

TO: HEARINGS OFFICER

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

**SUBJECT: VALIDATION OF UNIT OF LAND CASE 18-03
4145 HOMESTEAD ROAD S
AMANDA NO. 18-112294-LD**

REQUEST

A proposal to validate a unit of land that was created as separate tax lots through a sale by deed in 1987.

The request is to lawfully establish a tax lot created by deed in 1987, when tax lot 401 was described separately than tax lots 400 and 402, which are located outside of the City Limits. The sale effectively divided the parent parcel into three separate units of land, without a land use approval. The applicant is requesting to validate property zone RA (Residential Agriculture) known as Marion County Tax Assessor's number 083W08B / 401.

The subject unit of land is approximately 15.51 acres in size, zoned RA (Residential Agriculture), and located at 4145 Homestead Road S (Marion County Assessor Map and Tax Lot Number: 083W08B / 401).

OWNER/APPLICANT: Michael Buck, LT and Olin Green

REPRESENTATIVE: Dewey Whilton and Arash Afshar

RECOMMENDATION

Based on the application and information presented in the staff report, staff recommends that the Hearings Officer adopt the Facts and Findings of the staff report and APPROVE the request to validate one unit of land that was created through sale rather than through an approved subdivision or partition plat process, for property zoned RA (Residential Agriculture) and located at 4000 Block of Homestead Road (083W08B / 401).

BACKGROUND/PROPOSAL

The proposal involves a unit of land, Tax Lot 401, which was unlawfully created through a deed sale in 1987. In 1987, Tax Lot 401 was sold separately from Tax Lots 400 and 402. Prior to the sale of Tax Lot 401, this unit of land and Tax Lots 400 and 402 were part of a single parent parcel. The parent parcel is approximately 20 acres in size. Because the division of the property into two units of land did not receive land use approval for a partition, the individual units of land were not lawfully established.

SRC 205.060 codifies the Oregon Legislative Assembly House Bill 2723 (2007), which provided authority to Oregon cities and counties to 'validate' units of land that were previously

created by sale, but where the resulting land division did not comply with applicable law regulating such divisions.

Tax Lot 401 should not have been sold as a separate unit of land from Tax Lots 400 and 402 because it is not currently a legal lot. The validation of unit of land process provided in SRC 205.060 provides a method to correct this error.

On June 8, 2018 Dewey Whilton, on behalf of Olin Green filed a request to validate an existing unit of land that was created through sale rather than through an approved subdivision or partition plat process, for property zoned RA (Residential Agriculture) and located at 4145 Homestead Road S.

The application was deemed complete for processing on December 6, 2018. Notice of the public hearing was mailed December 20, 2018. Notice was also posted on the subject property by the applicant's representative pursuant to SRC requirements on December 27, 2018. The state-mandated 120-deadline to issue a final local decision in this case is April 5, 2019.

APPLICANT'S STATEMENT

A request for a validation of unit of land must be supported by proof that it conforms to all applicable criteria imposed by the Salem Revised Code. The applicant submitted such statements and proof, which are included in their entirety as **Attachment B** to this staff report. Staff utilized the information from the applicant's statements to evaluate the applicant's proposal and to compose the facts and findings within the staff report.

FACTS AND FINDINGS

1. Salem Area Comprehensive Plan (SACP) Designation

Comprehensive Plan Map: The subject property, is designated "Developing Residential" on the Salem Area Comprehensive Plan (SACP) Map.

Urban Growth Policies: The subject property, is located inside of the Salem Urban Growth Boundary and inside the corporate city limits¹.

Growth Management: The subject property is located outside of the Urban Service Area.

2. Zoning and Surrounding Land Use

The subject property is zoned RA (Residential Agriculture). The property subject to the validation request, Tax Lot 401, is undeveloped. The surrounding properties are zoned and used as follows:

North: RA (Residential Agriculture); Single Family and Vacant land

¹ Tax Lots 400 and 401 are currently outside of the City Limits and Urban Growth Boundary. The two tax lots were withdrawn and detached from the boundaries of the City of Salem in December of 1988.

South: Marion County – AR-2 (Acreage Residential – Two Acres); Single Family

East: RA (Residential Agriculture); Single Family and Vacant land

West: Marion County UT-5 (Urban Transition – Five Acres); vacant

3. Existing Site Conditions

The subject property (Tax Lot 401) is irregularly shaped. A private easement provides access to the subject property and three other tax lots. The easement connects to Homestead Road S, a local road in the Salem Transportation Plan. The parent parcel of Tax Lots 400, 401 and 402 is a rectangular shaped property consisting of approximately 20 acres that spans down to Croisan Ridge Way, outside of the City Limits and Urban Growth Boundary.

The overall subject property is sloping, varying in elevation from approximately 440 feet in elevation near the northeast corner to approximately 660 feet in elevation at the southeast corner.

4. Neighborhood and Citizen Comments

The subject property is located within the boundaries of Southwest Association of Neighbors (SWAN). Notification was sent to the neighborhood association and surrounding property owners within 250 feet of the property on December 20, 2018. Notice of the proposed application was also posted on the subject property. As of the date of this staff report, no written comments have been received from SWAN.

5. City Department and Public Agency Comments

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

4) ORS and SRC: The application shall provide the required field survey and partition plat as per the statute and code requirements outlined in the Oregon Revised Statutes (ORS) and the Salem Revised Code (SRC). If the said documents are not in compliance with the requirements outlined in ORS and SRC, and as per SRC 205.035, the approval of the partition plat by the City Surveyor may be delayed or held indefinitely based on the non-compliant violation.

- The Building and Safety Division reviewed the proposal and identified no apparent issues.
- The Salem Fire Department reviewed the proposal and no concerns with the validation application. Any future construction will be required to comply with the Oregon Fire Code as adopted by the City of Salem that is in effect at that time. FIRE will comment on items including fire department access and water supply at the time of building permit plan review.

6. Public Agency and Private Service Provider Comments

Public agencies and public and private service providers for the subject property were mailed notification of the proposal. No comments have been received at the time of the writing of this staff report.

7. Criteria for Granting a Validation of Unit of Land

SRC 205.060(d) sets forth the criteria that must be met before a unit of land can be validated.²

In order to approve a validation of unit of land, the review authority shall make findings based on evidence provided by the applicant demonstrating that all the following criteria and factors are satisfied.

The applicable criteria are stated below in **bold** print. Following each criterion is a response and/or finding relative to the proposed tentative partition. The applicant provided justification for all applicable criteria (Attachment B).

SRC 205.060(d)(1): The unit of land is not a lawfully established unit of land.

Applicant Statement: The Property was not lawfully established in 1987 when the original 19.97 acre parcel was divided to create the Property, 4197 Croisan Ridge Way S., Salem, Oregon 97302 ("4197 Croisan Ridge"), and 4320 Croisan Ridge Way S., Salem, Oregon 97302 ("4320 Croisan Ridge"). Their separation occurred on December 21, 1987 when Michael and Sherri Buck conveyed the three lots to themselves by three separate deeds for a 15.51 acre lot, a 2.38 acre lot, and a 2.08 acre lot. This separation created three separate tax lots.

² Notwithstanding criterion SRC 205.060(d)(3), the Hearings Officer may approve an application to validate a unit of land that was unlawfully created prior to January 1, 2007, if approval was issued for a permit to allow the construction or placement of a dwelling or other building on the unit of land after the sale. No approval has been issued for such construction on Tax Lot 401.

The Property was created by a deed executed on December 21, 1987 and recorded on December 22, 1987 at Reel 593, Page 133 of the Marion County Records. The City has no record of a land division proceeding and contends the Property is not a legal parcel. The Applicant has filed this application to resolve questions regarding the status of the Property as a legal lot.

Finding: Staff concurs with the applicant's statement. The entire property was part of the City of Salem prior to December 12, 1988. The original parcel of land was one legal description (approximately 20 acres) and was deeded in separate legal descriptions in 1987, which did not legally divide the property. The two smaller tax lots (400 & 402) were withdrawn from the City Limits and Urban Growth Boundary on December 13, 1988, leaving the subject property within the City. The unit of land subject to the validation request was created in 1987 through a deed recorded for Tax Lot 401, separately. Therefore, Tax Lot 401 was not a lawfully established unit of land. This criterion is met.

SRC 205.060(d)(2): The unit of land was created through sale or deed or land sales contract executed and recorded before January 1, 2007.

Applicant Statement: As mentioned above, the Property was created by a deed executed on December 21, 1987 and recorded on December 22, 1987.

Finding: Staff concurs with the applicant's written statement. The subject unit of land was not created solely to establish a separate tax account, and was not created by gift or any other method. The applicant has provided a copy of the recorded deed creating the subject unit of land through sale as evidence that this criterion is met.

SRC 205.060(d)(3): The unit of land could have complied with applicable criteria for the creation of the unit of land in effect when the unit of land was sold.

Finding: The subject property was entirely zoned RA (Residential Agriculture), when the land area was created by deed. The applicant provided Salem Revised Code Chapter 63, Subdivisions (repealed) and Chapter 145, RA Zone (repealed), which were in effect when the land area was created. The development standards of the RA zone required a minimum lot area of 4,000 square feet for single family dwellings. The minimum lot dimensions for single family were 40-foot width and 70-foot depth and not more than 300 percent of the average width between side lot lines and a street frontage of 40-foot street frontage.

The subject property is 15.51 acres, 660 feet in width, 1,100 feet in depth and is less than 300 percent of the average width, meeting the minimum lot standards. The subject property does not have street frontage, although Salem Revised Code Chapter 63, allowed the Planning Administrator to approve flag lot accessways meeting the following standards for accessways, serving 2-4 lots, a width of 25-feet with a paved width of 20-feet and a maximum distance of 125-feet in length. The subject property has an existing easement from Homestead Road S serving the property, the parcel could have been created as a flag lot parcel without street frontage. The existing easement serving the property was created in 1951 and exceeds the maximum 125-foot length for an accessway. The Salem Revised Code 63.331 allowed for variances to Code sections

between SRC 63.115 to 63.295, which included creating flag lot accessways. A variance to the accessway length and surface could have been considered a hardship, since the existing 1950's easement is the only means of access to the subject property.

The Fire Department commented that to provide Fire Department access to the property, the flag lot accessway and private driveway is required to be provided to within 150' or all portions of the exterior of the building as measured along an approved route. An approved turnaround will be required if the Fire Department access road exceeds 150 feet. If the Fire Department access road exceeds 400 feet, turnouts are required (10' by 30') in addition to the required width. Fire department access roads are required to be a minimum of 20 feet wide and 13 foot 6 inch in clear height, and provide an all-weather driving surface capable of supporting fire apparatus (total weight of 76,000 lbs.).

To ensure the validated lot will have safe and adequate access, the following condition is recommended:

Condition 1: The easement (flag lot accessway) serving the subject property shall be at least 25-feet wide with all-weather driving surface capable of supporting fire apparatus (total weight of 76,000 lbs.) from Homestead Road S to the subject property. The flag-lot accessway shall have an approved turnaround and/or turnout as required by the Fire Department prior to issuance of any building permits.

Driveway: The driveway, which is located on the subject property and at the end of the flag lot accessway has different standards. The Salem Revised Code (SRC) 133.210(b) (repealed) provides that driveways serving developments on lots created pursuant to SRC 63.039 (partitions in areas unserved by municipal sewer and water) shall not be required to meet the hard surface requirements of SRC 133.210. As described below, the subject property would have met SRC 63.039 and therefore, the hard surface requirement of SRC 133.210(b) does not apply and the current gravel driveway to the Property is sufficient.

Septic:

Salem Revised Code, Chapter 63.039, allowed for partitions in areas unserved by municipal sewer and water. A partition of property located more than 300-feet from available sewer could have been approved, if the following standards were met:

1. Proposed parcels are no less than five acres and have no dimension less than 100-feet.
2. The property is residentially zoned.
3. The property has received appropriate county sanitarian favorable site evaluation for an on-site sewage disposal system.
4. The applicant has signed and recorded a non-remonstrance contract, agreeing to hook up to sewer and water as it becomes available. In addition, waiving the right to object to any future water and sanitary sewer project benefiting the property.
5. Submittal of an acceptable redevelopment plan.

The subject property is approximately 15 acres in size with no dimension less than 100-feet, was residentially zoned in 1987 and the applicant provided a redevelopment plan. The subject property is still residentially zoned and the applicant intends to construct a

single family dwelling, if approved. To ensure the remaining standards are met the following conditions apply:

Condition 2: Prior to final Plat approval, the applicant shall provide a favorable site evaluation for an on-site sewage disposal system from the Marion County Sanitarian.

Condition 3: Prior to final Plat approval, the applicant shall sign and recorded a non-remonstrance contract, agreeing to hook up to sewer and water as it becomes available and waiving the right to object to any future water and sanitary sewer project benefiting the property

The City of Salem Ordinance in effect when the deed was recorded in 1987 could have allowed the parcel as a lawful parcel through a land use determination decision. In addition, such parcel would have been allowed a sewage disposal system and gravel driveway. This criterion is met.

SRC 205.005(d)(4): The plat complies with SRC 205.035 and ORS 92.

Finding: The applicant submitted a copy of a proposed plat (**Attachment C**). The Public Works Department reviewed the proposal and submitted comments describing the procedure and submittal requirements for recording of a final plat.

RECOMMENDATION

Based on the application and information presented in the staff report, staff recommends that the Hearings Officer adopt the Facts and Findings of the staff report and APPROVE the request to validate one unit of land that was created through sale rather than through an approved subdivision or partition plat process, for property zoned RA (Residential Agriculture) and located at 4145 Homestead Road S (083W08B / 401); with the following conditions:

Condition 1: The easement (flag lot accessway) serving the subject property shall be at least 25-feet wide with all-weather driving surface capable of supporting fire apparatus (total weight of 76,000 lbs.) from Homestead Road S to the subject property. The flag-lot accessway shall have an approved turnaround and/or turnout as required by the Fire Department prior to issuance of any building permits.

Condition 2: Prior to final Plat approval, the applicant shall provide a favorable site evaluation for an on-site sewage disposal system from the Marion County Sanitarian.

Condition 3: Prior to final Plat approval, the applicant shall sign and recorded a non-remonstrance contract, agreeing to hook up to sewer and water as it becomes available and waiving the right to object to any future water and sanitary sewer project benefiting the property

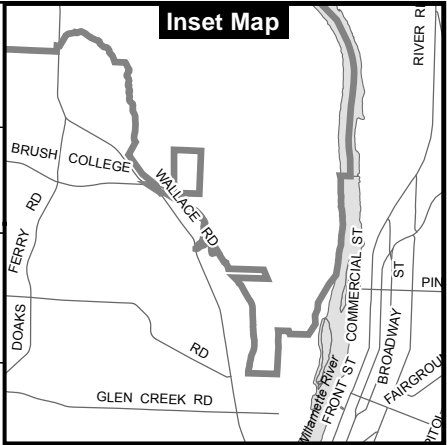
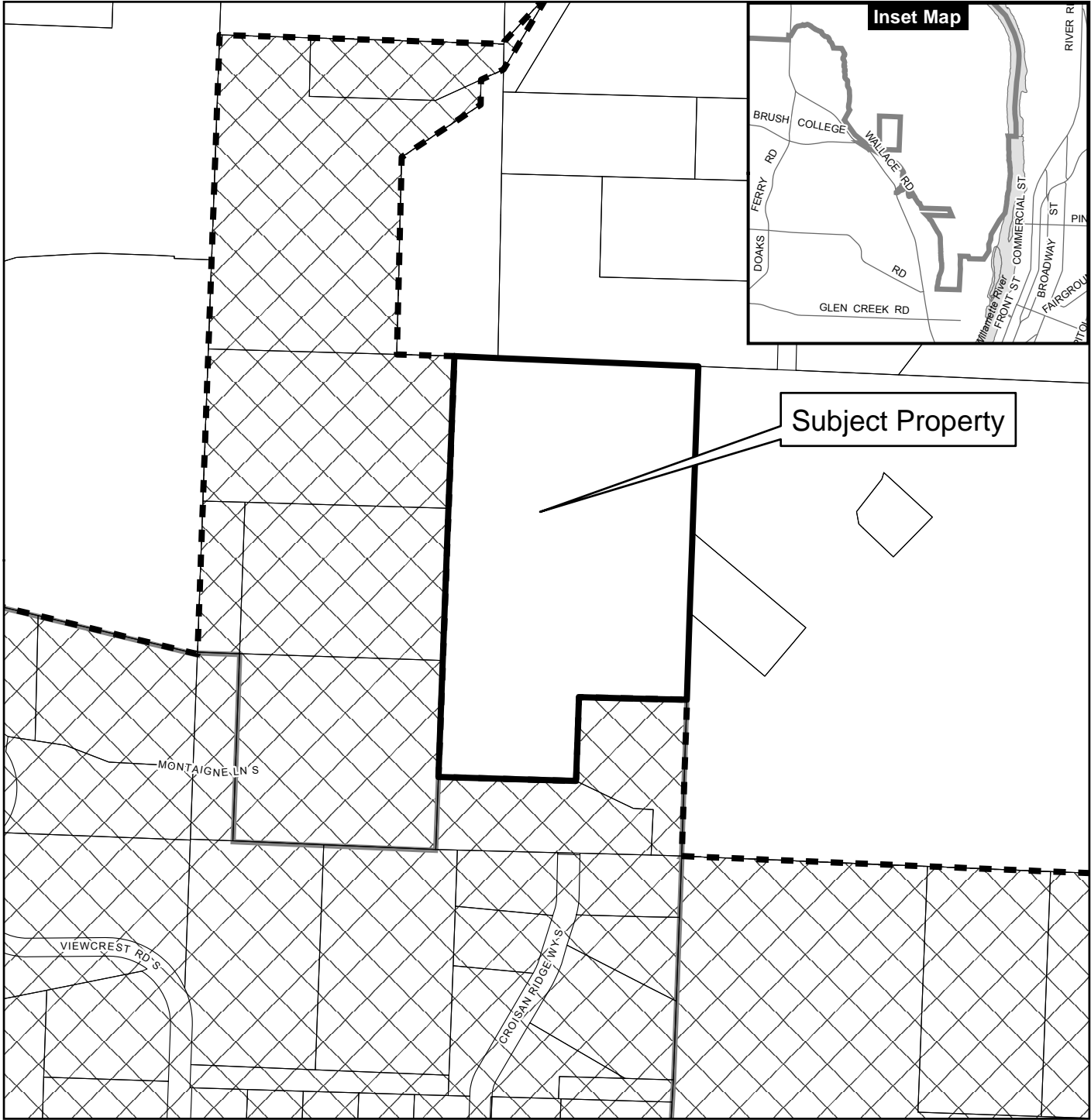
Prepared by Olivia Glantz, Planner III

Application Deemed Complete Date: December 6, 2018

State Mandated Decision Date: April 5, 2019

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

Vicinity Map
4145 Homestead Road S



Legend

- Taxlots
- Urban Growth Boundary
- City Limits

- Outside Salem City Limits
- Historic District
- Schools

- Parks

CITY OF Salem
AT YOUR SERVICE
Community Development Dept.

0 100 200 400 Feet



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STATEMENT ADDRESSING APPROVAL CRITERIA **(Validation of R31763)**

The applicant submits this land use application (the “Application”) to legalize Map Tax Lot 083W08B 00401 with Account Number R31763 (the “Property”). The Property is a 15.51 acre lot.

I. Approval Criteria

SRC 205.060(d) sets forth the following criteria for validation of a unit of land:

- (1) The unit of land is not a lawfully established unit of land;
- (2) The unit of land was created through sale by deed or land sale contract executed and recorded before January 1, 2007;
- (3) The unit of land could have complied with applicable criteria for the creation of the unit of land in effect when the unit of land was sold; and
- (4) The plat complies with SRC 205.035 and ORS 92.

II. Application of Approval Criteria

The Property meets each of the applicable approval criteria, as specifically set forth below.

a. The unit of land is not a lawfully established unit of land

The City contends the Property was not lawfully established in 1987 when the original 19.97 acre parcel was divided to create the Property, 4197 Croisan Ridge Way S., Salem, Oregon 97302 (“4197 Croisan Ridge”), and 4320 Croisan Ridge Way S., Salem, Oregon 97302 (“4320 Croisan Ridge”). Their separation occurred on December 21, 1987 when Michael and Sherri Buck conveyed the three lots to themselves by three separate deeds for a 15.51 acre lot, a 2.38 acre lot, and a 2.08 acre lot. This separation created three separate tax lots.

The Property was created by a deed executed on December 21, 1987 and recorded on December 22, 1987 at Reel 593, Page 133 of the Marion County Records. The City has no record of a land division proceeding and contends the Property is not a legal parcel. Applicant files this application to resolve questions regarding the status of the Property as a legal lot.

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

As mentioned above, the Property was created by a deed executed on December 21, 1987 and recorded on December 22, 1987.

c. The unit of land could have complied with applicable criteria for the creation of the unit of land in effect when the unit of land was sold

The applicable criteria in this matter relate specifically to then-existing partition requirements for areas unserved by municipal sewer and water, building and development standards, and driveway development standards.

i. The Property meets requirements for partitions in areas unserved by municipal sewer and water

SRC 63.039 applied to partitions in areas unserved by municipal sewer and water at the time the property was divided. SRC 63.039 provides that partitions of property located more than 300 feet from an available sewer may be approved by the Planning Commission upon the satisfaction of certain standards.¹ Since the Property is located more than 300 feet from available sewer, the following standards apply:

- (1) The proposed parcels are no less than five acres in size and, except for flag lots, have no dimensions less than 100 feet. SRC 63.039(1).
- (2) The property partitioned is residentially zoned. SRC 63.039(2).
- (3) The property partitioned has received from the appropriate county sanitarian a favorable site evaluation for the installation of an on-site sewage disposal system. SRC 63.039(3).
- (4) The applicant has signed a non-remonstrance contract to be recorded against the property, agreeing to hook up to sewer and water as it becomes available and waiving the right to object to any future water and sanitary sewer project benefiting the property. SRC 63.039(4).
- (5) The applicant has submitted an acceptable redevelopment plan. SRC 63.039(5).

The first criterion is satisfied because the Property is 15.51 acres and has no dimensions less than 100 feet. Second, the Property is in a Residential Agricultural (“RA”) zone, therefore it is residentially zoned. Third, while the Property has not received a favorable site evaluation from an appropriate county sanitarian, Mr. Buck intends to obtain the necessary evaluation, and, therefore, this should be a condition of the Planning Commission’s approval. Fourth, Mr. Buck has not signed a non-remonstrance contract to be recorded against the property, but as with the evaluation, this should be a condition of approval, as Mr. Buck will sign the necessary contract. Fifth, attached is Mr. Buck’s redevelopment plan in satisfaction of SRC 63.039(5).

ii. The Property meets applicable building and development standards.

The Property qualified for lawful status when created in 1987. Specifically, then existing SRC 145 controlled the RA zone and the associated development standards. SRC 145.060 discusses height standards. This is inapplicable since a dwelling has not yet been erected on the Property.

¹ SRC 63.039 provides that certain standards are set forth in SRC 63.047, but this section of the Code was repealed in 1979 and, therefore, not applicable to the Property.

SRC 145.070 outlines the requirements related to the lot area and dimensions of lots within an RA zone. The minimum lot area requirement for a single family dwelling is 4,000 square feet and all other uses shall occupy lots of 6,000 square feet or more. SRC 145.070(a). The Property is 15.51 acres, which is far greater than the minimum lot area requirement.

Single family dwellings must be located on a lot having a minimum width of 40 feet and an average depth between the front and rear lot lines of not less than 70 feet and not more than 300% of the average width between the side lot lines. SRC 145.070(b). The Property meets both dimension requirements. Specifically, the average depth between the front and rear lot lines is approximately 1,020 feet and the average width is approximately 590 feet, therefore, the average depth is not more than 300% of the average depth between the side lot lines.

SRC 145.070 relates to whether a property meets frontage requirements. The frontage requirements for the Property were addressed by SRC 64.145. SRC 64.145(d) states that the minimum front lot line width must be at least 40 feet. SRC 64.154(e) provides that for flag lots, the line separating the building site of the lot from the lot between it and the street from which access is provided to the flag lot shall be deemed the front lot line for building set back purposes. The Property is a flag lot – a characterization agreed upon by the City Planner – and maintains an access from Homestead Road South, which accesses the Property from its eastern boundary. Since the eastern boundary is the line separating the building site of the Property from the lot between it and Homestead Road South – which is the street from which access is provided – then the eastern boundary shall be deemed the front line. Therefore, the eastern boundary which is well over 40 feet, meets the frontage requirement.

iii. The Property meets driveway development standards or the driveway is a pre-existing conditions and certain standards should not be applied.

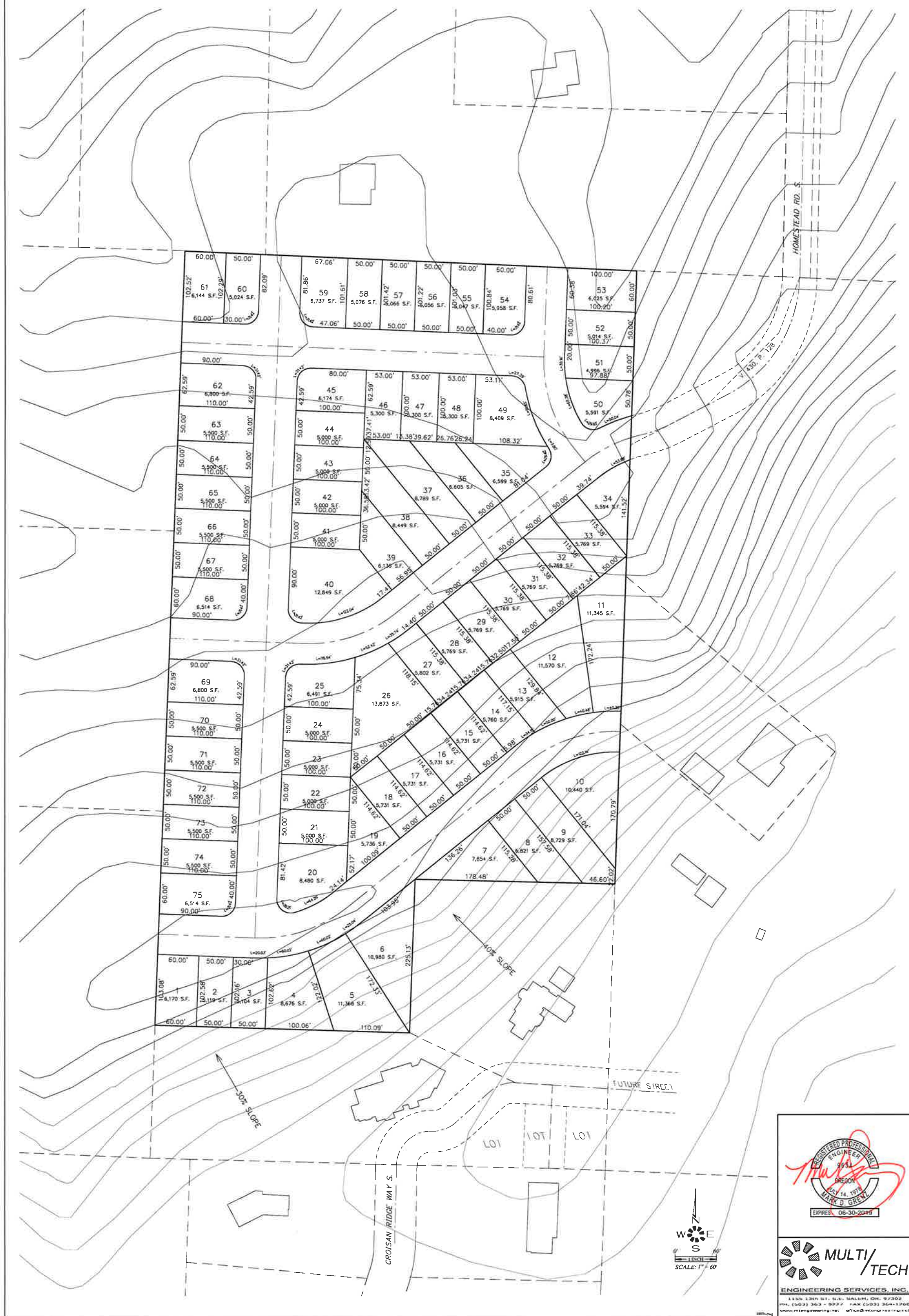
Finally, SRC 133.210(b) provides that driveways serving developments on lots created pursuant to SRC 63.039 shall not be required to meet the hard surface requirements of SRC 133.210. Therefore, the hard surface requirement of SRC 133.210(b) does not apply and the current gravel driveway to the Property is sufficient.

The City Planning department indicates that the remaining requirements under SRC 133.210, including 133.210(a) and 133.210(c) through (h), will not be applied to the Property because the existing driveway has been in place since the Property was created. As a result, application of the standards to the pre-existing condition would result in an undue burden, and therefore, the provisions of SRC 133.210 should not be applied to the Property.

d. The plat complies with SRC 205.035 and ORS 92

The applicant has submitted a plat that complies with SRC 205.035 and ORS chapter 92 with this application.

REDEVELOPMENT PLAN



PARTITION PLAT No. _____

LOCATED IN THE
NORTHWEST QUARTER OF SECTION 08,
TOWNSHIP 8 SOUTH, RANGE 3 WEST OF THE WILLAMETTE MERIDIAN,
CITY OF SALEM, MARION COUNTY, OREGON
DATE: MARCH 13, 2018

SURVEY AND DEED REFERENCES

- R1 Indicates record information from Marion County Survey 13087.
- R2 Indicates record information from Marion County Survey 16504.
- R3 Indicates record information from Marion County Survey 7411.
- R4 Indicates record information from "TAMARACK" as recorded in Vol. 33, pg. 20, Book of Town Plats, Marion County, Oregon.
- D1 Indicates record information from Reel 1532, Page 741, Marion County Deed Records.
- D2 Indicates record information from Reel 850, Page 63, Marion County Deed Records.

MONUMENT DESCRIPTIONS

- Ⓐ 3/4" IP, UP 0.6', SET IN R2
- Ⓑ 3/4" IP, UP 0.1', SET IN R1
- Ⓒ 3/4" IP INSIDE A 2" IP, DOWN 0.8', SET IN R1
- Ⓓ 5/8" IR WITH YPC MARKED "CASWELL PLS 787", ORIGIN UNKNOWN
- Ⓔ 1" IP, UP 0.1', SET IN R3
- Ⓕ 5/8" IR, DOWN 0.9', 0.37' S00°49'09"E OF SOUTH LINE, SET IN R4
- Ⓖ CALCULATED POSITION OF MONUMENT #232 AS SHOWN ON R6

LEGEND:

- 1. All monuments found were erect, in good condition and useable and flush with the ground unless otherwise noted.
- 2. Ⓢ - Center Line.
- 3. MCDR - Marion County Deed Records
- 4. Ⓐ - Indicates a 5/8" X 30" iron rod with a yellow plastic cap marked "PETERSEN PLS 61408" to be set after approval from City of Salem.

"This map does not guarantee that any particular use may be made of the property illustrated hereon. Parties should check with the City or County planning department to verify approved uses."

DRAWING NO.: 17173	PREPARED FOR AND AT THE REQUEST OF OLIN GREEN	JOB NO. 17-173
DATE: MARCH 13, 2018		SCALE 1"=100'
		DRAWN BY: TEP
REGISTERED PROFESSIONAL LAND SURVEYOR	LIABILITY FOR THIS SURVEY IS EXPRESSLY LIMITED TO SAID PERSON OR PERSONS.	GENERAL LEGEND: IP=IRON ROD IP=IRON PIPE YPC=YELLOW PLASTIC CAP
OREGON JAMES PETERSEN 61408	IN THE THE NW 1/4 OF SEC. 08, T. 8 S. R. 3 W., W.M. MARION COUNTY, OREGON	C=CALCULATED ()=DEED RECORD []=SURVEY RECORD ●=MONUMENT FOUND
EXPIRES: 12/31/18		5/8"X30" IR SET WITH YPC MARKED "PETERSEN PLS 61408"
LAND MARKERS SURVEYING	PHONE 581-0911	

PARTITION PLAT No. _____

LOCATED IN THE
NORTHWEST QUARTER OF SECTION 19,
TOWNSHIP 7 SOUTH, RANGE 2 WEST OF THE WILAMETTE MERIDIAN,
CITY OF SALEM, MARION COUNTY, OREGON
DATE: MARCH 15, 2017

SURVEYOR'S CERTIFICATE

I, Troy E. Petersen, being a Professional Land Surveyor in the State of Oregon, do hereby certify that I have surveyed and marked with proper monuments the land shown in the partition plat hereon, the exterior boundary thereof being described as follows:

Beginning at the initial point of this partition plat which is a 3/4" iron pipe at the Northwest corner of the East one half of the Northwest quarter of the Northwest quarter of Section 8, Township 8 South, Range 1 West of the Willamette Meridian, Marion County, Oregon; thence South 89°45'42" East 657.46 feet to a 3/4" iron pipe at the Northeast corner of East one half of the Northwest quarter of the Northwest quarter of said Section 8; thence South 00°12'00" East 895.06 feet to the Southeast corner of that tract of land described in Reel 3927, Page 496, Marion County Deed Records; thence South 89°10'51" West along the South line of said tract, 290.75 feet; thence South 00°12'00" East along the South line of said tract, 225.67 feet; thence South 89°10'51" West along the South line of said tract, 371.50 feet to the Southeast corner of said tract; thence North 00°02'29" East feet to the point of beginning and containing 15.56 acres of land, more or less.

LAND MARKERS SURVEYING

Troy E. Petersen
Oregon Registered Land Surveyor No. 61408

NARRATIVE

The purpose of this survey is to create on legal parcel of land through the City of Salem property validation process for that tract of land described in Reel 3927, Page 496, Marion County Deed Records. This tract was a portion of a larger tract of land that is not considered a legal lot of record due to it not being created under the City of Salem planning approval and was created after 1979 but before 2007. The basis of bearing for this survey is between found monuments "B" and "C" as shown on Marion County Survey 13087. Found monuments were held for the boundary as shown hereon. The 2 Southerly tracts were established by record bearing and distances as shown on deeds.

DECLARATION

Know all men by these presents that Olin T. Green, being the owner of the land described in the Surveyor's Certificate hereon, and desiring to dispose of the same into a single parcel, have caused the same to be partitioned and surveyed, as shown on the attached map.

Olin T. Green _____ Date _____

ACKNOWLEDGMENT

STATE OF OREGON }
COUNTY OF MARION } SS
On this _____ day of _____, 2018, the within named, OLIN T. GREEN personally appeared before me and who personally acknowledged to me that she executed the same freely and voluntarily for the use and purpose therein named without fear of compulsion from anyone.

Notary Signature _____

Notary Public for Oregon _____

Commission No. _____

My Commission Expires: _____

THE WITHIN PLAT IS HEREBY APPROVED:

City of Salem Planning Administrator _____ Date _____

City of Salem Surveyor _____ Date _____

Marion County Assessor _____ Date _____

Taxes and assessments on the above-described property have been paid in full to: _____.

Marion County Tax Collector _____ Date _____

RECORDING CERTIFICATION

STATE OF OREGON }
COUNTY OF MARION } SS
I do hereby certify that the attached Partition Plat No. _____ was received for recording on the _____ day of _____, 2018 at _____ o'clock _____ .M. and recorded in Book of Partition Plats. It is also recorded in the Marion County Deed Records as Reel _____, Page _____.

Bill Burgess; Marion County Clerk

By: Deputy County Clerk _____

DRAWING NO.: 16040		PREPARED FOR AND AT THE REQUEST OF		JOB NO. 17-173
DATE: MARCH 13, 2018		OLIN GREEN		SCALE: 1"=100'
REGISTERED PROFESSIONAL LAND SURVEYOR		LIABILITY FOR THIS SURVEY IS EXPRESSLY LIMITED TO SAID PERSON OR PERSONS.		CHECKED BY: TEP
OREGON LAND SURVEYORS TROY E. PETERSEN 61408		LOCATION: A TRACT OF LAND IN THE NW 1/4 OF SEC. 08, T. 8 S. R. 3 W., W.M. MARION COUNTY, OREGON		DRAWN BY: WM
EXPIRES: 12/31/18		C=COMPUTED COURSE ()=DEED RECORD []=SURVEY RECORD ●=MONUMENT FOUND		IP=IRON ROD IP=IRON PIPE YPC=YELLOW PLASTIC CAP
LAND MARKERS SURVEYING 4068 HUDSON AVE NE SALEM, OREGON 97301 PHONE 581-0911		LAND MARKERS SURVEYING 4068 HUDSON AVE NE SALEM, OREGON 97301 PHONE 581-0911		O 5/8"x30" IR SET WITH YPC MARKED "PETERSEN PLS 61408"