



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

1900 SW 4th Avenue, Suite 5000
Portland, Oregon 97201
503-823-7300
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TTY 503-823-6868
www.portlandonline.com/bds

Date: June 16, 2010
To: Interested Person
From: Sean Williams, Land Use Services
503-823-7612 / sean.williams@ci.portland.or.us

**NOTICE OF A REVISED TYPE II_x 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 and request a public hearing. Information on how to appeal this decision is listed at the end of this notice.

This revision of the original decision (sent March 1, 2010) is necessary as the signed lot consolidation plat was not recorded with Multnomah County Deed Records within 90 days of the date of the original decision. Due to issues with extinguishing existing easements on the property the plat was unable to be recorded within the allotted time.

CASE FILE NUMBER: LU 09-175824 AP LC

GENERAL INFORMATION

Applicant: Blake Middleton & Mary Wagner
23896 Carpenterville Road
Brookings, OR 97415-8181

Representative: Mark Person
W.B. Wells & Associates, Inc.
4230 NE Fremont Street
Portland, OR 97213

Site Address: 2031 SW Stephenson Street

Legal Description: LOT 1, PARTITION PLAT 2008-5; LOT 2, PARTITION PLAT 2008-5;
LOT 3, PARTITION PLAT 2008-5

Tax Account No.: R649880170, R649880180, R649880190

State ID No.: 1S1E33BC 05901, 1S1E33BC 05902, 1S1E33BC 05903

Quarter Section: 4127

Neighborhood: Arnold Creek, contact Ron McDowell at 503-488-5546.

Business District: None

District Coalition: Southwest Neighborhoods Inc., contact Leonard Gard at 503-823-4592.

Plan District: None

Other Designations: Potential Landslide Hazard

Zoning: Residential 10,000 (R10)

Case Type: Partition Amendment (AP) & Lot Consolidation (LC)

Procedure: Type II_x, an administrative decision with appeal to the Hearings Officer.

Proposal:

The applicant is requesting a partition amendment to remove conditions of approval of an approved land division in conjunction with a lot consolidation to consolidate the lots that were

platted through the previous approval of a land division on this site. The desired goal is to return the site to its original configuration prior to the approved and recorded land division.

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 sections(s):

- **33.660.120, Approval Criteria for Land Divisions in Open Space and Residential Zones.**
- **33.675.300, Standards for Lot Consolidations.**

ANALYSIS

Site and Vicinity: The properties subject to this review are located on the north side of SW Stephenson Street approximately 280 feet east of SW Woodlee Heights Avenue. Lot 2 is developed with an existing single family home with an attached garage and detached shed. There is an existing paved driveway that currently provides access from SW Stephenson to the house. The frontage adjacent to the site is improved with a paved roadway, but no curb, sidewalk or planting strip. The site slopes down from the street and there are several existing trees. Lots 1 and 3 are undeveloped.

Zoning: The R10 designation is one of the City's single-dwelling zones which is intended to preserve land for housing and to promote housing opportunities for individual households. The zone implements the comprehensive plan policies and designations for single-dwelling housing.

Land Use History: City records indicate that prior land use reviews include the following:

- **LU 06-147557 LDP AD:** Approval of a preliminary plan for a 3-lot partition, that will result in two standard lots (Parcels 1 and 3) and one narrow lot (Parcel 2) in conjunction with approval of an adjustment to exceed the maximum lot area requirement of the R10 zone of 17,000 square feet, allowing Parcel 2 to be 36,963 square feet in size. This is the land division that is now under review for a partition amendment.

Agency and Neighborhood Review: A Notice of Proposal in your Neighborhood was mailed on December 29, 2009.

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.

APPROVAL CRITERIA

Review of Changes to an Approved Preliminary Plan

33.660.320 Approval Criteria

Changes to an approved Preliminary Plan will be approved if the review body finds that the applicant has shown that all of the following approval criteria have been met:

- A. **Approval criteria for changes listed in Subsection 33.660.310.B. Changes to the Preliminary Plan that are listed in subsection 33.660.310.B must meet the approval criteria of Section 33.660.120, Approval Criteria.**
- B. **Approval criteria for other changes. All other changes to the Preliminary Plan must meet the following approval criteria:**
 1. **The proposed changes are not substantial enough, singly or in combination, to warrant a new review of the entire Preliminary Plan;**

2. The approval criteria addressed by the approval of the Preliminary Plan can still be met, with appropriate conditions of approval.

Findings: A land division application (06-147557 LDP AD) to create 3 parcels with a concurrent adjustment review to maximum lot area for Parcel 2 was approved on November 1, 2006. A final plat application was subsequently approved on October 19, 2007 and the survey was recorded sometime thereafter (Partition Plat 2008-05). The applicant currently desires to consolidate Parcels 1 through 3 in order to return the property back to its original configuration prior to division. The concurrent land division amendment review is necessary to remove the conditions of approval of the land division decision. A majority of the conditions of approval have been satisfied as they were required prior to final plat approval. However, there are conditions relating to right-of-way improvements for the sites SW Stephenson Street frontage and conditions required at the time of development that are no longer necessary as the property is returning to its original configuration prior to the land use review. The service bureaus have reviewed this proposal and all have responded with no concerns regarding the applicant's request. Therefore, all conditions of approval of LU 06-147557 LDP AD are hereby removed with the approval of this land use review. These criteria are met.

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: This review is for a partition amendment and lot consolidation. The previously approved partition was reviewed as a Type IIx procedure. In accordance with Review of Changes to an Approved Preliminary Plan (33.660.300), the procedure to review this proposal shall be the same as was used for the preliminary plan. Therefore, the requested partition amendment and lot consolidation shall be reviewed under the Type IIx 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 R10 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. The proposed consolidated lot meets all of the lot dimension standards of the R10 zone as shown in the following table (this information is found in Table 610-2 of the Zoning Code), with the exception of maximum lot area. However, Lot 2 of PP 2008-05 exceeds the maximum lot area at approximately 33,630 square feet. Therefore, in accordance with exception 1.b above, the lot consolidation site is exempt from maximum lot area requirements.

	R10 Zone Requirement	Lot 1 (after consolidation)
Minimum Lot Area	6,000 square feet	56,437 square feet
Maximum Lot Area	17,000 square feet	
Minimum Lot Width*	50 feet	220.11 feet
Minimum Front Lot Line	30 feet	220.11 feet
Minimum Lot Depth	60 feet	255.84 feet

* Width is measured at the minimum front building setback line

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: The maximum density of the consolidated lot is $(56,437/10,000) = 5.64 = 5$ lots. The site is developed with one single-family dwelling. Therefore the maximum density will not be exceeded by consolidating the lots that currently make up this site.

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: All lots in the lot consolidation site have street frontage, 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: As discussed in the findings above associated with Review of Changes to an Approved Preliminary Plan, the conditions of approval associated with LU 06-147557 LDP AD are being removed. Therefore, no conditions will apply to development of this 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 has proposed to consolidate Lots 1-3 of Partition Plat 2008-05 into one parcel in conjunction with a land division amendment to remove all conditions of approval of LU 06-147557 LDP AD in order to return the property to its original configuration prior to the land division. As discussed in this report, the relevant standards and approval criteria have been met.

ADMINISTRATIVE DECISION

Approval of a Partition Amendment to remove all conditions of approval of LU 06-147557 LDP AD.

Approval of a Lot Consolidation to create one parcel of Lots 1 through 3 of Partition Plat 2008-05, as illustrated by Exhibit C.1, signed and dated June 11, 2010.

Staff Planner: Sean Williams

Decision rendered by:  **on June 11, 2010**

By authority of the Director of the Bureau of Development Services

Decision mailed: June 16, 2010

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 (September 9, 2010), 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 December 8, 2009, and was determined to be complete on December 24, 2009.

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 December 8, 2009.

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. Unless further extended by the applicant, **the 120 days will expire on August 12, 2010.**

Note: 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.

Appealing this decision. This decision may be appealed to the Hearings Officer, which will hold a public hearing. Appeals must be filed **by 4:30 PM on June 25, 2010** at 1900 SW Fourth Ave. Appeals may be filed Tuesday through Friday on the first floor in the Development Services Center until 3 p.m. After 3 p.m. and on Mondays, appeals must be submitted to the receptionist at the front desk on the fifth floor. **An appeal fee of \$250 will be charged.** The appeal fee will be refunded if the appellant prevails. There is no fee for ONI recognized organizations appealing a land use decision for property within the organization's boundaries. The vote to appeal must be in accordance with the organization's bylaws. Low-income individuals appealing a decision for their personal residence that they own in whole or in part may qualify for an appeal fee waiver. In addition, an appeal fee may be waived for a low income individual if the individual resides within the required notification area for the review, and the individual has resided at that address for at least 60 days. Assistance in filing the appeal and information on fee waivers is available from BDS in the Development Services Center. Fee waivers for low-income individuals must be approved prior to filing the appeal; please allow 3 working days for fee waiver approval. Please see the appeal form for additional information.

The file and all evidence on this case are available for your review by appointment only. Please contact the receptionist at 503-823-7617 to schedule an appointment. I can provide some information over the phone. Copies of all information in the file can be obtained for a fee equal to the cost of services. Additional information about the City of Portland, city bureaus, and a digital copy of the Portland Zoning Code is available on the internet at www.ci.portland.or.us.

Attending the hearing. If this decision is appealed, a hearing will be scheduled, and you will be notified of the date and time of the hearing. The decision of the Hearings Officer is final; any further appeal must be made to the Oregon Land Use Board of Appeals (LUBA) within 21 days of the date of mailing the decision, pursuant to ORS 197.620 and 197.830. Contact LUBA at 550 Capitol St. NE, Suite 235, Salem, Oregon 97301 or phone 1-503-373-1265 for further information.

Failure to raise an issue by the close of the record at or following the final hearing on this case, in person or by letter, may preclude an appeal to the Land Use Board of Appeals (LUBA) on that issue. Also, if you do not raise an issue with enough specificity to give the Hearings Officer an opportunity to respond to it, that also may preclude an appeal to LUBA on that issue.

Recording concurrent approvals. The lot consolidation approval also includes concurrent approval of a land division amendment. This other concurrent approval must be recorded by the Multnomah County Recorder before any building or zoning permits can be issued.

A few days prior to the last day to appeal, the City will mail instructions to the applicant for recording the documents associated with these concurrent land use reviews. The applicant, builder, or their representative may record the final decisions on these concurrent land use decisions as follows:

- By Mail: Send the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to: Multnomah County Recorder, P.O. Box 5007, Portland OR 97208. The recording fee is identified on the recording sheet. Please include a self-addressed, stamped envelope.
- In Person: Bring the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to the County Recorder's office located at 501 SE Hawthorne Boulevard, #158, Portland OR 97214. The recording fee is identified on the recording sheet.

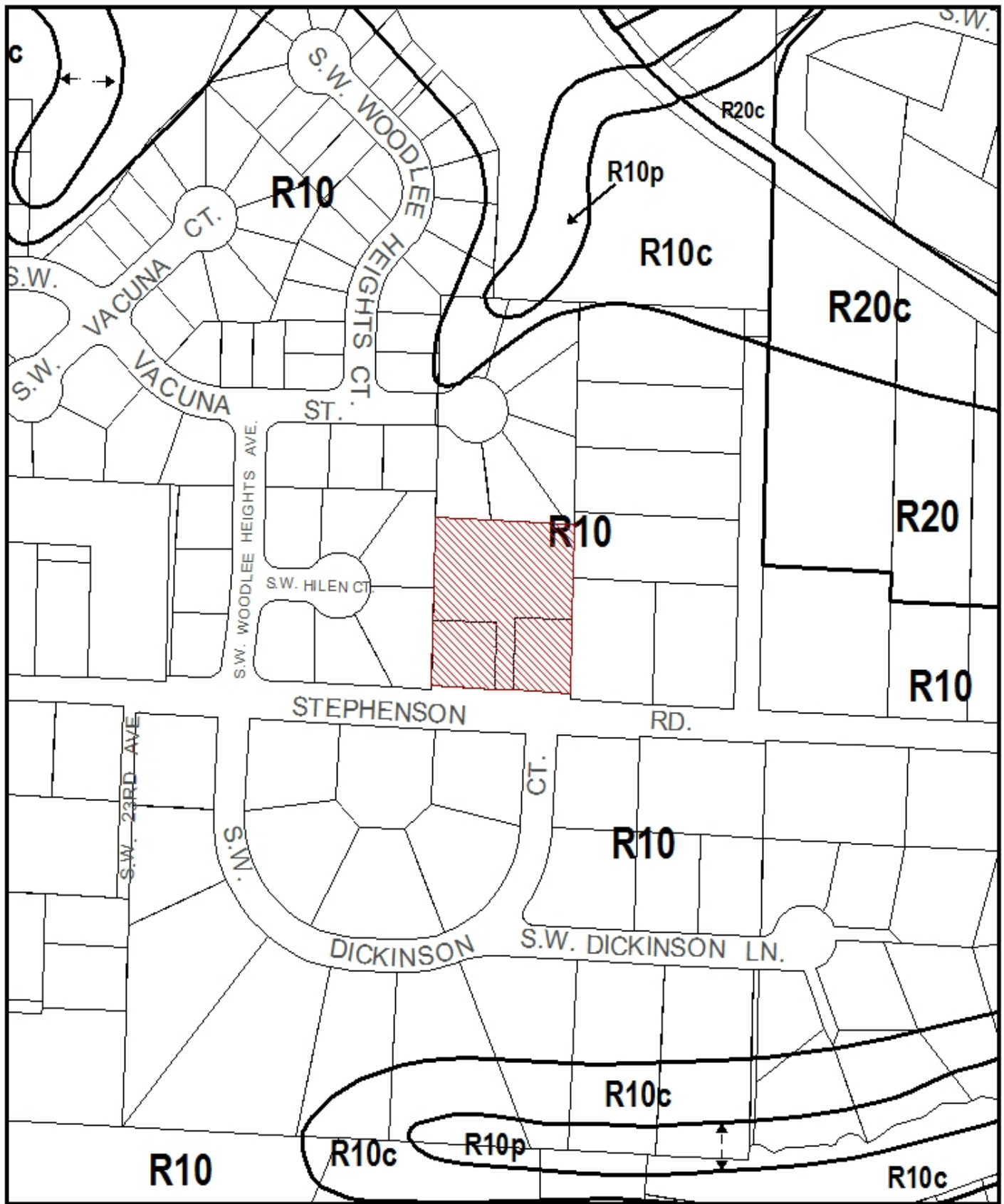
For further information on recording, please call the County Recorder at 503-988-3034.

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; Site Development Review Section of BDS; Bureau of Parks, Forestry Division; Life Safety Plans Examiner
- F. Correspondence: NONE
- 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. Please notify us no less than five business days prior to the event if you need special accommodations. Call 503-823-7300 (TTY 503-823-6868).



ZONING

 Site



File No.	LU 09-175824 AP LC
1/4 Section	4127
Scale	1 inch = 201 feet
State_Id	1S1E33BC 5902
Exhibit	B (Dec 09, 2009)



W.B. WELLS
AND ASSOCIATES, INC.
4230 NE FREMONT STREET
PORTLAND, OREGON 97213
PHONE (503) 284-5888 FAX (503) 284-8838
E-MAIL: info@wbwells.com

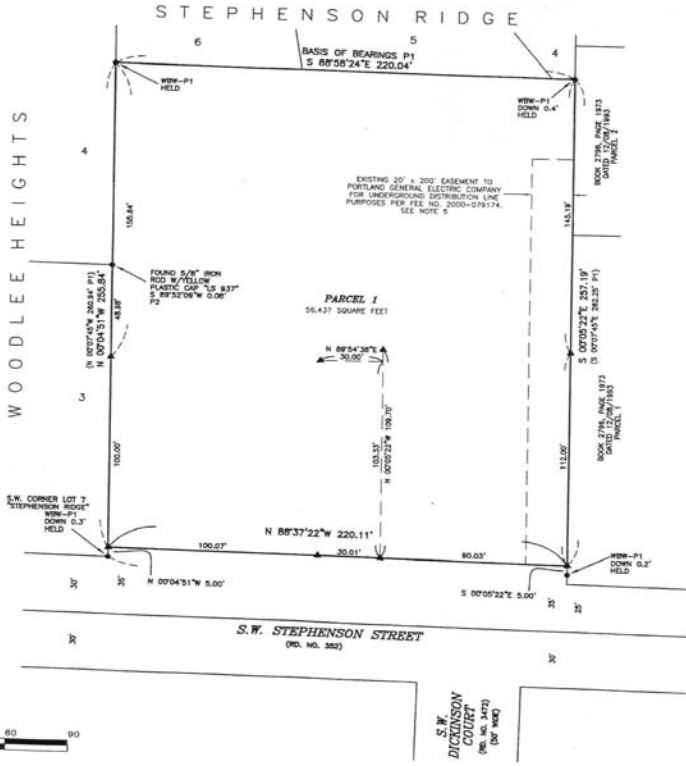
JOB NO. 05-235

PARTITION PLAT NO. _____

A REPLAT OF PARCELS 1, 2, AND 3 OF PARTITION PLAT NO. 2008-05
SITUATED IN THE NW 1/4 OF SECTION 33 T.1S., R.1E., W.M.
CITY OF PORTLAND, COUNTY OF MULTNOMAH, STATE OF OREGON

SURVEYED: NOVEMBER 12, 2009

SCALE 1" = 30'



LEGEND

- FOUND MONUMENT AS NOTED.
- SET 5/8" x 30" IRON ROD W/YELLOW PLASTIC CAP MARKED "W.B. WELLS & ASSOC., INC." ON 11/21/06.
- ▲ FOUND 5/8" IRON ROD W/YELLOW PLASTIC CAP MARKED "W.B. WELLS & ASSOC., INC." FOR P#2008-005
- ▽ FOUND 5/8" IRON ROD W/YELLOW PLASTIC CAP MARKED "W.B. WELLS & ASSOC., INC."
- UDN ORIGIN UNKNOWN.
- P1 PLAT OF "STEPHENSON RIDGE", BOOK 1219, PAGES 87 & 88.
- P2 PLAT OF "WOODLEE HEIGHTS", BOOK 1217, PAGE 2.

I, BRETT D. BEDORE, STATE THAT THIS PLAT WAS PREPARED USING HEWLETT-PACKARD PRODUCT 51645A ON OCE NO. 868342 POLYESTER FILM.

I CERTIFY THAT THIS IS A TRUE AND EXACT COPY OF THE ORIGINAL PARTITION PLAT.



SHEET 1 OF 2

CASE NO. LU 09-175824 AP LC
EXHIBIT C-1

PARTITION PLAT NO. _____

A REPLAT OF PARCELS 1, 2, AND 3 OF PARTITION PLAT NO. 2008-05
SITUATED IN THE NW 1/4 OF SECTION 33 T.1S., R.1E., W.M.
CITY OF PORTLAND, COUNTY OF MULTNOMAH, STATE OF OREGON

SURVEYED: NOVEMBER 12, 2009

SCALE 1" = 30'

SURVEYOR'S NARRATIVE

THE PURPOSE IS TO CONSOLIDATE THE PARCELS PREVIOUSLY CREATED BY PARTITION PLAT NO. 2008-005, MULTNOMAH COUNTY PLAT RECORDED INTO ONE PARCEL, AND TO RELINQUISH AND WITHDRAW THE PRIVATE ACCESS EASEMENT CREATED BY SAID PLAT. BOUNDARY LINES WERE HELD AS ESTABLISHED PER SAID PARTITION PLAT.

SURVEYOR'S CERTIFICATE

I, BRETT D. BEDORE, HEREBY CERTIFY THAT I HAVE CORRECTLY SURVEYED THE LAND REPRESENTED ON THIS PARTITION PLAT, BEING PARCELS 1, 2, AND 3 OF PARTITION PLAT NO. 2008-005, MULTNOMAH COUNTY PLAT RECORDED, SITUATED IN THE NORTHWEST ONE-QUARTER OF SECTION 33, TOWNSHIP 1 SOUTH, RANGE 1 EAST, WILLAMETTE MERIDIAN, CITY OF PORTLAND, MULTNOMAH COUNTY, OREGON, CONTAINING 56,437 SQUARE FEET.



I, BRETT D. BEDORE, STATE THAT THIS PLAT WAS PREPARED USING HEWLETT-PACKARD PRODUCT 51645A ON OCE NO. 868342 POLYESTER FILM.

I CERTIFY THAT THIS IS A TRUE AND EXACT COPY OF THE ORIGINAL PARTITION PLAT.

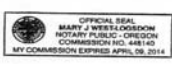
DECLARATION

KNOW ALL PERSONS BY THESE PRESENTS THAT A. BLAKE MIDDLETON AND MARY K. WAGNER ARE THE OWNERS OF THE PROPERTY REPRESENTED ON THE ANNEKED MAP AND MORE PARTICULARLY DESCRIBED IN THE ACCOMPANYING SURVEYOR'S CERTIFICATE, AND DO HEREBY MAKE, ESTABLISH AND DECLARE THE ANNEKED PARTITION PLAT TO BE A TRUE AND CORRECT MAP AND PLAT THEREOF. THE DECLARANTS HAVE CAUSED THIS PARTITION PLAT TO BE PREPARED AND THE PROPERTY PARTITIONED INTO PARCELS, AS SHOWN IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 92 OF THE OREGON REVISED STATUTES.

A. Blake Middleton *Mary K. Wagner*
A. BLAKE MIDDLETON MARY K. WAGNER

ACKNOWLEDGMENT

STATE OF OREGON)
COUNTY OF MULTNOMAH)
THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON
27th DAY OF 2010 BY A. BLAKE MIDDLETON
AND MARY K. WAGNER.
Mary K. Wagner
NOTARY SIGNATURE
M. West-Kogsdan
NOTARY PUBLIC-OREGON
COMMISSION NO. 448140
MY COMMISSION EXPIRES 4/9/2014



CITY OF PORTLAND APPROVALS

CASE FILE NUMBER LU 09-175824 AP LC
APPROVED THIS 11th DAY OF JUNE, 2010
CITY OF PORTLAND BUREAU OF DEVELOPMENT SERVICES
BY: *Sean M. ...*
PLANNING DIRECTOR'S DELEGATE
APPROVED THIS 11th DAY OF JUNE, 2010
BY: *Christi M. ...*
CITY OF PORTLAND - CITY ENGINEER'S DELEGATE

MULTNOMAH COUNTY APPROVALS

APPROVED THIS ___ DAY OF _____, 20__
COUNTY SURVEYOR
MULTNOMAH COUNTY, OREGON
BY: _____
DEPUTY

STATE OF OREGON)
COUNTY OF MULTNOMAH)
I DO HEREBY CERTIFY THAT THE ATTACHED PARTITION PLAT WAS RECEIVED FOR RECORD AND RECORDED _____ 20__ AT _____ M. AS PARTITION PLAT NO. _____ COUNTY RECORDING OFFICE BY: _____ DEPUTY DOCUMENT NO. _____

NOTES

1. THIS PLAT IS SUBJECT TO A STREET WAIVER OF REMONSTRANCE RECORDED DECEMBER 8, 1998 IN BOOK 2161, PAGE 278.
2. THIS PLAT IS SUBJECT TO COVENANTS, CONDITIONS AND RESTRICTIONS CONTAINED IN A DOCUMENT RECORDED DECEMBER 8, 1998 IN BOOK 2161, PAGE 278.
3. THIS PLAT IS SUBJECT TO AN EASEMENT TO PORTLAND GENERAL ELECTRIC COMPANY FOR UNDERGROUND DISTRIBUTION LINES PER A DOCUMENT RECORDED AS FEE NO. 2000-079174. (SEE SHEET 1)
4. THIS PLAT IS SUBJECT TO A WAIVER OF REMONSTRANCE FOR STORM SEWER RECORDED FEBRUARY 1, 2010, AS DOCUMENT NO. 2010-01514.
5. THIS PLAT IS SUBJECT TO A WAIVER OF REMONSTRANCE FOR STREET IMPROVEMENTS RECORDED FEBRUARY 1, 2010, AS DOCUMENT NO. 2010-01514.
6. THE PRIVATE ACCESS EASEMENT AS SHOWN ON PARTITION PLAT NO. 2008-005 IS RELINQUISHED AND WITHDRAWN TO BE NO LONGER IN EFFECT. ALSO, THE DECLARATION OF SHARED VEHICLE DRIVEWAY MAINTENANCE AGREEMENT RECORDED AS DOCUMENT NO. 2008-009556 IS DISSOLVED AND WITHDRAWN BY THIS PLAT HAVING APPROVAL FROM THE CITY OF PORTLAND.
7. This plat is subject to the conditions imposed by the City of Portland in case file no. LU 09-175824 AP LC.

SHEET 2 OF 2