

Aaron Panko

From: James Santana <james.santana@icloud.com>
Sent: Thursday, April 13, 2023 4:27 PM
To: Laurel Christian
Cc: Aaron Panko; Lisa Anderson-Ogilvie; Paul Kowalczyk
Subject: Re: 23 102733 00 PLN

OK, thanks. I will try to reach him.

In the meantime, could you tell me if a PLA deed was recorded in 1996?

If not, has the city attorney reviewed and weighed in on this issue?

James Santana

On Apr 13, 2023, at 4:01 PM, Laurel Christian <LChristian@cityofsalem.net> wrote:

Hello James,

I have cc'd the City Surveyor, Paul Kowalczyk, on this email. He has offered to schedule a call or time to meet in-person with you to discuss the City's decisions on the information that has been submitted thus far. His contact information is below, please feel free to reach out directly to Paul.

Paul M. Kowalczyk, PLS
City Surveyor
pkowalczyk@cityofsalem.net
Office: 503-588-6211 ext. 7315

Thank you,

Laurel Christian
Development Services Planner II
City of Salem | Public Works Department
555 Liberty St SE, Suite 325, Salem OR 97301-3515
Lchristian@cityofsalem.net
Office: 503-588-6211 ext.7445
[Facebook](#) | [Twitter](#) | [YouTube](#) | CityofSalem.net

<image001.jpg>

From: James Santana <james.santana@icloud.com>
Sent: Wednesday, April 12, 2023 1:51 PM
To: Aaron Panko <APanko@cityofsalem.net>; Laurel Christian <LChristian@cityofsalem.net>
Cc: Lisa Anderson-Ogilvie <LMAAnderson@cityofsalem.net>
Subject: Re: 23 102733 00 PLN

Thank you. Could you or Laurel explain why the City surveyor determined in 2021 that the 1996 PLA was perfected, when in 2019 the City determined it was not? What changed?

Could you provide the evidence provided by the applicant to satisfy the 2/17/23 incomplete letter checklist item:

1. "(C) References to original recorded deeds including the creation date and instrument used to lawfully establish each unit of land;"

Also could you share a PDF of the survey and deed reel you reference below? I don't see that in the title report.

If the 1996 PLA was truly perfected, wouldn't the title report reflect the 1996 boundaries? The current legal description and depiction only reflect the 1985 boundaries. Could you explain?

Yes please include my comments in the record. Thank you.

Thanks,
James Santana

On Apr 12, 2023, at 12:55 PM, Aaron Panko <APanko@cityofsalem.net> wrote:

Hi James,

Pamela has retired. I can include your comments in the record if you'd like?

In response to your question, in October 2021, the City Surveyor determined the 1996 PLA was perfected, and post July 1996, there are two lawfully created units of land as depicted on county survey 33941, and described in Deed Reel 1329, Page 308. This determination is based on the review of the chain of title of the subject properties that was provided by the applicant's surveyor.

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

[Facebook](#) | [Twitter](#) | [YouTube](#) | CityofSalem.net

Now Available! Online submittal of Land Use Applications through the City of Salem Permit Application Center. Register for an account [here](#).

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: Tuesday, April 11, 2023 3:01 PM

To: Pamela Cole <PCole@cityofsalem.net>

Cc: Aaron Panko <APanko@cityofsalem.net>

Subject: Re: 23 102733 00 PLN

Dear Pamela,

I am writing in regards to an open PLA application for the property at 4540 Pringle Rd SE (23 102733 00 PLN).

Per Aaron's note below, the City has determined the 1996 PLA lawfully created two units of land for this property. But the 1996 PLA, which I'd point out does not match the current deed's legal description because it was never recorded, sought to adjust boundaries of the 1985 parcels, which were not lawfully created.

In your 2019 email (attached) you said Legal had reviewed title and determined "that the lots were not legally created when the deeds were executed because one of the lots was landlocked" and, therefore, there were not two lawful units of land. Either a partition or lot validation was required to create two units of land.

Could you explain what has changed since the City's earlier finding?

Does the City intend to approve this PLA?

Thanks,

James Santana

On Mar 31, 2023, at 10:16 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

[Facebook](#) | [Twitter](#) | [YouTube](#) | CityofSalem.net

Now Available! Online submittal of Land Use Applications through the City of Salem Permit Application Center. Register for an account [here](#).

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

apanko@cityofsalem.net | 503-540-2356

[Facebook](#) | [Twitter](#) | [YouTube](#) | CityofSalem.net

Now Available! Online submittal of Land Use Applications through the City of Salem Permit Application Center. Register for an account [here](#).

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: 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