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October 17, 2017

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VIA EMAIL

Mr. Dan Holladay, Mayor City of Oregon City City Commission 625 Center Street Oregon City, OR 97045

Re: City of Oregon City File No. TP 17-02; Application by Icon Construction and Development for an 11-Lot Subdivision Located at 19510 Leland Road

Dear Mayor Holladay and Members of the Oregon City City Commission:

This office represents Icon Construction and Development (the "Applicant"). Icon has submitted a tentative land division application to the City of Oregon City ("City") requesting an approval for an 11-lot subdivision in the R-8 single family dwelling district.

1. Introduction.

The approval of the 11-lot subdivision meets the applicable approval criteria. The Applicant has proposed changes to certain conditions of approval (**Exhibit 1**). The Applicant requests that the City Commission approve the subdivision application with the conditions of approval as recommended by staff but as modified in **Exhibit 1**.

The City Commission can also find that the Applicant's proposed construction of a private street open to the public and a stormwater swale for stormwater runoff from the private street within the 50-foot wide easement recorded before the City took title to the property that is now Wesley Lynn Park is permitted by Oregon City Charter Chapter X, Section 41.

2. The Oregon City Charter Allows Construction of a Private Street Open to the Public and a Stormwater Swale for the Street within a 50-foot Wide Easement.

The City Commission must first find that pursuant to Oregon City Charter Chapter X, Section 41(b), the construction of the private street and its stormwater swale does not change the legal status of the park. The City Commission can conclude that using an existing easement recorded in 1962 for its intended purpose does not change the legal status of the park. The City knowingly took title to the Wesley Lynn Park property subject to the recorded easement. Therefore, the City Commission can find that the proposed private street and stormwater swale do not change the legal status of the park.

The second question the City Commission must decide is whether the private street and the stormwater swale are "permanent buildings or structures" and, if so, are they being used for "other than for recreational purpose and park maintenance"? The City Commission can find, as explained in the City's Attorney memorandum, that the private street and stormwater swale are neither buildings nor structures as those words are used in the Oregon City Charter.

Further, the City Commission can find that the current proposal is not the same proposal that the voters considered in the last two elections. The proposed private street is only 12-feet wide and the stormwater swale serves only the private street's stormwater.

For all of these reasons, the City Commission is well within its authority in interpreting the City Charter to conclude that the three proposed improvements on Wesley Lynn Park within the existing 50-foot wide easement do not require approval of the legal voters of the City.

3. Applicant's Response to Public Comments on Application.

Several members of the public have submitted testimony on the Application. The Applicant appreciates these comments but, for the following reasons, they do not provide a basis for the City Commission to deny the Application. The Applicant's responses to the comments are shown below.

A. Melissa Dunhan.

Ms. Dunhan submitted a comment on July 18, 2017 stating "I am opposed to this development ... P.S. we don't need another parking lot either." The Applicant appreciates Ms. Dunhan's comment and concern. However, this comment is not directed at the approval criteria for the Application, and is therefore not a proper basis for the City to deny the Application.

B. Jeffery Dunhan.

Mr. Dunhan submitted a comment on July 18, 2017 stating "I am opposed to this development." The Applicant appreciates Mr. Dunhan's comment and concern. However, this comment is not directed at the approval criteria for the Application, and is therefore not a proper basis for the City to deny the Application.

C. Lyndsay and Bran Johannesen.

Mr. and Mrs. Johannesen submitted a comment on July 18, 2017 stating "I am opposed to this development." The Applicant appreciates Mr. and Mrs. Dunhan's comment and concern. However, this comment is not directed at the approval criteria for the Application, and is therefore not a proper basis for the City to deny the Application.

D. Ben Schneider.

Mr. Schneider submitted a comment on July 18, 2017 stating "I am opposed to this development." The Applicant appreciates Mr. Schneider's comment and concern. However, this comment is not directed at the approval criteria for the Application, and is therefore not a proper basis for the City to deny the Application.

E. Harley Canaday.

Mr. Canaday submitted a comment on July 18, 2017 stating "I am opposed to this development, in its current form. Developer, Icon Construction, should not be allowed to use public park for street. Make them use their own land instead of drawing from the public purse for private gain." The Applicant appreciates Mr. Canaday's comment and concern. However, the Roadway that the Applicant proposes to construct is within a roadway easement that burdened the park property when the City took title to it. Therefore, the Applicant has the legal right to construct the Roadway. Furthermore, the Applicant does not propose to construct any part of its subdivision proposal on City property.

F. Anna M. Wilson.

Ms. Wilson submitted a comment on July 18, 2017 "I am opposed to this development." The Applicant appreciates Ms. Wilson's comment and concern. However, this comment is not directed at the approval criteria for the Application, and is therefore not a proper basis for the City to deny the Application.

G. Samantha Haynes.

Ms. Haynes submitted a comment on July 18, 2017 stating "I am opposed to this development." The Applicant appreciates Ms. Haynes' comment and concern. However, this comment is not directed at the approval criteria for the Application, and is therefore not a proper basis for the City to deny the Application.

H. Ryan Haynes, 12663 Pavilion Place.

Mr. Haynes submitted a comment on July 18, 2017 stating "I am opposed to this development." The Applicant appreciates Mr. Haynes' comment and concern. However, this comment is not directed at the approval criteria for the Application, and is therefore not a proper basis for the City to deny the Application.

I. Brian and Tracy Buchholz.

Mr. and Mrs. Buchholz submitted a comment on July 18, 2017 stating "I am opposed to this development." The Applicant appreciates Mr. and Mrs. Buchholz's comment and concern. However, this comment is not directed at the approval criteria for the Application, and is therefore not a proper basis for the City to deny the Application.

J. Silvia Cleven.

Ms. Clevek submitted a comment on July 18, 2017 stating "I am opposed to this development. We have enough new homes in the area. We need a place for kids and dogs to play." The Applicant appreciates Ms. Clevek's comment and concern. However, this comment is not directed at the approval criteria for the Application, and is therefore not a proper basis for the City to deny the application.

K. (Name Illegible).

The individual who resides at this address submitted a comment on July 18, 2017 stating "I am opposed to this development." The Applicant appreciates this individual's comment and concern. However, this comment is not directed at the approval criteria for the Application, and is therefore not a proper basis for the City to deny the Application.

L. Angie Shroufe.

Ms. Shroufe submitted a comment on July 18, 2017 stating "I am opposed to this development." The Applicant appreciates Ms. Shroufe's comment and concern. However, this comment is not directed at the approval criteria for the Application, and is therefore not a proper basis for the City to deny the Application.

M. Melissa Batchelor.

Ms. Batchelor submitted a comment on July 18, 2017 stating "I am opposed to this development." The Applicant appreciates Ms. Batchelor's comment and concern. However, this comment is not directed at the approval criteria for the Application, and is therefore not a proper basis for the City to deny the Application.

N. Scott Eden.

Mr. Eden submitted a comment on July 18, 2017 stating "I am opposed to this development." The Applicant appreciates Ms. Eden's comment and concern. However, this comment is not directed at the approval criteria for the Application, and is therefore not a proper basis for the City to deny the Application.

O. Eri Cleven.

Mr. Cleven submitted a comment on July 18, 2017 stating "I am opposed to this development. We have voted this down twice already!" The Applicant appreciates Mr. Cleven's comment and concern. City voters have not voted on the Application, including the Applicant's proposal to construct the Roadway as that proposal is currently pending before the City Commission. The Application satisfies all applicable approval criteria. Moreover, Mr. Cleven's comment is not directed at the applicable approval criteria.

P. Cherilyn SunRidge.

Ms. SunRidge submitted a comment on July 18, 2017 stating "I am opposed to this development. Hundreds of families come to this park, from immediate and distant neighborhoods, to avail themselves of this beautiful space. Have you seen them? Please retain one of our spacious city parks. Thank you." The Applicant appreciates Ms. SunRidge's comment and concern. However, no part of the Applicant's subdivision proposal is located in Wesley Lynn Park or any other City park. The Applicant proposes to construct its subdivision entirely on private land. The Application proposes to use an existing roadway easement within Wesley Lynn Park to construct a Roadway, and the Applicant is legally entitled to do so. Furthermore, this comment is not directed at the approval criteria for the Application, and is therefore not a proper basis for the City to deny the Application.

Q. Inyo Saleeby.

Inyo Saleeby submitted a comment on July 18, 2017 stating "I am opposed to this development." The Applicant appreciates Ms. Saleeby's comment and concern. However, this comment is not directed at the approval criteria for the Application, and is therefore not a proper basis for the City to deny the Application.

R. (Name Illegible).

The individual who resides at this address submitted a comment on July 18, 2017 stating "I am opposed to this development. Please do not compromise our parks. Our parks are as important as high-end housing." The Applicant appreciates this individual's comment and concern. However, no part of the Applicant's subdivision proposal is located in Wesley Linn Park or any other City park. The Applicant proposes to construct its subdivision entirely on private land. Furthermore, this comment is not directed at the approval criteria for the Application, and is therefore not a proper basis for the City to deny the Application.

S. Patricia Lang.

Ms. Lang submitted a comment on July 18, 2017 stating "I am opposed to this development. Is the roadway becoming 4 lanes? Current roads are not enough to support more traffic. Are stop lights (signals) going to be an addition? Schools? How about a place to walk, relax? How about a place my eyes can 'rest' and my ears can enjoy the birds sing? Why does anything need to be built there? No parking lots, apartments, houses, etc. Leave the taxpayers something. City cannot keep the roads up now and someone wants to add more expansion? Nothing has been accomplished on our roads except more traffic and the addition of 5 new neighborhoods. Stop!" The Applicant appreciates Ms. Lang's comment and concern. Chapter 16 of the Oregon City Municipal Code sets forth the approval criteria for subdivision applications, including approval criteria pertaining to traffic, transportation, and related improvements. The Application complies will all such approval criteria. Ms. Lang's comment is not otherwise directed at the approval criteria for the Application, and is therefore not a proper basis for the City to deny the Application.

T. (Name Illegible).

The individuals who reside at this address submitted a comment on July 18, 2017 stating "I am opposed to this development." The Applicant appreciates this comment and concern. However, this comment is not directed at the approval criteria for the Application, and is therefore not a proper basis for the City to deny the Application.

U. Misty M. Schneider.

Ms. Schneider submitted a comment on July 18, 2017 stating "I am opposed to this development." The Applicant appreciates Ms. Schneider's comment and concern. However, this comment is not directed at the approval criteria for the Application, and is therefore not a proper basis for the City to deny the Application.

V. David Betensky.

Mr. Betensky submitted a comment on July 20, 2017 stating "I'm writing to you to object to the 11 home development that borders Wesley Lynn Park. Please don't cave to this build. Reject this development! We can't afford to lose park area for yet more homes. This park is a gem of the City and losing any of its area is unacceptable. The traffic it will generate will make it unsafe for children that walk and ride bikes to and from the park as well as dogs that use the unleashed area." The Applicant appreciates Mr. Betensky's comment and concern. Chapter 16 of the Oregon City Municipal Code sets forth the approval criteria for subdivision applications, including approval criteria pertaining to traffic. The Application complies will all such approval criteria. Furthermore, no part of the subdivision the Applicant proposes will be built on City property and so the subdivision will not result in loss of park space. Mr. Betensky's comment is

not otherwise directed at the approval criteria for the Application, and is therefore not a proper basis for the City to deny the Application.

W. Desiree Graham.

Ms. Graham submitted a comment on July 24, 2017. Ms. Graham's comment objects to the Application on the grounds that it will "destroy green space attached to Wesley Lynn Park." Ms. Graham's comment requests consideration for "the safety to children and their families who use this park[.]" Ms. Graham's comment argues it would be "very sad" to "see our dogs lose [the field in front of the park] and it really compromises the whole park area." Ms. Graham's comment also argues that Oregon City voters voted against the Application. The Applicant appreciates Ms. Graham's comment and concern. However, City voters have not voted to reject the Application. The Application satisfies all applicable approval criteria, including all criteria pertaining to safety. No part of the subdivision the Applicant proposes will result in a loss of City park space as the Applicant proposes to build the subdivision entirely on private land.

X. Bob and Nancy Hargitt.

Mr. and Mrs. Hargitt submitted a comment on July 23, 2017. Mr. and Mrs. Hargitt's comment expresses opposition to the Application and states, among other things, "My vote would be NO to this development application ... The quantity of homes and the increase of traffic around this area requires very serious control of more developments, so that the parks and green-ways can be kept." The Applicant appreciates Mr. and Mrs. Hargitt's comment and concern. However, approval of the Application depends upon its satisfaction of the applicable approval criteria, not a vote of City residents.

Y. Karen Betensky.

Ms. Betensky submitted a comment July 20, 2017 stating her "concern" and "disapproval" of the Application because it will "take precious play area from our park." The Applicant appreciates Ms. Betensky's comment and concern. However, the subdivision the Applicant proposes will not take play area from the City park. The subdivision the Applicant proposes is entirely on private land. The Applicant does not propose to build any part of the subdivision on City/park land. Ms. Betensky's comment is not directed at the approval criteria for the Application and is not, therefore, a proper basis on which to deny the Application.

Z. Patricia Rovainen.

Ms. Rovainen submitted a comment on July 21, 2017 expressing opposition to the application on the grounds that the applicant built a home in Ms. Rovainen's neighborhood that, in Ms. Rovainen's opinion, "looks cheap and tacky." The Applicant appreciates Ms. Rovainen's

comment and concern. However, this comment is not directed at the approval criteria for the Application and is therefore not a proper basis to deny the Application.

AA. Phillip Abraham.

Mr. Abraham submitted a comment on July 17, 2017 expressing opposition to the Application on the grounds that it will "destroy" an "excessive amount of green space" and jeopardize the safety of children at Wesley Linn Park. The Applicant appreciates Mr. Abraham's comment and concern. However, the subdivision the Applicant proposes will not destroy or reduce the amount of park land as the Applicant proposes to build it entirely on privately owned land. Furthermore, the Application complies with all applicable approval criteria, including those pertaining to the safety of the community.

BB. Sarah Briggs.

Ms. Briggs submitted a comment on July 28, 2017 expressing her opposition to the Application due to "the impact of this proposed subdivision on the wetlands and leash free zone that are in the section of Wesley Lynn Park that is being proposed as part of this application." Ms. Briggs' comment states that "The voters of Oregon City said 'no' to the easement that was proposed through Wesley Lynn Park last spring and as one of those voters, I did so wishing to preserve the park for our wildlife, kids and dogs." The Applicant appreciates Ms. Briggs' comment and concern. However, City voters did not reject the easement within which the Applicant proposes to construct the Roadway. City voters cannot reject, by a vote, the existence of that easement, which predated the City's acquisition of the park property. The City took title to the property subject to the easement. Furthermore, the Applicant has demonstrated that the Application complies with all applicable approval criteria, including any pertaining to wetlands and/or natural resources. Furthermore, the subdivision the Applicant proposes will be built entirely on privately owned land and no part of Wesley Lynn Park will be part of the subdivision. The road that the Applicant proposes to build in Wesley Lynn Park is on a private easement that burdened the park land when the City took title to it in 2002.

4. Conclusion.

The Applicant respectfully requests that the City Commission approve the land division and find that the private street and stormwater swale serving the private street do not change legal status of Wesley Lynn Park and are not structures. The Applicant respectfully requests that the City Commission approve the application with the changes to the conditions of approval described in Mr. Givens October 13, 2017 letter.

Very truly yours,

Michael C. Robinson

MCR:rsr Enclosure

cc: Mr. Mark Handris (via email) (w/ encl.)

Mr. Darren Gusdorf (via email) (w/ encl.)

Mr. Rick Givens (via email) (w/ encl.)

Mr. Mike Ard (via email) (w/ encl.)

Ms. Laura Terway (via email) (w/ encl.)

Mr. Pete Walter (via email) (w/ encl.)

Ms. Carrie Richter (via email) (w/ encl.)



October 13, 2017

Rick Givens
Planning Consultant
18680 Sunblaze Dr.
Oregon City, Oregon 97045

Ms. Laura Terway Community Development Director City of Oregon City PO Box 3040 Oregon City, Oregon 97045

RE: TP 17-02: Parker Knoll

Dear Laura:

We received Wendy Marshall's email in response to my letter of October 12th regarding concerns that we had regarding some of the proposed conditions of approval for Parker Knoll. Based on her comments, I believe that we can resolve our concerns. We are proposing the following revisions to the conditions of approval, with language to be deleted shown in strike-through font and language to be added underlined:

2. The 10-foot wide pedestrian path provided within the park property shall be Americans with Disabilities Act (ADA) compliant and have a ramp at the pedestrian crossing located at the intersection of Reddaway Ave and Leland Road. A 5-foot wide pedestrian path shall also be provided to establish connectivity with the sidewalk along the eastside of the proposed road that turns from Reddaway Ave toward Kalal Ct. The development shall also provide a midblock pedestrian path with ADA compliant ramps from the south side of Reddaway Ave. A midblock crushed rock access path, five feet in width, shall be provided from the north side of Reddaway Ave., through the filter strip, to facilitate access to the 10-foot wide pedestrian path within Wesley Park to alleviate inconvenient travel patterns for local pedestrian.

Comment: Ms. Marshall's email indicates that she is in agreement with the analysis of pedestrian traffic provided in my Oct. 12th letter, but suggests that we provide an alternative to avoid people walking through filter strip plantings. Theta Engineering has provided a letter dated Oct. 12, 2017 (attached) that suggests the crushed rock accessway.

3. Reddaway Ave from Leland Road easterly to the proposed bend shall have improvements consisting of 28 feet of pavement (2) 0.5' Curb, (1) 5' planter with street trees along the south side, (1) 5' sidewalk along the south side, (1) 0.5' behind sidewalk along the south side and streetlights. The applicant shall dedicate a minimum of 25-feet of right-of-way (ROW) at the intersection with Leland Road and transitioning, as shown on the preliminary plan, to a minimum of 27-feet of right-of-way (ROW) south of the northern property line, or that width required to fully encompass the 5-foot sidewalk and 0.5-foot public access strip.

Comment: Ms. Marshall's email comments agreed with this proposal.

phone: 503-479-0097 | fax: 503-479-0097 | e-mail: rickgivens@gmail.com

- 4. Reddaway Avenue south of the proposed bend shall consist of 28 feet of pavement, (2) 0.5' Curb, (2) 5' planter <u>swale</u> with street trees, (2) 5' sidewalk, (2) 0.5' behind sidewalk, and streetlights.
- 5. The sidewalk along Reddaway Avenue shall be located within the ROW, either by dedicating 50 feet of ROW south of the proposed bend (preferred), or with a curb tight sidewalk within a sidewalk easement adjacent to the proposed 40-foot ROW

Comment: Ms. Marshall stated in her email that the justification provided in our application narrative for the reduced street section modification was not sufficient. We did not raise the issue of the loss of a lot that would result if the applicant were required to dedicate more than 40 feet of right-of-way. The following table is from our application narrative and demonstrates that the average lot size is 8,077 sq. ft. The minimum average lot size required by the R-8 zone is 8,000 sq. ft. The applicant cannot dedicate more right-of-way than the 40 feet shown on the site plan for that stretch of Reddaway Avenue without losing a lot. As a result, we request that the modified width be approved as shown in the revised Conditions 4 and 5 above.

Lot No.	Lot Area (6,400 sq. ft.	Lot Width	Lot Depth
	min., 8,000 sq. ft. avg.)	(60 ft. Min)	(75 ft. Min.)
1	13,631 sq. ft.	73 ft.	186 ft.
2	6,472 sq. ft.	60 ft.	108 ft.
3	6,480 sq. ft.	60 ft.	108 ft.
4	9,648 sq. ft.	65.9 ft.	130 ft.
5	7,591 sq. ft.	65.9 ft.	98.8 ft.
6	6,480 sq. ft.	60 ft.	108 ft.
7	6,402 sq. ft.	60 ft.	107 ft.
8	6,736 sq. ft.	65.8 ft.	103 ft.
9	6,799 sq. ft.	70.9 ft.	97 ft.
10	9,455 sq. ft.	100.5 ft.	94.1 ft.
11	9,158 sq. ft.	100.5 ft.	94.1 ft.
	Average Lot Area = 8,077 sq. ft.		

13. The applicant shall complete all public improvements prior to final plat or provide financial guarantee for the construction of the public improvements in a manner acceptable to the City Engineer Attorney.

Comment: Ms. Marshall agreed that this is the correct language per OCMC 16.12.105.C,

17. A street tree plan shall be submitted in accordance with 12.08. A-fee in lieu is permitted for the trees located along the private street frontage.

Comment: Ms. Marshall did not comment on this condition of approval. We do not believe that the code requires the applicant to place street trees on the park property and request that the second sentence be stricken, as shown.

We request that you include this letter in the record and let us know what the staff response to these proposed changes will be. Thank you for assistance.

Sincerely yours,

Rick Givens

Cc: Wendy Marshall, Mark Handris, Mike Robinson



Supplemental analysis

Park Knoll

October 12, 2017

NARRATIVE:

A meandering sidewalk is planned to be separated from the road improvements on gentle slopes of 5-6% maximum. With a 6-foot width sloping to the north and away from the road improvements the impact from the impervious area is very small at any one point. To evaluate the impact a 50-foot length was assumed.

Filter Strip:

Using the ODOT criteria the minim length is considered is 5-feet and typically only is used for water quality but with infiltration can use sized for quantity as well.

Assume 50-feet section where there is 6-feet of sidewalk followed by 5-feet of filter and using the 25-year storm of 4.0 in/hr the overall rainfall quantity, including the filter strip is calculated at 0.01cfs. Using 2in/hr as the infiltration rate the 5X50 foot strip will infiltrate 0.012 cfs. This test area demonstrates that all the storm water will infiltrate within the 5-foot filter strip.

WES BMP Sizing

Using the WES sizing method with the same 50-foot section and walk a vegetated swale would need only a 30SF area. This would result in a 6-foot wide swale only 5-feet in length, and present difficulty in channeling the runoff to the swale.

CROSSING THE FILTERSTRIP

Crushed rock travel lanes could be provided at intervals which could provide infiltration and crossing the filter strip features.

Prepared by Bruce D. Goldson, PE

Laura Terway

From: Espinoza, David (US - CSS) <david.espinoza@meggitt.com>

Sent: Tuesday, October 17, 2017 12:02 PM

To: Laura Terway

Subject: Stop Wesley Linn Park from being destroyed

Dear Laura,

As a resident of Oregon City, I am concerned about the destruction of Wesley Linn Park. I live across the street from the park and my family and I enjoy the peacefulness of the park setting.

Having part of the park destroyed by adding additional homes and traffic is not in the best interest of the existing community.

Please help stop Icon Construction from forcing its will by bypassing a third vote of the people.

It would be a travesty for the city to allow our park space to be destroyed in order for a construction company to make a profit.

Sincerely,

David Espinoza

Chief Inspector

OECO

4607 SE International Way Milwaukie, OR 97222 USA

Tel: +1 (971) 233 7463 Fax: +1 (503) 659 3447 david.espinoza@meggitt.com

www.meggitt.com

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Questions, Concerns and Comments regarding Parker Knoll subdivision

- 1. Does Icon Construction have easement rights: Easement poorly defined in sentence in 55 year old document.
 - a. Is this a gross easement or an appurtenant easement? Gross easement rights do not transfer to subsequent property owners.
 - b. In speaking with Carrie Richter, Deputy City Attorney, on 10/18/17, she stated she could not remember if she reviewed all of the deeds that would help define easement status. Also refused to answer whether her firm, Bateman/Seidel, has ever in the past or currently been retained by Icon Construction.
 - c. This raises questions of a potential conflict of interest.
- 2. Easement rights change as land use changes
 - a. Oregon statue and significant case law permits modification of easements.
 - b. OWRCW summarizes statutes very nicely in the following paragraph:

Permitted Uses and Modification of Use (See Section IIC OWRCW – pages 5-6)

Generally, unless the easement contains an express statement to the contrary, use of an easement may be adjusted to conform to newly arising needs that the parties reasonably should have expected to develop in the natural use of the land under the easement. This principle is limited, however, by the rule that an easement owner may not materially increase the burden or impose new burdens on the underlying landowner

- c. Icon should have expected when purchasing land adjacent to a designated public park that easement rights could be affected.
- d. Icon's proposed use of the easement would cause undo burdens on the City. Who is maintaining the road, drainage system and bio swale purposed on this easement?
- e. City has multiple remedies including eminent domain and adverse possession to nullify any of Icon's claimed easement rights.
- 3. The purpose of laws is to protect the rights of people and property
 - a. The Oregon City Charter is an example of such laws to protect the rights of people and property.
 - b. It carefully and intentionally has specific language to protect park lands and to insure that any modification of such park land requires a vote of the people.
 - c. The people have voted twice saying that they do not want a road and the associated mechanisms ie. drainage, sidewalks, bio swale, curbing.
 - d. Icon Construction is attempting to use legal maneuvering to deny the people a vote. Icon's previous proposal wanted to use the entire easement for roadway and it's associated mechanisms, utilities etc. The new proposal is STILL using the easement for a road and associated mechanisms, the very thing the people have said no to twice.

ENTERED INTO THE RECORD
DATE RECEIVED: 16/18/17
SUBMITTED BY: David and Phylip Abraham
SUBJECT: Item 6 b

Over:

Attn: Committee Members:

I know you have been inundated with a plethora of information regarding the purposed Parker Knoll subdivision. To avoid giving you yet another novel of notes, I will simplify my points to the core issues of this debate.

The crux of the matter is that Icon Construction is trying to create their own definition of "structure" such that said definition excludes "roads". By doing so, Icon avoids their subdivision proposal from going in front of the peoples vote for a third time. As you know it has been defeated in the two prior votes.

The state of Oregon along with many other governing bodies at all levels are very clear in their definitions of a "structure":

ORS 310.140 - Legislative findings — definitions
(q) "Structure" means any temporary or permanent building or improvement to real property of any kind that is constructed on or attached to real property, whether above, on or beneath the surface

(https://www.oregonlaws.org/ors/310.140

Oregon Residential Specialty Code – Part II Definitions, Page 10 – STRCUTURE. That which is built or constructed. (https://codes.iccsafe.org/public/chapter/content/6789/)

Oregon Structural Code – Chapter 2 Definitions, Page 44 - STRCUTURE. That which is built or constructed.

(http://ecodes.biz/ecodes_support/free_resources/Oregon/14_Structural/PDFs/Chapter%202%20-%20Definitions.pdf)

International Zoning Code – Section 202 General Definitions – (A) STRUCTURE. That which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner. (https://codes.iccsafe.org/public/document/code/557/9891436)

Oregon City Municipal Code – OCMC 17.04.1215 – STRCUTURE. Anything constructed or erected that requires location on the ground.

As you can see in five different State and City definitions, NOT ONE of them has verbiage that excludes "roads" under the definition of a structure. In fact a road is a very complex structure. This quote from The Institution of Structural Engineers very eloquently sums it up.

The Road as a Structure

THE average man would probably say that a road is not a structure, but indeed it is a very complex one. In all forms of structural engineering where the engineer is concerned to overcome the forces of nature, his problem commences at the bottom, whether the structure is a bridge, a road, or a skyscraper. The security and permanence of his foundations control the life of the structure, and in no form of engineering is this truer than in the building of a highway.

H.E. Brooke-Bradley

Icon Construction's other point that a road cannot be a structure due to it not being vertical, is also false:

A road is a structure that lies beneath, on and above the ground surface. Engineers must determine many factors before a road can be constructed. There is excavation, drainage and environmental concerns. You have a substructure foundation beneath that must include drainage considerations. A substantial road bed constructed of multiple fill layers requires structural engineering to determine weight and load capacities. The final layer itself is above the surface to allow for proper drainage and water shed. Also the curbing and sidewalks are definitely ABOVE the surface. These are all part of the road structure. It doesn't matter about the above vertical. It's above, on and beneath.

By Icon Construction's definition, underground parking structures would not be structures. Underground houses would not be structures. Sewer systems would not be structures, bunkers, subways, etc etc.

It is called road con-STRUCTION. It requires civil, geologic, environmental, highway, transportation, and STRUCTURAL engineers. The root of the word construction is structure.

You don't paint a road on the ground, you construct it because it is in fact a very complex structure.

Since there is no clear definition in the Charter of what a structure is, a definition must be chosen from one of the five City and State definitions provided. The state definition carries the most weight from a legal perspective. However, in every one of those definitions, a structure is well defined and would include roads. Thus the public should again be able to vote on a structure being constructed on park land. Thank you.

Philip Abraham

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To: Mayor Holladay and City Commissioners

From: Carrie Richter

Re: Parker Knoll - Next Steps and Decision Options

Date: 10/18/2017

DATE RECEIVED: 10 18/17
SUBMITTED BY: Carra Richter
SUBJECT: Them lab.

This memorandum summarizes the next steps and decision options that the Commission may have with regard to Parker Knoll subdivision and charter interpretation request before you:

If a request to continue the hearing is received, the Commission must either:

- Continue this proceeding to a date certain of December 6 and the record will remain open until that hearing; or
- Close the public testimony portion of the hearing but leave the record open to additional
 written testimony with the following schedule and returning to the City Commission for a
 tentative decision on November 15. The schedule that the City will follow for the submittal of
 additional materials is as follows:
 - Any additional materials for the Commission's consideration must be received by Laura Terway in the Planning Office, by email or by hand, before 3:30 pm by Wednesday, Oct. 25;
 - Any materials that respond to the material submitted during the initial open record period must be received Ms. Terway no later than 3:30 pm on Wednesday, Nov. 1;
 - The applicant will be given one additional week to submit final written argument or until Wednesday, Nov. 8. After that point the record will closed and no further materials will be permitted.

The City Commission will reconvene on November 15 for a decision.

Close the public record, deliberate and make one of the following tentative decisions:

- Approve the application finding that the subdivision criteria are met and the City Charter does not require voter approval;
- Approve the application finding that the subdivision criteria can be met and if voter approval is required, include the following condition of approval:
 - Prior to recording the plat for the proposed land division, the applicant shall obtain approval by the legal voters of Oregon City for the [change in the legal status of and/or the construction of permanent structures within] Wesley Lynn Park as identified in Section 41 of the Oregon City Charter; or
- Deny the application finding that the subdivision criteria cannot be met.

Once a tentative decision is made, staff will draft findings consistent with the decision and return for adoption at a subsequent meeting.

entered into the recor	D
DATE RECEIVED 16/18/17	
SUBMITTED S. Laura le	Cha au
SUBJECT: Item 66:	

Recommended Subdivision Conditions of Approval (Revised October 18, 2017) Planning File TP 17-02

No recommendation is provided as to how the Charter effects the proposal.

The applicant shall include the following information with submittal of a public improvement and/or grading permit and/or construction plan review associated with the proposed application. The following items shall be completed prior to final plat.

- The applicant shall demonstrate compliance with all Oregon City Public Works standards and design policies. (DS)
- 2. The 10-foot wide pedestrian path provided within the park property shall be Americans with Disabilities Act (ADA) compliant and have a ramp at the pedestrian crossing located at the intersection of Reddaway Ave and Leland Road. A 5-foot wide pedestrian path shall also be provided to establish connectivity with the sidewalk along the eastside of the proposed road that turns from Reddaway Ave toward Kalal Ct. The development shall also provide a midblock pedestrian path with ADA compliant ramps from the south side of Reddaway Ave to the 10 foot wide pedestrian path within Wesley Park to alleviate inconvenient travel patterns for local pedestrian. (DS)
- 3. Reddaway Ave from Leland Road easterly to the proposed bend shall have improvements consisting of 28 feet of pavement (2) 0.5' Curb, (1) 5' planter with street trees along the south side, (1) 5' sidewalk along the south side, (1) 0.5' behind sidewalk along the south side and streetlights. The applicant shall dedicate a minimum of 25 feet of ROW at the intersection with Leland Road to allow alignment with existing Reddaway Avenue, transitioning as shown on the preliminary street and utility plan dated May 9, 2017 to a minimum of 27-feet of right-of-way (ROW) south of the northern property line, or that width required to fully encompass the 5-foot sidewalk and 0.5-foot public access strip. (DS)
- 4. Reddaway Avenue south of the proposed bend shall consist of 28 feet of pavement, (2) 0.5' Curb, (2) 5' planter with street trees, (2) 5' sidewalk, (2) 0.5' behind sidewalk, and streetlights. (DS)
- 5. The sidewalk along Reddaway Avenue shall be located within the ROW, either by dedicating 50 feet of ROW south of the proposed bend (preferred), or with a curb tight sidewalk within the proposed 40 foot ROW. Reddaway Avenue south of the proposed bend shall have 40-foot ROW. The sidewalks along this segment are permitted to be curb-tight, or within easements to accommodate roadside stormwater facilities. (DS)
- 6. The stormwater plan and report shall be revised and resubmitted to meet submittal requirements of the Stormwater and Grading Design Standards, and shall include. The report shall give adequate justification for the utilization of a non-standard stormwater management facility such as a filter strip, clarification of areas to be treated with filter strip,. The applicant shall provide infiltration tests locations and results which conform to Appendix D of the Stormwater and Grading Design Standards. (DS)
- 7. The stormwater plan and report shall be revised and resubmitted with facilities designed in accordance with Chapter 4 of the Stormwater and Grading Design Standards. (DS)
- 8. The applicant shall submit a Residential Lot Grading Plan adhering to the City's Residential Lot Grading Criteria. All grading of building sites shall conform to the State of Oregon Structural Specialty Code, Chapter 18 and the requirements Chapters 15.48, 16.12, 17.47 of the Oregon City Municipal Code and the Public Works Stormwater and Grading Design Standards. (DS)
- 9. The applicant shall provide an 8" water main with fire hydrants in accordance with City and Clackamas Fire District #1 standards. The applicant shall provide each lot with an individual meter and water service from the water main. (DS)

- 10. The development shall provide a 10-foot-wide Public Utility Easement (PUE) along all property lines fronting an existing or proposed ROW; no PUE is required adjacent to the segment located on Wesley Lynn Park property. (DS)
- 11. The applicant shall sign a Non-Remonstrance Agreement for the purpose of making sanitary sewer, storm sewer, water or street improvements in the future that benefit the Property and assessing the cost to benefited properties pursuant to the City's capital improvement regulations in effect at the time of such improvement. (DS)
- 12. The applicant shall submit a photometric plan with the construction plan submittal to facilitate the design of street lights. (DS)
- 13. The applicant shall complete all public improvements prior to final plat or provide financial guarantee for the construction of the public improvements in a manner acceptable to the City EngineerAttorney. (DS)
- 14. The applicant shall obtain an erosion and sediment control permit from the City and a 1200-C permit from Oregon Department of Environmental Quality prior to construction activities. (DS)
- 15. Applicant shall obtain from Clackamas County all permits required for work in Leland Road right-of-way.
- 16. Right-of-way dedication and improvements along Leland Road shall be per Clackamas County standards, including 25-foot half-street widening with curb and gutter, 5-foot planter strip, 5-foot sidewalk, street trees, and 39-foot ROW from centerline. Final design shall be reviewed and approved by Clackamas County.
- 17. A street tree plan shall be submitted in accordance with 12.08. A fee in lieu is permitted for the trees located along the private street frontage. (P)
- 18. All buildings proposed to be demolished shall be removed. (P)
- 19. The applicant shall submit documentation demonstrating that the lot coverage for proposed Lot 1 is less than 40%. (P)
- 20. The applicant shall submit a plan identifying protection of existing trees per OCMC 17.41.130. (P)
- 21. The applicant shall submit CC&R's for the subdivision (if applicable) which do not conflict with the Oregon City Municipal Code. (P)

The applicant shall include the following information prior to issuance of an occupancy permit associated with the proposed application. The information shall be approved prior to issuance.

- 1. Per Annexation AN 07-01, each new home submitted before July 1, 2018 is required to provide a fee of \$3,500.
- 2. Any future development of Lot 1 shall comply with the requirements in OCMC 16.12.070.
- 3. Prior to occupancy of each dwelling, the applicant shall record a covenant for the lot identifying the number of existing and mitigation trees onsite and plant the required number of mitigation trees. The covenant and tree planting for Lot 1, which contains an existing home, shall be completed prior to occupancy of the first home in the development. The applicant may choose to utilize option 4 in addition to option 1 if it may be demonstrated that the mitigation trees cannot physically fit onsite.

(P) = Verify that condition of approval has been met with the Planning Division. (DS) = Verify that condition of approval has been met with the Development Services Division.



19376 Molalla Avenue, Ste. 120, Oregon City, OR 97045

F. 503-650-0189

DATE RECEIVED: 16/18/17

DATE RECEIVED: 16/18/17 SUBMITTED BY: Michael Ro

SUBJECT: Item 66.

October 18, 2017

To: Mr. Darren Gusdorf
General Manager, Commercial and Residential Division

ICON Construction and Development, LLC

P. 503-650-0188

Re: City of Oregon City, Community Development and Planning Case File No. TP 17-02 Located at 19510 Leland Road, Oregon City, OR

Mr. Gusdorf:

This letter is in regards to the location of a 50-foot wide easement appurtenant to that certain property described in Exhibit "C" of that deed recorded as Document No. 2016-087784, Clackamas County Deed Records. This easement was originally granted "for road purposes" to benefit the subject property by deed recorded in Book 615, Page 119, and referenced again "with the right to use in common with others for road purposes" in deed recorded as Document No. 68-005716. This appurtenant easement is also listed in the title report produced by Fidelity National Title Company of Oregon, Title No. 45141511342, dated February 5, 2016.

In 2016, this office prepared an "Existing Conditions Map" and a "Record of Survey for Property Line Adjustment" for this property. In the course of our efforts, we reviewed the above referenced Title Report and deed documents, along with several other pertinent deeds and survey records. The 50-foot wide easement was mapped in accordance with all of the relevant and applicable evidence. This easement lies immediately adjacent to the subject property, with the southwesterly boundary of said easement being coincident with the northeasterly boundary of the subject property. Our "Record of Survey for Property Line Adjustment" was submitted to and reviewed by the Clackamas County Surveyor's Office, and recorded on February 2, 2017, as Survey No. 2017-029 in their public records. As the stated purpose of our survey was "for a future subdivision", the Clackamas County Surveyor's Office standard for review includes correctly mapping any and all appurtenant easements. Furthermore, the location of this easement is also mapped on another "Record of Survey", Survey No. 29757, Clackamas County Survey Records, which was prepared for and on behalf of the City of Oregon City in 2002. Said Survey No. 29757 shows the 50-foot wide easement in the same location as shown on our maps.

I have reviewed the "Staff Report Recommendation" dated October 10, 2017, prepared City of Oregon City Community Development – Planning department, and the maps included therein do show the easement in the correct location.

I hope this letter helps to clarify and remove any doubt as to the existence and location of the subject easement. Should you or any other interested party have further questions, please feel free to contact me directly.

Toby G Bolden, PLS, CFedS

Survey Manager

Centerline Concepts Land Surveying, Inc.

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(A.)



STATUTORY WARRANTY DEED

ORECON CITY SCHOOL DISTRICT NO. 62		
conveys and warrants toCITY_OF_OREGON_CITY.	a municipal corporation	, Grantor,
the following described real property free of liens and energy free that the following description SEE EXHIBIT "A" A	cumbrances, except as specifically set forth herein:	, Grantee,
This property is free of liens and encumbrances, EXCEPT River Water District and subject to the recorded in Book 618, page 390	F: Premises are within the boundaries of levies and assessments thereof; Easements	f Clacka ent
THIS INSTRUMENT WILL NOT ALLOW USE OF T VIOLATION OF APPLICABLE LAND USE LAWS A THIS INSTRUMENT, THE PERSON ACQUIRING FI THE APPROPRIATE CITY OR COUNTY PLANNING DETERMINE ANY LIMITS ON LAWSUITS AGAINS ORS 30.930.	ND REGULATIONS, BEFORE SIGNING OR ACCEP BE TITLE TO THE PROPERTY SHOULD CHECK W DEPARTMENT TO VERIFY APPROVED USES AND	TING ITH O TO
The true consideration for this conveyance is \$654	,000,00 (Here comply with the requirements of C	PS 93.030)
Dated this 21stday of September 19 98		
OREGON CITY SCHOOL DISTRICT NO. 62	131	
KENNETH W. REZAC, BUSINESS MANAGER	BARRY J. ROTROCK, SUPERINTENDENT	•
STATE OF OREGON County of CLACKAMAS }ss.		
and Kenneth W.	B , before me appeared Barry J. Rotrock Rezac both to me po	
known, who being duly sworn, did say that he, the said is the YYESTERN, THE SAN SUPF	ERINTENDENT and the Kenneth W. Rezac	
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Ishih ike katalih shih sehi Masi shekel and katala in belia Barry J. Rotrock and	Kenneth J. Rezac ackn	owledge
	auph. Oregon City School District No. 62 By hand and affixed my official seal the day and year las	
OFFICIAL BEAL FRANCES E. MILLER NOTARY PUBLIC-OREGON COMMISSION NO. 041454	Frances E Mile	Oregon.
MY COMMISSION EXPIRES APPIL 9, 1999	My Commission expires 4/9/99	
Title Order No. 851934 Escrow No. 98070871	THIS SPACE RESERVED FOR RI 98-0882	214
After recording return to: CITY OF OREGON CITY		
320 Warner Milne Rd		
Oregon City, OR 97045 Name, Address, Zlp		
Until a change is requested all tax statement shall be sent to the following address.		
GITY OF OREGON CITY 320 Warner Milne Rd		
Oregon City, OR 97045		

EXHIBIT"A"

Part of the John S. Howland Donation Land Claim No. 45, in Section 7, Township 3 South, Range 2 East, of the Willamette Meridian, in the County of Clackamas and State of Oregon, described as follows:

Beginning at a stake at the most Westerly corner of that tract conveyed to Tualatin Ventures, Inc., by Deed recorded in Book 599, page 352, Deed Records, which said point is South 43° West 31.72 chains from the most Northerly corner of said Howland Donation Land Claim; thence running South 45' 45' East 684.00 feet to the most Southerly corner of that tract conveyed to Donald L. Fowler and Vern Fowler by Deed recorded December 14, 1962 in Book 615, page 119, Deed Records, and the true point of beginning of the tract of land herein to be described; thence North 43° East along the Southeasterly line of said Fowler Tract and its Northeasterly extension 8.00 chains, more or less, to a point on the Northeasterly line of that tract conveyed to John Pulse, et us, by a Deed recorded Pebruary 25, 1964 in Book 636, page 190. Deed Records; thence South 46°45' East along the Northeasterly line of said Pulse Tract and the Northeasterly line of that tract conveyed to John Pulse by a Deed recorded March 10, 1964 in Book 636, page 699, Deed Records, 1131.00 feet, more or less, to the most Easterly corner of said last described Pulse Tract; thence South 42°30' West 8.00 chains, more or less, to the most Southerly corner of said last described Pulse Tract; thence North 45°45' West to the true point of beginning.

TOGETHER WITHan easement for ingress, egress and all utility purposes being 50 feet in width over and aeross a tract of land which is part of the John S. Howland Donation Land Claim No. 45 situated in Section 7, Township 3 South, Range 2 East, of the Willamette Meridian, in the County of Clackamas and State of Oregon, the Southwesterly line of which is described as follows:

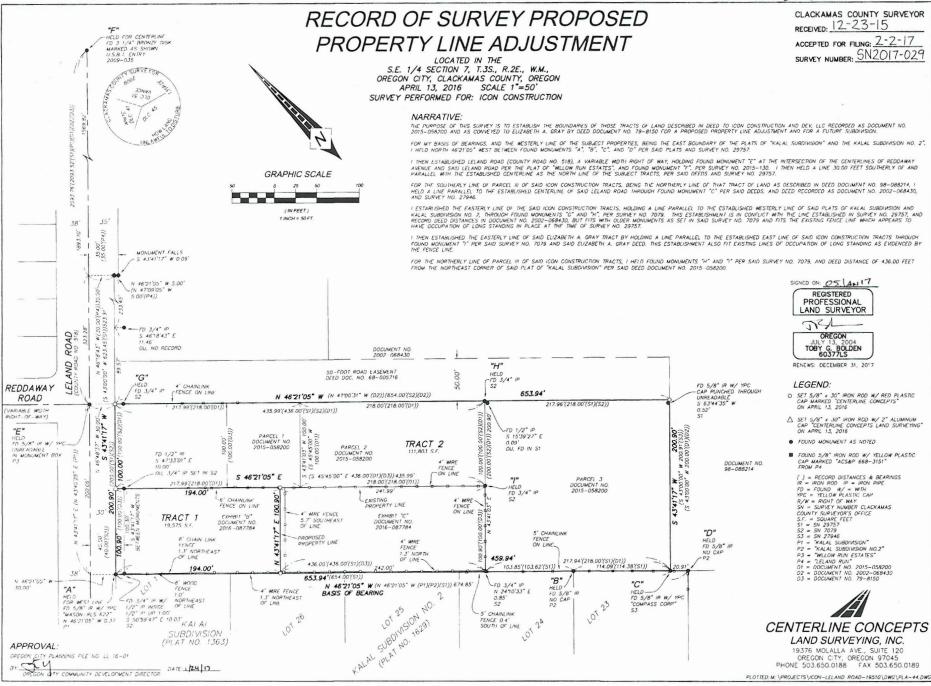
Beginning at a stake at the most Westerly corner of that tract conveyed to Tualatin Ventures, Inc., by Deed recorded in Book 599, page 352, Deed Records, which said point is South 43 °West 31.72 chains from the most Northerly corner of said Howland Donation Land Claim; thence running South 45 °45 'Bast 684.00 feet to the most Southerly corner of that tract conveyed to Donald L. Fowler and Vem Fowler by Deed recorded December 14, 1962 in Book 615, page 119, Deed Records; thence North 43 °00' Bast a distance of 200.00 feet to the most Easterly corner of said Fowler Tract and the true point of beginning of the Southwesterly line herein to be described; thence North 45 °45' West along the Northeasterly line of said Fowler Tract, a distance of 654.00 feet to the Southeasterly line of Leland Road, County Road No. 518 and the terminus of the herein described Southwesterly line.

STATE OF OREGON 98-088214
CLACKAMAS COUNTY
Received and placed in the public
records of Clackamae County
RECEIPT# AND FEE: 78838 \$20.00
DATE AND TIME: 09/22/98 10:17 AM
JOHN KAUFFMAN, COUNTY CLERK

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		KNOW ALL MEN BY THESE PRESENTS, That TUNLATIN VEHTURES, ING. a corporation duly organized and existing under the laws of the State of OREGON	
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Ur the		to it puid by DONALD L. FOWLER AND VERN FOWLER	4
		does hereby grant, bargain, sell and convey to said DONALD L. FOWLER AND VERN FOWLER	
		heirs and assigns forever, the following teal property, with the tenements, hereditaments and appur- tenumes thereunto belonging, or in unywise appertaining; and also all its estate, right, title and interest, at law and equity, therein and thereto, situated in the	
	-	County of the John S. Howland D.L.C. No. 45 in T.3.S.R.2.E, of the	
		M.M., in the County of Clackamas and State of Orggon, more particularly described as follows:	
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		conveyed to Tualatin Ventures, Inc., by deed recorded in Book 599 page 352, records of Clackamas County. Oregon, which said point is South 43 deg. West 31.72 chains from the most Northerly corner of	
		said Howland D.L.C.: thence running South 45 deg. 45' East 684 feet; thence Korth 43 deg. East 200 feet; thence North 45 deg. 45' West 684 feet to the Northorly line of said Howland D. L.C.; thence	
c .	(3)	South 43 deg. West 200 feet to the place of beginning.	
	2	ALSO an easement 50 feet in width adjoining the above tract along the Northeasterly line thereof, for road purposes utility	152
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		TO HAVE AND TO HOLD the same to the said DONALD L. FOWLER and VERN FOWLER.	<i>3</i> 5
		heirs and assigns forever. And the said TURLATIH VERTURES, INC INC TOWNED Le. Fowler	. 6
	3	and VERN FOWLER and their legal representatives forever, that it is inwitity seized in fee simple of the above described and granted premises, and has a valid right to convey same;	
		that the said real property is free from all encumbrances, except rights of the public in and to the County Road along the Northwesterly line.	
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	1	and that it will, and its successors shall WARRANT AND DEFEND the same to the said grantee, the Ir heirs and assigns lorever, against the tewful claims and demands of all persons whomsoever.	
	1 .	pursuant to a resolution of its Board of Directors, duly and legally adopted, has cause these presents to be signed by its	
	-	Secretary and its corporate scal to be allixed this 29th day of November 1962.	
		TUALATIN VENTURES, INC.	
		Executed in the presence of By / // WWW. President	
		6 11 W/16 will	
		B) Ch C / Secretary	
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WARRANTY DEED WARRANTY DEED TUMAATH WINTERES 186.2. TUMAATH WINTERES		my official seal the day and year last above written.
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Civil Engg. road section, asphalt road cross section, flexible road internal structure

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Related to this Page

Highway Engineering

Location Survey for Roads

- Urban Highway Location
- Highway Maintenance

Types of Road Intersections

- Flexible Pavements
- ✓ Rigid Pavements radio
- Comparison of **Pavements**

Typical Highway Cross Section

- Traffic Loading Analysis
- Geometric Design of Highways
- Design of Pavements

Road Structure Cross Section

Civil Engineering ▶ Highway & Transportation Engineering ▶ Typical Cross-Section of Flexible Pavements (Roads)

Typical Road Structure Cross Section - Road Cross Section Details

Composition of Road Structure:

Road Structure Cross Section is composed of the following components

- 1. Sub Base
- 2. Base Course

Advertisements

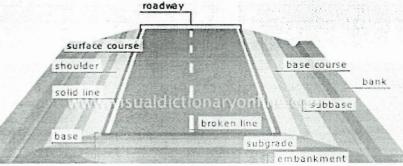
- 3. Sub Grade
- 4. Surface/Wearing Course

1. Sub Bases:

above subgrade generally natural gravel. It is usually not provided on subgrade of good quality.

a. Function of Sub base in Road Cross Section

- It enables traffic stresses to be reduced to acceptable levels in subgrade in the Road Cross Section.
- It acts as a working plate form for the construction of upper pavement layers.
- Acts as a drainage layer, by protecting the subgrade from wetting up.
- It intercept upward movement of water by capillary action.



Sub Base Base Course Surface Wearing Course Other Subjects		nd road base. nt the two laye up.	By ers	earth foundation Base:	ditch slope
Hydraulic Structures Technical Writing Environmental	stable sub-base. The ma	terial should h	nave the following	n organic matter and should be able to be cog characteristics: ould not be less than 3.	mpacted by roller, to form
Environmental Engineering Structural Analysis Civil Related Links Jobs Final Year Projects	Fraction passing s Should have a L.L P.I not greater tha CBR should not be In coarse grain, ag	ieve #200 sha not greater th n 6 e less than 25 ggregate retail of any particle	all not be greater nan 25%. . ✓ See Also: C ned by #10 sieve e shall not be gre	than 2/3rd of the fraction passing sieve #40.	
Suggest us, What to	arve was mass or to	ni Agar <mark>B.S S</mark> i	ieve Size is vs		
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37.5					9
50		80-100 3	50	100	9
37.5		80-100 3	50	100 80-100	
37.5		60-100 3 60-100 3	50 37.5 20	100 80-100 60-100	9

0075

5-25

^{*} To avoid intrusion of silt and clay material in sub-base from subgrade

D15 (sub base) < 5

D15 (sub grade)

Cintrate

quality of the appregate for this surpose.

Recommended plasticity characteristic for granular Sub Base (Road Note 31) are;

Climate	Liquid Limit (L.L)	Plasticity Index (P.I)
Moist or wet tropical	< 35	< 6
Seasonal wet tropical	< 45	< 12
Arid & Semi Arid	< 55	< 20

2. Sub Grade in Road Structure Cross Section:

3. Base Courses in Road Structure Cross Section

readt is the layer immediately under the wearing surface (Applied whether the wearing surface is bituminous or cement it is the laver immediately under the wealing su concrete and whether he a think or thin hit minute concrete and whether its a thick or thin bituminous layer).

As base course lies close under the parement. As base course lies close under the pavement surface it is subjected to severe loading. The material in a base course mus he of extra may high quality and its construction must be done carefully. The LA Abrasion test can determine the quality of the aggregate for this purpose.

a. Types of Base Course

1. Granular Base Course:

mixture of soil particles ranging in size from to soil particles ranging in size from coarse to fine. Processing involves crushing oversized particles and screening this necessary to a section the desired gradie, where it is necessary to secure the desired gradie. The requirements of a satisfactory soil aggregate surface are;

- Stability
- Resistance to abrasion
- Resistance to penetration of water
- Capillary properties to replace moisture lost by surface evaporation upon the addition of wearing course requirement change.

2. Macadam Base:

Successive layers of crushed rock mechanically locked by rolling and bonded by stone screening (rock duct, stone chips etc).

3. In-water bound Macadam:

The crushed stones are laid, shaped and compacted and then finer materials are added and washed into surface to provide a dense material.

4. Treated Bases:

Compose of mineral aggregate and additive to make them strong or more resistant to moisture. Among the treating agents is bitumen.

4. Surface/Wearing Course in pavement cross section:

The top layers of pavement which is in direct contact with the wheel of the vehicle. Usually constructed of material in which bitumen is used as binder materials.

a. Bituminous Pavement:

sts of combination of mineral aggregate with Consists of combination of mineral aggregate with bituminous binder ranging from inexpensive surface treatment ¼ in or less assurance and accordance to a consists of combination of mineral aggregate with bituminous binder ranging from inexpensive surface treatment ¼ in or less assurance for good service throughout the full life, bituminous pavement must retain the following qualities:

Freedom from cracking or raveling.

Fixedom from cracking or raveling

amon hinding and non society surface.

- Resistance to weather including the effect of surface water heat and cold.
- Resistance to internal me store, parabularly to v Resistance to internal moisture, particularly to water vapors.
- The tempermeable surface or perous surface (if an Tight impermeable surface or porous surface (if either is needed for contained stability of underlying base or subgrade).
 - Smooth riding and non skidding surface.

esign should be done so that to meet the aboThe design should be done so that to meet the above requirements for considerable number of years (need proper design and action supervision). Pavements meeting all the requirements above can be produced if these construction processes are followed:

- Heat a viscous bituminous binder to make it fluid. Then in a plant, mix it with heated aggregate. Place and compact the mixture while it is hot.
- Use fluid bituminous binder. Mix it with aggregate at normal temperature. Mixing may be done at a plant (plant mix) or on the prepared roadway base (road mix). Spread and compact the mixture at normal temperature.

- Add solvent such as naphtha or kerosene to a viscose bituminous binder to make it fluid with aggregate at normal temperature by either plant or road mix methods. Spread and compact at normal temperature before solvent evaporates.
- Use fluid emulsion of viscous bituminous binder in watee. Mix it with aggregate at normal temperature by either plant or road mix method. Spread and compact at normal temperature before the emulsion breaks down with its components.
- the compact class offices addregate 💻 Spread and compact clean crushed aggregate as for water bound macadam. Over it, spray heated dissolved or emulsified bituminous binder which penetrates open areas of the rock and binds the aggregate together. Thus is commonly called "Penetration Method".
- Spread intentingue binder over the roadway sur# Spread bituminous binder over the roadway surface then cover it with properly selected aggregate. This is commonly called the "Inverted Penetration Method".

ions based on the requirements and econom Selections based on the requirements and economy, large volume of heavy vehicles, low traffic volume etc.



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