

# Development Services

## From Concept to Construction

Phone: 503-823-7300 Email: [bds@portlandoregon.gov](mailto:bds@portlandoregon.gov) 1900 SW 4th Ave, Portland, OR 97201

More Contact Info (<http://www.portlandoregon.gov/bds/article/519984>)



### APPEAL SUMMARY

**Status:** Decision Rendered

<b>Appeal ID:</b> 31475	<b>Project Address:</b> 3556 NW Front Ave
<b>Hearing Date:</b> 4/12/23	<b>Appellant Name:</b> Steve Bloomquist
<b>Case No.:</b> B-013	<b>Appellant Phone:</b> 971-435-2206
<b>Appeal Type:</b> Building	<b>Plans Examiner/Inspector:</b> Tara Carlson
<b>Project Type:</b> Iur	<b>Stories:</b> 1 <b>Occupancy:</b> S1&B <b>Construction Type:</b> Type-III-N (UBC) III-B-(IBC)
<b>Building/Business Name:</b> Terminal 2 Warehouse 205	<b>Fire Sprinklers:</b> Yes - Ceiling, dry valve fire system
<b>Appeal Involves:</b> other: No Build Easement Refer to below documentation	<b>LUR or Permit Application No.:</b> 23-009447-PR
<b>Plan Submitted Option:</b> pdf [File 1] [File 2] [File 3]	<b>Proposed use:</b> Mass Timber Manufacturing

### APPEAL INFORMATION SHEET

#### Appeal item 1

**Code Section** 602 and 705.8

<b>Requires</b>	<p>Table 602: Fire-resistance rating requirements for exterior walls based on fire separation distance.</p> <ul style="list-style-type: none"><li>Distances less than 5' (depending on the occupancy group) will need to have 1-3 hour rated wall assemblies and possibly a parapet.</li></ul> <p>Table 705.8 Maximum area of exterior wall openings based on fire separation distance and degree of opening protection.</p> <ul style="list-style-type: none"><li>There are several large doors on the water facing wall line. Table 705.8 indicates the percentage allowances based on the property line (or assumed property line if there is an easement). No openings are permitted for property lines less than 3 feet. Opening allowance change based on the increased distance and whether NFPA 13 sprinklers are provided.</li></ul> <p>Warehouse 205 located on proposed Lot 2 doesn't meet applicable fire separation requirements in relation to the proposed property line adjustment. Please refer to attached Life Safety Plans Examiner response for details regarding addressing applicable building code requirements. The applicant has selected option 2 described on page 5 of the 23-009447-PR check sheet notes. A future "No-Build" easement is proposed on the properties along the north side of the existing structure. This easement restricts future development on that portion of the lot, and therefore guarantees the fire separation between the current, non-fire-rated structure and future structures.</p>
<b>Code Modification or Alternate Requested</b>	<p>As an alternative to the fire separation requirements described above in this building code appeal the applicant proposes a 26-foot-wide no-build easement along the north side of Warehouse 205. Please refer to the attached no build exhibit and option 2 in described in the 23-009447-PR check sheet notes included with this building code appeal as exhibits.</p>

**Proposed Design**

As part of future site development the Port will record a No build easement as shown on the attached No build easement Exhibit. A 26-foot-wide future "No-Build" easement will be imposed on the property adjacent to the north side of the existing structure in accordance with fire life and safety requirements. The proposed easement restricts future development on the north portion of the lots 1 and 2, and therefore guarantees the fire separation between the current, non-fire-rated structure and future structures.

**Reason for alternative**

The existing Warehouse will remain as part of site development and be repurposed for a mass timber production facility after the proposed PLA is complete. The purpose of this project is to reconfigure existing property lines to facilitate the Port's future establishment of a mass timber manufacturing innovation center campus on the upland area of the site while continuing to maintain the existing dredge operations and moorage on the waterfront portion of the site.

The proposed property lines will retain water dependent uses along the river frontage by retaining outermost portion of the terminal wharf to continue to accommodate deep-water access for marine cargo vessels and allow for the creation of a new mass timber manufacturing campus facility on Lot 2.

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**APPEAL DECISION**

**Omission of fire rated construction within 30 feet of the property line with 26 foot wide no build easement: Granted provided a recorded No Build Easement is submitted prior to plan review approval.**

**Appellant may contact John Butler (503 865-6427) or e-mail at [John.Butler@portlandoregon.gov](mailto:John.Butler@portlandoregon.gov) with questions.**

**The easement must include language that establishes the edge of the easement on the adjacent lot as the implied property line for the purpose of determining fire separation distance for future development on the adjacent lot.**

**The unrecorded easement must be reviewed and approved by BDS prior to recording. A copy of the recorded easement must then be provided to BDS prior to plan review approval.**

**Note: Easement review is a separate process. The Board is not granting the use of the covenant provided by the appellant.**

The Administrative Appeal Board finds with the conditions noted, that the information submitted by the appellant demonstrates that the approved modifications or alternate methods are consistent with the intent of the code; do not lessen health, safety, accessibility, life, fire safety or structural requirements; and that special conditions unique to this project make strict application of those code sections impractical.

Pursuant to City Code Chapter 24.10, you may appeal this decision to the Building Code Board of Appeal within 90 calendar days of the date this decision is published. For information on the appeals process, go to [www.portlandoregon.gov/bds/appealsinfo](http://www.portlandoregon.gov/bds/appealsinfo), call (503) 823-6251 or come in to the Development Services Center.

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**City of Portland, Oregon**  
**Bureau of Development Services**  
**Land Use Services**  
FROM CONCEPT TO CONSTRUCTION

Carmen Rubio, Commissioner  
Rebecca Esau, Director  
Phone: (503) 823-7310  
TTY: (503) 823-6868  
[www.portland.gov/bds](http://www.portland.gov/bds)

**PROPERTY LINE ADJUSTMENT CHECKSHEET**

**DATE:** March 10, 2023

**TO:** Steve Bloomquist  
Port of Portland  
7200 NE Airport Way  
Portland, OR 97218

**FROM:** Sean Williams, City Planner  
(503) 865-6441  
[Sean.Williams@portlandoregon.gov](mailto:Sean.Williams@portlandoregon.gov)

**RE:** **23-009447-PR** - Property Line Adjustment at 3556 NW Front Avenue

***Please note that you must respond to this checksheet within 180 days or this application will be voided. Fees will not be refunded for voided applications (ENB-13.25). All lot confirmation and/or property line adjustment applications require an additional fee per checksheet when more than two checksheets are needed to complete the application. This is checksheet number 1. Please refer to the [current fee schedule](#) for more information.***

***The items listed below must be addressed and/or submitted before the property line adjustment can be completed:***

- ☐ **Survey & Legal Descriptions:** Please provide a survey and legal descriptions that are signed by the registered surveyor. In addition, it is my understanding that "Parcel 26, Book 766, Page 919 (12-31-1970)" is not proposed to be confirmed as a part of this review. Therefore, please remove this parcel from the survey.
- ☐ **Building Code:** A building located on Tract 2 doesn't meet applicable fire separation requirements in relation to the adjusted property line. See attached Life Safety Plans Examiner response for details regarding addressing applicable building code requirements.
- ☐ **Access Easement:** A drive aisle associated with the westernmost parking lot on Tract 2 will be accessible from a curb cut over Tract 1 after the PLA. Therefore, a covenant to record future access easement will be required prior to approval of this review. A template covenant has been provided for your use. Please return a copy for review prior to recording.
- ☐ **Services (33.677.300.F):** The adjustment of the property line will not eliminate the availability of services to the properties and the properties will not move out of conformance with service bureau requirements for water, sanitary sewage disposal, and stormwater management. Adjustments are prohibited. The Bureau of Environmental Services (Emma Kohlsmith, 503-823-8427, [Emma.Kohlsmith@portlandoregon.gov](mailto:Emma.Kohlsmith@portlandoregon.gov)) requires additional information prior to approval of the PLA:

**SANITARY:** There is a public 15-inch sanitary-only sewer in NW Front Avenue (BES as-built # 22276).

For the PLA to be approved, the applicant must demonstrate that the adjustment of the property line will not eliminate the availability of sanitary services and the properties will not move out of conformance with BES requirements for sanitary sewage disposal. Based on the submitted site plan, the existing sanitary system is currently split between two systems, one serving the eastern portion of the site and one serving the western portion. To meet the PLA approval criteria related to sanitary service, the following will be required:

1. For the eastern sanitary system, the small segment of sanitary pipe that extends onto Lot 1 from Lot 2 must be retrofitted so that it no longer extends onto Lot 1. Once this portion of pipe is removed, this sanitary system will not be shared with Lot 1, therefore no sanitary sewer easement for Lot 1 will be needed. This system must be retrofitted prior to PLA approval, with necessary permits finalized.
2. For the western sanitary system, the proposed PLA will result in this sanitary sewer system being shared between Lot 1 and Lot 2. BES will allow temporary sanitary sewer easements to be recorded to cover the existing system. The proposed easement locations are acceptable to BES. The applicant will need to work with BDS to record a covenant for future temporary easement. BES will review this easement prior to recording. Also note that a plumbing code appeal is likely required for this shared sanitary system. Please coordinate with BDS.

Note that any future development on Lot 1 will be required to connect to the public sanitary sewer within the frontage of proposed Lot 1 no connections into the shared system will be allowed for future development on Lot 1.

**STORM:** There is a public 24 to 48-inch CSP storm-only sewer in NW Front Avenue (BES as-built # 19V-050).

For the PLA to be approved, the applicant must demonstrate that the adjustment of the property line will not eliminate the availability of storm services to the properties and the properties will not move out of conformance with service bureau requirements for stormwater management.

The proposed PLA does not eliminate the availability of storm service to the lots. Both lots will continue to have access to the storm-only sewer in NW Front Ave. However, with the proposed PLA, Lot 2 will no longer have direct access to the river (without easements as discussed below), which is the current disposal location for stormwater from this site.

Per the submitted plans, the stormwater system is already being shared across property lines. However, the proposed PLA will worsen this existing condition. To meet the PLA approval criteria related to stormwater, the following will be required:

1. The applicant will need to delineate easements and ensure that a maintenance agreement is in place for the shared stormwater system. BES has provided comments regarding the proposed easements on the proposed easement PDF (provided via email and attached under the attachments tab). It's likely that a BDS Plumbing Code Appeal is required for the shared private stormwater system. Please coordinate with the BDS planner to discuss easements, maintenance agreements and plumbing code appeals.

(For informational purposes only)

**BES SEWER EASEMENTS AND ENCROACHMENTS:** Three sewer easements granted to the City of Portland exist on this site. A 30-foot easement exists over the 36 to 48-inch storm-only sewer that crosses the western tip of this property. The other two easements are 12-ft

and 20-ft wide but do not appear to cover any existing BES-owned infrastructure. BES may be willing to release these two easements if we can confirm that no infrastructure exists within them. Please contact the reviewer identified above to discuss quitclaiming these easements.

Be aware that sewer easements grant certain rights to the City of Portland related to constructing, maintaining, and/or accessing public sewer infrastructure. Features or activities that would interfere with the City's granted rights are considered unauthorized encroachments. In evaluating a proposed encroachment, administrative rule ENB-4.07 establishes that BES will balance the need for the encroachment against the repair and maintenance needs of that sewer. Examples of features or activities that may be limited or prohibited, depending on the easement, include building construction, utility installation or maintenance, material storage, grading, fence installation, and tree planting. BES staff review for possible easement encroachments as authorized by PCC 17.32.040.B during land use and/or building permit review. BES may deny a request to encroach, approve the request, or approve the request with conditions. If the encroachment is approved, the City will obtain an executed and recorded encroachment agreement with the property owner to satisfy the authorization requirement in PCC 17.32.030.A.2.

***The following information is included about future development for your information only, no action required:***

- **Water:** No issue with the proposed PLA & Confirmation. Water is available to Lot 1 & lot 2 from the 12" CI water main in NW Front Ave. The site is currently served through a 4" meter on a 4" service, and an 8" fire line. At the time of permit review, you should be aware of the following:
  1. The existing services are non-conforming for Lot 1 and Lot 2 as they are in the frontage of another lot. Separate services and meters will be required for development on the individual lots, regardless of lot ownership.
  2. New commercial development with no residential use and having permanent irrigated areas of 1,000 square feet or more, are required to have a separate water meter for irrigation use. The requirement only applies to permanent irrigation services intended to remain longer than 24 months.

Michael Puckett, 503-865-6374, [michael.puckett@portlandoregon.gov](mailto:michael.puckett@portlandoregon.gov)



## City of Portland, Oregon - Bureau of Development Services

1900 SW Fourth Avenue • Portland, Oregon 97201 | 503-823-7300 | [www.portland.gov/bds](http://www.portland.gov/bds)



To: Sean Williams  
From: Tara Carlson, Life Safety Plans Examiner  
Date: February 27, 2023  
RE: 3556 NW FRONT AVE, 23-009447-PR

### LIFE SAFETY PLAN REVIEW RESPONSE

The following comments are based on the plans and documents provided to the Life Safety Plan reviewer. They are intended to provide the applicant with preliminary Building Code information that could affect the Land Use Review, Public Records request and/or future Building Permit reviews. The comments may not identify all conflicts between the Land Use proposal and the Building Codes. A complete Life Safety plan review will be provided at the time of Building Permit submittal at which time any additional Building Code issues will be noted. The comments are based on the Oregon Structural Specialty Code (OSSC), the International Existing Building Code (IEBC), the Oregon Mechanical Specialty Code (OMSC), or the Oregon Residential Specialty Code (ORSC).

### RESPONSE SUMMARY

- ☒ Life Safety Plan Review does not object to the approval of this proposal. The applicant should be aware that several building code requirements may impact the final design of this building. For information regarding future compliance, see the **GENERAL LIFE SAFETY COMMENTS** below.
- ☐ Life Safety Plan Review does not object to the approval of this proposal. This approval is conditional on the finalization of the property line adjustment approved through this LUR/PR. If this public record is not finalized, a Covenant Not to Sell the Properties Separately must be established for this project. For information regarding future compliance, see the **GENERAL LIFE SAFETY COMMENTS** below.
- ☐ Life Safety Plan Review does not object to the approval of this proposal. Prior to Life Safety approval of the final plat or Land Use proposal, the applicant must address the Building Code issues listed as part of the **GENERAL LIFE SAFETY COMMENTS** below.
- ☐ Life Safety Plan Review cannot support approval of the current Land Use proposal. Prior to Life Safety approval of the final plat, the applicant must address the Building Code issues listed as part of the **GENERAL LIFE SAFETY COMMENTS** below.

Item #	GENERAL LIFE SAFETY COMMENTS
1	<b>Building Permit Required</b> - A separate Building Permit is required for the work proposed and the proposal must be designed to meet all applicable building codes and ordinances. Information about submitting a permit application request is available online at <a href="https://www.portland.gov/bds/permit-review-process/apply-or-pay-permits">https://www.portland.gov/bds/permit-review-process/apply-or-pay-permits</a> .
2	<b>Options for Compliance</b> - If existing building or buildings are shown to be out of compliance with the Building Code once the fire separation distance has been reduced, the existing building(s) will need to be brought into conformance. The following three options are available to bring the building into code conformance. <ul style="list-style-type: none"><li>• Option 1: Covenant Not to Sell Properties Separately</li><li>• Option 2: Building Code Appeal with "No Build" Easement at property line</li><li>• Option 3: Building Permit to modify existing structures to meet code requirements</li></ul> Please see Property Line Adjustment Options for more information.

<b>3</b>	<p><b>Fire Rated Exterior Walls</b> - Most occupancy groups and construction types require exterior walls less than 30 feet to a property line to have 1-hour fire-rated construction. Please verify required wall rating based on Table 602.</p> <ul style="list-style-type: none"> <li>• Exterior walls located less than or equal to 10 feet to a property line must be 1-hour fire-rated for exposure to fire from both sides.</li> <li>• Exterior walls located more than 10 feet to a property line must be 1-hour fire-rated for exposure to fire from the inside only. (OSSC 602.1, 705.5)</li> </ul>
<b>4</b>	<p><b>Opening Allowances</b> - Openings in exterior walls less than 3 feet to a property line are not allowed. Unprotected openings in exterior walls less than 5 feet to a property line are not allowed in an un-sprinklered building. (OSSC 705.8)</p>

## **COMMERCIAL PROPERTY LINE ADJUSTMENT/ LOT CONFIRMATION OPTIONS (Item #2 above.)**

### **OPTION 1: COVENANT NOT TO SELL PROPERTIES SEPARATELY**

- Where one owner owns two properties that depend on each other to meet Building Code requirements
- The properties connected must have identical ownership to be combined by a covenant.
- Requires owner to bring buildings up to code in effect at the time the parcels are sold separately
- City must provide written approval for properties to be sold separately
- Applicant must file "Authorization to Remove Covenant Not to Sell Properties Separately" that must be recorded and signed by both BDS and the Fire Marshal's Office.

### **OPTION 2: BUILDING CODE APPEAL WITH "NO-BUILD" EASEMENT AT PROPERTY LINE**

- A future "No-Build" easement is imposed on the property adjacent to the existing structure. This easement restricts future development on that portion of the lot, and therefore guarantees the fire separation between the current, non-fire-rated structure and future structures.
- The no-build easement is typically wide enough to meet fire separation distance requirements for the existing building. An assumed property line is usually established at the outer edge of the no-build easement.
- Since the easement option is not allowed outright in the code, a building code appeal is required in order to approve it. Information about the building code appeal process is available online at <http://www.portlandonline.com/bds/index.cfm?c=34196>.
- The documentation submitted for the appeal should include a site plan, wall section drawing showing the location of the wall and eave in relation to the proposed and imaginary property lines, a legal description of the parcels and the no-build easement area and a completed draft easement.
- As part of the appeal, the board will verify the draft easement provided is acceptable, and that the width of the easement will meet the intent of the code for separation between structures.
- A draft Easement will be provided after the appeal is granted. After the draft has been revised by the applicant and signed by the Life Safety staff, it will be returned to the applicant to be recorded with Multnomah County.
- Once the easement is recorded, the applicant must submit the following to the Planner assigned to the project:
  - the approved appeal,
  - the recorded easement,

- site plan and legal description.
- The Planner will notify the Life Safety plans examiner, who will then complete the Life Safety portion of the lot confirmation.

### **OPTION 3: BUILDING PERMIT TO MODIFY EXISTING STRUCTURES TO MEET CODE REQUIREMENTS**

- This option requires a building permit showing how the existing construction will be modified to comply with the building code requirements. Building components that may require adjustment through permit may include but are not necessarily limited to:
  - Building Area allowances based on construction type, sprinkler type and frontage increases. (OSSC 506.2).
  - Wall rating requirements at the south wall based on fire separation distance, construction type and occupancy type (OSSC 602).
  - Projection allowances based on fire separation distance (OSSC 705.2)
  - Percentage of opening allowances at the wall based on fire separation distance and sprinkler system. (OSSC 705.8)
  - Egress Court Width and Fire Ratings (OSSC 1028.4)
  - Exterior Stair Fire Ratings (OSSC 1027.5 and 1027.6)
- To apply for the building permit, prepare drawings that show these improvements. The permit set will must convey enough information to allow for a full analysis of the building. Minimally if must contain a building code analysis, a site plan, building plan, egress plans, and a building wall section showing specific conditions and identifying all components required to meet the building code. All drawings are required to be to scale and fully dimensioned.
- To apply for the building permit, bring a complete building permit Application (<http://www.portlandoregon.gov/bds/article/71706>), along with 4 copies of the drawing set to the Development Services Center at 1900 SW 4<sup>th</sup> Ave. See the website for hours (<http://www.portlandoregon.gov/bds> ).
- Once the permit has been issued, construction may begin. Call for Inspections as work proceeds.
- When work is completed, and the Final Inspection has been approved, you should notify the planner assigned to this project that the building permit has been finaled and identify the permit number.
- The Planner will notify the Life Safety plans examiner, who will then complete the Life Safety portion of the lot confirmation.



AFTER RECORDING, RETURN TO:

City of Portland Bureau of Development Services  
1900 SW Fourth Avenue, Suite 5000  
Portland, OR 97201  
File Number: 23-009447-PR

Port of Portland  
Office of General Counsel  
Attn: Kristina Kelchner  
7200 NE Airport Way  
Portland, OR 97218

**COVENANT FOR FUTURE NO-BUILD EASEMENT AND AGREEMENT NOT TO BUILD  
23-009447-PR: Property Line Adjustment at 3556 NW Front Avenue**

**RECITALS**

- A. Port of Portland (“Declarant”), is the record owner of the lots described in Section 1 below.
- B. Declarant has submitted an application to the City of Portland for a Property Line Adjustment to adjust the existing property line between two Declarant properties at Terminal 2, located at 3060-3556 NW Front Avenue, Portland OSSC Section 705.8 requires over 25 feet of fire separation distance between the building and the property line for an unlimited area of unprotected openings Oregon. The reconfigured property lines result in a waterfront lot (“Lot 1”) and an upland lot (“Lot 2”), as more fully described below. The proposed property line between Lots 1 and 2 runs parallel to an existing building located on Lot 2 with large door openings in the building wall located approximately 4 feet from the adjusted property line. Section 705.8 of the 2019 Oregon Structural Specialty Code (“OSSC”) limits the allowable area of unprotected openings to 25% of the wall area if the property is less than 10 feet from the property line. For an unlimited area of unprotected openings, OSSC Section 705.8 requires over 25 feet of fire separation distance between the building and the property line.
- C. In exchange for the promises under this Covenant for Future No-Build Easement and Agreement Not to Build (“Agreement”), Declarant has requested that the City approve an alternative method of meeting the Building Code requirements described above.
- D. To conform to OSSC Section 708.5 requirements, Declarant desires to burden Lot 1 with a covenant that will immediately create a 22’ no-build easement in perpetuity to benefit Lot 2, effective upon the date when Lot 1 and Lot 2 are no longer under common ownership. Declarant further desires to burden Lot 2 with a covenant that will immediately create an approximately 4’ no-build easement in perpetuity to benefit Lot 1, effective upon the date when Lot 1 and Lot 2 are no longer under common ownership. Together, the 22’ and 4’ areas create

an approximately 26'-wide protected fire separation area adjacent to the existing building on Lot 2 and referred to herein as the "No-Build Easement Areas" as further described below.

E. Declarant has agreed not to build any new or additional structures within the No-Build Easement Areas described below.

F. Declarant has further agreed to record this Agreement, to provide record notice of the terms of this Agreement, and to bind subsequent transferees of Lots 1 and 2 to the terms of this Agreement.

NOW, THEREFORE, the Declarant agrees as follows:

### **AGREEMENT**

1. **LEGAL DESCRIPTION.** The properties that are subject to this Agreement are as follows:

a. The properties to be burdened by this Agreement are:

- Lot 1, as more fully described in Exhibit "A" attached hereto as to the 22' No-Build Easement.
- Lot 2, as more fully described in Exhibit "A" attached hereto as to the 4' No-Build Easement.

b. The properties to be benefitted by the No-Build Easements are:

- Lot 2, as more fully described in Exhibit "A" attached hereto, as to the 22' No-Build Easement.
- Lot 1, as more fully described in Exhibit "A" attached hereto as to the 4' No-Build Easement.

c. The No-Build Easement Areas are as follows:

- An approximately 22' x 480' wide, 10,588 square foot No-Build Easement on Lot 1, as described more fully in Exhibit "B" and shown in Exhibit "C" attached hereto (the "No-Build Easement Area")
- An approximately 4' x 480' wide, 1,918 square foot No-Build Easement on Lot 2, as described more fully in Exhibit "B" and shown in Exhibit "C" attached hereto (the "No-Build Easement Area").

2. NO-BUILD EASEMENT AREA RESTRICTIONS. No new or additional above-ground structure, including, but not limited to, a dwelling unit, garage, shed, fence, or any other above-ground building or structure, or eaves or other projections, shall be erected, constructed, placed, or maintained upon any portion of the No-Build Easement Area. If the existing structure located on Lot 2 is demolished or destroyed in the future, regardless of the cause, any replacement structure may not be built in whole or in part within the No-Build Easement Area unless it complies with all codes in effect at the time of replacement. An assumed property line to establish the required fire separation distance is hereby created 22 feet to the northeast of the actual property line between Lot 1 and Lot 2 for the purpose of restricting future development on Lot 1, as shown on Exhibit B attached hereto. An assumed property line to establish the required fire separation distance is also hereby created 4 feet to the southwest of the actual property line between Lot 1 and 2 for the purpose of restricting future development on Lot 2, as shown on Exhibit B attached hereto.

3. COVENANT FOR NO-BUILD EASEMENT. Declarant, Declarant's successors, and Declarant's assigns, covenant that, if Declarant or subsequent owners or assigns transfer ownership of Lot 1 and/or Lot 2 so that the Lots are no longer under common ownership, the subsequent owners and users of Lot 1 shall immediately be burdened by a No-Build Easement on Lot 1, and the subsequent owners and users of Lot 2 shall immediately be burdened by a No-Build Easement on Lot 2. Subsequent owner(s) of the Lots described in Section 1 above shall abide by the No-Build Easement Area restrictions described in Section 2 of this Agreement.

4. TERM AND BINDING EFFECT. This Agreement shall be effective as of the date of the signature(s) below and shall continue in perpetuity. All terms and provisions herein are intended to and shall be covenants running with the land and/or equitable servitudes for the benefit of Lot 2 and burdening Lot 1 and for the benefit of Lot 1 and burdening Lot 2 and shall be binding on Declarant, Declarant's heirs, executors, administrators, successors, and assigns and all current and future owners of the Lots described in Section 1 above and all persons claiming title, possession, or ownership of or to such properties.

5. DEFINITIONS. *Building Code* means the State of Oregon Building Code as defined in Oregon Revised Statutes Chapter 455, as amended from time to time and as adopted by the City of Portland.

6. MODIFICATION AND TERMINATION. The Declarant(s) and subsequent owners and assigns may not modify, withdraw from, terminate, or dissolve this Agreement without the written approval of the City of Portland. If this Agreement is a condition of approval of a property division, the City of Portland may require such condition to be modified before permitting this Agreement to be terminated or dissolved or permitting a party to withdraw from this Agreement.

7. GOVERNING LAW AND VENUE. This Agreement shall be construed in accordance with the laws of the State of Oregon. Any action arising out of or relating to this Agreement shall be commenced in the Circuit Court for Multnomah County, Oregon, and if in the federal courts, in the United States District Court for the District of Oregon, Portland Division. Any arbitration or other form of alternative dispute resolution arising out of this Agreement shall take place in an appropriate forum within Portland, Oregon.

8. COPY TO BUREAU OF DEVELOPMENT SERVICES. Upon recording, Declarant shall provide a copy of this Agreement to the Bureau of Development Services.

9. NOTICES. Any notice under this Agreement shall be made in writing and sent to the City of Portland at the address below and to each owner via first class mail with a copy to the address below, in care of the street address of the owner's lot, or in the event the owner does not reside on said property, in care of the current property tax notification address of the property; provided, however, that an owner can change the notification address by written notice to each other owner and the City of Portland.

**City of Portland:**

Bureau of Development Services  
1900 SW Fourth Avenue, Suite 5000  
Portland, OR 97201

**Port of Portland**

Port of Portland  
Office of General Counsel  
Attn: Kristina Kelchner  
7200 NE Airport Way  
Portland, OR 97218

10. INDEMNIFICATION. The Declarant, Declarant's successors, and assigns shall indemnify, defend, and hold harmless the City of Portland, its officers, agents, officials, and employees against any and all claims, demands, actions, and suits, including attorneys' fees, and costs brought against any of them arising out of or resulting from the terms of this Agreement.

11. CONSIDERATION. Declarant has requested that the City allow Declarant to bring the properties described in Section 2 of this Agreement into conformance with fire separation distance requirements under Section 705.8 of the 2019 OCSC. In exchange for the promises under this Agreement, Declarant acknowledges that this Agreement is executed as an alternate method of complying with these sections of the Building Code. The parties agree that the City of Portland is an intended third-party beneficiary of this Agreement.

12. AUTHORITY TO EXECUTE AGREEMENT. The Declarant expressly represents and warrants that the persons executing this Agreement are duly authorized to do so. This Agreement may be executed in counterparts, and each counterpart shall have the same binding legal effect as if it were a single document containing all signatures.

13. SEVERABILITY. Each provision of this Agreement shall be independent and severable. The invalidity or partial invalidity of any provision herein shall not affect any of the remaining portions of that or any other provision of this Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Easement Agreement as of the date set forth below.

DECLARANT:

\_\_\_\_\_

DATE: \_\_\_\_\_  
(signature)

By: \_\_\_\_\_  
(printed name)

Title: \_\_\_\_\_

ADDRESS: \_\_\_\_\_  
(mailing address)

STATE OF OREGON                    )  
  )  
County of \_\_\_\_\_)

Personally appeared before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,  
\_\_\_\_\_ (name) [as (type of authority, such as officer or trustee)  
\_\_\_\_\_ of (name of entity on behalf of which person is acting)  
\_\_\_\_\_ and acknowledged the foregoing instrument to be his/her  
voluntary act and deed.

By: \_\_\_\_\_  
Notary Public for Oregon

My Commission Expires: \_\_\_\_\_

Approved as to form:

\_\_\_\_\_  
Building Official or Designee (*signature*)

Date: \_\_\_\_\_

\_\_\_\_\_  
(*printed name*)

# EXHIBIT A

## LOT 1 ADJUSTED PROPERTY LINE DESCRIPTION

A TRACT OF LAND SITUATED IN THE SOUTHEAST ONE-QUARTER OF SECTION 20, SOUTHWEST ONE-QUARTER OF SECTION 21, NORTHWEST ONE-QUARTER OF SECTION 28 AND NORTHEAST ONE-QUARTER OF SECTION 29, TOWNSHIP 1 NORTH, RANGE 1 EAST, WILLAMETTE MERIDIAN, CITY OF PORTLAND, MULTNOMAH COUNTY, OREGON BEING A PORTION OF PARCELS 12 & 13 IN THAT PORT OF PORTLAND BARGAIN & SALE DEED, RECORDED DECEMBER 31, 1970 IN DEED BOOK 766, PAGE 910 MULTNOMAH COUNTY DEED RECORDS, BEING FURTHER DESCRIBED AS FOLLOWS:

**COMMENCING** AT A 4-1/4 INCH DIAMETER BRASS DISK IN A CONCRETE SIDEWALK, AT THE MEANDER CORNER COMMON TO SECTIONS 19 & 20, TOWNSHIP 1 NORTH, RANGE 1 EAST AND SHOWN IN MULTNOMAH COUNTY BT BOOK "H", PAGE 711; THENCE SOUTH 60°33'04" EAST, 5,350.76 FEET TO A 1-1/2 INCH DIAMETER ALUMINUM CAP STAMPED "PETTIJOHN ENGR CO INC" AT AN ANGLE POINT ON THE NORTHEASTERLY RIGHT OF WAY LINE OF NW FRONT AVENUE, 50.00 FEET FROM CENTERLINE, AND THE **TRUE POINT OF BEGINNING**; THENCE, ALONG THE NORTHEASTERLY RIGHT OF WAY LINE OF NW FRONT AVENUE, NORTH 53°51'29" WEST, 170.84 FEET TO THE MOST SOUTHERLY CORNER OF THAT DEED RECORDED MARCH 21, 2013 IN DOCUMENT No.2013-038655, MULTNOMAH COUNTY DEED RECORDS; THENCE, ALONG THE SOUTHEASTERLY LINE THEREOF, NORTH 31°31'46" EAST, 85.42 FEET TO THE ORDINARY HIGH WATERLINE OF THE WILLAMETTE RIVER; THENCE, LEAVING SAID SOUTHEASTERLY LINE AND RUNNING ALONG THE ORDINARY HIGH WATERLINE THE FOLLOWING TWELVE (12) COURSES: 1) SOUTH 28°20'47" EAST, 109.04 FEET; 2) NORTH 72°32'46" EAST, 17.74 FEET; 3) NORTH 39°18'28" EAST, 172.15 FEET; 4) NORTH 36°50'15" EAST, 241.14 FEET; 5) NORTH 56°59'58" EAST, 74.74 FEET; 6) NORTH 27°05'23" EAST, 90.22 FEET TO A POINT UNDER THE TERMINAL 2 DOCK STRUCTURE; 7) THENCE CONTINUING ALONG THE ORDINARY HIGH WATERLINE AND UNDER THE EXISTING DOCK STRUCTURE, NORTH 43°48'15" EAST, 131.78 FEET; 8) SOUTH 62°23'35" EAST, 347.18 FEET; 9) SOUTH 47°09'42" EAST, 615.97 FEET; 10) NORTH 76°08'37" EAST, 42.22 FEET; 11) SOUTH 46°59'00" EAST 1,261.94 FEET; 12) SOUTH 38°17'39" EAST, 178.14 FEET; THENCE, DEPARTING SAID ORDINARY HIGH WATERLINE, SOUTH 43°51'35" WEST, 44.75 FEET TO THE NORTHEASTERLY DEED LINE OF DOLAN AND COMPANY, LLC, RECORDED MAY 31, 2005 IN DOCUMENT No.2013-055912, MULTNOMAH COUNTY DEED RECORDS; THENCE, ALONG SAID NORTHEASTERLY LINE, NORTH 38°17'39" WEST, 181.32 FEET TO THE MOST NORTHERLY CORNER THEREOF; THENCE, LEAVING SAID NORTHEASTERLY LINE, NORTH 44°00'20" EAST, 19.26 FEET; THENCE NORTH 46°59'00" WEST, 1,231.39 FEET TO A POINT OF CURVATURE; THENCE 24.82 FEET ALONG THE ARC OF A 25.00-FOOT RADIUS CURVE TO THE LEFT, CONCAVE TO THE SOUTH, THROUGH A CENTRAL ANGLE OF 56°52'21" (THE LONG CHORD BEARS NORTH 75°25'11" WEST, 23.81 FEET) TO A POINT OF TANGENCY; THENCE SOUTH 76°08'37" WEST, 15.15 FEET TO A POINT OF CURVATURE; THENCE 24.74 FEET

ALONG THE ARC OF A 25.00-FOOT RADIUS CURVE TO THE RIGHT, CONCAVE TO THE NORTH, THROUGH A CENTRAL ANGLE OF 56°41'41" (THE LONG CHORD BEARS NORTH 75°30'33" WEST, 23.74 FEET) TO A POINT OF TANGENCY; THENCE NORTH 47°09'42" WEST, 612.38 FEET; THENCE SOUTH 71°18'22" WEST, 180.67 FEET; THENCE SOUTH 41°57'38" WEST, 531.12 FEET; THENCE SOUTH 53°09'07" WEST, 119.66 FEET; THENCE SOUTH 16°30'16" WEST, 55.00 FEET TO THE NORTHEASTERLY LINE OF SAID NW FRONT AVENUE; THENCE, ALONG SAID NORTHEASTERLY LINE, NORTH 47°12'10" WEST, 150.10 FEET TO THE TRUE POINT OF BEGINNING, CONTAINING 6.146 ACRES MORE OR LESS.

THE BEARINGS IN THIS DESCRIPTION ARE BASED UPON MULTNOMAH COUNTY SURVEY NO. 47965.



**DIGITALLY SIGNED**



EXP: 6/30/2024



## LOT 2 ADJUSTED PROPERTY LINE DESCRIPTION

A TRACT OF LAND SITUATED IN THE SOUTHEAST ONE-QUARTER OF SECTION 20, SOUTHWEST ONE-QUARTER OF SECTION 21, NORTHWEST ONE-QUARTER OF SECTION 28 AND NORTHEAST ONE-QUARTER OF SECTION 29, TOWNSHIP 1 NORTH, RANGE 1 EAST, WILLAMETTE MERIDIAN, CITY OF PORTLAND, MULTNOMAH COUNTY, OREGON BEING A PORTION OF PARCELS 12 & 13 IN THAT PORT OF PORTLAND BARGAIN & SALE DEED, RECORDED DECEMBER 31, 1970 IN DEED BOOK 766, PAGE 910 MULTNOMAH COUNTY DEED RECORDS, BEING FURTHER DESCRIBED AS FOLLOWS:

**COMMENCING** AT A 4-1/4 INCH DIAMETER BRASS DISK IN A CONCRETE SIDEWALK, AT THE MEANDER CORNER COMMON TO SECTIONS 19 & 20, TOWNSHIP 1 NORTH, RANGE 1 EAST AND SHOWN IN MULTNOMAH COUNTY BT BOOK "H", PAGE 711; THENCE SOUTH 60°33'04" EAST, 5,350.76 FEET TO A 1-1/2 INCH DIAMETER ALUMINUM CAP STAMPED "PETTIJOHN ENGR CO INC" AT AN ANGLE POINT ON THE NORTHEASTERLY RIGHT OF WAY LINE OF NW FRONT AVENUE, 50.00 FEET FROM CENTERLINE; THENCE, ALONG SAID NORTHEASTERLY LINE, SOUTH 47°12'10" EAST, 150.10 FEET TO THE **TRUE POINT OF BEGINNING**; THENCE, DEPARTING SAID NORTHEASTERLY RIGHT OF WAY LINE, NORTH 16°30'16" EAST, 55.00 FEET; THENCE NORTH 53°09'07" EAST, 119.66 FEET; THENCE NORTH 41°57'38" EAST, 531.12 FEET; THENCE NORTH 71°18'22" EAST, 180.67 FEET; THENCE SOUTH 47°09'42" EAST, 612.38 FEET TO A POINT OF CURVATURE; THENCE 24.74 FEET ALONG THE ARC OF A 25.00-FOOT RADIUS CURVE TO THE LEFT, CONCAVE TO THE NORTH, THROUGH A CENTRAL ANGLE OF 56°41'41" (THE LONG CHORD BEARS SOUTH 75°30'33" EAST, 23.74 FEET) TO A POINT OF TANGENCY; THENCE NORTH 76°08'37" EAST, 15.15 FEET TO A POINT OF CURVATURE; THENCE 24.82 FEET ALONG THE ARC OF A 25.00-FOOT RADIUS CURVE TO THE RIGHT, CONCAVE TO THE SOUTH, THROUGH A CENTRAL ANGLE OF 56°52'21" (THE LONG CHORD BEARS SOUTH 75°25'11" EAST, 23.81 FEET) TO A POINT OF TANGENCY; THENCE SOUTH 46°59'00" EAST, 1,231.39 FEET; THENCE SOUTH 44°00'20" WEST, 19.26 FEET TO THE MOST NORTHERLY CORNER OF THAT PROPERTY DESCRIBED IN DEED TO DOLAN AND COMPANY, LLC, RECORDED MAY 13, 2005 IN DOCUMENT No.2005-055912, MULTNOMAH COUNTY DEED RECORDS; THENCE, ALONG THE NORTHWESTERLY LINE THEREOF, SOUTH 44°00'20" WEST, 433.43 FEET TO AN ANGLE POINT IN SAID LINE; THENCE, CONTINUING ALONG SAID NORTHWESTERLY LINE, SOUTH 31°13'15" WEST, 443.27 FEET TO THE NORTHEASTERLY RIGHT OF WAY LINE OF SAID NW FRONT AVENUE; THENCE, ALONG SAID NORTHEASTERLY RIGHT OF WAY LINE, NORTH 47°12'10" WEST, 622.84 FEET TO THE MOST SOUTHERLY CORNER OF THAT PROPERTY DESCRIBED IN PARCEL 26 OF THAT PORT OF PORTLAND DEED, RECORDED DECEMBER 31, 1970 IN DEED BOOK 766, PAGE 919, MULTNOMAH COUNTY DEED RECORDS; THENCE, DEPARTING SAID RIGHT OF WAY LINE AND RUNNING ALONG THE OUTBOUNDS OF SAID PORT OF PORTLAND PARCEL 26 THE FOLLOWING THREE (3) COURSES: 1) NORTH 42°47'36" EAST, 91.05 FEET; 2)

NORTH 47°07'26" WEST, 385.45 FEET; 3) SOUTH 42°47'36" WEST, 91.58 FEET TO THE NORTHEASTERLY RIGHT OF WAY LINE OF SAID NW FRONT AVENUE; THENCE ALONG SAID RIGHT OF WAY LINE, NORTH 47°12'10" WEST, 1,040.71 FEET TO THE TRUE POINT OF BEGINNING, CONTAINING 39.179 ACRES MORE OR LESS.

THE BEARINGS IN THIS DESCRIPTION ARE BASED UPON MULTNOMAH COUNTY SURVEY NO. 47965.



**DIGITALLY SIGNED**



EXP: 6/30/2024

# EXHIBIT B

## "NO-BUILD" EASEMENT WITHIN LOT 1

A TRACT OF LAND SITUATED IN THE SOUTHWEST ONE-QUARTER OF SECTION 21 AND NORTHWEST ONE-QUARTER OF SECTION 28, TOWNSHIP 1 NORTH, RANGE 1 EAST, WILLAMETTE MERIDIAN, CITY OF PORTLAND, MULTNOMAH COUNTY, OREGON BEING A PORTION OF PARCEL 12 IN THAT PORT OF PORTLAND BARGAIN & SALE DEED, RECORDED DECEMBER 31, 1970 IN DEED BOOK 766, PAGE 910 MULTNOMAH COUNTY DEED RECORDS, BEING FURTHER DESCRIBED AS FOLLOWS:

**COMMENCING** AT A 1-1/2 INCH DIAMETER ALUMINUM CAP STAMPED "PETTIJOHN ENGR CO INC" AT AN ANGLE POINT ON THE NORTHEASTERLY RIGHT OF WAY LINE OF NW FRONT AVENUE, 50.00 FEET FROM CENTERLINE; THENCE SOUTH 89°51'38" EAST, 1309.86 FEET TO THE MOST NORTHERLY CORNER OF WAREHOUSE 205; THENCE NORTH 43°05'32" EAST, 3.69 FEET TO THE PROPOSED PROPERTY LINE OF LOTS 1 & 2 AND THE **TRUE POINT OF BEGINNING**;

THENCE NORTH 43°05'32" EAST, 22.31 FEET TO A POINT THAT IS 26.00 FEET NORTHEASTERLY OF WHEN MEASURED AT RIGHT ANGLES TO THE NORTHEASTERLY LINE OF SAID WAREHOUSE 205; THENCE, PARALLEL WITH AND 26.00 FEET FROM SAID NORTHEASTERLY BUILDING LINE, SOUTH 46°54'28" EAST, 479.85 FEET; THENCE SOUTH 43°05'32" WEST, 21.70 FEET TO THE PROPOSED PROPERTY LINE OF SAID LOTS 1 & 2; THENCE, ALONG SAID PROPOSED PROPERTY LINE, NORTH 46°58'47" WEST, 479.85 FEET TO THE TRUE POINT OF BEGINNING, CONTAINING 10,558 SQUARE FEET MORE OR LESS.

THE BEARINGS IN THIS DESCRIPTION ARE BASED UPON MULTNOMAH COUNTY SURVEY NO. 47965.

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

**DIGITALLY SIGNED**

OREGON  
JULY 25, 1995  
CHRISTOPHER M. VANDERWERF  
2719

EXP: 6/30/2024

## "NO-BUILD" EASEMENT WITHIN LOT 2

A TRACT OF LAND SITUATED IN THE SOUTHWEST ONE-QUARTER OF SECTION 21 AND NORTHWEST ONE-QUARTER OF SECTION 28, TOWNSHIP 1 NORTH, RANGE 1 EAST, WILLAMETTE MERIDIAN, CITY OF PORTLAND, MULTNOMAH COUNTY, OREGON BEING A PORTION OF PARCEL 12 IN THAT PORT OF PORTLAND BARGAIN & SALE DEED, RECORDED DECEMBER 31, 1970 IN DEED BOOK 766, PAGE 910 MULTNOMAH COUNTY DEED RECORDS, BEING FURTHER DESCRIBED AS FOLLOWS:

**COMMENCING** AT A 1-1/2 INCH DIAMETER ALUMINUM CAP STAMPED "PETTIJOHN ENGR CO INC" AT AN ANGLE POINT ON THE NORTHEASTERLY RIGHT OF WAY LINE OF NW FRONT AVENUE, 50.00 FEET FROM CENTERLINE; THENCE SOUTH 89°51'38" EAST, 1309.86 FEET TO THE MOST NORTHERLY CORNER OF WAREHOUSE 205 AND THE **TRUE POINT OF BEGINNING**;

THENCE NORTH 43°05'32" EAST, 3.69 FEET TO THE PROPOSED PROPERTY OF LOTS 1 & 2; THENCE, ALONG SAID PROPOSED PROPERTY LINE, SOUTH 46°58'47" EAST, 479.85 FEET; THENCE SOUTH 43°05'32" WEST, 4.30 FEET TO THE MOST EASTERLY CORNER OF SAID WAREHOUSE 205; THENCE, ALONG THE NORTHEASTERLY BUILDING LINE OF SAID WAREHOUSE 205, NORTH 46°54'28" WEST, 479.85 FEET TO THE TRUE POINT OF BEGINNING, CONTAINING 1,918 SQUARE FEET MORE OR LESS.

THE BEARINGS IN THIS DESCRIPTION ARE BASED UPON MULTNOMAH COUNTY SURVEY NO. 47965.

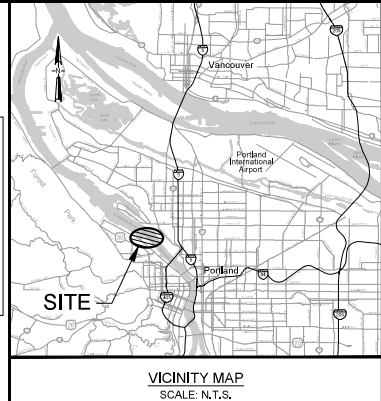
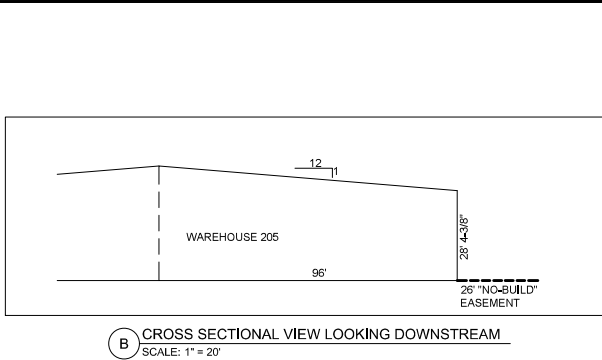
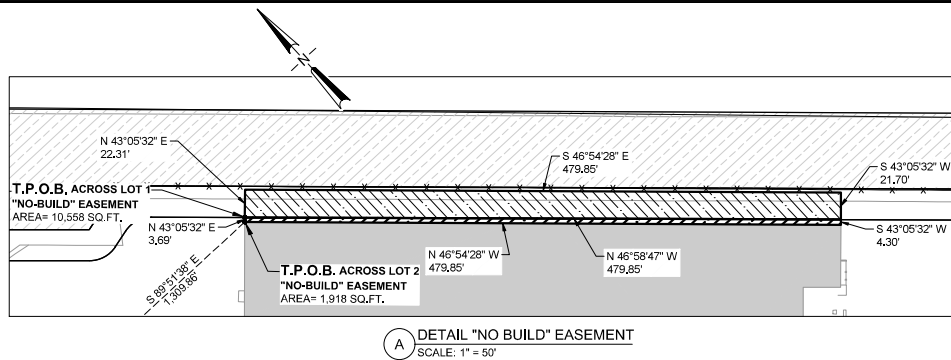
REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

**DIGITALLY SIGNED**

OREGON  
JULY 25, 1995  
CHRISTOPHER M. VANDERWERF  
2719

EXP: 6/30/2024

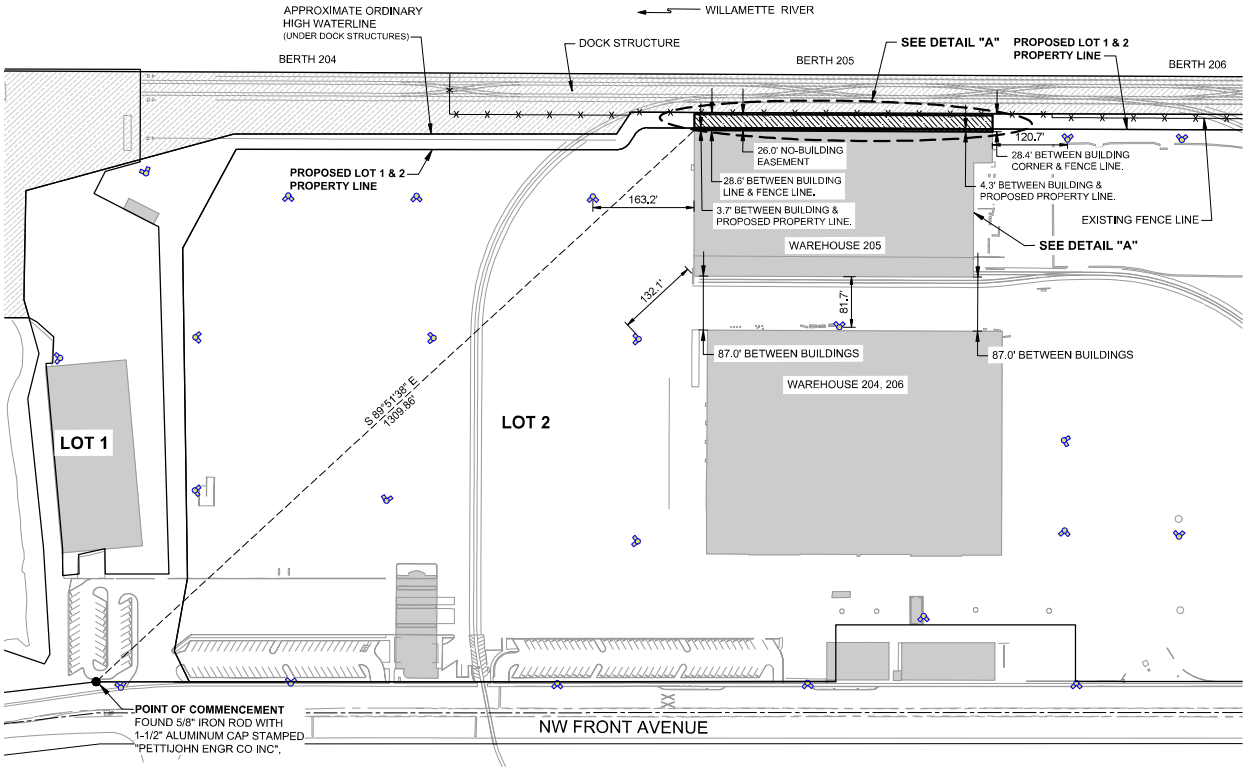
CAN YOU SEE THE AIRPLANES? THE ADJACENT SAMPLES SHOW THREE DIFFERENT LEVELS OF SHADING. SETTINGS FOR VIEWING AND PRINTING DRAWING CONTENT ARE OPTIMIZED WHEN ALL THREE PLANES ARE VISIBLE. THIS GUIDANCE IS PROVIDED FOR REFERENCE ONLY.



**NOTES**

THE PURPOSE OF THIS DRAWING IS TO PROVIDE A "NO-BUILD" EASEMENT ACROSS LOT 1 AND LOT 2 FOR THE BENEFIT OF LOT 2.

BACKGROUND IS FOR INFORMATION PURPOSES ONLY.



**"NO-BUILD" EASEMENT WITHIN LOT 1**

A TRACT OF LAND SITUATED IN THE SOUTHWEST ONE-QUARTER OF SECTION 21 AND NORTHWEST ONE-QUARTER OF SECTION 28, TOWNSHIP 1 NORTH, RANGE 1 EAST, WILLAMETTE MERIDIAN, CITY OF PORTLAND, MULTNOMAH COUNTY, OREGON BEING A PORTION OF PARCEL 12 IN THAT PORT OF PORTLAND BARGAIN & SALE DEED, RECORDED DECEMBER 31, 1970 IN DEED BOOK 766, PAGE 910 MULTNOMAH COUNTY DEED RECORDS, BEING FURTHER DESCRIBED AS FOLLOWS:

**COMMENCING** AT A 1-1/2 INCH DIAMETER ALUMINUM CAP STAMPED "PETTJOHN ENGR CO INC" AT AN ANGLE POINT ON THE NORTHEASTERLY RIGHT OF WAY LINE OF NW FRONT AVENUE, 50.00 FEET FROM CENTERLINE; THENCE SOUTH 89°51'38" EAST, 1309.86 FEET TO THE MOST NORTHERLY CORNER OF WAREHOUSE 205; THENCE NORTH 43°05'32" EAST, 3.69 FEET TO THE PROPOSED PROPERTY LINE OF LOTS 1 & 2 AND THE **TRUE POINT OF BEGINNING**.

THENCE NORTH 43°05'32" EAST, 22.31 FEET TO A POINT THAT IS 26.00 FEET NORTHEASTERLY OF WHEN MEASURED AT RIGHT ANGLES TO THE NORTHEASTERLY LINE OF SAID WAREHOUSE 205; THENCE, PARALLEL WITH AND 26.00 FEET FROM SAID NORTHEASTERLY BUILDING LINE, SOUTH 46°54'28" EAST, 479.85 FEET; THENCE SOUTH 43°05'32" WEST, 21.70 FEET TO THE PROPOSED PROPERTY LINE OF SAID LOTS 1 & 2; THENCE, ALONG SAID PROPOSED PROPERTY LINE, NORTH 46°58'47" WEST, 479.85 FEET TO THE TRUE POINT OF BEGINNING, CONTAINING 10,558 SQUARE FEET MORE OR LESS.

THE BEARINGS IN THIS DESCRIPTION ARE BASED UPON MULTNOMAH COUNTY SURVEY NO. 47965.

**"NO-BUILD" EASEMENT WITHIN LOT 2**

A TRACT OF LAND SITUATED IN THE SOUTHWEST ONE-QUARTER OF SECTION 21 AND NORTHWEST ONE-QUARTER OF SECTION 28, TOWNSHIP 1 NORTH, RANGE 1 EAST, WILLAMETTE MERIDIAN, CITY OF PORTLAND, MULTNOMAH COUNTY, OREGON BEING A PORTION OF PARCEL 12 IN THAT PORT OF PORTLAND BARGAIN & SALE DEED, RECORDED DECEMBER 31, 1970 IN DEED BOOK 766, PAGE 910 MULTNOMAH COUNTY DEED RECORDS, BEING FURTHER DESCRIBED AS FOLLOWS:

**COMMENCING** AT A 1-1/2 INCH DIAMETER ALUMINUM CAP STAMPED "PETTJOHN ENGR CO INC" AT AN ANGLE POINT ON THE NORTHEASTERLY RIGHT OF WAY LINE OF NW FRONT AVENUE, 50.00 FEET FROM CENTERLINE; THENCE SOUTH 89°51'38" EAST, 1309.86 FEET TO THE MOST NORTHERLY CORNER OF WAREHOUSE 205 AND THE **TRUE POINT OF BEGINNING**.

THENCE NORTH 43°05'32" EAST, 3.69 FEET TO THE PROPOSED PROPERTY OF LOTS 1 & 2; THENCE, ALONG SAID PROPOSED PROPERTY LINE, SOUTH 46°58'47" EAST, 479.85 FEET; THENCE SOUTH 43°05'32" WEST, 4.30 FEET TO THE MOST EASTERLY CORNER OF SAID WAREHOUSE 205; THENCE, ALONG THE NORTHEASTERLY BUILDING LINE OF SAID WAREHOUSE 205, NORTH 46°54'28" WEST, 479.85 FEET TO THE TRUE POINT OF BEGINNING, CONTAINING 1,918 SQUARE FEET MORE OR LESS.

THE BEARINGS IN THIS DESCRIPTION ARE BASED UPON MULTNOMAH COUNTY SURVEY NO. 47965.

				TERMINAL 2				SUBMITTED BY: PATRICK CHRISTOPHER	
Possibilities in every direction since 1881				MASS TIMBER CAMPUS				DESIGN BY: CHRIS VANDERWERF	
								DRAWN BY: DAVID MORIARTY	
								CHECKED BY: MAR, 2023	
								DATE: MAR, 2023	
								SHEET NO. 1	
								TYPE: EP	
								DRAWING NO. T2 2023-4	
								DESC. SHT. NO. SU1.01	

