



NOTICE of FILING

LAND USE REQUEST AFFECTING THIS AREA

There is a development proposal for the property listed in this notice and shown on the attached map. The City is seeking input from neighbors on the proposal. If you have questions or comments about the proposal, contact the case manager.

Esta carta es un aviso sobre una propuesta de desarrollo para la propiedad enumerada y que se muestra en el mapa adjunto. La ciudad está buscando la opinión de los vecinos sobre la propuesta. Si tiene preguntas o comentarios sobre la propuesta, póngase en contacto con nosotros al 503-588-6213.

CASE NUMBER:	Validation of Units of Land Case No. VUL22-04
PROPERTY LOCATION:	4000 Deerhaven Dr NE, Salem OR 97301
NOTICE MAILING DATE:	June 6, 2022
PROPOSAL SUMMARY:	A proposal to validate a unit of land that was created through recording of a deed in 1943.
COMMENT PERIOD:	All written comments must be submitted to City Staff no later than <u>5:00 p.m., TUESDAY, JUNE 21, 2022</u>. Please direct any questions and/or comments to the Case Manager listed below. Comments received after the close of the comment period will not be considered. Note: Comments submitted are <u>public record</u>. This includes any personal information provided in your comment such as name, email, physical address and phone number.
CASE MANAGER:	Liz Olmstead, Planner III , City of Salem, Planning Division; 555 Liberty St SE, Room 305, Salem, OR 97301; Phone: 503-540-2363; E-Mail: Eolmstead@cityofsalem.net .
NEIGHBORHOOD ASSOCIATION:	<i>Neighborhood associations are volunteer organizations of neighbors coming together to make neighborhoods the best they can be. They receive notice of land use applications within their boundaries, and they often submit comments on the applications to the City. Neighborhood association meetings are open to everyone. Contact your neighborhood association to get involved:</i> Northgate Neighborhood Association; Email: northgateneighborhoodsalem@gmail.com
ACCESS:	The Americans with Disabilities Act (ADA) accommodations will be provided on request.
CRITERIA TO BE CONSIDERED:	Salem Revised Code (SRC) Chapter 205.060(d) – Validation of Unit of Land Salem Revised Code (SRC) is available to view at this link: http://bit.ly/salemorcode . Type in the chapter number(s) listed above to view the applicable criteria.

PROPERTY OWNER(S):	Salem-Keizer School District 24J
APPLICANT(S):	Saalfeld Griggs Lawyers on behalf of Salem-Keizer School District 24J
PROPOSAL REQUEST:	An application to validate and lawfully establish a unit of land which was unlawfully created through the recording of a deed in 1943 without receiving required land use approval. The land area is approximately 5.87 acres in size, zoned RS (Single-Family Residential), and located at 4000 Deerhaven Drive NE - 97301 (Marion County Assessors Map and Tax Lot Numbers: 073W12AC / 3201).
APPLICATION PROCESS:	<p>Following the close of the Public Comment Period, a decision will be issued and mailed to the applicant, property owner, affected neighborhood association, anyone who submitted written comments, and anyone who received notice of the land use request.</p> <p>Failure to raise an issue in writing prior to the close of the Public Comment Period with sufficient specificity to provide the opportunity to respond to the issue, precludes appeal to the Land Use Board of Appeals (LUBA) on this issue. A similar failure to raise constitutional issues relating to proposed conditions of approval precludes an action for damages in circuit court.</p>
MORE INFORMATION:	All documents and evidence submitted by the applicant are available on the City's online Permit Application Center at https://permits.cityofsalem.net . You can use the search function without registering and enter the permit number listed here: 22 103078. Paper copies can be obtained for a reasonable cost.

PLEASE PROMPTLY FORWARD A COPY OF THIS NOTICE TO ANY OTHER OWNER, TENANT OR LESSEE
For more information about Planning in Salem:
<http://www.cityofsalem.net/planning>

It is the City of Salem's policy to assure that no person shall be discriminated against on the grounds of race, religion, color, sex, marital status, familial status, national origin, age, mental or physical disability, sexual orientation, gender identity and source of income, as provided by Salem Revised Code Chapter 97. The City of Salem also fully complies with Title VI of the Civil Rights Act of 1964, and related statutes and regulations, in all programs and activities. Disability-related modification or accommodation, including auxiliary aids or services, in order to participate in this meeting or event, are available upon request. Sign language and interpreters for languages other than English are also available upon request. To request such an accommodation or interpretation, contact the Community Development Department at 503-588-6173 at least three business days before this meeting or event.

TTD/TTY telephone 503-588-6439 is also available 24/7

REQUEST FOR COMMENTS

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

REGARDING: Validation of Units of Land Case No. VUL22-04

PROJECT ADDRESS: 4000 Deerhaven Dr NE, Salem OR 97301

AMANDA Application No.: 22-103078-LD

COMMENT PERIOD ENDS: Tuesday, June 21, 2022 at 5:00 P.M.

SUMMARY: A proposal to validate a unit of land that was created through recording of a deed in 1943.

REQUEST: An application to validate and lawfully establish a unit of land which was unlawfully created through the recording of a deed in 1943 without receiving required land use approval. The land area is approximately 5.87 acres in size, zoned RS (Single-Family Residential), and located at 4000 Deerhaven Drive NE - 97301 (Marion County Assessors Map and Tax Lot Numbers: 073W12AC / 3201).

The Planning Division is interested in hearing from you about the attached proposal. Staff will prepare a Decision that includes consideration of comments received during this comment period. We are interested in receiving pertinent, factual information such as neighborhood association recommendations and comments of affected property owners or residents. The complete case file, including all materials submitted by the applicant and any applicable professional studies such as traffic impact analysis, geologic assessments, and stormwater reports, are available upon request.

Comments received by 5:00 p.m., Tuesday, June 21, 2022, will be considered in the decision process. Comments received after this date will be not considered. *Comments submitted are public record. This includes any personal information provided in your comment such as name, email, physical address and phone number. Mailed comments can take up to 7 calendar days to arrive at our office. To ensure that your comments are received by the deadline, we recommend that you e-mail your comments to the Case Manager listed below.*

CASE MANAGER: Liz Olmstead, Planner III, City of Salem, Planning Division; 555 Liberty St SE, Room 305, Salem, OR 97301; Phone: 503-540-2363; E-Mail: Eolmstead@cityofsalem.net.

For information about Planning in Salem, please visit: <http://www.cityofsalem.net/planning>

PLEASE CHECK THE FOLLOWING THAT APPLY:

- ☐ 1. I have reviewed the proposal and have no objections to it.
- ☐ 2. I have reviewed the proposal and have the following comments: _____

Name/Agency: _____

Address: _____

Phone: _____

Email: _____

Date: _____

IMPORTANT: IF YOU MAIL COMMENTS, PLEASE FOLD AND RETURN THIS POSTAGE-PAID FORM

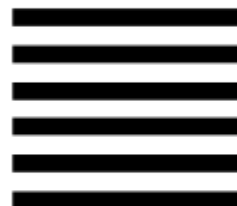


NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES



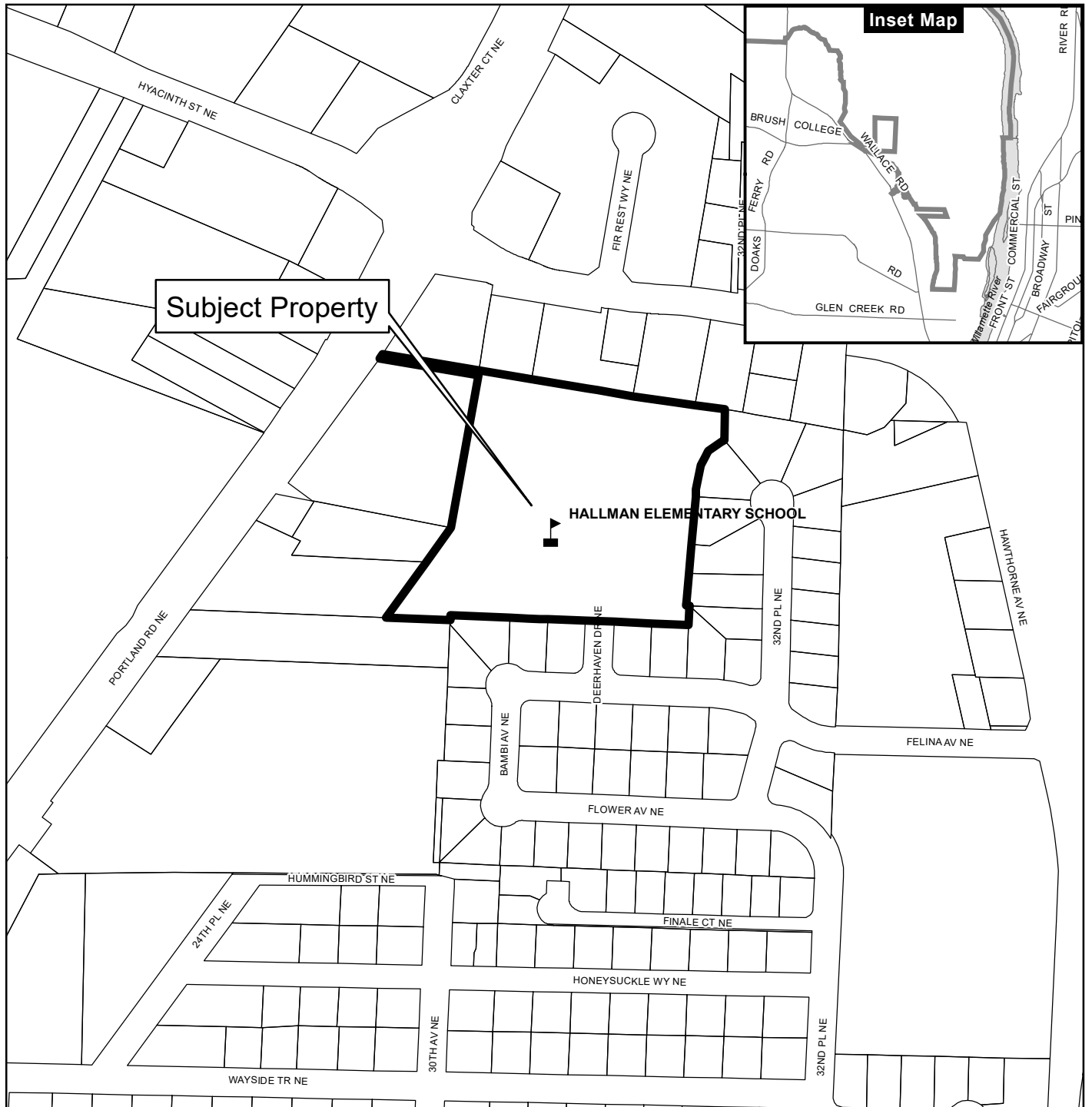
POSTAGE WILL BE PAID BY ADDRESSEE

PLANNING DIVISION
CITY OF SALEM RM 305
555 LIBERTY ST SE
SALEM OR 97301-9907



Vicinity Map

4000 Deerhaven Dr NE



Legend

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

- Parks

CITY OF Salem
AT YOUR SERVICE
Community Development Dept.

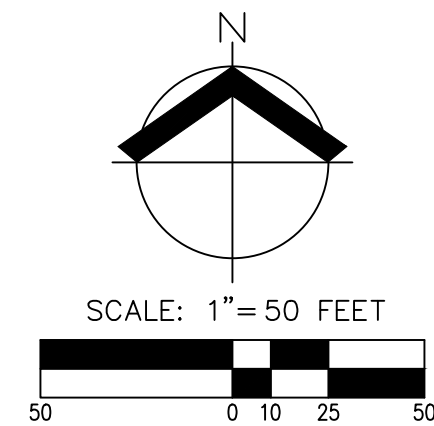
This product is provided as is, without warranty. In no event is the City of Salem liable for damages from the use of this product. This product is subject to license and copyright limitations and further distribution or resale is prohibited.

0 100 200 400 Feet



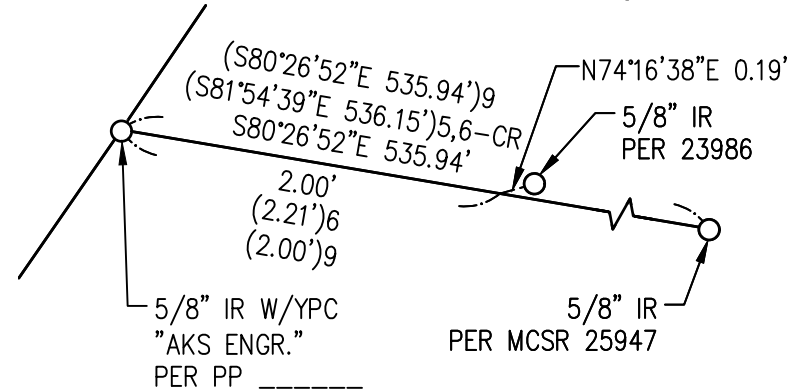
PARTITION PLAT NO.

A VALIDATION OF A UNIT OF LAND NOT LAWFULLY ESTABLISHED
LOCATED IN THE NORTHEAST 1/4 OF SECTION 12, TOWNSHIP 7
SOUTH, RANGE 3 WEST, WILLAMETTE MERIDIAN,
CITY OF SALEM, MARION COUNTY, OREGON
MONTH --, ----



DETAIL

NOT TO SCALE



LEGEND

- FOUND MONUMENT AS NOTED;
FLUSH WITH GROUND UNLESS NOTED OTHERWISE;
HELD UNLESS NOTED OTHERWISE
- CALCULATED POSITION
- CR CALCULATED RECORD
- IP IRON PIPE
- IR IRON ROD
- LC LONG CHORD
- PP PARTITION PLAT
- MCDR MARION COUNTY DEED RECORDS
- MCSR MARION COUNTY SURVEY RECORD
- W/ALC WITH AN ALUMINUM CAP
- W/YPC WITH A YELLOW PLASTIC CAP

REFERENCES

- (1) RECORD INFORMATION PER MCSR 10372
- (2) RECORD INFORMATION PER MCSR 13440
- (3) RECORD INFORMATION PER MCSR 25947
- (4) RECORD INFORMATION PER PLAT "DEER-HAVEN
ESTATES" BOOK 34, PAGE 36, "BOOK OF TOWN PLATS"
- (5) RECORD INFORMATION PER REEL 1692, PAGE 558, MCDR
- (6) RECORD INFORMATION PER MCSR 35581
- (7) RECORD INFORMATION PER MCSR 35914
- (8) RECORD INFORMATION PER MCSR 39487
- (9) RECORD INFORMATION PER PARTITION PLAT

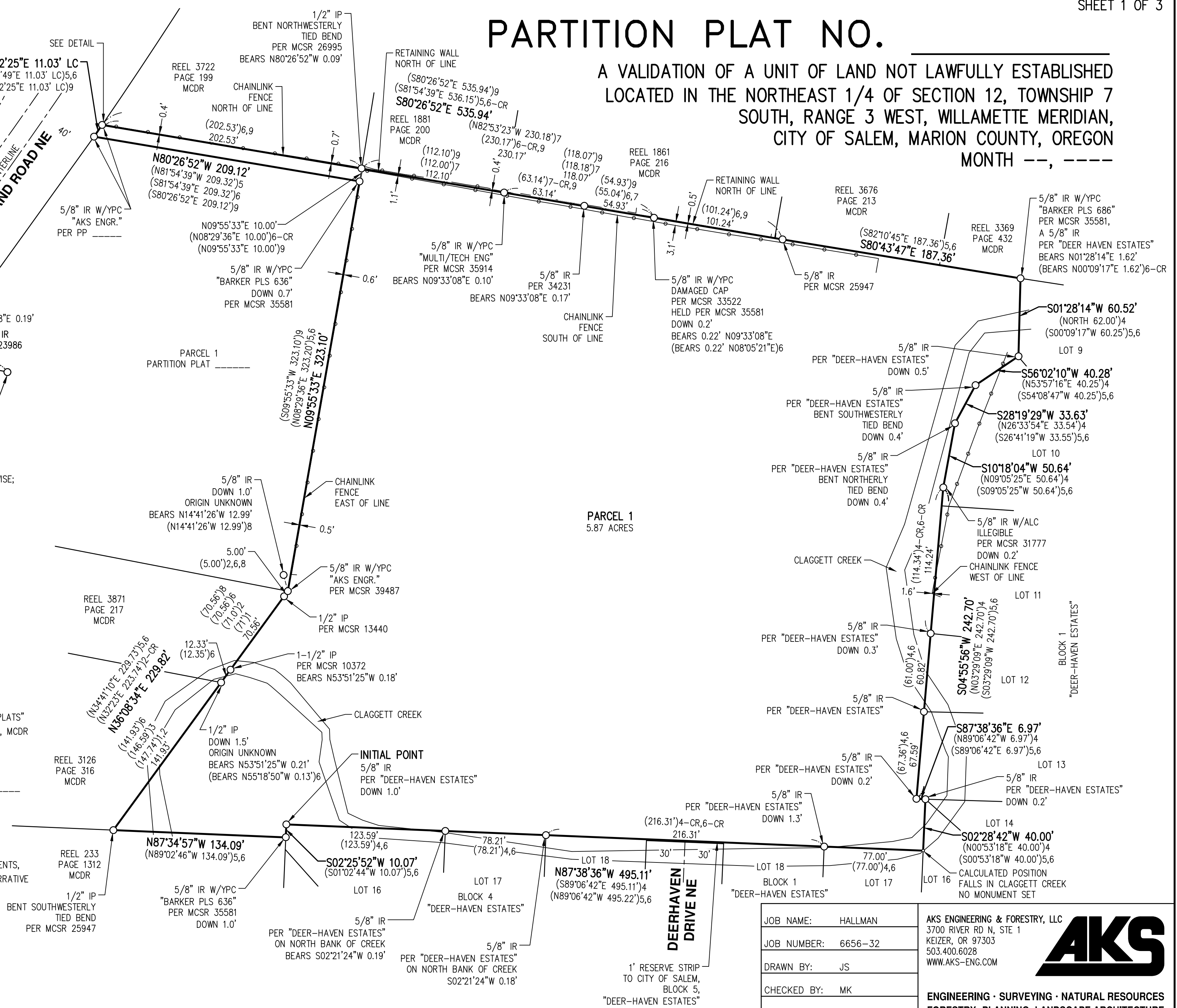
SHEET INDEX

- SHEET 1 BOUNDARY MAP, LEGEND, REFERENCES
- SHEET 2 EASEMENTS
- SHEET 3 APPROVALS, DECLARATION, ACKNOWLEDGEMENTS,
SURVEYOR'S CERTIFICATE, PLAT NOTES, NARRATIVE

REGISTERED
PROFESSIONAL
LAND SURVEYOR

REVIEW
COPY

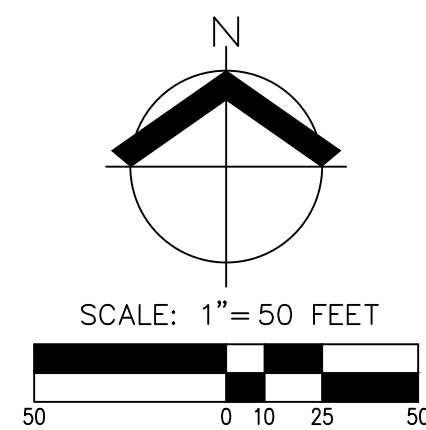
OREGON
NOVEMBER 9, 2021
JOSEPH F. SULLIVAN
86458LS
RENEWS: 6/30/2024



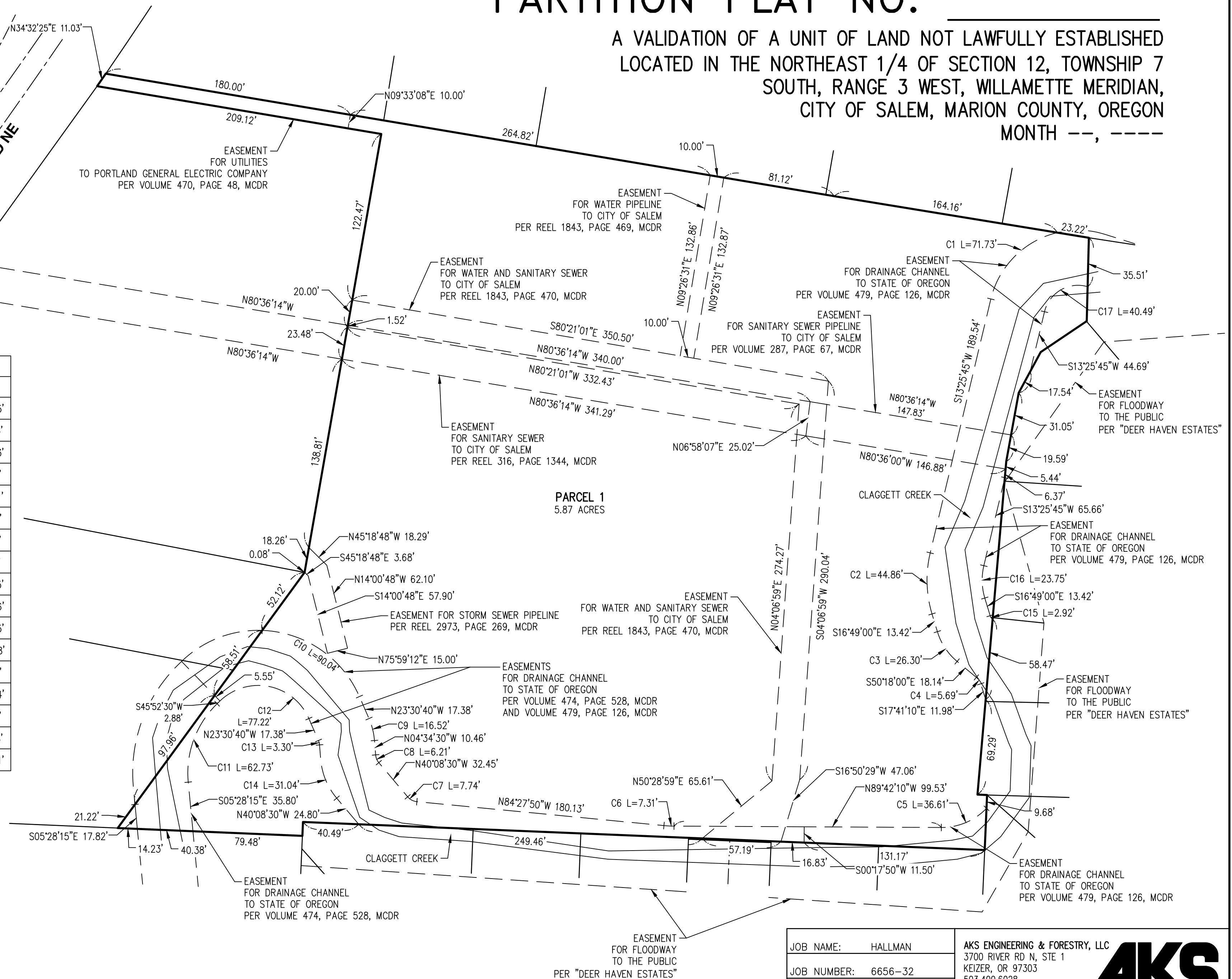
JOB NAME:	HALLMAN	AKS AKS ENGINEERING & FORESTRY, LLC 3700 RIVER RD N, STE 1 KEIZER, OR 97303 503.400.6028 WWW.AKS-ENG.COM ENGINEERING • SURVEYING • NATURAL RESOURCES FORESTRY • PLANNING • LANDSCAPE ARCHITECTURE
JOB NUMBER:	6656-32	
DRAWN BY:	JS	
CHECKED BY:	MK	
DRAWING NO.:	PLAT 3201	

PARTITION PLAT NO.

A VALIDATION OF A UNIT OF LAND NOT LAWFULLY ESTABLISHED
LOCATED IN THE NORTHEAST 1/4 OF SECTION 12, TOWNSHIP 7
SOUTH, RANGE 3 WEST, WILLAMETTE MERIDIAN,
CITY OF SALEM, MARION COUNTY, OREGON
MONTH --, ----



CURVE TABLE				
CURVE	RADIUS	DELTA	LENGTH	CHORD
C1	65.00'	63°13'57"	71.73'	S45°02'37"W 68.15'
C2	85.00'	30°14'26"	44.86'	S01°41'37"E 44.34'
C3	45.00'	33°29'01"	26.30'	S33°33'30"E 25.93'
C4	10.00'	32°37'12"	5.69'	S33°59'46"E 5.62'
C5	45.00'	46°37'03"	36.61'	S66°59'16"W 35.61'
C6	80.00'	5°14'13"	7.31'	N87°05'04"W 7.31'
C7	10.00'	44°19'20"	7.74'	N62°18'10"W 7.54'
C8	10.00'	35°34'00"	6.21'	N22°21'30"W 6.11'
C9	50.00'	18°56'10"	16.52'	N14°02'35"W 16.45'
C10	80.00'	64°29'07"	90.04'	N55°45'13"W 85.36'
C11	70.00'	51°20'40"	62.73'	S20°12'08"W 60.65'
C12	40.00'	110°36'34"	77.22'	N78°48'57"W 65.78'
C13	10.00'	18°56'10"	3.30'	N14°02'35"W 3.29'
C14	50.00'	35°34'00"	31.04'	N22°21'30"W 30.54'
C15	5.00'	33°29'01"	2.92'	S33°33'29"E 2.88'
C16	45.00'	30°14'26"	23.75'	S01°41'40"E 23.48'
C17	25.00'	92°48'12"	40.49'	S59°49'47"W 36.21'



REGISTERED
PROFESSIONAL
LAND SURVEYOR

REVIEW
COPY

OREGON
NOVEMBER 9, 2021
JOSEPH F. SULLIVAN
86458LS
RENEWS: 6/30/2024

JOB NAME: HALLMAN
JOB NUMBER: 6656-32
DRAWN BY: JS
CHECKED BY: MK
DRAWING NO.: PLAT 3201

AKS ENGINEERING & FORESTRY, LLC
3700 RIVER RD N, STE 1
KEIZER, OR 97303
503.400.6028
WWW.AKS-ENG.COM



ENGINEERING • SURVEYING • NATURAL RESOURCES
FORESTRY • PLANNING • LANDSCAPE ARCHITECTURE

PARTITION PLAT NO. _____
A VALIDATION OF A UNIT OF LAND NOT LAWFULLY ESTABLISHED
LOCATED IN THE NORTHEAST 1/4 OF SECTION 12, TOWNSHIP 7
SOUTH, RANGE 3 WEST, WILLAMETTE MERIDIAN,
CITY OF SALEM, MARION COUNTY, OREGON
MONTH --, ----

CITY OF SALEM APPROVALS:

APPROVED THIS ____ DAY OF _____, 20__

BY: _____
CITY OF SALEM PLANNING ADMINISTRATOR
CASE NO. XXXXXXXXX

APPROVED THIS ____ DAY OF _____, 20__

BY: _____
CITY OF SALEM SURVEYOR

MARION COUNTY APPROVALS:

ALL TAXES AND ASSESSMENTS ON THE ABOVE DESCRIBED
PROPERTY, AS PROVIDED BY ORS 92.095, HAVE BEEN PAID
THROUGH _____

APPROVED THIS ____ DAY OF _____, 20__

BY: _____
MARION COUNTY TAX COLLECTOR

APPROVED THIS ____ DAY OF _____, 20__

BY: _____
MARION COUNTY ASSESSOR

STATE OF OREGON)
) SS
COUNTY OF MARION)

I DO HEREBY CERTIFY THAT THE ATTACHED PARTITION PLAT NO.
_____ WAS RECEIVED FOR RECORDING ON THE ____ DAY
OF _____, 20__, AT ____ O'CLOCK __M
AND RECORDED IN THE BOOK OF PARTITION PLATS. IT IS ALSO
RECORDED IN MARION COUNTY DEED RECORDS AS
REEL _____, PAGE _____

BILL BURGESS, MARION COUNTY CLERK

BY: _____
DEPUTY COUNTY CLERK

DECLARATION

KNOW ALL PERSONS BY THESE PRESENTS THAT SALEM-KEIZER SCHOOL DISTRICT 24J,
AN OREGON MUNICIPAL CORPORATION, IS THE OWNER OF THE LAND DESCRIBED IN THE
SURVEYOR'S CERTIFICATE HEREON AND HAS CAUSED THE SAME TO BE SURVEYED AND
PLATTED IN ACCORDANCE WITH THE PROVISIONS OF THE OREGON REVISED STATUTES
CHAPTER 92.

JOEL T. SMALLWOOD, DIRECTOR OF MAINTENANCE AND CONSTRUCTION SERVICES
SALEM-KEIZER SCHOOL DISTRICT 24J

ACKNOWLEDGMENT

STATE OF OREGON)
) SS
COUNTY OF MARION)

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS ____ DAY OF
_____, 20__ BY JOEL T. SMALLWOOD, DIRECTOR
OF MAINTENANCE AND CONSTRUCTION SERVICES OF SALEM-KEIZER SCHOOL
DISTRICT 24J, AN OREGON MUNICIPAL CORPORATION.

NOTARY SIGNATURE _____

NOTARY PUBLIC - OREGON (PRINTED NAME) _____

COMMISSION NO. _____

MY COMMISSION EXPIRES _____

PLAT NOTES

- THIS PLAT IS SUBJECT TO THE CITY OF SALEM PLANNING ADMINISTRATOR CONDITIONS OF
APPROVAL FOR CASE FILE NO. XXXXXXXX.
- PARCEL 1 OF PARTITION PLAT _____ IS SUBJECT TO AN EASEMENT OVER ITS ENTIRETY
FOR SCHOOL BUS ACCESS AND TURNAROUND PER REEL 2973, PAGE 268, MCDR.
- THIS PLAT IS SUBJECT TO A SLOPE EASEMENT PER VOLUME 453, PAGE 76, MARION COUNTY
DEED RECORDS. SAID EASEMENT FALLS WITHIN THE EXISTING RIGHT-OF-WAY OF PORTLAND ROAD
NE AND IS NOT SHOWN. A RIGHT OF ACCESS DESCRIBED WITHIN SAID DOCUMENT IS SUPERCEDED
BY VOLUME 466, PAGE 3, MARION COUNTY DEED RECORDS.
- THIS PLAT IS SUBJECT TO A RIGHT OF ACCESS TO PORTLAND ROAD NE PER VOLUME 466, PAGE
3, MARION COUNTY DEED RECORDS.
- AN EASEMENTS PER REEL 99, PAGE 575 AND REEL 99, PAGE 384, MARION COUNTY DEED
RECORDS FALL ON PARCEL 1 OF PARTITION PLAT _____.

NARRATIVE

THE PURPOSE OF THIS PLAT IS TO VALIDATE THAT UNIT OF LAND NOT LAWFULLY ESTABLISHED AS APPROVED BY
THE CITY OF SALEM VALIDATION OF UNIT OF LAND PARTITION CASE NUMBER XXXXXXXXXX BEING THE UNIT NOT
LAWFULLY ESTABLISHED BY DEED PER REEL 1692, PAGE 558, MARION COUNTY DEED RECORDS (MCDR).

BEARINGS ARE BASED ON THE OREGON STATE PLANE COORDINATE SYSTEM OF 1983, NORTH ZONE, NAD 83(2011)
EPOCH 2010.00 AND ESTABLISHED USING THE TRIMBLE VRS NOW NETWORK.

THE NORTH LINE WAS ESTABLISHED BY HOLDING MONUMENTS PER PARTITION PLAT _____ MARION COUNTY
SURVEY RECORD (MCSR) 26995, MCSR 25947, AND MCSR 35581.

THE EAST LINE WAS ESTABLISHED BY HOLDING MONUMENTS PER MCSR 35581, MCSR 31777 AND THE PLAT
"DEER-HAVEN ESTATES", BOOK 34, PAGE 36, BOOK OF TOWN PLATS.

THE SOUTH LINE WAS ESTABLISHED BY HOLDING MONUMENTS PER SAID "DEER-HAVEN ESTATES", MCSR 35581 AND
MCSR 25947.

THE WEST LINE WAS ESTABLISHED BY HOLDING MONUMENTS PER MCSR 25947, MCSR 13440, MCSR 39487, MCSR
35581, MCSR 39487 AND PARTITION PLAT _____

THE SOUTHEAST CORNER WAS NOT FOUND. ITS CALCULATED POSITION FALLS IN THE SOUTHEASTERLY EDGE OF
WATER OF CLAGGETT CREEK AND WAS NOT RESET. IT IS REFERENCED BY MONUMENTS PER SAID "DEER-HAVEN
ESTATES" TO THE WEST AND NORTH.

SURVEYOR'S CERTIFICATE

I, JOSEPH F. SULLIVAN, DO HEREBY CERTIFY THAT I HAVE CORRECTLY SURVEYED THE LAND REPRESENTED HEREON,
SITUATED IN THE NORTHEAST ONE-QUARTER OF SECTION 12, TOWNSHIP 7 SOUTH, RANGE 3 WEST, WILLAMETTE
MERIDIAN, CITY OF SALEM, MARION COUNTY, OREGON, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INITIAL POINT, BEING A FOUND 5/8-INCH IRON ROD AT THE NORTHWEST CORNER OF LOT 16,
BLOCK 4, "DEER-HAVEN ESTATES", RECORDED IN VOLUME 34, PAGE 46, MARION COUNTY BOOK OF TOWN PLATS;
THENCE ALONG THE WEST LINE OF SAID LOT 16, SOUTH 02°25'52" WEST 10.07 FEET TO THE NORTH LINE OF THE
UNIT OF LAND PER REEL 223, PAGE 1312, MARION COUNTY DEED RECORDS (MCDR); THENCE ALONG SAID NORTH LINE,
NORTH 87°34'57" WEST 134.09 FEET TO THE MOST WESTERLY SOUTHWEST CORNER OF THE UNIT OF LAND PER REEL
1692, PAGE 558, MCDR; THENCE ALONG THE WEST LINE OF SAID UNIT OF LAND, NORTH 36°08'34" EAST 229.82 FEET
TO THE SOUTHEAST CORNER OF PARCEL 1 OF PARTITION PLAT _____; THENCE ALONG THE EAST LINE OF
SAID PARCEL 1, NORTH 09°55'33" EAST 323.10 FEET TO THE NORTHEAST CORNER THEREOF; THENCE ALONG THE
NORTH LINE OF SAID PARCEL 1, NORTH 80°26'52" WEST 209.12 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF
PORTLAND ROAD NE (40.00 FEET FROM THE ODOT "NB" CENTERLINE); THENCE ALONG SAID EASTERLY RIGHT-OF-WAY
LINE, ALONG A SPIRAL TO THE LEFT, THE CORD OF WHICH BEARS, NORTH 34°32'25" EAST 11.03 FEET TO THE NORTH
LINE OF THE UNIT OF LAND PER REEL 1692, PAGE 558, MCDR; THENCE ALONG SAID NORTH LINE, SOUTH 80°26'52"
EAST 535.94 FEET; THENCE CONTINUING ALONG SAID NORTH LINE, SOUTH 80°43'47" EAST 187.36 FEET TO THE WEST
LINE OF LOT 9, BLOCK 1 OF SAID "DEER HAVEN ESTATES"; THENCE ALONG THE WEST AND NORTH LINES OF SAID
PLAT THE FOLLOWING EIGHT COURSES: SOUTH 01°28'14" WEST 60.52 FEET; THENCE SOUTH 56°02'10" WEST 40.28
FEET; THENCE SOUTH 28°19'29" WEST 33.63 FEET; THENCE SOUTH 10°18'04" WEST 50.64 FEET; THENCE SOUTH
04°55'56" WEST 242.70 FEET; THENCE SOUTH 87°38'36" EAST 6.97 FEET; THENCE SOUTH 02°28'42" WEST 40.00
FEET; THENCE NORTH 87°38'36" WEST 495.11 FEET TO THE INITIAL POINT.

THE ABOVE DESCRIBED TRACT OF LAND CONTAINS 5.87 ACRES, MORE OR LESS.

PREPARED FOR

SALEM-KEIZER SCHOOL DISTRICT 24J
2450 LANCASTER DRIVE NE
SALEM, OREGON 97305

REGISTERED
PROFESSIONAL
LAND SURVEYOR

REVIEW
COPY

OREGON
NOVEMBER 9, 2021
JOSEPH F. SULLIVAN
86458LS
RENEWS: 6/30/2024

JOB NAME:	HALLMAN
JOB NUMBER:	6656-32
DRAWN BY:	JS
CHECKED BY:	MK
DRAWING NO.:	PLAT 3201

AKS ENGINEERING & FORESTRY, LLC
3700 RIVER RD N, STE 1
KEIZER, OR 97303
503.400.6028
WWW.AKS-ENG.COM



ENGINEERING · SURVEYING · NATURAL RESOURCES
FORESTRY · PLANNING · LANDSCAPE ARCHITECTURE