



City of Portland, Oregon
Bureau of Development Services
Land Use Services

FROM CONCEPT TO CONSTRUCTION

Dan Saltzman, Commissioner
Paul L. Scarlett, Director
Phone: (503) 823-7300
Fax: (503) 823-5630
TTY: (503) 823-6868
www.portlandoregon.gov/bds

Date: December 22, 2011
To: Interested Person
From: Sean Williams, Land Use Services
503-823-7612 / Sean.Williams@portlandoregon.gov

NOTICE OF A TYPE II DECISION ON A PROPOSAL IN YOUR NEIGHBORHOOD

The Bureau of Development Services has **approved** a proposal in your neighborhood. The reasons for the decision are included in this notice. If you disagree with the decision, you can appeal it and request a public hearing. Information on how to appeal this decision is listed at the end of this notice.

CASE FILE NUMBER: LU 11-153703 LC AD AP

GENERAL INFORMATION

Applicant: Ross, Wayne & Christine Gustafson
11242 SE Pine Ct
Portland, OR 97216

Representative: Rick Givens, Planning Consultant
204 SE 10th Avenue
Canby, OR 97013
Carl Hansen
12291 S Criteser Road
Oregon City, OR 97045-9708

Site Address: 11242 SE Pine Court

Legal Description: LOT 1, PARTITION PLAT 2008-135; LOT 2, PARTITION PLAT 2008-135
Tax Account No.: R649885370, R649885380
State ID No.: 1N2E34CD 01101, 1N2E34CD 01102
Quarter Section: 3041
Neighborhood: Hazelwood, contact Arlene Kimura at 503-252-9429.
Business District: Gateway Area Business Association, contact Fred Sanchez at 503-256-3910.
District Coalition: East Portland Neighborhood Office, contact Richard Bixby at 503-823-4550.
Plan District: East Corridor
Zoning: Residential 5,000 (R5) w/ Alternative Design Density Overlay (a)
Case Type: Lot Consolidation (LC), Adjustment (AD) & Partition Amendment (AP)
Procedure: Type II, an administrative decision with appeal to the Hearings Officer.

Proposal:

The applicants are proposing to consolidate two lots that were created as a part of land division case file LU 07-143101 LDP and subsequently recorded (PP 2008-135). Both lots were then sold to an owner who now desires to return the property to its original state prior to the land division. A partition amendment review is necessary to remove the conditions of approval imposed as a part of the previous land use review. A concurrent adjustment review is also required as the combined area of the lots to be consolidated will exceed the maximum lot area standard of 8,500 square feet for the R5 zone.

Relevant Approval Criteria:

In order to be approved, this proposal must comply with the approval criteria of Title 33. The relevant criteria are:

- **33.660.120, Approval Criteria for Land Divisions in Open Space and Residential Zones.**
- **33.675.300, Standards for Lot Consolidations.**
- **33.805.040 A.-F., Approval Criteria for Adjustments.**

ANALYSIS

Site and Vicinity: The parcels subject to this review are located on the west side of SE Pine Court approximately 300 feet west of SE 113th Avenue. Parcel 1 is developed with an existing single family home and parking pad. Parcel 2 is configured as a flag lot and is undeveloped with trees and vegetation concentrated around the rear property line. The street frontage adjacent to the parcels is improved with a paved roadway, but no curb, sidewalk or planting strip. Ventura Park Elementary School is located approximately 850 feet east of the lot consolidation site.

Zoning: The R5 designation is one of the City's single-dwelling zones which is intended to preserve land for housing and to promote housing opportunities for individual households. The zone implements the comprehensive plan policies and designations for single-dwelling housing.

The "a" overlay is intended to allow increased density that meets design compatibility requirements. It focuses development on vacant sites, preserves existing housing stock, and encourages new development that is compatible with the surrounding residential neighborhood. This proposal is not using any of the provisions of the "a" overlay.

The East Corridor plan district encourages new housing and mixed use development and expansions of existing development to promote the corridor's growth and light rail transit ridership and to implement the objectives of the City's Pedestrian Districts to enhance the pedestrian experience and access to and from light rail service.

Land Use History: City records indicate that prior land use reviews include the following:

- **LU 07-143101 LDP:** Approval of a Preliminary Plan for a 2 parcel partition, that will result in one standard lot that will retain the existing dwelling and one flag lot that will be made available for development consistent with R5 zone standards.

Agency Review: Several Bureaus have responded to this proposal and relevant comments are addressed under the applicable approval criteria. Please see Exhibits "E" for details.

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on **July 22, 2011**. No written responses have been received from the Neighborhood Association or notified property owners in response to the proposal.

ZONING CODE APPROVAL CRITERIA**REVIEW OF CHANGES TO AN APPROVED PRELIMINARY PLAN****33.660.320 Approval Criteria**

Changes to an approved Preliminary Plan will be approved if the review body finds that the applicant has shown that all of the following approval criteria have been met:

- A. Approval criteria for changes listed in Subsection 33.660.310.B. Changes to the Preliminary Plan that are listed in subsection 33.660.310.B must meet the approval criteria of Section 33.660.120, Approval Criteria.**

B. Approval criteria for other changes. All other changes to the Preliminary Plan must meet the following approval criteria:

- 1. The proposed changes are not substantial enough, singly or in combination, to warrant a new review of the entire Preliminary Plan;**
- 2. The approval criteria addressed by the approval of the Preliminary Plan can still be met, with appropriate conditions of approval.**

Findings: A land division application (LU 07-143101 LDP) to create 2 parcels was approved on May 8, 2008. A final plat application was subsequently approved on November 14, 2008 and the survey was recorded sometime thereafter (Partition Plat 2008-135). Both lots were then sold to an owner who now desires to return the property to its original state prior to the land division. The concurrent land division amendment review is necessary to remove the conditions of approval of the land division decision. A majority of the conditions of approval have been satisfied as they were required prior to final plat approval. However, there are conditions relating to right-of-way improvements for the sites SE Pine Court frontage and conditions required at the time of development that are no longer necessary as the property is returning to its original configuration prior to the land use review. The service bureaus have reviewed this proposal and all have responded with no concerns regarding the applicant's request. Therefore, all conditions of approval of LU 07-143101 LDP are hereby removed with the approval of this land use review and recording of the lot consolidation plat. This criterion is met.

LOT CONSOLIDATIONS

33.675.010 Purpose

This chapter states the procedures and regulations for removing lot lines within a site to create one lot. The regulations ensure that lot consolidation does not circumvent other requirements of this Title, and that lots and sites continue to meet conditions of land use approvals. The lot consolidation process described in this chapter is different from (and does not replace) the process used by the county to consolidate lots under one tax account. A tax consolidation does not affect the underlying platted lots. A lot consolidation results in a new plat for the consolidation site.

33.675.050 When These Regulations Apply

A lot consolidation may be used to remove lot lines within a site. The applicant may also choose to remove such lot lines through a land division. A lot consolidation may be required by other provisions of this Title.

33.675.100 Review Procedure

- A. Generally. Lot consolidations are reviewed through Type I procedure.**
- B. Sites in PUDs or PDs. If any portion of the site is within a Planned Unit Development (PUD) or Planned Development (PD), an amendment to the PUD or PD is also required. The amendment to the PUD or PD must be reviewed concurrently with the lot consolidation.**

Findings: The site is not involved in any past or proposed Planned Unit Development or Planned Developments. A concurrent partition amendment and adjustment review has been requested, which is reviewed as a Type I and Type II land use procedure, respectively. Per the regulations governing concurrent reviews (33.730.042), when more than one review is requested and the reviews have different procedures, the overall application is processed using the highest procedure type. Therefore, the requested lot consolidation, partition amendment and adjustment are being reviewed under the Type II procedure.

Approval Standards for a Lot Consolidation

33.675.300 Standards

A lot consolidation must meet the following standards:

A. Lots. Consolidated lots must meet the standards of Chapters 33.605 through 33.615, with the following exceptions:

1. Lot dimension standards.

- a. **Minimum lot area.** If the area of the entire lot consolidation site is less than that required of new lots, the lot consolidation site is exempt from minimum lot area requirements;
- b. **Maximum lot area.** If any of the lots within the lot consolidation site are larger than the maximum lot area allowed, the lot consolidation site is exempt from maximum lot area requirements;
- c. **Minimum lot width.** If the width of the entire lot consolidation site is less than that required of new lots, the lot consolidation site is exempt from minimum lot width requirements;
- d. **Minimum front lot line.** If the front lot line of the entire lot consolidation site is less than that required of new lots, the lot consolidation site is exempt from minimum front lot line requirements;
- e. **Minimum lot depth.** If the depth of the entire lot consolidation site is less than that required of new lots, the lot consolidation site is exempt from minimum lot depth requirements.

Findings: The proposed site is in the Residential 5,000 (R5) zone. Approval standards 1.a through 1.e are related to the required lot dimensions and creation of a consolidated parcel that will either meet the lot dimension standards of the zone or meet the listed exceptions. The proposed consolidated lot meets the lot dimension standards of the R5 zone as shown in the following table (this information is found in Table 610-2 of the Zoning Code), with the exception of maximum lot area. An adjustment to the maximum lot area standard of the R5 zone has been requested and is addressed later in this report.

	R5 Zone Requirement	Lot 1 (after consolidation)
Minimum Lot Area	3,000 square feet	12,017 square feet**
Maximum Lot Area	8,500 square feet	
Minimum Lot Width*	36 feet	70 feet
Minimum Front Lot Line	30 feet	70 feet
Minimum Lot Depth	50 feet	174.67 feet

* Width is measured at the minimum front building setback line

** Adjustment requested to Maximum Lot Area.

As noted herein, the proposed consolidated lot meets the applicable standards of Chapters 33.605 through 33.615 or the exceptions noted above.

2. **Maximum density.** If the consolidation brings the lot consolidation site closer to conformance with maximum density requirements, the consolidation does not have to meet maximum density requirements;

Findings: The maximum density of the consolidated lot is $(12,017/5,000) = 2.40 = 2$ units, per 33.930.020.B. The site is developed with one single-family dwelling. Therefore the maximum density will not be exceeded by consolidating the historic lots that currently make up this site.

3. **Lots without street frontage.** If the lot consolidation consolidates lots that do not have street frontage with a lot that has street frontage, the consolidation does not have to meet minimum density and maximum lot area requirements;

Findings: Both lots in the lot consolidation site have street frontage, therefore this standard does not apply.

- 4. Through lots. If any of the existing lots within the lot consolidation site are through lots with at least one front lot line abutting an arterial street, then the consolidated lot may be a through lot;**

Findings: The existing lots within the lot consolidation site are not through lots and proposed consolidated Lot 1 will not be a through lot. Therefore this standard does not apply.

- 5. Split zoning. If any of the existing lots within the lot consolidation site are in more than one base zone, then the consolidated lot may be in more than one base zone.**

Findings: This site contains only one zoning designation; therefore the consolidated lot will not have split zoning. This standard does not apply.

- B. Conditions of land use approvals. Conditions of land use approvals continue to apply, and must be met.**

Findings: Per the findings associated with approval criteria for Review of Changes to an Approved Preliminary Plan, all conditions of approval associated with LU 07-143101 LDP will no longer apply to the consolidated lot as a function of this land use approval and subsequent recording of the plat. This standard is met.

APPROVAL CRITERIA FOR ADJUSTMENTS

33.805.010 Purpose

The regulations of the zoning code are designed to implement the goals and policies of the Comprehensive Plan. These regulations apply city-wide, but because of the city's diversity, some sites are difficult to develop in compliance with the regulations. The adjustment review process provides a mechanism by which the regulations in the zoning code may be modified if the proposed development continues to meet the intended purpose of those regulations. Adjustments may also be used when strict application of the zoning code's regulations would preclude all use of a site. Adjustment reviews provide flexibility for unusual situations and allow for alternative ways to meet the purposes of the code, while allowing the zoning code to continue to provide certainty and rapid processing for land use applications.

33.805.40 Approval Criteria

Adjustment requests will be approved if the review body finds that the applicant has shown that approval criteria A. through F., below, have been met. Granting the adjustment will equally or better meet the purpose of the regulation to be modified; and

- A. Granting the adjustment will equally or better meet the purpose of the regulation to be modified; and**

Findings: The applicant is requesting an adjustment to allow the consolidated lot to exceed the maximum lot area standard of the Residential 5,000 (R5) zone from 8,500 to 12,017 square feet. The purpose of the lot dimension regulations for *Lots in RF Through R5 Zones* (33.610.200) is as follows:

- **Each lot has enough room for a reasonably-sized house and garage;**
- **Lots are of a size and shape that development on each lot can meet the development standards of the zoning code;**
- **Lots are not so large that they seem to be able to be further divided to exceed the maximum allowed density of the site in the future;**
- **Each lot has room for at least a small, private outdoor area;**

- **Lots are compatible with existing lots;**
- **Lots are wide enough to allow development to orient toward the street;**
- **Lots don't narrow to an unbuildable width close to the street**
- **Each lot has adequate access from the street;**
- **Each lot has access for utilities and services; and**
- **Lots are not landlocked.**

The applicant is requesting this review in order to return the property to its original state prior to the land division. The existing house was retained within Parcel 1 and will continue to remain on the consolidated lot. The existing house will not move out of conformance with any of the development standards of the Residential 5,000 (R5) zone as a result of the lot consolidation. The maximum density of the consolidated lot will continue to be two parcels and therefore does not create the appearance of being able to further divide to exceed maximum density of the site in the future. To this effect, approval of the land division which created these lots that are now being consolidated demonstrates the ability to meet the purpose of the lot dimension regulations for Lots in RF Through R5 Zones. Therefore, this criterion is met.

- B. If in a residential zone, the proposal will not significantly detract from the livability or appearance of the residential area, or if in an OS, C, E, or I zone, the proposal will be consistent with the classifications of the adjacent streets and the desired character of the area; and**

Findings: The subject property is in a residential zone and is located within the Hazlewood Neighborhood. The proposal to consolidate the lots will not detract from the livability or appearance of the area as the property will remain physically unchanged from its previous state. Therefore, this criterion is met.

- C. If more than one adjustment is being requested, the cumulative effect of the adjustments results in a project which is still consistent with the overall purpose of the zone; and**

Findings: Only one adjustment is being requested. Therefore, this criterion is not applicable.

- D. City-designated scenic resources and historic resources are preserved; and**

Findings: The site does not contain any scenic or historic resources. Therefore, this criterion is not applicable.

- E. Any impacts resulting from the adjustments are mitigated to the extent practical;**

Findings: As addressed in the preceding findings, there are no discernable impacts resulting from the adjustment request. Therefore, mitigation is not warranted in this case. This criterion is met.

- F. If in an environmental zone, the proposal has as few significant detrimental environmental impacts on the resource and resource values as is practicable;**

Findings: The site is not within an environmental overlay zone. Therefore, this criterion is not applicable.

DEVELOPMENT STANDARDS

Unless specifically required in the approval criteria listed above, this proposal does not have to meet the development standards in order to be approved during this review process. The plans submitted for a building or zoning permit must demonstrate that all development standards of Title 33 can be met, or have received an Adjustment or Modification via a land use review prior to the approval of a building or zoning permit.

CONCLUSIONS

The applicant has proposed to consolidate Lots 1 and 2 of Partition Plat 2008-135 into one parcel in conjunction with a land division amendment to remove all conditions of approval of LU 07-143101 LDP and an adjustment to the maximum lot area standard of the Residential 5,000 (R5) zone in order to return the property to its original configuration prior to the land division. As discussed in this report, the relevant standards and approval criteria have been met.

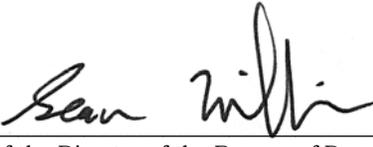
ADMINISTRATIVE DECISION

Approval of a Partition Amendment to remove all conditions of approval of LU 07-143101 LDP.

Approval of a Lot Consolidation to create one parcel of Lots 1 and 2 of Partition Plat 2008-135, as illustrated by Exhibit C.1, signed and dated December 15, 2011.

Approval of an Adjustment to the maximum lot area standard of the Residential 5,000 (R5) zone from 8,500 to 12,017 square feet.

Staff Planner: Sean Williams

Decision rendered by:  **on December 15, 2011**
By authority of the Director of the Bureau of Development Services

Decision mailed: December 22, 2011

About this Decision. This land use decision is **not a permit** for development. **THE SIGNED FINAL PLAT MUST BE RECORDED WITH MULTNOMAH COUNTY DEED RECORDS WITHIN 90 DAYS OF THE DATE OF THIS DECISION (March 14, 2012), OR THIS DECISION WILL BECOME NULL AND VOID.** Permits may be required prior to any work. Contact the Development Services Center at 503-823-7310 for information about permits.

Procedural Information. The application for this land use review was submitted on June 30, 2011, and was determined to be complete on July 20, 2011.

Zoning Code Section 33.700.080 states that Land Use Review applications are reviewed under the regulations in effect at the time the application was submitted, provided that the application is complete at the time of submittal, or complete within 180 days. Therefore this application was reviewed against the Zoning Code in effect on June 30, 2011.

ORS 227.178 states the City must issue a final decision on Land Use Review applications within 120-days of the application being deemed complete. The 120-day review period may be waived or extended at the request of the applicant. In this case, the applicant waived the 120-day review period, as stated with Exhibit A-2.

Some of the information contained in this report was provided by the applicant.

As required by Section 33.800.060 of the Portland Zoning Code, the burden of proof is on the applicant to show that the approval criteria are met. The Bureau of Development Services has independently reviewed the information submitted by the applicant and has included this information only where the Bureau of Development Services has determined the information satisfactorily demonstrates compliance with the applicable approval criteria. This report is the decision of the Bureau of Development Services with input from other City and public agencies.

Appealing this decision. This decision may be appealed to the Hearings Officer, which will hold a public hearing. Appeals must be filed **by 4:30 PM on December 29, 2011** at 1900 SW Fourth Ave. Appeals can be filed Tuesday through Friday on the first floor of the Development Services Center until 3 p.m. After 3 p.m. and Mondays, appeals must be submitted to the receptionist at the front desk on the fifth floor. **An appeal fee of \$250 will be charged.** The appeal fee will be refunded if the appellant prevails. There is no fee for ONI recognized organizations appealing a land use decision for property within the organization's boundaries. The vote to appeal must be in accordance with the organization's bylaws. Assistance in filing the appeal and information on fee waivers is available from BDS in the Development Services Center. Please see the appeal form for additional information.

The file and all evidence on this case are available for your review by appointment only. Please call the Request Line at our office, 1900 SW Fourth Avenue, Suite 5000, phone 503-823-7617, to schedule an appointment. I can provide some information over the phone. Copies of all information in the file can be obtained for a fee equal to the cost of services. Additional information about the City of Portland, city bureaus, and a digital copy of the Portland Zoning Code is available on the internet at www.portlandonline.com.

Attending the hearing. If this decision is appealed, a hearing will be scheduled, and you will be notified of the date and time of the hearing. The decision of the Hearings Officer is final; any further appeal must be made to the Oregon Land Use Board of Appeals (LUBA) within 21 days of the date of mailing the decision, pursuant to ORS 197.620 and 197.830. Contact LUBA at 550 Capitol St. NE, Suite 235, Salem, Oregon 97301, or phone 1-503-373-1265 for further information.

Failure to raise an issue by the close of the record at or following the final hearing on this case, in person or by letter, may preclude an appeal to the Land Use Board of Appeals (LUBA) on that issue. Also, if you do not raise an issue with enough specificity to give the Hearings Officer an opportunity to respond to it, that also may preclude an appeal to LUBA on that issue.

Recording the final decision.

If this Land Use Review is approved the final decision must be recorded with the Multnomah County Recorder. A few days prior to the last day to appeal, the City will mail instructions to the applicant for recording the documents associated with their final land use decision.

- *Unless appealed,* The final decision may be recorded on or after **December 30, 2011 - (the day following the last day to appeal).**
- A building or zoning permit will be issued only after the final decision is recorded.

The applicant, builder, or a representative may record the final decision as follows:

- By Mail: Send the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to: Multnomah County Recorder, P.O. Box 5007, Portland OR 97208. The recording fee is identified on the recording sheet. Please include a self-addressed, stamped envelope.
- In Person: Bring the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to the County Recorder's office located at 501 SE Hawthorne Boulevard, #158, Portland OR 97214. The recording fee is identified on the recording sheet.

For further information on recording, please call the County Recorder at 503-988-3034
For further information on your recording documents please call the Bureau of Development Services Land Use Services Division at 503-823-0625.

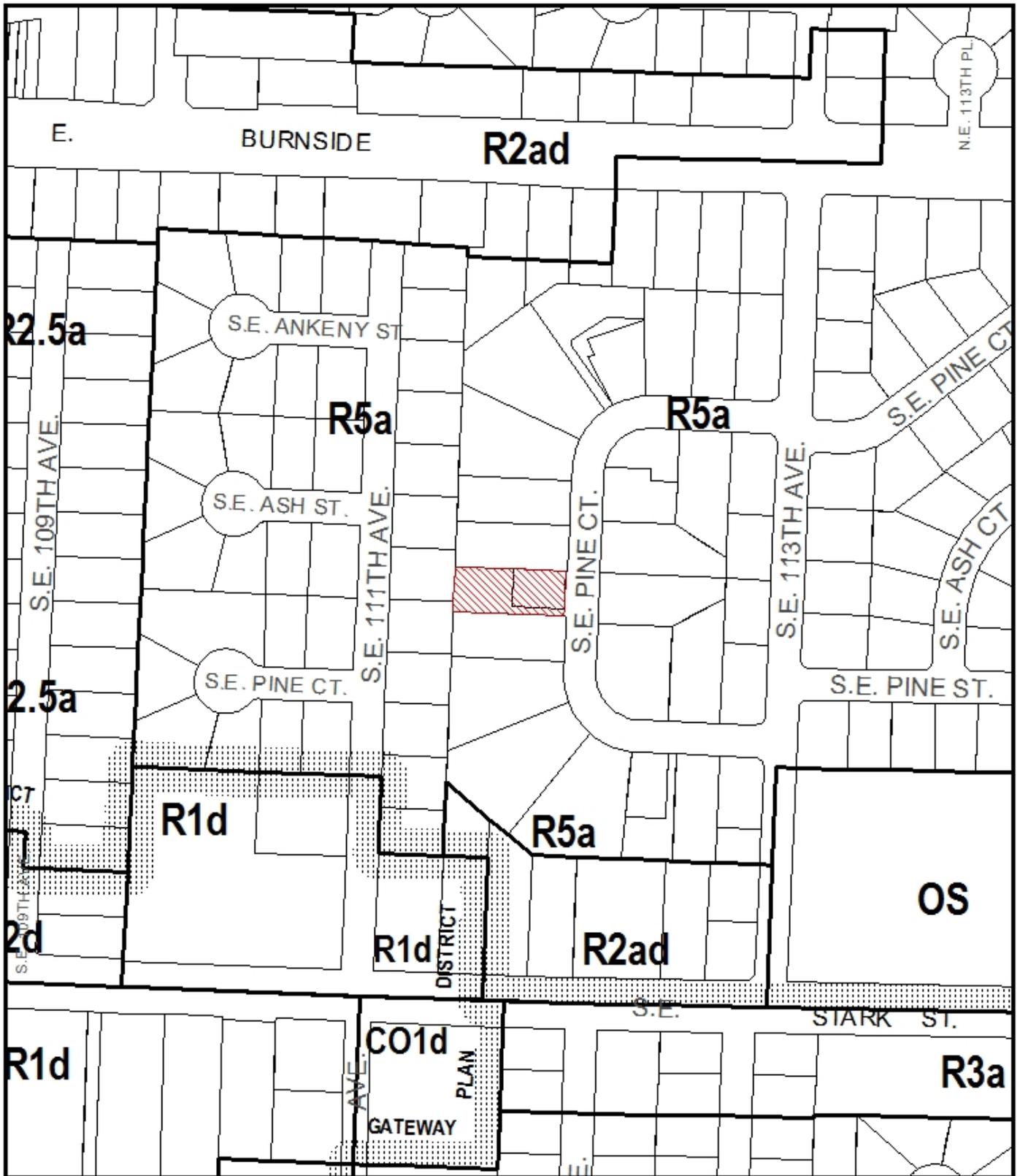
Recording the Final Plat. The signed plat must be recorded by the applicant with the County Deed Records within 90 days following approval by the Bureau of Development Services or the approval will be null and void.

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
 - 1. Application Narrative
 - 2. Request for Extension of 120-Day Review Period
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Approved Plat (attached)
 - 2. Existing Conditions Plan
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses:
 - 1. Bureau of Environmental Services
 - 2. Water Bureau
 - 3. Fire Bureau
 - 4. Bureau of Parks, Forestry Division
 - 5. Bureau of Transportation Engineering and Development Review; Site Development Review Section of BDS; Life Safety Plans Examiner
- F. Correspondence: NONE
- G. Other:
 - 1. Original LU Application
 - 2. Site History Research
 - 3. Title Report
 - 4. Power of Attorney

The Bureau of Development Services is committed to providing equal access to information and hearings. Please notify us no less than five business days prior to the event if you need special accommodations. Call 503-823-7300 (TTY 503-823-6868).



ZONING

 Site



This site lies within the:
EAST CORRIDOR PLAN DISTRICT

File No.	<u>LU 11-153703 LC AD AP</u>
1/4 Section	<u>3041,3042</u>
Scale	<u>1 inch = 200 feet</u>
State_Id	<u>1N2E34CD 1102</u>
Exhibit	<u>B</u> (Dec 21,2011)

PARTITION PLAT NO.

A REPLAT OF PARCELS 1 AND 2 OF PARTITION PLAT NO. 2008-135 SITUATED IN THE SW 1/4 OF SECTION 34, TOWNSHIP 1 NORTH, RANGE 2 EAST, W.M. CITY OF PORTLAND, MULTNOMAH COUNTY, OREGON
DATE: MAY 14, 2011
SHEET 1 OF 1

APPROVALS

CITY OF PORTLAND LAND DIVISION CASE FILE LU: 11-153703 LC AD AP

APPROVED THIS 15 DAY OF December, 2011
BY: CITY OF PORTLAND, PLANNING DIRECTOR'S DELEGATE

APPROVED THIS 15 DAY OF December, 2011

BY: CITY OF PORTLAND, CITY ENGINEER'S DELEGATE

APPROVED THIS ___ DAY OF _____, 20__

COUNTY SURVEYOR
MULTNOMAH COUNTY, OREGON

ALL TAXES, FEES, ASSESSMENTS OR OTHER CHANGES AS PROVIDED BY O.R.S. 92.095 HAVE BEEN PAID AS OF _____, 20__

BY: _____

STATE OF OREGON)
COUNTY OF MULTNOMAH)

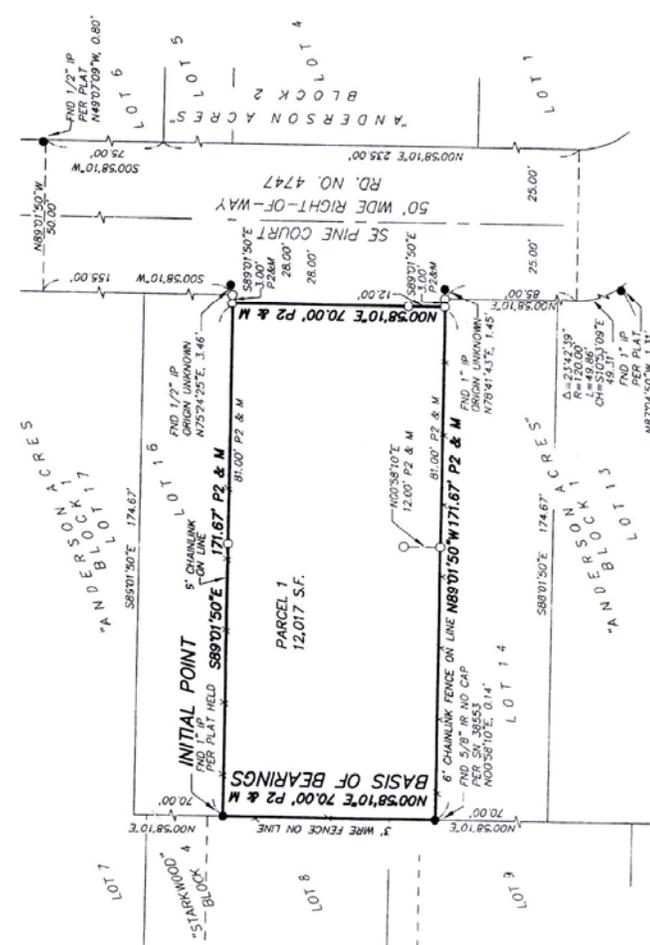
I DO HEREBY CERTIFY THAT THE ATTACHED PARTITION PLAT WAS RECEIVED FOR RECORD AND RECORDED _____, 20__

AT _____ M. AS PARTITION PLAT NO. _____

COUNTY RECORDING OFFICE

BY: _____

DOCUMENT NO. _____



NARRATIVE
THE PURPOSE OF THIS SURVEY IS TO CONSOLIDATE PARCELS 1 AND 2 OF PARTITION PLAT NO. 2008-135, MULTNOMAH COUNTY PLAT RECORDS. ALL MONUMENTS FOUND OR SET FOR THE PARTITION PLAT WERE HELD.

BASIS OF BEARINGS
THE BASIS OF BEARINGS OF THIS PLAT IS THE WEST LINE OF PN 2008-135 MARKED BY THE 5/8" IRON ROD, FOUND 014' NORTH ON LINE, AT THE SOUTHWEST CORNER OF PARCEL 2 AND THE 1" IRON PIPE FOUND AT THE SOUTHWEST CORNER OF PARCEL 2. PER PN 2008-135 BEING: NORTH 00°58'10" EAST.

SURVEYOR'S CERTIFICATE
I, RAYMOND F. BUCKEL, HEREBY CERTIFY THAT I HAVE CORRECTLY SURVEYED AND PLATED THE ABOVE DESCRIBED PARCELS AND ARE REPRESENTED ON THE ATTACHED PARTITION PLAT. SAID LAND BEING DESCRIBED AS FOLLOWS:
PARCEL 1 AND PARCEL 2 OF PARTITION PLAT NO. 2008-135, SITUATED IN THE SW 1/4 OF SECTION 34, TOWNSHIP 1 NORTH, RANGE 2 EAST, W.M. CITY OF PORTLAND, MULTNOMAH COUNTY, OREGON.
CONTAINING AN AREA OF 12,017 SQUARE FEET OF LAND, MORE OR LESS.

DECLARATION
KNOW ALL PEOPLE BY THESE PRESENTS THAT ROSS GUSTAFSON, WAINE GUSTAFSON AND CHRISTINE GUSTAFSON ARE THE OWNERS OF THE LAND REPRESENTED ON THE ANNEXED MAP, AND MORE PARTICULARLY DESCRIBED IN THE ACCOMPANYING SURVEYOR'S CERTIFICATE. DO HEREBY DECLARE THE ABOVE DESCRIBED PARCELS TO BE THE ENTIRE PROPERTY AND HAVE CAUSED THE PARTITION PLAT TO BE PREPARED AND THE PROPERTY PARTITIONED AS SHOWN IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 92 OF THE OREGON REVISED STATUTES.

ROSS GUSTAFSON
WAINE GUSTAFSON
CHRISTINE GUSTAFSON

BY: CARL D. HANSEN
MULTNOMAH COUNTY ATTORNEY RECORDED IN DOCUMENT NO. _____
MULTNOMAH COUNTY DEED RECORDS.

BY: _____
MULTNOMAH COUNTY ATTORNEY RECORDED IN DOCUMENT NO. _____
MULTNOMAH COUNTY DEED RECORDS.

ACKNOWLEDGMENT
STATE OF OREGON)
COUNTY OF MULTNOMAH)

KNOW ALL PEOPLE BY THESE PRESENTS, ON THIS 30th DAY OF November, 2011, BEFORE ME A NOTARY PUBLIC IN AND FOR SAID STATE AND COUNTY, PERSONALLY APPEARED CARL D. HANSEN, WHO BEING DULY SWORN, DID SAY THAT HE HAS POWER OF ATTORNEY FOR THE PERSONS NAMED IN THE FOREGOING INSTRUMENT, AND THAT HE EXECUTED SAID INSTRUMENT FREELY AND VOLUNTARILY ON BEHALF OF ROSS GUSTAFSON, WAINE GUSTAFSON AND CHRISTINE GUSTAFSON.

NOTARY SIGNATURE
Carrie Redifer
NOTARY PUBLIC - OREGON

COMMISSION NO. 445757
MY COMMISSION EXPIRES: 1-20-14

LEGEND

- FOUND MONUMENT AS NOTED
- FOUND 5/8" IRON ROD WITH YELLOW PLASTIC CAP
- STAMPED "BUCKEL ASSOC. INC." SET FOR PN 2008-135
- M MEASURED DISTANCE
- S.F. SQUARE FEET
- IR IRON ROD
- IP IRON PIPE
- SN SURVEY NUMBER, MULTNOMAH COUNTY SURVEY RECORDS
- PN PARTITION PLAT NO., MULTNOMAH COUNTY PLAT RECORDS
- P, P2 PARTITION PLAT NO., MULTNOMAH COUNTY PLAT RECORDS

REFERENCES

PLAT OF "ANDERSON ACRES"
PLAT OF "STARKWOOD BLOCK"
PN 2003-2
PN 2003-2
SN 52383
SN 38653
SN 37653
SN 11027

NOTES

1. THIS PLAT IS SUBJECT TO THE CONDITIONS IMPOSED BY THE CITY OF PORTLAND IN CASE FILE NO. LU 11-153703 LC AD AP.
2. THE PRIVATE ACCESS AND EASEMENT SHOWN ON PN 2008-135 IS RELINQUISHED AND WITHDRAWN TO BE NO LONGER IN EFFECT.
3. THE DECLARATION OF PRIVATE ACCESS EASEMENT AND UTILITY EASEMENT SHOWN ON PN 2008-135 IS RELINQUISHED AND WITHDRAWN BY THIS PLAT HAVING THE APPROVAL OF THE CITY OF PORTLAND.

I CERTIFY THAT THIS PLAT WAS SURVEYED AND PLATED BY RAYMOND F. BUCKEL ON OCE 985342 FOR BESTER FILM.

REGISTERED PROFESSIONAL LAND SURVEYOR
Raymond F. Buckel
OREGON JANUARY 23, 1990
RAYMOND F. BUCKEL
RENEWAL 12-31-11

14631 S. Lively Road
Oregon City, Oregon 97045
(503) 638-8306
FAX (503) 635-4510

DATE: May 14, 2011
CHECKED BY: RB
SCALE: AS SHOWN
PROJECT: 06131P

BUCKEL ASSOCIATES, INC.
LAND SURVEY & CIVIL ENGINEER CONSULTANTS

CASE NO. 11-153703 LC
EXHIBIT C-1