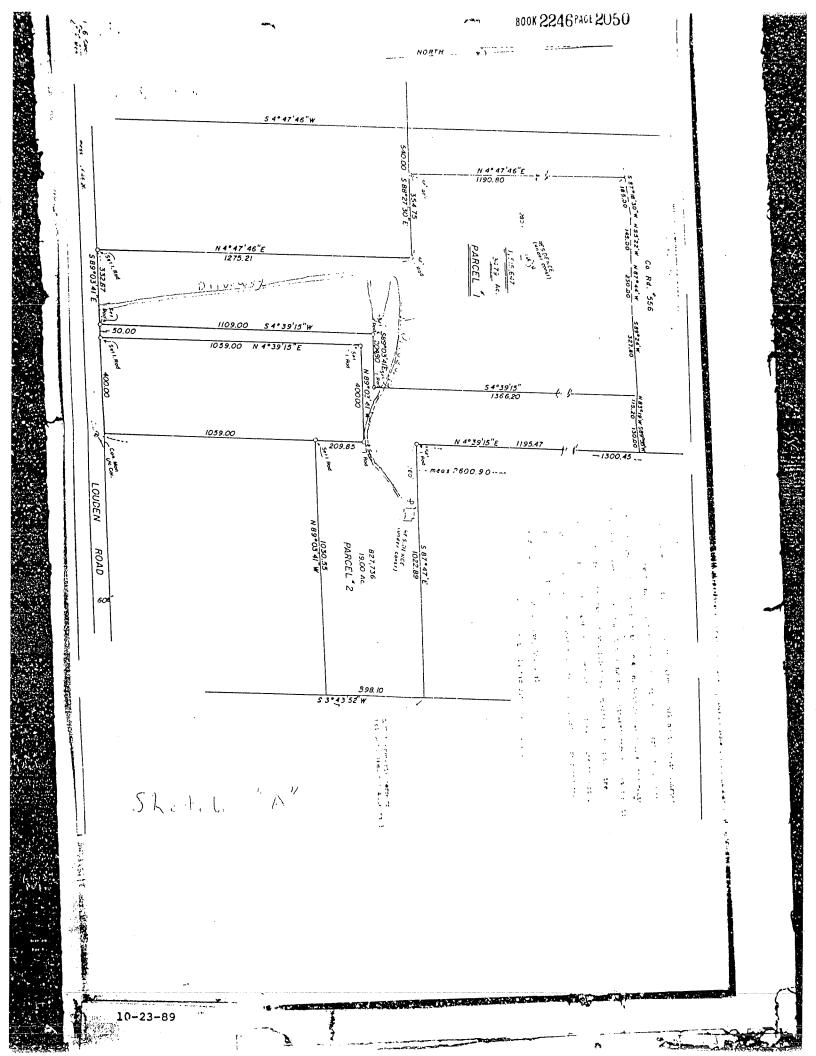
STATE OF OREGON ss. County of Multnomah

August <u>8</u>, 1988

Personally appeared the abovenamed Tom Steenson and Mariah Steenson and acknowledged the foregoing instrument to be their voluntary acc and deed.

Before me: Public for Oregon Notary

My Commission Expires: 6-24-7



BOOK 2246 PAGE 2051 主要のないとないというとうという STEENSON & SCHUMANN Attorneys at Law 815 S.W. Second Avenue, Suite 500 Portland, Oregon 97204-3005 RECONTRID SECTICA Deputy On Page Recorder of Conveyances L a Deputy for the Recorder of Conveyences, in and lot seed County, do nevery centry that the writtin instrument of used County, do nevery centry that the writtin instrument of each seed county. 89 0CT 23 AM 8: 54 Butre BOOK 2246 PACE 2046 without my hand and seel of other arthred. ź 053739 el NW STATE OF OHEGON cub Musicinen Courty

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FILME NEELSAW PUB. CO. PORTLAND. OR 97204

FORM No. 721-QUITCLAIM DEED . al or Corporate). 0

#### QUITCLAIM DEED

KNOW ALL MEN BY THESE PRESENTS, That JOHN G. CHAMBERLIN and . ELLEN MADNICK hereinaftet called grantor.

for the consideration hereinalter stated, does hereby remise, release and quitclaim unto TOM STRENSON ... and MARIAH STEENSON . .. . .. ..

hereinalter called grantee, and unto grantee's heirs, successors and assigns all of the grantor's right, title and interest in that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in any-, State of Oregon, described as follows, to-wit: wise appertaining, situated in the County of

Attached hereto as Exhibit "A", Parcel #2, containing B27,736 square feet or 19.00 acres more or less ... and recorded in Book 2177 at Page 1457, Multnomah County, State of Oregon Records.

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the same unto the said grantee and grantce's heirs, successors and assigns forever. The true and actual consideration paid for this transfer, stated in terms of dollars, is \$10.00

OHowever, the actual consideration consists of or includes other property or value given or promised which is In construing this deed and where the context so requires, the singular includes the plural and all grammatical

changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

33.

In Witness Whereof, the grantor has executed this in	nstrument this. DIfteday of Mullin
if a corporate grantor, it has caused its name to be signed	and soal effixed by its officers, duly authorized therews by
order of its board of directors.	
THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DE-	John G. Champerlin

SCRIBED 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.

STATE OF OREGON,

County of Multnomah

Personally appeared the above named JOHN G. CHAMBERLIN and ELLEN MADNICK

ment to be their voluntary act and deed.

(OFFICIAL Boloro Do: SEAL) Ellen Accel SEAL) Notary Public for Oregon My commission expires: 6-24-91

JOHN G. CHAMEERLIN and ELLEN MADNICK 41025 SE Louden Road Corbett, Oreyon 97019 GRANTOR'S NAME AND ADDRESS TOM STEENSON and MARIAH STEENSON

41025 SE Louden Road Corbett, OR 97019 GRANTEE'S NAME AND ADDRESS

After recording return to: TOM STEENSON 815 SW Second Avenue, Suite 500 Portland, Oregon 97205

NAME, ADDRESS, ZIP Until a change is requested all tax statements shall be sent to the follow TOM STEENSON 815 SW Second Avenue, Suite 500 Portland, OR 97204

NAME, ADDRESS, ZIP

Ellen Manute Ellen Madnick

Notary Public for Oregon

My commission expires:

STATE	or	OREGON,	County of	

Personally appeared .. .. ... who, being duly sworn, each for himself and not one for the other, did say that the former is the president and that the latter is the secretary of

and that the seal allixed to the loregoing instrument is the corporation, of said corporation and that said instrument was signed and sealed in be-hali of said corporation by authority of its board of directors; and each of thom acknowledged said instrument to be its voluntsry act and deed. Before me:

(SEAL)

(If executed by a corporation, affix corporate seal)

· ) 85.

		STATE OF OREGON,
	SI AGE RESERVED FOR RECORDER'S USE	County of
ng address.		Witness my hand and seal of County allixed.
		NAME TITLE

By .....Deputy

EXHIBIT A

EUTHOLD, INC. RVEYING E. 105th AVENUE (D. OREGON 97220 J3 - 254-0734 800K 2177PHCI 1457

LD 3-88

BOOK 2209 PAGE 837

REGISTERED PROFESSIONAL

GENE A LEUTHOLD

#### FARCEL # 2

A tract of land in the S.E.  $\frac{1}{4}$  and the S.W.  $\frac{1}{4}$  of Section 6 T. 1 S., R. 5 E., W.M. Multnomah County, Oregon described as follows: Beginning at a point in the North line of Louden Road that is North 85° 03' 41" West 400.00 feet and North  $4^{\circ}$  39' 15" East 30.10 feet from the south quarter corner of section 6; thence continuing North  $4^{\circ}$  39' 15" East parallel with the center of the section a distance of 1059.00 feet; thence South 89° 03' 41" East parallel with the south line of the Section a distance of 400.00 feet to a point in the center line of said section 6; thence South  $4^{\circ}$  39' 15 " West along said centerline a distance of 209.85 feet; thence South 89° 03' 41" East 1030.55 feet; thence North 3° 43' 52" East 398.10 feet; thence North 87° 47' West 1022.89 feet to a point in the centerline of section 6; thence North  $4^{\circ}$  39' 15" East along said centerline a distance of 1195.47feet to a point in County Road No. 556; I thence in said road South 89° 55' West 130.0 feet; thence North 83° 19' West

115.20 feet; thence leaving said road South  $k^{\circ}$  39' 15" West parallel with the centerline of the section a distance of 1366.20 feet; thence North 89° 03' 41" West 204.80 feet; thence South  $k^{\circ}$  39' 15" West parallel with the centerline of the section a distance of 1109.00 feet to a point in the North line of Louden Road; thence South 89° 03' 41" East along said North line a distance of 50.00 feet to the point of beginning.

Containing 827,736 sq. ft. or 19.00 acres more or less.

APPROVED LAND DIVISION (Under Mult Co Ord #174) case LD <u>3-86</u> date <u>10 AUS, 1989</u> by Daura Flue Reason Land Development Section

Multhomah County Oregon Division of Assessment & Taxation 610 S.W. Elder, Room 320 Portland, Oregon \$7308-3603

044833

ź STATE OF OREGON 1. a Decury for the Recordsr of Conveyacces, in and for said County, conheaty centry that the vehicli restrument of validy and recorded for record and recorded in the record of said County.

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RECOLDING SECTION MULTNOMAH CO. OREGON

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witness my hand and seel ut office affilied. Recorder of Commyanors

Andeo cue

100K22091701 838

0 η ADDRESS: 41025 SE Louden

DATE: 6/7/89

LEGAL: TL '18', Sec. 6, 15-5E

ACCOUNT #: R-99506-1080

OWNER: John G. Chamberlin Et Al

DESCRIPTION OF WORK: NSFR

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX	No. I.D-3-38			
BOARD OF ADJUSTMENT	Date3/10/88			
Location41025 SE Louden Road	DENIED			
LegalTax Lot '18', Section 6, 1S-5E	APPROVEDX			
John Chamberlain 41025 SE Louden Rd Owner Tom/Mariah Steenson, 500 Yamhill Plaza Bldg, 815 SW 2nd Use				
Type III Land Division				
Conditions Imposed Include Approved				
as requested, subject to conditions				
Retain this card until construction is completed				

Any necessary building requires a building permit.

FORM 0.P.C. 4

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Site Address: 41025 SE LOUDON

Issue Date:9/25/87

Legal Description: 18 06 1S 5E Sub-Division:

Tax Account #: R995060118

Owner:JOHNOwner Address415 NW 18TH AVE

**Requested Use:** SFR REPLACEMENT **Zoning:** MUF-19