

LAND USE APPLICATION

Application Type: PROPERTY LINE ADJUSTMENT

APPLICANT INFORMATION

(Check one box below for designated contact person regarding this application)

Applicant Name: PACIFIC REALTY ASSOCIATES LP Daytime Phone: 503.624.6300
 Mailing Address: 15300 SW SEQUOIA PARKWAY STE 300 Fax Number: _____
 City/State: PORTLAND, OR Zip: 97224 Email: mattho@PACTRUST.com

Agent: WESTECH ENGINEERING - JOSH WELLS Daytime Phone: 503.585.2474
 Mailing Address: 3841 FAIRVIEW INDUSTRIAL DR. SE Fax Number: 503.585.3986
 City/State: SALEM, OR Zip: 97302 Email: jwells@westech-eng.com

PROPERTY INFORMATION

<u>2521 KUEBLER BLVD</u>	<u>10.37AC</u>	<u>8 3W 12C</u>
(Street Address or Location of Subject Property)	(Total Size of Subject Property)	(Assessor Tax Lot Numbers)
<u>NONE - VACANT</u>	<u>RETAIL/COMM.</u>	<u>COMMERCIAL</u>
(Existing Use, Structures, and/or Other Improvements On Site)	(Zoning)	(Comp Plan Designation)

PROPOSED PROJECT INFORMATION

NONE AT THIS TIME.
 (Describe the Proposed Use or Development of Subject Property)

NEIGHBORHOOD ASSOCIATION: _____ CONTACTED? Yes No

The City of Salem recognizes, values, and supports the involvement of residents in land use decisions affecting neighborhoods across the city and strongly encourages anyone requesting approval for any land use proposal to contact the affected neighborhood association(s) as early in the process as possible.

(Describe Contact with the Affected Neighborhood Association) _____ Date Contacted _____

AUTHORIZATION BY PROPERTY OWNER(S) / APPLICANT

*If the applicant and/or property owner is a Limited Liability Company (LLC), please also provide a list of all members of the LLC with your land use application.

- (Property owners and contract purchasers are required to authorize the filing of this application and must sign below)
- 1 All signatures represent that they have full legal capacity to and hereby do authorize the filing of this application and certify that the information and exhibits herewith submitted are true and correct.
 - 2 I (we) hereby grant consent to the City of Salem and its officers, agents, employees, and/or independent contractors to enter the property identified above to conduct any and all inspections that are considered appropriate by the City to process this application.
 - 3 I (we) hereby give notice of the following concealed or unconcealed dangerous conditions on the property: _____

Andrew P. Jones (Signature) ANDREW P. JONES (Print Name) 2/4/10 (Date)
15350 SW SEQUOIA PARKWAY #300 PORTLAND OR 97224 (Address - Include Zip)

 (Signature) (Print Name) (Date)

 (Address - Include Zip)

Received By: <u>AD</u>	STAFF USE ONLY	DO NOT WRITE BELOW - STAFF USE ONLY	Date: <u>2/10/11</u>	Receipt No. <u>16-102872</u>
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PACTRUST REALTY, INC.

WHEREAS, PacTrust Realty, Inc. ("Corporation") is the General Partner of Pacific Realty Associates, L.P., a limited partnership organized under the laws of the State of Delaware (the "Partnership"); ;

WHEREAS, pursuant to Section 7 of the Third Amended and Restated Limited Partnership Agreement of the Partnership dated as of August 5, 1988 (the "Partnership Agreement"), the General Partner of the Partnership has the sole responsibility and authority for the conduct of the Partnership business;

WHEREAS, it is in the best interests of the Partnership and of this Corporation as the General Partner of the Partnership to authorize the officers of this Corporation to perform the actions and to execute the documents which enable this Corporation to perform its duties as the General Partner of the Partnership;

NOW THEREFORE BE IT RESOLVED, that the officers of this Corporation be, and each of them hereby is, authorized and directed to take any and all actions and to execute any and all documents necessary or desirable to enable this Corporation to fulfill its rights, obligations and duties under the Partnership Agreement, including without limitation, the rights, obligations and duties set forth in Sections 6, 7 and 11 of the Partnership Agreement;

RESOLVED FURTHER, that any action previously taken or any document previously executed by any officer of this Corporation on behalf of this Corporation as the General Partner of the Partnership to enable this Corporation to fulfill its rights, obligations and duties under the Partnership Agreement, including without limitation, the rights, obligations and duties set forth in Sections 6, 7 and 11 of the Partnership Agreement be, and the same hereby are, authorized, ratified and approved.

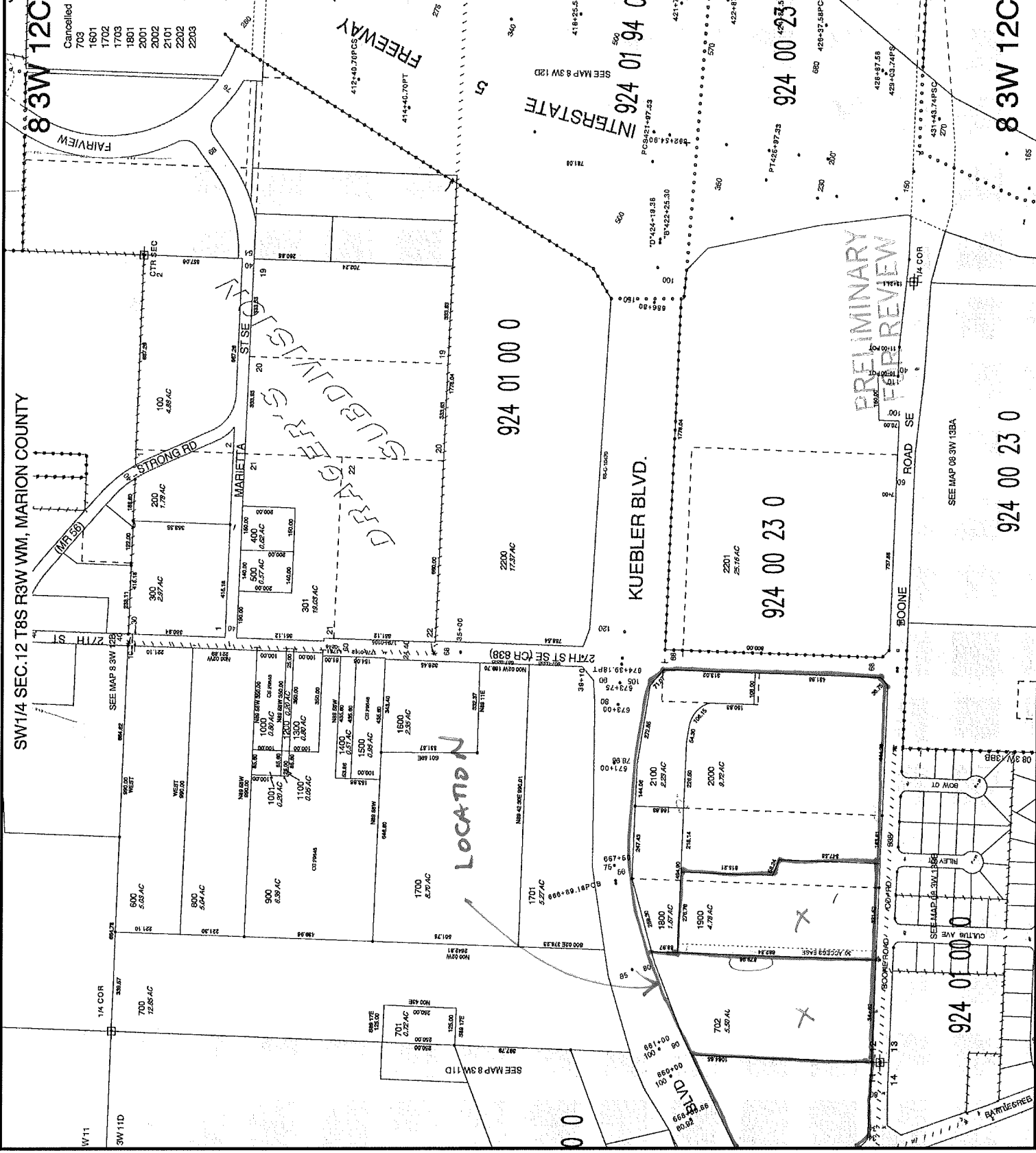
Certificate

I, Terry L. O'Toole, Secretary of PacTrust Realty, Inc., a Delaware corporation, hereby CERTIFY that (1) the foregoing is a true and correct copy of resolutions approved and adopted by the Board of Directors of said Corporation by unanimous written consent without a meeting on December 26, 1989 and that (2) said resolutions are in full force and effect on the date hereof and have not been amended or rescinded.

Dated: July 23, 2009



Terry L. O'Toole, Secretary



LEGEND

LINE TYPES

- TAX LOT BOUNDARY - - - - -
- OLD PROPERTY LINE - - - - -
- VACATED RIGHT-OF-WAY - - - - -
- RAILROAD RIGHT-OF-WAY - - - - -
- RAILROAD - - - - -
- STREAM LAKE, ETC. NON-BOUNDARY - - - - -
- TAX LOT BOUNDARY - - - - -
- SUBDIVISION BOUNDARY - - - - -
- PARTITION PLAT BNDY. - - - - -
- TAX CODE BOUNDARY - - - - -
- EASEMENT - - - - -

SYMBOL TYPES

- T.L.C. - - - - -
- CONTROL POINTS - - - - -
- SURVEY MONUMENTS - - - - -
- C.L.G. CORNERS - - - - -
- SECTION - - - - -
- 1/4 SEC - - - - -
- 1/8 SEC - - - - -
- 1/16 SEC - - - - -

NUMBERS

- TAX CODE NO. 000 00 00 0
- ACRES - ALL ACRES EXCLUDE ANY PORTION THAT MAY LIE WITHIN THE INDICATED PUBLIC RIGHT OF WAY.
- TICK MARKS - WHEN A TICK MARK IS INDICATED ON THE EXTENSION OF A LINE, THEN THE DIMENSION GOES TO THE TICK MARK. GENERALLY THIS IS USED WHEN DIMENSIONS GO INTO PUBLIC RIGHT OF WAY.
- ARROWS ARE USED WITH DIMENSIONS IN AREAS OF GREATER COMPLEXITY.

NOTICE: This map was created for Assessor's Office use ONLY.



SCALE 1" = 200'
 of 1:2400
 Plot file created: March 24, 2009
 Assessor\GIS\SW12C.HF.MXD



After recording return to:
Pacific Realty Associates, L.P.
15350 SW Sequoia Pkwy, Suite 300
Portland, OR 97224

Until a change is requested all tax statements shall be sent to the following address:
Pacific Realty Associates, L.P.
15350 SW Sequoia Pkwy, Suite 300
Portland, OR 97224

File No.: NCS-130127-OR1 (jy)
Date: December 09, 2005

EXISTING DEEDS

ER'S USE

FATCO NCS 130127

STATUTORY WARRANTY DEED

William E. Barna, who acquired title as William Earle Barna and Randy W. Barna, Grantor, conveys and warrants to Pacific Realty Associates, L.P., a Delaware Limited Partnership, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

See Legal Description attached hereto as Exhibit A and by this reference incorporated herein.

This property is free from liens and encumbrances, EXCEPT: As per Exhibit "B" attached hereto and incorporated herein by this reference.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

The true consideration for this conveyance is **pursuant to an IRC 1031 Tax Deferred Exchange on behalf of Grantor.** (Here comply with requirements of ORS 93.030)

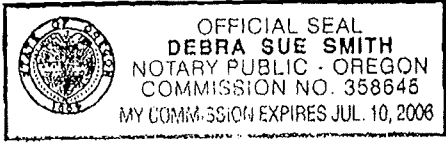
Dated this 18 day of December, 2005.

Randy W. Barna
Randy W. Barna

William E. Barna
William E. Barna

STATE OF Oregon)
)ss.
County of Marion)

This instrument was acknowledged before me on this 18 day of December, 2005
by **Randy W. Barna and William E. Barna.**



Debra Sue Smith
Notary Public for Oregon
My commission expires: 7-10-06

EXHIBIT A

LEGAL DESCRIPTION:

Parcel I:

The East 1/2 of the following described property: Beginning at a point in the South line of Section 12 which is 5.267 chains South 89° 58' East from the Southwest corner of said Section 12, Township 8 South, Range 3 West of the Willamette Meridian, Marion County, Oregon; thence South 89° 58' East 7.50 chains along the South line of said Section 12 to a point; thence North 0° 02' West 13.333 chains to a point; thence North 89° 58' West 7.50 chains parallel with the South line of Section 12 to an iron pipe; thence South 0° 02' East 13.333 chains to the place of beginning. Save and except a parcel of land conveyed to Marion County by Deed recorded August 19, 1961, in Book 536, Page 850, Deed Records for Marion County, Oregon.

Parcel II:

Beginning at a point on the South line of Section 12 which is 12.767 chains South 89° 58' East from the Southwest corner of said Section 12 in Township 8 South, Range 3 West of the Willamette Meridian in Marion County, Oregon; thence South 89° 58' East 7.50 chains along the South line of Section 12 to a point; thence North 0° 02' West 13.333 chains to an iron pipe; thence North 89° 58' West 7.50 chains parallel with the South line of Section 12 to the Northeast corner of a certain 10 acre tract of land owned by Roberta A. Strausbaugh and Earl R. Strausbaugh, Jr., her husband, said deed being recorded in Volume 400, Page 547, Records of Deeds in and for Marion County, Oregon; thence South 0° 02' East along the East line of the said Strausbaugh land, 13.333 chains to the place of beginning.

Save and except that portion conveyed to Marion County, by deed recorded August 18, 1959, in Volume 525, Page 694, Deed Records for Marion County, Oregon.

Also save and except that portion conveyed to the City of Salem by deed recorded January 29, 1988, in Reel 600, Page 197, Film Records for Marion County, Oregon.

1. The assessment roll and the tax roll disclose that the within described premises were specially zoned or classified for Farm use. If the land has become or becomes disqualified for such use under the statute, an additional tax or penalty may be imposed.
2. City Lien in favor of the City of Salem
For: Deferred or Potential
Account No.: 780154
Dated: August 24, 1978
Amount: \$1,608.75
3. An easement for overhead wires and poles and incidental purposes, recorded February 20, 1957 as Vol 497, Page 331 of Official Records.
In Favor of: Portland General Electric
Affects: overhead wires and one pole
4. Limited access provisions contained in Deed to the State of Oregon, by and through its State Highway Commission recorded January 29, 1988 in Reel 600, Page 197 Deed Records, which provides that no right of easement or right of access to, from or across the State Highway other than expressly therein provided for shall attach to the abutting property.
5. An easement for right of way and incidental purposes, recorded January 29, 1988 as Reel 600, Page 198 of Official Records.
In Favor of: City of Salem
Affects: Parcel II
6. An easement for overhead wires and pole and incidental purposes, recorded February 20, 1957 as Book 497, page 307 of Official Records.
In Favor of: Portland General Electric Company, a corporation of Oregon
Affects: South portion of Parcel II
7. An unrecorded lease dated April 1, 2004, executed by Pacific Realty Associates, L.P., a Delaware limited partnership (successor to Barna Enterprises, L.L.C., an Oregon limited liability company, dba Barna Properties) as lessor and Joe D. Andersen as lessee, as disclosed by an **unrecorded** Assignment of Landlord's Interest Under Leases dated December ___, 2005
8. An unrecorded lease dated November 30, 2004, executed by Pacific Realty Associates, L.P., a Delaware limited partnership (successor to Barna Enterprises, L.L.C., an Oregon limited liability company, dba Barna Properties) as lessor and Craig Zulderweg and Gina Bull as lessee, as disclosed by an **unrecorded** Assignment of Landlord's Interest Under Leases dated December ___, 2005

REEL:2579

PAGE: 173

December 13, 2005, 11:56 am.

CONTROL #: 156467

State of Oregon
County of Marion

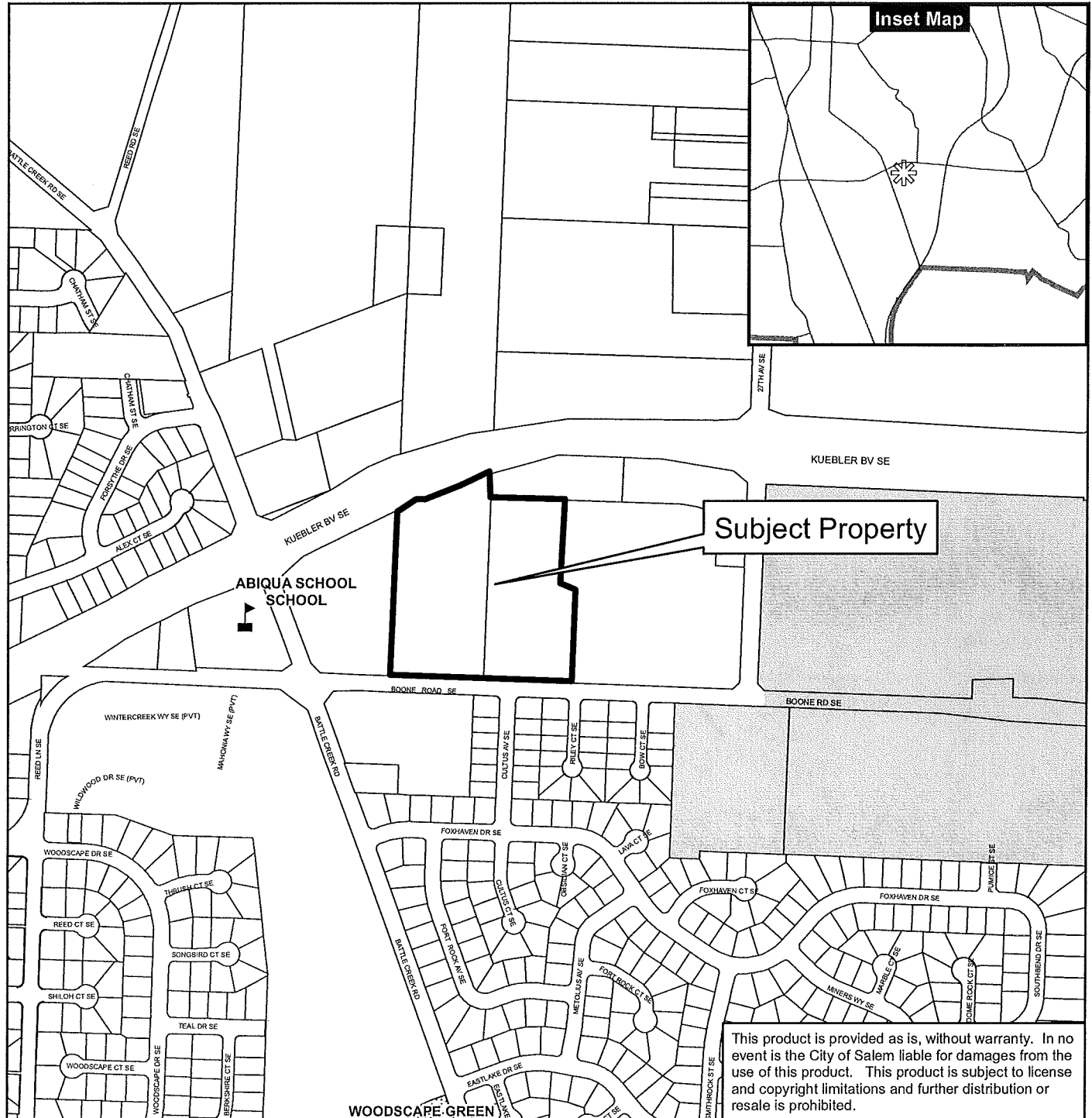
I hereby certify that the attached
instrument was received and duly
recorded by me in Marion County
records:

FEE: \$ 41.00







BILL BURGESS
COUNTY CLERK

THIS IS NOT AN INVOICE.

Vicinity Map 2500 Block of Boone Road SE



Legend

-  Outside Salem City Limits
-  Urban Growth Boundary
-  Taxlots
-  Historic District
-  Schools
-  Parks

0 100 200 400 Feet



CITY OF *Salem*
AT YOUR SERVICE
Community Development Dept.

After recording return to:

Pacific Realty Associates, L.P.
Attn: General Counsel
15350 SW Sequoia Pkwy #300
Portland, OR 97224

Until a change is requested all
tax statements shall be sent to
the following address:

Pacific Realty Associates, L.P.
Attn: Accounting sal000
15350 SW Sequoia Pkwy #300
Portland, OR 97224

THIS SPACE RESERVED FOR RECORDER'S USE

CERTIFIED TO BE A TRUE AND CORRECT
COPY OF THE ORIGINAL RECORDED

ON 7-31-07

IN/AS 28467493

FIRST AMERICAN TITLE INSURANCE

COMPANY, Escrow Department

By 

STATUTORY WARRANTY DEED

SONO, LLC, an Oregon limited liability company, who acquired title as Salem Clinic Building Partner, an Oregon general partnership, Grantor, conveys and warrants to Pacific Realty Associates, L.P., a Delaware limited partnership, Grantee, the following described real property free of all liens and encumbrances, except as specifically set forth herein:

See Legal Description attached hereto as Exhibit A and by this reference incorporated herein.

This property is free from liens and encumbrances EXCEPT as per Exhibit B attached hereto and incorporated herein by this reference.

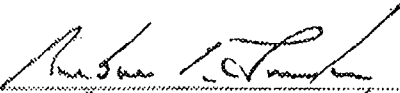
BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY

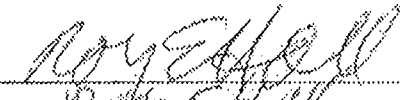
PLANNING DEPARTMENT TO VERIFY APPROVED USES, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 197.352.

The true consideration for this conveyance is pursuant to IRC 1031 Tax Deferred Exchange on behalf of Grantor. (Here comply with requirements of ORS 93.030.)

Dated this 30th day of July, 2007.

SONO, LLC,
an Oregon limited liability company

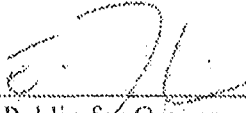
By 
Name Barbara C. Gunder
Title CEO

By 
Name Roy Edgell
Title President

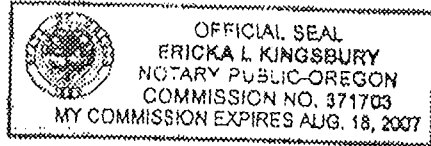
[notary acknowledgments on following page]

STATE OF OREGON)
) ss.
County of Marion)

This instrument was acknowledged before me on this 30 day of July,
2007 by Barbara Gunder as CEO of
SONO, LLC, an Oregon limited liability company.

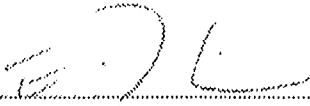


Notary Public for Oregon
My commission expires: August 18, 2007



STATE OF OREGON)
) ss.
County of Marion)

This instrument was acknowledged before me on this 30 day of July,
2007 by Roy Hall as President of
SONO, LLC, an Oregon limited liability company.



Notary Public for Oregon
My commission expires: August 18, 2007

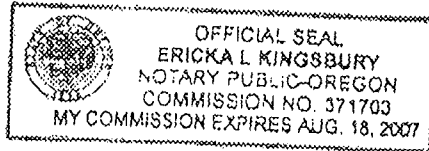


EXHIBIT A

Real property in the County of Marion, State of Oregon, described as follows:

PARCEL I:

All that portion of the herein described property that lies Southerly of the South line of Kuebler Boulevard.

Beginning at the corner common to Sections 11, 12, 13 and 14 in Township 8 South, Range 3 West of the Willamette Meridian, in the City of Salem, County of Marion and State of Oregon; thence West 4.00 chains; thence North $21^{\circ}45'$ West 8.61 chains; thence North $23^{\circ}45'$ West 5.00 chains; thence North 27.00 chains to the Northwest corner of land as described in Deeds of record in Volume 50, page 288 and Volume 51, page 55 of Record of Conveyances in the Recorders Office for Marion County, Oregon; thence East 9.20 chains, along the North line of said land, to the section line between Sections 11 and 12; thence South 39.58 chains to the point of beginning.

EXCEPTING THEREFROM those portions lying with the boundaries of Battle Creek Road and Boone Road.

PARCEL II:

All that portion of the herein described property that lies Southerly of the South line of Kuebler Boulevard.

Beginning at the Southwest corner of Section 12 in Township 8 South, Range 3 West of the Willamette Meridian, in the City of Salem, County of Marion and State of Oregon; thence North $0^{\circ}09'$ East 40.033 chains to the quarter section corner between Sections 11 and 12; thence East 5.145 chains, along the legal subdivision line running East and West through the center of Section 12, to a point; thence South $0^{\circ}02'$ East 40.035 chains to the South line of Section 12; thence North $89^{\circ}58'$ West 5.267 chains to the point of beginning.

EXCEPTING THEREFROM that portion lying within the boundaries of Boone Road.

EXHIBIT B

1. General and special taxes and assessments for the fiscal year 2007-2008, a lien not yet due or payable.
2. An Easement for slopes and incidental purposes, filed February 16, 1989 as Case No. 87C-12160, Circuit Court of Marion County.
In Favor of: The City of Salem
Affects: Westerly portion
3. Abutter's rights of ingress and egress to or from Kuebler Boulevard have been relinquished in the document filed February 16, 1989 as Case No. 87C-12160, Circuit Court of Marion County.



555 Liberty ST SE
Room 320
Salem, OR 97301

Sequence #: 10-102872-LD

Payment #: 10084404

Date: Feb 10, 2010

Check #: 97451

LAND DIVISION

RECEIPT

Customer

PACTRUST
15350 SW SEQUOIA PY SUITE 300
PORTLAND OR 97224

Payment For Address: **2541 BOONE RD SE**

Description	Billed Fees	Previously Paid	Today's Payment	Balance Due
Lot Line Adjustment	\$313.00			
Automation Surcharge	\$5.00			
Processing Fee - PL	\$12.50			
Total for Bill # 662703:	\$330.50	\$0.00	\$330.50	\$0.00

RECEIPT TOTAL:	\$330.50	\$0.00	\$330.50	\$0.00
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Total Paid: \$330.50