



101 SW Main Street, Suite 1100  
Portland, Oregon 97204

balljanik.com

t 503.228.2525  
f 503.295.1058

RECEIVED  
PLANNING & SUSTAINABILITY

2016 MAY 32 A 7 30

Stephen T. Janik  
sjanik@balljanik.com

May 25, 2016

Mr. John Cole  
Bureau of Planning and Sustainability  
City of Portland  
1900 SW 4th Avenue, Suite 7100  
Portland, OR 97201

Re: Rich's / Angel LLC

Dear Mr. Cole:

We represent Rich's/Angel LLC (the "Client"). This is in response to your letter of May 18, 2016 to our Client. In that letter you state that the proposal is to imprint on a portion of our client's property a "segment of a proposal trail alignment."

On behalf of our Client, we object to this proposal. Our Client's property is at the intersection of MLK Blvd. and NE Lloyd Blvd. First, as the attachments show, our Client's property is all of Block 111. However, only Lots 400 and 500 of Block 111 are at the grade of MLK Blvd. and Lloyd Blvd. The balance of Block 111 slopes dramatically downward to the south to the bottom of Sullivan's Gulch, the railroad tracks and the I-84 freeway. It is not feasible or prudent to put a public trail along the side of this dramatic slope. We do not understand your proposal unless you are actually proposing a public trail along very active railroad tracks.

Second, by imprinting this unfeasible trail on private property, our Client will have to deal with this in any future land use proceedings on the development of the developable portion of our Client's property, as you have made clear in your letter. That is an unfair and unnecessary regulatory imposition on our Client, for a public trail that is ill-conceived.

Third, our Client is not willing to give the City a trail easement on its property. The City will have to condemn such an easement. If and when the City condemns such an easement, you can then impose a trail designation on our client's property, if you so choose.



Mr. John Cole  
May 25, 2016  
Page 2

If you would like to discuss this, please contact me.

Very truly yours,

A handwritten signature in black ink, appearing to read "Stephen T. Janik".

Stephen T. Janik

STJ:pgm  
Enclosure  
cc: Mr. Joseph W. Angel