

Planning & Development • 22500 Salamo Rd #1000 • West Linn, Oregon 97068 Telephone 503.656.4211 • Fax 503.656.4106 • westlinnoregon.gov

DEVELOPMENT REVIEW APPLICATION

	Use Only		经 联联 的复数交易		
PROJECT NO(S).	P-18-03				
REFUNDABLE DEPOSIT(s) 2800	TOTAL 2800			
Partition (MIP) (Preliminforming Lots, Uses I Unit Development (blication Conference Praction Conference Use, Sign Review Preservice)	/**	emporary Uses * 'ime Extension * 'ariance (VAR) Vater Resource Area Pro Vater Resource Area Pro Villamette & Tualatin F one Change	River Greenway (WRG)		
different or additional application forms, available on the City website or at City Hall.					
Site Location/Address: 2330 Debok Road, West Linn Oregon 97068		ssor's Map No.: 21	E35BC03000		
			acres		
Lens Planning L					
	E	mail: terriw@ben	iciallc.com		
isan Architects	F	Phone: 503-245-7	100		
	Er	mail: markcm@ank	rommoisan.com>		
1. All application fees are non-refundable (excluding deposit). Any overruns to deposit will result in additional billing 2. The owner/applicant or their representative should be present at all public hearings. 3. A denial or approval may be reversed on appeal. No permit will be in effect until the appeal period has expiredy 2 9 2018 4. Three (3) complete hard-copy sets (single sided) of application materials must be submitted with this application. One (1) complete set of digital application materials must also be submitted on CD in PDF format. If large sets of plans are required in application please submit only two sets.					
ication. Acceptance of ations adopted after t	f this application does no he application is approve	t infer a complete subm d shall be enforced whe	ittal. All amendments re applicable.		
	Review ive Plan or Change Adjustment (LLA) *, Partition (MIP) (Prelim Informing Lots, Uses It Unit Development (Dication Conference Pacation Use, Sign Review Perilable on the City we illable on the City we	Review ive Plan or Change Adjustment (LLA) */** Partition (MIP) (Preliminary Plat or Plan) on Informing Lots, Uses & Structures Unit Development (PUD) olication Conference (PA) */** Vacation	Review Subdivision (SUB) Temporary Uses * Time Extension * Variance (VAR) Water Resource Area Prolication Conference (PA) */** Williamette & Tualatin Fax Lot(s):03000 Total Land Area: 2.33 attion to consolidate two parcels of land. Assessor's Map No.: 21 Tax Lot(s):03000 Total Land Area: 2.33 attion to consolidate two parcels of land. Assessor's Map No.: 21 Tax Lot(s):03000 Total Land Area: 2.33 attion to consolidate two parcels of land. Assessor's Map No.: 21 Tax Lot(s):03000 Total Land Area: 2.33 attion to consolidate two parcels of land. Assessor's Map No.: 21 Tax Lot(s):03000 Total Land Area: 2.33 attion to consolidate two parcels of land. Assessor's Map No.: 21 Tax Lot(s):03000 Total Land Area: 2.33 attion to consolidate two parcels of land. Assessor's Map No.: 21 Tax Lot(s):03000 Total Land Area: 2.33 attion to consolidate two parcels of land. Assessor's Map No.: 21 Tax Lot(s):03000 Total Land Area: 2.33 attion to consolidate two parcels of land. Assessor's Map No.: 21 Tax Lot(s):03000 Total Land Area: 2.33 attion to consolidate two parcels of land. Assessor's Map No.: 21 Tax Lot(s):03000 Total Land Area: 2.33 attion to consolidate two parcels of land. Assessor's Map No.: 21 Tax Lot(s):03000 Total Land Area: 2.33 attion to consolidate two parcels of land.		

Application for Minor Partition

2330 Debok Road, West Linn Oregon Taxlot ID #: 21E35BC03000



Project:	Rose Linn Care Center			
Location:	2300 and 2330 Debok Road			
Property ID:	21E35BC03000			
Applicant:	Robin Scholetzky, AICP, UrbanLens Planning			
Architecture	Mark Miller, Ankrom Moisan Architects			
Firm:				
Zoning:	Zoning: R4.5			
Request:	Minor Partition (Consolidation of two lots of record to one)			
Submittal	City of West Linn Application Form			
includes:	Application Narrative/Approval Criteria			
	Attachments:			
	Existing Conditions Plan, Attachment A			
	Proposed Consolidation Plat Drawing, Attachment B			
	Title Report 2018, Attachment C			

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I. Project Overview

This project is to consolidate two parcels into one; removing a lot line that continues across a footprint of an existing building located on Parcel 1 and 2. As this footprint of the existing building crosses property lines is in potential conflicting with Building Code requirements, the Applicant is proposing to replat the site to consolidate the two existing lots of record into a single parcel. The site is already considered one unit of land for tax purposes. The result will be a net decrease of one lot of record, as the two lots are consolidated into one. No other changes are proposed.

Site History

These lots have been created by deed reference only. The site is under one ownership and tax lot. No prior platting history has been found from research with the City of West Linn or Clackamas County.

Comprehensive Plan designation/Zoning classification

Comprehensive Plan is Low Density Residential/Zoning is R4.5

Street Designations

Site has access from Debok Road, a Neighborhood Route. Summerlinn Drive is a private street which forms an intersection at the site. Additionally, the site is adjacent to Interstate 205, but does not have access or direct frontage due to grade changes.

II. Project Description

The site consists of two parcels at 2300-2330 Debok Road - and one tax lot: 21E35BC03000 of Clackamas County Assessor's Map 21E35BC03000. The site is located in the Willamette Neighborhood Association. The site includes a multi-story and single story building approximately 36,208 square feet. The site has Debok Road to the north and public right of way to the west. The site is within a

neighborhood containing multi-family and single-family detached residences. The site is located in the R4.5 Residential zone.

III. Response to Applicable Criteria, Development Standards

85.150 Application – Tentative Plan

A. The applicant shall submit a completed application which shall include: 1. The completed application form(s).

Response: The submitted application contains a copy of the application form.

2. Copies of the tentative plan and supplemental drawings shall include one copy at the original scale plus one copy reduced in paper size not greater than 11 inches by 17 inches. The applicant shall also submit one copy of the complete application in a digital format acceptable to the City. When the application submittal is determined to be complete, additional copies may be required as determined by the Community Development Department.

Response: The Applicant submitted a plat drawing prepared by Northwest Surveying, **Proposed Consolidation Plat Drawing**, Attachment B.

3. A narrative explaining all aspects of land division per CDC 85.200.

Response: The Applicant's narrative responding to all aspects of CDC 85.200 is included below.

B. The applicant shall pay the requisite fee.

Response: The Applicant paid the appropriate application review fee.

85.160 Submittal Requirements for Tentative Plan

A. A City-wide map shall identify the site. A vicinity map covering one-quarter-mile radius from the development site shall be provided in the application showing existing subdivisions, streets, and unsubdivided land ownerships adjacent to the proposed subdivision and showing how proposed streets and utilities may be extended to connect to existing streets and utilities.

Response: The Applicant provided a vicinity map as part of the **Proposed Consolidation Plat Drawing**, Attachment B. The subject property is located in a residentially-zoned area along Debok Road. The vicinity of the site is built-out and includes ample connections to rights of way and utilities. No extension of streets and utilities would be needed to serve the existing development.

B. The tentative subdivision plan shall be prepared by a registered civil engineer and/or a licensed land surveyor. A stamp and signature of the engineer or surveyor shall be included on the tentative subdivision plan. A tentative minor partition plan (three lots or less) is only required to be drawn to scale and does not have to be prepared by an engineer or surveyor.

Response: The Applicant provided a proposed plat drawing prepared by Professional Land Surveyor Scott Field of Northwest Surveying. See **Proposed Consolidation Plat Drawing**, Attachment B.

C. The tentative plan of a subdivision or partition shall be drawn at a scale not smaller than one inch equals 100 feet, or, for areas over 100 acres, one inch equals 200 feet.

Response: The proposed plat drawing complies with this requirement. See **Proposed Consolidation Plat Drawing**, Attachment B.

D. The following general information shall be shown on the tentative plan of subdivision or partition: Rose Linn Care Center, Minor Partition Land Use Application

- 1. Proposed name of the subdivision and streets; these names shall not duplicate nor resemble the name of any other subdivision or street in the City and shall be determined by the City Manager or designee. Street names should be easily spelled, pronounced, and of limited length. All new street names must, to the greatest extent possible, respect and be representative of the surrounding geography and existing street names. Street names should consider any prominent historical City figures or neighborhood themes that exist. Subdivision street names may not reference names of the builder or developer.
- 2. Date, north arrow, scale of drawing, and graphic bar scale.
- 3. Appropriate identification clearly stating the drawing as a tentative plan.
- 4. Location of the proposed division of land, with a tie to the City coordinate system, where established, and a description sufficient to define its location and boundaries, and a legal description of the tract boundaries.
- 5. Names and addresses of the owner, developer, and engineer or surveyor.

Response: The proposed plat drawing complies with these requirements. See **Proposed Consolidation Plat Drawing**, Attachment B.

- E. The following existing conditions shall be shown on the tentative plan of a subdivision or partition:
- 1. The location, widths, and names of all existing or platted streets and rights-of-way within or adjacent to the tract (within 50 feet), together with easements and other important features such as section lines, donation land claim corners, section corners, City boundary lines, and monuments.
- 2. Contour lines related to the U.S. Geological Survey datum or some other established benchmark, or other datum approved by the Planning Director and having the following minimum intervals:
 - a. Two-foot contour intervals for ground slopes less than 20 percent.
 - b. Five-foot contour intervals for ground slopes exceeding 20 percent.
- 3. The location of any control points that are the basis for the applicant's mapping.
- 4. The location, by survey, and direction of all watercourses and areas subject to periodic inundation or storm drainageway overflow or flooding, including boundaries of flood hazard areas as established by the U.S. Army Corps of Engineers or the City zoning ordinance.
- 5. Natural features such as rock outcroppings, wetlands tied by survey, wooded areas, heritage trees, and isolated trees (six-inch diameter at five feet above grade) identified by size, type, and location. All significant trees and tree clusters identified by the City Arborist using the criteria of CDC 55.100(B)(2), and all heritage trees, shall be delineated. Trees on non-Type I and II lands shall have their "dripline plus 10 feet" protected area calculated per CDC 55.100(B)(2) and expressed in square feet, and also as a percentage of total non-Type I and II area.
- 6. Existing uses of the property, including location of all existing structures. Label all structures to remain on the property after platting.
- 7. Identify the size and location of existing sewers, water mains, culverts, drain pipes, gas, electric, and other utility lines within the site, and in the adjoining streets and property.
- 8. Zoning on and adjacent to the tract.
- 9. Existing uses to remain on the adjoining property and their scaled location.
- 10. The location of any existing bicycle or pedestrian ways.
- 11. The location of adjacent transit stops.

Response: The proposed plat drawing complies with this requirement. See **Proposed Consolidation Plat Drawing**, Attachment B.

- F. The following proposed improvements shall be shown on the tentative plan or supplemental drawings:
- 1. The street street location, proposed name, right-of-way width, and approximate radius of curves of each proposed street and street grades. Proposed street names shall comply with the street naming method explained in CDC 85.200(A)(12).

Rose Linn Care Center, Minor Partition Land Use Application

- 2. The type, method, and location of any erosion prevention and sediment control measures and/or facilities in accordance with the most current version of Clackamas County's Erosion/Sedimentation Control Plans Technical Guidance Handbook, which are necessary to prevent and control visible or measurable erosion as determined by the following criteria:
- a. Deposition of soil, sand, dirt, dust, mud, rock, gravel, refuse, or any other organic or inorganic material exceeding one cubic foot in volume in a public right-of-way or public property, or into the City surface water management system either by direct deposit, dropping, discharge, or as a result of erosion; or
- b. Flow of water over bare soils, turbid or sediment-laden flows, or evidence of on-site erosion such as rivulets or bare soil slopes, where the flow of water is not filtered or captured on the development site; or
- c. Earth slides, mud flows, land slumping, slope failure, or other earth movement that is likely to leave the property of origin.

Additional on-site measures may later be required if original measures prove to be inadequate in meeting these attainment standards. For the purposes of this code, "one cubic foot in volume" is defined to include the volume of material, wet or dry, at the time of deposition and includes any water of a discolored or turbid nature.

- 3. Any proposed infrastructure improvements that address those identified in the City Transportation System Plan.
- 4. Any proposed bicycle or pedestrian paths. The location of proposed transit stops.
- 5. Any easement(s) location, width, and purpose of the easement(s).
- 6. The configuration including location and approximate dimensions and area of each lot or parcel, and in the case of a subdivision, the proposed lot and block number.
- 7. A street tree planting plan and schedule approved by the Parks Department.
- 8. Any land area to be dedicated to the City or put in common ownership.
- 9. Phase boundaries shall be shown.

Response: The proposed plat drawing complies with this requirement. See **Proposed Consolidation Plat Drawing**, Attachment B.

85.170 Supplemental Submittal Requirements for Tentative Subdivision or Partition Plan

The following information shall be submitted to supplement the tentative subdivision plan: A. General.

1. Narrative stating how the plan meets each of the applicable approval criteria and each subsection below.

Response: This narrative responds to and satisfies this requirement.

2. Statement or affidavit of ownership of the tract (County Assessor's map and tax lot number).

Response: The Applicant submitted a copy of the vesting deed, Statutory Bargain and Sale recorded as Clackamas County Record No. 2012-031336. (See Attachment C.) Exhibit A to that deed identifies the two lots of record as Parcels I and II.

3. A legal description of the tract.

Response: Because this plat will consolidate properties into one parcel of record, the plat drawing itself provides a legal description of the subject property. See **Proposed Consolidation Plat Drawing**, Attachment B.

The Applicant submitted a copy of the vesting deed, Statutory Bargain and Sale recorded as Clackamas County Record No. 2012-031336. (See Attachment C.) Exhibit A to that deed identifies the two lots of record as Parcels I and II.

4. If the project is intended to be phased, then such a proposal shall be submitted at this time with drawing and explanation as to when each phase will occur and which lots will be in each phase.

Response: No phasing is to occur as part of this project.

5. Where the land to be subdivided or partitioned contains only a part of the contiguous land owned by the developer, the Commission or Planning Director, as applicable, shall require a master plan of the remaining portion illustrating how the remainder of the property may suitably be subdivided.

Response: This is not applicable as the land is under the same ownership and is contiguous.

6. Where the proposed subdivision site includes hillsides, as defined in CDC 02.030 Type I and II lands, or any lands identified as a hazard site in the West Linn Comprehensive Inventory Plan Report, the requirements for erosion control as described in CDC 85.160(F)(2) shall be addressed in a narrative.

Response: No hillside development is proposed with this application.

7. Table and calculations showing the allowable number of lots under the zone and how many lots are proposed.

Response: Only one lot is proposed.

8.. Map and table showing square footage of site comprising slopes by various classifications as identified in CDC 55.110(B)(3).

Response: This information is provided on EX 1 and EX 2 drawings.

85.170.B. Transportation

85.170.C. Grading

85.170.D. Water

85.170.E. Sewer

85.170.F. Storm

Response: No changes to transportation facilities are part of this request. Water, sewer, and utility facilities to serve the site are existing and will continue to be adequate to serve the existing development.

85.190 Additional Information Required and Waiver of Requirements

The Planning Director may require additional information as part of the application subject to the provisions of CDC 99.035(A).

The applicant may request a waiver of any requirements for the application subject to the provisions of CDC 99.035(B) and (C).

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Response: Should additional information be necessary, the applicant will work with City staff to provide a complete application. No waiver of any requirements is being currently sought by the applicant.

85.200 Approval Criteria

No tentative subdivision or partition plan shall be approved unless adequate public facilities will be available to provide service to the partition or subdivision area prior to final plat approval and the Planning Commission or Planning Director, as applicable, finds that the following standards have been satisfied, or can be satisfied by condition of approval.

A. Streets.

Response: No new streets are proposed as part of the partition. The site is currently served by Debok Road and an adjacent right of way to the west of the site.

- B. Blocks and lots.
- 1. General. The length, width, and shape of blocks shall be designed with due regard for the provision of adequate building sites for the use contemplated; consideration of the need for traffic safety, convenience, access, circulation, and control; and recognition of limitations and opportunities of topography and solar access.

Response: No new blocks are proposed or required as part of the partition. These provisions are not applicable.

2. Sizes. The recommended block size is 400 feet in length to encourage greater connectivity within the subdivision. Blocks shall not exceed 800 feet in length between street lines, except for blocks adjacent to arterial streets or unless topographical conditions or the layout of adjacent streets justifies a variation. Designs of proposed intersections shall demonstrate adequate sight distances to the City Engineer's specifications. Block sizes and proposed accesses must be consistent with the adopted TSP. Subdivisions of five or more acres that involve construction of a new street shall have block lengths of no more than 530 feet. If block lengths are greater than 530 feet, accessways on public easements or right-of-way for pedestrians and cyclists shall be provided not more than 330 feet apart. Exceptions can be granted when prevented by barriers such as topography, rail lines, freeways, pre-existing development, leases, easements or covenants that existed prior to May 1, 1995, or by requirements of Titles 3 and 13 of the UGMFP. If streets must cross water features protected pursuant to Title 3 UGMFP, provide a crossing every 800 to 1,200 feet unless habitat quality or the length of the crossing prevents a full street connection.

Response: No new blocks are proposed or required as part of the partition. These provisions are not applicable.

3. Lot size and shape. Lot or parcel size, width, shape, and orientation shall be appropriate for the location of the subdivision or partition, for the type of use contemplated, for potential utilization of solar access, and for the protection of drainageways, trees, and other natural features. No lot or parcel shall be dimensioned to contain part of an existing or proposed street. All lots or parcels shall be buildable. "Buildable" describes lots that are free of constraints such as wetlands, drainageways, etc., that would make home construction impossible. Lot or parcel sizes shall not be less than the size required by the zoning code unless as allowed by planned unit development (PUD). Depth and width of properties reserved or laid out for commercial and industrial purposes shall be adequate to provide for the off-street parking and service facilities required by the type of use proposed.

Response: The proposed lot does not contain any part of an existing or proposed street. The proposed consolidated lot is buildable, as evident by the existing buildings. See **Existing Conditions Plan**, Attachment A.

Rose Linn Care Center, Minor Partition Land Use Application

4. Access. Access to subdivisions, partitions, and lots shall conform to the provisions of Chapter 48 CDC, Access, Egress and Circulation.

Response: Access to the site is obtained via existing access on Debok Road. See **Existing Conditions Plan**, Attachment A.

5. Double frontage lots and parcels. Double frontage lots and parcels have frontage on a street at the front and rear property lines. Double frontage lots and parcels shall be avoided except where they are essential to provide separation of residential development from arterial streets or adjacent non-residential activities, or to overcome specific disadvantages of topography and orientation. A planting screen or impact mitigation easement at least 10 feet wide, and across which there shall be no right of access, may be required along the line of building sites abutting such a traffic artery or other incompatible use.

Response: The roadway configuration is an existing condition based on two existing deeded parcels and no new lot lines are being drawn.

6. Lot and parcel side lines. The lines of lots and parcels, as far as is practicable, should run at right angles to the street upon which they face, except that on curved streets they should be radial to the curve.

Response: The partition combines previously existing lots and no new lot lines are being drawn. These provisions are not applicable.

7. Flag lots. Flag lots can be created where it can be shown that no other reasonable street access is possible to achieve the requested land division. A single flag lot shall have a minimum street frontage of 15 feet for its accessway. Where two to four flag lots share a common accessway, the minimum street frontage and accessway shall be eight feet in width per lot. Common accessways shall have mutual maintenance agreements and reciprocal access and utility easements. The following dimensional requirements shall apply to flag lots:

Response: Not applicable, no flag lot is proposed as part of the site development.

C. Pedestrian and bicycle trails.

Response: Not applicable, no new pedestrian or bicycle trails are proposed as part of the site development.

D. Transit facilities.

Response: Not applicable, transit facilities are not required or proposed as part of the site development.

E. Grading.

Response: No grading is proposed as part of this consolidation. This is not applicable.

F. Water.

G. Sewer.

H. Storm detention and treatment

I. Utility easements.

Response: Water, sewer, and utility facilities to serve the site are existing and will continue to be adequate to serve the existing development.

- J. Supplemental provisions.
- 1. Wetland and natural drainageways. Wetlands and natural drainageways shall be protected as required by Chapter 32 CDC, Water Resource Area Protection. Utilities may be routed through the protected corridor as a last resort, but impact mitigation is required.

Response: The site does not contain any identified wetlands. No development that would affect natural drainageways is proposed as part of this minor partition (consolidation).

2. Willamette and Tualatin Greenways. The Willamette and Tualatin River Greenways shall be protected as required by Chapter 28 CDC, Willamette and Tualatin River Protection.

Response: The site does not contain either of these Greenways. No development that would affect either of these Greenways is proposed as part of this minor partition (consolidation).

- 3. Street trees. Street trees are required as identified in the appropriate section of the municipal code and Chapter 54 CDC.
- 4. Lighting. All subdivision street or alley lights shall meet West Linn Public Works Design Standards.

Response: No development is proposed with this application.

5. Dedications and exactions. The City may require an applicant to dedicate land and/or construct a public improvement that provides a benefit to property or persons outside the property that is the subject of the application when the exaction is roughly proportional. No exaction shall be imposed unless supported by a determination that the exaction is roughly proportional to the impact of development.

Response: No development is proposed with this application.

6. Underground utilities. All utilities, such as electrical, telephone, and television cable, that may at times be above ground or overhead shall be buried underground in the case of new development. The exception would be in those cases where the area is substantially built out and adjacent properties have above-ground utilities and where the development site's frontage is under 200 feet and the site is less than one acre. High voltage transmission lines, as classified by Portland General Electric or electric service provider, would also be exempted. Where adjacent future development is expected or imminent, conduits may be required at the direction of the City Engineer. All services shall be underground with the exception of standard above-grade equipment such as some meters, etc.

Response: All utilities are existing on-site.

7. Density requirement. Density shall occur at 70 percent or more of the maximum density allowed by the underlying zoning. These provisions would not apply when density is transferred from Type I and II lands as defined in CDC 02.030. Development of Type I or II lands are exempt from these provisions. Land divisions of three lots or less would also be exempt.

Response: The existing use on-site is a Skilled Nursing Facility as approved through CU 98-05/DR 98-19. The project received approval to expand the facility from 62 to 71 beds and construct an assisted nursing facility for 44 beds. (115 beds total).

8. Mix requirement. The "mix" rule means that developers shall have no more than 15 percent of the R-2.1 and R-3 development as single-family residential. The intent is that the majority of the site shall be developed as medium high density multi-family housing.

Response: This provision is not applicable because the subject property is located in R-4.5 zone.

Rose Linn Care Center, Minor Partition Land Use Application

9. Heritage trees/significant tree and tree cluster protection. All heritage trees, as defined in the municipal code, shall be saved. Diseased heritage trees, as determined by the City Arborist, may be removed at his/her direction. All non-heritage trees and clusters of trees (three or more trees with overlapping dripline; however, native oaks need not have an overlapping dripline) that are considered significant by virtue of their size, type, location, health, or numbers shall be saved pursuant to CDC 55.100(B)(2). Trees are defined per the municipal code as having a trunk six inches in diameter or 19 inches in circumference at a point five feet above the mean ground level at the base of the trunk.

Response: No heritage trees are located on-site.

IV. Conclusion

This application to consolidate two existing parcels through the partition review/approval process and to remedy a prior City-approved site condition.



1433 SW 6th Avenue (503)646-4444

OWNERSHIP AND ENCUMBRANCES REPORT WITH GENERAL INDEX LIENS

Informational Report of Ownership and Monetary and Non-Monetary Encumbrances

To ("Customer"): UrbanLens Planning

2744 SE 34th Avenue Portland, OR 97202

 Customer Ref.:
 2330 DeBok Road

 Order No.:
 472518002118

Effective Date: April 30, 2018 at 08:00 AM

Charge: \$350.00

The information contained in this report is furnished by Chicago Title Company of Oregon (the "Company") as a real property information service based on the records and indices maintained by the Company for the county identified below. THIS IS NOT TITLE INSURANCE OR A PRELIMINARY TITLE REPORT FOR, OR COMMITMENT FOR, TITLE INSURANCE. No examination has been made of the title to the herein described property, other than as specifically set forth herein. Liability for any loss arising from errors and/or omissions is limited to the lesser of the charge or the actual loss, and the Company will have no greater liability by reason of this report. THIS REPORT IS SUBJECT TO THE LIMITATIONS OF LIABILITY STATED BELOW, WHICH LIMITATIONS OF LIABILITY ARE A PART OF THIS REPORT.

THIS REPORT INCLUDES MONETARY AND NON-MONETARY ENCUMBRANCES.

Part One - Ownership and Property Description

Owner. The apparent vested owner of property ("the Property") as of the Effective Date is:

West Linn Care Center Holding Company LLC. an Oregon limited liability company

Premises. The Property is:

(a) Street Address:

2330 DeBok Road, West Linn, OR 97068

(b) Legal Description:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

Part Two - Encumbrances

Encumbrances. As of the Effective Date, the Property appears subject to the following monetary and non-monetary encumbrances of record, not necessarily listed in order of priority, including liens specific to the subject property and general index liens (liens that are not property specific but affect any real property of the named person in the same county):

EXCEPTIONS

SPECIFIC ITEMS AND EXCEPTIONS:

Note: Property taxes for the fiscal year shown below are paid in full.

Fiscal Year: 2017-2018
Amount: \$55,957.37
Levy Code: 003-002
Account No.: 00407170
Map No.: 21E35BC03000

Affects: Parcel I

Note: Property taxes for the fiscal year shown below are paid in full.

Fiscal Year: 2017-2018
Amount: \$58,480.10
Levy Code: 003-02
Account No.: 00407161
Map No.: 21E35BC02900

Affects: Parcel II

- 1. City Liens, if any, in favor of the City of West Linn.
- 2. Access Restrictions contained in Final Judgment filed in the Circuit Court of Clackamas County, Oregon, including the terms and provisions thereof.

Case No.: 68215

In Favor Of: State of Oregon, by and through its State Highway Commission,

Entry Date: November 6, 1969

Affects: Parcel II

3. MDU Broadband Services Agreement and Memorandum of Easement, including the terms and provisions

Executed by: Rose Linn, Inc. and TCI Cablevision of Oregon, Inc.

Recording Date: August 17, 2001 Recording No.: 2001-066185

(Affects Parcel I)

4. Maintenance Agreement, including the terms and provisions thereof;

Executed by: The City of West Linn and Rose Linn, Inc.

Recording Date: June 16, 2004 Recording No.: 2004-054765

5. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

To: Comcast of Oregon II, Inc. as Grantee

Recording Date: March 1, 2012 Recording No.: 2012-012035

Affects: Parcel I

6. A healthcare deed of trust to secure an indebtedness in the amount shown below.

Amount: \$11,702,900.00 Dated: July 1, 2014

Trustor/Grantor: Rose Linn Care Center

Trustee: Chicago Title Insurance Company

Beneficiary: Prudential Huntoon Paige Associates, LLC

Loan No.: FHA Project No. 126-22133

Recording Date: July 23, 2014 Recording No.: 2014-035766

An assignment of all moneys due, or to become due as rental or otherwise from said Land, to secure payment of an indebtedness, shown below and upon the terms and conditions therein

Assigned to: Prudential Huntoon Paige Associates, LLC
Assigned By: West Linn Care Center Operating Company LLC

Recording Date: July 23, 2014 Recording No: 2014-035803

7. Healthcare Regulatory Agreement including the terms and provisions thereof

Executed by: West Linn Care Center Holding Company LLC and the U.S. Department of Housing

and Urban Development

Recording Date: July 23, 2014 Recording No.: 2014-035767

8. A financing statement as follows:

Debtor: West Linn Care Center Holding Company LLC Secured Party: Prudential Huntoon Paige Associates, LLC

Recording Date: July 23, 2014 Recording No: 2014-035768

Healthcare Regulatory Agreement including the terms and provisions thereof

Executed by: West Linn Care Center Operating Company LLC and the U.S. Department of Housing

and Urban Development

Recording Date: July 23, 2014 Recording No.: 2014-035769

10. An unrecorded lease with certain terms, covenants, conditions and provisions set forth therein as disclosed by the document

Entitled: Memorandum of Lease

Lessor: West Linn Care Center Holding Company LLC Lessee: West Linn Care Center Operating Company LLC

Recording Date: July 23, 2014 Recording No: 2014-035770 An agreement recorded July 23, 2014 at 2014-035801 which states that this instrument was subordinated to the document or interest described in the instrument

Recording Date: July 23, 2014 Recording No.: 2014-035766

11. A financing statement as follows:

Debtor: West Linn Care Center Operating Company LLC Secured Party: Prudential Huntoon Paige Associates, LLC

Recording Date: July 23, 2014 Recording No: 2014-035802

12. An unrecorded lease with certain terms, covenants, conditions and provisions set forth therein as disclosed by the document

Entitled: Assignment of Leases and Rents

Lessor: West Linn Care Center Operating Company LLC

Lessee: Rose Linn Care Center

Recording Date: July 23, 2014
Recording No: 2014-035803

Potential encroachments as set forth on survey prepared by Northwest Surveying, Inc., dated May 17, 2012 and last revised May 27, 2014, Job No. 805, which are referenced as follows:

A. At the Northwest corner of the property there is a Keystone retaining wall that extends 0.7 feet over the most Northerly property line onto the adjacent land owned by the State of Oregon. There is also a light pole with an overhead cobra light oriented towards the public right-of-way that is 0.8 feet South of the property line. It is unknown if this is a public or private light.

Note: This map/plat is being furnished as an aid in locating the herein described Land in relation to adjoining streets, natural boundaries and other land. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the Company does not insure dimensions, distances or acreage shown thereon.

End of Reported Information

There will be additional charges for additional information or copies. For questions or additional requests, contact:

Norman Lee 503-469-4128 Norman.Lee@TitleGroup.FNTG.com

Chicago Title Company of Oregon 1433 SW 6th Avenue Portland, OR 97201

EXHIBIT "A"

Legal Description

PARCEL I:

Part of the William Bland Donation Land Claim in Township 2 South, Range 1 East of the Willamette Meridian, ir he Citv of West Linn. County of Clackamas and State of Oregon:

Beginning at an iron pipe at a point North 00°30' East 5 chains from the Southwest corner of said Bland Donation Land Claim; thence continuing North 00°30' East 150 feet; thence North 83° East 300 feet; thence South 00°30' West 150 feet to an iron pipe; thence South 83° West 300 feet to the point of beginning.

EXCEPTING THEREFROM that portion conveyed to the State of Oregon by and through its State Highway commission, by final Judgment filed December 22, 1969 in Volume 195, Page 122 in the circuit Court of the State of Oregon for the County of Clackamas. Case No. 68212.

PARCEL II:

Part of the William Bland Donation Land Claim in Section 35. Township 2 South, Range 1 East of the Willamette Meridian, in the City of West Linn, County of Clackamas and State of Oregon:

Beginning at an iron pipe at a point North 00°30' East 5 chains from the Southwest corner of said Bland Donation Land Claim; thence continuing North 00°30' East 330 feet; thence North 83° East 660 feet; thence South 00°30' West 330 feet to an iron pipe; thence South 83° West 660 feet to the point of beginning.

EXCEPTING THEREFROM the following described land:

Beginning at an iron pipe at a point North 00°30' East 5 chains from the Southwest corner of said Bland Donation Land Claim; thence continuing North 00°30' East 150 feet; thence North 83° East 300 feet; thence South 00°30' West 150 feet to an iron pipe; thence South 83° West 300 feet to the point of beginning.

ALSO EXCEPTING THEREFROM any portion thereof lying East of the West line of George De Bok Road.

LASTLY EXCEPTING THEREFROM any portion lying within vacated road area described in City of West Linn Ordinance No. 1451, Recorded November 3, 2000 as Recording No. 2000-071888.

LIMITATIONS OF LIABILITY

"CUSTOMER" REFERS TO THE RECIPIENT OF THIS REPORT.

CUSTOMER EXPRESSLY AGREES AND ACKNOWLEDGES THAT IT IS EXTREMELY DIFFICULT, IF NOT IMPOSSIBLE, TO DETERMINE THE EXTENT OF LOSS WHICH COULD ARISE FROM ERRORS OR OMISSIONS IN, OR THE COMPANY'S NEGLIGENCE IN PRODUCING, THE REQUESTED REPORT, HEREIN "THE REPORT." CUSTOMER RECOGNIZES THAT THE FEE CHARGED IS NOMINAL IN RELATION TO THE POTENTIAL LIABILITY WHICH COULD ARISE FROM SUCH ERRORS OR OMISSIONS OR NEGLIGENCE. THEREFORE, CUSTOMER UNDERSTANDS THAT THE COMPANY IS NOT WILLING TO PROCEED IN THE PREPARATION AND ISSUANCE OF THE REPORT UNLESS THE COMPANY'S LIABILITY IS STRICTLY LIMITED. CUSTOMER AGREES WITH THE PROPRIETY OF SUCH LIMITATION AND AGREES TO BE BOUND BY ITS TERMS

THE LIMITATIONS ARE AS FOLLOWS AND THE LIMITATIONS WILL SURVIVE THE CONTRACT:

ONLY MATTERS IDENTIFIED IN THIS REPORT AS THE SUBJECT OF THE REPORT ARE WITHIN ITS SCOPE. ALL OTHER MATTERS ARE OUTSIDE THE SCOPE OF THE REPORT.

CUSTOMER AGREES. AS PART OF THE CONSIDERATION FOR THE ISSUANCE OF THE REPORT AND TO THE FULLEST EXTENT PERMITTED BY LAW, TO LIMIT THE LIABILITY OF THE COMPANY, ITS LICENSORS, AGENTS, SUPPLIERS, RESELLERS, SERVICE PROVIDERS, CONTENT PROVIDERS AND ALL SUBSCRIBERS OR SUPPLIERS, SUBSIDIARIES, AFFILIATES, EMPLOYEES. SUBCONTRACTORS FOR ANY AND ALL CLAIMS, LIABILITIES, CAUSES OF ACTION, LOSSES, COSTS, DAMAGES AND EXPENSES OF ANY NATURE WHATSOEVER, INCLUDING ATTORNEY'S FEES, HOWEVER ALLEGED OR ARISING, INCLUDING BUT NOT LIMITED TO THOSE ARISING FROM BREACH OF CONTRACT, NEGLIGENCE, THE COMPANY'S OWN FAULT AND/OR NEGLIGENCE, ERRORS, OMISSIONS, STRICT LIABILITY, BREACH OF WARRANTY, EQUITY, THE COMMON LAW, STATUTE OR ANY OTHER THEORY OF RECOVERY, OR FROM ANY PERSON'S USE, MISUSE, OR INABILITY TO USE THE REPORT OR ANY OF THE MATERIALS CONTAINED THEREIN OR PRODUCED, SO THAT THE TOTAL AGGREGATE LIABILITY OF THE COMPANY AND ITS AGENTS, SUBSIDIARIES, AFFILIATES, EMPLOYEES, AND SUBCONTRACTORS SHALL NOT IN ANY EVENT EXCEED THE COMPANY'S TOTAL FEE FOR THE REPORT.

CUSTOMER AGREES THAT THE FOREGOING LIMITATION ON LIABILITY IS A TERM MATERIAL TO THE PRICE THE CUSTOMER IS PAYING, WHICH PRICE IS LOWER THAN WOULD OTHERWISE BE OFFERED TO THE CUSTOMER WITHOUT SAID TERM. CUSTOMER RECOGNIZES THAT THE COMPANY WOULD NOT ISSUE THE REPORT BUT FOR THIS CUSTOMER AGREEMENT, AS PART OF THE CONSIDERATION GIVEN FOR THE REPORT, TO THE FOREGOING LIMITATION OF LIABILITY AND THAT ANY SUCH LIABILITY IS CONDITIONED AND PREDICATED UPON THE FULL AND TIMELY PAYMENT OF THE COMPANY'S INVOICE FOR THE REPORT.

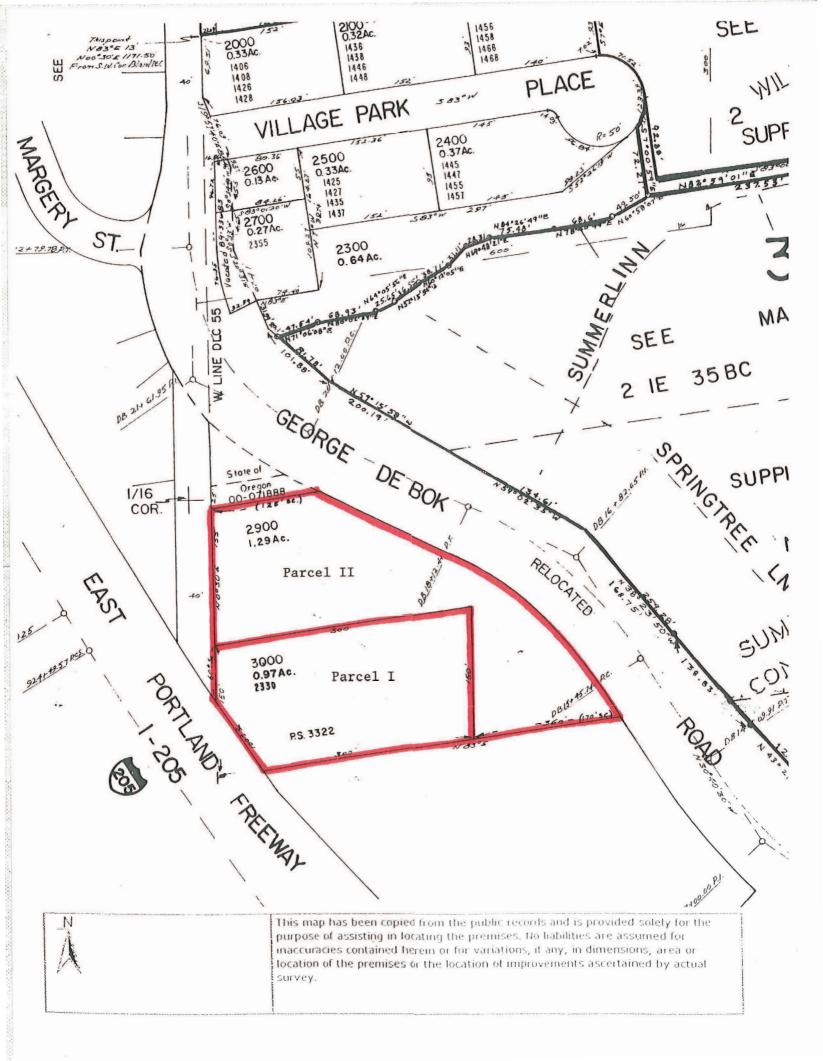
THE REPORT IS LIMITED IN SCOPE AND IS NOT AN ABSTRACT OF TITLE, TITLE OPINION, PRELIMINARY TITLE REPORT, TITLE REPORT, COMMITMENT TO ISSUE TITLE INSURANCE, OR A TITLE POLICY, AND SHOULD NOT BE RELIED UPON AS SUCH. THE REPORT DOES NOT PROVIDE OR OFFER ANY TITLE INSURANCE, LIABILITY COVERAGE OR ERRORS AND OMISSIONS COVERAGE. THE REPORT IS NOT TO BE RELIED UPON AS A REPRESENTATION OF THE STATUS OF TITLE TO THE PROPERTY. THE COMPANY MAKES NO REPRESENTATIONS AS TO THE REPORT'S ACCURACY, DISCLAIMS ANY WARRANTY AS TO THE REPORT, ASSUMES NO DUTIES TO CUSTOMER, DOES NOT INTEND FOR CUSTOMER TO RELY ON THE REPORT, AND ASSUMES NO LIABILITY FOR ANY LOSS OCCURRING BY REASON OF RELIANCE ON THE REPORT OR OTHERWISE.

IF CUSTOMER (A) HAS OR WILL HAVE AN INSURABLE INTEREST IN THE SUBJECT REAL PROPERTY, (B) DOES NOT WISH TO LIMIT LIABILITY AS STATED HEREIN AND (C) DESIRES THAT ADDITIONAL LIABILITY BE ASSUMED BY THE COMPANY, THEN CUSTOMER MAY REQUEST AND PURCHASE A POLICY OF TITLE INSURANCE, A BINDER, OR A COMMITMENT TO ISSUE A POLICY OF TITLE INSURANCE. NO ASSURANCE IS GIVEN AS TO THE INSURABILITY OF THE TITLE OR STATUS OF TITLE. CUSTOMER EXPRESSLY AGREES AND ACKNOWLEDGES IT HAS AN INDEPENDENT DUTY TO ENSURE AND/OR RESEARCH THE ACCURACY OF ANY INFORMATION OBTAINED FROM THE COMPANY OR ANY PRODUCT OR SERVICE PURCHASED.

NO THIRD PARTY IS PERMITTED TO USE OR RELY UPON THE INFORMATION SET FORTH IN THE REPORT, AND NO LIABILITY TO ANY THIRD PARTY IS UNDERTAKEN BY THE COMPANY.

CUSTOMER AGREES THAT, TO THE FULLEST EXTENT PERMITTED BY LAW, IN NO EVENT WILL THE COMPANY, ITS LICENSORS, AGENTS, SUPPLIERS, RESELLERS, SERVICE PROVIDERS, CONTENT PROVIDERS, AND ALL OTHER SUBSCRIBERS OR SUPPLIERS, SUBSIDIARIES, AFFILIATES, EMPLOYEES AND SUBCONTRACTORS BE LIABLE FOR CONSEQUENTIAL, INCIDENTAL, INDIRECT, PUNITIVE, EXEMPLARY, OR SPECIAL DAMAGES, OR LOSS OF PROFITS, REVENUE, INCOME, SAVINGS, DATA, BUSINESS, OPPORTUNITY, OR GOODWILL, PAIN AND SUFFERING, EMOTIONAL DISTRESS, NON-OPERATION OR INCREASED EXPENSE OF OPERATION, BUSINESS INTERRUPTION OR DELAY, COST OF CAPITAL, OR COST OF REPLACEMENT PRODUCTS OR SERVICES, REGARDLESS OF WHETHER SUCH LIABILITY IS BASED ON BREACH OF CONTRACT, TORT, NEGLIGENCE, THE COMPANY'S OWN FAULT AND/OR NEGLIGENCE, STRICT LIABILITY, BREACH OF WARRANTIES, FAILURE OF ESSENTIAL PURPOSE, OR OTHERWISE AND WHETHER CAUSED BY NEGLIGENCE, ERRORS, OMISSIONS, STRICT LIABILITY, BREACH OF CONTRACT, BREACH OF WARRANTY, THE COMPANY'S OWN FAULT AND/OR NEGLIGENCE OR ANY OTHER CAUSE WHATSOEVER, AND EVEN IF THE COMPANY HAS BEEN ADVISED OF THE LIKELIHOOD OF SUCH DAMAGES OR KNEW OR SHOULD HAVE KNOWN OF THE POSSIBILITY FOR SUCH DAMAGES.

END OF THE LIMITATIONS OF LIABILITY



AFTER RECORDING RETURN TO:

West Linn Care Center Holding Company LLC

1521 2nd Avenue, Suite 605 Seattle, WA 98101

Clackamas County Official Records
Sherry Hall, County Clerk

2012-031336

05/18/2012 01:48:04 PM

D-D Cnt=1 Stn=25 LESLIEFLY \$15.00 \$16.00 \$10.00 \$16.00

\$57.00

UNTIL A CHANGE IS REQUESTED, ALL TAX STATEMENTS SHALL BE SENT TO THE FOLLOWING ADDRESS: West Linn Care Center Holding Company LLC 1521 2nd Avenue, Suite 605 Seattle, WA 98101

STATUTORY BARGAIN AND SALE DEED

(ORS 93.860)

Edgar M. Cleveland, Grantor, conveys to West Linn Care Center Holding Company LLC, an Oregon limited liability company, Grantee, the real property described on the attached Exhibit A, which description by this reference is hereby incorporated herein as if set forth in full.

The true and actual consideration for this conveyance is \$7,500,000.00.

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, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009. 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, 195,301 AND 195,305 TO 195,336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009.

(SEE ATTACHED SIGNATURE PAGES)

PAGE 1 BARGAIN AND SALE DEED

DATED 41.1.	11	1614 2010
DATED this		_ day of May, 2012.

Edger M. Clavoland
Edgar M. Cleveland

STATE OF Texas) ss COUNTY OF Van Zandt)

This instrument was acknowledged before me on this <u>U</u> day of May, 2012 by Edgar M. Cleveland.

Notary Public for _

My Commission Expires: 4/17/12

DIANNE ELLIOTT

Notary Public

STATE OF TEXAS

My Comm. Exp. 06-17-12

EXHIBIT A

PARCEL I:

Part of the William Bland Donation Land Claim in Township 2 South, Range 1 East of the Willamette Meridian, in the City of West Linn, County of Clackamas and State of Oregon:

Beginning at an iron pipe at a point North 00°30' East 5 chains from the Southwest corner of said Bland Donation Land Claim; thence continuing North 00°30' East 150 feet; thence North 89° East 300 feet; thence South 00°30' West 150 feet to an iron pipe; thence South 83° West 300 feet to the point of beginning.

EXCEPTING THEREFROM that portion conveyed to the State of Oregon by and through its State Highway commission, by final Judgment filed December 22, 1969 in Volume 195, Page 122 in the circuit Court of the State of Oregon for the County of Clackamas, Case No. 68212.

PARCEL II:

Part of the William Bland Donation Land Claim in Section 35, Township 2 South, Range 1 East of the Willamette Meridian, in the City of West Linn, County of Clackamas and State of Oregon:

Beginning at an iron pipe at a point North 00°30' East 5 chains from the Southwest corner of said Bland Donation Land Claim; thence continuing North 00°30' East 330 feet; thence North 83° East 660 feet; thence South 00°30' West 330 feet to an iron pipe; thence South 83° Wes t 660 feet to the point of beginning.

EXCEPTING THEREFROM the following described land:

Beginning at an iron pipe at a point North 00°30' East 6 chains from the Southwest corner of said Bland Donation

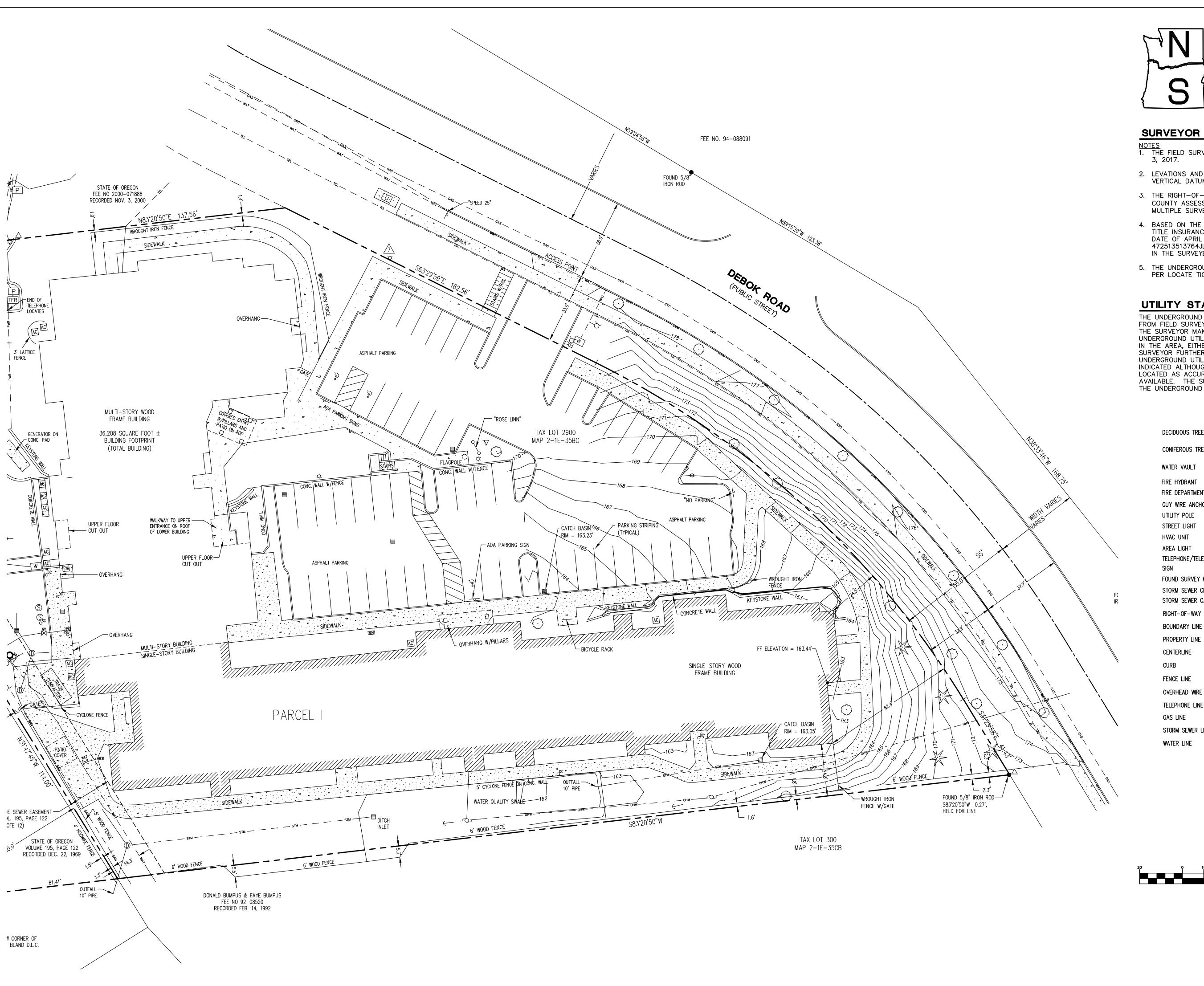
Land Claim; thence continuing North 00°30' East 150 feet; thence North 83° East 300 feet; thence South 00°30' West 150 feet to an iron pipe; thence South 83° Wes t 300 feet to the point of beginning.

ALSO EXCEPTING THEREFROM that portion conveyed to the State of Oregon by and through its State

Highway Commission, by Final Judgment filed November 6, 1969, in Volume 194, Page 35, in the Circuit Court of the State of Oregon for the County of Clackamas, Case No. 68215.

FURTHER EXCEPTING THEREFROM that portion conveyed to the State of Oregon by and through its State Highway Commission, by Final Judgment filed August 29, 1997, as File No. 9708643, in the Circuit Court of the State of Oregon for the County of Clackamas.

PAGE 3 BARGAIN AND SALE DEED





SURVEYOR NOTES

NOTES

1. THE FIELD SURVEY FOR THIS MAP WAS COMPLETED ON MAY

- 2. LEVATIONS AND CONTOURS ARE BASED ON THE NAVD 1988 VERTICAL DATUM AND WERE GPS DERIVED.
- 3. THE RIGHT-OF-WAY WIDTH IS BASED ON THE CLACKAMAS COUNTY ASSESSOR'S MAP, DEDICATION DOCUMENTS AND MULTIPLE SURVEYS OF THE AREA.
- 4. BASED ON THE TITLE REPORT, PREPARED BY CHICAGO TITLE INSURANCE COMPANY OF OREGON WITH AN EFFECTIVE DATE OF APRIL 29, 2014 AT 8:00 A.M. AND FILE NO. 472513513764JL—CT50, THERE ARE NO EASEMENTS FOUND IN THE SURVEYED AREA
- 5. THE UNDERGROUND UTILITIES ARE BASED ON THE MARKINGS PER LOCATE TICKET NUMBERS 17090251 AND 17099783.

UTILITY STATEMENT

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.

<u>LEGEND</u>

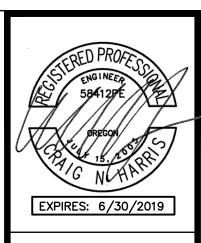
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STREET LIGHT	*
HVAC UNIT	(XE)
AREA LIGHT	▼
telephone/television junc sign	TION BOX 🛕
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STORM SEWER CATCH BASIN	
RIGHT-OF-WAY LINE	
BOUNDARY LINE	
PROPERTY LINE	
CENTERLINE	
CURB	
FENCE LINE	
OVERHEAD WIRE	— — — онw
TELEPHONE LINE	— — — ТЕL
CASTINE	040

(IN FEET) 1 inch = 20 feet

SHEET

JOB NUMBER:

LAND USE SUBMITTAL



(A) Z α

2330 WEST

EXISTING CONDITIONS

DATE: 09/22/2017

DRAWN:

CHECKED:

REVISIONS:

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