



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

1900 SW 4th Avenue, Suite 5000  
Portland, Oregon 97201  
503-823-7300  
Fax 503-823-5630  
TTY 503-823-6868  
[www.portlandonline.com/bds](http://www.portlandonline.com/bds)

**Date:** November 28, 2008  
**To:** Interested Person  
**From:** Mieke Stekelenburg, Land Use Services  
503-823-0669 / [Mieke.Stekelenburg@ci.portland.or.us](mailto:Mieke.Stekelenburg@ci.portland.or.us)

## **NOTICE OF A TYPE I DECISION ON A PROPOSAL IN YOUR NEIGHBORHOOD**

The Bureau of Development Services has approved a proposal in your neighborhood. The reasons for the decision are included in this notice. If you disagree with the decision, you can appeal it to the Oregon Land Use Board of Appeals (LUBA) at 550 Capitol St. NE, Suite 235, Salem, OR 97301. The phone number for LUBA is 1-503-373-1265. Information on how to appeal this decision is listed at the end of this notice.

### **CASE FILE NUMBER: LU 08-151438 LC**

#### **GENERAL INFORMATION**

**Applicant:** Davis Business Center LLC  
Po Box 105842  
Atlanta, Ga 30348-5842

Dana White  
Providence Health System ORegon  
4706 NE Glisan St Ste 101  
Portland, OR 97213

Michael Robinson,  
Perkins Coie Lp  
1120 NW Couch St, 10th Floor  
Portland, OR 97209-4128

**Site Address:** 4310-4370 NE HALSEY ST \*  
**Legal Description:** BLOCK 45&46 TL 3400, LAURELHURST  
**Tax Account No.:** R479107780  
**State ID No.:** 1N2E31BB 03400  
**Quarter Section:** 2935  
**Neighborhood:** Hollywood, contact Trudi Rahija at 503-281-5504.  
**Business District:** Hollywood Boosters, contact Jeffrey Baird at 503-249-8787.  
**District Coalition:** Central Northeast Neighbors, contact Alison Stoll at 503-823-3156.  
**Plan District:** Hollywood - Subdistrict A  
**Zoning:** CXd- Central Commercial with the design "d" overlay  
**Case Type:** LC – Lot Consolidation  
**Procedure:** Type I, an administrative decision with appeal to the Oregon Land Use Board of Appeals (LUBA).

#### **Proposal:**

The applicant is proposing to consolidate historic tax lots 7-22, and historic tax lots 9-17, blocks 45&46, of Laurelhurst Tax Lot 3400, into one lot. The lot consolidation application is submitted in support of the Street Vacation request of NE 44<sup>th</sup> Avenue LU 07-142132

(Ordinance No. 182015 R/W #6861). The requested street vacation would cause many of the lots abutting NE 44<sup>th</sup> Avenue to lose street frontage – which is required by Title 33. The lot consolidation will provide the necessary street frontage for the site on NE Halsey Street.

**Relevant Approval Criteria:**

In order to be approved, this proposal must comply with the approval criteria of Title 33. The relevant criteria are found in Section **33.675.300, Lot Consolidation Standards.**

## ANALYSIS

**Site and Vicinity:** The site is located in Subdistrict A of the Hollywood Plan District and contains The Davis Business Center Office Park. The site is a corner lot with frontage on both NE Halsey to the north, NE 44<sup>th</sup> Avenue to the west and NE 43<sup>rd</sup> to the west. Once NE 44<sup>th</sup> Avenue is vacated the consolidated Parcel will only have legal street frontage on NE Halsey Street.

The vicinity is characterized by high-density residential and commercial development around a major priority transit street (NE Halsey).

**Zoning:** The CX zone is intended to provide for commercial development within Portland's most urban and intense areas. A broad range of uses is allowed to reflect Portland's role as a commercial, cultural and governmental center. Development is intended to be very intense with high building coverage, large buildings, and buildings placed close together.

The “d” overlay promotes the conservation and enhancement of areas of the City with special historic, architectural or cultural value. New development and exterior modifications to existing development must meet the Community Design Standards (Chapter 33.218) or are subject to design review.

**Land Use History:** City records indicate there are 3 prior land use cases associated with this property.

- 08-113391 DZ – This land use application was approved in regards to design elements for a new office building on the property to the east and associated parking garage. The land use decision has no impact or conditions that would effect the proposed lot consolidation.
- 07-142132 VA – Pending Street Vacation application for NE 44<sup>th</sup> Avenue.  
Street Vacation – 142132
- 92-009759 AD – An adjustment request and approval to setbacks for a proposed addition. The land use decision has no impact or conditions that would effect the proposed lot consolidation.

**Agency and Neighborhood Review:** A Notice of Proposal in your Neighborhood was mailed on 8/27/08.

**1. Agency Review:** Several Bureaus and agencies have responded to this proposal. Please see Exhibits E for details. The comments are addressed under the appropriate criteria for review of the proposal.

**2. Neighborhood Review:** No written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

## ZONING CODE APPROVAL CRITERIA

### LOT CONSOLIDATIONS

**33.675.010 Purpose**

**This chapter states the procedures and regulations for removing lot lines within a site to create one lot. The regulations ensure that lot consolidation does not circumvent other requirements of this Title, and that lots and sites continue to meet conditions of land use approvals. The lot consolidation process described in this chapter is**

**different from (and does not replace) the process used by the county to consolidate lots under one tax account. A tax consolidation does not affect the underlying platted lots. A lot consolidation results in a new plat for the consolidation site.**

### **33.675.050 When These Regulations Apply**

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

### **33.675.100 Review Procedure**

**A. Generally. Lot consolidations are reviewed through Type I procedure.**

**B. Sites in PUDs or PDs. If any portion of the site is within a Planned Unit Development (PUD) or Planned Development (PD), an amendment to the PUD or PD is also required. The amendment to the PUD or PD must be reviewed concurrently with the lot consolidation.**

**Findings:** The site is not involved in any past or proposed Planned Unit Development or Planned Developments. Therefore, the requested lot consolidation review has been reviewed under the Type I procedure.

### **Approval Standards for a Lot Consolidation**

#### **33.675.300 Standards**

**A lot consolidation must meet the following standards:**

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

**1. Lot dimension standards.**

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

**Findings:** The proposed site is in the CX zone. Approval standards 1.a through 1.e are related to the required lot dimensions and creation of a consolidated parcel that will either meet the lot dimension standards of the zone or meet the listed exceptions. In Commercial zones there are no minimum lot area, width or depth standards. Lots must be of a size, shape, and orientation that is appropriate for the location and for the type of development and use that is contemplated (33.613.200). The site has received land use approval of a new six-story office building, related parking structure, surface parking, and a public plaza LU 08-113391. The lot is of a sufficient size to accommodate a variety of commercial uses and development.

In commercial zones there is a Minimum Front Lot Line Standard which is at least 10 feet long (33.613.100). The proposed lot has a front lot line that is 390.37 feet long.

As noted herein, the proposed consolidated lot meets the standards of 1.a through 1.e.

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

**Findings:** There is no minimum or maximum residential density in the CX zone, therefore this standard does not apply.

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

**Findings:** There is no minimum lot area, width or depth standards for commercial zones, as well as no minimum density requirement, therefore this standard does not apply.

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

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

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

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

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

**Findings:** Conditions of Approval required in LU 08-113391 DZ continue to apply to any new construction on the site.

## **DEVELOPMENT STANDARDS**

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

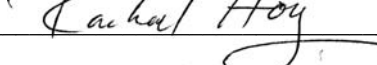
## **CONCLUSIONS**

The applicant proposes to consolidate historic tax lots 7-22, and historic tax lots 9-17, blocks 45&46, of Laurelhurst Tax Lot 3400, into one lot.

As discussed above, the requested lot consolidation has been reviewed and shown to be able to meet all the required standards for lot consolidations as laid out in Section 33.675.300.

## **ADMINISTRATIVE DECISION**

Approval of a Lot Consolidation to create one parcel of historic lots 7-22 & 9-17 of Block 45 and 46 into one parcel, as illustrated by Exhibit C.1, signed and **dated November 24, 2008.**

Decision rendered by:  on November 24, 2008

By authority of the Director of the Bureau of Development Services

**Decision mailed November 28, 2008**

**Staff Planner: Mieke Stekelenburg**

**About this Decision.** This land use decision is **not a permit** for development. **THE SIGNED FINAL PLAT MUST BE RECORDED WITH MULTNOMAH COUNTY DEED RECORDS WITHIN 90 DAYS OF THE DATE OF THIS DECISION (March 1, 2008), OR THIS DECISION WILL BECOME NULL AND VOID.** Permits may be required prior to any work. Contact the Development Services Center at 503-823-7310 for information about permits.

**Procedural Information.** The application for this land use review was submitted on 8/1/08, and was determined to be complete on 8/22/08.

*Zoning Code Section 33.700.080* states that Land Use Review applications are reviewed under the regulations in effect at the time the application was submitted, provided that the application is complete at the time of submittal, or complete within 180 days. Therefore this application was reviewed against the Zoning Code in effect on 8/1/08.

*ORS 227.178* states the City must issue a final decision on Land Use Review applications within 120-days of the application being deemed complete. The 120-day review period may be waived or extended at the request of the applicant. In this case, the applicant did not waive or extend the 120-day review period.

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

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

**This decision, and any conditions associated with it, is final.** It may be appealed to the Oregon Land Use Board of Appeals (LUBA), within 21 days of the date the decision is mailed, as specified in the Oregon Revised Statute (ORS) 197.830. Among other things, ORS 197.830 requires that a petitioner at LUBA must have submitted written testimony during the comment period for this land use review. You may call LUBA at 1-503-373-1265 for further information on filing an appeal.

The file and all evidence on this case is available for your review by appointment. Please contact the receptionist at 503-823-7967 to schedule an appointment. Copies of all information in the file can be obtained for a fee equal to the cost for such services. You may also find additional information about the City of Portland and City Bureaus, as well as a digital copy of the Portland Zoning Code, by visiting the City's homepage on the Internet at [www.portlandonline.com](http://www.portlandonline.com).

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

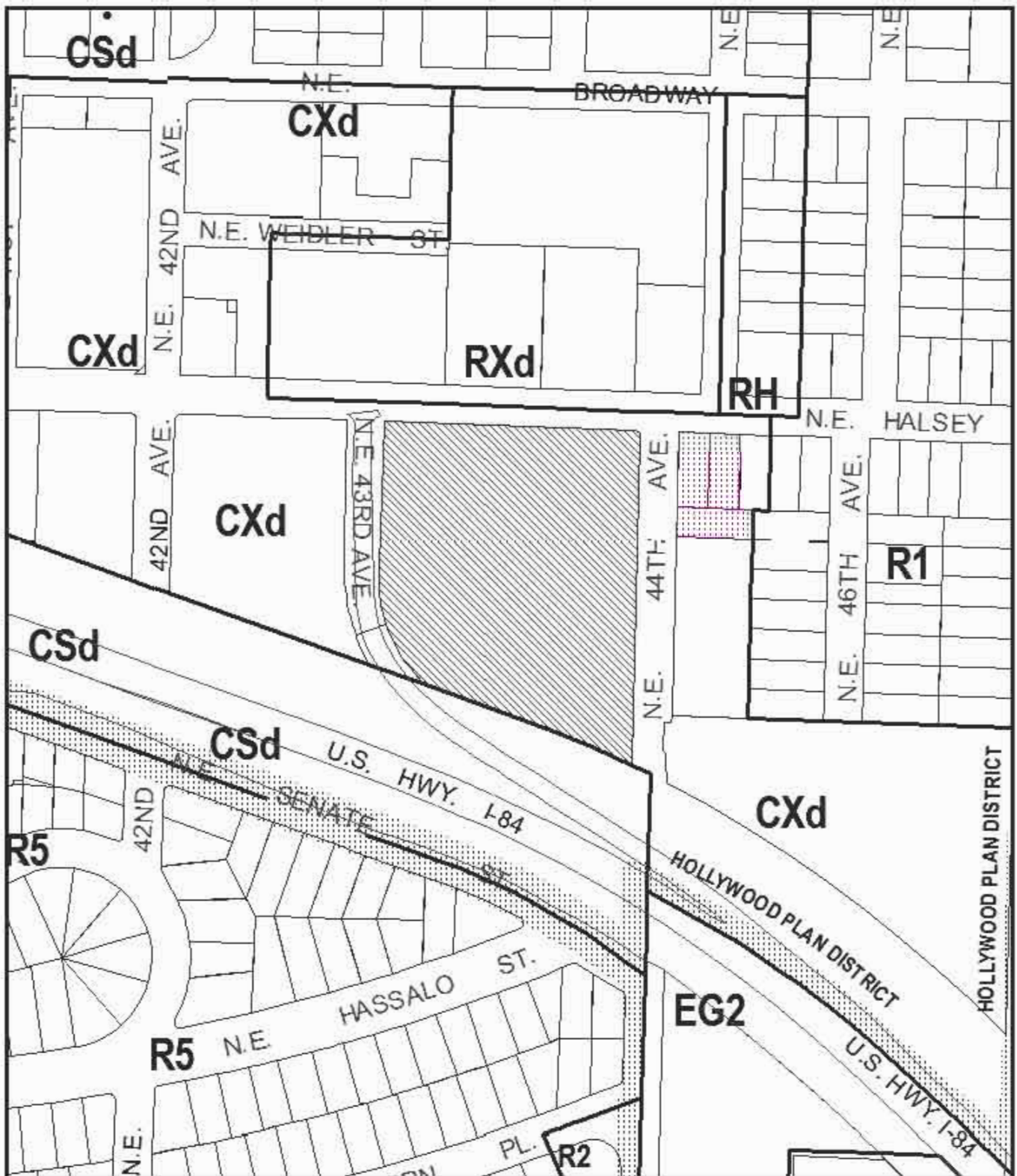
#### EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
- B. Zoning Map (attached)
- C. Plans/Drawings:

1. Approved Plat (attached)
- D. Notification information:
  1. Mailing list
  2. Mailed notice
- E. Agency Responses:
  1. Bureau of Environmental Services
  2. Bureau of Transportation Engineering and Development Review
  3. Water Bureau
  4. Fire Bureau
  5. Site Development Review Section of BDS
  6. Bureau of Parks, Forestry Division
  7. Life Safety
- F. Correspondence: None Submitted
- G. Other:
  1. Original LU Application
  2. Site History Research

**The Bureau of Development Services is committed to providing equal access to information and hearings. If you need special accommodations, please call 503-823-0625 (TTY 503-823-6868).**



# ZONING

-  Site
-  Also Owned



This site lies within the:  
**HOLLYWOOD PLAN DISTRICT**

File No.	LU 08-151438 LC
1/4 Section	2935
Scale	1 inch = 200 feet
State_Id	1N2E31BB 3400
Exhibit	B (Aug 04,2008)



**PARTITION PLAT NO.**

A REPLAT OF A PORTION OF LOTS 7 AND 23 AND ALL OF LOTS 6, 21 OF BLOCK 48 AND A PORTION OF LOTS 7, 9 AND ALL OF LOTS 10, 17 OF BLOCK 46 LAURELURST AND A PORTION OF VACATED NE CLACKAMAS STREET PER ORDINANCE 80880 (BOOK 999 PAGE 880), LOCATED IN THE NW 1/4 OF SECTION 31, T. 1 N., R. 2 E., W. M. CITY OF PORTLAND, MULTNOMAH COUNTY, OREGON. DATE: OCTOBER 29, 2008

SECTION CORNERS TO QUARTER CORNER

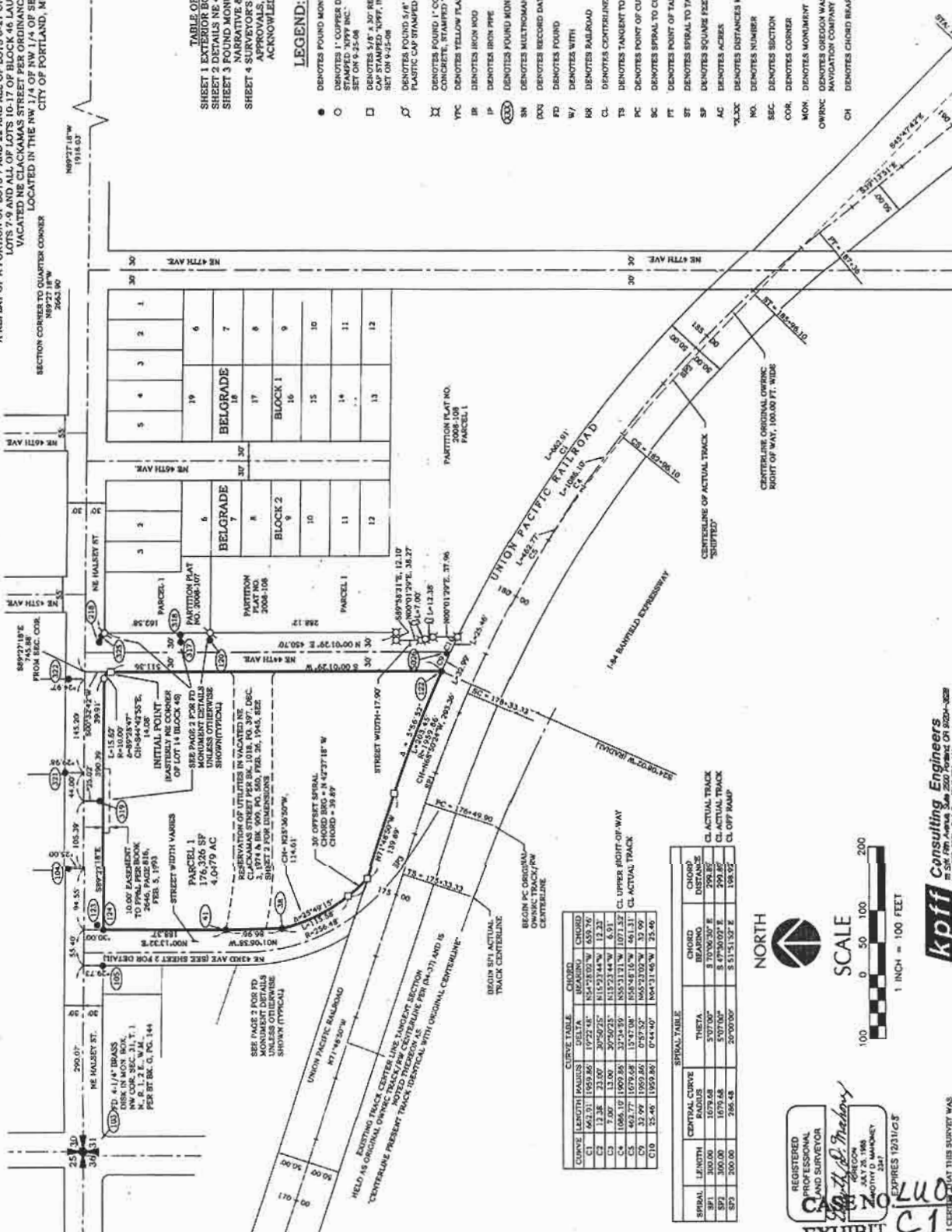


**TABLE OF CONTENTS**

SHEET 1 EXTERIOR BOUNDARY  
SHEET 2 DETAILS NE 44TH, ST. & OFF RAMP  
SHEET 3 FOUND MONUMENT TABLE & NARRATIVE & REFERENCE LIST  
SHEET 4 SURVEYOR'S CERTIFICATE, REMARKS, DIMENSIONS & ACKNOWLEDGMENT

**LEGEND:**

- DENOTES FOUND MONUMENT UNLESS OTHERWISE NOTED
- DENOTES 1" COPPER DISK FLUSH IN CONCRETE
- DENOTES 5/8" x 3/8" BEARING WITH YELLOW PLASTIC CAP STAMPED "KPPF, INC." SET ON 9-25-08
- ⊗ DENOTES FOUND 5/8" x 3/8" BEARING WITH YELLOW PLASTIC CAP STAMPED "KPPF, INC." SET ON 9-25-08
- ⊗ DENOTES FOUND 1" COPPER DISK FLUSH IN CONCRETE, STAMPED "KPPF, INC." PP 2008-108
- ⊗ DENOTES YELLOW PLASTIC CAP
- IR DENOTES IRON ROD
- IP DENOTES IRON PIPE
- ③ DENOTES FOUND MONUMENT NUMBER - SEE SHEET 3
- SN DENOTES MULTNOMAH COUNTY SURVEY
- DOQ DENOTES RECORD DATA PER REFERENCE NO. LISTED
- FD DENOTES FOUND
- W/ DENOTES WITH
- BR DENOTES BULKHEAD
- CL DENOTES CENTERLINE
- TS DENOTES TANGENT TO SPIRAL
- PC DENOTES POINT OF CURVATURE
- SC DENOTES SPIRAL TO CURVE
- PT DENOTES POINT OF TANGENCY
- ST DENOTES SPIRAL TO TANGENT
- SP DENOTES SQUARE FEET
- AC DENOTES ACRES
- "LXXX" DENOTES DISTANCES MEASURED AT RIGHT ANGLES
- NO. DENOTES NUMBER
- SEC. DENOTES SECTION
- COR. DENOTES CORNER
- MON. DENOTES MONUMENT
- OWRNC DENOTES OREGON WASHINGTON RAILROAD & NAVIGATION COMPANY RIGHT OF WAY
- CH DENOTES CHORD BEARING AND DISTANCE



**CURVE TABLE**

CURVE	LENGTH	RADIUS	DELTA	BEARING	CHORD
C1	661.01	1959.86	172.45	N54°28'02"W	655.76
C2	12.28	23.00	20°50'25"	S15°23'44"W	12.23
C3	7.00	13.00	20°50'25"	S15°23'44"W	6.91
C4	12.28	23.00	20°50'25"	S15°23'44"W	12.23
C5	463.27	1959.86	157°47'38"	S58°24'13"W	461.31
C6	32.99	1959.86	0°45'52"	S65°23'02"W	32.99
C10	25.46	1959.86	0°44'40"	N54°31'46"W	25.46

**SPIRAL TABLE**

SPIRAL	LENGTH	CENTRAL CURVE RADIUS	CHORD BEARING	CHORD DISTANCE
SP1	302.00	1079.68	S 70°00'20" E	298.89
SP2	302.00	1079.68	S 70°00'20" E	298.89
SP3	200.00	354.43	S 51°31'52" E	198.25



**kpff Consulting Engineers**  
 25 SE 17th Avenue, Suite 200 Portland, OR 97203-3029  
 503.227.8253 Fax: 503.227.8261  
 Portland, Seattle, Los Angeles, San Francisco, San Diego, Phoenix, Provo, Ogden

REGISTERED PROFESSIONAL LAND SURVEYOR  
 KATHY D. MANDREY  
 JULY 23, 1988  
 LICENSE NO. 12123  
 EXPIRES 12/31/2015

CASE NO. 2008-151438  
 EXHIBIT C1  
 LC



**PARTITION PLAT NO.**  
 A REPLAT OF A PORTION OF LOTS 7 AND 21 AND ALL OF LOTS 8-21 OF BLOCK 45 AND A PORTION OF LOTS 7-9 AND ALL OF LOTS 10-17 OF BLOCK 46 LAURELHURST AND A PORTION OF VACATED NE CLACKAMAS STREET PER ORDINANCE 80560 (BOOK 909 PAGE 580), LOCATED IN THE NW 1/4 OF 1/4 OF SECTION 31, T. 1 N., R. 2 E., W.M. CITY OF PORTLAND, MULTNOMAH COUNTY, OREGON.  
 DATE: OCTOBER 29, 2008

**LEGEND:**  
 ● DENOTES FOUND MONUMENT UNLESS OTHERWISE NOTED  
 ○ DENOTES 1" COMPASS DISK PULSH IN CONCRETE.  
 ○ STAMPED "KPPF INC."  
 ○ SET ON 9-25-08  
 □ DENOTES 5/8" x 30" REBAR WITH YELLOW PLASTIC CAP STAMPED "KPPF, INC."  
 □ SET ON 9-25-08  
 ◊ DENOTES FOUND 1" COPPER DISK BLANK IN CONCRETE, STAMPED "KPPF INC." PP 2008-108  
 ○ DENOTES FOUND MONUMENT NUMBER - SEE SHEET 3  
 ○ DENOTES RECORD DATA PER REFERENCE NO. LISTED  
 PC DENOTES POINT OF CURVATURE  
 SC DENOTES SPIRAL TO CURVE  
 ST DENOTES SPIRAL TO TANGENT  
 SF DENOTES SQUARE FEET  
 AC DENOTES ACRES  
 \*C/OX DENOTES DISTANCES MEASURED AT RIGHT ANGLES  
 SEC DENOTES SECTION  
 COR DENOTES CORNER  
 MON DENOTES MONUMENT  
 CH DENOTES CHORD BEARING AND DISTANCE  
 BRG DENOTES BEARING  
 H DENOTES HELL

**SPIRAL TABLE**

SPIRAL CURVE	TRUSTA	CHORD BRG	CHORD DIST.
S03	300.00	206.48	207°00'00" S 51°51'52" E 108.92'

**CURVE TABLE**

CURVE	LENGTH	RADIUS	DELTA	CHORD BRG	CHORD DIST.
C1	662.31'	1959.60'	17°22'48"	N54°28'02"W	659.76'
C2	12.38'	30502.25'	N15°23'44"W	12.23'	
C3	7.00'	13.00'	30°50'25"	N15°23'44"W	6.91'
C4	37.09'	1959.60'	0°57'52"	N65°23'02"W	37.00'
C5	23.45'	1959.60'	0°44'40"	N64°31'46"W	25.46'
C6	15.08'	10.00'	89°50'24"	N44°53'43"W	14.17'
C7	15.74'	10.00'	90°09'36"	N45°06'17"E	14.16'



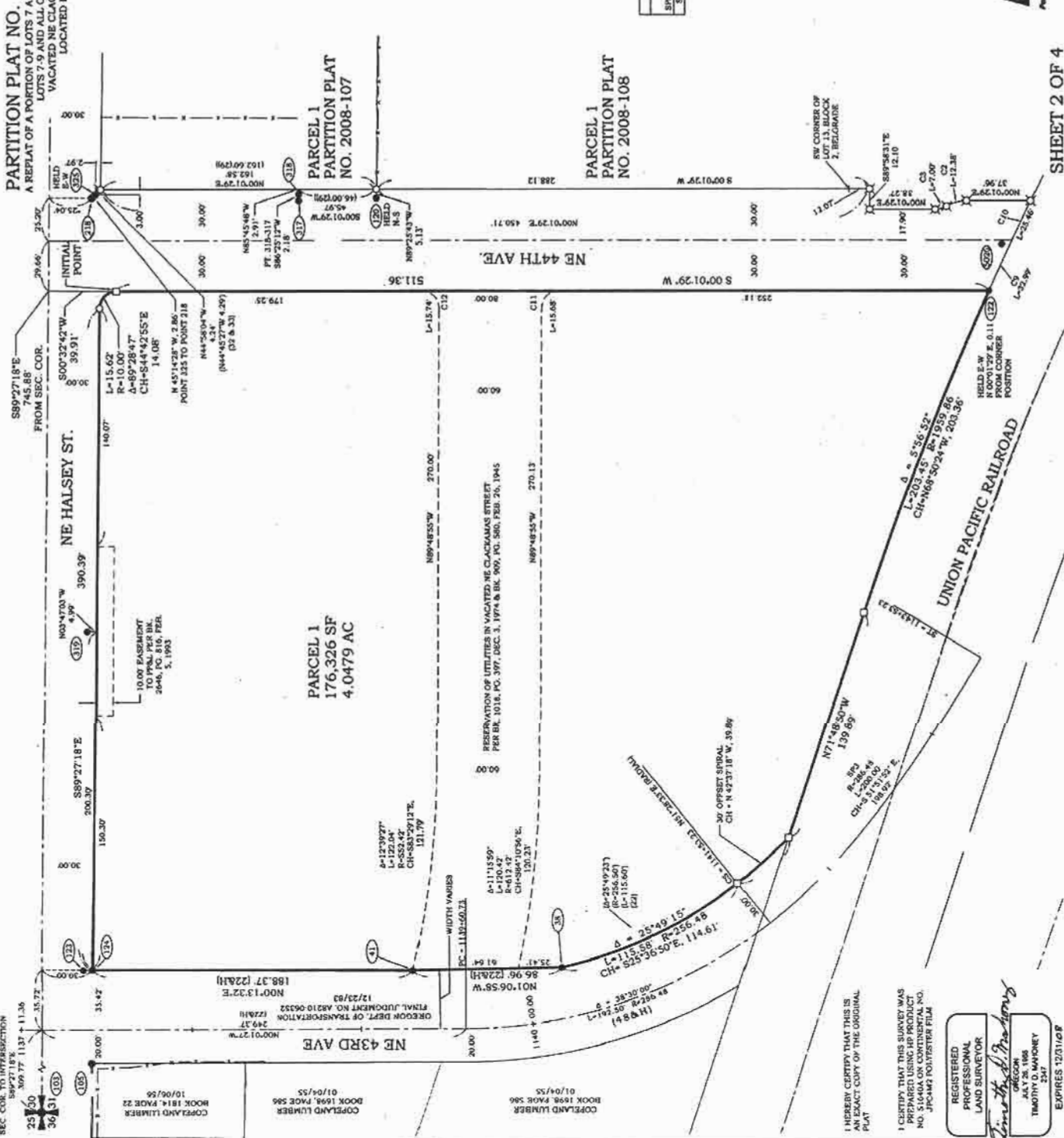
**REGISTERED PROFESSIONAL LAND SURVEYOR**  
 JULY 26, 1988  
 TIMOTHY D. WARDNEY  
 2347  
 EXPIRES 12/31/08

I HEREBY CERTIFY THAT THIS IS AN EXACT COPY OF THE ORIGINAL PLAN

I CERTIFY THAT THIS SURVEY WAS PREPARED USING HP PRODUCT NO. 510404 ON CONTINENTAL NO. JPC-044 POLYESTER FILM

**kpff Consulting Engineers**  
 27 SW 1st, Suite 300, Portland, OR 97204-3828  
 Portland Seattle Los Angeles San Francisco San Diego Phoenix Irvine Virginia

PROJECT NO. 2008-04/DWG. NO. 2008-04/P-3



**PARTITION PLAT NO. 2008-107**

**PARTITION PLAT NO. 2008-108**

**SHEET 2 OF 4**

**REFERENCE LIST:**

- 1 SURVEYS
- 2 SN 5130
- 3 SN 10354
- 4 SN 13992
- 5 SN 21519
- 6 SN 22369
- 7 SN 25954
- 8 SN 27332
- 9 SN 31937
- 10 SN 32918
- 11 SN 36358
- 12 SN 36391
- 13 SN 37797
- 14 SN 38538
- 15 SN 40593
- 16 SN 44891
- 17 SN 45183
- 18 SN 47609
- 19 SN 48781
- 20 SN 49932
- 21 SN 50229
- 22 SN 52495
- 23 SN 52496
- 24 SN 53808
- 25 SN 56495
- 26 SN 56497
- 27 SN 59122
- 28 SN 61246

**REFERENCE LIST:**

- 34 UNION PACIFIC RAILROAD MAPS (OREGON - WASHINGTON RAILROAD & NAVIGATION CO. MAPS)
- 35 CE 33239-3 S3 OF 6, V-2
- 36 CE 33239-4, S4 OF 6, V-2 PORTLAND TO GRAHAM
- 37 CE 33199-4, S3 OF 6, V-2, STATION MAP PORTLAND, OR
- 38 CE 81309-3, S3 OF 4, V-1

**CONDITIONS AND RESTRICTIONS**

- 38 BK 1644, PG. 103, INST. NO. 005861, 2-16-1954
- 39 BK 1754, PG. 445, INST. NO. 046084, 9-19-1955
- 40 BK 1016, PG. 397, DATED 12-03-1974
- 41 BK 2613, PG. 1788, INST. NO. 92131648, 11-18-1992

**COURT CASE**

- 42 STRIPULATED FINAL JUDGMENT, MULTNOMAH CO. COURT CASE NO. A8210 063452, (JUDT FILE NO. 51755)

**DEEDS AND LEASE AGREEMENTS**

- 43 BK 2646, PG. 816, INST. NO. 93016067, 03-05-1993, EASEMENT TO PICIFICORP
- 44 INST. NO. 2000-055026, 04-20-2000, CURRENT VESTING DEED
- 45 INST. NO. 2000-033598, 03-10-2000, CHANGE IN BUSINESS NAME
- 46 BK 1863, PG. 1084, 11-07-1985
- 47 BK 2188, PG. 1979, ON MARCH 27, 1989.

**ODOT MAP AND FILES**

- 48 FILE NO. 9817-6
- 49 FILE NO. 51530
- 50 FILE NO. 51755

**PLATS**

- 29 BELGRADE BK. 517 PG. 11
- 30 EUCLID HEIGHTS BK. 517 PG. 9
- 31 LAURELHURST BK. 515 PG. 97
- 32 PARTITION PLAT NO. 2008-107
- 33 PARTITION PLAT NO. 2008-108

**NARRATIVE**

THE PURPOSE OF THIS SURVEY IS TO COMPLETE A LOT CONSOLIDATION PLAT OF A PORTION OF PARCEL 1 AND ALL OF PARCEL IV OF THAT TRACT OF LAND DESCRIBED IN THAT CERTAIN DEED RECORDED AS INSTRUMENT NO. 2000-055026, ON 4/20/2000, MULTNOMAH COUNTY DEED RECORDS, BEING A PORTION OF LOTS 7 AND 22 AND ALL OF LOTS 8-21 OF BLOCK 45 AND A PORTION OF LOTS 7-9 AND ALL OF LOTS 10-17 OF BLOCK 46 LAURELHURST AND A PORTION OF THE VACATED NE CLACKAMAS STREET.

THE EXTERIOR BOUNDARY WAS DETERMINED AS FOLLOWS:

SOUTH LINE (NORTH LINE OF UNION PACIFIC RAILROAD, RIGHT OF WAY) THE RAILROAD WAS FORMERLY A LINE OWNED AND OPERATED BY THE OREGON WASHINGTON RAILROAD & NAVIGATION COMPANY (OWRNC) AND IS NOW OWNED AND OPERATED BY THE UNION PACIFIC RAILROAD (UPRR). THE RIGHT OF WAY IN THIS SECTION IS 100.00 FEET WIDE CENTERED ON THE ORIGINAL OWRNC MAIN LINE TRACK, AS DENOTED ON OWRNC STATION MAPS AND NOTED HEREON AS (UPRR MAPS [34-37], THE EXISTING (ORIGINAL OWRNC) TRACK WAS RE-ALIGNED (SHIFTED) EAST OF THE TANGENT SECTION BEGINNING AT STATION 175+33.33. SAID UPRR MAPS [34-37] NOTE THIS NEW ALIGNMENT AS "TRACK SHIFTING". NEW CURVE DATA IS NOTED THEREON FOR THE CURVE SECTION (TAPER CURVES (NO LONGER VALID) ON EACH SIDE OF AND THE CENTRAL CURVE), THE TANGENT SECTION WEST OF STATION 175+33.33 IS NOTED ON SAID UPRR MAPS [34-37] AS "CENTERLINE PRESENT TRACK IDENTICAL WITH ORIGINAL CENTERLINE". THE EXISTING TRACK CENTERLINE WAS LOCATED FROM STATION 163+64.42 TO STATION 190+91.53. A BEST FIT LINE WAS CALCULATED FROM STATION 163+64.42 TO STATION 175+33.33. STATION 164+56.8 TO STATION 174+49.9 IS PC. RAILROAD STATIONING WAS DETERMINED BY HOLDING THE SIGNAL POST OPPOSITE STATION 164+56.8, PER MAPS [34-37]. THE TANGENT DISTANCE OF 1193.1 FEET PER MAPS [34-37] TO DETERMINE THE PC AT STATION 176+49.9, HELD THE CENTRAL CURVE DATA (RADIUS, DELTA AND LENGTH) PER MAPS [34-37] TO DETERMINE THE CURVE SECTION. THERE IS NO SPIRAL OR TAPER CURVES, AS SAID UPRR MAPS [34-37] SHOW ONLY A SIMPLE CURVE BETWEEN THE TANGENTS ON THE ORIGINAL OWRNC CENTERLINE.

THE ACTUAL TRACK ALIGNMENT POSITION AS LOCATED BY THIS SURVEY IN THE CURVE SECTION DID NOT FIT THE SHIFTED/NEW ALIGNMENT TRACK DATA AS NOTED ON SAID UPRR MAPS [34-37] VERY WELL. THE SURVEY FIELD CREW FOUND TRACK CENTERLINE MARKINGS FOR THE MAINTENANCE CREWS ON THE TRAILS, LENGTH 3001, HELD SAID TRACK FIELD MARK DATA (RADIUS OF CURVE AND SPIRAL LENGTH) TO LAY OUT THE ACTUAL TRACK CENTERLINE POSITION AS SHOWN HEREON. A BEST FIT LINE WAS CALCULATED AND HELD FOR THE TANGENT SECTION BETWEEN STATION 187+36.00 FT TO STATION 190+91.53 FT. THE UPRR RIGHT OF WAY LINE CHANGES ON THE NORTHERLY EDGE EAST OF NE 47TH AVENUE, AND WAS NOT DETERMINED BY THIS SURVEY.

NE 44TH AVENUE HELD FOUND MONUMENTS AT POINT NO. S 122 AND 325 PER (3, 2, 7, 13, 15, AND 19). HELD RECORD RIGHT OF WAY WIDTH OF 60.00 FEET PER (29 & 31). THE EAST HALF OF THE RIGHT OF WAY SOUTH OF THE PLAT OF BELGRADE WAS DETERMINED BY HOLDING THE RECORD DEED DESCRIPTION (BEARING AND DISTANCE) IN THAT DEED TO BE CONVERTED FROM SISTERS OF PROVIDENCE TO CITY OF PORTLAND, PER DEED RECORDED IN BK. 2188, PG. 1979, ON MARCH 27, 1989, FOR THE STREET RIGHT OF WAY.

NE HALSEY STREET HELD FOUND MONUMENTS AT POINT NO. 103 AND 125 TO DETERMINE THE STREET CENTERLINE. HELD THE RECORD RIGHT OF WAY WIDTH OF 60.00 FEET PER (22, 25, 29, & 31).

WEST LINE (ODOT OFF RAMP/INE 43RD. AVENUE) HELD FOUND MONUMENTS AT POINT NO. 38, 41 AND 124 TOGETHER WITH RECORD DATA FROM SURVEY NO. 52495 (22) AND ODOT MAPS (48) AND FILES (49A&50).

(XX) DENOTES REFERENCE DATA.

ALL BEARINGS ARE BASED ON COMPASS BEARING THE NORTH LINE OF THE NORTHWEST ONE-QUARTER OF SECTION 11 IS NORTH 19° 27' 18" WEST, HOLDING THE FOUND MONUMENTS AT POINTS 123 AND 183.

I HEREBY CERTIFY THAT THIS IS AN UNALTERED COPY OF THE ORIGINAL PLAT.

I CERTIFY THAT THIS SURVEY WAS PREPARED USING THE PRODUCT NO. 30-044 OR CONTINGENTAL NO. JORDAN POLYMER FILM.

PT. NO.	BEARING	DISTANCE	DESCRIPTION
38	HELD	HELD	FD 5/8" IR W/ 1-1/2" ALUM. CAP STAMPED "OTAK INC.", FLUSH [SET (22)]
41	HELD	HELD	FD 5/8" IR W/ 1-1/2" ALUM. CAP STAMPED "OTAK INC.", FLUSH [SET (22)]
103	HELD	HELD	FD 4-1/2" BD STAMPED "T. IN. R. 2E., 25, 30, 31, 36, 1967 W/ PUNCH MARK IN MONUMENT BOX
104	HELD	HELD	FD BS IN SIDEWALK, NO WASHER [FD (25)]
105	HELD	HELD	FD 5/8" IR W/ 1-1/2" ALUM. CAP STAMPED "OTAK INC.", FLUSH [SET (22)]
120	N89°25'43"E	5.13'	FD 3/4" BS COP [SET (19)]
122	N00°01'29"E	0.11'	FD 1" IRON PIPE, HELD EAST, WEST [FD (3 & 7)]
123	N02°14'48"W	5.13'	FD BS STAMPED "OTAK" [SET (22)] BEARING & DISTANCE FROM PT. 124
124	HELD	HELD	FD BS W/ 3/4" WASHER STAMPED "OTAK INC." [SET (22)] FD (28)
125	HELD	HELD	FD 4-1/4" BD STAMPED "T. IN. R. 2E., 30, 31 W/ PUNCH MARK, [FD (20) B.T. BK. G, PG. 170]
218	N45°14'28"W	2.86'	FD BS W/ 3/4" WASHER STAMPED "C.O.P. R.E.P.L." [SET (19)] BEARING & DIST. PT. 325 TO PT. 218
317	N89°05'44"W	5.07'	FD BS W/ 3/4" WASHER STAMPED "C.O.P. R.E.P.L." IN SIDEWALK, GOOD CONDITION [SET (19)]
318	N85°45'48"W	2.91'	FD BS W/ 3/4" WASHER STAMPED "C.O.P. R.E.P.L." IN SIDEWALK, GOOD CONDITION [SET (19)]
319	HELD	HELD	FD PK NAIL W/O OLD SHINER IN SIDEWALK, ORIGIN UNKNOWN
321	HELD	HELD	FD 5/8" IR W/ YPC STAMPED "BUCKLES PLS #2231", FLUSH, GOOD CONDITION [SET (25)] FD (28)
322	HELD	HELD	FD BS W/ PUNCH MARK IN SIDEWALK, NO WASHER [FD (14 & 25 & 28)]
325	N44°58'04"W	4.24'	FD BS W/ 3/4" BRASS WASHER STAMPED "C.O.P. R.E.P.L." IN SIDEWALK, HELD E-W [SET (19)]
5026	N21°37'31"W	6.57'	FD BS W/ 3/4" WASHER STAMPED "OTAK INC.", IN SIDEWALK [SET (22)]

**PARTITION PLAT NO.**

A REPLAT OF A PORTION OF LOTS 7 AND 22 AND ALL OF LOTS 8-21 OF BLOCK 45 AND A PORTION OF LOTS 7-9 AND ALL OF LOTS 10-17 OF BLOCK 46 LAURELHURST AND A PORTION OF VACATED NE CLACKAMAS STREET PER ORDINANCE 80580 (BOOK 909 PAGE 580), LOCATED IN THE NW 1/4 OF SECTION 31, T. 1 N., E. 2 E., W.M., CITY OF PORTLAND, MULTNOMAH COUNTY, OREGON.  
DATE: OCTOBER 29, 2008

**SURVEYOR'S CERTIFICATE**

I, TIMOTHY D. MAHONEY, HEREBY CERTIFY THAT I HAVE CORRECTLY SURVEYED AND MARKED WITH PROPER MONUMENTS THE LANDS REPRESENTED ON THIS PARTITION PLAT BEING DESCRIBED AS FOLLOWS:

A PORTION OF LOTS 7 AND 22 AND ALL OF LOTS 8-21, BLOCK 45 AND A PORTION OF LOTS 7-9 AND ALL OF LOTS 10-17, BLOCK 46 "LAURELHURST", MULTNOMAH COUNTY, PLAT RECORDS, TOGETHER WITH THAT PORTION OF NE CLACKAMAS STREET NOW VACATED PER ORDINANCE 80580 (BOOK 909 PAGE 580) THAT EXTENDED TO SAID BLOCKS 45 AND 46, LOCATED IN THE NORTHWEST QUARTER OF SECTION 31, TOWNSHIP 1 NORTH, RANGE 2 EAST OF THE WILLAMETTE MERIDIAN, CITY OF PORTLAND, MULTNOMAH COUNTY, OREGON, BEING A PORTION OF PARCEL 1 AND ALL OF PARCEL 1V (BOOK 909 PAGE 580) OF THE LAURELHURST BUSINESS CENTER, AS SHOWN ON THE PLAT BEING RECORDED AS INSTRUMENT NO. 2008-055206, ON 04-20-2008, BEING THE RECORDS OF SAID COUNTY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 4-1/4" BRASS DISK IN A MONUMENT BOX, FOUND AT THE NORTHWEST CORNER OF SAID SECTION 31; THENCE COINCIDENT WITH THE NORTH LINE OF SAID SECTION 31 SOUTH 89°27'18" EAST, 745.88 FEET, THENCE SOUTH 00°32'42" WEST, 39.91 FEET TO A 5/8" X 30" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "KPPFF INC.", SET AT THE EASTERLY NORTHEAST CORNER OF SAID LOT 14, BLOCK 45, ALSO BEING A POINT ON THE WEST RIGHT OF WAY OF NE 44TH AVENUE AND THE INITIAL POINT THIS PARTITION PLAT; THENCE COINCIDENT WITH SAID WEST RIGHT OF WAY LINE, ALSO BEING THE EAST LINE OF SAID BLOCKS 45 AND 46, SOUTH 00°01'27" WEST, 51.36 FEET TO A BRASS DISK BEING A POINT ON THE RIGHT OF WAY LINE (THE RADIUS POINT OF WHICH BEARS SOUTH 24°08'02" WEST, THENCE NORTHWESTERLY COINCIDENT WITH SAID NORTHEASTERLY RIGHT OF WAY LINE, BEING THE SOUTHERLY LINE OF SAID BLOCK 46, AND SAID 1959.86 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 5°56'52", AN ARC DISTANCE OF 203.45 FEET (THE LONG CHORD OF WHICH BEARS NORTH 68°50'24" WEST, 203.36 FEET) TO A POINT OF TANGENCY; THENCE COINCIDENT WITH SAID NORTHEASTERLY RIGHT OF WAY LINE AND THE SOUTH LINE OF SAID BLOCK 46, NORTH 71°48'50" WEST, 139.89 FEET; THENCE LEAVING SAID NORTHEASTERLY RIGHT OF WAY LINE AND SAID SOUTH BLOCK LINE AND COINCIDENT WITH THE EASTERLY RIGHT OF WAY LINE OF THAT TRACT OF LAND VESTED TO THE STATE OF OREGON BY FINAL JUDGMENT COURT CASE NUMBER A8210-66352, MULTNOMAH COUNTY COURT RECORDS THE FOLLOWING FOUR PARCELS AND IDENTIFIED AT RIGHT ANGLES AND 30.00 FEET: (1) A PORTION OF SAID NORTHEASTERLY OF THE CENTERLINE SPIRAL (THE LONG CHORD OF WHICH BEARS NORTH 42°37'18" WEST, 39.89 FEET TO THE POINT OF CURVATURE WITH A 256.48 FOOT RADIUS CURVE RIGHT, THE RADIUS POINT OF WHICH BEARS NORTH 51°28'33" EAST; (2) COINCIDENT WITH SAID 256.48 FOOT RADIUS CURVE RIGHT, LYING PARALLEL WITH, WHEN MEASURED AT RIGHT ANGLES AND 30.00 FEET NORTHEASTERLY OF THE CENTERLINE CURVE, THROUGH A CENTRAL ANGLE OF 25°49'15", AN ARC DISTANCE OF 115.58 FEET (THE LONG CHORD OF WHICH BEARS NORTH 25°36'50" WEST, 114.61 FEET) TO AN ANGLE POINT; (3) NORTH 01°06'58" WEST, 86.96 FEET; (4) NORTH 00°13'32" EAST, 188.37 FEET TO A BRASS SCREW WITH 3/4" BRASS WASHER STAMPED "OTAK INC.", FOUND ON THE SOUTH RIGHT OF WAY LINE OF NE HALSEY STREET, AND THE NORTH LINE OF SAID BLOCK 45; THENCE COINCIDENT WITH THE NORTH LINE OF SAID BLOCK 45 AND SAID SOUTH CORNER OF PARCEL 1V OF SAID BLOCK 45, BEING A POINT OF CURVATURE OF A 10.00 FOOT RADIUS CURVE TO THE RIGHT, THENCE COINCIDENT WITH SAID 10.00 FOOT RADIUS CURVE THROUGH A CENTRAL ANGLE OF 89°28'47", AN ARC DISTANCE OF 15.62 FEET (THE LONG CHORD OF WHICH BEARS SOUTH 44°42'55" EAST, 14.08 FEET) TO A POINT OF TANGENCY AND THE INITIAL POINT.

TOTAL AREA CONTAINING 176,326 SQUARE FEET OR 4.0479 ACRES MORE OR LESS.

*Timothy D. Mahoney*  
TIMOTHY D. MAHONEY  
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 2347

**APPROVALS:**

APPROVED THIS 24<sup>th</sup> DAY OF November, 2008  
BY: *Robert H. Laska*  
CITY OF PORTLAND PLANNING DIRECTOR'S DELEGATE

APPROVED THIS 17<sup>th</sup> DAY OF NOVEMBER, 2008  
BY: *Christie M. Laska*  
CITY OF PORTLAND, CITY ENGINEER'S DELEGATE

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2008  
COUNTY SURVEYOR,  
MULTNOMAH COUNTY, OREGON

ALL TAXES, FEES, ASSESSMENTS, OR OTHER CHARGES AS PROVIDED BY O.R.S. 92.095 HAVE BEEN PAID TO THE COUNTY CLERK, MULTNOMAH COUNTY, OREGON, DIVISION OF ASSESSMENT & TAXATION, MULTNOMAH COUNTY, OREGON.

BY \_\_\_\_\_  
DEPUTY

ACKNOWLEDGMENT  
STATE OF OREGON \_\_\_\_\_  
COUNTY OF MULTNOMAH \_\_\_\_\_

I DO HEREBY CERTIFY THAT THE ATTACHED PARTITION PLAT WAS RECEIVED FOR RECORD AND RECORDED  
\_\_\_\_\_ AT \_\_\_\_\_, OREGON  
COUNTY RECORDING OFFICE

BY \_\_\_\_\_  
DEPUTY

DOCUMENT NO. \_\_\_\_\_

**DECLARATION**

KNOW ALL MEN BY THESE PRESENTS THAT DAVIS BUSINESS CENTER LLC, AN OREGON LIMITED LIABILITY COMPANY, IS THE OWNER OF THE LAND DESCRIBED HEREON, AND THEY HAVE CAUSED THIS PLAT TO BE PREPARED AND THE PROPERTY PARTITIONED IN ACCORDANCE WITH THE OREGON REVISED STATUTES, CHAPTER 92.

*Andrew J. Davis*  
ANDREW J. DAVIS  
MANAGER  
DAVIS BUSINESS CENTER, LLC  
AN OREGON LIMITED LIABILITY COMPANY

ACKNOWLEDGMENT  
STATE OF OREGON \_\_\_\_\_  
COUNTY OF MULTNOMAH \_\_\_\_\_

APPEARED PERSONALLY BEFORE ME, ANDREW J. DAVIS FOR DAVIS BUSINESS CENTER, LLC, AS TENANT BY THE ENTIRETY, KNOW TO ME TO BE THE IDENTICAL PERSON WHO EXECUTED THE ABOVE DESCRIBED INSTRUMENT, AND DOES HEREBY ACKNOWLEDGE THE SAME TO BE HIS SIGNATURE TO BEFORE ME  
THIS \_\_\_\_\_ DAY, NOVEMBER, 2008.

*Laurel Mellon*  
NOTARY SIGNATURE  
*Laurel Mellon*  
LAUREL MELLON  
NOTARY PUBLIC OF OREGON  
MY COMMISSION NO. 426162  
MY COMMISSION EXPIRES: FEB 20, 2012

**NOTES:**

1. THIS PLAT IS SUBJECT TO THE CONDITIONS IMPOSED BY THE CITY OF PORTLAND IN CASE FILE NUMBER LU NO 08-151436



I HEREBY CERTIFY THAT THIS IS AN EXACT COPY OF THE ORIGINAL PLAT

I CERTIFY THAT THIS SURVEY WAS PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND WAS MADE ON CONVENTIONAL SURVEYING METHODS AND INSTRUMENTS, INCLUDING JPC-M2 POLYESTER FILM

