

Aaron Panko

From: James Santana <james.santana@icloud.com>
Sent: Friday, March 31, 2023 11:23 AM
To: Aaron Panko
Subject: Re: 23 102733 00 PLN

In other words, the 1996 PLA deed was never recorded. The current deed only reflects the 1986 parcel boundaries, which were not lawfully created in Salem. See attached: 1986 deed, current title report legal description, and current legal depiction. The 1996 PLA was never finalized and its approval has since expired. Does the city disagree with this, and if so on what basis?

James Santana



First American

This map is furnished for illustration and to assist in property location. The company assumes no liability for any variation in dimensions by location ascertainable by actual survey.



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Form 10-PRIVACY20 (12-18-20)

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English

Exhibit "A"

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

Beginning at the quarter section corner between Sections 10 and 11, in Township 8 South, Range 3 West of the Willamette Meridian in Marion County, Oregon; thence South 89° 26' East 18.35 chains; thence North 0° 23' East 18.93 chains to the Southwest corner of the Donation Land Claim of Abijah Carey; thence West 38 links; thence South 0° 23' West 2.72 chains; thence West 18.08 chains to the line between Sections 10 and 11; thence South 16.03 chains to the place of beginning.

SAVE AND EXCEPT: Beginning on the South line of Lot 9, Pringle Fruit Tracts in Section 11, Township 8 South, Range 3 West of the Willamette Meridian in Marion County, Oregon; at a point which is 335.00 feet North 89° 20' West from the Southeast corner of said Lot 9; thence North 89° 20' West from the Southeast corner of said Lot 9; thence North 89° 20' West, along said South line, 110.00 feet; thence North 0° 23' East 170.00 feet; thence South 89° 20' East 110.00 feet; thence South 0° 23' West 170.00 feet to the place of beginning.

ALSO SAVE AND EXCEPT that portion conveyed to the City of Salem by Warranty Deed recorded March 24, 1995, in Reel 1228, Page 121, Film Records for Marion County, Oregon described as follows:

Beginning at the most Southerly Southeast corner of "Georgetown" a duly recorded subdivision in Marion County Oregon, and being located in Section 11, Township 8 South, Range 3 West of the Willamette Meridian in said County and State; thence North 01° 00' 59" East 71.15 feet along the Easterly line of said Georgetown to a point on the Southerly right-of-way line of County Road No. 839 (commonly known as Pringle Road S.E.); thence South 55° 55' 29" East 29.87 feet along said right-of-way to a point on the West line of R.M. Tone Subdivision, a duly recorded subdivision within said County and State; thence South 00° 23' 15" East 239.30 feet along said West line to a point; thence South 89° 36' 45" West to a point 5.00 feet from said West line if measured perpendicular thereto; thence North 00° 23' 15" West 185.17 feet parallel with said West line to a point which is North 89° 17' 45" East 19.33 feet from the point of beginning; thence South 89° 17' 45" West 19.33 feet to the point of beginning.

NOTE: This legal description was created prior to January 01, 2008.

BARGAIN AND SALE DEEDREEL : PAGE
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HENRY A. MEYER, hereinafter called Grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell, and convey unto TIMOTHY H. MEYER and JOHN K. MEYER, Co-TRUSTEES, hereinafter called Grantees, and unto Grantees' successors and assigns all of that certain real property with the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, situated in the county of Marion, state of Oregon, described as follows, to wit:

Parcel 1: Beginning at the quarter section corner between Sections 10 and 11, in Township 8 South, Range 3 West of the Willamette Meridian in Marion County, Oregon; thence South $89^{\circ}26'$ East 18.35 chains; thence North $0^{\circ}23'$ East 18.93 chains to the Southwest corner of the Donation Land Claim of Abijah Carey; thence West 38 links; thence South $0^{\circ}23'$ West 2.72 chains; thence West 18.08 chains to the line between Sections 10 and 11; thence South 16.03 chains to the place of beginning. SAVE AND EXCEPT: Beginning on the South line of Lot 9, Pringle Fruit Tracts in Section 11, Township 8 South, Range 3 West of the Willamette Meridian in Marion County, Oregon, at a point which is 335.00 feet North $89^{\circ}20'$ West from the Southeast corner of said Lot 9; thence North $89^{\circ}20'$ West, along said South line, 110.00 feet; thence North $0^{\circ}23'$ East 170.00 feet; thence South $89^{\circ}20'$ East 110.00 feet; thence South $0^{\circ}23'$ West 170.00 feet to the place of beginning.

Parcel 2: Beginning on the South line of lot 9, Pringle Fruit Tracts in Section 11, Township 8 South, Range 3 West of the Willamette Meridian in Marion County, Oregon, at a point which is 335.00 feet North $89^{\circ}20'$ West from the Southeast corner of said Lot 9; thence North $89^{\circ}20'$ West along said South line, 110.00 feet; thence North $0^{\circ}23'$ East 170.00 feet; thence South $89^{\circ}20'$ East 110.00 feet; thence South $0^{\circ}23'$ West 170.00 feet to the place of beginning. Together with a right of way for ingress and egress over the following described tract of land: Beginning on the East line of Lot 9, Pringle Fruit Tracts, in Section 11, Township 8 South, Range 3 West of the Willamette Meridian in Marion County, Oregon, at a point which is 170.00 feet North $0^{\circ}23'$ East of the

On Mar 31, 2023, at 7:38 AM, James Santana <james.santana@icloud.com> wrote:

Ok thanks. Does the deed and surveyors legal description in the current title report match the 1996 PLA boundaries, or only the parcel boundaries from two decades prior?

James Santana

On Mar 31, 2023, at 7:16 AM, Aaron Panko <APanko@cityofsalem.net> wrote:

Hi James,

The units of land were found to be lawfully created by Property Line Adjustment Case No. LLA 95-9, recorded in 1996.

Please let me know if you have any questions.

Aaron Panko

Planner III

City of Salem | Community Development Department

555 Liberty St SE, RM 305, Salem, OR 97301

apanko@cityofsalem.net | 503-540-2356

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Due to limited staffing, the Planner's Desk has temporary hours: 10-4 Monday-Friday

Questions on Zoning and Sign Permits can be submitted by email to

Planning@cityofsalem.net

From: James Santana <james.santana@icloud.com>

Sent: Friday, March 31, 2023 10:06 AM

To: Aaron Panko <APanko@cityofsalem.net>

Subject: Re: 23 102733 00 PLN

Hi Aaron,

I see this PLA application was deemed complete. How did the applicant demonstrate the existence of two lawfully created units of land? How did the city find it acceptable, considering it had previously concluded there weren't?

Thanks,

James Santana

On Feb 7, 2023, at 6:51 AM, Aaron Panko <APanko@cityofsalem.net> wrote:

Hi James,

We are reviewing their application now, no conclusions yet.

Please let me know if you have any questions.

Aaron Panko

Planner III

City of Salem | Community Development Department

555 Liberty St SE, RM 305, Salem, OR 97301

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From: James Santana <james.santana@icloud.com>

Sent: Sunday, February 5, 2023 8:30 AM

To: Aaron Panko <APanko@cityofsalem.net>

Subject: 23 102733 00 PLN

Hi Aaron,

I noticed you were assigned the PLA application for 4540 Pringle Rd SE (23 102733 00 PLN) seeking to adjust 1996 PL boundaries.

My understanding was the city already researched this extensively and determined the property had two tax lots but did not have two units of land (the 1996 land division was never perfected) and therefore could not do a PLA. I recall reading that in a staff report or pre-app conference a couple years ago.

Not true?

Thanks,

James Santana