

April 7, 2023

VIA EMAIL ONLY

Hearings Officer Joe Turner
c/o Chris Liu, Land Use Planner
Land Use Planning Division
Multnomah County Dept of Comm Serv
1600 SE 190th Ave,
Portland, OR 97233

E-Mail: chris.liu@multco.us

Re: Appeal of Lightcap Lot of Record Decision

Dear Hearings Officer Turner:

Thank you for considering this second appeal regarding the legal lot status of the Lightcap property. This letter will summarize the history of the case and the current situation. A more detailed analysis of why the Lightcap property qualifies as a lot of record is found in the applicant's narrative and related correspondence in the record.

In 1992, the county issued land use approval for the lot line adjustment of the northeast boundary for the Lightcap property, which also forms the southwest boundary of the Looney property. The property owners have long agreed on where they believe the adjusted boundary is located. The prior hearings officer's decision in October, 2018 concluded that the 1992 lot line adjustments had not been timely completed as required by the conditions of approval, and therefore the lot line adjustment approval was void.

The result of that 2018 decision was that for land use purposes, the common boundary was not lawfully established in the location where the Looney and Lightcap families had long understood it was, based on their 1993 lot line adjustment deed, and thus neither the Looney nor the Lightcap property were lawfully established. There is no dispute or question regarding the lawful establishment of the other boundaries for the Lightcap parcel.

To resolve this boundary issue, the Looneys applied to the county In November, 2018 for a lot legalization to formally establish this boundary, and to combine their two tax lots into one parcel. The county approved that application in January, 2019, subject to a condition that required recording of a one parcel partition plat. The plat was signed by the Planning Director's delegate and timely recorded at the county surveyor's office, thereby lawfully establishing the common boundary between the Lightcap and Looney properties, exactly where the two families located it in the 1993 deed.

The recorded plat clearly cites to the 1993 deed for establishing the northeast boundary of the Lightcap property, "Book 2801 Page 1161 (1993)" in the Deed References Table. Whether that deed

Chris Liu Land Use Planner
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was recorded too late to implement the original 1992 lot line adjustment decision does not change the fact that the county planning department approved that boundary in the Looney's recent partition application and then signed the Looney's plat which expressly cites the 1993 deed as the location for the northeast boundary of the Lightcap property. And the Looney partition plat also expressly identifies the five boundary markers along the common boundary found from the 1993 survey by Chase Jones, SN 53807, the purpose of which is "to establish a property line adjustment." The Looney partition approval and the recorded plat are final land use decisions which are immune from collateral attack. The 1993 deed cited on the plat, and the recorded plat (with an arrow to the citation added) are attached.

The Lightcaps then applied for the lot of record verification at issue in this appeal, contending that because their northeast boundary was now lawfully established by the Looney partition plat, the plat constitutes a lawful reconfiguration of the Lightcap parcel. The staff decision disagreed, concluding that the Lightcap property is not a lot of record in its current configuration, because the Looney partition plat "was not a result of a property line adjustment application and did not involve the Lightcap property[.]" This is belied by the fact that the plat expressly utilized the 1993 deed and the survey thereof to establish the Lightcap property's northeast boundary.

In short, the staff decision in this case found that the county's recent legalization of the common boundary between the two properties in the same location as the 1993 lot line adjustment deed and survey has no land use effect on the Lightcap property. Said differently, staff concluded that just because the Looney's southwest boundary is legal as that boundary was described in the 1993 deed and survey does not mean the Lightcap's northeast boundary is legal. The staff decision provides no authority for the proposition that a common boundary can be lawfully established for land use purposes for the Looney property, but not for land use purposes of the Lightcap property where the recorded plat specifies the boundary location is based on the lot line adjustment deed executed by the Lightcaps, and the recorded survey thereof. We respectfully disagree. Either the common boundary is lawfully established, or it is not. The planning department approved the Looney partition, and in so doing lawfully established the northeast boundary of the Lightcap property as well.

We look forward to presenting this at the upcoming hearing.

Sincerely,

JORDAN RAMIS PC



Jamie D. Howsley
Admitted in Oregon and Washington

Attachments

cc: Andy and Lisa Lightcap

After recording return to:
Paul Norr, Attorney
1020 SW Taylor, # 530
Portland, OR 97205

Send Tax Statement to:
David R. and Shawn S. Looney
2525 NE Knott
Portland, OR 97205

QUITCLAIM DEED

BRIAN W. LIGHTCAP and CHRISTINE A. LIGHTCAP, husband and wife, Grantor, conveys to DAVID R. LOONEY and SHAWN S. LOONEY, husband and wife, Grantee, the following described real property located in the County of Multnomah, State of Oregon:

SEE LEGAL DESCRIPTION IN ATTACHMENT "A" HERETO

The true and actual consideration paid for the transfer of this property is other valuable consideration given, including agreement to the terms of the above referenced property line adjustment.

THIS INSTRUMENT WILL NOT ALLOW THE USE OF THIS PROPERTY IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS DEED, THE PERSON ACQUIRING FEE TITLE TO THIS PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.

Dated this 30 day of November, 1993.



BRIAN W. LIGHTCAP

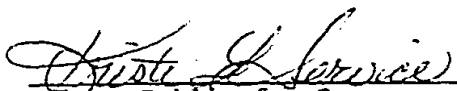


CHRISTINE A. LIGHTCAP

STATE OF OREGON)
County of Multnomah) ss.

The foregoing Deed was signed and acknowledged before me this 30 day of November, 1993, by BRIAN W. LIGHTCAP and CHRISTINE A. LIGHTCAP.





Notary Public for Oregon
My commission expires 11/03/96.

ATTACHMENT "A"

LIGHTCAP TO LOONEY

A tract of land situated in the northeast 1/4 of Section 33, Township 2 North, Range 1 West of the Willamette Meridian, Multnomah County, Oregon, said tract being a portion of that property described in deed to Brian Lightcap, recorded March 30, 1989 in Book 2191, Page 1718, and more particularly described as follows:

Commencing at a 5/8 inch iron rod marking the most easterly corner of Lot 17, ARMCNA, a plat of record in said Multnomah County and proceeding thence S.25°32'55"W. along the southeasterly line of said Lot 17, a distance of 74.92 feet to an angle point therein; thence S.63°39'35"E., a distance of 30.00 feet to an angle point in the southeasterly line of Canyon Road as shown on said plat of ARMONA; thence N.25°32'55"E. along said line of Canyon Road, a distance of 1.02 feet to the Point of Beginning at the Agreement Line between the subject property and the adjoiner to the northeast, said point being witnessed by a 5/8 inch iron rod that bears S.50°12'30"E., a distance of 2.00 feet therefrom; thence continuing N.25°32'55"E. along said Canyon Road, a distance of 34.31 feet to the most northerly corner of said Brian Lightcap tract; thence S.47°11'42"E. along the northeasterly line of said Lightcap tract, a distance of 148.75 feet to the monumented most northerly corner of that tract conveyed Arthur Wagner by deed recorded June 4, 1991 in Book 2556, Page 849; thence S.33°42'43"W. along the northwesterly line of said Wagner tract, a distance of 25.58 feet to a 5/8 inch iron rod set in said Agreement Line; thence N.50°12'30"W., a distance of 142.82 feet to the Point of Beginning, containing 4,253 square feet or 0.100 acre, more or less.

172779

STATE OF OREGON }
Multnomah County

I, a Deputy for the Recorder of Conveyances, in and for
said County, do hereby certify that the within instrument of
writing was received for record and recorded in the record
of said County
93 DEC 16 PM 12:44

RECORDING SECTION
MULTNOMAH CO., OREGON

in Book 2801 PAGE 1161 On Page

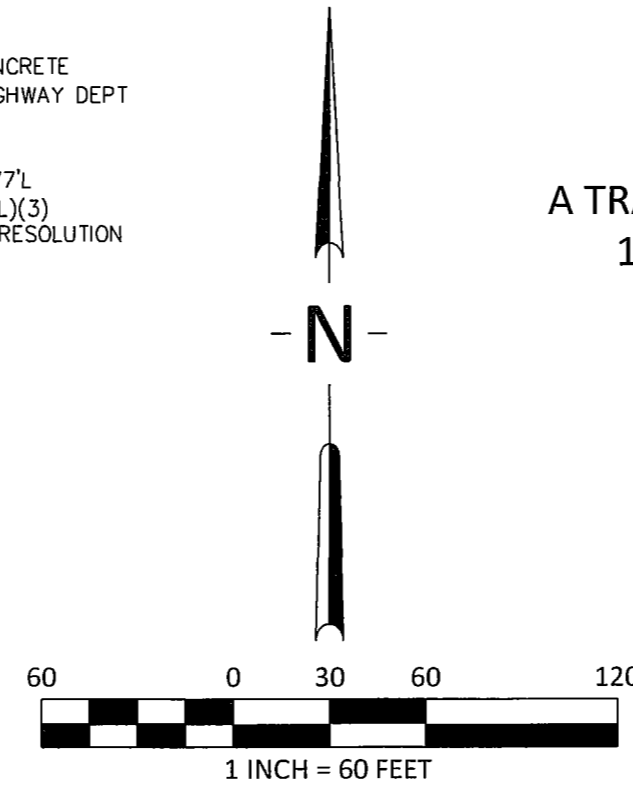
Witness my hand and seal of Office this 16th
day of December 1993
Recorder of Conveyances

C Swick
Deputy

13
20

PARTITION PLAT NO. 2019-10

A TRACT OF LAND SITUATED IN THE NORTHEAST 1/4 OF SECTION 33, AND THE SOUTHEAST 1/4 OF SECTION 28, TOWNSHIP 2 NORTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, MULTNOMAH COUNTY, OREGON
DECEMBER 13, 2018



NOTES AND RESTRICTONS

- 1.) THIS PLAT IS SUBJECT TO THE CONDITIONS OF APPROVAL PER MULTNOMAH COUNTY CASE FILE NUMBER T1-2018-11141.
- 2.) THIS PLAT IS SUBJECT TO AN EASEMENT FOR A UTILITY ANCHOR AND WIRES RECORDED IN BOOK 851, PAGE 181, (1921) MULTNOMAH COUNTY DEED RECORDS. EXACT LOCATION IS NOT DISCLOSED.
- 3.) THIS PLAT IS SUBJECT TO AN EASEMENT FOR A POWER OR OTHER WIRE LINE OR LINES RECORDED IN BOOK 536, PAGE 59 (1940), MULTNOMAH COUNTY DEED RECORDS. EXACT LOCATION IS NOT DISCLOSED.
- 4.) EASEMENT FOR ACCESS ROAD RECORDED IN BOOK 1900, PAGE 202 (1958), MULTNOMAH COUNTY DEED RECORDS DOES NOT APPEAR TO AFFECT SUBJECT PROPERTY.
- 5.) THIS PLAT IS SUBJECT TO AN EASEMENT FOR INSTALLATION, MAINTENANCE AND REPAIR OF WATER SUPPLY LINE RECORDED IN BOOK 1862, PAGE 2232 (1985), MULTNOMAH COUNTY DEED RECORDS. EXACT LOCATION IS NOT DISCLOSED.
- 6.) THIS PLAT IS SUBJECT TO AN EASEMENT FOR VIEW RECORDED IN BOOK 2801, PAGE 1167 (1993), MULTNOMAH COUNTY DEED RECORDS, AS SHOWN HEREON.
- 7.) THIS PLAT IS SUBJECT TO AN EASEMENT FOR A WATER LINE RECORDED IN BOOK 2801, PAGE 1167 (1993), MULTNOMAH COUNTY DEED RECORDS. EXACT LOCATION IS NOT DISCLOSED.
- 8.) NO RIGHT OF EASEMENT OR RIGHT OF ACCESS TO, FROM OR ACROSS THE COLUMBIA RIVER HIGHWAY (STATE HIGHWAY 30) SHALL ATTACH TO THE ABUTTING PROPERTY PER THE STATE OF OREGON, BY AND THROUGH ITS STATE HIGHWAY COMMISSION AS CONTAINED IN DEED RECORDED IN BOOK 477, PAGE 616 (1966), MULTNOMAH COUNTY DEED RECORDS.

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

REGISTERED PROFESSIONAL LAND SURVEYOR

Carla J. Merritt

OREGON
JULY 13, 2004
CARLA JO MERRITT
74286LS

RENEWS: DEC. 31, 2020

2-15-19

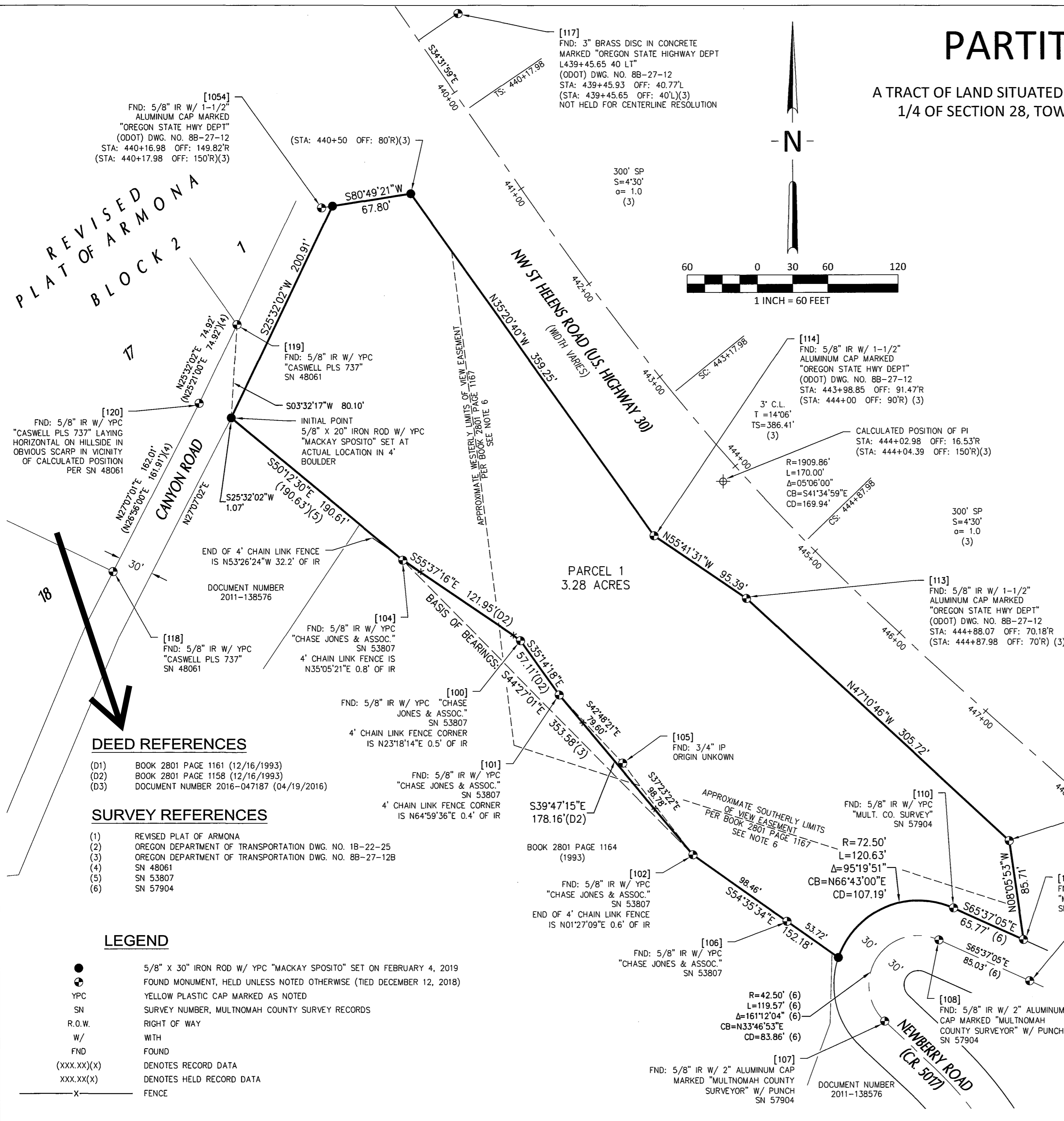
[116] FND: 3" BRASS DISC IN CONCRETE MARKED "OREGON STATE HIGHWAY DEPT 455+60 40 LT" (ODOT) DWG. NO. 88-27-12 STA: 455+60.64 OFF: 40.08'L(6) (STA: 455+60 OFF: 40'L)(3)

MacKay Sposito

1325 SE TECH CENTER DRIVE, SUITE 140
VANCOUVER, WA 98683
VANCOUVER: (360) 695-3411
PORTLAND: (503) 289-6726
FAX (360) 695-0833

ENERGY PUBLIC WORKS LAND DEVELOPMENT
www.mackaysposito.com

CALC BY: ADC	DRAWN BY: ADC	JOB NO.: 17123
CHECKED BY: CJM	FILE: 17123_PP1.DWG	SHEET 1 OF 2



REVISED PLAT OF ARMONA BLOCK 2

[117] FND: 3" BRASS DISC IN CONCRETE MARKED "OREGON STATE HIGHWAY DEPT L439+45.65 40 LT" (ODOT) DWG. NO. 88-27-12 STA: 439+45.93 OFF: 40.77'L (STA: 439+45.65 OFF: 40'L)(3) NOT HELD FOR CENTERLINE RESOLUTION

300' SP
S=4'30"
o=1.0
(3)

[114] FND: 5/8" IR W/ 1-1/2" ALUMINUM CAP MARKED "OREGON STATE HWY DEPT" (ODOT) DWG. NO. 88-27-12 STA: 443+98.85 OFF: 91.47'R (STA: 444+00 OFF: 90'R) (3)

CALCULATED POSITION OF PI
STA: 444+02.98 OFF: 16.53'R
(STA: 444+04.39 OFF: 150'R)(3)

300' SP
S=4'30"
o=1.0
(3)

[113] FND: 5/8" IR W/ 1-1/2" ALUMINUM CAP MARKED "OREGON STATE HWY DEPT" (ODOT) DWG. NO. 88-27-12 STA: 444+88.07 OFF: 70.18'R (STA: 444+87.98 OFF: 70'R) (3)

[115] FND: 3" BRASS DISC IN CONCRETE MARKED "OREGON STATE HIGHWAY DEPT 447+87.98 PT 40 LT" (ODOT) DWG. NO. 88-27-12 STA: 447+87.98 OFF: 40.00'L(3)(6)

[112] FND: 5/8" IR W/ 1-1/2" ALUMINUM CAP MARKED "OREGON STATE HWY DEPT" (ODOT) DWG. NO. 88-27-12 STA: 447+88.37 OFF: 69.87'R (STA: 447+87.98 OFF: 70'R)(3)

[109] FND: 5/8" IR W/ 2" ALUMINUM CAP MARKED "MULTNOMAH COUNTY SURVEYOR" W/ PUNCH SN 57904

[108] FND: 5/8" IR W/ 2" ALUMINUM CAP MARKED "MULTNOMAH COUNTY SURVEYOR" W/ PUNCH SN 57904

[107] FND: 5/8" IR W/ 2" ALUMINUM CAP MARKED "MULTNOMAH COUNTY SURVEYOR" W/ PUNCH SN 57904

[102] FND: 5/8" IR W/ YPC "CHASE JONES & ASSOC." SN 53807

[101] FND: 5/8" IR W/ YPC "CHASE JONES & ASSOC." SN 53807

[104] FND: 5/8" IR W/ YPC "CHASE JONES & ASSOC." SN 53807

[118] FND: 5/8" IR W/ YPC "CASWELL PLS 737" SN 48061

[120] FND: 5/8" IR W/ YPC "CASWELL PLS 737" LAYING HORIZONTAL ON HILLSIDE IN OBVIOUS SCARP IN VICINITY OF CALCULATED POSITION PER SN 48061

DEED REFERENCES

- (D1) BOOK 2801 PAGE 1161 (12/16/1993)
- (D2) BOOK 2801 PAGE 1158 (12/16/1993)
- (D3) DOCUMENT NUMBER 2016-047187 (04/19/2016)

SURVEY REFERENCES

- (1) REVISED PLAT OF ARMONA
- (2) OREGON DEPARTMENT OF TRANSPORTATION DWG. NO. 1B-22-25
- (3) OREGON DEPARTMENT OF TRANSPORTATION DWG. NO. 8B-27-12B
- (4) SN 48061
- (5) SN 53807
- (6) SN 57904

LEGEND

- 5/8" X 30" IRON ROD W/ YPC "MACKAY SPOSITO" SET ON FEBRUARY 4, 2019
- ⊙ FOUND MONUMENT, HELD UNLESS NOTED OTHERWISE (TIED DECEMBER 12, 2018)
- YPC YELLOW PLASTIC CAP MARKED AS NOTED
- SN SURVEY NUMBER, MULTNOMAH COUNTY SURVEY RECORDS
- R.O.W. RIGHT OF WAY
- W/ WITH
- FND FOUND
- (XXX.XX)(X) DENOTES RECORD DATA
- XXX.XX(X) DENOTES HELD RECORD DATA
- x- FENCE

SURVEYOR'S CERTIFICATE

I, CARLA JO MERITT, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF OREGON, DO HEREBY CERTIFY THAT I HAVE CORRECTLY SURVEYED AND MARKED WITH PROPER MONUMENTS THE LAND REPRESENTED ON THE ATTACHED PARTITION PLAT, BEING A TRACT OF LAND SITUATED IN THE NORTHEAST ONE QUARTER OF SECTION 33, AND THE SOUTHEAST ONE QUARTER OF SECTION 28, TOWNSHIP 2 NORTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, MULTNOMAH COUNTY, OREGON BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INITIAL POINT BEING A 5/8 INCH X 20 INCH IRON ROD WITH A YELLOW PLASTIC CAP MARKED "MACKAY SPOSITO" SET AT THE MOST WESTERLY SOUTHWEST CORNER OF THAT TRACT DESCRIBED IN DEED RECORDED APRIL 19, 2016 AS DOCUMENT NUMBER 2016-047187, MULTNOMAH COUNTY DEED RECORDS, WHICH BEARS SOUTH 03°32'17" WEST A DISTANCE OF 80.10 FEET FROM A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED "CASWELL PLS 747" AT THE MOST EASTERLY CORNER OF LOT 17, BLOCK 2, OF THE REVISED PLAT OF ARMONA; THENCE ALONG THE SOUTHWESTERLY LINE OF SAID DOCUMENT NO. 2016-047187 TRACT THE FOLLOWING COURSES: SOUTH 50°12'30" EAST A DISTANCE OF 190.61 FEET TO A 5/8 INCH IRON ROD WITH A YELLOW PLASTIC CAP MARKED "CHASE JONES & ASSOC."; THENCE SOUTH 55°37'16" EAST A DISTANCE OF 121.95 FEET TO A 5/8 INCH IRON ROD WITH A YELLOW PLASTIC CAP MARKED "CHASE JONES & ASSOC."; THENCE SOUTH 35°14'18" EAST A DISTANCE OF 57.11 FEET TO A 5/8 INCH IRON ROD WITH A YELLOW PLASTIC CAP MARKED "CHASE JONES & ASSOC."; THENCE SOUTH 39°47'15" EAST A DISTANCE OF 178.16 FEET TO A 5/8 INCH IRON ROD WITH A YELLOW PLASTIC CAP MARKED "CHASE JONES & ASSOC."; THENCE SOUTH 54°35'34" EAST A DISTANCE OF 152.18 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF NEWBERRY ROAD (COUNTY ROAD NO. 5017) BEING MARKED BY A 5/8 INCH X 30 INCH IRON ROD WITH A YELLOW PLASTIC CAP MARKED "MACKAY SPOSITO"; THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE ALONG A NON-TANGENT 72.50 FOOT RADIUS CURVE CONCAVE TO THE SOUTHEAST (THE LONG CHORD OF WHICH BEARS NORTH 66°43'00" EAST A DISTANCE OF 107.19 FEET), THROUGH A CENTRAL ANGLE OF 95°19'51" A DISTANCE OF 120.63 FEET TO A 5/8 INCH IRON ROD WITH A YELLOW PLASTIC CAP MARKED "MULT. CO. SURVEY"; THENCE CONTINUING ALONG SAID NORTHERLY RIGHT-OF-WAY LINE SOUTH 65°37'05" EAST A DISTANCE OF 65.77 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF NW ST HELENS ROAD (U.S. HIGHWAY 30) BEING MARKED BY A 5/8 INCH IRON ROD WITH A YELLOW PLASTIC CAP MARKED "MULT. CO. SURVEY"; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE THE FOLLOWING COURSES: NORTH 08°05'53" WEST A DISTANCE OF 85.71 FEET TO A 5/8 INCH IRON ROD WITH A 1-1/2 INCH ALUMINUM CAP MARKED "OREGON STATE HWY DEPT"; THENCE NORTH 47°10'46" WEST A DISTANCE OF 305.72 FEET TO A 5/8 INCH IRON ROD WITH A 1-1/2 INCH ALUMINUM CAP MARKED "OREGON STATE HWY DEPT"; THENCE NORTH 55°41'31" WEST A DISTANCE OF 95.39 FEET TO A 5/8 INCH IRON ROD WITH A 1-1/2 INCH ALUMINUM CAP MARKED "OREGON STATE HWY DEPT"; THENCE NORTH 35°20'40" WEST A DISTANCE OF 359.25 FEET TO A 5/8 INCH X 30 INCH IRON ROD WITH A YELLOW PLASTIC CAP MARKED "MACKAY SPOSITO"; THENCE SOUTH 80°49'21" WEST A DISTANCE OF 67.80 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF CANYON ROAD BEING MARKED BY A 5/8 INCH X 30 INCH IRON ROD WITH A YELLOW PLASTIC CAP MARKED "MACKAY SPOSITO"; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE SOUTH 25°32'02" WEST A DISTANCE OF 200.91 FEET TO THE INITIAL POINT.

CONTAINING 3.28 ACRES MORE OR LESS

NARRATIVE

THE PURPOSE OF THIS SURVEY IS TO CONSOLIDATE THOSE PARCELS CONVEYED TO DAVID R. LOONEY AND SHAWN S. LOONEY BY DOCUMENTS RECORDED IN BOOK 1862, PAGE 2232 (11/5/85), BOOK 2801, PAGE 1161 (12/16/93) AND BOOK 2801, PAGE 1158 (12/16/93) INTO ONE LEGAL PARCEL OF RECORD.

THE BASIS OF BEARINGS WAS ESTABLISHED BY HOLDING A BEARING OF SOUTH 44°27'01 EAST BETWEEN MONUMENTS [102] AND [104] PER SN 53807, MULTNOMAH COUNTY RECORDS.

THE NORTHWESTERLY RIGHT-OF-WAY LINE OF CANYON ROAD WAS ESTABLISHED BY HOLDING MONUMENTS [118] AND [119] FROM SN 48061 AS WELL AS THE RECORD ANGLE AND DISTANCES SHOWN THEREON. THE SOUTHERLY RIGHT-OF-WAY LINE OF CANYON ROAD WAS ESTABLISHED 30 FEET PARALLEL WITH THE NORTHERLY RIGHT-OF-WAY LINE AND DEFINES THE NORTHWESTERLY LINE OF THE SUBJECT PARCEL.

THE SOUTHWESTERLY LINE OF SAID LOONEY PARCEL IS BASED ON THE BOUNDARY LINE ADJUSTMENT RECORDED UNDER DOCUMENT RECORDED DECEMBER 16, 1993 IN BOOK 2801 ON PAGE 1161, MULTNOMAH COUNTY DEED RECORDS AND WAS ESTABLISHED BY HOLDING MONUMENTS SET DURING SN 53807.

THE SOUTHEASTERLY LINE OF THE SUBJECT PARCEL IS DEFINED AS THE NORTHWESTERLY RIGHT-OF-WAY OF NEWBERRY ROAD (C.R. 5017), WHICH WAS ESTABLISHED BY HOLDING CENTERLINE MONUMENTS AND RECORD DATA PER SN 57904. THE CENTERLINE WAS OFFSET 30.00 FEET TO ESTABLISH THE NORTHWESTERLY RIGHT-OF-WAY LINE.

THE CENTERLINE OF NW ST HELENS ROAD (U.S. HIGHWAY 30) WAS ESTABLISHED BY HOLDING MONUMENT [115] AS STATION 447+87.98 OFFSET 40.00'L AND MONUMENT [116] AS STATION 455+60.60 OFFSET 40.08'L PER SN 57904. THE SOUTHWESTERLY RIGHT-OF-WAY OF NW ST HELENS ROAD WAS ESTABLISHED BY HOLDING MONUMENTS [112], [113], AND [114] AT THEIR FOUND POSITIONS. THE MOST NORTHERLY CORNER OF SAID LOONEY TRACT WAS ESTABLISHED BY HOLDING THE RECORD STATION AND OFFSET PER RIGHT-OF-WAY DEDICATION DEED RECORDED IN BOOK 477, PAGE 616 (MARCH 23, 1966). MONUMENT [1054] WAS HELD TO DETERMINE THE BEARING OF THE MOST NORTHERLY BOUNDARY, WITH THE DISTANCE BEING CONTROLLED BY THE SOUTHERLY RIGHT-OF-WAY LINE OF CANYON ROAD.

PARTITION PLAT NO. 2019-10

A TRACT OF LAND SITUATED IN THE NORTHEAST 1/4 OF SECTION 33, AND THE SOUTHEAST 1/4 OF SECTION 28, TOWNSHIP 2 NORTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, MULTNOMAH COUNTY, OREGON
DECEMBER 13, 2018

DECLARATION

KNOW ALL PEOPLE BY THESE PRESENTS THAT DAVID R. LOONEY AND SHAWN S. LOONEY, OWNERS OF THE LAND DESCRIBED HEREON; DO HEREBY MAKE, ESTABLISH AND DECLARE THE ANNEXED MAP, AS DESCRIBED IN THE ACCOMPANYING SURVEYOR'S CERTIFICATE, TO BE A TRUE AND CORRECT PLAT THEREOF; AND HAVE CAUSED THE PARTITION TO BE PREPARED AND THE PROPERTY PARTITIONED IN ACCORDANCE WITH THE PROVISIONS OF O.R.S. CHAPTER 92; ALL PARCELS BEING OF THE DIMENSIONS SHOWN.

BY: David R. Looney
DAVID R. LOONEY

Shawn S. Looney
SHAWN S. LOONEY

LAND DIVISION CASE NUMBER T1-2018-11141

APPROVED THIS 20 DAY OF February, 2019
PLANNING DIRECTOR,
MULTNOMAH COUNTY, OREGON

BY: [Signature]
DELEGATE

APPROVED THIS 20th DAY OF February, 2019
COUNTY SURVEYOR,
MULTNOMAH COUNTY, OREGON

BY: [Signature]

ACKNOWLEDGEMENT

STATE OF OREGON } SS
COUNTY OF MULTNOMAH

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON February 15, 2019
BY DAVID R. LOONEY.

[Signature] COMMISSION NO. 980840
NOTARY SIGNATURE

Abbygale Stutzman MY COMMISSION EXPIRES November 1, 2022
NOTARY PUBLIC - STATE OF OREGON

ALL TAXES, FEES, ASSESSMENTS OR OTHER CHARGES AS PROVIDED BY O.R.S. 92.095 HAVE BEEN PAID AS OF February 21st, 2019.

DIRECTOR,
DIVISION OF ASSESSMENT & TAXATION,
MULTNOMAH COUNTY, OREGON
BY: [Signature]
DEPUTY

STATE OF OREGON } SS
COUNTY OF MULTNOMAH

I DO HEREBY CERTIFY THAT THE ATTACHED PARTITION PLAT WAS RECEIVED FOR RECORD AND RECORDED February 21st, 2019 AT 12:28 P.M. AS PARTITION PLAT NO. 2019-10, COUNTY RECORDING OFFICE

BY: Dalai A. Mayberry
DEPUTY
DOCUMENT NO. 2019-018382

ACKNOWLEDGEMENT

STATE OF OREGON } SS
COUNTY OF MULTNOMAH

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON February 15, 2019
BY SHAWN S. LOONEY.

[Signature] COMMISSION NO. 980840
NOTARY SIGNATURE

Abbygale Stutzman MY COMMISSION EXPIRES November 1, 2022
NOTARY PUBLIC - STATE OF OREGON

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

REGISTERED PROFESSIONAL LAND SURVEYOR
Carla J. Meritt
OREGON
JULY 13, 2004
CARLA JO MERITT
74286LS
RENEWS: DEC. 31, 2020

MacKay Sposito 1325 SE TECH CENTER DRIVE, SUITE 140
VANCOUVER, WA 98683
ENERGY PUBLIC WORKS LAND DEVELOPMENT VANCOUVER: (360) 695-3411
www.mackaysposito.com PORTLAND: (503) 289-6726
FAX (360) 695-0833

CALC BY: <u>ADC</u>	DRAWN BY: <u>ADC</u>	JOB NO.: <u>17123</u>
CHECKED BY: <u>CJM</u>	FILE: <u>17123_PP1.DWG</u>	SHEET 2 OF 2