Burlington Creek Forest Nature Park

Variance Application Narrative
(Variance to Forest Practices Setback)

Submitted by:
METRO

June 2018

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Section I: Application Summary

Proposal:	Variance to reduce Forest Practices Act setback as may be necessary to satisfy the Forest Practices Setback Standard
Site Location:	Burlington Creek Forest is in the North Tualatin Mountains, north of Forest Park, south of Cornelius Pass Road, and west of U.S. Highway 30, in unincorporated Multnomah County.
Subject Parcels:	Upon which structures are located and Forest Practice Act setback standards are implicated, including: 2N1W20BC-01200; 2N1W20BC-00800; 2N1W20BC-01000;
Permit Approval:	Variance to permit reduction in Forest Practice Setback standard
Application Type:	Type II –being processed in conjunction with applicant's Type I, II, and III land use applications, which are being processed in conjunction with applicant's Type IV Comprehensive Plan Amendment (text)
Comprehensive Plan Map Designation:	West Hills Rural
Zoning:	CFU-1 (Commercial Forest Use – 1)
Property Owner and Applicant:	Metro 600 NE Grand Avenue Portland, Oregon 97232
Applicant's Representatives:	Gary Shepherd (primary contact) gary.shepherd@oregonmetro.gov Office of Metro Attorney 600 NE Grand Avenue Portland, OR 97232 Karen Vitkay, PLA Metro Parks and Nature Senior Regional Parks Planner

Section II: Introduction

The Burlington forest was platted for residential subdivision development in 1909. Exhibit 1. As was common at the time, the plat was done without consideration of topographical, riparian, and other geographical site limitations. As a result, only a very small portion of the platted property, specifically that east of the railroad line and adjacent to Highway 30, have developed to support residential uses. The remainder of the platted property, west of the railroad line, remained in commercial forest production. Today, all but two of the historically platted lots in Burlington Forest are owned by Metro.

Metro proposes visitor access improvements that include "structures" by definition. Structures are required to meet the forest practices setback of the CFU zone. Those setback standards were adopted in 1990 and are being applied to lots created in 1909. Setbacks are measured from the lot of record legal lot lines. Given the small size of the historically platted lots (generally 60 feet x 100 feet in the subject area), applicant cannot meet the 130 forest practices setback standard. The proposed structures cannot be located in any location that can satisfy the setback, given the orientation and small size of the platted lots. Exhibit 2. As such, applicant respectfully requests a variance from the setback standard as permitted by the CFU zoning and Chapter 33.

Section III: Applicable Criteria

Below are the applicable review criteria from Multnomah County Code (MCC).

MCC Chapter 33:

33.2056 *Forest Practice Setbacks*
33.7601 - .7616 *Adjustments and Variances*

Section IV: Compliance with Applicable Review Criteria

A. § 33.2056 Forest Practices Setbacks and Fire Safety Zones.

The Forest Practice Setbacks and applicability of the Fire Safety Zones is based upon existing conditions, deviations are allowed through the exception process and the nature and location of the proposed use. The following requirements apply to all structures as specified: …

Use:	**Forest Practice Setbacks:**			**Fire Safety Zones:**
	Nonconforming Setbacks	Front Property Line Adjacent to County Maintained Road (feet)	All other Setbacks (feet)	
Other Structures	*N/A*	*30*	*130*	Primary & Secondary required

Finding: The standard largely regulates forest dwellings. However, "other structures" are also encouraged to be compatible for forest practices, while recognizing the nature and unique location of the use.

Applicant owns all of the implicated small lots of record. Being in contiguous ownership, they are considered a tract. If one were to consider the subject small lots of record aggregated as a condition for land use approvals as the County CFU aggregation policy dictates, the side and rear yards from the proposed structures would exceed the 130 foot minimum setback standard for adjacent properties east, west, north and south of the site. Exhibit 3.

The closest non-Metro owned property line is south of the vault toilet and sign location: Portland General Electric's small inholding of unimproved land underneath its transmission towers. The PGE property is completely surrounded by Metro property. See Exhibit 2 - Block 23, Lot 6. As demonstrated below, the PGE property is over 130 feet from the proposed vault toilet and sign location.

Based on the County's lot aggregation policy, applicant respectfully requests that the County conclude that the Forest Practices Act setbacks area satisfied.

Figure 1 PGE property boundary

<u>In the alternative</u>, if one does not consider the subject small lots of record aggregated, then applicant cannot meet the 130 foot Forest Practices Act setback given the small size of the historically platted lots (generally 60 feet x 100 feet in the subject area). In other words, the proposed structures cannot be located in any location that can satisfy the setback, given the orientation and small size of the platted lots. As such, applicant respectfully and alternatively requests a variance from the setback standard as permitted by the CFU zoning and Chapter 33.

(A) Reductions to a Forest Practices Setback dimension shall only be allowed pursuant to approval of an adjustment or variance.

Finding: If necessary, applicant respectfully requests a variance from the setback standard as permitted by the CFU zoning and Chapter 33. Applicant demonstrates compliance with the applicable variance standards below.

ADJUSTMENTS AND VARIANCES

§ 33.7601 Purpose

(A) The regulations of this Zoning Code Chapter are designed to implement the Policies of the Comprehensive Framework Plan and each Rural Area Plan. However, it is also recognized that because of the diversity of lands and properties found in the county there should be a zoning provision that permits justifiable departures from certain Zoning Code dimensional standards where literal application of the regulation would result in excessive difficulties or unnecessary hardship on the property owner.

(B) To address those situations, modification of the dimensional standards given in MCC 33.7606 may be permitted if the approval authority finds that the applicant has satisfactorily addressed and met the respective approval criteria in MCC 33.7611, Adjustments, or 33.7616, Variances. If an Adjustment or Variance request is approved, the approval authority may attach conditions to the decision to mitigate adverse impacts which might result from the approval.

(C) The Adjustment review process provides a mechanism by which certain dimensional standards may be modified no more than 40 percent if the proposed development continues to meet the intended purpose of the regulations. Adjustment reviews provide flexibility for unusual situations and allow for alternative ways to meet the purposes of the regulation.

(D) The Variance review process differs from the Adjustment review by providing a mechanism by which a greater variation from the standard than 40 percent may be approved for certain zoning dimensional requirements. The Variance approval criteria are based upon the traditional variance concepts that are directed towards consideration of circumstances or conditions on a subject property that do not apply generally to other properties in the same vicinity. All proposed modifications of the dimensional standards given in MCC 33.7606(A)(2) shall be reviewed under the Variance review process regardless of the proposed percentage modification.

Finding: Applicant's request for a variance is consistent with the variance policy. Applicant is seeking relief from a strict interpretation of the 130 foot Forest Practices Act setback. As demonstrated below, applicant's request is a justifiable departure from the setback standard. The intent of the Forest Practices Act setback standard is to locate structures away from property owned by another to protect and reduce impacts to adjoining forest practices. Here, there are no adjoining forest practices conducted by another owner that are implicated by or within the setback. Literal application of the 130 foot setback would prevent any structure from being developed on the property, resulting in excessive difficulties and unnecessary hardship on Metro and the public.

§ 33.7606 Scope

(A) Dimensional standards that may be modified under an Adjustment review (modified no more than 40 percent) are yards, setbacks, forest practices setbacks, buffers, minimum front lot line length, flag lot pole width, cul-de-sac length, cul-de-sac turnaround radius, and dimensions of a private street, except the following:

> *(1) Reduction of resource protection setback requirements within the Significant Environmental Concern (SEC) and Willamette River Greenway (WRG) overlay districts are*

prohibited. Additionally, reductions to the fire safety zones in the Commercial Forest Use zones are not allowed under the Adjustment process; and

(2) Reduction of yards and setback requirements within the Hillside Development overlay shall only be reviewed as a Variance; and

(3) Reduction of yards/setback/buffer/resource protection setback requirements within the Large Fills, Mineral Extraction, and Radio and Television Transmission Towers Code Sections and any increase to the maximum building height shall only be reviewed as Variances; and

(4) Minor modification of yards and setbacks in the off-street parking and design review standards are allowed only through the "exception" provisions in each respective Code section.

Finding: Applicant is not requesting an adjustment, as the modification sought is more than 40%. This standard is not applicable.

(B) Dimensional standards that may be modified under a Variance review are yards, setbacks, forest practices setbacks, buffers, minimum front lot line length, building height, sign height, flag lot pole width, cul-de-sac length, cul-de-sac turnaround radius, and dimensions of a private street, except the following:

(1) Reduction of resource protection setback requirements within the Significant Environmental Concern (SEC) and Willamette River Greenway (WRG) overlay districts; and

Finding: Applicant is requesting a variance of the Forest Practices Act setback – a dimensional standard, as expressly permitted by § 33.2056(A). Applicant is not requesting a reduction of setback requirements associated with the SEC or WRG overlay districts. This standard is met.

(2) Modification of fire safety zone standards given in Commercial Forest Use districts; and

Finding: Applicant is requesting a variance of the Forest Practices Act setback – a dimensional standard, as expressly permitted by § 33.2056(A). Applicant is not requesting a variance of the fire safety zone. This standard is met.

(3) Increase to any billboard height or any other dimensional sign standard.

Finding: Applicant is requesting a variance of the Forest Practices Act setback – a dimensional standard, as expressly permitted by § 33.2056(A). Applicant is not requesting a variance for a sign. This standard is met.

(C) The dimensional standards listed in (A) and (B) above are the only standards eligible for Adjustment or Variance under these provisions. Adjustments and Variances are not allowed for any other standard including, but not limited to, minimum lot area, modification of a threshold of review (e.g. cubic yards for a Large Fill), modification of a definition (e.g. 30 inches of unobstructed open space in the definition of yard), modification of an allowed density in a Planned Development or houseboat moorage, or to allow a land use that is not allowed by the Zoning District.

Finding: Applicant is requesting a variance of the Forest Practices Act setback – a dimensional standard, as expressly permitted by § 33.2056(A) and § 33.7606(B). This standard is met.

§ 33.7616 Variance Approval Criteria

The Approval Authority may permit and authorize a variance from the dimensional standards given in MCC 33.7606 upon finding that all the following standards in (A) through (F) are met:

(A) A circumstance or condition applies to the property or to the intended use that does not apply generally to other property in the same vicinity or zoning district. The circumstance or condition may relate to:

(1) The size, shape, natural features and topography of the property, or

Finding: Applicant directed development in a manner that utilizes existing grades, avoids sensitive areas, and utilizes an existing access drive and cleared areas associated with the road, all of which are required by habitat protection, resource conservation, and design and siting standards. Here, site distance, topographical constraints, and existing conditions dictated where the access drive is proposed. With the access drive location determined, applicant was next tasked with locating desired visitor access improvements around existing constraints and in a manner that minimizes disturbance to the site, natural resources and protected views, while providing safe and convenient access for the general public.

The Burlington forest was platted for residential subdivision development in 1909. Exhibit 1. Metro proposes visitor access improvements that include "structures" by definition. Structures are required to meet the forest practices setback of the CFU zone. Setbacks are measured from the legal lot of record lines. Here, the structures are proposed on Block 23, Lot 11. Given the small size of the historically platted lots (generally 60 feet x 100 feet in the subject area), applicant cannot locate structures in any location that would comply with the Act's 130 foot setback standard. Exhibit 2 (also Figure 2).

Figure 2 Aerial with general location of improvements overlaid with plat lines

CFU zoned property generally consists of large lot resource land, similar to adjacent property owned by applicant and other resource managers. However, the subject property is comprised of 180 small legal lots of record occupying about 67 acres. The property is uniquely situated. This standard is met.

(2) The location or size of existing physical improvements on the site, or

Finding: The only physical improvement on the property is a forest practices access road. Applicant directed development in a manner that utilizes existing grades, an existing access drive and forest practices road, and cleared areas associated with the road. With the access drive location determined, applicant was next tasked with locating desired visitor access improvements around existing constraints and in a manner that minimizes disturbance to the site, natural resources and protected views, while providing safe and convenient access for the general public. That, along with the need to satisfy SEC-h and other protective and design standards, dictated that the structures be located in existing cleared areas to the extent practicable. Given the small size of the historically platted lots (generally 60 feet x 100 feet in the subject area), applicant cannot locate structures in any location that would comply with the Forest Practices Act 130 foot setback standard. Exhibit 2. This standard is met.

(3) The nature of the use compared to surrounding uses, or

Finding: Applicant is proposing recreational facilities on forest zoned land, a use encouraged by Statewide Planning Goal 4 and allowed in the CFU zone. The use is auxiliary to Metro managing the site for wildlife habitat, water quality, and forest resources. The improvements are confined to the

interior of the site, away from private property owned to the east, west, and south. Metro owns land to the north. Private property is used primarily for residential uses, with an aggregate facility to the south. Except for residential uses to the east, all other uses are developed on larger lots of record than experienced by applicant. This standard is met.

(4) The zoning requirement would substantially restrict the use of the subject property to a greater degree than it restricts other properties in the vicinity or district, or

Finding: Rejecting the variance and requiring compliance with the 130 foot Forest Practices Act setback would prevent visitor access improvements for public benefit. The Burlington forest was platted for residential subdivision development in 1909. Exhibit 1. Metro proposes visitor access improvements that include "structures" by definition. Structures are required to meet the forest practices setback of the CFU zone. Given the small size of the historically platted lots (generally 60 feet x 100 feet in the subject area), applicant cannot locate structures in any location that would comply with the Forest Practices Act 130 foot setback standard. Exhibit 2.

CFU zoned property generally consists of large lot resource land, similar to adjacent property owned by applicant, private landowners, and other resource managers. However, the subject property is comprised of 180 small legal lots of record occupying about 67 acres. The property is uniquely situated. This standard is met.

(5) A circumstance or condition that was not anticipated at the time the Code requirement was adopted.

Finding: The Burlington forest was platted for residential subdivision development in 1909, over one hundred years ago. Exhibit 1. As was common at the time, the plat was done without consideration of topographical, riparian, and other geographical site limitations. As a result, only a very small portion of the platted property, specifically that east of the railroad line and adjacent to Highway 30, has been developed to support residential uses. The remainder of the platted property, west of the railroad line, remained in commercial forest production.

Metro proposes visitor access improvements that include "structures" by definition. Structures are require to meet the forest practices setback of the CFU zone. Those setback standards were adopted in 1990 and are being applied to lots created in 1909. Given the small size of the historically platted lots (generally 60 feet x 100 feet), applicant cannot meet the 130 forest practices setback standard. The proposed structures cannot be located in any location that can satisfy the setback, given the orientation and small size of the platted lots. Exhibit 2. As such, applicant respectfully requests a variance from the setback standard as permitted by the CFU zoning and Chapter 33. This standard is met.

(6) The list of examples in (1) through (5) above shall not limit the consideration of other circumstances or conditions in the application of these approval criteria.

Finding: Although a finding of compliance with only one of the examples in 1 – 5 above is sufficient to support a variance, Metro demonstrated compliance with all five examples. Additionally, requiring compliance with the setback standard on paper does not result in additional benefits to adjacent landowners. Metro owns all but two of the subdivided lots in the subject Burlington Forest. One of those lots is owned by the Burlington Water District and developed with the District's water tank. See Exhibit 2, Block 40, Lot 16. Applicant assumes the district applied for and was granted an exception to the setback standards to develop its lot.

The proposed structures are over 130 feet from the nearest non-Metro owned property, which is a small PGE inholding. There are no forest practices conducted on that property. Thus, enforcing the setback against Metro results in no forest practices benefit for any adjoining property. Also, granting a variance is in the public interest as Metro is proposing trails and parking facilities to benefit and serve the public.

(B) The circumstance or condition in (A) above that is found to satisfy the approval criteria is not of the applicant's or present property owner's making and does not result solely from personal circumstances of the applicant or property owner. Personal circumstances include, but are not limited to, financial circumstances.

Finding: The Burlington forest was platted for residential subdivision development in 1909, over one hundred years ago. Exhibit 1. As was common at the time, the plat was done without consideration of topographical, riparian, and other geographical site limitations. As a result, only a very small portion of the platted property, specifically that east of the railroad line and adjacent to Highway 30, have developed to support residential uses. The remainder of the platted property, west of the railroad line, remained in commercial forest production.

Metro proposes visitor access improvements that include "structures" by definition. Structures are required to meet the forest practices setback of the CFU zone. Those setback standards were adopted in 1990 and are being applied to lots created in 1909. The proposed structures cannot be located in any location that can satisfy the setback, given the orientation and small size of the platted lots.

Metro purchased the property from a timber company in 2000. The regulatory setback restriction was not of applicant's making and does not result from Metro's own personal circumstances, such as financial circumstances. This standard is met.

(C) There is practical difficulty or unnecessary hardship to the property owner in the application of the dimensional standard.

Finding: The Burlington forest was platted for residential subdivision development in 1909, over one hundred years ago. Exhibit 1. Metro proposes visitor access improvements that include "structures" by definition. Structures are required to meet the forest practices setback of the CFU zone. Those setback standards were adopted in 1990 and are being applied to lots created in 1909. Given the small size of the historically platted lots (generally 60 feet x 100 feet), applicant cannot meet the 130 forest practices setback standard. The proposed structures cannot be located in any location that can satisfy the setback, given the orientation and small size of the platted lots. Literal application of the 130 foot setback would prevent any structure from being developed on the property, resulting in excessive difficulties and unnecessary hardship on Metro and the public.

Metro owns all but two of the subdivided lots in the subject Burlington Forest. One of those lots is owned by the Burlington Water District (see Exhibit 2 – Block 40, Lot 16) and developed with the District's water tank.

Figure 3 Water District Tank

Applicant assumes the district applied for and was granted a variance to the setback standards to develop its lot, recognizing its unique situation. This standard is met.

(D) The authorization of the variance will not be materially detrimental to the public welfare or injurious to property in the vicinity or zoning district in which the property is located, or adversely affects the appropriate development of adjoining properties.

Finding: The intent of the Forest Practices Act setback standard is to locate structures away from property owned by another to protect and reduce impacts to adjoining forest practices. Here, there are no adjoining forest practices conducted by another owner that are implicated by or within the setback.

The proposed structures are over 130 feet from the nearest non-Metro owned property, which is a small PGE inholding. There are no forest practices conducted on that property. Thus, enforcing the setback results in no forest practices benefit for any adjoining property.

(E) The Variance requested is the minimum necessary variation from the Code requirement which would alleviate the difficulty.

Finding: Metro proposes visitor access improvements that include "structures" by definition. Structures are required to meet the forest practices setback of the CFU zone. Those setback standards were adopted in 1990 and are being applied to lots created in 1909. Given the small size of the historically platted lots (generally 60 feet x 100 feet), applicant cannot meet the 130 forest practices setback standard. The proposed structures cannot be located in any location that can satisfy the setback, given the orientation and small size of the platted lots. As such, relief requested is the minimum necessary variation to alleviate the development restriction.

(F) Any impacts resulting from the variance are mitigated to the extent practical. That mitigation may include, but is not limited to, such considerations as provision for adequate light and privacy to adjoining properties, adequate access, and a design that addresses the site topography, significant vegetation, and drainage.

Finding: There are not any impacts approving the hardship relief request. Likewise, there are no impacts resulting from the variance to mitigate. Here, there are no adjoining forest practices conducted by another owner that are implicated by or within the setback. The proposed structures are over 130 feet from the nearest non-Metro owned property, which is a small PGE inholding. There are no forest practices conducted on that property. Thus, enforcing the setback result in no forest practices benefit for any adjoining property.

On the other hand, denying the request would prevent visitor access improvements, such as a vault toilet and informational signs from being constructed, which represents an unnecessary hardship and result.

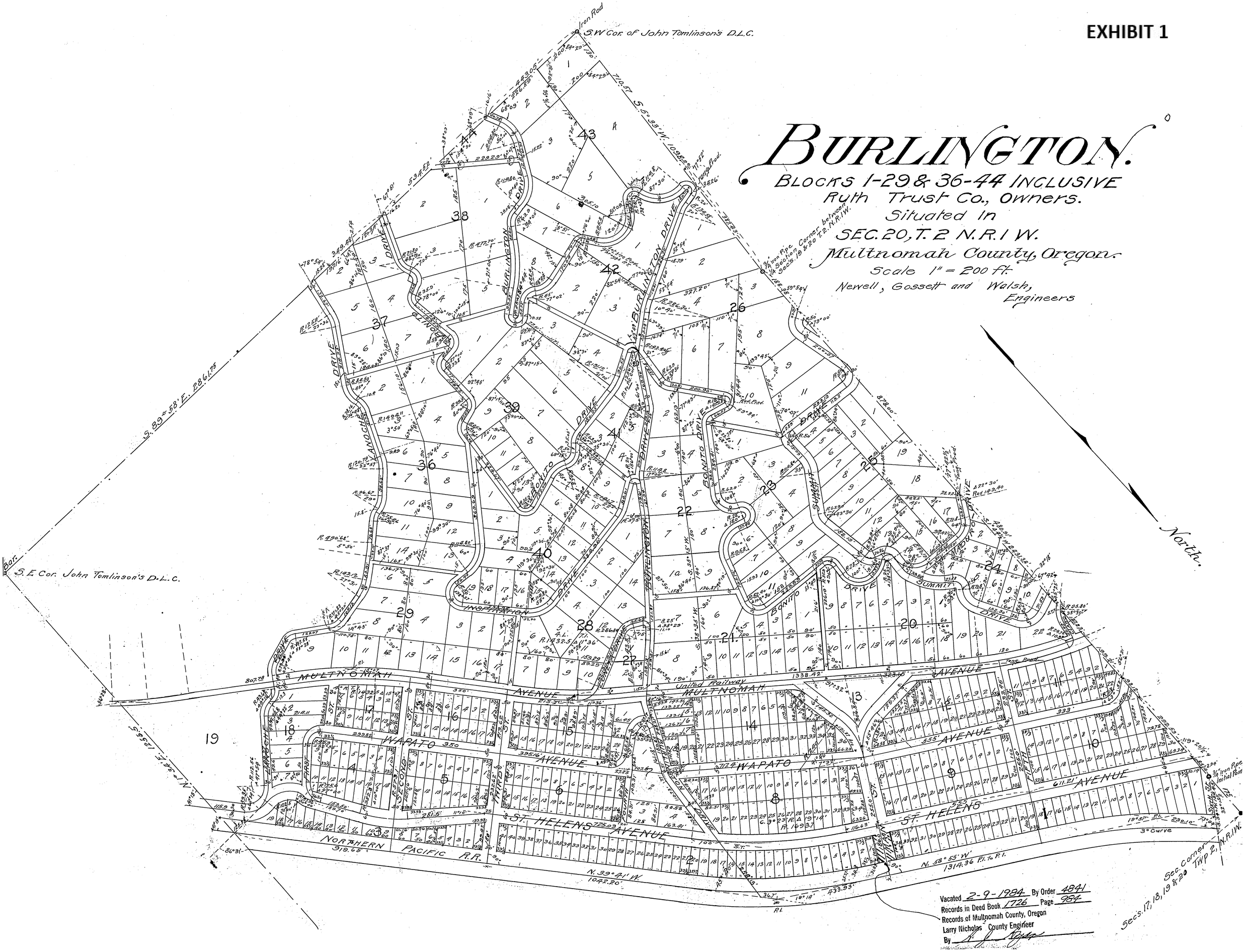
Section V. Conclusion

Applicant has demonstrated with findings supported by substantial evidence that application approval is warranted. Applicant respectfully requests a variance to the Forest Practices Setback standard to permit the location of the proposed structure improvements.

Respectfully Submitted,

Gary Shepherd

EXHIBIT 1


BURLINGTON.
BLOCKS 1-29 & 36-44 INCLUSIVE
Ruth Trust Co., Owners.
Situated in
SEC. 20, T. 2 N. R. 1 W.
Multnomah County, Oregon.
Scale 1" = 200 ft.
Newell, Gossett and Walsh,
Engineers
S.W. Cor. of John Tomlinson's D.L.C.
S.E. Cor. John Tomlinson's D.L.C.
S. 89°-58' E. 2861.75
S. 5°-33' W. 1096.
North.
BURLINGTON DRIVE
BONITO DRIVE
SUMMIT DRIVE
INSPIRATION DRIVE
MULTNOMAH AVENUE
WAPATO AVENUE
ST. HELENS AVENUE
NORTHERN PACIFIC R.R.
United Railway
N. 39°-41' W. 1042.20'
N. 58°-55' W. 1314.36 Pl. to P.T.
Sec. Corner Secs. 17, 18, 19 & 20 Twp. 2 N. R. 1 W.
Vacated 2-9-1984 By Order 4841
Records in Deed Book 1726 Page 984
Records of Multnomah County, Oregon
Larry Nicholas County Engineer
By

KNOW ALL MEN BY THESE PRESENTS, That the Ruth Trust Company, a corporation organized and existing under the laws of the State of Oregon, hereby declared the annexed map to be a true plat of the property owned and laid out by it, known as Burlington, and described as follows :

Beginning at the common section corner between Sections 17, 18, 19 and 20, Township 2 North, Range 1 West Willamette Meridian; thence south on section line 175 feet to point of beginning; thence south 2431.34 feet on section line between 19 and 20, it also being the west line of the John G. Tomlison Donation Land Claim, to 1/4 corner between Section 19 and 20; thence south 1098 feet on said west line of the John G. Tomlison Donation Land Claim to the southwest corner of said Donation Land Claim; thence east on south line of said Donation Land Claim 1342.33 feet to tHe east line of road designated on filing plat as Lanoche Drive; thence northeasterly following along said east line to a point in the center of the United Railways as now located; thence easterly along said center line to a point on the east line of the said John Tomlison Donation Land Claim; thence north along said east line to the south line of the right of way of the Northern Pacific Railroad as now located and constructed; thence northwesterly along said south line of Right of Way to a point on a line bearing north 34° east from the initial point; thence south 34° west along said line to point of beginning. The lots or tracts are of the dimensions indicated on said plat, and the streets, alleys, drives or roads are of the width and as delineated on said plat, and said Ruth Trust Company do hereby dedicate all streets, alleys, drives and roads within said property and set out on said plat to the use of the public forever as highways, excepting and reserving for itself, its successors and assigns, the right and privilege, but not the exclusive right or privilege, in and to use all said streets and public highways as shown thereon for the purpose of erecting, laying and operating any and all of the following named rights and privileges, to-wit : Any street, tram or railway, any water or gas pipes and mains, any electric wires for any and all purposes to which electricity may be put.

IN WITNESS WHEREOF, the said owner has hereunto set its hand and seal this 23rd day of March, 1909.

Ruth Trust Company (seal)

By O. W. Taylor
General Manager.

A. C. Emmons Secretary.

(Corp. Seal of Ruth Trust Co.)

STATE OF OREGON,)
)ss.
County of Multnomah)

On this twenty-third day of March, 1909, before me appeared O. W. Taylor and A. C. Emmons, both to me personally known, who being duly sworn did say that he, the said O. W. Taylor, is the General Manager, and he, the said A. C. Emmons, is the Secretary of the Ruth Trust Company, the within named corporation, and that the seal affixed to said instrument is the corporate seal of said corporation, and that the said instrument was signed and sealed in behalf of said Corporation by authority of its Board of Directors; and said O.W. Taylor and A. C. Emmons acknowledged said instrument to be the free act and deed of said corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal, this the day and year first in this my certificate written.

(Notarial Seal.) L. Wanless

Notary Public in and for said County and State.

STATE OF OREGON,)
)ss.
County of Multnomah)

I, the undersigned F. J. Walsh, of the County of Multnomah, State of Oregon, being first duly sworn according to law, depose and say : That I have carefully surveyed and marked with proper stakes and monuments, the lands as represented and shown upon the hereunto annexed map or plat of Burlington, Blocks 1-24 & 36-44 inclusive, situated in Section Twenty (20), Township Two (2) North, Range One (1) West of the Willamette Meridian, in Multnomah County, Oregon.

That at the initial point of the survey of said tract I planted an iron pipe 3/4 inch in diameter and 3 feet long, driven firmly below the surface of the ground; said initial point is south one hundred and seventy-five feet on the section line from the common corner of Sections Seventeen (17), Eighteen (18) Nineteen (19) and Twenty (20), in Township Two (2) North, Range One (1) West of the Willamette Meridian, and is north on said section line eighty-five and 14/100 feet from the intersection of said section line with the center line St. Helen's Avenue, as shown and designated upon said map or plat; the sizes and dimensions of the various blocks, lots and other subdivisions, the widths of the streets, avenues, alleys and thoroughfares, the courses, distances, curves, angles, and variations, are all as shown and designated upon said map or plat.

The figures designating distances upon said map or plat all refer to feet and fractions thereof. F. J. Walsh.

Subscribed and sworn to before me, this 22nd day of March, 1909.

(Notarial Seal.) J. O. Stearns

Notary Public for Oregon.

Approved Mch. 24th, 1909. Lionel R. Webster County Judge.

W. L. Lightner County Commissioner.

(Co. Court Seal.) F. C. Barnes County Commissioner.

Attest : F. S. Fields County Clerk.

Approved March 23rd, 1909. B. D. Sigler Assessor.

L. H. Maxwell Deputy.

Taxes from 1901 to 1908 inclusive are "Paid".

R. L. Stevens Sheriff.

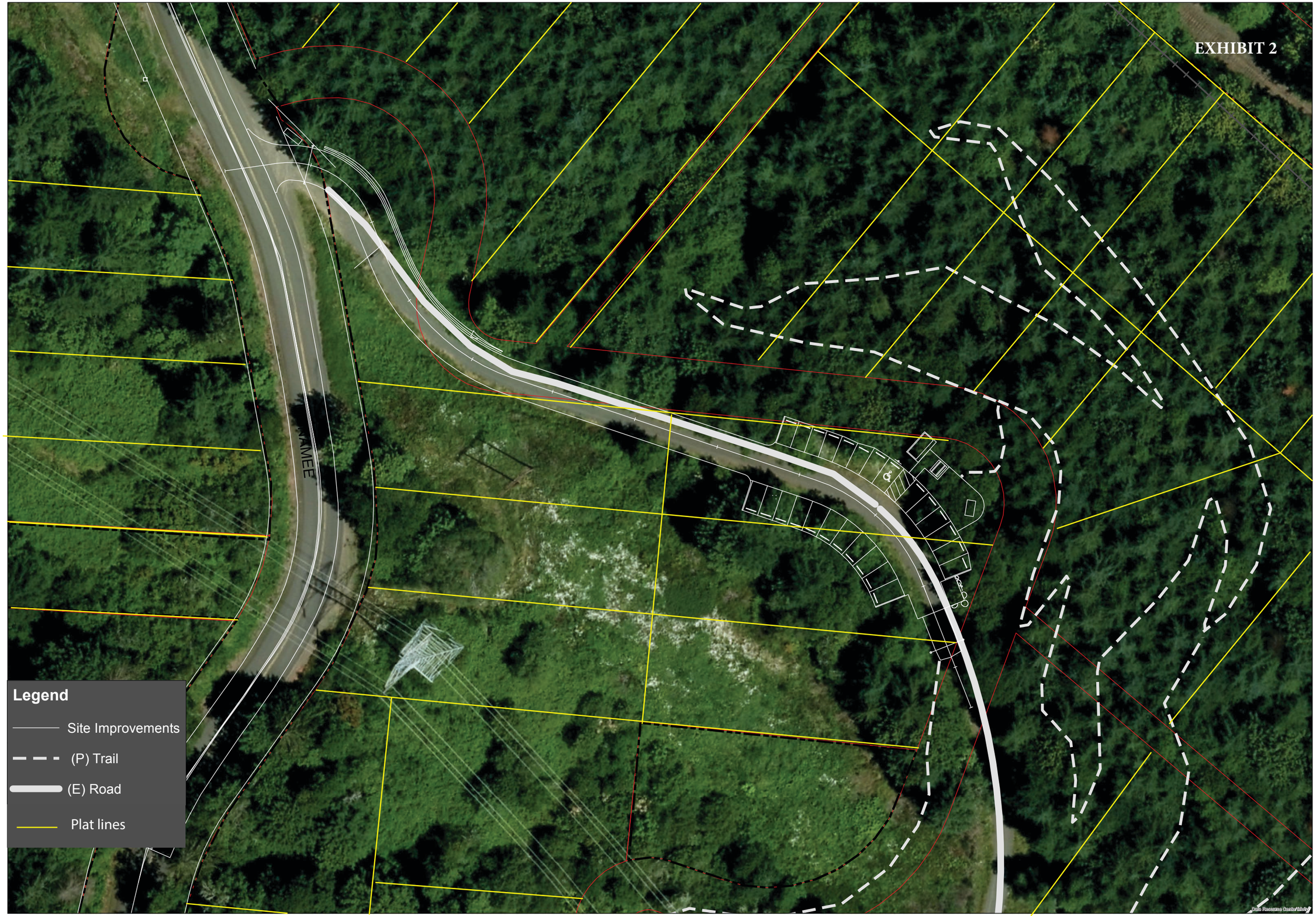
S. B. Martin Deputy.

All taxes due- Multnomah County from 1888 to 1901 Paid.

F. S. Fields County Clerk.

By F. G. Wilde Deputy.

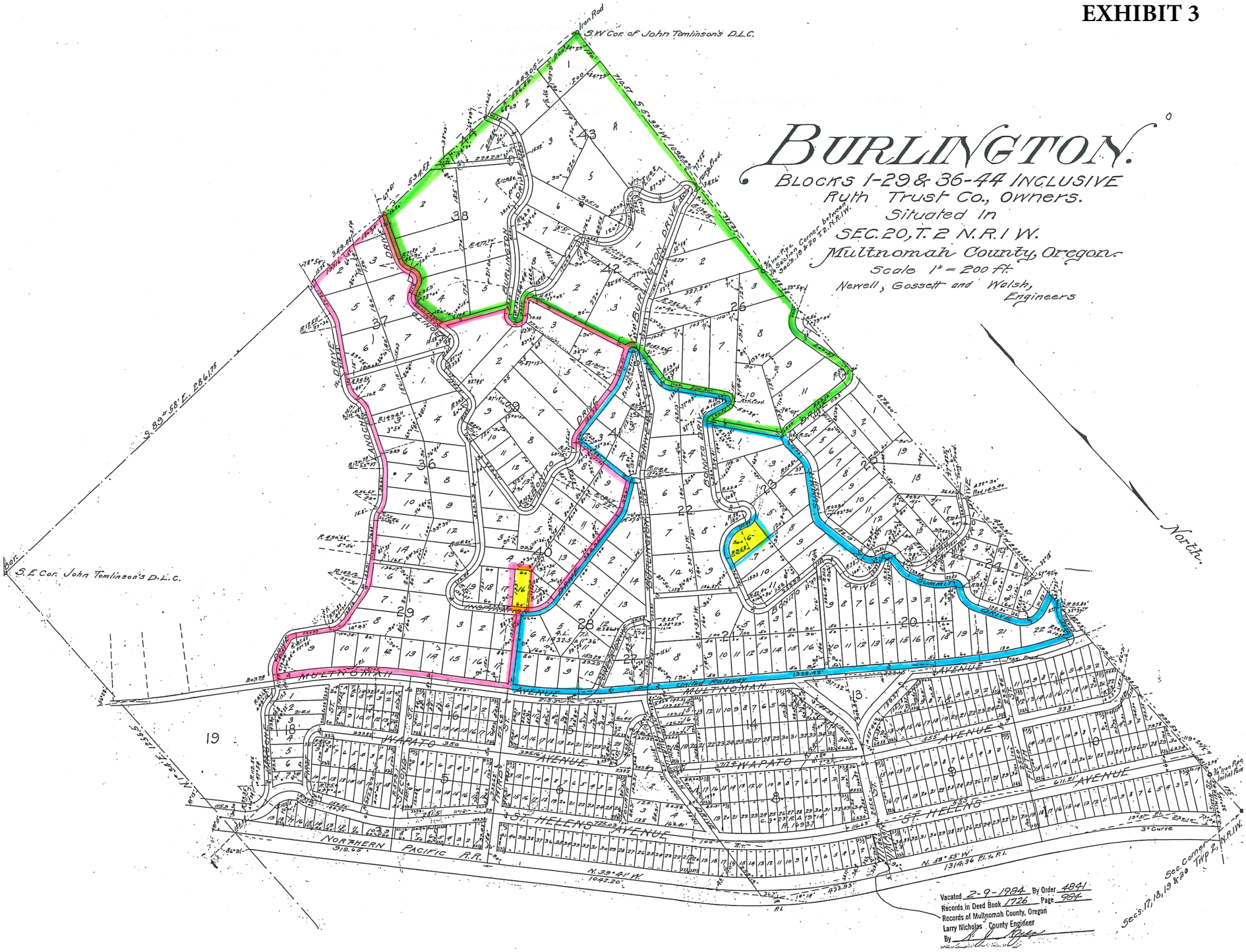
Received for Record March 24, 1909, at 11 A. M.



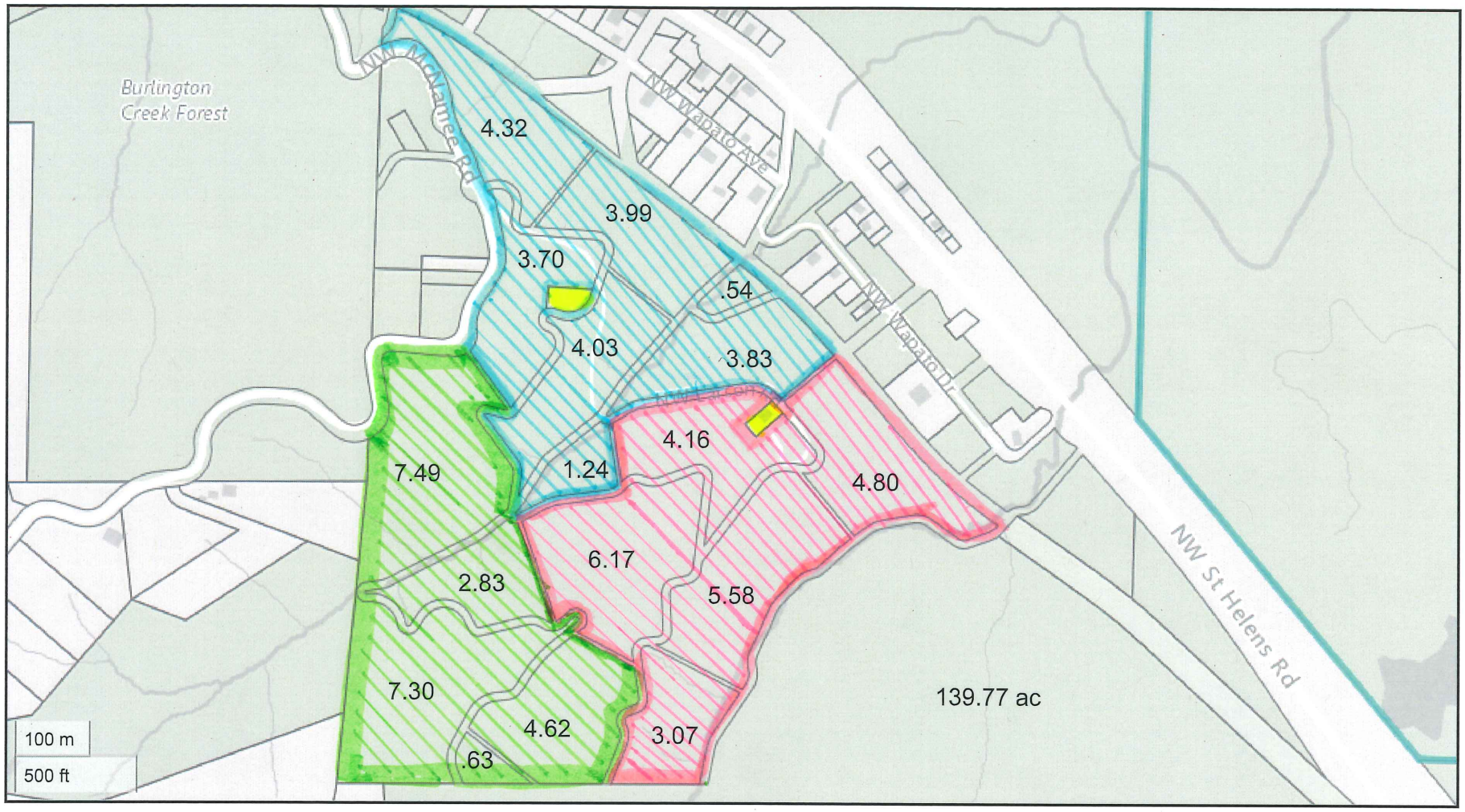
Burlington Creek Forest Nature Park
Trailhead Improvements
June 2018

Note: Diagram is based on GIS data for illustrative purposes only. Engineering drawings should be consulted for accuracy.

EXHIBIT 3


BURLINGTON.
BLOCKS 1-29 & 36-44 INCLUSIVE
Ruth Trust Co., Owners.
Situated in
SEC. 20, T. 2 N. R. 1 W.
Multnomah County, Oregon.
Scale 1" = 200 ft.
Newell, Gossett and Walsh,
Engineers
S.W. Cor. of John Tomlinson's D.L.C.
S.E. Cor. John Tomlinson's D.L.C.
North.
MULTNOMAH AVENUE
TWAPATO AVENUE
ST. HELENS AVENUE
NORTHERN PACIFIC R.R.
BURLINGTON DRIVE
BONITO DRIVE
Vacated 2-9-1984 By Order 4841
Records in Deed Book 1726 Page 984
Records of Multnomah County, Oregon
Larry Nicholas County Engineer
By

Aggregated Lot of Records - Example



Taxlots

Map exported from ParkMap on 5/31/2018 by shepherdg

- 22.87 Acres
- 21.65 Acres
- 23.78 Acres
- Property not the subject of the application

Basemap: Metro Gray Simple

Legal Descriptions of Aggregated Lots of Record

Blue – Burlington

Block 20, Lots 1 – 22
Block 21, Lots 1 – 16
Block 22, Lots 1 – 10
Block 23, Lots 1 – 5, 7 – 13
Block 27, Lots 1 – 2
Block 28, Lots 1 – 14
Block 41, Lots 1 – 5

Red – Burlington

Block 29, Lots 1 – 17
Block 36, Lots, 1 – 14
Block 37, Lots 1 – 7
Block 39, Lots 1 – 13
Block 40, Lots 1 – 15, 17 – 19

Green – Burlington

Block 26, Lots 1 – 11
Block 38, Lots 1 – 5
Block 42, Lots 1 – 3
Block 43, Lots 1 – 8
Block 44, Lots 1 – 2