

NOTICE OF DECISION

PLANNING DIVISION
555 LIBERTY ST. SE, RM 305
SALEM, OREGON 97301
PHONE: 503-588-6173
FAX: 503-588-6005



Si necesita ayuda para comprender esta informacion, por favor llame 503-588-6173

July 17, 2012

M&T Partners Inc
15350 SW Sequoia Parkway Suite 300
Portland OR 97224

W. Josh Wells
Westech Engineering
3841 Fairview Industrial Dr SE Suite 100
Salem OR 97302

RE: Property Line Adjustment No.12-03, 2500 Block Boone Road SE
Amanda No. 12-108254-LD

REQUEST

A property line adjustment to relocate the common property line between two properties equal to a combined size of approximately 7.5 acres that will result in properties that are approximately 5.0 acres and 2.5 acres, on property zoned CO (Commercial Office) and CR (Retail Commercial), and located in the 2500 block of Boone Road SE 97306 (Marion County Assessor's Map and Tax Lot Number 083W11D 00600 and 083W12C 00702) (Attachment 1).

This is the first of two property line adjustments affecting the subject properties.

FINDINGS

Based on conformance with the following requirements, the proposal to move the common property line between the two units of land (Attachments 2 and 3) has been found to comply with the applicable Salem Revised Code (SRC) standards, including the requirements of SRC 63.147 pertaining to Property Line Adjustments as stated below:

A. Subdivision Code Compliance

1. SRC 63.147(a) provides that:

A property line adjustment relocates one common property line between two abutting units of land. Property line adjustments shall not be used to create an additional unit of land, and may not reduce an existing unit of land below the minimum size allowed under the zoning code.

Property line adjustments shall only be used to relocate common property lines between units of land which were created through partition, subdivision, deed, or other legal instrument which has been recorded.

2. The proposal includes two property line adjustments (PLA12-03 and PLA12-04) to relocate the common property line between two abutting units of land. The first adjustment (PLA12-03) is a westward parallel shift of the line between Tax Lot 083W11D 00600 and Tax Lot 083W12C 00702, as shown in the Record of

Survey (Attachment 2) and proposed Property Line Adjustment Deed (Attachment 3). The second adjustment (PLA12-04) swings the northern portion of the same line to the east, resulting in a bent line that intersects the eastern boundary of Tax Lot 083W12C 00702 at a 90-degree angle, as shown in the Record of Survey on Attachment 4. The decision for PLA12-04 will be issued separately from this decision.

3. The proposed property line adjustment does not create an additional unit of land.
4. The proposed property line adjustment does not reduce an existing unit of land below the minimum size, dimensions, or frontage allowed under the Salem Zoning Code.

B. Zoning Code Compliance

1. The affected properties are zoned CR (Retail Commercial) and CO (Commercial Office). The properties are under common ownership at this time. The properties are currently undeveloped. The applicant has submitted a consolidated Urban Growth Area (UGA) Development Permit and Type II Site Plan Review application indicating that the property will be developed with two office buildings and parking. The proposed line location satisfies all applicable development standards of the Salem Revised Code. Development of the properties is subject to the provisions of the CR and CO zones and all other applicable provisions of the Salem Revised Code. The property line adjustment does not affect zone boundaries.

C. City Department and Public Agency Comments

1. The Salem Police Department, the Salem-Keizer School District, NW Natural Gas, Salem Building and Safety Division, Salem Fire Department, Salem Urban Forester, and Marion County Assessor's Office Cartographer all reviewed the proposal and indicated no objections.
2. The Salem City Surveyor reviewed the proposal and provided a copy of the City Surveyor Review of Property Line Adjustment Survey packet including submittal requirements and a property line adjustment deed template (Attachment 5).

CONCLUSION

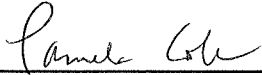
Based upon the requirements of SRC 63.147, the property line adjustment request was reviewed for compliance with applicable zoning code criteria. The Planning Administrator certifies that the property line adjustment is in conformance with the zoning code, providing compliance occurs with any applicable items noted above.

The applicant is required to have a field survey and legal descriptions prepared and recorded per SRC 63.147(d) and (e). The surveyor of record takes the survey and legal descriptions to the appropriate county for recording.

Please note that it is the owner/developer's responsibility to record all necessary documentation with the appropriate county. To expedite any future land use

applications or building permits, submit a copy of the recorded survey and deed with your application(s).

If you have any questions regarding items in this letter, please feel free to contact me at 503-540-2309 or pcole@cityofsalem.net.

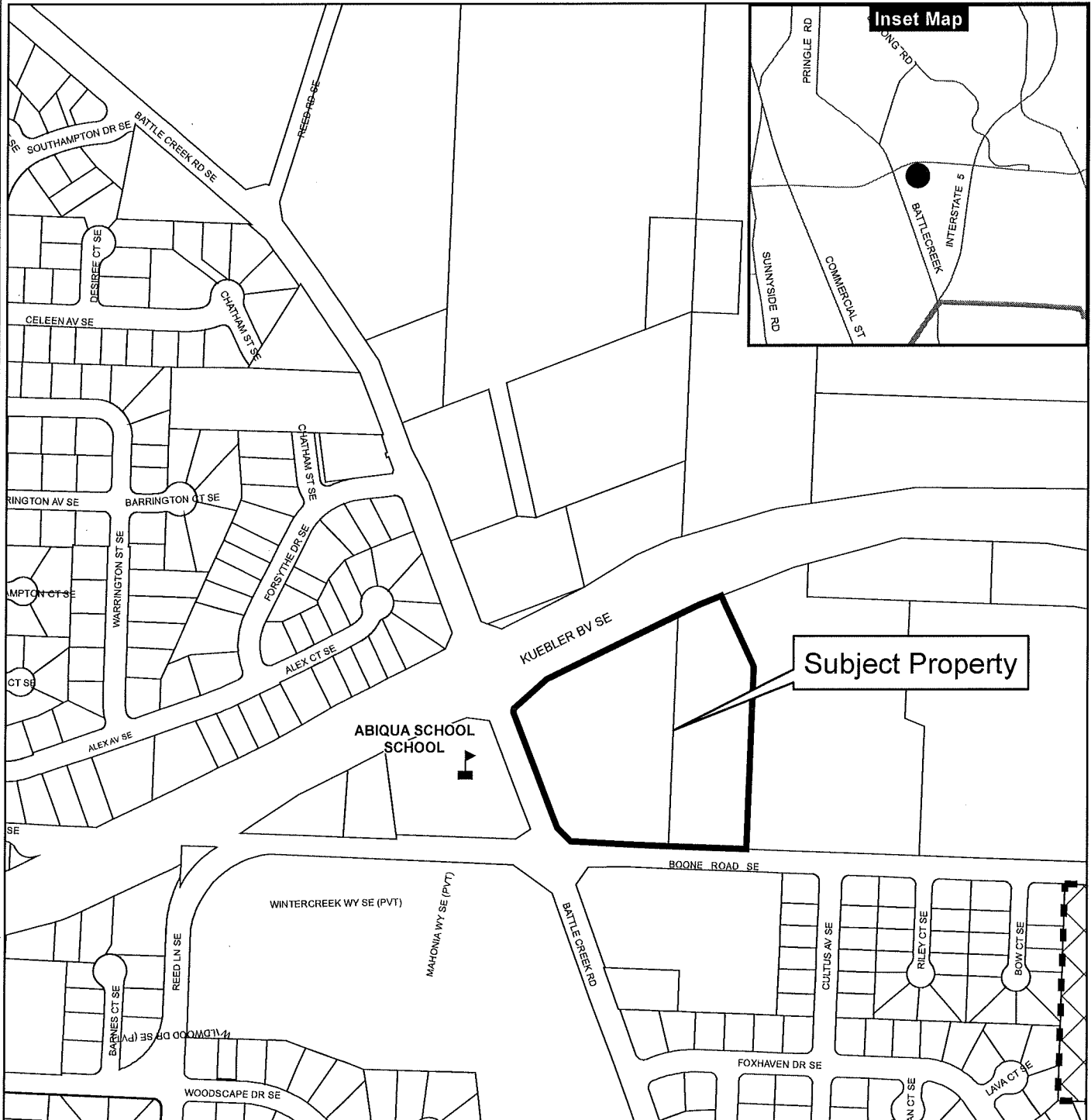


Pamela Cole, Planner II

- Attachments:
1. Vicinity Map
 2. Property Line Adjustment Record of Survey PLA12-03
 3. Proposed Property Line Adjustment Deed and Exhibits PLA12-03
 4. Property Line Adjustment Record of Survey PLA12-04
 5. City Surveyor Review of Property Line Adjustment Survey Packet

C:\Users\pcole\Documents\PLA12-03\PLA12-03 Deed.docx

Vicinity Map 2500 Block of Boone Rd SE



Legend

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

CITY OF Salem
AT YOUR SERVICE
Community Development Dept.

0 100 200 400 Feet



ATTACHMENT 1

RECORD OF SURVEY

LOCATED IN THE S.E. ONE-QUARTER OF SECTION 11 AND
THE S.W. ONE-QUARTER OF SECTION 12, T. 8 S., R. 3 W.,
W.M., CITY OF SALEM, MARION COUNTY, OREGON

SURVEYED: MAY 15, 2012

WHPacific

9756 SW Barnes Rd, Suite 300
Portland, OR 97225
503-526-0465 Fax: 503-526-0775
www.whpacific.com

1 N 1



NARRATIVE

THE PURPOSE OF THIS SURVEY IS TO MONUMENT A PROPERTY LINE
ADJUSTMENT AS APPROVED BY THE CITY OF SALEM PLANNING
DEPARTMENT. THE BOUNDARIES OF THE ORIGINAL PARCELS WERE
ESTABLISHED PER FOUND AND HELD MONUMENTS WHICH FIT
DIMENSIONALLY WITH THE DEED CALLS RECORDED IN REEL 3337.
PAGE 174 OF THE MARION COUNTY DEED RECORDS.

THE NEW PROPERTY LINE WAS ESTABLISHED TO ACCOMMODATE
FUTURE DEVELOPMENT FOR M & T PARTNERS, INC. AND IS
MONUMENTED AS SHOWN.

BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS SURVEY IS BASED ON OREGON
NORTH, STATE PLANE COORDINATES: NAD83/91 AND IS SHOWN HERE
ON AS NORTH 65°25'13" EAST.

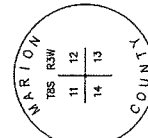
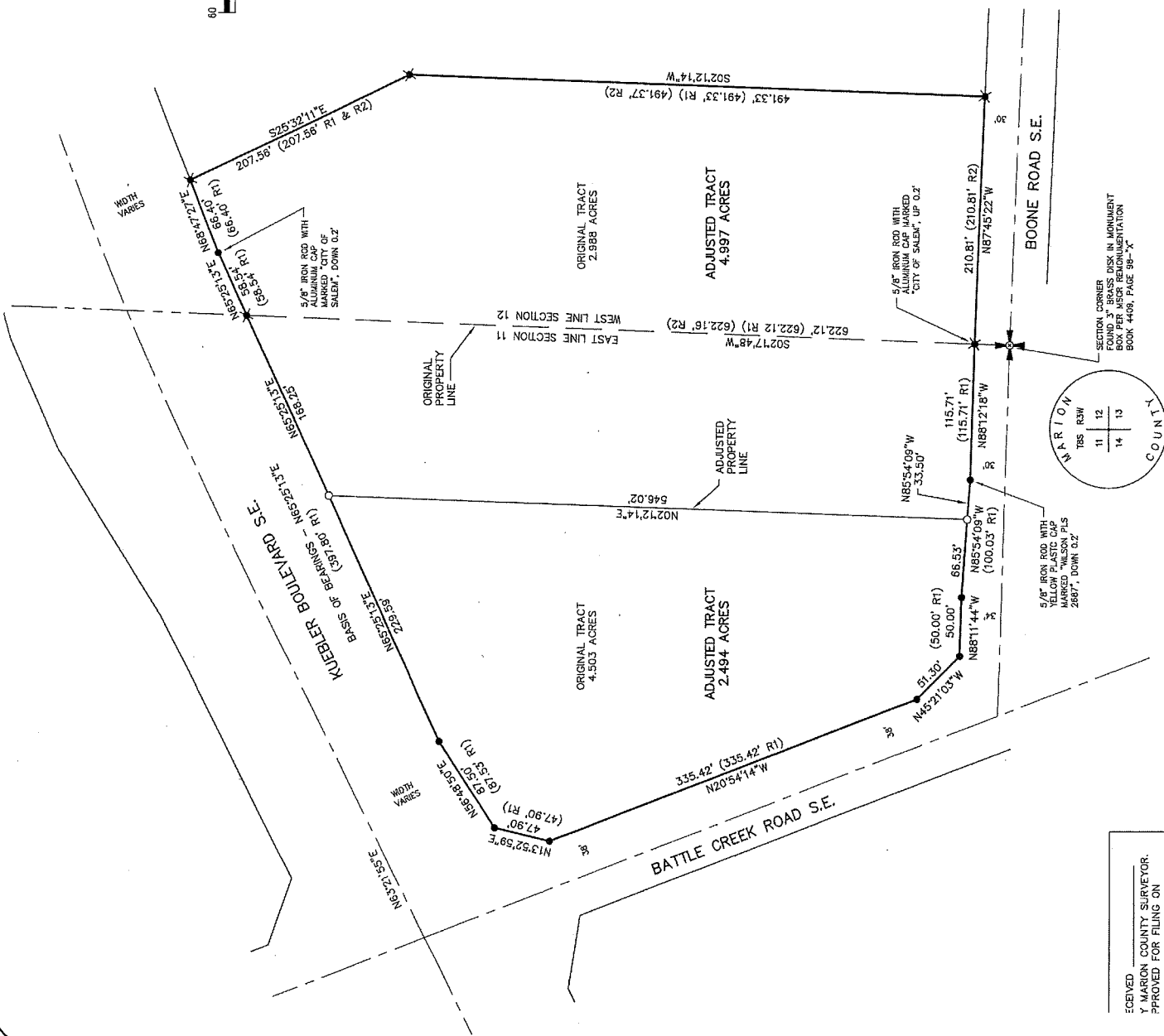
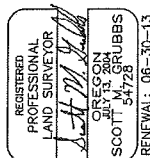
LEGEND

- FOUND 5/8" IRON ROD ALUMINUM CAP MARKED
"CITY OF SALEM", FLUSH UNLESS NOTED
OTHERWISE, PER MCSR 1867
- ✕ FOUND 5/8" IRON ROD WITH YELLOW PLASTIC
CAP MARKED "WILSON PLS 2687", FLUSH
UNLESS NOTED OTHERWISE, PER MCSR 37817
- SET 5/8" X 30" IRON ROD WITH YELLOW
PLASTIC CAP MARKED "WHPACIFIC"

MCSR MARION COUNTY SURVEY RECORD

REFERENCE DATA

- (R1) RECORD DATA FROM MCSR 38045
- (R2) RECORD DATA FROM MCSR 37817
- (R3) RECORD DATA FROM MCSR 1867



SECTION CORNER
FOUND 3" BRASS DISK IN MONUMENT
BOX PER MCSR REMONUMENTATION
BOOK 4408, PAGE 80-X

RECEIVED
BY MARION COUNTY SURVEYOR
APPROVED FOR FILING ON

MAIL TAX STATEMENTS TO:
(Insert Name and Address Here)

AFTER RECORDING RETURN TO:
(Insert Name and Address Here)

PROPERTY LINE ADJUSTMENT DEED

M & T Partners, Inc. ("Grantor"), is the owner of real property located in Marion County, Oregon, referred to herein as "**Property A**," and more particularly described on **Exhibit "A**," which is attached hereto and by this reference incorporated herein. **M & T Partners, Inc. ("Grantee")**, is the owner of real property located in Marion County, Oregon, referred to herein as "**Property B**," more particularly described on **Exhibit "B**," which is attached hereto and by this reference incorporated herein.

The purpose of this Property Line Adjustment Deed (the "**Deed**") is to effect a property line adjustment between Property A and Property B such that Property A will be reduced in size by approximately 87,489 sq. ft. and will hereafter consist of only the land described on **Exhibit "C**," which is attached hereto and incorporated herein by this reference, and Property B will be increased in size by approximately 87,489 sq. ft. and will hereafter consist of the land more particularly described on **Exhibit "D**," which is attached hereto and incorporated herein by this reference.

NOW THEREFORE, in order to effect the property line adjustment and to create the reconfigured lots as described on **Exhibits "C"** and **"D"**, Grantor does hereby grant, transfer, and convey unto Grantee all of that certain real property situated in Marion County, Oregon, described on **Exhibit "E"**, which is attached hereto and by this reference incorporated herein.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

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 THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, 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 195.300, AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS

PROPERTY LINE ADJUSTMENT DEED

P:\PACTRUST\000000\034829\SURVEY\DOCUMENTS\PLA1 6-15-12 UP-DATED CITY SURVEYOR REVIEW PACKET

EXHIBITS A-D.DOC

ATTACHMENT 3

2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

The true and actual consideration for this transfer, stated in terms of dollars is N/A; however the actual consideration consists of other property or values which is the whole consideration. The purpose of this Deed is to effect a property line adjustment, and the two parcels are to remain separate and distinct.

This Property Line Adjustment Deed is executed this _____ day of _____, 20____.

GRANTOR

GRANTEE

State of Oregon)
) ss.
County of)

This instrument was acknowledged before me on _____, 20____, by
_____.

Before me:

Notary Public for Oregon
My Commission Expires: _____

State of Oregon)
) ss.
County of)

This instrument was acknowledged before me on _____, 20____, by
_____.

Before me:

Notary Public for Oregon
My Commission Expires: _____

PROPERTY LINE ADJUSTMENT DEED

P:\PACTRUST\000000\034829\SURVEY\DOCUMENTS\PLA1 6-15-12 UP-DATED CITY SURVEYOR REVIEW PACKET

EXHIBITS A-D.DOC

Exhibit "A"

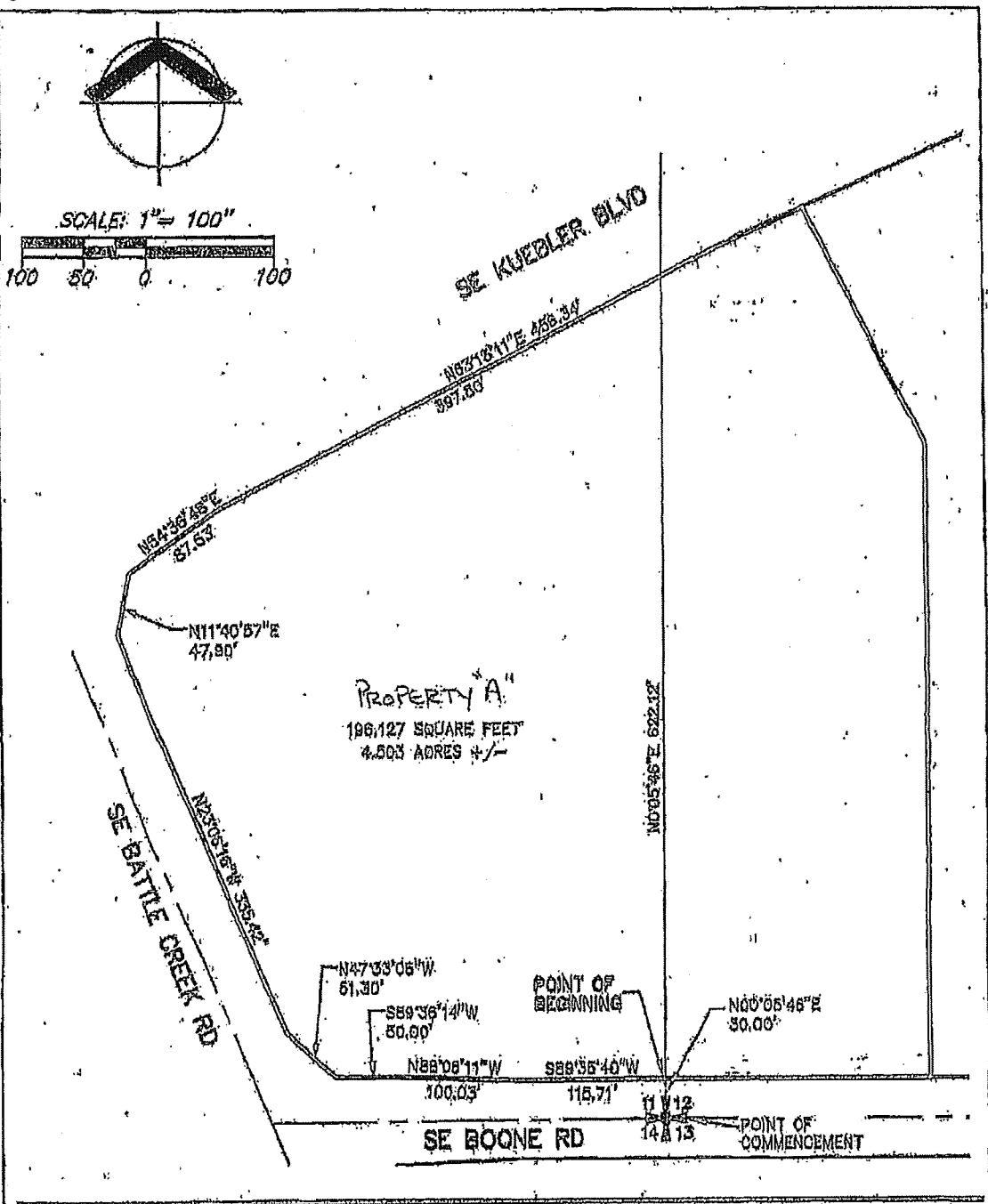
LEGAL DESCRIPTION
PAC TRUST (PTRA003.01)
TAX LOT 600 AND TAX LOT 702
September 22, 2011
Page 1

Property "A"

THAT TRACT OF LAND CONVEYED TO PACIFIC REALTY ASSOCIATES, L.P., A DELAWARE LIMITED PARTNERSHIP DESCRIBED AS PARCEL 1 IN REEL 2846, PAGE 493, MARION COUNTY DEED RECORDS, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING 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 NORTH 00°05'46" EAST, 30.00 FEET TO THE POINT OF BEGINNING; THENCE ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF SE BOONE ROAD (VARIABLE WIDTH) SOUTH 89°36'40" WEST, 115.71 FEET TO A 5/8" IRON ROD WITH 2" ALUMINUM CAP MARKED "CITY OF SALEM"; THENCE NORTH 89°08'11" WEST, 100.03 FEET TO A 5/8" IRON ROD WITH 2" ALUMINUM CAP MARKED "CITY OF SALEM"; THENCE SOUTH 89°36'14" WEST, 50.00 FEET TO A 5/8" IRON ROD WITH 2" ALUMINUM CAP MARKED "CITY OF SALEM"; THENCE NORTH 47°33'05" WEST, 51.30 FEET TO A 5/8" IRON ROD WITH 2" ALUMINUM CAP MARKED "CITY OF SALEM", BEING ON THE EASTERLY RIGHT-OF-WAY LINE OF SE BATTLE CREEK ROAD (38 FEET MEASURED PERPENDICULAR TO THE CENTERLINE); THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE NORTH 23°05'16" WEST, 336.42 FEET TO A 5/8" IRON ROD WITH 2" ALUMINUM CAP MARKED "CITY OF SALEM"; THENCE NORTH 11°40'57" EAST, 47.90 FEET TO A 5/8" IRON ROD WITH 2" ALUMINUM CAP MARKED "CITY OF SALEM", BEING ON THE SOUTHERLY RIGHT-OF-WAY LINE OF SE KUEBLER BOULEVARD (VARIABLE WIDTH); THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE NORTH 64°38'46" EAST, 87.53 FEET TO A 5/8" IRON ROD WITH 2" ALUMINUM CAP MARKED "CITY OF SALEM"; THENCE NORTH 83°13'11" EAST, 387.80 FEET; THENCE LEAVING SAID SOUTHERLY RIGHT-OF-WAY LINE SOUTH 00°05'46" WEST, 322.12 FEET TO THE POINT OF BEGINNING.

CONTAINS 196,127 SQUARE FEET OR 4.503 ACRES, MORE OR LESS.




 <p>Carolina WRG PORTLAND 8410 SW VESTGATE DR, STE 100, PORTLAND, OR 97221 TEL: (503) 418-1800 FAX: (503) 418-2800 WWW.CAROLINAWRG.COM PLANNING • ENGINEERING • LANDSCAPE ARCHITECTURE • SURVEYING</p>	<p>EXHIBIT "A" TAX LOTS 600 AND 702 § 11 & 12, T. 8 S., R. 3 W., W.M. MARION COUNTY, OREGON</p>	<p>PROJECT NO: PTR4583.01 DATE: 09/22/2011 BY: SRS SCALE: 1" = 60' PAGE NO: 3 OF 3</p>
--	---	--

EXHIBIT "B"

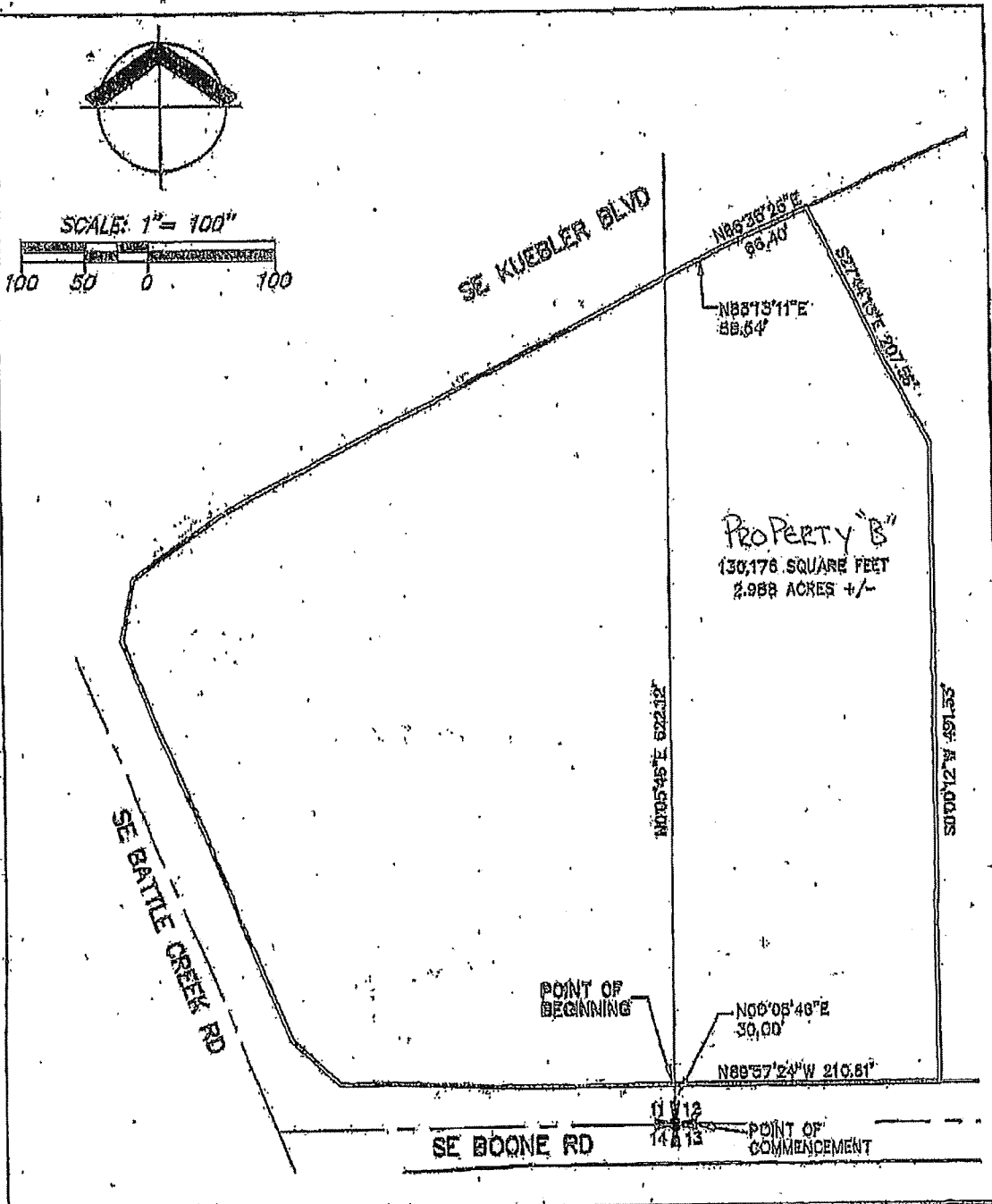
LEGAL DESCRIPTION
PAC TRUST (PTR4593.01)
TAX LOT 600 AND TAX LOT 702
September 22, 2011
Page 2

PROPERTY "B"

THAT TRACT OF LAND DESCRIBED AS EXHIBIT "C" IN REEL 3198, PAGE 169, MARION COUNTY DEED RECORDS, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING 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 NORTH 00°08'46" EAST, 30.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 00°05'46" EAST, 322.12 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF SE KUEBLER BOULEVARD (VARIABLE WIDTH); THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE NORTH 63°13'11" EAST, 68.64 FEET TO A 6/8" IRON ROD WITH 2" ALUMINUM CAP MARKED "CITY OF SALEM"; THENCE NORTH 66°36'25" EAST, 68.40 FEET; THENCE LEAVING SAID SOUTHERLY RIGHT-OF-WAY LINE SOUTH 27°44'13" EAST, 207.66 FEET; THENCE SOUTH 00°00'12" WEST, 481.33 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF SE BOONE ROAD (VARIABLE WIDTH); THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE NORTH 69°57'24" WEST, 210.81 FEET TO THE POINT OF BEGINNING.

CONTAINS 130,176 SQUARE FEET OR 2.988 ACRES, MORE OR LESS.



Cardno WRG
 PORTLAND
 6418 SW VESTGATE DR, STE 100, PORTLAND, OR 97224
 TEL (503) 719-2800 FAX (503) 410-1100
 WWW.CARDNO.COM
 PLANNING • ENGINEERING • LANDSCAPE ARCHITECTURE • SURVEYING

EXHIBIT "B"
TAX LOTS 600 AND 702
 S 11 & 12, T. 9 S., R. 3 W., W.M.
 MARION COUNTY, OREGON

PROJECT NO. PTR4593.01
 DATE: 09/22/2011
 BY: SRB
 SCALE: 1" = 50'
 PAGE NO: 3 OF 3

EXHIBIT "C"

JUNE 4, 2012

ADJUSTED
PROPERTY "A"
LEGAL DESCRIPTION

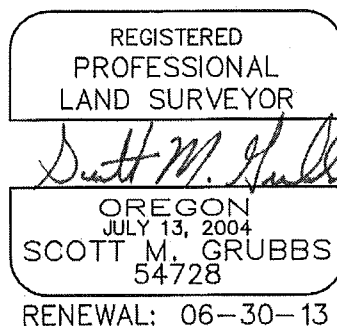
PROJECT NO. 034829

A TRACT OF LAND BEING A PORTION OF THAT PROPERTY DESCRIBED IN REEL 3337, PAGE 174 OF THE MARION COUNTY DEED RECORDS AND BEING A PORTION OF PARCEL I OF SAID DEED, LOCATED IN THE SOUTHEAST ONE-QUARTER OF SECTION 11 AND THE SOUTHWEST ONE-QUARTER OF SECTION 12, TOWNSHIP 8 SOUTH, RANGE 3 WEST OF THE WILLAMETTE MERIDIAN, CITY OF SALEM, MARION COUNTY, OREGON, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS.

COMMENCING AT THE CORNER COMMON TO SECTIONS 11, 12, 13 AND 14 OF SAID TOWNSHIP AND RANGE; THENCE NORTH 02°17'48" EAST, 30.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF BOONE ROAD S.E.; THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE, NORTH 88°12'18" WEST, 115.71 FEET; THENCE CONTINUING ALONG SAID NORTH RIGHT-OF-WAY LINE, NORTH 85°54'09" WEST, 33.50 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE THE FOLLOWING THREE COURSES: NORTH 85°54'09" WEST, 66.53 FEET; THENCE NORTH 88°11'44" WEST, 50.00 FEET; THENCE NORTH 45°21'03" WEST, 51.30 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF BATTLE CREEK ROAD S.E.; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE, NORTH 20°54'14" WEST, 335.42 FEET; THENCE CONTINUING ALONG SAID EASTERLY RIGHT-OF-WAY LINE, NORTH 13°52'59" EAST, 47.90 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF KUEBLER BOULEVARD S.E.; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, NORTH 56°48'50" EAST, 87.50 FEET; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE, NORTH 65°25'13" EAST, 229.59 FEET; THENCE LEAVING SAID SOUTHERLY RIGHT-OF-WAY LINE, SOUTH 02°12'14" WEST, 546.02 FEET TO THE POINT OF BEGINNING.

THE BASIS OF BEARINGS FOR THIS DESCRIPTION IS THE NAD83/CORS, OREGON NORTH STATE PLANE COORDINATE SYSTEM.

CONTAINING 108,638 SQUARE FEET OR 2.494 ACRES MORE OR LESS.



P:\PacTrust\000000\034829\Survey\Documents\PROPERTY A_PLAIF 5-16-12.doc



KUEBLER BLVD. S.E.

229.59'

N65°25'13"E

N13°52'59"E 47.90'
N56°48'50"E 87.50'

PROPERTY "A"
108,638 SQUARE FEET
2.494 ACRES +/-

PROPERTY B

BATTLE CREEK ROAD

S02°12'14"W 546.02'

335.42'

N45°21'03"W 51.30'

N88°11'44"W 66.53'

N85°54'09"W 50.00'

POINT OF BEGINNING

N85°54'09"W 33.50'

N88°12'18"W 115.71'

N02°17'48"E 30.00'

11 12
14 13

SE BOONE RD

POINT OF COMMENCEMENT

T 8 S, R 3 W, S 11, W.M.

SHEET NUMBER

1 of 1

EXHIBIT "C"
ADJUSTED TAX LOT 600

M & T PARTNERS INC.
KUEBLER DEVELOPMENT - MARION COUNTY, OREGON

DRAWING INFO

034829

34829-V-EX0A2

1" 100'

SHEET INFO

DRAWN SMG

CHECKED BA

LAST EDIT 6/4/2012

PLOT DATE 5/18/2012

WHPacific

EXHIBIT "D"

JUNE 4, 2012

ADJUSTED
PROPERTY "B"
LEGAL DESCRIPTION

PROJECT NO. 034829

A TRACT OF LAND BEING A PORTION OF THAT PROPERTY DESCRIBED IN REEL 3337 PAGE 174 OF THE MARION COUNTY DEED RECORDS AND BEING ALL OF PARCEL II AND A PORTION OF PARCEL I OF SAID DEED, LOCATED IN THE SOUTHEAST ONE-QUARTER OF SECTION 11 AND THE SOUTHWEST ONE-QUARTER OF SECTION 12, TOWNSHIP 8 SOUTH, RANGE 3 WEST OF THE WILLAMETTE MERIDIAN, CITY OF SALEM, MARION COUNTY, OREGON, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS.

COMMENCING AT THE CORNER COMMON TO SECTIONS 11, 12, 13 AND 14 OF SAID TOWNSHIP AND RANGE; THENCE NORTH 02°17'48" EAST, 30.00 FEET TO THE POINT OF BEGINNING AND BEING A POINT ON THE NORTH RIGHT-OF-WAY LINE OF BOONE ROAD S.E.; THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE, NORTH 88°12'18" WEST, 115.71 FEET; THENCE CONTINUING ALONG SAID NORTH RIGHT-OF-WAY LINE, NORTH 85°54'09" WEST, 33.50 FEET; THENCE LEAVING SAID RIGHT-OF-WAY LINE, NORTH 02°12'14" EAST, 546.02 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF KUEBLER BOULEVARD S.E.; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, NORTH 65°25'13" EAST, 226.79 FEET; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE, NORTH 68°47'27" EAST, 66.40 FEET TO THE MOST NORTHERLY CORNER OF PARCEL II AS DESCRIBED IN REEL 3337, PAGE 174, OF SAID DEED RECORDS; THENCE ALONG THE EASTERLY LINES OF SAID PARCEL II, SOUTH 25°32'11" EAST, 207.56 FEET; THENCE SOUTH 02°12'14" WEST, 491.33 FEET TO THE NORTH RIGHT-OF-WAY LINE OF BOONE ROAD S.E.; THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE NORTH 87°45'22" WEST, 210.81 FEET TO THE POINT OF BEGINNING.

THE BASIS OF BEARINGS FOR THIS DESCRIPTION IS THE NAD83/CORS, OREGON NORTH STATE PLANE COORDINATE SYSTEM.

CONTAINING 217,665 SQUARE FEET OR 4.997 ACRES MORE OR LESS.



P:\PacTrust\000000\034829\Survey\Documents\PROPERTY B_PLATE 5-16-12.doc



KUEBLER BLVD. S.E.

N68°47'27"E
66.40'

N65°25'13"E 226.79'

S25°32'11"E
207.56'

PROPERTY "A"

PROPERTY "B"
217,685 SQUARE FEET
4.997 ACRES +/-

BATTLE CREEK ROAD

546.02'

N02°12'14"E

491.33'

S02°12'14"W

POINT OF
BEGINNING

N02°17'48"E

30.00'

N87°45'22"W

210.81'

N88°12'18"W

115.71'

N85°54'09"W

33.50'

11

12

14

13

POINT OF
COMMENCEMENT

SE BOONE RD

T 8 S, R 3 W, S 11, W.M.

SHEET NUMBER

1 of 1

EXHIBIT "D"

ADJUSTED TAX LOT 702

M & T PARTNERS INC.

KUEBLER DEVELOPMENT - MARION COUNTY, OREGON

DRAWING INFO

034829

34829-V-EX0B

1" 100'

SHEET INFO

DRAWN SMG

CHECKED BA

LAST EDIT 6/4/2012

PLOT DATE 6/16/2012

WHPacific

EXHIBIT "E"

JUNE 4, 2012

AREA OF ADJUSTMENT
LEGAL DESCRIPTION

PROJECT NO. 034829

A TRACT OF LAND BEING A PORTION OF THAT PROPERTY DESCRIBED IN REEL 3337 PAGE 174 OF THE MARION COUNTY DEED RECORDS AND BEING A PORTION OF PARCEL I OF SAID DEED, LOCATED IN THE SOUTHEAST ONE-QUARTER OF SECTION 11 AND THE SOUTHWEST ONE-QUARTER OF SECTION 12, TOWNSHIP 8 SOUTH, RANGE 3 WEST OF THE WILLAMETTE MERIDIAN, CITY OF SALEM, MARION COUNTY, OREGON, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS.

COMMENCING AT THE CORNER COMMON TO SECTIONS 11, 12, 13 AND 14 OF SAID TOWNSHIP AND RANGE; THENCE NORTH 02°17'48" EAST, 30.00 FEET TO THE POINT OF BEGINNING AND BEING A POINT ON THE NORTH RIGHT-OF-WAY LINE OF BOONE ROAD S.E.; THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE, NORTH 88°12'18" WEST, 115.71 FEET; THENCE CONTINUING ALONG SAID NORTH RIGHT-OF-WAY LINE, NORTH 85°54'09" WEST, 33.50 FEET; THENCE LEAVING SAID RIGHT-OF-WAY LINE, NORTH 02°12'14" EAST, 546.02 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF KUEBLER BOULEVARD S.E.; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, NORTH 65°25'13" EAST, 168.25 FEET TO THE MOST NORTHERLY CORNER OF PARCEL I AS DESCRIBED IN REEL 3337, PAGE 174, OF SAID DEED RECORDS; THENCE ALONG THE EASTERLY LINES OF SAID PARCEL I, SOUTH 02°17'48" WEST, 622.12 FEET TO THE POINT OF BEGINNING.

THE BASIS OF BEARINGS FOR THIS DESCRIPTION IS THE NAD83/CORS, OREGON NORTH STATE PLANE COORDINATE SYSTEM.

CONTAINING 87,489 SQUARE FEET OR 2.008 ACRES MORE OR LESS.



P:\PacTrust\000000\034829\Survey\Documents\PROPERTY PLAT AREA ADJUSTED.doc



KUEBLER BLVD. S.E.

N65°25'13"E 168.25'

546.02'

622.12'

PROPERTY "A"

AREA OF ADJUSTMENT
87,489 SQUARE FEET
2.008 ACRES +/-

A PORTION OF
PROPERTY "B"

BATTLE CREEK ROAD

N02°12'14"E

S02°17'48"W

POINT OF
BEGINNING

N02°17'48"E
30.00'

33.50'

N88°12'18"W

N85°54'09"W

115.71'

14

12

13

SE BOONE RD

POINT OF
COMMENCEMENT

T 8 S, R 3 W, S 11, W.M.

SHEET NUMBER

1 of 1

EXHIBIT "E"

AREA OF ADJUSTMENT

M & T PARTNERS INC.

KUEBLER DEVELOPMENT - MARION COUNTY, OREGON

DRAWING INFO

034829

34829-V-EXC1

1" 100'

SHEET INFO

DRAWN SMG

CHECKED BA

LAST EDIT 6/4/2012

PLOT DATE 6/18/2012

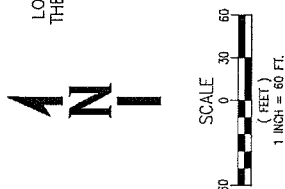
WHPacific

LOCATED IN THE S.E. ONE-QUARTER OF SECTION 11 AND
THE S.W. ONE-QUARTER OF SECTION 12, T. 8 S., R. 3 W.,
W.M., CITY OF SALEM, MARION COUNTY, OREGON

SURVEYED: MAY 15, 2012



9755 SW Barnes Rd, Suite 300
Portland, OR 97225
503-526-0455 Fax 503-526-0775
www.vhpacific.com



THE PURPOSE OF THIS SURVEY IS TO MONUMENT A PROPERTY LINE ADJUSTMENT AS APPROVED BY THE CITY OF SALEM PLANNING DEPARTMENT. THE BOUNDARIES OF THE ORIGINAL PARCELS WERE ESTABLISHED PER FOUND AND HELD MONUMENTS WHICH FIT DIMENSIONALLY WITH THE DEED CALLS RECORDED IN REEL 3337, PAGE 174 OF THE MARION COUNTY DEED RECORDS.

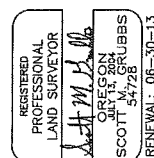
THE NEW PROPERTY LINES WAS ESTABLISHED TO ACCOMMODATE FUTURE DEVELOPMENT FOR M & T PARTNERS, INC. AND IS MONUMENTED AS SHOWN.

THE BASIS OF BEARINGS FOR THIS SURVEY IS BASED ON OREGON NORTH, STATE PLANE COORDINATES. NAD83/91 AND IS SHOWN HERE ON AS NORTH 65°25'13" EAST.

- FOUND 5/8" IRON ROD ALUMINUM CAP MARKED "CITY OF SALEM", FLUSH UNLESS NOTED OTHERWISE, PER MCSR 1687
- ✱ FOUND 5/8" IRON ROD WITH YELLOW PLASTIC CAP MARKED "WILSON PLS 2657", FLUSH UNLESS NOTED OTHERWISE, PER MCSR 37817
- SET 5/8" X 30" IRON ROD WITH YELLOW PLASTIC CAP MARKED "WAPACIFIC"

MCSR MARION COUNTY SURVEY RECORD

(R1)	RECORD DATA FROM MCSR 38045
(R2)	RECORD DATA FROM MCSR 37817
(R3)	RECORD DATA FROM MCSR 1687



BY SURVEYOR.
ING ON

FILE: PT-V--RS02.DWG

ATTACHMENT 4



CITY SURVEYOR REVIEW OF PROPERTY LINE ADJUSTMENT SURVEY

PERMIT APPLICATION CENTER/CITY HALL
555 LIBERTY STREET SE/ROOM 320
SALEM, OREGON 97301-3513
503-588-6211
www.cityofsalem.net

PURPOSE

Final approval of the field survey and legal descriptions by the City Surveyor is required. The applicant is required to have a field survey and legal descriptions prepared and recorded per Oregon Revised Statutes (ORS) 92.060(7).

SUBMITTAL REQUIREMENTS

To obtain City Surveyor approval the applicant must submit to the City of Salem Public Works Department the following items:

1. Applicants shall submit payment of \$411.00 associated with checking the final map as per SRC 63.147 (c) (2); 63.041 (c) and Resolution No. 2010-33.
2. Applicants shall submit a copy of the existing deeds and proof of ownership which includes, but may not be limited to, a Preliminary Title Report not older than 30 days for each of the affected properties as per SRC 63.147(c) (3).
3. Applicants shall submit a copy of the proposed property line adjustment deeds for each of the affected properties using the attached legal form as per SRC 63.147 (c) (6). The legal descriptions for the proposed deeds shall be prepared and stamped by the Professional Land Surveyor preparing the proposed 'Record of Survey' as per the following requirement #4.
4. Applicants shall submit three copies of the proposed 'Record of Survey' map as per SRC 63.147(d).
5. Applicants shall provide evidence showing the tax lots proposed for adjustment are Lawfully Established Units of Land as defined in ORS 92.010 (3)(a); ORS 92.010(3)(b) and ORS 92.176.
6. Applicants shall comply with all Oregon Revised Statutes, Salem Revised Code Requirements and all applicable components of 'LUBA Final Opinion and Order No. 2002-087.'

MAIL TAX STATEMENTS TO:

(Insert Name and Address Here)

AFTER RECORDING RETURN TO:

(Insert Name and Address Here)

PROPERTY LINE ADJUSTMENT DEED

_____ ("Grantor"), is the owner of real property located in _____ County, Oregon, referred to herein as "**Property A**," and more particularly described on **Exhibit "A**," which is attached hereto and by this reference incorporated herein. _____ ("Grantee"), is the owner of real property located in _____ County, Oregon, referred to herein as "**Property B**," more particularly described on **Exhibit "B**," which is attached hereto and by this reference incorporated herein.

The purpose of this Property Line Adjustment Deed (the "**Deed**") is to effect a property line adjustment between Property A and Property B such that Property A will be reduced in size by approximately _____ and will hereafter consist of only the land described on **Exhibit "C**," which is attached hereto and incorporated herein by this reference, and Property B will be increased in size by approximately _____ and will hereafter consist of the land more particularly described on **Exhibit "D**," which is attached hereto and incorporated herein by this reference.

NOW THEREFORE, in order to effect the property line adjustment and to create the reconfigured lots as described on **Exhibits "C"** and **"D"**, Grantor does hereby grant, transfer, and convey unto Grantee all of that certain real property situated in _____ County, Oregon, described on **Exhibit "E"**, which is attached hereto and by this reference incorporated herein.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

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 THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, 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 195.300, AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS

2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

The true and actual consideration for this transfer, stated in terms of dollars is N/A; however the actual consideration consists of other property or values which is the whole consideration. The purpose of this Deed is to effect a property line adjustment, and the two parcels are to remain separate and distinct.

This Property Line Adjustment Deed is executed this _____ day of _____, 20____.

GRANTOR

GRANTEE

State of Oregon)
) ss.
County of)

This instrument was acknowledged before me on _____, 20____, by
_____.

Before me:

Notary Public for Oregon
My Commission Expires: _____

State of Oregon)
) ss.
County of)

This instrument was acknowledged before me on _____, 20____, by
_____.

Before me:

Notary Public for Oregon
My Commission Expires: _____