

TO: HEARINGS OFFICER

**FROM: LISA ANDERSON-OGILVIE, AICP
DEPUTY COMMUNITY DEVELOPMENT DIRECTOR AND PLANNING
ADMINISTRATOR**

**SUBJECT: VALIDATION OF UNIT OF LAND CASE 19-04
4285 CLAXTER CT NE and TAX LOT 073W12A01603
AMANDA NO. 19-105764-LD**

REQUEST

A proposal to validate units of land that were created as separate tax lots through a sale by deed in 1988.

The request is to lawfully establish tax lots created by deed in 1988, when tax lot 1600 and 1603 were described separately than the original tax lot 1603. The sale effectively divided the parent parcel into two separate units of land, without a land use approval. The applicant is requesting to validate property zone CO (Commercial Office) known as Marion County Tax Assessor numbers 073W12A / 1600 and 1603.

The land area is approximately 1.48 acres in size, zoned CO (Commercial Office) with the Portland/Fairgrounds Road Overlay, and located at 4285 Claxter Ct NE (Marion County Assessor Map and Tax Lot Numbers: 073W12A / 1600 and 1603).

OWNER: North River Partners, LLC

APPLICANT: North River Partners, LLC

REPRESENTATIVE: Home First Development Partners (Tony Jones) & Saalfeld Griggs Law Firm (Alan Sorem)

RECOMMENDATION

Based on the application and information presented in the staff report, staff recommends that the Hearings Officer adopt the Facts and Findings of the staff report and APPROVE the request to validate two units of land that were created through sale rather than through an approved subdivision or partition plat process, for property zoned CO (Commercial Office) with the Portland/Fairgrounds Road Overlay, and located at 4285 Claxter Ct NE (Marion County Assessor Map and Tax Lot Numbers: 073W12A / 1600 and 1603).

BACKGROUND/PROPOSAL

The proposal involves two units of land, Tax Lots 1600 and 1603, which were unlawfully created through a deed sale in 1988. In 1988, Tax Lots 1600, 1601, 1602, and 1603 were sold separately from the original parcel. Prior to the sale of Tax Lots 1600 and 1603, these units of land and Tax Lots 1601 and 1602 were part of a single parent parcel. Because the division of the property into four units of land did not receive land use approval for a partition,

the individual units of land were not lawfully established.

SRC 205.060 codifies the Oregon Legislative Assembly House Bill 2723 (2007), which provided authority to Oregon cities and counties to 'validate' units of land that were previously created by sale, but where the resulting land division did not comply with applicable law regulating such divisions.

Neither the subject Tax Lots 1600 and 1603, nor Tax Lots 1601 and 1602, should not have been sold as a separate unit of land from the original parcel; the sale created four unauthorized units of land. The validation of unit of land process provided in SRC 205.060 provides a method to correct this error.

On February 22, 2019, Tim Moneke of North River Partners, LLC, the applicant and owner, filed a request to validate two existing units of land that were created through sale rather than through an approved subdivision or partition plat process, for property zoned CO (Commercial Office) within the Portland/Fairgrounds Road Overlay, and located at 4285 Claxter Ct NE (Marion County Assessor Map and Tax Lot Numbers: 073W12A / 1600 and 1603).

The application was deemed complete for processing on March 28, 2019. Notice of the public hearing was mailed April 4, 2019. The state-mandated 120-day deadline to issue a final local decision in this case is July 26, 2019.

APPLICANT'S STATEMENT

A request for a validation of unit of land must be supported by proof that it conforms to all applicable criteria imposed by the Salem Revised Code. The applicant submitted such statements and proof, which are included in their entirety as **Attachment B** to this staff report. Staff utilized the information from the applicant's statements to evaluate the applicant's proposal and to compose the facts and findings within the staff report.

FACTS AND FINDINGS

1. Salem Area Comprehensive Plan (SACP) Designation

Comprehensive Plan Map: The subject property, is designated "Commercial" on the Salem Area Comprehensive Plan (SACP) Map.

Urban Growth Policies: The subject property is located inside of the Salem Urban Growth Boundary and inside the corporate city limits.

Growth Management: The subject property is located inside of the Urban Service Area.

2. Zoning and Surrounding Land Use

The subject property is zoned Commercial Office (CO) within the Portland/Fairgrounds Road Overlay. The properties subject to the validation request, Tax Lots 1600 and 1603, are occupied by an assortment of structures (1600) built in the 1930's according to

accessor records. The surrounding properties are zoned and used as follows:

- North: CO (Commercial Office) within the Portland/Fairgrounds Road Overlay and RM2 (Multiple Family Residential 2); Multiple Family Developments
- South: CO (Commercial Office) within the Portland/Fairgrounds Road Overlay; Single family dwelling and outbuildings
- East: (Across Claxter Ct NE and Portland Road NE) RM2 (Multiple Family Residential 2 and Portland/Fairgrounds Road Overlay; Vacant property and a church
- West: IG (General Industrial); Metal and timber manufacturing/warehousing

3. Existing Site Conditions

The land areas (Tax Lots 1600 and 1603) are approximately 328-feet by 200-feet rectangular shape. The property has access to Claxter Ct NE, a local street, under ODOT jurisdiction.

4. Neighborhood and Citizen Comments

The subject property is located within the boundaries of Northgate Neighborhood Association (Northgate). Notification was sent to the neighborhood associations and surrounding property owners within 250 feet of the property on April 4, 2019. Notice of the proposed application was also posted on the subject property. As of the date of this staff report, no written comments have been received from either the neighborhood association nor neighbors and tenants within 250 feet.

5. City Department and Public Agency Comments

- The Public Works Department, Development Services and City Surveyor staff reviewed the proposal and provided these comments and recommendations for plat approval.
 - Survey will review all submitted materials for a final comprehensive review of ORS 92 & SRC at the Final Plat Stage.
 - Final Plat Submittal: The application shall provide the required field survey and partition plat as per the statute and code requirements outlined in the Oregon Revised Statutes (ORS) and the Salem Revised Code (SRC). If the said documents are not in compliance with the requirements outlined in the ORS and the SRC, and as per SRC 205.035, the approval of the partition plat by the City Surveyor may be delayed or held indefinitely based on the non-compliant violation.
- The Building and Safety Division reviewed the proposal and identified no apparent issues.

- The Salem Fire Department reviewed the proposal and indicated that they have no concerns with the validation of units of land.

6. Public Agency and Private Service Provider Comments

Public agencies and public and private service providers for the subject property were mailed notification of the proposal. No comments have been received at the time of the writing of this staff report.

7. Criteria for Granting a Validation of Unit of Land

SRC 205.060(d) sets forth the criteria that must be met before a unit of land can be validated.¹ In order to approve a validation of unit of land, the review authority shall make findings based on evidence provided by the applicant demonstrating that all the following criteria and factors are satisfied.

The applicable criteria are stated below in **bold** print. Following each criterion is a response and/or finding relative to the proposed tentative partition. The applicant provided justification for all applicable criteria (Attachment B).

SRC 205.060(d)(1): The unit of land is not a lawfully established unit of land.

Finding: The property was annexed into the City of Salem in January 1971. The unit of land subject to the validation request was created in 1988, after annexation, through a deed recorded selling the subject land area. Therefore, Tax Lots 1600 and 1603 were not lawfully established units of land. This criterion is met.

SRC 205.060(d)(2): The unit of land was created through sale or deed or land sales contract executed and recorded before January 1, 2007.

Applicant Statement: As demonstrated by the 1600 Deed and 1603 Deed (collectively, the "Deeds"), the sales were executed and recorded prior to January 1, 2007. This criterion is satisfied.

Finding: Staff concurs with the applicant's written statement. The deeds for Tax Lots 1600 and 1603 were recorded in July of 1988 in Reel 630, Page 321.

SRC 205.060(d)(3): The unit of land could have complied with applicable criteria for the creation of the unit of land in effect when the unit of land was sold.

Applicant Statement: The original parcel was annexed into the City on January 20, 1971 prior to the 1603 sale, which occurred on July 6, 1988, and the 1600 sale, which occurred on April 6, 1990. At the time of the sales, the lots were zoned Commercial Office (CO). Therefore, the applicable lot standard criteria in effect at the time of the 1603 sale was SRC 63.145 (1983).

Finding: Staff concurs with the applicant's written statement. The subject properties exceed the minimum required lot width, depth, and area standards for the CO zone that were in place at the time they were created by deed and they could have conformed to the requirements of a land division.

This criterion is met.

SRC 205.005(d)(4): The plat complies with SRC 205.035 and ORS 92.

Finding: The applicant submitted a copy of a proposed plat (**Attachment C**). The Public Works Department reviewed the proposal and submitted comments describing the procedure and submittal requirements for recording of a final plat.

RECOMMENDATION

Based on the application and information presented in the staff report, staff recommends that the Hearings Officer adopt the Facts and Findings of the staff report and APPROVE the request to validate two units of land that were created through sale rather than through an approved subdivision or partition plat process, for property zoned CO (Commercial Office) and located at 4285 Claxter Ct NE (Marion County Assessor Map and Tax Lot Numbers: 073W12A / 1600 and 1603).

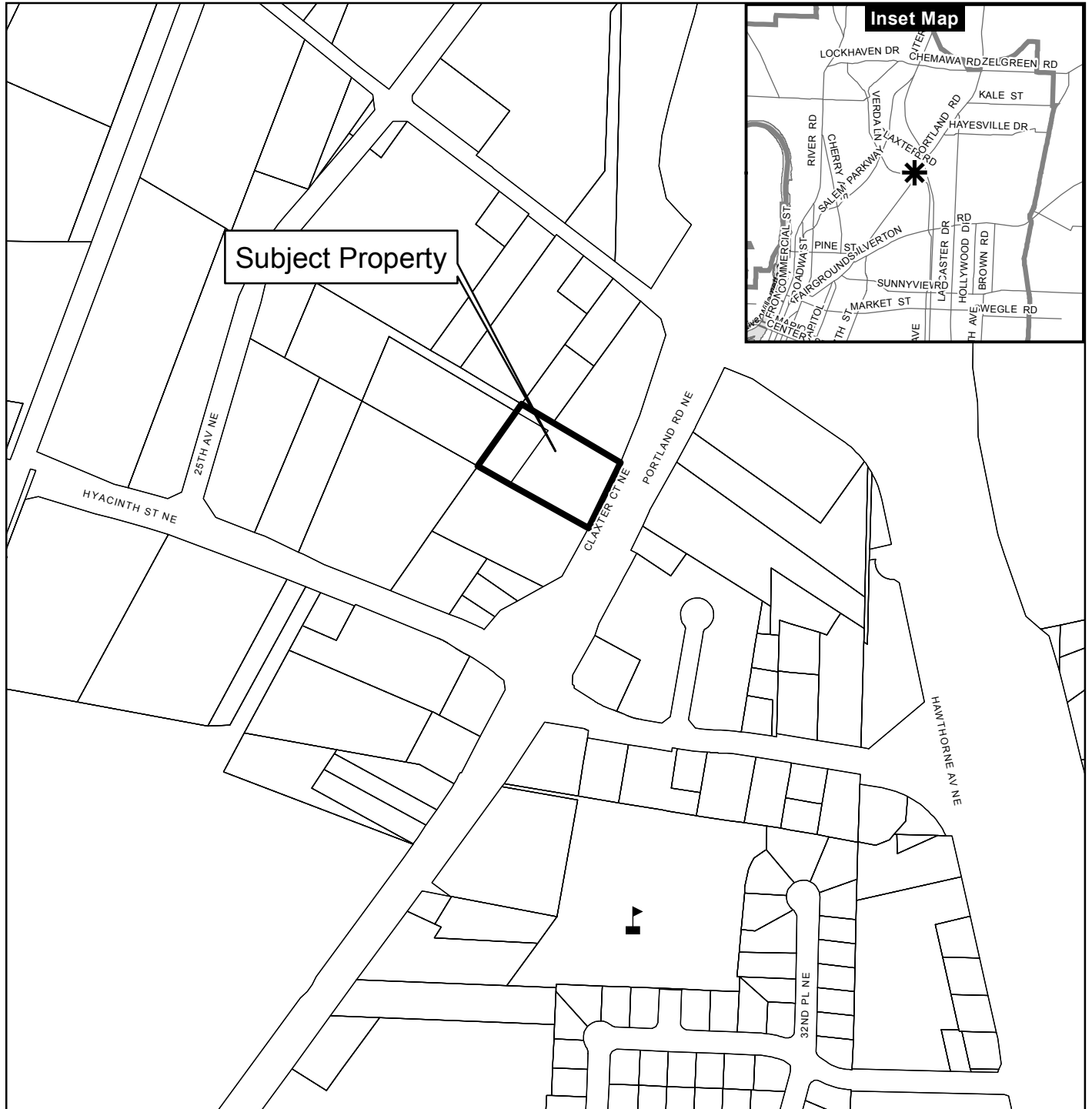
Prepared by Britany Randall, Planner II

Application Deemed Complete Date: March 28, 2019
State Mandated Decision Date: July 26, 2019








Attachments: A. Vicinity Map
B. Applicant's Statement
C. Applicant's Proposed Plat

Vicinity Map

4285 Claxter Ct. NE & Tax Lot 073W12A / 1603



Legend

-  Taxlots
-  Urban Growth Boundary
-  City Limits
-  Outside Salem City Limits
-  Historic District
-  Schools
-  Parks



0 100 200 400 Feet



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Application for Validation of Illegal Units of Land**Applicant:**

North River Partners LLC
 10047 Stayton Road SE
 Aumsville, OR 97325

Owner:

North River Partners LLC
 10047 Stayton Road SE
 Aumsville, OR 97325

Section 205.060 of the Salem Revised Code (the "**Code**") provides for the validation of units of land created before January 1, 2007 through a sale that did not comply with the criteria applicable to the creation of a unit of land at the time of sale. This section codifies ORS 92.176. This application is for the validation of two parcels located at 4285 Claxter Court NE in the City of Salem (the "**City**"), which are designated by the Marion County Assessor as Tax Lots 1600 and 1603 of Map No. 07 3W 12A (the "**Subject Property**"). The applicable portions of Section 205.060 are excerpted below in bold and italics with the responses below in plain text.

(d) Criteria. The validation of a unit of land shall be approved if the following criteria are met:

(1) The unit of land is not a lawfully established unit of land;

Proposed Finding: Originally Tax Lots 1600, 1601, 1602, and 1603 of Assessor's Map No. 07 3W 12A were part of one parcel (the "**Original Parcel**"), which was sold as a single unit of land through April 4, 1987, as demonstrated by the deed between Main Management Company, as Grantor, and Paul T. Fitzwater and Marsha D. Fitzwater, as Grantee, as recorded in the Marion County real property records on April 15, 1987 at Reel 539, Page 67, and attached hereto as **Exhibit A-1**. Lots 1603 and 1600 (collectively, the "**Lots**") were created via two sales. Lot 1603 was created via a sale between Paul T. Fitzwater and Marsha D. Fitzwater, as Grantor, and R & R Enterprises, a partnership consisting of Robert R. Hawkins and Russell D. Hescocock, as Grantee, on July 6, 1988 (the "**1603 Sale**"), as recorded in the Marion County real property records at Reel 630, Page 321 on July 8, 1988 (the "**1603 Deed**"). The 1603 Deed is attached hereto as **Exhibit B-1**. Lot 1600 was created via a sale between Paul T. Fitzwater and Marsha D. Fitzwater, as Grantor, and Household Finance Corporation II, a Delaware corporation, as Grantee, on April 6, 1990 (the "**1600 Sale**"), as recorded in the Marion County real property records at Reel 761, Page 420 on April 11, 1990 (the "**1600 Deed**"). The 1600 Deed is attached hereto as **Exhibit C-1**. Prior to the 1603 Sale and the 1600 Sale (collectively, the "**Sales**"), there was not a partition or other land division approval indicating that the sales were sales of illegal units of land. The Original Parcel is depicted on **Exhibit A-2** and the illegal units of land created by the Sales and subject to this application are depicted on **Exhibit B-2** and **Exhibit C-2**. This criterion is satisfied.

(2) The unit of land was created through sale by deed or land sales contract executed and recorded before January 1, 2007;

Proposed Finding: As demonstrated by the 1600 Deed and 1603 Deed (collectively, the "**Deeds**"), the Sales were executed and recorded prior to January 1, 2007. This criterion is satisfied.

(3) The unit of land could have complied with applicable criteria for the creation of the unit of land in effect when the unit of land was sold; and

The Original Parcel was annexed into the City on January 20, 1971 prior to the 1603 Sale, which occurred on July 6, 1988, and the 1600 Sale, which occurred on April 6, 1990. At that time of the Sales the Lots were zoned Commercial Office (CO). Therefore, the applicable lot standard criteria in effect at the time of the 1603 Sale was SRC 63.145 (1983), which is restated in part below and attached to this application as ***Exhibit D***.

63.145. LOT STANDARDS.

- (a) Width. Each lot shall have an average width between the side lines of not less than 60 feet or as otherwise allowed or required in the zoning district where it is located.***
- (b) Depth. Each lot shall have an average depth between the front and rear lot lines of not less than 80 feet and not more than 250 percent of the average width between the side lot lines. Each double frontage lot shall have an average depth between the front and rear lot lines of not less than 120 feet unless a lesser depth is approved by the planning administrator where necessitated by unusual topographical or other physical conditions.***
- (c) Area. Each lot shall comprise a minimum of 6,000 square feet or as otherwise stipulated in the zoning district where it is located. If topography, drainage, vegetation, or other conditions justify, the planning administrator may require a greater or smaller area in any lot within a tentative plan.***

Proposed Finding: Lot 1603 measures approximately 178.88 feet wide and approximately 99.60 feet deep, comprising an area of 17,816.45 square feet in size. These dimensions exceed the minimum width, depth, and area requirements set forth above. The property owner could have complied with these criteria.

- (d) Frontage. Unless otherwise stipulated in the zoning district where it is located, each lot shall have a minimum front lot line width of at least 60 feet, except along cul-de-sac turnarounds and on the outside of curves having a radius of 200 feet or less and a direction change of 60 degrees or more. In the latter cases the minimum lot line fronting the curve shall be 40 feet provided that in no case shall the lot width be less than 60 feet at the front building setback line.***

Proposed Finding: Lot 1603 does not have frontage along any road. However, according to the applicable development standards, exceptions to the frontage requirements were permitted at the time of the 1603 Sale for flag lots. SRC 63.155(d)(1983). Therefore, the application could have met the applicable approval criteria by obtaining an access easement over lot 1600. This criterion could have been satisfied.

- (e) Designated frontage. For corner lots the front lot line shall be that with the narrowest street frontage. For double frontage lots the front lot line shall be that having frontage on a street designated by the applicant, approved by the planning administrator and clearly noted on the final plat. For flag lots the line separating the building site of the lot from the lot between it and the street from which access is provided to the flag lot shall be deemed the front lot line for building setback purposes unless the planning administrator otherwise directs, in which case the building setback line so designated shall be clearly noted on the final plat.***

Proposed Finding: Lot 1603 is not a corner lot, a double frontage lot, or a flag lot for the purpose of this subsection. If Lot 1603 were to have obtained an access easement across Lot 1600, the final plat would have needed to indicate the applicable setbacks for any existing or proposed buildings on Lot 1603. There is no indication that there were any existing or proposed buildings on Lot 1603 at the time of the 1603 Sale, and therefore, there would have been no need for setback adjustments. This criterion could have been satisfied.

(f) Side lot lines. As far as is practicable. Side lot lines shall run at right angles to the street upon which the lot faces, except that on curved streets they shall be radial to the curve.

Proposed Finding: Lot 1603 is approximately rectangular in shape and is located adjacent to the upper corner of Lot 1600, essentially extending Lot 1600's side lot line by approximately 99.60 feet with the second side lot line running approximately parallel to the first. Lot 1600 abuts Claxter Court NE and the side lot lines run at approximate right angles from that street. This criterion could have been satisfied.

(g) Rear lot line. In the case of a triangular shaped lot, diamond shaped lot, or a trapezoidal lot which is narrowest at the rear and has a distance between the side lot lines at the rear of less than ten feet, the rear line for building setback purposes shall be assumed to be a line ten feet in length within the lot, parallel to and at the maximum distance from the front lot line. In the case of lots to which this provision applies, or others where the rear of the lot is narrower than ten feet, the planning administrator shall require that the rear building setback line be clearly noted on the final plat.

Proposed Finding: The rear lot line of Lot 1603 is approximately 181.13 feet wide, well above the minimum rear lot line standard. This criterion could have been satisfied.

(h) Curved front lines. When front lines are on a curve or arc, the front line distance shall be indicated on the final plat or map by bearing and chord distance.

Proposed Finding: The front line of the Lot 1603 is not on a curve or an arc. This criterion would not have been applicable.

(i) Suitability for intended use. All lots shall be suitable for the general purpose for which they are intended to be used. No lot shall be of such size or design as to be detrimental to the health, safety, or sanitary needs of the residents of the subdivision or partition or of such lot.

Proposed Finding: At the time of the 1603 Sale, the zoning for Lot 1603 was CO. The CO Zone allowed for a variety of uses including single family residential, which appears to have been the intended use for Lot 1603 at the time of the 1603 Sale. The dimensions of Lot 1603 would have been suitable for use as single family residential and under the applicable standards of the time, provided that the owner of Lot 1603 could have obtained an easement for access, sewer, and utilities across Lot 1600. This criterion would have been satisfied.

(j) Future subdivision or partition of lots. Where the subdivision or partition will result in a lot one-half acre or larger in size and which in the judgment of the planning administrator is likely to be further divided in the future, he may require that the location of lot lines and other details of layout be such that future division may readily be made without violating the requirements of this chapter and without interfering with orderly extension and

connection of adjacent streets. It is intended that the lot lines and other details of future subdivision or partition of a tract be advisory only, and shall not be final or binding on the applicant or the planning administrator unless the applicant makes further application therefor; however, any restriction of buildings within future street locations may be imposed by the planning administrator and he may require such restrictions to be set forth on the final plat or map.

Proposed Finding: Lot 1603 is approximately 0.41 acres in size. This criterion would not have been applicable.

(k) Building setback lines. Where topography, vegetation, or lot configuration dictate a different building envelope than that set by the Salem Zoning Code in order to properly develop the lot and site a building thereon, the planning administrator may require building setback lines to be shown on the plat or map without regard to the minimum setbacks specified in the Salem Zoning Code, and such setback lines shall be observed to the same extent as if required in the Salem Zoning Code.

Proposed Finding: Lot 1603 is a flat, vacant lot. There is nothing in the topography, vegetation, or lot configuration, other than the necessary access easement, that would have required adjustments to setbacks. At the time of the 1603 Sale, there were no existing or proposed buildings on Lot 1603, but residential development on parcels of this size is commonplace. The dimensions of Lot 1603 are 178.88 feet in width and 99.60 feet in length, and it is separated from Claxter Court NE by approximately 342.95 feet. Lot 1603 is of adequate length and depth that the development could have complied with the Community Development Standards set forth in Appendix 1, SRC Chapter 63. This criterion could have been satisfied.

Between the time of the 1603 Sale and the time of the 1600 Sale, the applicable lot standard criteria were amended and, therefore, the applicable lot standard criteria at the time of the 1600 Sale was SRC 63.033 (1992) and SRC 63.145 (1992) as well as SRC 150 (1990), which is restated in part below and attached to this application as ***Exhibit E***.

63.033. LOTS OR PARCELS NOT TO BE REDUCED BELOW MINIMUM. No lot or parcel of land held under separate ownership at the effective date of this ordinance, unless it was created as a lot of record prior to January 1, 1968, shall be separated in ownership or reduced in size below the minimum lot width or lot area required by the provisions of this code without a variance having been granted nor shall any lot or parcel of land held under separate ownership at the effective date of this ordinance, which has a width or an area less than required by this ordinance, be further reduced in any manner, without a variance having been granted.

63.145. LOT STANDARDS.

- (a) Width. Each lot shall have a minimum width between the side lines of not less than 40 feet or as otherwise allowed or required in the zoning district where it is located***
- (b) Depth. Each lot shall have an average depth between the front and rear lot lines of not less than 70 feet and not more than 300 percent of the average width between the side lot lines. Each double frontage lot shall have an average depth between the front and rear lot lines of not less than 120 feet unless a lesser depth is approved by the planning administrator where necessitated by unusual topographical or other physical conditions.***
- (c) Area. Each lot shall comprise a minimum of 4,000 square feet or as otherwise stipulated in the zoning district where it is located. If topography, drainage, vegetation, or other***

conditions justify, the planning administrator may require a greater or smaller area in any lot within a tentative plan.

- (d) Frontage.** *Unless otherwise stipulated in the zoning district where it is located, each lot shall have a minimum front lot Line width of at least 40 feet, except along cul-de-sac turnarounds and on the outside of curves having a radius of 200 feet or less and a direction change of 60 degrees or more. In the latter cases the minimum lot line fronting the curve shall be 30 feet provided that in no case shall the lot width be less than 40 feet at the front building setback line.*

Proposed Finding: Lot 1600 is approximately 197.34 feet wide and 342.95 feet deep, with an approximately 25.06-foot wide channel extending approximately 100.53 feet along the northern property line. Lot 1600 is approximately 70,197.03 square feet in size with 197.34 feet of frontage abutting Claxter Court NE. These criteria could have been satisfied.

- (e) Designated frontage.** *For corner lots the front lot line shall be that with the narrowest street frontage. For double frontage lots the front lot line shall be that having frontage on a street designated by the applicant, approved by the planning administrator and clearly noted on the final plat. For flag lots the line separating the building site of the lot from the lot between it and the street from which access is provided to the flag lot shall be deemed the front lot line for building setback purposes unless the planning administrator otherwise directs, in which case the building setback line so designated shall be clearly noted on the final plat.*

Proposed Finding: Lot 1600 is not a corner lot, a double frontage lot, or a flag lot for the purpose of this subsection. This criterion would not have been applicable.

- (f) Side lot lines.** *As far as is practicable, side lot lines shall run at right angles to the street upon which the lot faces, except that on curved streets they shall be radial to the curve.*

Proposed Finding: Lot 1600 abuts Claxter Court NE with the side lot lines running from the street at approximately right angles. This criterion could have been satisfied.

- (g) Rear lot line.** *In the case of a triangular shaped lot, diamond shaped lot, or a trapezoidal lot which is narrowest at the rear and has a distance between the side lot lines at the rear of less than ten feet, the rear line for building setback purposes shall be assumed to be a line ten feet in length within the lot, parallel to and at the maximum distance from the front lot line. In the case of lots to which this provision applies, or others where the rear of the lot is narrower than ten feet, the planning administrator shall require that the rear lot line be clearly noted on the final plat.*

Proposed Finding: Lot 1600 has an approximately 25.06-foot strip that runs along its northern property line. The building setbacks for the development of this lot would likely have been adjusted to establish that any building setbacks should be measured from the rear lot line that runs approximately 178.88 feet along the shared property line with Lot 1603. Due to the overall dimensions of Lot 1600, such setbacks would not have impacted the suitability of Lot 1603 for development. This criterion could have been satisfied.

- (h) Curved front lines.** *When front lines are on a curve or arc, the front line distance shall be indicated on the final plat or map by bearing and chord distance.*

Proposed Finding: Lot 1600 abuts Claxter Court NE and there is no curve or arc along the front line. This criterion would not have been applicable.

- (i) Suitability for intended use. All lots shall be suitable for the general purpose for which they are intended to be used. No lot shall be of such size or design as to be detrimental to the health, safety, or sanitary needs of the residents of the subdivision or partition or of such lot.**

Proposed Finding: At the time of the 1600 Sale the zoning for Lot 1600 was CO. The CO Zone allowed for a variety of uses, including single family residential which appears to have been the primary use for Lot 1600 at the time of the 1600 Sale. The dimensions of Lot 1600 were, and continue to be, suitable for use as single family residential and under the applicable standards of the time. This criterion could have been satisfied.

- (j) Future subdivision or partition of lots. Where the subdivision or partition will result in a lot one-half acre or larger in size and which in the judgment of the planning administrator is likely to be further divided in the future, he may require that the location of lot lines and other details of layout be such that future division may readily be made without violating the requirements of this chapter and without interfering with orderly extension and connection of adjacent streets. It is intended that the lot lines and other details of future subdivision or partition of a tract be advisory only, and shall not be final or binding on the applicant or the planning administrator unless the applicant makes further application therefor, however, any restriction of buildings within future street locations may be imposed by the planning administrator and he may require such restrictions to be set forth on the final plat or map.**

Proposed Finding: Lot 1600 is approximately 1.07 acres in size; however, there is no indication that the owner of Lot 1600 at the time of the 1600 Sale intended to further divide Lot 1600. Therefore, it is unlikely that the planning administrator would have established binding lot lines. If the planning administrator had established such restrictions, they would not have impacted the ability of Lot 1600 to meet the mandatory approval criteria. This criterion would not have been applicable.

- (k) Building setback lines. Where topography, vegetation, or lot configuration dictate a different building envelope than that set by the Salem Zoning Code in order to properly develop the lot and site a building thereon, where accessways without street frontage are allowed, or where needed right-of-way exceeds that required to be dedicated under SRC 63.235, the planning administrator may require building setback lines to be shown on the plat or map without regard to the minimum setbacks specified in the Salem Zoning Code, and such setback lines shall be observed to the same extent as if required in the Salem Zoning Code.**

150.070. LOT AREA AND DIMENSIONS.

Within a CO district:

- (a) Single family. The minimum lot area requirement for single family dwellings and single-family dwellings converted to duplexes is 4,000 square feet. Each such use shall be located on a lot having a minimum width of 40 feet and an average lot depth between the front and rear lot lines of not less than 70 feet and not more than 300 percent of the average width between the side lot lines.**

- (b) Lot area, other than residential. The minimum lot area requirement for duplexes not subject to subsection (a) of this section, and for multiple family residential uses shall be 5,000 square feet plus additional lot area computed as follows:**
- (1) For the first through fifth dwelling unit:**
 - (A) For each dwelling unit with one or less bedrooms - 750 square feet.**
 - (B) For each dwelling unit with two bedrooms - 1,000 square feet.**
 - (C) For each dwelling unit with three or more bedrooms - 1,200 square feet.**
 - (2) For the sixth dwelling unit and each succeeding dwelling unit, the following additional lot area shall be required:**
 - (A) For each dwelling unit with two or less bedrooms: One story - 1,250 square feet; two or more stories - 1,000 square feet.**
 - (B) For each dwelling unit with three or more bedrooms: 1,700 square feet.**
- (c) Lot area, nonresidential. The minimum lot area for all other uses except those specified in SRC 150.020(g) is 6,000 square feet unless otherwise specifically provided in this zoning code.**
- (d) Lot dimensions, duplex and multifamily. For those uses specified in subsection (b) of this section, the minimum lot depth requirement is 80 feet and the minimum lot width requirement is 40 feet, providing the minimum lot area is met.**
- (e) See SRC 130.260 for street frontage requirements.**

Proposed Finding: Lot 1600 is approximately 197.34 feet wide and 342.95 feet deep, with an approximately 25.06-foot wide channel extending approximately 100.53 feet along the northern property line. Lot 1600 is approximately 70,197.03 square feet in size with 197.34 feet of frontage abutting Claxter Court NE. These criteria could have been satisfied.

150.080. YARDS ADJACENT TO STREETS.

Within a CO district:

- (a) Along the full extent of each front lot line and lot line adjacent to a street there shall be a required yard one foot in depth for each one foot of building height, but in no event less than 12 but no more than 20 feet in depth required.**
- (b) Setbacks for accessory structures for dwelling units shall be as provided in SRC chapter 131. Setback requirements shall not apply to transit stop shelters.**
- (c) Setbacks for all accessory structures other than those noted in subsection (b) of this section shall be the same as for main buildings under this section.**
- (d) Parking areas shall have a minimum required yard adjacent to a street of 12 feet.**

Proposed Finding: The existing residential structures appear to have been in place at the time of the 1600 Sale and are setback approximately 41 feet from Claxter Court and 13 feet from the closest side property line. Parking is provided by attached residential garages. These criteria could have been satisfied.

150.090. INTERIOR SIDE AND REAR YARDS. Within a CO district:

- (a) Along the full extent of each side and rear lot line there shall be a required yard of the following depth:**
 - (1) Five feet for a building or structure not more than 35 feet in height; and**

- (2) *For building or structures exceeding 35 feet in height the minimum required interior side yard shall be five feet plus one foot for each one foot of additional height or fraction thereof, but need not exceed 20 feet in depth.*
- (b) *Notwithstanding the provisions of subsections (a) of this section, where a rear lot line is the boundary of an alley, a building or structure may be built with walls at the property line. Any building wall not contiguous with the property line shall be set back as provided in subsection (a) of this section.*
- (c) *Setbacks for accessory structures for dwelling units shall be as provided in SRC chapter 131.*
- (d) *Setbacks for all accessory structures other than those noted in subsection (b) of this section shall be the same as for main buildings under this section.*
- (e) *Driveways shall not be located within required side yards or rear yards, except those driveways that provide direct ingress or egress from or onto the street or alley. Those driveways that provide access to two or more uses and are located on a common lot line are exempt.*
- (f) *Parking spaces abutting an alley may use the alley as maneuvering area.*

Proposed Finding: The existing residential structures are approximately 78 feet from the rear property line and approximately 13 feet from the closest neighboring side property line. None of the structures have driveways located within the setbacks and there are no alleys located on or around Lot 1600. These criteria could have been satisfied.

150.100. LOT COVERAGE. *Within a CO district total lot coverage shall not exceed 60 percent.*

Proposed Finding: The residential structures on Lot 1600 are approximately 4,000 square feet in size, along with approximately 2,000 square feet of paved driveway space. As Lot 1600 is approximately 70,197.03 square feet, the coverage is approximately nine percent (9%) of the lot, well within the coverage maximum. This criterion could have been satisfied.

150.110. LANDSCAPING.

- (a) *All required yards in a CO district, except rear and side yards abutting an alley, shall be landscaped, and the following minimum landscaped area shall be provided for all residential uses:*
 - (1) *For each dwelling unit with one or less bedrooms - 300 square feet;*
 - (2) *For each dwelling unit with two bedrooms - 400 square feet;*
 - (3) *For each dwelling unit with three bedrooms - 500 square feet; and*
 - (4) *For each dwelling unit with more than three bedrooms - 500 square feet plus 100 square feet for each bedroom over the third in each unit.*
- (b) *Landscaping in required yards may be used to satisfy the requirements of subsection (a) of this section.*
- (c) *All required landscaping shall meet the requirements of SRC chapter 132.*

Proposed Finding: Lot 1600 is landscaped in a manner consistent with single family residential use, including the majority of Lot 1600 being covered in grass, shrubs, and various mature trees. As established above, the residential structures cover approximately 4,000 square feet of Lot 1600, along with approximately 2,000 square feet of paved driveway space. Lot 1600 is approximately 70,197.03 square feet meaning that approximately 64,197.03 square feet of Lot 1600 would have been available for landscaping at the time of the 1600 Sale. These criteria could have been satisfied.

(4) The plat complies with SRC 205.035 and ORS 92.

Proposed Finding: As a condition of approval, Applicant shall prepare and record a plat that complies with SRC 205.035 and ORS 92. As conditioned, this criterion could have been satisfied.

As outlined above, the Applicant has demonstrated that the lot satisfies the necessary approval criteria and Applicant respectfully requests the validation of the Sales that created the Lots as part of Applicant's consolidated land use application.

OK

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That.....MAIN MANAGEMENT COMPANY

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by PAUL T. FITZMAHER and MARSHA D. FITZMAHER, husband and wife, hereinafter called the grantee, does hereby grant, bargain, sell and convey unto the said grantee and grantee's heirs, successors, assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging and pertaining, situated in the County of Marion and State of Oregon, described as follows, to-wit:

Beginning at a point in the middle of the Pacific Highway that is 1.43 chains west and 13.02 chains South 31° 36' West from the Northwest corner of the Towner Savage Donation Land Claim in Township 7 South, Range 3 West of the Willamette Meridian in Marion County, State of Oregon; running thence North 63° 05' West 16.15 chains to an iron stake; thence South 18° 54' West 3.36 chains to an iron stake; thence South 64° 26' East 15.47 chains to the middle of the Pacific Highway; thence North 31° 36' East 2.99 chains to the place if beginning.

SAVE AND EXCEPT a parcel of land in Section 12, Township 7 South, Range 3 West, Marion County, Oregon, and being a portion of the following described property: Beginning at the Northwest corner of said property, said corner being on the center line of the original Pacific Highway East as said highway is referred to in said deed, said corner also being 1.43 chains (94.38 feet) West and 13.02 chains (859.32) South 31° 16' West from the Northwest corner of the Towner Savage Donation Land Claim in Township 7 South (continued)

Range 3 West of the Willamette Meridian; thence along the Northerly line of said property North 63° 05' West 107 feet; thence in a Southerly direction 199 feet, more or less, to the Southerly line of said property at a point which is 75 feet Westerly of (when measured along the Southerly line of said property) the center line of said Pacific Highway East; thence South 64° 26' East along said Southerly property line 75 feet to the center line of said Highway; thence Northerly along said center line to the point of beginning.

Save and Except utility easements, slope easements, access restrictions and that portion of property conveyed to State of Oregon by and through its State Highway Department.

EXHIBIT

A-1

tabblier

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever. And said grantor hereby covenants to and with said grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances

and that grantor will warrant and forever defend the said premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances. 12500

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 12500

However, the actual consideration consists of or includes other property or value given or promised which is the whole part of the consideration (indicate which). (The sentence between the symbols @, if not applicable, should be deleted. See ORS 93.030.)

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.

In Witness Whereof, the grantor has executed this instrument this 10th day of April, 1987; if a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto by order of its board of directors.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES

MAIN MANAGEMENT COMPANY

BY: [Signature]

STATE OF OREGON,)
County of MARION) ss.
April 10, 19 87 .

STATE OF OREGON, County of) ss.
Personally appeared , 19 .

and 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

Personally appeared the above named Emma Robbough on behalf of Main Management Company

and acknowledged the foregoing instrument to be his voluntary act and deed.

a corporation, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed.

(OFFICIAL SEAL)

Notary Public for Oregon

My commission expires: 2-27-91

Notary Public for Oregon

My commission expires:

(OFFICIAL SEAL)

(If executed by a corporation, affix corporate seal)

MAIN MANAGEMENT COMPANY

STATE OF OREGON,

GRANTOR'S NAME AND ADDRESS

FITZWATER, PAUL T. MARSHA D.

GRANTEE'S NAME AND ADDRESS

After recording return to:
PAUL T. & MARSHA D. FITZWATER
831 A W. Ellendale Avenue
Dallas, OR

NAME, ADDRESS, ZIP

Until a change is requested all tax statements shall be sent to the following address:
grantee at above address

NAME, ADDRESS, ZIP

STATE OF OREGON

County of Marion

I hereby certify that the within was received and duly recorded by me in Marion County records:

Fee \$ 1900

Hand Returned

By _____ Deputy

REEL PAGE
539 67

APR 15 8 34 AM '87

ALAN H. DAVIDSON
MARION COUNTY CLERK
BY [Signature] DEPUTY

EXHIBIT A-2



W.V.T. 12918

EXHIBIT B-1

KNOW ALL MEN BY THESE PRESENTS, That
 PAUL T. FITZWATER and MARSHA D. FITZWATER, Husband and Wife, Grantor s.
 in consideration of —FORTY THOUSAND SIX HUNDRED EIGHT AND NO/100— Dollars,
 to them paid by the Grantee herein, do hereby grant, bargain, sell and convey unto
R & R ENTERPRISES, a partnership consisting of
Robert R. Hawkins and Russell D. Hescock
 Grantee the following described real property, situate in the County of MARION
 and State of Oregon, to-wit:

See the attached Exhibit "A" for legal description which by reference is made a part hereof.

FR TAX ACCOUNT NO. 53976-000

To Have and to Hold the granted premises unto the said Grantee s. their Heirs and Assigns forever.
 And the Grantor s. do covenant that they are lawfully seized in fee simple of the above granted premises free from all encumbrances, EXCEPT: Utility easement conveyed to Portland General Electric Company by instrument recorded January 26, 1951, in Book 424, Page 526, Deed Records for Marion County, Oregon; The effect, if any, of instrument recorded April 29, 1982, in Reel 279, Page 162S, Film Records for Marion County, Oregon; 1988-89 real property taxes, a lien not-yet-payable;

and that they will and their heirs, executors and administrators, shall warrant and forever defend the granted premises, against the lawful claims and demands of all persons, except as above stated.

Witness our hand s. and seal s. this 6th day of July, 19 88.

Paul T. Fitzwater (SEAL)
Marsha D. Fitzwater (SEAL)
 Her H&W in fact (SEAL)

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.

STATE OF OREGON }
 County of MARION } ss.
 On this 6th day of July, 19 88,
 personally appeared the above named Paul T. Fitzwater
 and acknowledged the foregoing instrument to be his voluntary act and deed.
 Before me:
[Signature]
 Notary Public for Oregon
 My Commission Expires 2-27-91

STATE OF OREGON, County of _____) ss.
 _____, 19_____
 Personally appeared _____ and
 _____ 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 _____,
 a corporation,
 and that the seal affixed to the foregoing instrument is the
 corporate seal of said corporation and that said instrument was
 signed and sealed in behalf of said corporation by authority of its
 board of directors; and each of them acknowledged said
 instrument to be its voluntary act and deed.
 Before me:
 _____ (OFFICIAL SEAL)
 Notary Public for Oregon
 My commission expires: _____ (if executed by a corporation, affix corporate seal)

UNTIL A CHANGE IS REQUESTED, ALL TAX STATEMENTS SHALL BE SENT TO THE FOLLOWING ADDRESS:
R & R Enterprises
2525 Hyacinth Street, N.E.
Salem, Oregon, 97303
 Return to:
R & R Enterprises
2525 Hyacinth Street, N.E.
Salem, Oregon, 97303

STATE OF OREGON }
 County of _____ } ss.
 I certify that the within instrument was received for record on _____ at _____ o'clock _____ and was recorded in Book _____ Page _____ Record of Deeds of said county.
 _____ Recorder of Conveyances
 By _____ Deputy

JUL 8 1988

EXHIBIT "A"

Beginning at an iron pipe at the Northwest corner of that certain tract of land conveyed to R & R Enterprises by deed recorded in Reel 460, Page 494, Deed Records for Marion County, Oregon, said point of beginning is recorded as being 1533.00 feet South 38° 37' West, and 643.40 feet North 68° 37' West, and 491.15 feet North 21° 23' East from the Northwest corner of the Towner Savage Donation Land Claim in Township 7 South, Range 3 West of the Willamette Meridian, Marion County, Oregon; and running thence North 21° 30' East 190.92 feet to an iron rod which is 25 feet Southerly from, at right angles to, the Northerly line of that certain tract of land conveyed to Paul T. Fitzwater and wife by deed recorded in Reel 539, Page 67, Marion County Deed Records; thence South 60° 34' East, parallel with said Northerly line, 501.13 feet to an iron rod; thence South 34° 13' West 178.86 feet to an iron rod in the Southerly line of said Fitzwater Tract; thence North 61° 55' West, along said Southerly line, 460.00 feet to the point of beginning.

888 8 788

FORM No. 129—ACKNOWLEDGMENT BY ATTORNEY-IN-FACT.

STATE OF OREGON,

County of MARION } ss.

On this the 6th day of July, 1988, personally appeared Paul T. Fitzwater who, being duly sworn (or affirmed), did say that he is the attorney in fact for Marsha D. Fitzwater and that he executed the foregoing instrument by authority of and in behalf of said principal; and he acknowledged said instrument to be the act and deed of said principal.

Before me: [Signature]

(Official Seal)

My Commission Expires: 2-27-91

NOTARY PUBLIC FOR COUNTY AND STATE (Title of Officer)



JUL 8 1988

STATE OF OREGON

County of Marion

I hereby certify
that the within was
received and duly
recorded by me in
Marion County
records:

Fee \$ 16.00

Hand Returned

REEL PAGE
630 321

JUL 8 2 45 PM '88

ALAN H. DAVIDSON
MARION COUNTY CLERK

BY [Signature] DEPUTY

EXHIBIT B-2





THIS INDENTURE, Made this 6TH day of APRIL,
between DON THACKER, hereinafter called trustee, and
HOUSEHOLD FINANCE CORPORATION II,
hereinafter called the second party;

WITNESSETH:

RECITALS: PAUL T. FITZWATER AND MARSHA D. FITZWATER, AS TENANTS BY THE ENTIRETY, as grantor,
executed and delivered to AMERICAN PACIFIC TITLE, as trustee, for the
benefit of HOUSEHOLD FINANCE CORPORATION II

as beneficiary, a certain trust deed dated JUNE 09, 1989,
duly recorded on JUNE 14, 1989, in mortgage records of
MARTON county, Oregon, in book/reel/volume No. 696
at page 7, or as fee/file/instrument/microfilm No. ---.
In said trust deed the real property therein and hereinafter described was
conveyed by said grantor to said trustee to secure, among other things, the
performance of certain obligations of the grantor to the said beneficiary.
The said grantor thereafter defaulted in his performance of the obligations
secured by said trust deed as stated in the notice of default hereinafter
mentioned and such default still existed at the time of the sale
hereinafter described.

18-23024

By reason of said default, the owner and holder of the obligations
secured by said trust deed, being the beneficiary therein named, or his
successor in interest, declared all sums so secured immediately due and
owing; a notice of default, containing an election to sell the said real
property and to foreclose said trust deed by advertisement and sale to
satisfy grantors said obligations was recorded in the mortgage records of
said county on NOVEMBER 21, 1989, in book/reel/volume
No. 732 at page 195 thereof or as fee/file/instrument/microfilm
No. --- to which reference now is made.

After the recording of said notice of default, the undersigned trustee
gave notice of the time for and place of sale of said real property as
fixed by him and as required by law; copies of the Trustee's Notice of Sale
were served pursuant to ORCP 7D.(2) and 7D.(3) or mailed by both first
class and certified mail with return receipt requested, to the last-known
address of the persons or their legal representatives, if any, named in
subsections (1) and (2)(a) of Section 86.740 Oregon Revised Statutes, at
least 120 days before the date the property was sold, and the Trustee's
Notice of Sale was mailed by first class and certified mail with return
receipt requested, to the last-known address of the guardian, conservator
or administrator or executor of any person named in subsection (1) of ORS
86.740, promptly after the trustee received knowledge of the disability,
insanity or death of any such person; the Notice of Sale was served upon
occupants of the property described in the trust deed in the manner in
which a summons is served pursuant to ORCP 7D.(2) and 7D.(3) at least 120
days before the date the property was sold, pursuant to subsection (1) of
Section 86.750 Oregon Revised Statutes. If the foreclosure proceedings were
stayed and released from the stay, copies of an Amended Notice of Sale in
the form required by subsection (6) of Section 86.755 Oregon Revised
Statutes were mailed by registered or certified mail to the last-known
address of those persons listed in ORS 86.740 and 86.750(1) within 30 days
after the release from the stay. Further, the trustee published a copy of
said notice of sale in a newspaper of general circulation in each county in
which the said real property is situated, once a week for four successive
weeks; the last publication of said notice occurred more than twenty days
prior to the date of such sale. The mailing, service and publication of
said notice of sale are shown by one or more affidavits or proofs of
service duly recorded prior to the date of sale in the official records of
said county, said affidavits and proofs, together with the said notice of
default and election to sell and the trustee's notice of sale, being now
referred to and incorporated in and made a part of this trustee's deed as
fully as if set out herein verbatim. The undersigned trustee has no actual
notice of any person, other the persons named in said affidavits and proofs
as having of claiming a lien on or interest in said described real
property, entitled to notice pursuant subsections(1)(b) or (1)(c) of ORS
86.740.

(CONTINUED ON REVERSE)

Pursuant to said notice of sale, the undersigned trustee on APRIL 06, 1990, at the hour of 10:00 AM, of said day, Standard Time as established by ORS Section 187.110, and at the place so fixed for sale, as aforesaid, in full accordance with the laws of the State of Oregon and pursuant to the powers conferred upon him by said trust deed, sold said real property in one parcel at public auction to the said second party for the sum of \$112,535.65, he being the highest and best bidder at such sale.

GRANTOR'S NAME AND ADDRESS:
DON THACKER
The Logus Bldg., 529 SE Grand Ave.
Portland, OR 97214-2276

STATE OF OREGON
COUNTY OF MARION } ss.

GRANTEE'S NAME AND ADDRESS:
HOUSEHOLD FINANCE CORPORATION II
931 CORPORATE CENTER DRIVE
POMONA, CA 91769

I certify that the within instrument was received for record on the _____ day of _____, 19____, at _____ o'clock _____, and recorded in book/reel/volume No. _____ on page _____ or as fee/file/instrument/microfilm/reception No. _____, Record of Deed of said county.

AFTER RECORDING RETURN TO:
HOUSEHOLD FINANCE CORPORATION II
931 CORPORATE CENTER DRIVE
POMONA, CA 91769

Witness my hand and seal of County affixed.

SEND ALL TAX STATEMENTS TO:
HOUSEHOLD FINANCE CORPORATION II
931 CORPORATE CENTER DRIVE
POMONA, CA 91769

Name _____ Title _____

By _____ DEPUTY

NOW THEREFORE, in consideration of the said sum so paid by the second party in cash, the receipt whereof is acknowledged, and by the authority vested in said trustee by the laws of the State of Oregon and by said trust deed, the trustee does hereby convey unto the second party all interest which the grantor had or had the power to convey at the time of grantor's execution of said trust deed, together with any interest the said grantor or his successors in interest acquired after the execution of said trust deed in and to the following described real property, to-wit:

SEE ATTACHED EXHIBIT "A"

TO HAVE AND TO HOLD the same unto the second party, his heirs, successors-in-interest and assigns forever.

In construing this instrument and whenever the context so requires, the masculine gender includes the feminine and the neuter and singular includes the plural; the word "grantor" includes any successor in interest to the grantor as well as each and all other persons owing an obligation, the performance of which is secured by said trust deed; the word "trustee" includes any successor trustee, the word "beneficiary" includes any successor in interest of the beneficiary first named above, and the word "person" includes corporation and any other legal or commercial entity.

DATED: APRIL 06, 1990

DON THACKER OSBA #86341

(Successor Trustee)

By: *[Signature]*
90

6TH APRIL

DIRECT INQUIRES TO:
MARY A. BUCK
(206) 820-8000

STATE OF OREGON }
COUNTY OF MULTNOMAH } ss.

Neil T. Jorgenson for
DON THACKER

On this day personally appeared before me _____ to me known to be the individual described in and who executed the within and foregoing instrument; and acknowledged that he signed the same as his free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 6th day of April, 1990.

[Signature]
Notary Public in and for the State of
OREGON, residing at *[Address]*
My Commission Expires: 3-29-93

EXHIBIT 'A'

Beginning at a point in the middle of the Pacific Highway that is 1.43 chains West and 13.02 chains South 31°36' West from the Northwest corner of the Towners Savage Donation Land Claim in Township 7 South, Range 3 West of the Willamette Meridian in Marion County, State of Oregon; running thence North 63°05' West 16.15 chains to an iron stake; thence South 18°54' West 3.36 chains to an iron stake; thence South 64° 26' East 15.47 chains to the middle of the Pacific Highway; thence North 31°36' East 2.99 chains to the place of beginning.

SAVE AND EXCEPT a parcel of land deeded to the State Highway Department in Section 12, Township 7 South, Range 3 West, Marion County, Oregon, and being a portion of the following described property: Beginning at the Northwest corner of said property, said corner being on the center line of the original Pacific Highway East as said highway is referred to in said deed, said corner also being 1.43 chains (94.38 feet) West and 13.02 chains (859.32 feet) South 31°16' West from the Northwest corner of the Towners Savage Donation Land Claim in Township 7 South, Range 3 West of the Willamette Meridian, Marion County, Oregon; thence along the Northerly line of said property North 63°05' West 107 feet; thence in a Southerly direction 199 feet, more or less to the Southerly line of said property at a point which is 75 feet Westerly of (when measured along the Southerly line of said property) the center line of said Pacific Highway East; thence South 64°26' East along said Southerly property line 75 feet to the center line of said Highway; thence Northerly along said center line to the point of beginning.

ALSO SAVE AND EXCEPT: Beginning at an iron pipe at the Northwest corner of that certain tract of land conveyed to R & R Enterprises by deed recorded in Reel 460, page 494, Deed Records for Marion County, Oregon, said point of beginning is recorded as being 1531.00 feet South 38°37' West and 643.40 feet North 68°37' West, and 491.15 feet North 21°23' East from the Northwest corner of the Towners Savage Donation Land Claim in Township 7 South, Range 3 West of the Willamette Meridian, Marion County, Oregon; and running thence North 21°30' East 190.92 feet to an iron rod which is 25 feet Southerly from, at right angles to, the Northerly line of that certain tract of land conveyed to Paul T. Fitzwater and wife by deed recorded in Reel 539, page 67, Marion County Deed Records; thence South 60°34' East, parallel with said Northerly line, 501.13 feet to an iron rod; thence South 34° 13' West 178.86 feet to an iron rod in the Southerly line of said Fitzwater tract; thence North 61°55' West, along said Southerly line, 460.00 feet to the point of beginning.

STATE OF OREGON

County of Marion

REEL PAGE
761 420

I hereby certify that
the within was received
and duly recorded by
me in Marion County
records:

APR 11 11 21 AM '90

Fee \$ 4500
Hand Returned

ALAN H. DAVIDSON
MARION COUNTY CLERK
BY [Signature] DEPUTY

EXHIBIT C-2



COMMUNITY DEVELOPMENT STANDARDS

63.110. Repealed. (Ord No. 5111;Ord No. 55-74;Ord No. 184-79)

63.115. SUBDIVISION AND PARTITION NAMES. No tentative plan of a subdivision or partition shall be approved which bears a name using a word which is the same as, similar to, or pronounced the same as a word in the name of any other subdivision in the Salem Urban Growth Boundary, except for the words "town," "city," "place," "court," "addition," "acres," "heights," "villa," or similar words, unless the land so divided is contiguous to the subdivision or partition bearing the same name and is divided by the same person that divided the earlier subdivision or partition; or unless the proposed subdivision or partition is thus contiguous, and the applicant files and records the consent of the party that divided the earlier subdivision or partition bearing the same name. All plats and maps must continue the block numbers of the plat or map of the same name last filed. (Ord No. 55-74;Ord No. 184-79)

63.120. Repealed. (Ord No. 5111;Ord No. 55-74;Ord No. 129-79;Ord No. 184-79)

63.125. Repealed. (Ord No. 55-74;Ord No. 184-79)

63.130. Repealed. (Ord No. 5111;Ord No. 55-74)

63.135. BLOCK STANDARDS. Block lengths and widths shall be determined by the distance and alignment of existing blocks and streets adjacent to or in the general vicinity of a proposed subdivision, and by topography, adequate lot size, need for and direction of flow of through and local traffic. Blocks shall not exceed 1,200 feet between street lines unless the adjacent layout or special conditions justify greater length. Except where topographical or other physical features dictate otherwise, block widths shall be not less than 120 feet and not more than 400 feet. (Ord No. 184-79)

63.140. Repealed. (Ord No. 5111;Ord No. 121-66;Ord No. 55-74;Ord No. 129-79)

63.145. LOT STANDARDS. (a) Width. Each lot shall have an average width between the side lines of not less than 60 feet or as otherwise allowed or required in the zoning district where it is located.

(b) Depth. Each lot shall have an average depth between the front and rear lot lines of not less than 80 feet and not more than 250 percent of the average width between the side lot lines. Each double frontage lot shall have an average depth between the front and rear lot lines of not less than 120 feet unless a lesser depth is approved by the planning administrator where necessitated by unusual topographical or other physical conditions.

(c) Area. Each lot shall comprise a minimum

of 6,000 square feet or as otherwise stipulated in the zoning district where it is located. If topography, drainage, vegetation, or other conditions justify, the planning administrator may require a greater or smaller area in any lot within a tentative plan.

(d) Frontage. Unless otherwise stipulated in the zoning district where it is located, each lot shall have a minimum front lot line width of at least 60 feet, except along cul-de-sac turnarounds and on the outside of curves having a radius of 200 feet or less and a direction change of 60 degrees or more. In the latter cases the minimum lot line fronting the curve shall be 40 feet provided that in no case shall the lot width be less than 60 feet at the front building setback line.

(e) Designated frontage. For corner lots the front lot line shall be that with the narrowest street frontage. For double frontage lots the front lot line shall be that having frontage on a street designated by the applicant, approved by the planning administrator and clearly noted on the final plat. For flag lots the line separating the building site of the lot from the lot between it and the street from which access is provided to the flag lot shall be deemed the front lot line for building setback purposes unless the planning administrator otherwise directs, in which case the building setback line so designated shall be clearly noted on the final plat.

(f) Side lot lines. As far as is practicable, side lot lines shall run at right angles to the street upon which the lot faces, except that on curved streets they shall be radial to the curve.

(g) Rear lot line. In the case of a triangular shaped lot, diamond shaped lot, or a trapezoidal lot which is narrowest at the rear and has a distance between the side lot lines at the rear of less than ten feet, the rear line for building setback purposes shall be assumed to be a line ten feet in length within the lot, parallel to and at the maximum distance from the front lot line. In the case of lots to which this provision applies, or others where the rear of the lot is narrower than ten feet, the planning administrator shall require that the rear building setback line be clearly noted on the final plat.

(h) Curved front lines. When front lines are on a curve or arc, the front line distance shall be indicated on the final plat or map by bearing and chord distance.

(i) Suitability for intended use. All lots shall be suitable for the general purpose for which they are intended to be used. No lot shall be of such size or design as to be detrimental to the health, safety, or sanitary needs of the residents of the subdivision or partition or of such lot.

(j) Future subdivision or partition of lots. Where the subdivision or partition will result in a lot one-half acre or larger in size and which in the judgment of the planning administrator is likely to be further divided in the future, he may require that the location of lot lines and other details of layout be such that future division may readily be made without violating the

COMMUNITY DEVELOPMENT STANDARDS

requirements of this chapter and without interfering with orderly extension and connection of adjacent streets. It is intended that the lot lines and other details of future subdivision or partition of a tract be advisory only, and shall not be final or binding on the applicant or the planning administrator unless the applicant makes further application therefor; however, any restriction of buildings within future street locations may be imposed by the planning administrator and he may require such restrictions to be set forth on the final plat or map.

(k) Building setback lines. Where topography, vegetation, or lot configuration dictate a different building envelope than that set by the Salem Zoning Code in order to properly develop the lot and site a building thereon, the planning administrator may require building setback lines to be shown on the plat or map without regard to the minimum setbacks specified in the Salem Zoning Code, and such setback lines shall be observed to the same extent as if required in the Salem Zoning Code.

(l) The provisions of subsections (a) through (g) and of subsection (k) of this section do not apply to subdivisions designated for increased residential density pursuant to SRC chapter 122. (Ord No. 184-79; Ord No. 41-81; Ord No. 171.82; Ord No. 186-82)

63.146. LOT SIZE IN IP ZONE. No lot in an IPC district shall be created unless the commission or council in reviewing a subdivision or partitioning finds that:

(a) A need for the small size lot exists as part of an overall development plan for the campus industrial park;

(b) The configuration of the lot does not require the creation of other smaller lots as the only way to develop the remaining property within the industrial park;

(c) The small lot, given the need identified in subsection (a) of this section, is complementary and compatible to other uses within the industrial park; and

(d) The small lot does not preclude expansion of existing industries. (Ord No. 186-82)

63.150. Repealed. (Ord No. 5111; Ord No. 55-74; Ord No. 184-79)

63.155. EXCEPTIONS TO LOT STANDARDS. (a) Subdivisions and partitions developed as a unit. The planning administrator may authorize the relaxation of lot size and frontage requirements as set forth in SRC 63.145 where the applicant presents a plan satisfactory to the planning administrator whereby the entire subdivision or partition will be designed and developed with provisions for proper maintenance of recreation facilities and open space which will be commonly available for use of the residents of the subdivision or partition, and which the planning administrator determines

will be of such benefit to said residents as is equal to that which would be derived from observance of the size and frontage requirements otherwise specified, and will not violate the purpose set forth in SRC 63.020.

(b) Land zoned for commercial or industrial use. The planning administrator may authorize relaxation of the lot size, dimension, and frontage requirements as set forth in SRC 63.145 in the case of land rezoned for commercial or industrial use, where such relaxation is necessary on consideration of the suitability of the land for such use, and will not violate the purpose set forth in SRC 63.030.

(c) Lot retained for future subdivision or partition. The planning administrator may waive frontage requirements where, in his judgment, a lot should and will be retained by the applicant and future subdivision or partition of such lot will be the highest and best use thereof, and such use will be best protected by the creation of a reserve block separating such lot from any street.

(d) Flag lots. The planning administrator may allow flag lots under any of the standards set forth in SRC 63.285 or 63.295, as applicable. (Ord No. 184-79; Ord No. 22-80)

63.160. Repealed. (Ord No. 5111; Ord No. 55-74; Ord No. 184-79)

63.165. PUBLIC EASEMENTS. (a) Public easements for the construction and maintenance of all utilities and public facilities shall be dedicated along lot lines, as the planning administrator may require for the width necessary to provide and maintain adequate utility service to each lot. Such width shall be a minimum of 10 feet unless a larger width shall be required by the planning administrator, and such easements, wherever possible shall be centered on or bordering a lot line. In the case of zero lot line development as allowed in the zoning district where the lot is located, the planning administrator may require easements along every other side lot line.

(b) Ten-foot-wide public improvement and maintenance easements for all storm drains shall be provided along the centerlines of such facilities. Public improvement and maintenance easements for creeks and other watercourses shall be provided and shall extend 15 feet in each direction from the waterway centerline or ten feet from the top of a recognizable bank, whichever is greater, except that this provision shall not apply to the Willamette River. Such easements shall be of a width sufficient to allow both initial improvements and future maintenance operations. Larger widths may be required by the planning administrator.

(c) The easements required by this section shall, in scope of activity permitted thereunder, be restricted to the minimum necessary to accomplish the purpose of the easement. Easements for utility mains or lines shall be held to prohibit the placement of any building on or over the easement, but shall not preclude

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requirements of this chapter for the subdivision or partitioning of land.

(nn) "Walkway" means a right-of-way deeded, dedicated, and designated for the use of nonmotorized vehicles and pedestrians. (Ord No. 5150; Ord No. 5111; Ord No. 58-69; Ord No. 55-74; Ord No. 77-78; Ord No. 129-79; Ord No. 184-79; Ord No. 22-80; Ord No. 186-82; Ord No. 57-84; Ord No. 69-84; Ord No. 23-85; Ord No. 62-86; Ord No. 107-86; Ord No. 14-92; Ord No. 28-92)

63.032. APPROVAL REQUIRED BEFORE SUBDIVIDING OR PARTITIONING LAND. It shall be unlawful for any person to subdivide, partition, or create a road or street for the purpose of partitioning or subdividing any area or tract of land without first obtaining approval therefor as provided in this chapter. (Ord No. 55-74; Ord No. 77-78; Ord No. 184-79)

63.033. LOTS OR PARCELS NOT TO BE REDUCED BELOW MINIMUM. No lot or parcel of land held under separate ownership at the effective date of this ordinance, unless it was created as a lot of record prior to January 1, 1968, shall be separated in ownership or reduced in size below the minimum lot width or lot area required by the provisions of this code without a variance having been granted nor shall any lot or parcel of land held under separate ownership at the effective date of this ordinance, which has a width or an area less than required by this ordinance, be further reduced in any manner, without a variance having been granted. (Ord No. 57-84; Ord No. 24-85)

63.034 through 63.036. Repealed. (Ord No. 55-74; Ord No. 184-79)

63.037. LOT OR YARD AREAS NOT TO BE SEPARATED FROM THE LOT CONTAINING THE BUILDING. No portion of a lot necessary to provide the required area per dwelling unit shall be separated in ownership from the portion of the lot on which the building containing dwelling units is located. No required yard or other space around an existing building shall be separated in ownership from the portion of the lot upon which the building is located. (Ord No. 57-84)

63.038. TENTATIVE PLAN OF A PARTITION. Whenever it is proposed to create a partition, the applicant shall file with the planning administrator one reproducible copy and one clear and legible copy of the tentative plan on sheets not less than 11 inches by 17 inches and no more than 24 inches by 36 inches in size. Except as may be exempted by the planning administrator, tentative plans shall be drawn to scale and shall include or be accompanied by the following information and data:

(a) A completed application form provided by the planning administrator.

(b) The filing fee required pursuant to SRC 63.041.

(c) A title block in the lower right-hand corner

of each sheet of the tentative plan showing:

(1) The scale of the drawing;

(2) The date of the drawing;

(3) The township, range, and section in which the property lies;

(4) The names and addresses of the property owner, partitioner and engineer, surveyor, or other individual responsible for laying out the partition.

(d) A vicinity map which extends at least 800 feet in each direction from the proposed partition. The vicinity map shall be drawn to a scale of one inch equals 800 feet, and shall show the following:

(1) The location of the partition;

(2) Existing and tentatively approved streets and alleys within 800 feet of the partition as shown on maps available through the planning administrator;

(3) Zoning designations within and adjacent to the partition;

(4) All property lines within 800 feet of the partition as shown on maps available through the planning administrator;

(5) All streams and public facilities such as schools and parks within 800 feet of the partition;

(6) Any other pertinent information that will assist in locating the partition.

(e) A detailed plan or map of the proposed partition, drawn to a scale of one inch equals 50 feet or larger, and clearly showing the following:

(1) North arrow;

(2) The location, names, and right-of-way widths of all streets and alleys abutting the partition;

(3) The location and proposed improved (paved) width of all driveways and accessways within the partition;

(4) Lot layout with approximate dimensions of all lot lines and square feet contained in each lot.

(5) The dimensions between buildings on site and proposed property lines.

(6) The use and approximate location of all buildings within 14 feet of the boundaries of the proposed partition.

(7) The location and disposition of any wells, creeks, drainage courses, drainageways, septic tanks, drainfields, and easements in the partition.

(8) The location, names, and right-of-way widths of all proposed streets within the proposed partition.

(9) Such additional information as the planning administrator deems necessary. If an application or tentative plan is incomplete or if the administrator requires additional information, the planning administrator shall notify the applicant in writing of exactly what information is missing and why it is required, within four city working days of receipt of the application and allow the applicant to submit the missing information. The application shall be deemed complete upon receipt by the planning administrator of the missing information. If the applicant fails to submit the missing information, the application shall be deemed complete on the 31st day after the planning administrator received the application. (Ord No. 184-79; Ord No. 108-82; Ord No. 57-84; Ord No. 87-87; Ord No. 28-92)

63.039. PARTITIONS IN AREAS UNSERVED

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63.055. Repealed. (Ord No. 55-74;Ord No. 184-79)

63.060. PROCESSING AND RECORDING OF FINAL PLAT. (a) In the case of a subdivision or partition the planning administrator shall obtain on the approved subdivision plat the signature of the city surveyor, whose signature shall certify that the platting laws of this state and the requirements of this Code have been complied with, and notify the applicant that the final plat has been approved and may be offered for record.

(b) In the case of an approved partition the applicant shall record the approved plat, which shall be stamped and certified by a registered land surveyor, that all property corners have been monumented in the field with the recording officer and surveyor of the county in which the partition is located. Such recording shall occur within 60 days of final approval of the application. No building permits for development of any of the lots in the partition shall be issued until the plat is so recorded. Should the applicant fail to record a partition plat within 60 days of final approval, such approval shall be deemed null and void.

(c) Within 20 days after the recording of a subdivision, the owner or his representative shall furnish the planning administrator 10 full scale prints of the recorded plat.

(d) Except as provided in subsection (e) of this section, a final plat of a proposed subdivision and a plat of a partition shall be recorded by the first day of the seventh month following the date of final approval. If the plat is not filed within such time period it shall not be recorded, but shall be returned to the planning administrator who may require changes or alterations which he deems necessary because of changed conditions within the general area of the subdivision or partition.

(e) Upon application of the subdivider of a subdivision, the planning administrator in his discretion may waive the time period set forth in subsection (d) of this section and permit the final plat to be recorded in phases within whatever extended time limitations he deems proper. (Ord No. 5111;Ord No. 55-74;Ord No. 77-78;Ord No. 184-79;Ord No. 93-81;Ord No. 108-82; Ord No. 1-91; Ord No. 28-92)

63.065. PARTITIONS WHICH MUST BE PROCESSED AS SUBDIVISIONS. When it appears to the planning administrator, commission, or council that the area of a proposed partition is to be ultimately divided into four or more lots or parcels, the provisions of this chapter pertaining to subdivisions shall apply. (Ord No. 184-79)

63.070 through 63.090. Repealed. (Ord No. 5111;Ord No. 55-74;Ord No. 77-78;Ord No. 184-79)

63.100. Repealed. (Ord No. 5111;Ord No. 55-74)

63.110. Repealed (Ord No. 5111;Ord No. 55-74;Ord No. 184-79)

63.115. SUBDIVISION AND PARTITION NAMES. No tentative plan of a subdivision or partition shall be approved which bears a name using a word which is the same as, similar to, or pronounced the same as a word in the name of any other subdivision in the Salem Urban Growth Boundary, except for the words "town," "city," "place," "court," "addition," "acres," "heights," "villa," or similar words, unless the land so divided is contiguous to the subdivision or partition bearing the same name and is divided by the same person that divided the earlier subdivision or partition; or unless the proposed subdivision or partition is thus contiguous, and the applicant files and records the consent of the party that divided the earlier subdivision or partition bearing the same name. All plats must continue the block numbers of the plat of the same name last filed. (Ord No. 55-74;Ord No. 184-79; Ord No. 1-91)

63.120. Repealed. (Ord No. 5111;Ord No. 55-74;Ord No. 129-79;Ord No. 184-79)

63.125. Repealed. (Ord No. 55-74;Ord No. 184-79)

63.130. Repealed. (Ord No. 5111;Ord No. 55-74)

63.135. BLOCK STANDARDS. Block lengths and widths shall be determined by the distance and alignment of existing blocks and streets adjacent to or in the general vicinity of a proposed subdivision, and by topography, adequate lot size, need for and direction of flow of through and local traffic. Blocks shall not exceed 1,200 feet between street lines unless the adjacent layout or special conditions justify greater length. Except where topographical or other physical features dictate otherwise, block widths shall be not less than 120 feet and not more than 400 feet. (Ord No. 184-79)

63.140. Repealed. (Ord No. 5111;Ord No. 121-66;Ord No. 55-74;Ord No. 129-79)

63.145. LOT STANDARDS. (a) Width. Each lot shall have a minimum width between the side lines of not less than 40 feet or as otherwise allowed or required in the zoning district where it is located.

(b) Depth. Each lot shall have an average depth between the front and rear lot lines of not less than 70 feet and not more than 300 percent of the average width between the side lot lines. Each double frontage lot shall have an average depth between the front and rear lot lines of not less than 120 feet unless a lesser depth is approved by the planning administrator where necessitated by unusual topographical or other physical conditions.

(c) Area. Each lot shall comprise a minimum of 4,000 square feet or as otherwise stipulated in the zoning district where it is located. If topography, drainage, vegetation, or other conditions justify, the planning administrator may require a greater or smaller area in any lot within a tentative plan.

(d) Frontage. Unless otherwise stipulated in the

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zoning district where it is located, each lot shall have a minimum front lot line width of at least 40 feet, except along cul-de-sac turnarounds and on the outside of curves having a radius of 200 feet or less and a direction change of 60 degrees or more. In the latter cases the minimum lot line fronting the curve shall be 30 feet provided that in no case shall the lot width be less than 40 feet at the front building setback line.

(e) Designated frontage. For corner lots the front lot line shall be that with the narrowest street frontage. For double frontage lots the front lot line shall be that having frontage on a street designated by the applicant, approved by the planning administrator and clearly noted on the final plat. For flag lots the line separating the building site of the lot from the lot between it and the street from which access is provided to the flag lot shall be deemed the front lot line for building setback purposes unless the planning administrator otherwise directs, in which case the building setback line so designated shall be clearly noted on the final plat.

(f) Side lot lines. As far as is practicable, side lot lines shall run at right angles to the street upon which the lot faces, except that on curved streets they shall be radial to the curve.

(g) Rear lot line. In the case of a triangular shaped lot, diamond shaped lot, or a trapezoidal lot which is narrowest at the rear and has a distance between the side lot lines at the rear of less than ten feet, the rear line for building setback purposes shall be assumed to be a line ten feet in length within the lot, parallel to and at the maximum distance from the front lot line. In the case of lots to which this provision applies, or others where the rear of the lot is narrower than ten feet, the planning administrator shall require that the rear lot line be clearly noted on the final plat.

(h) Curved front lines. When front lines are on a curve or arc, the front line distance shall be indicated on the final plat or map by bearing and chord distance.

(i) Suitability for intended use. All lots shall be suitable for the general purpose for which they are intended to be used. No lot shall be of such size or design as to be detrimental to the health, safety, or sanitary needs of the residents of the subdivision or partition or of such lot.

(j) Future subdivision or partition of lots. Where the subdivision or partition will result in a lot one-half acre or larger in size and which in the judgment of the planning administrator is likely to be further divided in the future, he may require that the location of lot lines and other details of layout be such that future division may readily be made without violating the requirements of this chapter and without interfering with orderly extension and connection of adjacent streets. It is intended that the lot lines and other details of future subdivision or partition of a tract be advisory only, and shall not be final or binding on the applicant or the planning administrator unless the applicant makes further application therefor, however, any restriction of buildings within future street locations may be imposed by the

planning administrator and he may require such restrictions to be set forth on the final plat or map.

(k) Building setback lines. Where topography, vegetation, or lot configuration dictate a different building envelope than that set by the Salem Zoning Code in order to properly develop the lot and site a building thereon, where accessways without street frontage are allowed, or where needed right-of-way exceeds that required to be dedicated under SRC 63.235, the planning administrator may require building setback lines to be shown on the plat or map without regard to the minimum setbacks specified in the Salem Zoning Code, and such setback lines shall be observed to the same extent as if required in the Salem Zoning Code. (Ord No. 184-79; Ord No. 41-81; Ord No. 171-82; Ord No. 186-82; Ord No. 57-84; Ord No. 87-87; Ord No. 28-92)

63.146. LOT SIZE IN IBC ZONE. (a) No lot in an IBC district shall be created unless the planning administrator or council in reviewing a subdivision or partitioning finds that:

(1) The configuration of the lot does not require the creation of other smaller lots as the only way to develop the remaining property within the industrial business campus;

(2) The lot is complementary and compatible to other uses within the industrial business campus;

(3) The lot does not preclude expansion of existing industries; and

(b) No IBC district over 20 acres in area shall be subdivided or partitioned without the approval of a master plan for the entire district; such master plan shall show:

(1) Existing utility services and streets;

(2) Proposed utility services and streets; and

(3) Proposed lot lines for partitioning or subdivision. (Ord No. 186-82; Ord No. 68-83; Ord No. 57-84; Ord No. 24-85)

63.150. Repealed. (Ord No. 5111; Ord No. 55-74; Ord No. 184-79)

63.155. EXCEPTIONS TO LOT STANDARDS.

(a) Subdivisions and partitions developed as a unit. The planning administrator may authorize the relaxation of lot size and frontage requirements as set forth in SRC 63.145 where the applicant presents a plan satisfactory to the planning administrator whereby the entire subdivision or partition will be designed and developed with provisions for proper maintenance of recreation facilities and open space which will be commonly available for use of the residents of the subdivision or partition, and which the planning administrator determines will be of such benefit to said residents as is equal to that which would be derived from observance of the size and frontage requirements otherwise specified, and will not violate the purpose set forth in SRC 63.020.

(b) Land zoned for commercial or industrial use. The planning administrator may authorize relaxation of the lot size, dimension, and frontage requirements as set forth in SRC 63.145 in the case of land rezoned for commercial or industrial use, where such

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CO-COMMERCIAL OFFICE

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150.010. CLASSIFICATION OF USES. Most permitted, special, and conditional uses are classified with reference to the Standard Industrial Classification (SIC) Manual. (See SRC 113.090.) Numbers in parenthesis following a use designation indicate that the use is listed and described under that number in the SIC. Where particular activities otherwise included under an SIC category are excluded from the permitted, special, or conditional use, those particular activities are listed, preceded by the words "BUT EXCLUDING" following the more general category from which they are excluded. Particular activities thus excluded may or may not be listed in other sections of this chapter.

150.020. PERMITTED USES. The following uses, when developed under the general development standards in this zoning code applicable to the CO district and to all such uses, generally, are permitted in the CO district:

- (a) **Residential:**
 - (1) One single family dwelling or duplex, other than a mobile home, per lot;
 - (2) Unlimited number of dwelling units and guest rooms in apartment houses, court apartments, condominiums, and hotels; room and board facilities serving five or fewer persons;
 - (3) One dwelling unit for each business use on the lot;
 - (4) Residential care (836), except homeless shelters serving more than five persons;
- (b) **Agriculture and forestry:**
 - (1) Agricultural production - crops (01);
 - (2) Retail sales area for agricultural products, provided that the sales area is no greater than 1,000 square feet; that one off-street parking space for each 200 square feet of sales area is provided in addition to all other applicable parking requirements; that the retail use is conducted only between dawn and sunset and only for a continuous period of no more than seven months per calendar year beginning no earlier than April 1; and that any sign erected in connection with the retail use complies with the Salem Sign Code and is not in any way artificially illuminated or electrically operated;
 - (3) Landscape counselling and planning (0781);
 - (4) Timber tracts (081);
 - (5) Forestry services (085);
- (c) **Transportation services:**
 - (1) Arrangement of passenger transportation (4722);
- (d) **Retail trade:**
 - (1) News dealers and newsstands (5994).
- (e) **Finance, insurance, and real estate:**
 - (1) Banking (60);
 - (2) Credit agencies other than banks (61);
 - (3) Security and commodity brokers, dealers, exchanges and services (62);
 - (4) Insurance (63);

- (5) Insurance agents, brokers and service (64);
- (6) Real estate (65);
- (7) Combination of real estate, insurance, loans, law offices (66); and
- (8) Holding, and other investment companies (67).
- (f) **Services:**
 - (1) Bed and breakfast establishments;
 - (2) Photographic Studio Portrait (7221);
 - (3) Beauty shop (723);
 - (4) Barber Shop (724);
 - (5) Funeral service and crematories (726);
 - (6) Consumer credit reporting agencies, mercantile reporting agencies, and adjustment and collection agencies (732);
 - (7) Direct mail advertising services (7331);
 - (8) Stenographic services; and reproduction services, not elsewhere classified (7339);
 - (9) News syndicates (735);
 - (10) Personnel supply services (736);
 - (11) Computer and data processing services (737);
 - (12) Management, consulting, and public relations (7392);
 - (13) Detective agencies and protective services (7393);
 - (14) Commercial testing laboratories (7397);
 - (15) Business services, not elsewhere classified - where not more than 20 percent of the gross floor area is devoted to retail sales or display (7399);
 - (16) Parking lot when developed as prescribed in SRC chapter 133 (7523);
 - (17) Offices of physicians (801);
 - (18) Offices of dentists (802);
 - (19) Offices of osteopathic physicians (803);
 - (20) Offices of other health practitioners (804);
 - (21) Medical and dental laboratories (807);
 - (22) Outpatient care facilities (808);
 - (23) Legal Services (81);
 - (24) Correspondence schools and vocational schools (824);
 - (25) Schools and educational services, not elsewhere classified (829);
 - (26) Individual and family services (832);
 - (27) Social services, not elsewhere classified (839);
 - (28) Business associations (861);
 - (29) Professional membership organizations (862);
 - (30) Labor unions and similar labor organizations (863);
 - (31) Civic, social, and fraternal organizations (864);
 - (32) Political organizations (865);
 - (33) Miscellaneous services (89);
 - (34) Child day care services (835).
- (g) **Public administration:**
 - (1) Executive offices (911);
 - (2) Executive and legislative combined (913);
 - (3) Fire protection (9224);

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(4) Finance, taxation, and monetary policy (93);

(5) Administration of human resources programs (94);

(6) Administration of environmental quality and housing programs (95);

(7) Administration of economic programs (96);

(8) National security and international affairs (97).

(b) Other uses:

(1) Community or neighborhood clubs;

(2) Swimming pools, whether or not open to the public for a fee;

(3) Playgrounds, parks;

(4) Public buildings and structures, such as libraries, fire stations;

(5) Right-of-way for electric service lines, gas mains, communications and CATV lines, water lines, sewer lines; and

(6) Public utility structures and buildings such as pump stations, reservoirs, radiomicrowave relay stations, telephone substations, and electric substations.

(7) Transit stop shelters.

(i) Accessory uses and structures;

(1) Customary residential accessory buildings and structures for

private use of the property and its occupants;

(2) A garage or parking area serving the main building or use;

(3) Storage for commercial vehicles used in connection with any use listed in subsections (d) to (f) of this section, or kept by the occupant of a dwelling unit with a maximum of one commercial vehicle per dwelling unit;

(4) Sleeping quarters for domestic employees of the resident of the main building;

(5) Guest houses and guest quarters not in the main building provided such houses and quarters are and remain dependent upon the main building for either kitchen or bathroom facilities or both, and the guest facilities are used for temporary lodging and not as a place of residence;

(6) Home occupations; and

(7) The taking of boarders or leasing of rooms by a resident family, providing the total number of boarders and roomers does not exceed two in any dwelling unit.

(8) Eating places (5812) in buildings devoted principally to uses otherwise permitted as main uses under SRC 150.020 to 150.040; provided that the entrance to the eating place is within the building and not directly from the outside, that the only sign advertising the eating place visible from outside the building is a non-illuminated window or wall sign not more than two square feet in area, and that not more than 25 percent of the floor area of a one story building and not more than 50 percent of the floor area of a building over one story is occupied by the eating place. (Ord No. 6-84;Ord No. 146-84;Ord No. 127-85;Ord No. 59-87;Ord No. 17-88;Ord No. 13-90)

150.030. SPECIAL USES. (a) The following uses, when restricted, developed and conducted as required in SRC chapter 119, are permitted in the CO district:

(1) Veterinary services for animal specialties (0742);

(2) Public golf courses (7992); and Membership sports and recreation clubs (7997) having golf courses;

(3) Nursing and personal care facilities (805);

(4) Religious organizations (866);

(5) Boat and recreational vehicle storage area;

(6) Zero side yard dwellings.

(7) Orthopedic and artificial limb offices - retail (5999)

(b) In lieu of establishing any use listed in subsection (a) of this section as a special use under SRC chapter 119, the developer may elect to apply for conditional use approval pursuant to SRC chapter 117. See SRC 119.010. (Ord No. 65-86;Ord No. 100-86;Ord No. 17-88)

150.040. CONDITIONAL USES. The following uses, with conditional use approval as provided in SRC chapter 117 or 118, as applicable, are permitted in the CO district:

(a) Those uses listed in SRC 150.030, at the developer's option, as provided in subsection (b) of that section.

(b) Farm labor and management services (076).

(c) Crude petroleum and natural gas extraction (131).

(d) Telephone communication (wire or radio) (481).

(e) Telegraph communication (wire or radio) (482).

(f) Radio and Television Broadcasting (483).

(g) Electric services (491).

(h) Gas production and distribution (492).

(i) Water supply (494).

(j) Historically or architecturally significant buildings as specific conditional uses under SRC chapter 118.

(k) Homeless shelters and room and board facilities serving 6 to 75 persons. (Ord No. 57-85;Ord No. 17-88;Ord No. 13-90)

150.050. PROHIBITED USES. Within any CO district, no building, structure, or land shall be used, erected, structurally altered, or enlarged for any use not permitted under SRC 150.020 to 150.040, except as provided in SRC 113.090(c).

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150.060. HEIGHT. Within a CO district:

(a) Dwellings. Dwellings and court apartments erected, altered, or enlarged shall not exceed 35 feet in height.

(b) Multifamily. Apartment houses and lodging houses erected, altered, or enlarged shall

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not exceed 50 feet in height.

(c) **Other uses.** All other buildings and structures erected, altered, or enlarged may be built to a height of 70 feet. (Ord No. 65-86)

150.070. LOT AREA AND DIMENSIONS. Within a CO district:

(a) **Single family.** The minimum lot area requirement for single family dwellings and single family dwellings converted to duplexes is 4,000 square feet. Each such use shall be located on a lot having a minimum width of 40 feet and an average lot depth between the front and rear lot lines of not less than 70 feet and not more than 300 percent of the average width between the side lot lines.

(b) **Lot area, other residential.** The minimum lot area requirement for duplexes not subject to subsection (a) of this section, and for multiple family residential uses shall be 5,000 square feet plus additional lot area computed as follows:

(1) For the first through fifth dwelling unit:

(A) For each dwelling unit with one or less bedrooms - 750 square feet.

(B) For each dwelling unit with two bedrooms - 1,000 square feet.

(C) For each dwelling unit with three or more bedrooms - 1,200 square feet.

(2) For the sixth dwelling unit and each succeeding dwelling unit, the following additional lot area shall be required:

(A) For each dwelling unit with two or less bedrooms: One story -

1,250 square feet; two or more stories - 1,000 square feet.

(B) For each dwelling unit with three or more bedrooms: 1,700 square feet.

(c) **Lot area, nonresidential.** The minimum lot area for all other uses except those specified in SRC 150.020(g) is 6,000 square feet unless otherwise specifically provided in this zoning code.

(d) **Lot dimensions, duplex and multifamily.** For those uses specified in subsection (b) of this section, the minimum lot depth requirement is 80 feet and the minimum lot width requirement is 40 feet, providing the minimum lot area is met.

(e) See SRC 130.260 for street frontage requirements.

150.080. YARDS ADJACENT TO STREETS. Within a CO district:

(a) Along the full extent of each front lot line and lot line adjacent to a street there shall be a required yard one foot in depth for each one foot of building height, but in no event less than 12 but no more than 20 feet in depth required.

(b) Setbacks for accessory structures for dwelling units shall be as provided in SRC chapter 131. Setback requirements shall not apply to transit stop shelters.

(c) Setbacks for all accessory structures other than those noted in subsection (b) of this section shall be the same as for main buildings under this

section.

(d) Parking areas shall have a minimum required yard adjacent to a street of 12 feet. (Ord No. 65-86; Ord No. 114-86; Ord No. 59-87)

150.090. INTERIOR SIDE AND REAR YARDS. Within a CO district:

(a) Along the full extent of each side and rear lot line there shall be a required yard of the following depth:

(1) Five feet for a building or structure not more than 35 feet in height; and

(2) For buildings or structures exceeding 35 feet in height the minimum required interior side yard shall be five feet plus one foot for each one foot of additional height or fraction thereof, but need not exceed 20 feet in depth.

(b) Notwithstanding the provisions of subsections (a) of this section, where a rear lot line is the boundary of an alley, a building or structure may be built with walls at the property line. Any building wall not contiguous with the property line shall be set back as provided in subsection (a) of this section.

(c) Setbacks for accessory structures for dwelling units shall be as provided in SRC chapter 131.

(d) Setbacks for all accessory structures other than those noted in subsection (b) of this section shall be the same as for main buildings under this section.

(e) Driveways shall not be located within required side yards or rear yards, except those driveways that provide direct ingress or egress from or onto the street or alley. Those driveways that provide access to two or more uses and are located on a common lot line are exempt.

(f) Parking spaces abutting an alley may use the alley as maneuvering area. (Ord No. 65-86; Ord No. 116-87)

150.100. LOT COVERAGE. Within a CO district total lot coverage shall not exceed 60 percent.

150.110. **LANDSCAPING.** (a) All required yards in a CO district, except rear and side yards abutting an alley, shall be landscaped, and the following minimum landscaped area shall be provided for all residential uses:

(1) For each dwelling unit with one or less bedrooms - 300 square feet;

(2) For each dwelling unit with two bedrooms - 400 square feet;

(3) For each dwelling unit with three bedrooms - 500 square feet; and

(4) For each dwelling unit with more than three bedrooms - 500 square feet plus 100 square feet for each bedroom over the third in each unit.

(b) Landscaping in required yards may be used to satisfy the requirements of subsection (a) of this section.

(c) All required landscaping shall meet the

ZONING

requirements of SRC chapter 132. (Ord No. 127-85)

150.120. OPEN STORAGE AREA. Within a CO district outdoor storage of materials and equipment is prohibited except in conjunction with residential uses where the storage is screened from adjacent streets and properties by a sight-obscuring fence, wall, or hedge.

150.130. through 150.890. Reserved for Expansion.

150.900. REFERENCE TO ADDITIONAL STANDARDS. Additional or alternative use and development standards may be found in the following chapters:

Home Occupations	SRC Chapter 124
Lot Development Standards	SRC Chapter 130
Accessory Structures	SRC Chapter 131
Landscaping	SRC Chapter 132
Off-street Parking, Loading, and Driveways	SRC Chapter 133
Flood Plain Overlay Zones	SRC Chapter 140
Willamette Greenway Overlay Zones	SRC Chapter 141

City of Salem – Land Use Application - Page 2
Pre Application Number - PRE-AP18-92 / 18-117138-PA
Address 4265 and 4285 Claxter Court NE Salem OR 97301

Addition to Site Plan Narrative

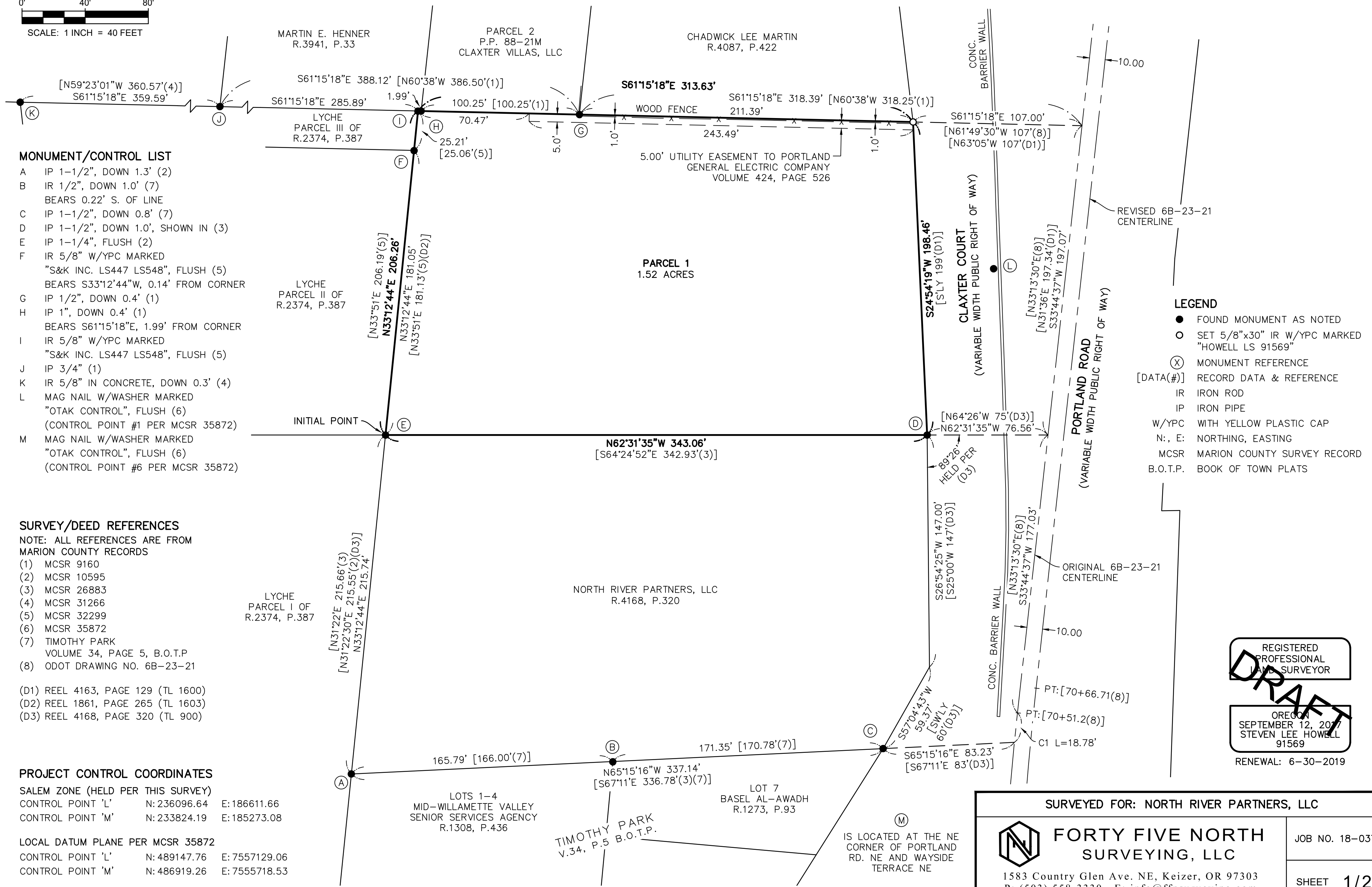
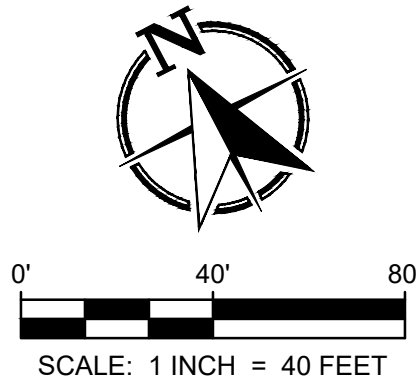
Proposed Condition 1: Prior to obtaining building permits, the applicant shall obtain approval for a Property Boundary Verification to establish the necessary outside property boundary for the proposed development.

PARTITION PLAT NO. _____

IN THE NE 1/4 OF SECTION 12, T.7S., R.3W., W.M.
CITY OF SALEM, MARION COUNTY, OREGON

DATE: MARCH 28, 2019

CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	CH. BEARING	CH. LEN.
C1	18.78'	1909.86'	00°33'49"	S33°27'43"W	18.78'



- MONUMENT/CONTROL LIST**
- A IP 1-1/2", DOWN 1.3' (2)
 - B IR 1/2", DOWN 1.0' (7)
BEARS 0.22' S. OF LINE
 - C IP 1-1/2", DOWN 0.8' (7)
 - D IP 1-1/2", DOWN 1.0', SHOWN IN (3)
 - E IP 1-1/4", FLUSH (2)
 - F IR 5/8" W/YPC MARKED
"S&K INC. LS447 LS548", FLUSH (5)
BEARS S33°12'44"W, 0.14' FROM CORNER
 - G IP 1/2", DOWN 0.4' (1)
 - H IP 1", DOWN 0.4' (1)
BEARS S61°15'18"E, 1.99' FROM CORNER
 - I IR 5/8" W/YPC MARKED
"S&K INC. LS447 LS548", FLUSH (5)
 - J IP 3/4" (1)
 - K IR 5/8" IN CONCRETE, DOWN 0.3' (4)
 - L MAG NAIL W/WASHER MARKED
"OTAK CONTROL", FLUSH (6)
(CONTROL POINT #1 PER MCSR 35872)
 - M MAG NAIL W/WASHER MARKED
"OTAK CONTROL", FLUSH (6)
(CONTROL POINT #6 PER MCSR 35872)

- SURVEY/DEED REFERENCES**
- NOTE: ALL REFERENCES ARE FROM MARION COUNTY RECORDS
- (1) MCSR 9160
 - (2) MCSR 10595
 - (3) MCSR 26883
 - (4) MCSR 31266
 - (5) MCSR 32299
 - (6) MCSR 35872
 - (7) TIMOTHY PARK
VOLUME 34, PAGE 5, B.O.T.P
 - (8) ODOT DRAWING NO. 6B-23-21

- PROJECT CONTROL COORDINATES**
- SALEM ZONE (HELD PER THIS SURVEY)
- CONTROL POINT 'L' N: 236096.64 E: 186611.66
CONTROL POINT 'M' N: 233824.19 E: 185273.08
- LOCAL DATUM PLANE PER MCSR 35872
- CONTROL POINT 'L' N: 489147.76 E: 7557129.06
CONTROL POINT 'M' N: 486919.26 E: 7555718.53

- LEGEND**
- FOUND MONUMENT AS NOTED
 - SET 5/8"x30" IR W/YPC MARKED "HOWELL LS 91569"
 - ⊗ MONUMENT REFERENCE
 - [DATA(#)] RECORD DATA & REFERENCE
 - IR IRON ROD
 - IP IRON PIPE
 - W/YPC WITH YELLOW PLASTIC CAP
 - N:, E: NORTHING, EASTING
 - MCSR MARION COUNTY SURVEY RECORD
 - B.O.T.P. BOOK OF TOWN PLATS

REGISTERED PROFESSIONAL LAND SURVEYOR

DRAFT

OREGON
SEPTEMBER 12, 2007
STEVEN LEE HOWELL
91569

RENEWAL: 6-30-2019

SURVEYED FOR: NORTH RIVER PARTNERS, LLC

FORTY FIVE NORTH SURVEYING, LLC

1583 Country Glen Ave. NE, Keizer, OR 97303
P: (503) 558-3330 E: info@ffnsurveying.com

JOB NO. 18-037

SHEET 1/2

PARTITION PLAT NO. _____

IN THE NE 1/4 OF SECTION 12, T.7S., R.3W., W.M.
CITY OF SALEM, MARION COUNTY, OREGON

DATE: MARCH 28, 2019

APPROVAL AND ACCEPTANCE OF DEDICATION

CITY PLANNING ADMINISTRATOR
XXXX CASE NO. XXXX

DATE

APPROVALS

CITY OF SALEM SURVEYOR

DATE

MARION COUNTY ASSESSOR

DATE

TAXES AND ASSESSMENTS ON THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE, AS PROVIDED BY ORS 92.095, HAVE BEEN PAID IN FULL THROUGH _____

MARION COUNTY TAX COLLECTOR

DATE

STATE OF OREGON }
COUNTY OF MARION } SS

I DO HEREBY CERTIFY THAT THE ATTACHED PARTITION PLAT NO. _____ WAS RECEIVED FOR RECORDING ON THE _____ DAY OF _____, 20____, AT _____ O'CLOCK _____ M., AND RECORDED IN THE BOOK OF PARTITION PLATS. IT IS FURTHER RECORDED IN MARION COUNTY DEED RECORDS IN REEL _____ AT PAGE _____.

BILL BURGESS, MARION COUNTY CLERK

BY: _____
DEPUTY COUNTY CLERK

DECLARATION

KNOW ALL MEN BY THESE PRESENTS THAT NORTH RIVER PARTNERS, LLC IS THE OWNER OF THE LAND DESCRIBED IN THE SURVEYOR'S CERTIFICATE HEREON, AND HAS CAUSED THIS PARTITION PLAT TO BE PREPARED AND THE LAND TO BE PARTITIONED INTO ONE PARCEL AS SHOWN, IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 92 OF THE OREGON REVISED STATUTES.

RANDY FULTZ, MEMBER
NORTH RIVER PARTNERS, LLC

ACKNOWLEDGEMENT

STATE OF OREGON }
COUNTY OF _____ } SS

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON _____ BY RANDY FULTZ, MEMBER, NORTH RIVER PARTNERS, LLC

NOTARY SIGNATURE

NOTARY PUBLIC – OREGON (PRINTED)

COMMISSION NO. _____

MY COMMISSION EXPIRES: _____

NOTES

- 1) PARCEL 1 IS SUBJECT TO A 5.00 FOOT UTILITY EASEMENT TO PORTLAND GENERAL ELECTRIC COMPANY PER VOLUME 424, PAGE 526, MARION COUNTY DEED RECORDS, ALONG THE NORTH LINE AS SHOWN.

NARRATIVE

THE PURPOSE OF THIS SURVEY IS TO PARTITION THAT TRACT OF LAND CONVEYED TO NORTH RIVER PARTNERS, LLC BY REEL 4163, PAGE 129, MARION COUNTY DEED RECORDS, AND REEL XXXX, PAGE XXXX, MARION COUNTY DEED RECORDS, INTO ONE PARCEL PER CITY OF SALEM XXXX CASE NO. XXX.

FOR MY BASIS OF BEARINGS, I HELD THE OREGON COORDINATE REFERENCE SYSTEM "SALEM ZONE", NAD83(2011), EPOCH 2010.00.

THE "ORIGINAL 6B-23-21" AND "REVISED 6B-23-21" CENTERLINES WERE ESTABLISHED BY HOLDING THE "CALCULATED POINTS" NOTED ALONG SAID CENTERLINES PER MCSR 35872, ALONG WITH RECORD GEOMETRY. PROJECT CONTROL POINTS 'L' AND 'M' (OTAK CONTROL POINTS 6 & 1 PER MCSR 35872) WERE HELD FOR HORIZONTAL LOCATION WHEN PLACING THE CALCULATED CENTERLINES.

THE NORTH LINE WAS ESTABLISHED BY HOLDING A LINE THROUGH MONUMENTS 'G' AND 'K'.

THE EAST LINE WAS ESTABLISHED BY HOLDING A DEED DISTANCE OF 107.00 FEET FROM THE "ORIGINAL 6B-23-21" CENTERLINE, AS MEASURED ALONG SAID NORTH LINE, AND MONUMENT 'D'.

THE SOUTH LINE WAS ESTABLISHED BY HOLDING MONUMENTS 'D' AND 'E'.

THE WEST LINE WAS ESTABLISHED BY HOLDING MONUMENTS 'E' AND 'I'.

SURVEYOR'S CERTIFICATE

I, STEVEN L. HOWELL, HEREBY CERTIFY THAT I HAVE SURVEYED AND MARKED WITH PROPER MONUMENTS THE LANDS REPRESENTED ON THE ATTACHED PARTITION PLAT, IN THE NORTHEAST ONE-QUARTER OF SECTION 12, TOWNSHIP 7 SOUTH, RANGE 3 WEST OF THE WILLAMETTE MERIDIAN, CITY OF SALEM, MARION COUNTY, OREGON, THE BOUNDARIES OF WHICH BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INITIAL POINT, BEING A FOUND 1-1/4" IRON PIPE AT THE NORTHWEST CORNER OF THAT PROPERTY CONVEYED TO NORTH RIVER PARTNERS, LLC BY REEL 4168, PAGE 320, MARION COUNTY DEED RECORDS, BEING ALSO ON THE EAST LINE OF THAT PROPERTY CONVEYED TO LYCHE BY REEL 2374, PAGE 387, MARION COUNTY DEED RECORDS; THENCE, ALONG THE EAST LINE OF SAID LYCHE PROPERTY, NORTH 33°12'44" EAST, 206.26 FEET TO THE SOUTH LINE OF THAT PROPERTY CONVEYED TO HENNER BY REEL 3941, PAGE 33, MARION COUNTY DEED RECORDS; THENCE, ALONG THE SOUTH LINE OF SAID HENNER PROPERTY, THE SOUTH LINE OF PARTITION PLAT 88-21M, MARION COUNTY PLAT RECORDS, AND THE SOUTH LINE OF THAT PROPERTY CONVEYED TO MARTIN BY REEL 4087, PAGE 422, MARION COUNTY DEED RECORDS, SOUTH 61°15'18" EAST, 313.63 FEET TO THE WEST RIGHT OF WAY LINE OF CLAXTER COURT; THENCE, ALONG SAID WEST RIGHT OF WAY LINE, SOUTH 24°54'19" WEST, 198.46 FEET TO THE NORTH LINE OF SAID NORTH RIVER PARTNERS PROPERTY; THENCE, ALONG LAST SAID NORTH LINE, NORTH 62°31'35" WEST, 343.06 FEET TO THE INITIAL POINT.

CONTAINING 66,254 SQUARE FEET OR 1.52 ACRES, MORE OR LESS.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
SEPTEMBER 12, 2017
STEVEN LEE HOWELL
91569

RENEWAL: 6-30-2019

SURVEYED FOR: NORTH RIVER PARTNERS, LLC	
 FORTY FIVE NORTH SURVEYING, LLC	JOB NO. 18-037
1583 Country Glen Ave. NE, Keizer, OR 97303 P: (503) 558-3330 E: info@ffnsurveying.com	SHEET 2/2