

TO: HEARINGS OFFICER

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

SUBJECT: VALIDATION OF UNITS OF LAND CASE 18-04
197 RAINIER DRIVE SE
AMANDA NO. 18-124790-LD

REQUEST

A proposal to validate one land area that was created through a sale by deed in 1985.

The request is to establish lawfully a land area created in 1985, consisting of tax lots 1201 and 1400 together, which by deed relocated a property line and consolidated the land areas. The sale effectively divided the parent parcel and consolidated several units of land without a land use approval. The applicant is requesting to validate property known as Marion County Tax Assessors number 083W16DB /1201 together with 083W16DB /1400; also known as 197 Rainier Drive SE. The land area is approximately 7.7 acres in size, zoned RA (Residential Agriculture), and located at the 197 Rainier Drive SE (Marion County Assessor Map and Tax Lot Numbers: 083W16DB /1201 together with 083W16DB /1400).

OWNER: Don James for City Gleanns, LLC

AGENT: Mark Ferris for Project Delivery Group, LLC

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 one unit of land that was created through sale rather than through an approved subdivision or partition plat process, for property zoned RA (Residential Agriculture) and located at the 197 Rainier Drive SE.

BACKGROUND/PROPOSAL

The proposal involves a unit of land, Tax Lot 1201, which was unlawfully created through a deed sale in 1984 (Reel 362, Page 1332) and Tax Lot 1400, when it was consolidated with Tax Lot 1201 in 1985 (Reel 396, Page 184). In 1985, Tax Lots 1201 and 1400 were sold, together, by a sales contract. Because the division and consolidation of the property into a new unit of land did not receive land use approval for a partition or property line adjustment, the individual unit of land as 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.

Tax Lots 1201 and 1400 should not have been sold as a separate unit of land because it is not currently a legal lot. The validation of unit of land process provided in SRC 205.060 provides a method to correct this error. On December 21, 2018 Project Delivery Group on behalf of the property owner, City Gleanns, LLC, filed a request to validate an existing unit of land that was created through sale rather than through an approved subdivision or partition plat process, for property zoned RA (Residential Agriculture) and located at 197 Rainier Drive SE.

The application was deemed complete for processing on December 31, 2018. Notice of the public hearing was mailed January 24, 2019. Notice was also posted on the subject property by the applicant's representative pursuant to SRC requirements. The state-mandated 120-day deadline to issue a final local decision in this case is April 30, 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, 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 "Residential Agriculture" 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 outside of the Urban Service Area.

2. Zoning and Surrounding Land Use

The subject property is zoned RA (Residential Agriculture). The property subject to the validation request, Tax Lot 1201 and 1400, are currently vacant. The surrounding properties are zoned and used as follows:

North: RS (Single Family Residential); Residential Subdivision

South: Across Rainier Drive SE; RS (Single Family Residential); Residential Subdivision

East: RS (Single Family Residential); Residential Subdivision

West: RA (Residential Agriculture); Vacant

3. Existing Site Conditions

The subject property (Tax Lot 1201 and 1400 together) is mostly rectangular. Rainer Drive SE, a local street, provides access to the subject property along the south of Mt Rushmore Street SE, a local street, along the east. The subject property has been previously approved for a tentative subdivision to create 35 residential lots.

The overall subject property is sloping, varying in elevation from approximately 578 feet in elevation near the northwest corner to approximately 618 feet in elevation at the southeast corner.

4. Neighborhood and Citizen Comments

The subject property is located within the boundaries of South Gateway Neighborhood Association (SGNA). Notification was sent to the neighborhood associations and surrounding property owners within 250 feet of the property on January 24, 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 SGNA.

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.
 - 1) Plat Submittal: Require project surveyor to submit his or her Partition Plat to the City Surveyor for review as per ORS 672.005(2)(g)&(h), ORS 672.007(2)(b), ORS 672.045(2), ORS 672.060(4), OAR 820-020-0015(4)&(10), OAR 820-020-0020(2) and OAR 820-020-0045(5).
 - 2) Final Plat Application: Provide preliminary plat information to Development Services staff as outlined in the City of Salem Land Surveys and Plats webpage. Once the application has been deemed complete, complete the Final Plat Application.
 - 3) Pre-Plat Review Meeting: Please request a Pre-Plat Review Meeting between the City Surveyor and the applicant's project surveyor to ensure compliance with comments (1) and (2) as described above.
 - 4) ORS and SRC: 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 ORS and 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 for this land division.

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 were received at the time the report was prepared.

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 February of 2007. The land area was under Marion County jurisdiction at the time of creation (1985). The applicant has provided the Marion County Code for the Residential Agriculture (RA) zone. The original parcel of land consisted of Tax Lots 1000, 1100, 1300, 1200, and 1201 separately from Tax Lot 1400. The unit of land subject to the validation request was created in 1985, after a previous land division by deed and then ultimately consolidation of Tax Lots 1201 and 1400, together, through a deed recorded selling of the subject property. Therefore, the land area of Tax Lots 1201 and 1400 was not a lawfully established unit 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: It appears that TL 1201 and 1400 were described together first in 1985.

Finding: Staff concurs with the applicant's written statement. The subject unit of land, which includes Tax Lot 1201 and 1400, together, was not created solely to establish a separate tax account, and was not created by gift or any other method that is not considered a sale. The applicant has provided a copy of the recorded deed (R 396, P184) creating the subject unit of land through sale as evidence that this criterion is met.

¹ Notwithstanding criterion SRC 205.060(d)(3), the Hearings Officer may approve an application to validate a unit of land that was unlawfully created prior to January 1, 2007, if approval was issued for a permit to allow the construction or placement of a dwelling or other building on the unit of land after the sale. No approval has been issued for such construction on Tax Lot 1200.

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.

Finding: The subject property was entirely zoned RA (Residential Agriculture) under Marion County jurisdiction, when the land area was created by deed. The applicant provided the 1985 Marion County Code Chapter 129, RA Zone, which were in effect when the land area was created. The development standards of the RA zone had a minimum 6,000 square foot lot size, and 60-foot width dimension requirement. The land area has more than 60-feet in width, and more than 6,000 square foot square footage. The Marion County RA Zone in effect when the deed was recorded in 1985 could have allowed the parcel as a lawful parcel through a land use determination decision. 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

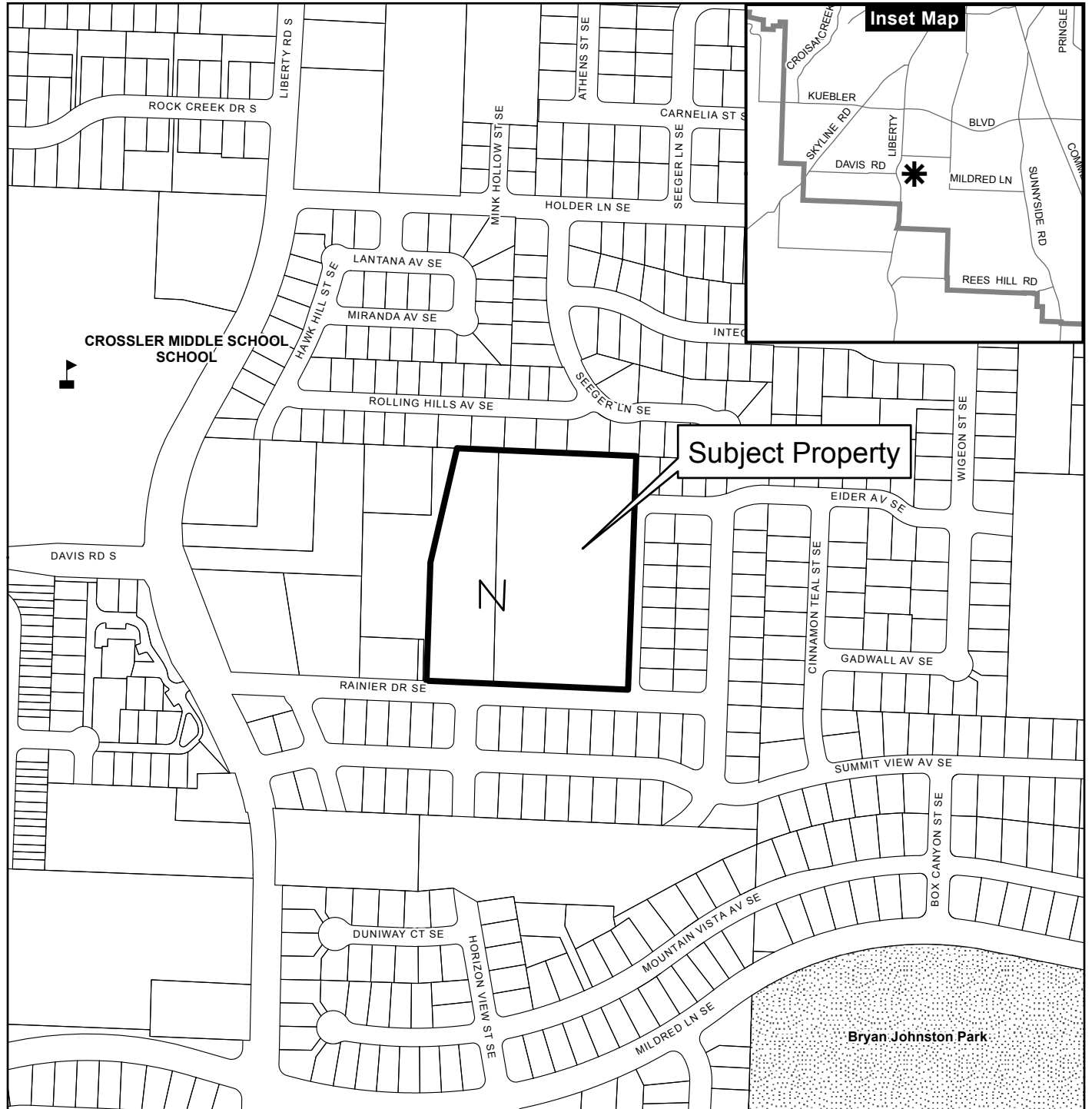
Based on the application and information presented in the staff report, staff recommends that the Hearings Officer adopt the Facts and Findings of the staff report and APPROVE the request to validate one unit of land that was created through sale rather than through an approved subdivision or partition plat process, for property zoned RA (Residential Agriculture) and located at 197 Rainier Drive SE (Marion County Assessor Map and Tax Lot Numbers: 083W16DB /1201 together with 083W16DB /1400).

Prepared by Olivia Glantz, Planner III








Application Deemed Complete Date: December 31, 2018
State Mandated Decision Date: April 30, 2019

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

Vicinity Map 197 Rainier Drive SE



Legend

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



0 100 200 400 Feet



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RAINIER RIDGE LOT VALIDATION - NARRATIVE

OVERVIEW

In 2017, the City of Salem (City) reviewed and granted approval for the subdivision of tax lots 083W16DB 1201 and 1400 into a 36-lot single-family subdivision entitled Rainier Ridge (City Subdivision Case No.17-03), with a notice of decision date of May 12, 2017. At that time, there was no indication from the City that any portion of the two existing tax lots were improperly created. In December 2018, during the City's review and approval process for the plat of the subdivision, City staff determined that tax lot 1201 had been created and sold as a part of a larger parcel by deed without going through the City's formal land-use review and approval process. As such, the City considers tax lot 1201 to have been created "illegally". The map below illustrates the tax lot in question.

To correct this issue, and prior to the City approving the final plat for recording, the City is requiring the owner/developer of Rainier Ridge to go through a "lot validation" process whereby the owner/developer needs to prepare and submit a formal application for the lot validation which will be processed as a Type III application which is reviewed by City staff and heard by the City's Hearing Officer. This narrative addresses the criterion for lot validation as described in the City's Regulatory Code (SRC), Section 205.060 "Validation of a Unit of Land".



Marion County Assessor's Map

PROCESS:

The Lot Validation is a Type III process which requires submittal of an application that addresses the following criterion in the City of Salem Development Code – Section 205.060 – “Validation of a Unit of Land.” Correspondence with the Marion County Planning Department has indicated that their land-use ordinance has been in effect since 1961 so the City of Salem’s code applies to these parcels. The applicability and submittal requirements are outlined below:

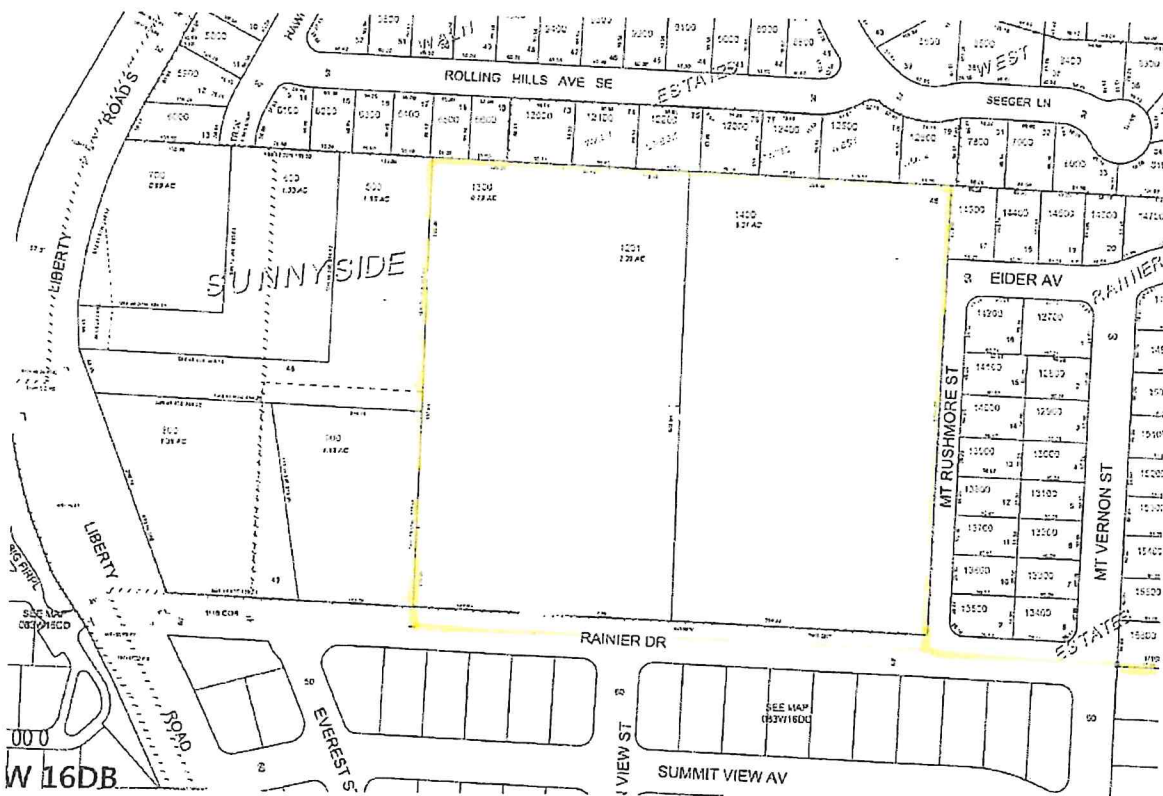
Sec. 205.060. - Validation of Unit of Land.

- (a) **Applicability:** The purpose of this section is to provide a process whereby a unit of land unlawfully created may be lawfully established. This section shall only be used to validate units of land created before January 1, 2007. For purposes of this section:
 - (1) A unit of land is unlawfully created if the unit of land was created through a sale that did not comply with the criteria applicable to the creation of the unit of land at the time of sale; and
 - (2) A unit of land does not include a unit of land created solely to establish a separate tax account, a unit of land created by gift, or a unit of land created through any other method that is not considered a sale.
- (b) **Procedure type:** A validation of a unit of land is processed as a Type III procedure under SRC chapter 300.
- (c) **Submittal requirement:** In addition to the submittal requirements for a Type III application under SRC chapter 300, an application for the validation of a unit of land shall include the following information:
 - (1) The recorded deed or land sales contract that created the unit of land;
 - (2) A copy of the land division and zoning regulations applicable to the property at the time in which the unit of land was created; and
 - (3) A plat prepared in accordance with SRC 205.035 and ORS 92.
- (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;
 - (2) The unit of land was created through sale by deed or land sales contract executed and recorded before January 1, 2007;
 - (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
 - (4) The plat complies with SRC 205.035 and ORS 92.

- (e) **Exception:** Notwithstanding subsection (d)(3) of this section, the Review Authority may approve an application to validate a unit of land that was unlawfully created prior to January 1, 2007, if approval was issued for a permit to allow the construction or placement of a dwelling or other building on the unit of land after the sale.
- (f) **Expiration / Recording:**
 - (1) The validation of a unit of land shall expire as provided under SRC 300.850 unless the plat of the validated unit of land is recorded with the applicable county.
 - (2) A copy of the recorded plat shall be provided to the Director within 30 days of the date of recording with the county.
- (g) **Effect of Validation of Unit of Land:** Development or improvement of a unit of land validated pursuant to this section must comply with all applicable requirements of the UDC in effect at the time a complete application for development or improvement of the unit of land is submitted.

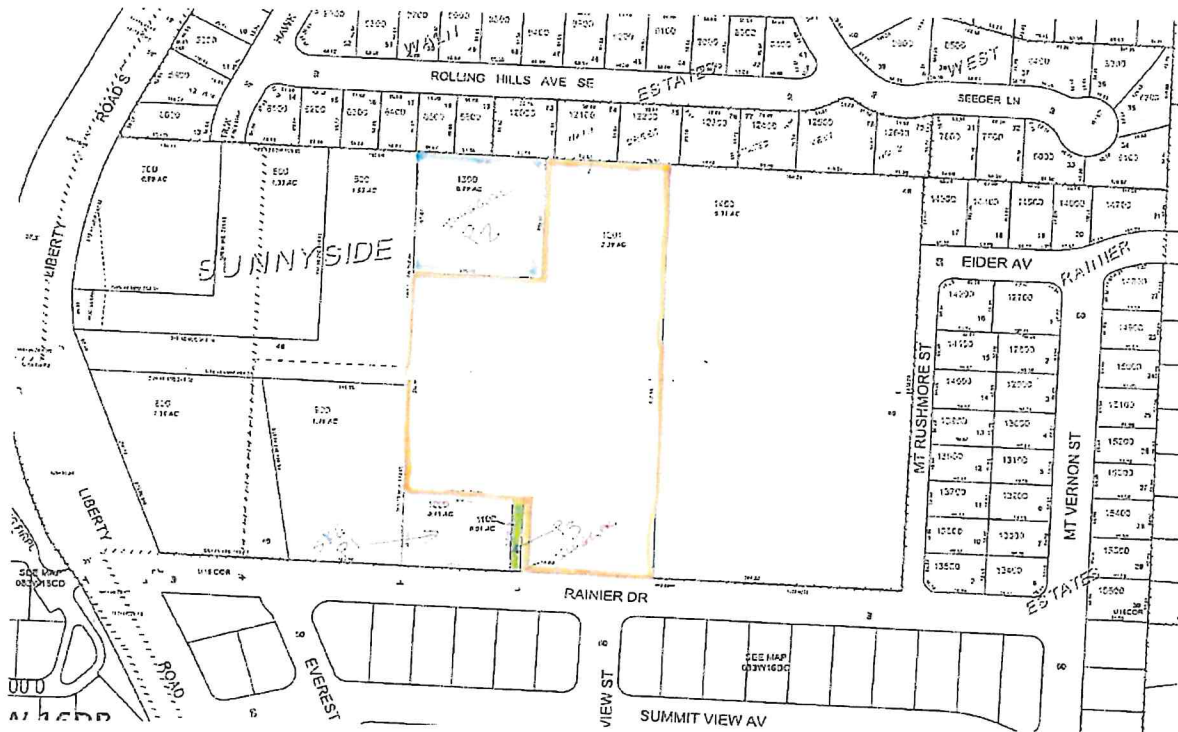
HISTORY:

The property was legally created in 1959. In 1984 the property consisted of two distinct tax lots- Tax Lot 1200 and Tax Lot 1400 – See Map #1 below:



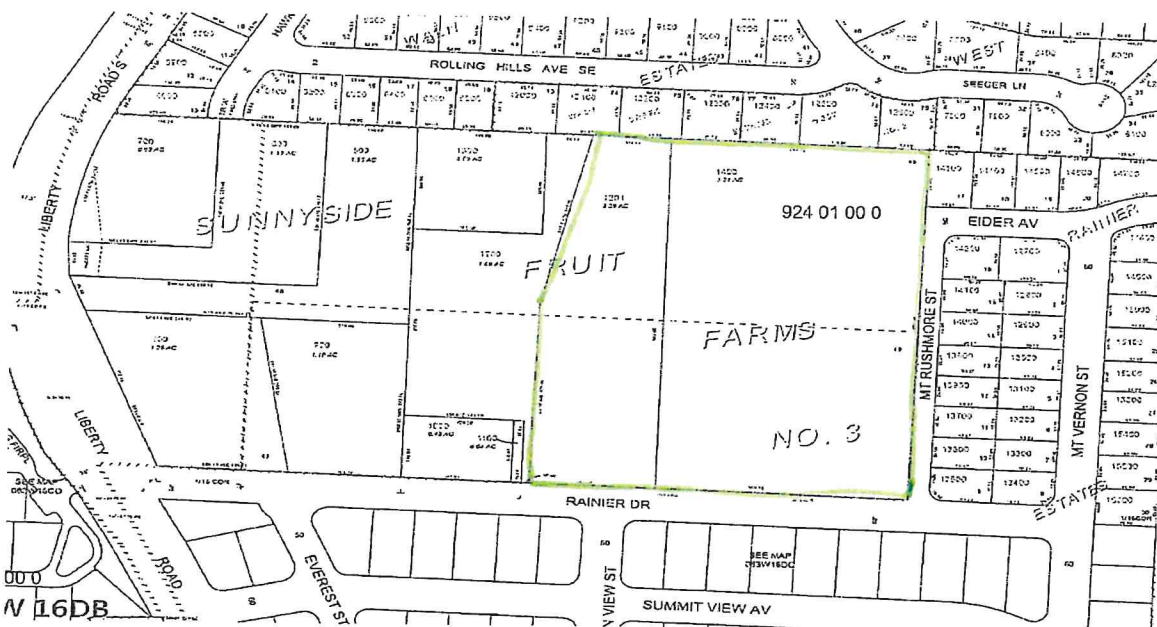
Map #1

In 1984, the property was subdivided into four lots and sold by deed creating the lots shown on the following page – See Map #2. It was through this action that the parcels were created illegally, through no land-use approval, therefore contaminating all parcels.



Map #2

In 1985, another sale occurred in which Tax Lot 1201 was sold (See Map #3) which created the line in question. This new description now contaminated the previously legal Tax Lt 1400.



Map #3

Sec. 205.060. – VALIDATION OF A UNIT OF LAND – DISCUSSION OF APPROVAL CRITERIA

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.

Applicant's Response: *The history describing the formation of these tax lots has been discussed previously in this application. The chain-of title has been included in this application that confirms that these tax lots were created illegally. This criterion has been met.*

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

Applicant's Response: *As indicated in the chain-of-title, tax lot 1201 was created illegally in 1985 by deed (reference reel 396 – page 184). A copy of the deed is included in this application. This criterion is met.*

(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's Response: *The existing zone at the time was "Residential Agricultural" in Marion County. A single-family residential dwelling was an allowed use at that time. The lot, at that time, complied with all applicable code requirements including height, setbacks, minimum lot area and width and there were no prohibited uses on the property. A copy of the Marion County Development Code in effect in 1985 is included in this application. This criterion is met.*

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

Applicant's Response: *The final plat will meet the criteria outlined in both the city and state codes. This criterion will be met upon plat submittal and approval.*

SCHEDULE:

Time is of the essence to complete this lot validation process which was overlooked by City staff during the Rainier Ridge subdivision application, review, and approval process. As the subdivision's infrastructure improvement work is nearing completion as of the date of this application, we would request City staff to expeditiously pursue the processing to approval of this lot validation for existing tax lot 1201 which is to be subdivided as part of the Rainier Ridge subdivision, while concurrently processing the Rainier Ridge plat previously submitted (including submittal of the plat to the Marion County surveyor's office for review and approval), with the goal of being able to file the plat for recording on the date of the City's notice of decision for the lot validation associated with this application.

RAINIER RIDGE

LOCATED IN THE NW 1/4 OF THE SE 1/4 OF SECTION 16,
TOWNSHIP 8 SOUTH, RANGE 3 WEST, WILLAMETTE MERIDIAN, CITY OF SALEM, MARION COUNTY, OREGON

20 PRE TO THE CITY OF SALEM
B 92, PAGE 17745, MCLR
WALK CREEK ESTATES WEST
VOLUME 46, PAGE 47, BOTP

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(569°42'27"E 4.95')

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REFERENCE SHEET 2 FOR MONUMENT
NUMBERS AND DISTANCE TO S
BETWEEN MONUMENTS ON THIS LINE.

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500°19'41"W 4.99' M&R
(500°16'27"E 4.95')

HORIZON VIEW ST.
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SHEET INDEX:

SHEET 1	BOUNDARY & NARRATIVE
SHEET 2	LOT LAYOUT
SHEET 3	DETAILS & MONUMENT TABLE
SHEET 4	APPROVALS & SIGNATURES

NARRATIVE:
THE PURPOSE OF THIS SURVEY IS TO
DIVIDE THE LAND DESCRIBED IN MARION
COUNTY DEED RECORDS REEL 36744, PAGE
246 INTO STREETS AND LOTS AS SHOWN
HEREON.

THE BOUNDARY OF THE SUBJECT
PROPERTY WAS RECEIVED AS INDICATED
ON MOORE 360476. THE BOUNDARY WAS
FIELD PURSUANT TO SAID SURVEY.

THE BASIS OF BEARING IS ALONG THE
MONUMENT LINE OF THE SUBJECT PROPERTY AS
INDICATED HEREON.

PROJECT DELIVERY GROUP

PROJECT DELIVERY GROUP, LLC
3772 PORTLAND RD NE
SALEM, OR 97301
503 364-4004
PROJECT NO. 16190

REGISTERED PROFESSIONAL LAND SURVEYOR
KATHA L. HARRIS
OREGON LICENSE NO. 211118
KETHA HARRIS
RENEWAL DATE: JUNE 30 2020



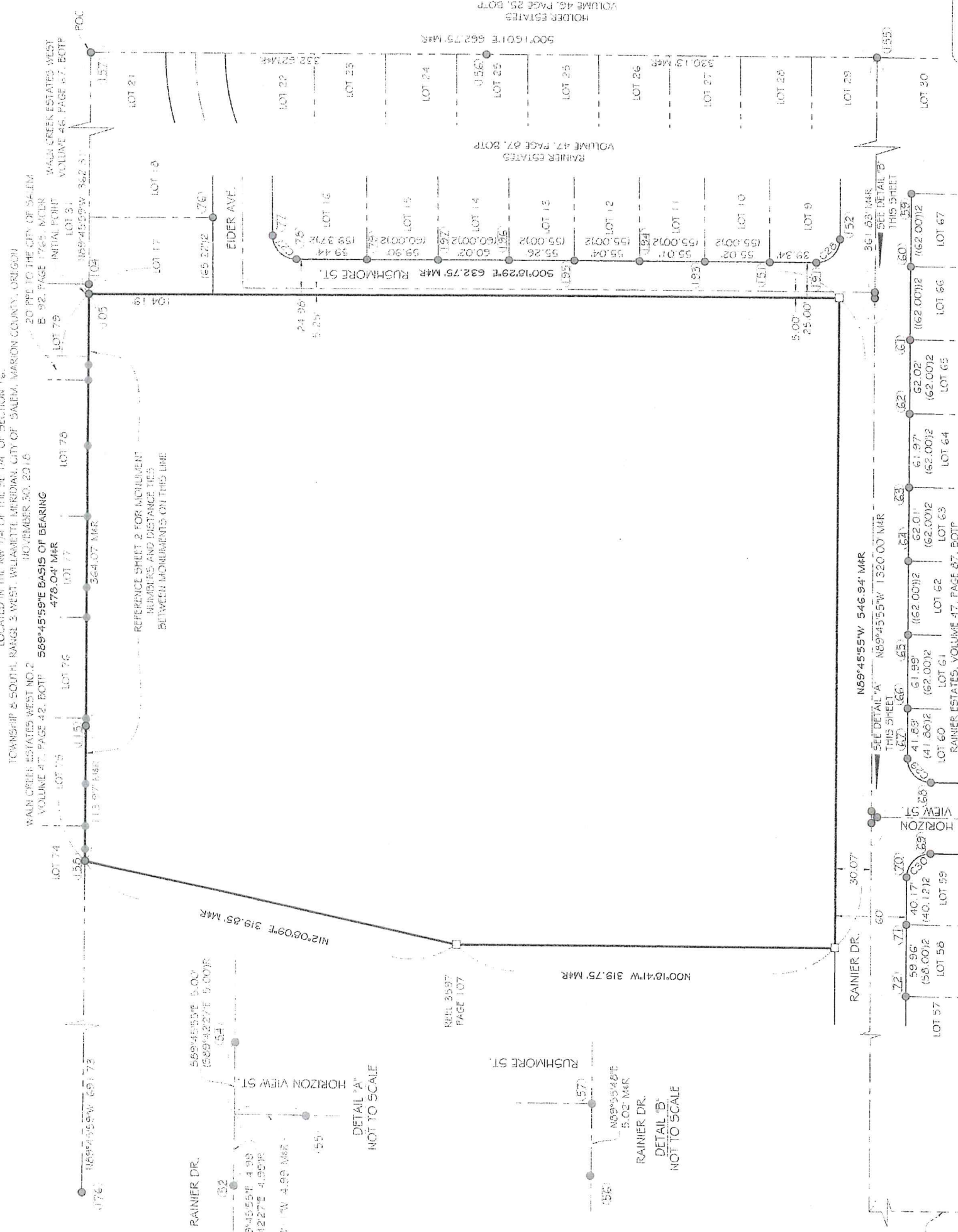
CURVE TABLE

CURVE #	LENGTH	RADIUS	DELTA	CHORD	(CHORD)2	DISTANCE	(DISTANCE)2	RECORD
C27	31.33'	(31.42)2	20.00'	(20.00)2	190°00'00"2	544°48'17"W	(62.00)2	547-067
C28	31.40'	(31.24)2	20.00'	(20.00)2	189°50'08"2	545°02'19"E	(62.00)2	547-067
C29	31.38'	(31.39)2	20.00'	(20.00)2	189°54'47"2	545°16'34"W	(62.00)2	547-067
C30	31.45'	(31.45)2	20.00'	(20.00)2	190°05'54"2	544°49'49"E	(62.00)2	547-067

NOO°15'45"W
1324.02'
CALCULATED

RAINIER ESTATES
VOLUME 47, PAGE 87, BOTP

HOLDER ESTATES
VOLUME 46, PAGE 25, BOTP



RAINIER RIDGE

LOCATED IN THE NW 1/4 OF THE SE 1/4 OF SECTION 16,
TOWNSHIP 6 SOUTH, RANGE 3 WEST, WILLAMETTE MERIDIAN, CITY OF SALEM, MARION COUNTY, OREGON
NOVEMBER 30, 2018

SURVEYOR'S CERTIFICATE:

I, KATH WHISENUNT, A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF OREGON, DO HEREBY CERTIFY THAT I HAVE SURVEYED AND MARKED WITH PROPER MONUMENTS THE LAND AS REFERENCED HEREON, THE BOUNDARY OF WHICH IS DESCRIBED AS FOLLOWS:

A PORTION OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 16, TOWNSHIP 6 SOUTH, RANGE 3 WEST, WILLAMETTE MERIDIAN, CITY OF SALEM, MARION COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING FROM A POINT LABELED "157 AND 100", SAID POINT BEING A 5/8" IRON ROD WITH A YELLOW PLASTIC CAP MARKED "LAZER SITE 5455015", SAID IRON ROD BEING THE NORTHEAST CORNER OF LOT 48 OF SUNNYSIDE FRUIT FARMS NO. 3 AND THE NORTHEAST CORNER OF RAINIER ESTATES, RECORDED IN FOOT 547-037.

THENCE, ON A LINE COINCIDENT WITH THE NORTH BOUNDARY OF SAID RAINIER ESTATES, ON A BEARING OF NORTH 89° 45' 58" WEST, A DISTANCE OF 362.31 FEET TO A POINT LABELED "105", SAID POINT BEING A 1/2" IRON PIPE SET IN MCSR 11258, SAID IRON PIPE BEING THE NORTHWEST CORNER OF SAID RAINIER ESTATES, THE NORTHEAST CORNER OF THE LAND BEING DIVIDED, AND ALSO THE INITIAL POINT.

THENCE, LEAVING THE NORTHWEST CORNER OF SAID RAINIER ESTATES AND COMMENCING ON A LINE COINCIDENT WITH THE NORTHERLY WEST BOUNDARY OF SAID RAINIER ESTATES ON A BEARING OF SOUTH 00° 13' 29" EAST, A DISTANCE OF 632.75 FEET TO POINT ON THE NORTH RIGHT-OF-WAY LINE OF RAINIER DRIVE BEING A SET 5/8" BY 3/4" IRON ROD WITH A YELLOW PLASTIC CAP MARKED "F D GROUP LLC", SAID IRON ROD BEING THE SOUTHEAST CORNER OF THE LAND BEING DIVIDED.

THENCE, LEAVING SAID NORTHERLY WEST BOUNDARY AND COMMENCING ON A LINE COINCIDENT WITH THE NORTH RIGHT-OF-WAY OF RAINIER DRIVE, SAID LINE ALSO BEING THE WESTERLY NORTH BOUNDARY OF SAID RAINIER ESTATES, ON A BEARING OF NORTH 89° 45' 58" WEST, A DISTANCE OF 546.94 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY OF RAINIER DRIVE BEING A SET 5/8" BY 3/4" IRON ROD WITH A YELLOW PLASTIC CAP MARKED "F D GROUP LLC", SAID IRON ROD BEING THE SOUTHWEST CORNER OF THE LAND BEING DIVIDED AND THE SOUTHEAST CORNER OF THE LAND DESCRIBED IN MARION COUNTY DEED RECORDS REEL 3597, PAGE 107.

THENCE, LEAVING SAID NORTH RIGHT-OF-WAY OF RAINIER DRIVE AND COMMENCING ON A LINE COINCIDENT WITH THE EAST BOUNDARY OF THE LAND DESCRIBED IN SAID MARION COUNTY DEED RECORD AND THE WEST BOUNDARY OF THE LAND BEING DIVIDED, ON A BEARING OF NORTH 00° 12' 41" WEST, A DISTANCE OF 319.75 FEET TO A POINT BEING A SET 5/8" BY 3/4" IRON ROD WITH A YELLOW PLASTIC CAP MARKED "F D GROUP LLC".

THENCE, CONTINUING ALONG A LINE COINCIDENT WITH SAID MARION COUNTY DEED RECORD AND THE WESTERLY BOUNDARY OF THE LAND BEING DIVIDED, A BEARING OF NORTH 12° 08' 08" EAST, A DISTANCE OF 319.65 FEET TO A POINT LABELED "156", BEING A 1/2" IRON PIPE WITH A YELLOW PLASTIC CAP MARKED "1631", SAID IRON PIPE BEING THE NORTH EAST CORNER OF SAID MARION COUNTY DEED RECORD AND THE NORTHWEST CORNER OF THE LAND BEING DIVIDED.

THENCE LEAVING SAID WEST BOUNDARY AND COMMENCING ON A LINE COINCIDENT WITH THE NORTH LINE OF THE LAND BEING DIVIDED, A BEARING OF SOUTH 89° 45' 58" EAST, A DISTANCE OF 478.04 FEET TO THE INITIAL POINT.

THE ABOVE DESCRIBED LAND CONTAINS 7.69 ACRES, MORE OR LESS.



APPROVALS:

THE WITHIN PLAT IS HEREBY APPROVED AND DEDICATION ACCEPTED.

CITY PLANNING ADMINISTRATOR _____ DATE _____
ISSUING SUBDIVISION NO. 548 17 03

MARION COUNTY CITY OF SALEM SURVEYOR _____ DATE _____

MARION COUNTY BOARD OF COMMISSIONERS _____ DATE _____

MARION COUNTY TAX COLLECTOR _____ DATE _____

TAXES AND ASSESSMENTS ON THE ABOVE DESCRIBED PROPERTY HAVE BEEN PAID IN FULL TO

MARION COUNTY ASSESSOR _____

MARION COUNTY BOARD OF COMMISSIONERS _____ DATE _____

CONDITIONS OF APPROVAL FOR THIS PLAT ARE RECORDED IN MARION COUNTY DEED RECORDS, REEL _____, PAGE _____.

AN AFFIDAVIT OF CONSENT FOR THAT CERTAIN TRUST DEED RECORDED ON JUNE 26, 2018, IN DEED RECORDS REEL _____, PAGE _____, AND MARION COUNTY DEED RECORDS IS RECORDED AT MARION COUNTY DEED RECORDS REEL _____, PAGE _____.

STATE OF OREGON)
COUNTY OF MARION)

I DO HEREBY CERTIFY THAT THE ATTACHED SUBDIVISION PLAT WAS RECEIVED FOR RECORDING

ON THIS _____ DAY OF _____, 2018, AT _____ O'CLOCK _____ AND
RECORDED IN THE BOOK OF TOWN PLATS, VOLUME _____, PAGE _____.

ALSO REFERENCED IN MARION COUNTY DEED RECORDS, REEL _____, PAGE _____.

BAU BURGESS, MARION COUNTY CLERK.

BY: _____
DEPUTY COUNTY CLERK.

DECLARATION:

KNOWN ALL MEN AND WOMEN BY THESE PRESENTS THAT CITY GLEANS, LLC, BEING THE OWNER OF THE LAND AS DESCRIBED IN THE SURVEYORS CERTIFICATE AND DESCRIBING OF SAID LAND TO BE DIVIDED INTO LOTS AND STREETS, HAVE CAUSED THE LAND TO BE SURVEYED AND SUBDIVIDED IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 92, OREGON REVISED STATUTES, THE NAME TO BE KNOWN AS RAINIER RIDGE.

I HEREBY DEDICATE EIDER AVENUE, SE, MARION VIEW STREET SE, AND THE PORTION OF RUSHMORE STREET SE AS SHOWN HEREIN, TO THE PUBLIC.

I HEREBY DEDICATE 0.07 FEET OF RAINIER DRIVE TO THE PUBLIC.

I HEREBY DEDICATE THE PUBLIC UTILITY EASEMENTS AND THE PUBLIC STORM DRAINAGE EASEMENT AS SHOWN HEREIN.

I HEREBY DEDICATE THE PUBLIC STORMWATER FACILITY AS INDICATED HEREIN.

I HEREBY GRANT THE PRIVATE STORM DRAINAGE EASEMENTS, PRIVATE SANITARY SEWER EASEMENTS, PRIVATE SANITARY SEWER AND STORMY DRAIN EASEMENTS, PRIVATE UTILITY AND ACCESS EASEMENTS AS SHOWN HEREIN.

BY: _____
JAMES W. FOWLER, MANAGER, CITY GLEANS, LLC

STATE OF OREGON)

COUNTY OF MARION)

ON THIS _____ DAY OF _____, 2018, PERSONALLY APPEARED BEFORE ME, A NOTARY PUBLIC FOR THE STATE OF OREGON, THE ABOVE NAMED JAMES W. FOWLER.

NOTARY PUBLIC, STATE OF OREGON _____

PRINTED NAME _____

COMMISSION NUMBER _____

MY COMMISSION EXPIRES _____

