Agenda Item 842

TESTIMONY

185522 9:35 AM TIME CERTAIN

TRIMET IGA - STUDENT TRANSIT PASS PROGRAM

IF YOU WISH TO SPEAK TO CITY COUNCIL, PRINT YOUR NAME, ADDRESS, AND EMAIL.

	NAME (print)	ADDRESS AND ZIP CODE	Email
\checkmark	Thomasmullen	83925th S.E. Salem ORATS	7
54) (14)			
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		•	

Date 07-25-12



October 23, 2010 FROM: THOMAS EDWARD MULLEN. 185522 JOF SALEM, OR 97301 THOMAS EDWARD MULLEN SALEM OR 97301 Drive esecre OF, The Undwided = SALEM HOUSING AUTHORITY enorth Inouth EASt Communities Astate Asce is Ast Communities S OKCOP STATE ASOF 1976 DEPARTMENT OF ADMINISTRATIVE SERVICES IRE=06/27/2012 Disposition OF MC,764 STATE SERVICES DIVISION ATTN: RISK MANGEMENT; INMATE UNIT 1225 FERRY ST, SE REVisetransportation Fee Vates And SALEM, OR 97301-4287 PHONE 503-373-7475 / FAX 503-373-7337 -Chargestory 42012 2013 to continueD to AS07/25/2012 At 10:30 AM. CLAIMANT: MULLEN, THOMAS CLAIM NO. L141190 DATE OF LOSS: 10-01-09, 01/14/1994 TO 10/23/10 INMATE CLAIMS UNIT/1190/23/ ECEIV RE: CHARGE: DUII-CASES 890934779/C89-09-34778/WORKER CONPENSATION CLAIMS NO.16MUL930909-91072078=WCB.no.-05-06291=48-04339-m.c.c.c. no.0408-06612//04-06-06612//0405-06612//04-05-06612 JAN <u>1 1</u> 2011 FARRELL AND ASS. INSURANCE CLAIMS SERVICES RE: OUR, CLIENT MULT COUNTY / THOMAS EDWARD MULLEN / CLAIMS NOS, MC-0910108 SALEM HOUSING AUTHORITY DATE-OF-INJURIES 01/14/1994 - 01/13/2010 AND 'ONGOING'. Administrative Office DEPARTMENT OF HUMAN SERVICE OFFICE ATTN: VOCATIONAL REHABILITATION IN THE STATE OF OREGON PORTLAND & NORTH SALEM OFFICES 1210 HAWTHORNE AVE.NE SALEM, OR 97301 PHONE-503-378-3550 FAX;503-378-3750 TTY:1-866-814-1257 RE: LETTER DATED AUGUST 5, 2010 WORKERS CONPENSATION OMBUDSMAN MEASURE 37/49 OMBUDSMAN OF OREGON DEDARTMENT OF LAND CONSERVATION AND DEVELOPMENT CARMEL BENDER CHARLAND COMPENSATION & CONSERVATION OMBUDSMAN 635 CAPITOL ST.NE STE. 150 SALEM, OR 97301-2540 503-373-0050 EXT328 HOUSING AUTHORITY OF THE CITY OF SALEM & PORTLAND OF IT'S FAIR HOUSING ACT. & LAW OF IT "SECTION & ATTN: THE VOUCHERSPROGAMS AS OF THE LATE 80' AND ONGOING OF THE STATE OREGON AND SOUTHWASHTION STATE HUD-FAIR HOUSING AND "EQUAL OPPORTUNITY SUITE 200 Acknowledgment in an Individual Capacity State of OREGON Paxe 1 County of Thuiltnoing 10 OF 13 This instrument was acknowledged before me on OCT. 26144/lan by Thomas 20 / 0 OFFICIAL SEAL SUZANNE C TROTTER NOTARY PUBLIC-OREGON COMMISSION NO. 439219

ANDITOR 07/23/12 PM 4:21

SEATTLE FEDERAL BUILDING SEATTLE, W A 98104-1000/FAIR HOUSING COUNCIL OF OREGON.506 SW SIXTH AVENUE, SUITE 1111, PORTLAND OR 97204 AS OF 06/07/2008 OF ACTS & ACTSON OF SALEM OREGON "VOUCHERS PROGAM"S TO10/24/2010 & ONGOING TOO ?? OF THE SPREEING CREER APARTMENTS 843 25 th. St SE /839 25 th, SE/SALEM, OREGON 97301 OF BP MANAMENT MR.NATE BAMIREZ PHONE NO. 541-602-2239 AND MY WORKER AT "HOUSING AUTHORITY OF SALEM MISS

20F2 T.h.1. 185522

- RAQUEL _PHONE NO, 503-373-3812 AND THE "NEW 3 BEDROOM AT 781 25TH SE SALEM OR 97301
 OF MR. WES PHONE NO.503-857-8603 AND "ATTN: IT"S IS A OUT STANDING BILLS OF THE SOMME
- OF \$2,400 AND ALSO ONGOINGAND MORE BILLS AND THAT'S WHY I NEED 'AN EMERGENCY RELIEF FUNDS AND I NEED THE SOMME OF \$ 20,000 JUST TO PAY ALL OF MY FEES AS A "BUSINESS CONSULTING CO. AND \$ 50,000 TO \$ 800,000 TO SETUP or OPEN
- THE SOCIAL SECURITY ADMINISTRATION OF THOMAS E, MULLEN ONLY PAYS ME \$ 785.00 'EACH MONTH AS 03/00/2000??
- I AM IN THE UNIVERSITY OF PHOENIX IN SALEM, OREGON THAT'S SE HAWTHORNE AVE and I DO
- NOT GOT MY SCHOOL MONEYS UNTILL ???\$???.

ATTN; TO ONE AND ALL I AM RESOMMING MY GENERAL AFFIDAVIT FORM THAT'S DATED 8/13/2004 BY

ME THOMAS E. MULLEN TO MICHELLE BELLIA, ADMINISTRATOR OF MCCF-SHERIFF'S OFFICE,

MULTNOMAH COUNTY AT THAT TIME FORM 'ME THOMAS EDWARD MULLEN 9221 N'LOMBARD #15

PORTLAND, OR 97203 AND ALSO ATTN; I DEMAND & REQUESTED A SPECIAL MANDAMUS TO BE

ORDERS

SUBJECT:

AN EMERGENCY RELIEF FUNDS DEMAND LETTER AND REQUEST FOR A MANDAMUS MEETING BY THOMAS EDWARD MULLEN BUSINESS CONSULTING CO.

TO WHOM IT MAY CONCERN:

YOUR OFFICES HAVE VIOLATED BLASK'S LAW BOOK (2004) OF OREGON CRIMINAL CODE, PAGE 504 ORS 169.330, CIVIL LIABILITY FOR RELEASE OF PRISONER AND CIVIL LIBERTY AMENDMENT VIII. I PROPOSE TO ALL OF 'GODS' PEOPLE IN SCHOOL OR NOT OF SCHOOLS OF THE STATE OF OREGON AS OF THE LATE 70'S AND 'ONGOING' AND TO THE PORTLAND OREGON TRAIL BLAZERS OF 'MAKE IT BETTER' WITHIN THE STATE OF OREGON AND TO ALL OF THE 'BUSINESS OF THE STATE OF OREGON AND SOUTH WASHINGTON, IT'S TIME TO TAKE A STAND LIKE I DID ON 09/27/2010 AT OUR STATE CAPITAL BUILDING FRONT STEPS FOR JUSTICE AND JUSTICE FOR 'ALL' AND IF YOU ARE ONE OF 'GODS' PEOPLE YOU 'MUST' TAKE A STAND FOR JUSTICE AND JUSTICE FOR 'ALL' LIKE HE DID FOR 'US'.

WE WILL NEED SOME SEED MONEYS AS A 'ONE TIME 'DONATION' WITHIN THE STATE OF OREGON RE: IT'S 1 CENT AND UP TO \$2,300 FOR EACH PERSON. FOR EXAMPLE, IF YOUR BUSINESS HAS 4 WORKERS AT \$2,300 = \$9,200 FOR YOUR 'ONE TIME DONATION TO US FOR THE YEAR'AND WE NEED SOME \$17,000 JUST TO SET UP AS THOMAS EDWARD MULLEN BUSINESS Consulting co, Registry no. 696512-98.

----unlawfully jailed -----unlawfully make to use your SSD -----unlawfully put out of your rental property Apartment or house ----- foreclosure on your house -----foreclosure on your rental house Or apartment ------due to measure 37/49 put in day and year // -----all counties do to All the unjust acts and actions of unlawful acts and actions that it's to the point of

Being very, very 'heinous' acts and actions of discrimination of business/corporation fraud of the state of Oregon and south Washington /measure 37/49 discrimination foreclosure /land fraud /fraud the banking system and the justice system

Mail fraud /of misstate of law/ miscarriage of law /unlawful use of business Wells Fargo Banks /bank of America and acorn-loans /mortgage programs. /Fannie. Mae /Freddie-Mad /Sallie Mae /Multhomah county facilities /h-a-p- housing authority of the state Of Portland Oregon 10/15/2010 and 'going'.

Comment [M1]:

RUDITOR cnanging a freeway for light rail

18552

When the region stopped the Mt. Hood Freeway, planned eight-lane freeway running through outheast Portland, the MAX line was built. Federal eeway funds were exchanged for light rail and other ansportation improvements.

97723742 RM 4:22

Since the first line opened in September 1986, 83 million trips have been taken on the entire MAX ystem. During that same time, 1.4 billion trips have been taken on TriMet buses.

"So much has happened in the past 25 years," said IriMet General Manager Neil McFarlane. "We've significantly expanded our transit system, reached record ridership and helped enhance neighborhoods along the MAX lines," said McFarlane.

Since the original 15-mile MAX line to Gresham, the MAX system has grown to 52 miles, serving the three counties in the region. Midcounty residents have the Blue, Green and Red lines serving the community.

More than \$10 billion in development has occurred within walking distance of the stations since the decision to build in 1980. In east Portland, the MAX line has helped shape the community, including the Russellville development on East Burnside St. at 102nd Avenue that transformed a former school district building. The Oregon Clinic, built at the Gateway Transit Center, provides an important service at the hub of much transit service.

"Transit is more than just moving people from one location to another, it's about the land use and transit connection that helps make this a great place to live," McFarlane added.

TriMet says the community continues to ask for more — both bus and MAX service. So, what is next? The agency's sixth MAX line is in the design and construction phase. The 7.3-mile Portland-Milwaukie Light Rail Line extends from downtown Portland, South Waterfront, across a new bridge over the Willamette River, through Southeast Portland and to Milwaukie and Clackamas County.

TriMet estimates up to 14,000 jobs will be created with the construction of the line. The Portland-Milwaukie line is set to open in fall 2015.

Over the past 25 years, the MAX system grows and continues to carry record ridership — now more

AUDITOR 07/23/12 PM 4:22 185522 JUNE 27-28, 2012 5 TM=TO PORTLAND CITY COUNCIL AGENDA C City Hall - 1221 SW Fourth Avenue Tilly. WEDNESDAY, 9:30 AM, JUNE 27, 2012 **Disposition:** Revise transportation fees, rates and charges for FY 2012-2013 (Ordinance) *764 CONTINUED TO OF3, JULY 25, 2012 Tihle AT 10:30 AM Office of Management and Finance TIME CERTAIN O And STANd Down Doto All OF UNTANFUL 4nd The State OF Recon And Souther MSHARC he OWP The 1 And 1Ma leh MANC ing & Freeway quy TIMECERTAINIF They Ane going to (For FY-2012-201 1-1A



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Workers' Compensation Division -	Operations		04/	23/09 01:47 PM
THOMAS E MULLEN 8242 N SCHUYLER ST PORTLAND OR 97220	SSN ***_**_*** Occup 889 LABORER SOC		NAIC	Gender M 1 Owner 30 S 922120
Addr As Of 02/25/2008	Phone (503) 255-1340 Bad County (Empir Bus SHERI Clackamas	FFS OFFICE	Inj ZIP
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Reform CCB091				Page 1 of 1

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raye.

To: Angela M MCCORKLE; Apolonio R Chavez; Jesse Shriber; Ryan Subject: Thomas Mullen WCD #D748718	
	yan E Adams

FYI-

I met with Thomas Mullen yesterday (in person / walk-in). He believes there has been "insurance fraud" committed on his claim and the "system" should fix everything.

Background:

The worker was incarcerated in 1994. Originally, he was in state custody, but was in the process of being transferred to Multhomah County custody when he was involved in an MVA. He wasn't driving; he was a member of a county work crew(?) and the transport vehicle was hit by another driver. He was under the direction and control of Multhomah County; therefore, the claim was filed against Multhomah County (the county elected wc coverage for their inmate work crews).

There was a delay in completing the paperwork (Form 801); therefore, by the time Alexis Risk Management received the claim it was late. A denial was issued June 13, 1994.

The worker was released from jailed on June 30, 1994 and retained an attorney. The attorney requested documents from the claims manager; however, did not request a hearing on the claim denial!

The worker requested a hearing on May 4, 1996. A hearing was held on July 22, 1996 and an Opinion and Order issued August 2, 1996 dismissed the hearing request and upheld the claim denial.

An Order on Review was issued January 8, 1997 affirming the prior order with the exception of the denial being "upheld"; the Board concluded the denial was final by operation of law.

Since 1997 the worker has attempted to file an aggravation (didn't work) and convince the Board to reconsider the original denial.

I informed Thomas regardless of his argument that Multnomah County's delay in submitting the claim resulted in the denial he missed the appeal period and did not provide just cause for not appealing the denial timely. WCD lacks any jurisdiction to address his complaints and the claim denial is final by operation of law.

Additionally, he complained that his civil rights were violated and that he did not receive proper legal representation that all inmates are entitled to. I suggested the county/state is not required to provide legal representation for inmates with workers' comp claims; the legal representation probably is for the criminal action that landed him in jail. He will be contacting the Department of Corrections to complain about his inmate rights being violated.

** Of note, it appears he did receive a settlement following the MVA.

Benefit Consultants - If the worker calls the short answer to his question is "Unfortunately, you did not appeal the original denial letter timely; therefore, the denial is final by operation of law. Regardless, of the validity of your arguments the Workers' Compensation Division lacks authority to address your ongoing concerns."

I already suggested he contact the Oregon Bar to ask for a referral to an attorney to address his ongoing complaints: work comp issues, civil rights discrimination, and violation of his inmate rights.

Dan

Series.

185522 HUDITOR 07/23/12 PM 4:22 \$750,000 to Look For Hem A MARY AFert And I HAVE BENMISSINGAS CF-01-14-1994ASAOCCUPINMATEOF JOBS???#??. MISSING ³'8" Tall 50 Pounds Blue Eyes Kyror Brown Hair Tip Line 503-261-2847 1orman Sring Grand Call 911





aren't you?

Politics in the Occupation

We are at Occupy Portland fighting for change. This does not mean that everyone at Occupy Portland has the same vision for change, same understanding of the problems, or same plan for the future.

Daily political conversations can build our collective analysis, develop our relationships, & help us map our way forward.

Overcome division Build relationships Discuss our politics



I am writing to you because I am in need of a 3 bedroom Section 8 living arrangement. I currently reside in a 1 bedroom Section 8 facility under the Oregon Housing Authority's voucher program.

I need: (1) a bathtub with jets for massage due to the continual bone and nerve deterioration in my back from arthritis and crushed bones; (2) space for my exercise equipment which I use to strengthen the muscles in my back; and (3) room for a caretaker.

I am enclosing my medical records from 1994-2008. The doctor I was seeing at that time cannot fill out up-to-date paperwork as I have not been able to afford an office visit and retesting.

Oregon Housing Authority is telling me in order to qualify for a 3 bedroom unit I need to relinquish my 1 bedroom unit and be placed on a list for a 3 bedroom. Where would I live in the meantime? As you are aware, placement could take a year or more.

I am hoping you can assist me with my dilemma.

30F132:47pm

nE. steizox

Sincerely,

dical Records Thomas Mullen

Enclosure: Medical Records

Homeowners One Step Closer to Level Playing Ground with Foreclosing Lenders | Lawy... Page 1 of 1

50 ATTINE Both COPIES-OUT OF GROER AUDITOR B7/23/12 PM 412 13 ASOF 4'2APM. I.M. At TheLB. SUR. 185522

Homeowners One Step Closer to Level Playing Ground with Forcelosing Londors

Foreclosing Lenders / Abuse of Power/powers ATTW= Within Abuse of Power/powers T.M. Bysteven CEFENhot 17771 in 14025 page s'page4 October 25, 2010 8:08 pm - Posted by admin in New Laws/Statutes At The TOP 373# 222;

At the TOP ???# ??? The last few years have seen an unprecedented amount of <u>foreclosures in America</u>, especially in New York. Though all homeowners have the right to fight the lenders who are trying to foreclose on them, most cases are unsuccessful. Many homeowners have been forced to represent themselves in foreclosure proceedings as the cost for legal representation is too high.

Even worse, most lenders have a clause in their contract allowing them to recoup legal fees from the homeowner if the lender wins the foreclosure case. This leads to even more financial debt for the homeowner if the foreclosure case is lost. Some homeowners won't even try to fight their case out of fear of the potential legal fees they would be responsible for.

Fortunately, <u>New York State Assemblyman Rory Lancman</u> and <u>State Senator Jeffrey Klein</u> realized how disadvantaged homeowners were in foreclosure situations and took action.

<u>New York State just passed</u> the <u>Access to Justice in Lending Act</u> (AJLA), a law that allows homeowners to recoup their legal fees from the lender if they successfully defend their foreclosure case. Now, homeowners are one step closer to being on an even playing ground with their lenders.

Assemblyman Lancman hopes this new law will encourage those facing foreclosure that have a legitimate defense to seek legal representation and fight their case, according to the <u>International</u> <u>Business Times</u>. He also believes that firms specializing in foreclosures will be more willing to represent homeowners now, as there is a guarantee that their legal fees will be paid if they win.

<u>Gersowitz Libo & Korek, P.C.</u> is pleased that New York State is taking steps in the right direction to help struggling homeowners during this economic crisis.

Tags: Access to Justice in Lending Act, foreclosure, Gersowitz Libo & Korek <u>Clouble</u> #150#505-12-20 This entry was posted on Monday, October 25th, 2010 at 8:08 pm and is filed under <u>New Laws/Statutes</u>. You can follow any responses to this entry through the <u>RSS 2.0</u> feed. You can <u>leave a response</u>, or <u>trackback</u> from your own site.

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http://www.lawyertime.com/2010/10/homeowners-one-step-closer-to-level-playing-ground... 5/12/2012

14 YYION Dr. MilkiBla 130 pm, 600; Am 185522 (I'm) Everyday People GUDÌTOR 07/23/12 PH 4: PALM SUNDAY PRAYER VIGIL SUNDAY, MARCH 28, 2010 3:00 P.M. TO 6:00 P.M. COMMEMORATING THE LIVES OF Aaron Campbell (01/29/10) LA JC Unarmed African American Man Shot in the Back <.5/ James Chasse, Jr. (0/17/06) Unarmed Caucasian Man Beaten to Death v 5 James Jahar Perez (03/28/04) Unarmed African American Man Shot and Killed Kendra James (05/05/03) Unarmed African American Woman Shot and Killed Deontae Keller (02/28/96) Unarmed African American Man Shot in the Back Mourners will re-visit each "killing field" site to lay a Palm Wreath 04FT27/2010 and Branches in memory of each unarmed person killed by the Portland Police Bureau. Public is welcomed. Please bring your 3:57 pmCom, Miss Josi candles, prayers and good wishes for the victims and surviving families as we pray for peace, justice, healing and hope for our communities, city, state, country and world. CALI BACK For More Information Call (503) 962-9607 or (503) 548-7537 Email Address: everydaypeople2008@live.com 706-220 503 e S FAinHoser (I'm) Everyday People - AS 04/27/2010 Renee WAND 503 54- 72 48-753 BACTO 04/30/20/0-3:30 pm 100-Hogeing 503-275-02501503-9712-Parat missage CALI Back - 200 - 2600 missage call Back 503-223-8295

THOMAS EDWARD MULLEN

839 25TH SE SALEM OREGON 97301

185522

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A PROPOSAL OF THOMAS EDWARD

MULLEN BUSINESS CONSULTING CO,

THOMAS EDWARD MULLEN

781 25TH SE SALEM, OREGON 97301

971-239-6146

A PROPOSAL TO ALL OF 'GOD' PEOPLE IN SCHOOL OR NOT OF SCHOOLS OF THE STATE OF OREGON AS OF THE LATE 70'S AND 'GOING' AND TO THE PORTLAND OREGON TRAIL BLAZER ALL OF THE SCHOOLS IN THE STATE OF OREGON AND TO 'WHOM' IT MAY CONCERNS OR 'NOT'.IT'S TIME TO TAKE A STAND LIKE I DED ON 09/27/2010 AT OUR STATE CAPITAL BUILDING'FRONT STEPS'FOR JUSTICE AND JUSTICE FOR 'ALL' AND IF YOU ARE ONE OF 'GOD' PEOPLE YOU 'MUST' TAKE A STAND FOR JUSTICE AND JUSTICE AND JUSTICE FOR 'ALL' LIKE HE DID FOR 'US'. AND TO THE PORTLAND TRAIL BLAZER OF 'MAKE IT BETTER' WITHIN THE STATE OF OREGON AND TO ALL OF THE 'BUSINESS OF THE STATE OF OREGON AND SOUTHWASHTON 1. WE WILL NEED SOME SEED MOENEYS AS A 'ONE TIME 'DONATION' WHITIN THE STATE OF OREGON IT'S 1CENT AND UP TO \$23.00 FOR EA. FORATSAMPAL IF YOUR BUSINESS HAVE 4 WORKERS AT 2300X =9200 FOR YOUR 'ONE TIME DONATION TO US FOR THE YAFE AND WE NEED SOME \$17.000 JUST TO SET UP AS THOMAS EDWARD/MULLEN BUSINESS Consulting co, registry no. 696512-98

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Apartment or house ----- foreclosure on your house -----foreclosure on your rant house

Or apartment -----due to measure 37/49 put in day and year / / -----all counties do to

All the unjust acts and actions of unlawful acts and actions that it's to the point of

Being very, very 'heinous' acts and actions of discrimination of business/corporation fraud of the state of Oregon and south washington /measure 37/49 discrimination foreclosure /land fraud /fraud the banking system and the justice system

Mail fraud 7of misstate of law/ miscarriage of law /unlawful use of business wells fargo Banks /bank of America and acorn-loans /mortgage programs. /fannie. Mae /Freddie-Mac /sallie mae /Multhomah county facilities /h-a-p- housing authority of the state Of Portland Oregon 10/15/2010 and 'going'.



I homas E. Mullen 818 SW 3rd Avenue #1160 Portland, Oregon 97204 March 4, 2005

2005 MAR -7 P 3:42

TE SLACKMER, AUDITOR

DEPTOF OCT 0 1 2010

185522

LAND CONSERVATION AND DEVELOPMENT

Sara Culp, Policy Assistant Office of Mayor Tom Potter 1221 SW 4th Room 340 Portland, Oregon 97204

Dear Ms. Culp:

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I am in receipt of your letter dated February 16, 2005. The letter ignores the real issue at hand.

When the Hope IV - New Columbia Villa project started, I spoke with Dan Snow of Walsh Construction and stated I wanted to buy the houses from Columbia Villa rather than see them torn down. Emmert Movers and Northwest Structural Moving were willing to move the houses to 7 acres I wanted to purchase on N. Marine Drive. They would have put in foundations and hooked them up to the sewer. Once that was accomplished, I could go to a bank and get a loan to proceed to fix up the houses for sale.

However, the Housing Authority of Portland (HAP) came back and told me I had to be licensed and bonded to move the houses. Emmert and NW Structural had these. This should have been adequate to move them. Even my insurance company did not think I needed it. HAP did not agree and tore the houses down.

Now I want to be compensated for my loss – what I could have gained as a land developer and home owner. I had applied on September 24, 2003 for a Temporary Appointment under Chapter 4 Section 4-302, and Chapter 4 Civil Service Article 3 and Appointment and Promotions Section 4-301-3 1.4.6 all patent and copyright clause. I did not get the appointment.

I would like a written response from Rochelle Lessner stating she is working on my case until I get a fair and honest conclusion. I believe this loss comes under Measure 37.

Also, I would like you to write a letter of referral for me to work with JOIN, Central City Concern or Transition Projects to assist me in working with ACORN to clean up my credit.

Thank you for your assistance.

Sincerely,

RECEIVED

MAR 0 7 2005

Thomas Mullen Commissioner Erik Sten Thomas 2 Commissioner Erik Sten Thomas 2 Commissioner Erik Sten

STATE of Orep. County of Hultman County of Hultman This document was acknowledged before me Dn March 7, 2005 by Thomas Mullen. Samp / Clean Nothing Roblec May Commission expanse : Duy 6, 2008 OFFICIAL SEAL

JAMES L. ARENA

198 / 0F 3 - T. M

DEC 2 8 2007

MECHANLE, SCRIDINK 185522 DESTRICT/TRODUCT BY MULTNOMALL COUNTY

SERVICES ACCEPT New Columbia Fact Sheet

QUDITOR 97/23/12 PH 4:23

DEC 2 8 2807

. MICHAEL D. SCHEUNIBackground

DISTRICTATIONNEY

- BY WULTROKAL COUNTY The Housing Authority of Portland (HAP) has been the primary provider of low-income housing in Multhomah County since its inception in 1941. Currently, HAP provides more than 6,400 units of rental housing and administers more than 7,400 Section 8 rental subsidy vouchers.
 - The Columbia Villa public housing community, located in the Portsmouth neighborhood of North Portland, was built in 1942 for World War II defense workers. Today Columbia Villa is home to almost 1,300 residents who live in 462 units scattered over 80 acres.
 - In 1993, the U.S. Department of Housing and Urban Development (HUD) created funding, in the form of HOPE VI grants, to revitalize the country's aging public housing.
 - In late 2001, after a twelve-month process to prepare an application for the highly competitive grants, HUD notified HAP that it had been awarded a \$35 million HOPE VI grant that will anchor a \$150 million investment in New Columbia.
 - In June 2002, HUD and HAP signed the \$35 million grant agreement adopting the project schedule.

Project Goals

New Columbia will create an improved and viable neighborhood of diverse housing types and residents by concentrating on four principles:

- Replacing unattractive, impersonal, barracks-style buildings with . townhouses, garden-style apartments and single-family dwellings that blend aesthetically into the environment
- Reducing the concentration of poverty in Columbia Villa by building a neighborhood of varied types of housing, rented and owned, to attract economically diverse residents
- Providing supportive services to help residents get and keep jobs and build assets and equity in the community
- Establishing and maintaining high standards of personal and community responsibility through explicit lease requirements and home ownership

AUDITOR 07/23/12 PM 4:23



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From Wikipedia, the free encyclopedia Halliburton 185522 Halliburton (pronounced /'hælib3rten/; NYSE: HAL (http://www.nyse.com/about/listed /quickquote.html?ticker=hal)) is the world's second largest^[6] oilfield services corporation with operations in more than 70 countries. It has hundreds of subsidiaries, affiliates, branches, brands and HALLIBURTON divisions worldwide and employs over 50,000 people.^[5] Туре Public The company has dual he "reated in Houston and in Dubai, where Chairman and CEO SENDER: COMPLETE THIS SECTION Traded as NYSE: HAL (http://www.nyse.com David Lesar works and a * "ompany's Eastern Hemisphere Growth." [7] The /about/listed Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. company will remain ir 🛛 🙀 Complete items 1, 2, and 3, Also com item 4 it Restricted Delivery is desired. /quickquote.html?ticker=hal) Item 4 if Hestricted Delivery is desired. Print your name and address on that we can raturn the card to vou so that we can raturn the card to vou Halliburton's major t TSG). ESG provides technical Industry Oil & gas equipment & services[1] So that we can return the card to you. So that we can return the card to you. Attach this card to the back of the mailpiece, products and servic · Halliburton's former subsidiary, KBR, i-1919, Duncan, Oklahoma, USA^[2] Founded ^{vd} chemical plants. Halliburto' 1. Article Addressed to: 4-had Founder(s) Erle P. Halliburton COMPLETE THIS SE been its contract TTM-Malthoman Al County Ling Section COMPSECTION SUCHERS, e NOTSE HAWTHORNE BUD 3. Service Type In Provide A Service Type In Registered Headquarters Houston, Texas, USA Signature Dubai, UAE TON ON DELIVERY ~4wide Conter Receiver . Ѧ & (СЕО) Tis delively address different F IS aduvery adaress different troughtern 1% If YES, enter delivery adaress permittion 1% Marges performent 1% No vices to the energy Agent D Addressee C. Date of Delivery <u>billion (2008)^[4]</u> Article Nun (Transfer from service DS Form D Certified Mail 2780 0001 9578 1608 D Registered Sebruary 2004 I Insured Mail Express Mail Restricted Delivery? (Extra Fee) D Return Receipt for Merchandise = 2.7 Baghaa SENDER: COMPLETE THIS SECTION Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. A. 519. D Yes Print your name and address on the reverse X so that we can return the card to you. Attach this card to the back of the mailpliece, or on the front if space permits. B. Received by (Printed 102595-02-M-1540 Article Addressed to: D. Is delivery address different from Item 17. The clenk of Court my T Yes If YES, enter delivery address below fortland 3. Service Type Certified Mail Express Mail C Registered idor, Algeria, Angola, Egypt, Gabon, Return Receipt for Merchandise Insured Mall ance, Spain, Australia, Russia, China, C.O.D. TODO 0922 0TO2 4. Restricted Delivery? (Extra Fee) àq. 2. Article Number C Yes (Transfer from service label) 9578 Pune, India; and Singapore. 1615 PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

Energy Services (the company's historical cornerstone), formation evaluation, digital and consulting solutions, production volume optimization, and fluid systems are the major business segments. These businesses continue to be profitable, and the company is one of the world's largest players in these service industries; Schlumberger is a close competitor, followed by Weatherford International, and Baker Hughes.^[12]

With the acquisition of Dresser Industries in 1998, the Kellogg-Brown & Root division (in 2002 renamed to KBR) was formed by merging Halliburton's Brown & Root (acquired 1962) subsidiary and the M.W. Kellogg division of Dresser (which Dresser had merged with in 1988). KBR is a major international construction company, which is a highly volatile undertaking subject to wild fluctuations in revenue and profit. Asbestos-related litigation

Abuse of Power

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disposal. Some critics have compared the current system to mercantilism, in which big business and big government work hand-in-hand to advance common interests. Those interests, of course, are rarely the interests of average property owners. As Chapter 8 explains, an entire industry has emerged around redevelopment and the abuse of eminent domain. There are special attorneys, consultants, pollsters and bond dealers who profit mightily from the eminent domain industry. Many retailers and corporations have become adept at leveraging cities' land-clearing abilities to gain a competitive edge. Of course, without the willingness of government officials to abuse their powers, no Costco, nor Home Depot, nor General Motors could take what isn't theirs.

Although the Eminent Domain Industry has been dealt a handful of unfavorable court rulings in the last few years, it presses on largely undeterred. There are too many profitable deals to be made for the consultants, too many below-market properties to be obtained for the big-box retailers, and too much new tax revenue to be gained by governments. Congress has so far shown no interest in acting to stop the abuse by reaffirming the Constitution, so the fight is waged on myriad fronts by myriad property owners. There are political battles, public relations battles and state and federal court battles, but no united front.

As property rights erode, so does the freedom and quality of life enjoyed by Americans. As Chapter 4 explains, property rights are human rights. Property is not about greed and avarice, but about giving individuals choices, freedoms, the ability to create their own economic futures. The right to property is fundamentally a human right. The loss of property rights is a slow erosion—so slow most of us don't even notice. We don't notice, that is, until agents of the government decide they want to take our family homestead and turn it over to a developer to build newer houses that pay higher rates of property tax. We don't notice until our church is driven off its land

-26-

1. Introduction

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because it doesn't pay as much in taxes as a retail center. We don't notice until our dreams must give way to the dreams of the planners.

THE EMINENT DOMAIN MATRIX

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In the popular science fiction movie, The Matrix, the hero Neo is first learning that the world in which he lives is not what it appears to be. A computer programmer who works in a downtown office and lives in a seedy apartment, Neo is about to have all his assumptions challenged by Morpheus, whom he meets as a result of his late-night computer hacking.

Morpheus is going to tell Neo about the Matrix.

"Do you want to know what it is?" Morpheus asks. "The Matrix is everywhere. It is all around us, even now in this very room. . . . It is the world that has been pulled over your eyes to blind you from

"What truth?" asks Neo.

"That you are a slave, Neo," responds Morpheus. "Like everyone else, you were born into bondage, born into a prison that you cannot smell or taste or touch. A prison for your mind."

Morpheus then asks Neo to make a choice: "You take the blue pill, the story ends; you wake up in your bed and believe whatever you want to believe. You take the red pill, you stay in Wonderland, and I show you how deep the rabbit hole goes. Remember, all I'm offering is the truth, nothing more." Neo, of course, takes the red pill, and he learns the unthinkable. His entire world is a computer creation implanted into the minds of human beings.

This is where readers have a choice: Take the blue pill, close the book and go back to your comfortable illusions. Or take the red pill, keep reading further, and see how far down the slippery slope our nation has traveled. Nothing is what it seems, at least when it comes to property rights. But learning the truth is the first step toward restoring our laws to where they should be. 37/23/12 PM 4430

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A HANDBOOK OF CONDEMNATION LAW WILLIAM SCHEIDERICH, CYNTHIA M. FRASER, AND DAVID CALLIES, EDITORS





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pert H. Thomas

hin these two categories. Ensuring that the condemnor has wer to take the property and, if so, that full compensation is ed to the property owner are the goals of trial preparation in an it domain case for the lawyers representing both sides. Federal ite constitutions and laws set important limitations on governpower, and provide safeguards protecting an owner's right to and use property. The eminent domain lawyer should always ber that he or she practices constitutional law and is dealing right that has been described as the basis for the protection other constitutional rights. In other words, eminent domain is ant work.

INITIAL CLIENT CONTACT

iwyer representing the property owner as well as the lawyer for indemnor must appreciate that many property owners may feel aking their property—even with compensation—is unjust and . Many eminent domain regimes appear to be tilted in favor of indemnor, exemplified by *ex parte* seizure of property, accelerated es of limitations or repose for challenging the power to take,² substantive law that places little restrictions on the governs power.³ Many clients feel powerless in this situation, perhaps so when after contact with a lawyer, they discover the extent to i the law favors the condemnor. Many clients may believe that overnment should not have the power to take their family home, business, or their other property, or believe that there is no good i to locate the project on their property. Part of counsel's funcs to give the property owners a realistic assessment of the situand to educate them regarding fruitful avenues for litigation.

he lawyer should establish with the client the goals for the case on by conferring with the property owner to determine whether she wishes to contest the taking or focus on recovery of just ensation. Most eminent domain actions center around issues of ensation, but after *Kelo v*. *City of New London*,⁴ the public has ghtened—and perhaps unrealistic—awareness of possible chalis to public use. The legal standards applicable to such challenges in largely unchanged after *Kelo*, at least under federal law.⁵ State is may interpret their state constitutions as providing greater proon to the property owner on the issue of public use.⁶ Also, in reaction to *Kelo*, several states and local governments have attempted to reform their laws regarding the ability of condemning authorities to take property. Lawyers should be thoroughly familiar with the standards for such challenges applicable in their jurisdictions.

It is also important to discuss attorneys' fees and costs with the owner during initial contact. Most jurisdictions do not permit the recovery of attorneys' fees or costs in eminent domain actions,⁷ although many property owners may expect it as "just compensation." Determine what the law of the local jurisdiction permits and inform the client accordingly, as this issue may determine how the client wishes to proceed.

As in other cases, upon retention the lawyer should execute a written retainer and employment agreement. In eminent domain representation, there are at least three critical subjects of the retainer agreement: the fee structure (hourly, contingent, or other), responsibility for costs (especially on items such as payment of appraiser fees and costs), and the authority to negotiate and settle any litigation.

RESOLUTION OF PUBLIC NECESSITY

The lawyers representing the condemnor and the property owner know that it is the condemnor's burden to establish, by resolution of public necessity, the public use of the property to be condemned and the need to condemn and take the property. Counsel must distinguish between "necessity" and "public use," and the substantive differences between the two are covered elsewhere in this book. Generally speaking, after notice to the affected property owners and at least one public hearing, the condemnor must produce and publish the resolution of public necessity. The resolution must show that the taking of the property is in the public interest, that the taking will maximize the public benefit and minimize private injury, and that the property to be taken is necessary to fulfill the public use.⁸ In most, if not all, jurisdictions a proper resolution of public necessity is a precondition to instituting an eminent domain lawsuit.

The condemnor's lawyer should ensure that all elements of the process have been followed. California law, for example, requires that the resolution contain a statement that an offer has been made to the owner of the property, if known.⁹ The property owner's lawyer should review the resolution and the adequacy of the record supporting

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EMINENT DOMAIN A HANDBOOK OF CONDEMNATION LAW

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WILLIAM SCHEIDERICH, CYNTHIA M. FRASER, AND DAVID CALLIES, EDITORS

Eminent domain has a long and distinguished legal history, dating from the first limits on sovereign power in the Magna Carta. Just compensation is a newer concept, and court decisions such as *Kelo v. New London* make the exercise of eminent domain controversial. Can government condemn property to increase its tax base? Can the state transfer property from one private owner to another for incidental public benefit, and does this constitute "public use"? While eminent domain traditionally was used to acquire property for roads, waterways, defense installations, government and public buildings, and the interstate highway system, it has recently been a favored tool in developing urban areas, creating shopping malls, and building big-box retail stores. *Eminent Domain: A Handbook of Condemnation Law* is written by leaders in the field and will introduce general practitioners working for condemnors and property owners alike to the many intricacies of condemnation practice.





ACKNOWLEDGMENTS

Pearl District Development Plan Steering Committee

•••/••.

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Ron Anderson U.S. Post Office

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UNION STATION DEVELOPMENT PROGRAM

LIST OF SUPPORTING DOCUMENTS

- 1. Analysis of Passenger Circulation & Impacts of Mixed Use Development - Zimmer Gunsul Frasca Architects
- 2. Housing Design Studies Fisher Friedman & Associates
- 3. Land Use Market Assessment Leland Consulting Group
- 4. Level I Environmental Investigation Rittenhouse-Zeman & Associates
- 5. Northwest Rail Museum Design Study Spencer Associates
- 6. North Downtown Trailways & Post Office Block Development Framework - Bureau of Planning
- 7. Property Noise Study Daly-Standlee & Associates
- 8. Public Attractions Review Economics Research Associates

+ 9. Summary Findings & Meeting Notes from Workshops of 11/30/89, 2/26/90, 3/5/90, 8/20/90 - PDC

- 10. Transportation Analysis Kittelson & Associates October 1991
- 1. Union Station Rail Transportation Plan PDOT/Rail Committee

12. Utility Mapping - Cooper Consultants

Note: Copies of all the above reports are available for purchase or review at the Portland Development Commission.

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EXECUTIVE SUMMARY

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The Pearl District Development Plan has been drafted by a 26-member steering committee, representing a wide range of viewpoints. The steering committee met over the course of a year to discuss the future of the Pearl District, to re-evaluate current plans and policies, and to focus on the development priorities for the neighborhood. The committee's initial ideas and concepts were reviewed at a public open house before undergoing further refinement through an intensive subcommittee process. The steering committee then created a draft plan that was reviewed at a second public open house before the steering committee made final recommendations. This effort was funded by the Portland Development Commission.

The draft Development Plan has two elements: a vision statement and an action plan. The vision is a broad statement about the future of the neighborhood. The action plan includes supporting goals and objectives and identifies specific policies, guidelines, strategies, and projects that will be implemented in order to achieve the vision.

Vision Statement

Three key themes have emerged from this process:

- The Pearl District is undergoing an enormous amount of change, and special efforts will be needed to support elements that add character to the neighborhood that might otherwise be unable to remain in the face of escalating property values and rents. These efforts will focus on preserving historic buildings, supporting or providing opportunities for artists, and investigating ways to lessen the impacts of the changing neighborhood on established, independent businesses.
- Density adds to the neighborhood's vibrancy and will attract businesses, residents, and visitors who come to enjoy the variety of services and activities that make up the Pearl. At the same time, this area will require a significant degree of public and private investment to provide the amenities and services necessary to create a livable neighborhood.

 Finally, realization of the high expectations embodied in this Development Plan will require orgoing commitments and active involvement by everyone who cares about the Pearl District.

Action Plan

The Action Plan is organized by broad topics or section (i.e., Built Environment, Edges and Gateways, Transportation/Parking, etc.). For each broad topic, there are goals and objectives that identify a wide range of projects, programs and policies to realize the vision. Each section ends with a summary matrix that identifies specific actions with priorities and responsible parties. The priority scale (high, medium, and low) roughly indicates either importance for timing or funding, and was set by the steering committee with constderation of the public open house comments. The following have been identified as highest priority actions, not in order of preference:

- Acquire remaining parcels along the waterfront
- Adopt code changes and incentives to encourage innovative design, preserve historic buildings, and create smaller affordable retail spaces
- Continue to implement the River District Housing Implementation Strategy
- Create additional public parking in the central / north area
- Create affordable studio space for artists
- Develop an incubator building to provide affordable space for small businesses and startup companies
- Establish a community center or space for the neighborhood
- Locate a public market or other active public use at the 511 Broadway Building
- Re-install Lovejoy Columns as a gateway at Naito Parkway and NW Ninth Avenue
- Support existing arts and cultural institutions

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TRIBUNE PHOTO: CHRISTOPHER ONSTOTT This parking structure could become part of a dense, multiblock residential office and retail development in the Lloyd District.

ls it now Lloyd District's turna

Eastside streetcar could spur new residential towers

By JIM REDDEN The Trunne

poised to become a second downtown? That was the vision for the blocks around the Lloyd Center adopted by the City Council when it approved the "It is Central City Plan in 1988. A already an 2007 analysis shows the area is zoned for center, but nearly 32 million square feet of addi- employees tional devel- have to opment, in- travel in cluding more than 11,000 from other new housing parts of units. Now, the

first multi-

block project

to embrace

Is the Lloyd District

employment most town."

- William Ruff, **LRS** Architects

this ambitious goal is beginning to move through the city's development review process. The proposal includes 780 new housing units and nearly 51,000 square feet of new retail space on four blocks at the intersection of

See LLOYD / Page 4

The Portland Tribune Thursday, May 17, 201.



From page 1

4 NEWS

ie existing MAX light-rail line ad the eastside Portland Streetir extension that is scheduled) open later this year.

Langley Investment Properes, a development company umber of adjacent parcels, ibmitted the proposal. Acording to documents submit-

need a car to

live or work in

— William Ruff, LRS

Architects cofounder

the Lloyd

District."

32 stories. The illest building ould be 325 feet. sughly the same ; the tallest resiential tower in ie South Wateront project. ach of the strucres would have stail stores on e ground level. Company CEO

iff, an architect who serves a north-south streetcar line. 1 a number of business and , calls the proposal "excit- trict," Ruff says.

and other under-utilized properties throughout the area that could support tall office, commercial and residential buildings. Such densities are allowed under the zoning policies the council adopted to carry out the Central City Plan.

Ruff and others says the key lat owns the blocks and a to the coming growth is the completion of the \$148 million streetcar expansion. The loop will extend from Northeast d to the city Bureau of Devel- Portland through the inner east oment Services, the project side to the Oregon Museum of ould include four residential Science and Industry and, evenuildings ranging from seven tually, across the new Willa-

> mette River transit bridge to South "You won't even Waterfront and downtown.

> > The extension is scheduled to begin service with a ceremony at OMSI on Saturday, Sept. 2. Once that's operating, the Lloyd District will have two intersecting tran-

ott Langley did not return sit connections — the MAX line Ils for comment. But William that runs from east to west, and

"You won't even need a car to lvisory committees in the ar- live or work in the Lloyd Dis-



An early artist's rendering of Langley Investment's four-block, \$250 million Lloyd District project.

COURTESY OF GBD ARCHITECTS

"The Lloyd District is desperly in need of more housing. is already an employment iter, but most employees ve to travel in from other cts of town," says Ruff, conder of LRS Architects.

Although large, the project o is likely to embrace Portd's green ethos. Langley ofeting LEED Platinum stands. according to Sarah He-:ke, executive director of the vd Eco District that is advoing for sustainable developnt in that part of town.

We think the project could an example of the kind of deopment we want to see here," inicke savs.

Ruff believes that if Langley's ject is successful, it will inre a number of other largele development projects in Llovd District. He notes that merous studies have docunted surface parking lots

The Langley project is located in a 25-acre area, dubbed Llovd Crossing, in recognition of the intersecting transit lines. Most of the property is owned by Langley and Kaiser Permanente, both of which have office towers there. Most of the land consists of surface parking lots and much smaller buildings.

A 2008 city study estimated als already are talking about that if only half of the underdeveloped Lloyd District property was fully developed, the property value there would increase by \$1 billion. The Langley property alone projects a \$250 million investment in the four blocks to the north of Northeast Holladay, where the MAX line runs, and Seventh Avenue. which will carry the streetcar extension.

> But that is only part of the 36-block Llovd District, which is bordered by Northeast Broadway Boulevard on the north. Northeast 17th Avenue on the east. Interstate 84 on the south new high-rise towers.

40F4-06/11/2012-T.M. and the Willamette River on the west.

The Central City Plan designated the Llovd District as the eastern edge of the Central City, and envisioned that it could support as much development as the downtown core.

Zoning changes for the Llovd District are being considered as part of the state-required update of the city's comprehensive land use plan. Ruff is working on the update and says some of the changes are intended to protect the residential nature of adjacent neighborhoods that primarily have single-family homes and small apartment buildings.

Ideas being discussed include restricting the heights of new buildings on the streets approaching these neighborhoods. That would still leave dozens of blocks available for



TRIBUNE PHOTO: CHRISTOPHER ONSTOT The eastside Portland Streetcar extension on Northeast 7th Avenue could be a catalyst for a second downtown between the Lloyd Center and Oregon Convention Center.

Hours: June 1–Aug 31, 11–4PM daily Sept 1–May 31, 12–4PM daily CLOSED major holidays, late November, and all of January

Admission: Adults......\$5.50 Seniors (65+).....\$5.00 Youth (ages 6-18)...\$3.00

Contacts



Address: 3229 NW Pittock Drive Portland, Oregon 97210

Directions

Phone: (503) 823-3624

Programs

Current Events:

Lighting Designer Frederick Baker May 1 - October 31, 2003

Wedding Gowns June 1 - September 30, 2003



PORTLAND PARKS

In an idyllic setting high above the city, Henry and Georgiana Burton Pittock built their magnificent family home, completed in 1914. Visitors marvel at the impressive view of mountains and city, the beauty of the carefully crafted details and the innovative features that made it a splendid home, far ahead of its time.

Henry Pittock, who had crossed the Oregon Trail in his teens, "barefoot and penniless," soon became owner and publisher of The Oregonian. He was an astute business leader, mourtaineer and family man. His wife, Georgiana, also a pioneer, was well known for her lifelong devotion to many charitable causes. Her love for roses led to the establishment of the annual Rose Festival, now a Portland tradition.

Pittock Mansion is loved by Portland natives and visitors alike. The mansion is an architectural treasure, and lives today as a romantic reminder of a time that will never come again. The grounds provide lovely walks and picnic areas, and those who wish can hike to the mansion from nearby parks. The sweeping views from the mansion and grounds overlook Portland's downtown and Willamette River, leading the eye to Oregon's Mt. Hocd and other snowcapped Cascade Range peaks.

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home > contacts > directions

Directions Directions



West on West Burnside to NW Barnes Road, turn right and follow the signs.

http://www.pitteck...ansion.com/contacts/directions.asp

185522 16 Nov. 15, 2011 -P.10FZ MDH (A) Thomas E. Mullen WCB Case X/0, 11-05040 Claim No 16 MUL93C 0909 Request for Expedited Hearing (OAR 438-006-0078) Dear ALJ Marshal, Due to Engancial and medical hardship, I am requesting an expedited hearing to move my 12/20/11 hearing date to an earlier time. I am not receiving compansation or regular wages or other income in lien of wages. Also, a delay in the bearing will Cause my medical conditions to 2 Permanently and irreversibly to deterioration The employer's attance, paron Bass Mas been contacted and has no objection to my request

workers-compensation-doata_mou-

(4) If opposing counsel (or the party if the party is not represented by counsel) concurs with the motion, the motion shall be accompanied by three mutually suitable dates for an expedited hearing.

(5) If opposing counsel (of the party if the party is not represented by counsel) either objects to the motion or has no comment, counsel for the moving party shall arrange and place a conference telephone call with the Presiding Administrative Law Judge or his or her designee and counsel for the parties.

(6) Within a reasonable time after receipt of the motion for expedited hearing and completion of the telephone call, if required, the Presiding Administrative Law Judge or his or her designee shall notify the parties in writing of the Administrative Law Judge's ruling:

(a) If the motion is granted, the Presiding Administrative Law Judge or his or her designee shall also notify the parties of the date for the expedited hearing;

(b) If the motion is denied, hearing shall be held on a date scheduled in the ordinary course of business.

Stat. Auth.: ORS 656.726(4) Stats. Implemented: ORS 656.283(1) & ORS 656.726(4) Hist.: WCB 5-1991, f. 8-22-91, cert. ef. 9-2-91

438-006-0081

Postponement of Hearings

(1) A scheduled hearing shall not be postponed except by order of an Administrative Law Judge upon a finding of extraordinary circumstances beyond the control of the party or parties requesting the postponement. "Extraordinary circumstances" shall not include:

(a) Failure of the insurer or self-insured employer to refer, or delay in referring, the case or any pertinent information to its representative;

(b) Unavailability of a party, lay witness or representative due to nonemergency occupational, personal or professional business or appointments, or unwillingness to appear, provided that a postponement may be granted if the unavailable person is a worker who is temporarily working out of state and is reasonably expected to return to the state within a time certain or is a person who has been duly subpoenaed and has failed to comply with the subpoena;

(c) An attorney's, party's, representative's or witness' conflict with proceedings before another administrative body that are scheduled more than three days after mailing of the Hearings Division's notice of hearing;

(d) Incomplete case preparation, unless the Administrative Law Judge finds that completion of the record could not be accomplished with due diligence.

(2) For purposes of this rule, "due diligence" shall include, but not be limited to, a party's inability to produce, because of unavailability, a medical or vocational expert witness for direct examination at hearing or for cross-examination at hearing or by deposition/interrogatories prior to a scheduled hearing, provided that the request for cross-examination was made no later than seven (7) days after the

1/14/2008

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http://arcweb.sos.state.or.us/rules/OARS_400/OAR_438/438_006.html

185522 1.6 p. 2 of 2 Please continue to send all correspondence to my two addresses at: 839 25th St SE, Salen, OR 97301 & 8244 NE Schuyler St. Portland, OR 9720 11-11. (Attn: Larry Keel). Sincerely Thomas Myllen Thomas Mullen 11/15/2011

the worker is released to return to modified employment, when such employment has been offered in 185522 writing to the worker and the worker fails to begin such employment; or any other event that causes temporary disability benefits to be lawfully suspended, withheld or terminated under ORS 656.262(4) or other provisions under chapter 656; or the issuance of a determination order or notice of closure; or authorization of the Board or the Director, the claimant may file with the Hearings Division with copies to the insurer, a motion supported by affidavit asserting the failure to receive such compensation.

(2) If the Hearings Division determines that the amount in controversy is less than \$1,000, the case shall be referred to the Expedited Claims Service under the provisions of Division 013 of these rules;

(3) If the matter cannot be resolved by referral to the Expedited Claims Service, the Hearings Division shall immediately upon receipt of the motion and affidavit issue an Order requiring the self-insured employer or insurer to show cause within 15 days why said compensation has not been provided to the claimant. The show cause order shall contain notice of the date, time and place of the show cause hearing. Within 10 days after the close of the record, the Administrative Law Judge shall enter an order denying or granting temporary disability compensation and awarding penalties and attorney fees when appropriate.

Stat. Auth.: ORS 656.726(5), ORS 656.291(4) Stats. Implemented: ORS 656.262(4), ORS 656.291 & ORS 656.726(5) Hist.: WCB 1-1984, f. 4-5-84, ef. 5-1-84; WCB 5-1987, f. 12-18-87, ef. 1-1-88; WCB 7-1990(Temp), f. 6-14-90, cert. ef. 7-1-90; WCB 11-1990, f. 12-13-90, cert. ef. 12-31-90; WCB 2-1995, f. 11-13-95, cert. ef. 1-1-96; WCB 1-2003, f. 2-21-03, cert. ef. 5-1-03

438-006-0078

Request for Expedited Hearing

(1) If it is alleged that the claimant is suffering a financial hardship or medical hardship, the claimant may file with the Presiding Administrative Law Judge with copies to the insurer, a written motion asserting the hardship and requesting an expedited hearing:

(a) For purposes of this rule, "financial hardship" means that the claimant is receiving neither compensation nor regular wages nor other income in lieu of wages which is comparable in amount to compensation;

(b) For purposes of this rule, "medical hardship" means that the claimant's condition will permanently and irreversibly deteriorate if the hearing is scheduled in the ordinary course of business and that such deterioration may be avoided by scheduling the hearing at an earlier date.

(2) A motion for expedited hearing shall be accompanied with supporting evidence:

(a) If the motion is based on financial hardship, supporting evidence shall include an affidavit from claimant or family member establishing such hardship;

(b) If the motion is based on medical hardship, supporting evidence shall include a medical report from the attending physician establishing medical hardship.

(3) A motion for expedited hearing shall state whether opposing counsel (or the party if the party is not represented by counsel), objects to, concurs in or has no comment regarding the motion.

http://arcweb.sos.state.or.us/rules/OARS 400/OAR 438/438 006.html

1/14/2008

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PMUES 2455 20 18552² ATTU-Thomas Edward Mullen (10F8,) \$3925th St, SE. 3 to All Chers, Nate RAMirez SAlem, Okegon 97301 Sice11,541-662-2239-Attn=now ATTN= Also OF Off Keys Apt UCF=CArVestiss ORegon 97330 (Bof=B=) 25+h St, Se." And SAlem, Hovesing Att. SAlem, 01297301-(7.0F8,) 7??25th SE. SAlem ORegon 97301 RE= Speek Cheek Apte OF SAlem Okegon AS 07-14-2008 to 2012 And gn going to MIR, MAte RAMirez=Cell=541-602-2239 And HAND QUSTER AS OF OT/03/2012=OF CANVASLESS OREGON 97330 ATTH= OF(1+06 pages ASOF 07-13-2012 AS OF 314 Rpm. Also Doto my ilkons And inforgs And my ATTIN- income AS OF 01-14-1994 And 07-14-1947)???\$?\$. Atth/=to'oneAnd All' Asto Thomas Edward Mullen of 83925th St, SE. SAlem, ORegon 47301 And ATTN=When I CAN AFored to TUNER ON My Cell= 15 not 503-689-2639'And AS YOUAL MOWKS THAT I HAVE BENOUT OF Town For Overer The LASt MAER OR 50 "Trying to got My Life BACK AS OF 01/14/1994 And Nowit Look Like it's go's BACK to So 07-14-1947= ?? S? F. And IHave TAlke With my MANER OF The Awd Ste fold Me That she Received My RANd Money For C6/05/2012=Bot The Hovesing

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185522 1PDAteASOF 07/13/2012= 8:40 10F5PAGESPUSI= GPAGEST.M. STERN MONEY UNION ORDER UNION FINANCIAL SERVICES INC. ISSUER Englewood, Colorado 14-49454103 751343 D 070312 167.00 5410378 1. 027614 S NOT GOOD OVER \$500 ONE HUNDRED SIXTY-SEVEN DOLLARS AND NO CENTS PAY EXACTLY TO THE MAMement under Puncture Por Appless 515C SALEMOR 91301 - 503-689-Amount Page: 1 2637 40144945410378 102 1004001: MONEY ORDER RECEIPT - NON NEGOTIABL ATTW= ThomASE, Mallen RANT And MOULING Stored Value Card #: 5128001218558684206 OAD THIS DIRECTION, THIS SIDE UP OUT MOTIES AS OF 07-03-2012 **For a**ssortice Jash deposit at Kiosk: \$3.00 CEN 5 03-689-263 AGT 751343 LOC 027614 DT 070312 D NO CENTS \$16 1HUNDRED 57 DOLLARS AN Receipt #: 5165564373 July 13,2012 20:43 Description 2012/07/13 20:42 ary 5 -2012 RAMIEZ NO TOR CORVALL. \leq 97/23/12 PH 443 the I-RIP - WillRo PAG