



CITY OF
West Linn
 PLANNING AND DEVELOPMENT

**STAFF REPORT
 PLANNING MANAGER DECISION**

DATE: December 23, 2019

FILE NO.: LLA-19-04

REQUEST: Lot Line Adjustment (LLA) to adjust property lines between 3760 and 3833 Mohawk Way

PLANNER: Chris Myers, Associate Planner

Community Development Director

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GENERAL INFORMATION

	UNIT 1	UNIT 2
OWNER:	Jeremy Medhaug 3760 Mohawk Way West Linn, OR 97068	Denny Dahlgren 3833 Mohawk Way West Linn, OR 97068
APPLICANT:	Jeremy Medhaug 3760 Mohawk Way Oregon City, OR 97045	
CONSULTANT:	Paul H. Roeger, CMT Surveying & Consulting 20330 SE Hwy 212 Damascus, OR 97089	
SITE LOCATION:	3760 Mohawk Way	3833 Mohawk Way
SITE SIZE CURRENT:	9033 sq. ft.	8569 sq. ft.
SITE SIZE PROPOSED:	17,602 sq. ft.	
LEGAL DESCRIPTION:	21E24CB05300	21E24CB05400
COMP PLAN DESIGNATION:	Low Density Residential	Low Density Residential
ZONING:	R-10	R-10
APPROVAL CRITERIA:	Community Development Code (CDC) Chapter 11: R-10 Single Family Residential, Detached. Chapter Accessory Structures, Chapter 85 General Provisions;	
120-DAY RULE:	The application became complete on August 19, 2019. The 120-day period therefore ends on January 8, 2020.	

PROJECT BACKGROUND

The applicant has requested a lot line adjustment between two properties; 3760 Mohawk Way and 3833 Mohawk Way. The property owner at 3760 Mohawk has a non-conforming structure (garage) which encroaches on the adjacent property. The proposed adjustment will correct that issue.

	Unit 1 – 3760 Mohawk	Unit 2 – 3833 Mohawk	The proposed change adds 45 square feet to Unit 1 from Unit 2
Before	9033	8569	
After	9078	8524	

This application adjusts the common boundary between two units of land. Neither Unit 1 nor 2 were created as part of a parcel in a partition or a lot in a subdivision. These are historic lots of record created by deed reference. The adjustment will change the common line between the two properties.

Public Comments:
There were none.

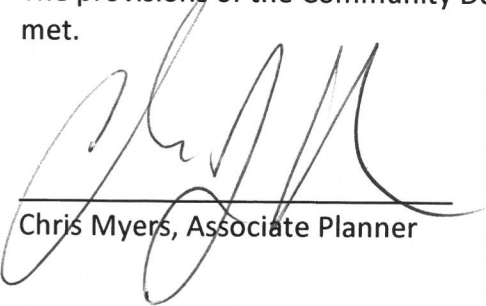
DECISION

The Planning Manager (designee) approves this application (LLA-19-04), based on: 1) the findings submitted by the applicant, which are incorporated by this reference; 2) supplementary staff findings included in the Addendum below; and, 3) the addition of conditions of approval below. With these findings, the applicable approval criteria are met.

The conditions are as follows:

- 1. The applicant shall file, with the county clerk, conveyances conforming the approved property line adjustment as surveyed in accordance with ORS 92.060(7) and any documents required by the county surveyor (such as an over plat).**
- 2. The final property line adjustment map (or if applicable plat) showing the survey of the adjusted line(s) shall conform to the submittal dated August 19, 2019.**

The provisions of the Community Development Code Chapter 11 and Chapter 85 have been met.


Chris Myers, Associate Planner

December 23, 2019
DATE

Appeals to this decision must be filed with the West Linn Planning Department within 14 days of mailing date. Cost is \$400. An appeal to City Council of a decision by the Planning Manager shall be heard on the record. The appeal must be filed by an individual who has established standing by submitting comments prior to the decision date. Approval will lapse 3 years from effective approval date if the final plat is not recorded.

Mailed this 24rd day of December 2019.

Therefore, the 14-day appeal period ends at 5 p.m., on January 7th, 2020.

**ADDENDUM
APPROVAL CRITERIA AND FINDINGS
LLA-19-04**

**CHAPTER 11, SINGLE-FAMILY RESIDENTIAL DETACHED, R-10
11.030 PERMITTED USES**

1. The following uses are permitted outright in this zone.

(...)

Staff Finding 1: Single-family detached residential unit is a permitted outright use in this zone. Both properties are single-family detached residential dwellings. The criteria is met.

11.070 DIMENSIONAL REQUIREMENTS, USES PERMITTED OUTRIGHT AND USES PERMITTED UNDER PRESCRIBED CONDITIONS *Except as may be otherwise provided by the provisions of this code, the following are the requirements for uses within this zone:*

1. The minimum lot size shall be 10,000 square feet for a single-family detached unit.
2. The minimum front lot line length or the minimum lot width at the front lot line shall be 35 feet.
3. The average minimum lot width shall be 50 feet.
4. *Repealed by Ord. 1622.*
5. Except as specified in CDC 25.070(C)(1) through (4) for the Willamette Historic District, the minimum yard dimensions or minimum building setback area from the lot line shall be:
 - a. For the front yard, 20 feet; except for steeply sloped lots where the provisions of CDC 41.010 shall apply.
 - b. For an interior side yard, seven and one-half feet. For a side yard abutting a street, 15 feet. For a rear yard, 20 feet.

Staff Finding 2: The properties listed in application LLA-19-04 do not meet the minimum lot size requirements. The property at 3760 Mohawk is 9033 square feet and the property at 3833 Mohawk is 8569 square feet. Since the lot sizes are pre-existing and that non-conforming status is not further impacted by this decision.

The dwelling on Unit 1 was constructed in 1973. The dwelling in Unit 2 was constructed in 1961. The units of land were created without partition or subdivision. They were created by deed and are pre-existing non-conforming lots. Also see Finding 4.

Staff Finding 3: The units listed in application LLA-19-04 each contain pre-existing non-conforming structures. Both Unit 1 and Unit 2 contain structures that do not meet the minimum set back requirements. Both properties are less than 7.5 feet from the side yard property lines. However, this lot line adjustment will address a structure placement issue and provide for a minimum setback as allowed in the code. Also see Finding 4

Chapter 34 ACCESSORY STRUCTURES, ACCESSORY DWELLING UNITS, AND ACCESSORY USES

...

34.060 SETBACK PROVISIONS FOR ACCESSORY STRUCTURES (NON-DWELLING)

- A. Accessory structures shall comply with all requirements for the principal use except as provided in CDC 34.040 and where specifically modified by this code as follows.
- B. A side yard or rear yard requirement may be reduced to three feet for an accessory structure except for a side or rear yard abutting a street, with the exception of alleys platted and dedicated prior to September 30, 1984, as defined in this code; provided, that:
 - 1. The structure is erected more than 60 feet from the front lot line;
 - 2. The structure does not exceed one story or 15 feet in height;
 - 3. The structure does not exceed an area of 500 square feet; and
 - 4. The structure does not violate any existing utility easements.
- C. Attached accessory structures. When an accessory structure is attached to the main structure (wall to wall or by any permanent attachment), including via a covered walkway, such accessory structure shall be considered as part of the main structure. (Ord. 1604 § 38, 2011)

Staff Finding 4: The Units listed in application LLA-19-04 do not meet the minimum side set back requirements. Both properties are less than 7.5 feet from the side yard property lines. The house on Unit 1 was constructed in 1973. There are no records when the garage was constructed. Unit 2 was constructed in 1961. The applicant is requesting a lot line adjustment to correct an error in placement of the garage on Unit 1. The adjustment will use the provision in CDC 34.060.B to allow the garage to have a three foot side setback. The existing garage is already constructed and has a 52 feet from the front property line. For a pre-existing structure, the distance from the front line substantially complies with the requirement of this section. The intent of the code is to allow for three foot side yards to allow adequate separation to the property line and distance between accessory structures. Thus the adjustment complies with the requirements of this section.

CHAPTER 85, GENERAL PROVISIONS

85.210 PROPERTY LINE ADJUSTMENTS – APPROVAL STANDARDS

A. *The Director shall approve or deny a request for a property line adjustment based on the criteria stated below:*

1. An additional lot or parcel shall not be created by the line adjustment.

Staff Finding 5: The applicant proposal is to adjust the line separating the two units in this application. The proposal will add 45 square feet to Unit 1 from Unit 2. No additional units of land are proposed to be created. The criteria is met.

2. *The existing property shall not be reduced in size by the adjustments below the minimum lot or parcel size established by the approved zoning for that district. The property line adjustment shall not enlarge, increase or extend the non-conformity of a non-conforming lot or non-conforming structure.*

Staff Finding 6: The applicant proposes adjusting the lot line between the two units of land. Both units are in the R10 zone which requires minimum lot size of 10,000 sq ft.. Neither property meets the minimum requirement of 10,000 sq ft. These are pre-existing non-conforming lots. While the proposed lot line adjustment does not fix the non-conformity, it does not create a new non-conforming unit of land or reduce a conforming lot below the minimum lot size. The criteria is met

3. *Property line adjustments shall be either:*
 - a. *A straight line (see Figure 1 example);*
 - b. *A line with maximum of two 45- to 90-degree turns (see Figure 2 example); or*
 - c. *A maximum of three turns less than 45 degrees (see Figure 3 example).*

Staff Finding 7: The applicant's proposal adjusts the common line separating the two properties listed above. Utilizing a property line adjustment with two turns of 90 degrees. The criteria is met.

4. *The property line adjustment shall not create a lot or parcel that violates applicable site development regulations.*

Staff Finding 8: The two units of land are pre-existing non-conforming to the development regulations. The property at 3760 Mohawk Dr. has a pre-adjustment square footage of 9033. The property at 3833 Mohawk Dr. has a pre-adjustment square footage of 8569. The proposed development does not create a non-conforming unit of land and makes the setback for Unit 1 comply. This criteria is met.

5. *The property line adjustment will not adversely affect existing easements or existing utilities unless an easement vacation is obtained, replacement easements are established, or any required utility relocations are paid for by the applicant.*

Staff Finding 9: Prior to the adjustment, all utilities are located within the Mohawk Way right of way. There are no easements located on Unit 1 or Unit 2. Therefore, the proposed adjustment will not affect any existing easements or existing utilities. The criteria is met

6. *Proposed property line adjustments that cannot meet these standards are subject to review under CDC [99.060\(B\)\(2\)\(e\)](#).*

Staff Finding 10: The proposed lot line adjustment has met all standards without the need to submit a Class II Variance or special waiver.

7. *Any appeal must be filed in accordance with CDC [99.240](#).*

Staff Finding 11: The applicant is aware of the appeal process. The criteria is met.

B. *The provisions of CDC [85.070](#) shall also apply to lot line adjustments.*

Staff Finding 12: The provisions of CDC section 85.070 "ADMINISTRATION AND APPROVAL PROCESS" are satisfied by this application and by the applicant's proof of ownership. The application is being processed in agreement with the provisions of CDC Chapter 99. This criteria is met.

PD-1 COMPLETENESS LETTER



CITY OF
West Linn

September 10, 2019

Jeremy Medhaug
3760 Mohawk Way
West Linn, OR 97068

SUBJECT: LLA-19-04 application to adjust property lines between 3760 and 3833 Mohawk Way

Dear Mr. Medhaug:

You submitted this application on May 13, 2019. The Planning and Engineering Departments found the application incomplete on June 12, 2019. All required information was subsequently provided August 19, 2019 and the application has now been deemed **complete**. The City now has 120 days to exhaust all local review. That period ends on January 8, 2020.

Please be aware that a determination of a complete application does not guarantee a recommendation of approval from staff for your proposal as submitted. It signals that staff believes you have provided the necessary information for the Planning Director to render a decision on your proposal.

The Planning Manager's decision is pending. No notice is required per CDC 99.080 (E). Any appeals of the Planning Manager's decision will be heard by the City Council.

Please contact me at 503-742-6057, or by email at jarnold@westlinnoregon.gov if you have any questions or comments.

Sincerely,

Jennifer Arnold
Associate Planner

PD-2 APPLICANT SUBMITTAL

DEVELOPMENT REVIEW APPLICATION

For Office Use Only		
STAFF CONTACT	PROJECT NO(S). LLA-19-01	
NON-REFUNDABLE FEE(S) 800 + 200	REFUNDABLE DEPOSIT(S)	TOTAL 1000

Type of Review (Please check all that apply):

- | | | |
|--|---|--|
| <input type="checkbox"/> Annexation (ANX) | <input type="checkbox"/> Historic Review | <input type="checkbox"/> Subdivision (SUB) |
| <input type="checkbox"/> Appeal and Review (AP) * | <input type="checkbox"/> Legislative Plan or Change | <input type="checkbox"/> Temporary Uses * |
| <input type="checkbox"/> Conditional Use (CUP) | <input checked="" type="checkbox"/> Lot Line Adjustment (LLA) */** | <input type="checkbox"/> Time Extension * |
| <input type="checkbox"/> Design Review (DR) | <input type="checkbox"/> Minor Partition (MIP) (Preliminary Plat or Plan) | <input type="checkbox"/> Variance (VAR) |
| <input type="checkbox"/> Easement Vacation | <input type="checkbox"/> Non-Conforming Lots, Uses & Structures | <input type="checkbox"/> Water Resource Area Protection/Single Lot (WAP) |
| <input type="checkbox"/> Extraterritorial Ext. of Utilities | <input type="checkbox"/> Planned Unit Development (PUD) | <input type="checkbox"/> Water Resource Area Protection/Wetland (WAP) |
| <input type="checkbox"/> Final Plat or Plan (FP) | <input type="checkbox"/> Pre-Application Conference (PA) */** | <input type="checkbox"/> Willamette & Tualatin River Greenway (WRG) |
| <input type="checkbox"/> Flood Management Area | <input type="checkbox"/> Street Vacation | <input type="checkbox"/> Zone Change |
| <input type="checkbox"/> Hillside Protection & Erosion Control | | |

Home Occupation, Pre-Application, Sidewalk Use, Sign Review Permit, and Temporary Sign Permit applications require different or additional application forms, available on the City website or at City Hall.

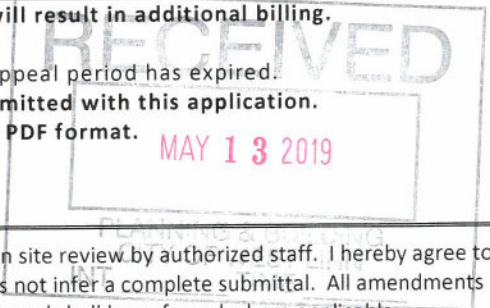
Site Location/Address: 3760 Mohawk Way	Assessor's Map No.: 2S-1E-24CB
	Tax Lot(s): 5300 & 5400
	Total Land Area: 9,033 sq ft & 8569 sq ft

Brief Description of Proposal: Adjust property line to put existing garage on the owner's property.

Applicant Name: Jeremy Medhaug <small>(please print)</small>	Phone: 503-686-9766
Address: 3760 Mohawk Way	Email: medhaug1@yahoo.com
City State Zip: West Linn, OR 97068	
Owner Name (required): Jeremy Medhaug <small>(please print)</small>	Phone: 503-686-9766
Address: 3760 Mohawk Way	Email: medhaug1@yahoo.com
City State Zip: West Linn, OR 97068	
Consultant Name: Paul H. Roeger, CMT Surveying & Consulting <small>(please print)</small>	Phone: 503-860-2545
Address: 20330 SE Hwy. 212	Email: paul@cmtsc.net
City State Zip: Damascus, OR 97089	

- All application fees are non-refundable (excluding deposit). **Any overruns to deposit will result in additional billing.**
- The owner/applicant or their representative should be present at all public hearings.
- A denial or approval may be reversed on appeal. No permit will be in effect until the appeal period has expired.
- 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.

* No CD required / ** Only one hard-copy set needed



The undersigned property owner(s) hereby authorizes the filing of this application, and authorizes on site review by authorized staff. I hereby agree to comply with all code requirements applicable to my application. Acceptance of this application does not infer a complete submittal. All amendments to the Community Development Code and to other regulations adopted after the application is approved shall be enforced where applicable. Approved applications and subsequent development is not vested under the provisions in place at the time of the initial application.

	5/13/19		5/13/19
Applicant's signature	Date	Owner's signature (required)	Date

MOHAWK WAY

N 89°58'30" E 83.00'

N 00°01'20" E 100.36'

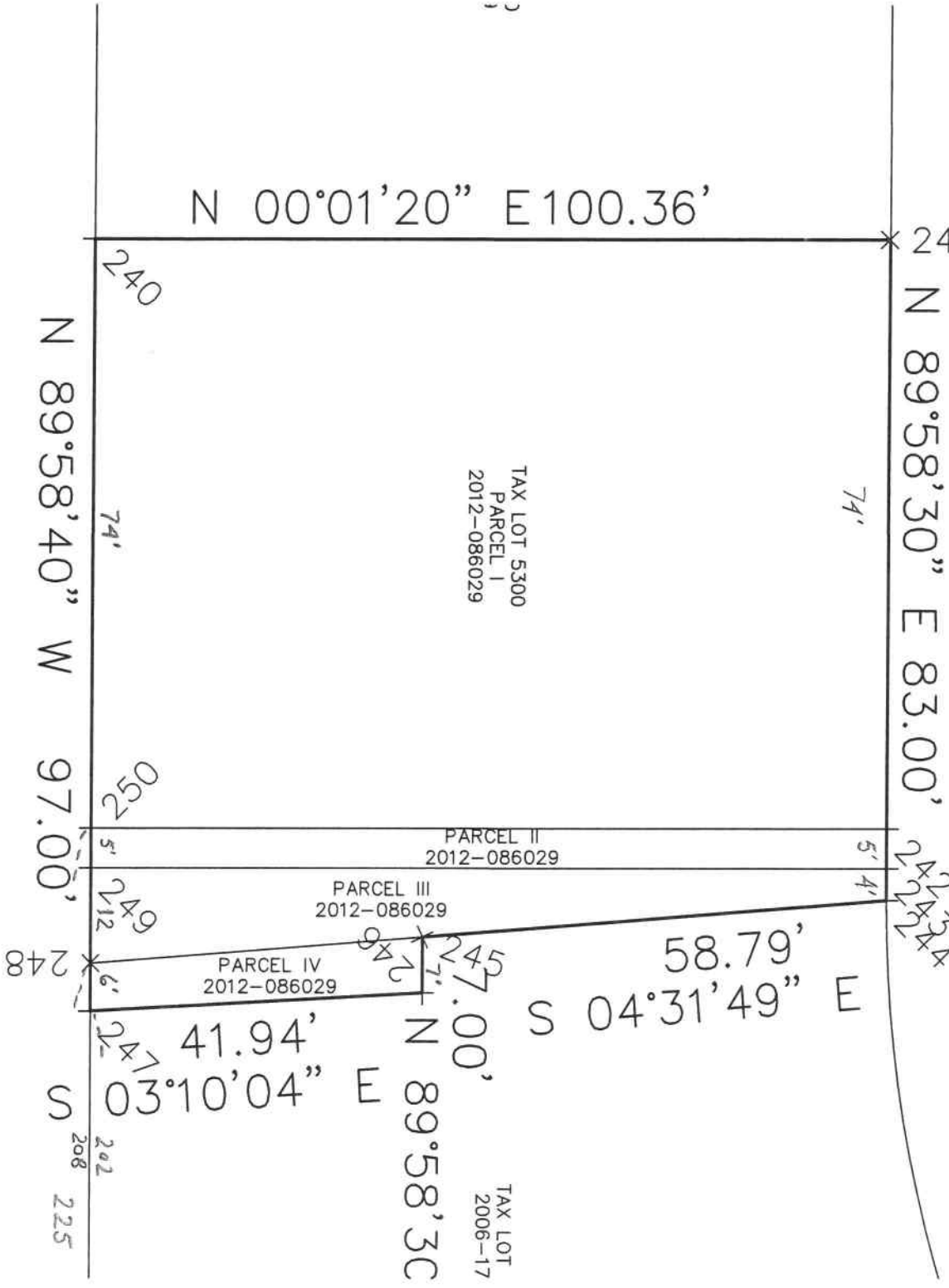
TAX LOT 5300
PARCEL I
2012-086029

PARCEL II
2012-086029

PARCEL III
2012-086029

PARCEL IV
2012-086029

TAX LOT
2006-17



269

NARRATIVE FOR PROPERTY LINE ADJUSTMENT
3760 Mohawk Way
Jeremy Medhaug

11.070 DIMENSIONAL REQUIREMENTS, USES PERMITTED OUTRIGHT AND USES PERMITTED UNDER PRESCRIBED CONDITIONS

...

5. *Except as specified in CDC [25.070\(C\)\(1\)](#) through (4) for the Willamette Historic District, the minimum yard dimensions or minimum building setback area from the lot line shall be:*

a. For the front yard, 20 feet; except for steeply sloped lots where the provisions of CDC [41.010](#) shall apply.

b. For an interior side yard, seven and one-half feet.

c. For a side yard abutting a street, 15 feet.

d. For a rear yard, 20 feet.

Applicant's Finding: This property is NOT in the Willamette Historic District. The Northeast corner of the applicant's existing garage that is currently on the neighbor's property is over 50-feet from the existing street right-of-way line for Mohawk Way. The existing side yard on the East side of the garage, before it jogs West into the garage, is approximately 4.8-feet from the foundation of the garage. The garage has a 1.0-foot eave overhang, so the eave is 3.8-feet from the property line. The intent of this property line adjustment is to acquire enough property from the neighbor to put the entire garage on the applicant's property by extending the East property line North past the front of the garage so that the 1.0-foot eave overhang on the North side of the garage is a minimum of 3.0 feet from the new property line that will jog back into the existing Northern part of the East property line. The existing rear yard garage setback from the South property line is 3.8-feet. That is not changing. The area of the existing garage is 883 square feet.

The distance between the house on the property to the East and the applicant's existing garage is 19.92-feet, and the distance from the existing house on the property to the East on the new property corner is 13.3-feet. Therefore, the side yard setback for the house on the East property is well in excess of the 7.5-foot side yard requirement.

85.210 PROPERTY LINE ADJUSTMENTS – APPROVAL STANDARDS

A. *The Director shall approve or deny a request for a property line adjustment based on the criteria stated below:*

1. An additional lot or parcel shall not be created by the property line adjustment.

2. The existing property shall not be reduced in size by the adjustments below the minimum lot or parcel size established by the approved zoning for that district. The property line adjustment shall not enlarge, increase or extend the non-conformity of a non-conforming lot or non-conforming structure.

Applicant's Finding: An additional lot or parcel is NOT being created by the property line adjustment. Standard number 1 is met. However, both lots are currently under the R10 standard of 10,000 square feet, and the property line adjustment will not make either lot over 10,000 square feet.

3. Property line adjustments shall be either:

a. A straight line (see Figure 1 example);

b. A line with maximum of two 45- to 90-degree turns (see Figure 2 example);

or

c. A maximum of three turns less than 45 degrees (see Figure 3 example).

Applicant's Finding: The proposed property line adjustment is a line with one angle change of $85^{\circ}31'48''$ and one angle change of $86^{\circ}53'34''$. The standard is met.

(The following figures are only intended as examples.)

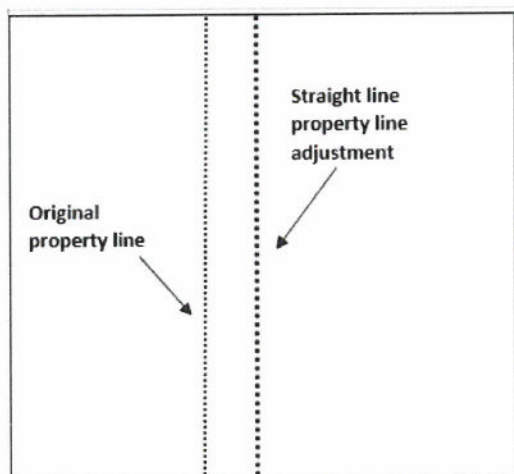


Figure 1.

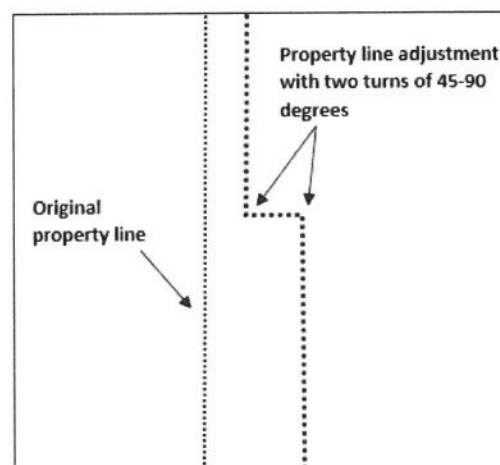


Figure 2.

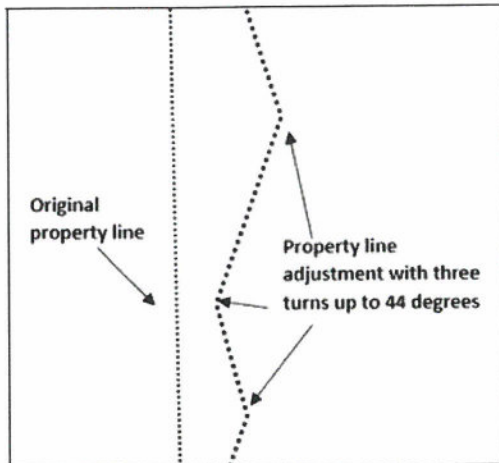


Figure 3.

4. *The property line adjustment shall not create a lot or parcel that violates applicable site development regulations.*

Applicant's Finding: The property line adjustment will improve the existing situation, i.e., the existing building is currently on the neighbor's property, and the property line adjustment will put the building entirely on the applicant's property with a setback from the eave overhang in excess of 3.0-feet. (3.8-feet on the east side and 3.1-feet on the north side), per the Fire Code.

5. *The property line adjustment will not adversely affect existing easements or existing utilities unless an easement vacation is obtained, replacement easements are established, or any required utility relocations are paid for by the applicant.*

Applicant's Finding: There are no existing easements in the area of this property line adjustment. However, the existing driveway for the existing garage is also on the neighbor's property, so the intent is to acquire an easement from the neighbor for the area of the driveway on his property.

6. *Proposed property line adjustments that cannot meet these standards are subject to review under CDC [99.060\(B\)\(2\)\(e\)](#).*

Applicant's Finding: We were told a Variance would NOT be necessary.

7. *Any appeal must be filed in accordance with CDC [99.240](#).*

Applicant's Finding: The applicant understands and acknowledges this provision.

B. *The provisions of CDC [85.070](#) shall also apply to property line adjustments. (Ord. 1401, 1997; Ord. 1442, 1999; Ord. 1635 § 35, 2014; Ord. 1636 § 57, 2014; Ord. 1675 § 54, 2018)*

85.070 ADMINISTRATION AND APPROVAL PROCESS

A. *The application shall be filed by the record owner(s) of the property or by an authorized agent who has a letter of authorization from the property owners of record. The burden of proof will be upon the applicant to demonstrate the validity of the ownership, if challenged.*

B. *Action on the application for a tentative plan shall be as provided by Chapter [99](#) CDC.*

1. *The Planning Director shall approve, deny, or approve with conditions an application for a partition subject to the provisions of CDC [85.200](#), [99.060\(A\)](#), and [99.110](#). The Director's decision may be appealed to the City Council as provided by CDC [99.240\(A\)](#).*

2. *The Planning Commission shall approve, deny, or approve with conditions an application for a tentative plan for a subdivision subject to the provisions of CDC [85.200](#), [99.060\(B\)](#), and [99.110](#). A petition for review of the Planning Commission's decision may be filed as provided by CDC [99.240](#).*

3. *Action on the final plat shall be ministerial and taken by the Planning Director and City Engineer, and the Planning Director and City Engineer shall approve a final subdivision or partition plat upon the finding that the approval criteria set forth in CDC [89.050](#) have been satisfied. The Planning Director's and City Engineer's decision may be appealed to the Planning Commission by the applicant, and the Planning Commission shall make its decision based on testimony from the applicant and the Director. (Ord. 1474, 2001)*

Applicant's Finding: The applicant understands and acknowledges these provisions.



Chicago Title Company

10151 SE Sunnyside Road, Suite 300
 Clackamas, Oregon 97015
 Phone: 503.786.3940 Fax: 866.892.3853
 E-mail: trios@ctt.com

D 1
 1/27/12
 1/28/12

METROSCAN PROPERTY PROFILE

Clackamas (OR)

OWNERSHIP INFORMATION

Owner	: Medhaug Jeremy H	Parcel Number	: 00374053
CoOwner	:	Ref Parcel #	: 21E24CB05300
Site Address	: 3760 Mohawk Way West Linn 97068	T: 02S R: 01E S: 24 Q: SW QQ: NW	
Mail Address	: 3760 Mohawk Way West Linn Or 97068		
Telephone	:		

SALES INFORMATION

Transfer Date	: 12/28/2012	Document #	: 012-086029
Sale Price	: \$225,000	Deed Type	: Warranty
% Owned	: 100	Vesting Type	:
Prior Transfer Date	:	Prior Document #	:
Prior Sales Price	:		

PROPERTY DESCRIPTION

Map Page Grid :
 Census Tract : 205.04 Block: 3
 Neighborhood : Calaroga/Cedar Oaks
 Subdivision/Plat:
 Improvement : 142 R1-4 Res 1 Story Basement
 Land Use : 101 Res, Residential Land, Improved
 Legal : SECTION 24 TOWNSHIP 2S RANGE 1E
 : QUARTER CB TAX LOT 05300
 :

ASSESSMENT AND TAX INFORMATION

Mkt Land : \$200,412
 Mkt Structure : \$262,700
 Mkt Total : \$463,112
 %Improved : 57
 AssdTotal : \$292,461
 Mill Rate : 18.6254
 Levy Code : 003002
 17-18 Taxes : \$5,428.84
 Millage Rate : 18.6254

PROPERTY CHARACTERISTICS

Bedrooms	: 3	Building SF	: 1,919	BldgTotSqFt	:
Bathrooms	: 2.50	1st Floor SF	:	Lot Acres	: .21
Full Baths	: 2	Upper Finished SF	:	Lot SqFt	: 9,148
Half Baths	: 1	Finished SF	:	Garage SF	:
Fireplace	: Stacked	Above Ground SF	: 1,919	Year Built	: 1973
Heat Type	: Forced Air-Gas	Upper Total SF	:	School Dist	: 003
Floor Cover	: Carpet	UnFinUpperStorySF	:	Foundation	: Concrete
Stories	: 1	Basement Fin SF	:	Roof Type	: Composition
Int Finish	: Drywall	Basement Unfin SF	:	Roof Shape	: Gable
Ext Finsh	: Aluminum	Basement Total SF	:		

This title information has been furnished, without charge, in conformance with the guidelines approved by the State of Oregon Insurance Commissioner. The Insurance Division cautions intermediaries that this service is designed to benefit the ultimate insureds. Indiscriminate use only benefiting intermediaries will not be permitted. Said services may be discontinued. No liability is assumed for any errors in this report. Information is deemed reliable but not guaranteed.



After recording return to:
Jeremy H. Medhaug
3760 Mohawk Way
West Linn, OR 97068

Until a change is requested all tax
statements shall be sent to the
following address:
Jeremy H. Medhaug
3760 Mohawk Way
West Linn, OR 97068

File No.: 7000-1957730 (wlh)
Date: December 17, 2012

Consideration \$225,000

Clackamas County Official Records
Sherry Hall, County Clerk

2012-086029

12/28/2012 01:11:54 PM

D-D Cnt=1 Str=25 LESLIE
\$20.00 \$16.00 \$10.00 \$17.00

\$63.00

STATUTORY WARRANTY DEED

Joseph R. Beaver and Domitila Beaver, Grantor, conveys and warrants to **Jeremy H. Medhaug**, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

LEGAL DESCRIPTION: Real property in the County of Clackamas, State of Oregon, described as follows:

PARCEL I:

The East 74 feet of the following described parcel:

Part of the D.D. Thompkins and wife Donation Land Claim No. 61 in Section 24, Township 2 South, Range 1 East, of the Willamette Meridian, in the City of West Linn, County of Clackamas and State of Oregon, more particularly described as follows:

FIRST AMERICAN 1957730-LD

D1

APN: 00374053

Statutory Warranty Deed
- continued

File No.: 7000-1957730 (w/h)

Beginning at a point on the Southwesterly boundary line of the Pacific Highway, which point being also the Southeasterly corner of that tract of land conveyed to Associated Thrift and Securities, Inc., as Parcel I in Deed recorded October 2, 1959 in Deed Book 561, page 803, running thence North 89°58'40" West 225.00 feet along the Southerly boundary line of said Associated Thrift and Securities, Inc., tract to the true point of beginning; said point being the Southwest corner of that tract of land conveyed to Wilbur Chasey, et ux, by Deed recorded in Clackamas County Deed Book 569, page 227; thence North 00°01'20" East 100.47 feet along the West line of the Chasey tract to the South line of Mohawk Way, according to the duly recorded plat of SHA-WA-AWA, in the City of West Linn, County of Clackamas and State of Oregon; thence South 89°58'30" West 148.00 feet along the South line of Mohawk Way to the Northeast corner of that tract of land conveyed to Calvin M. Jones, et ux, by Deed recorded in Clackamas County Deed Book 595, page 549; thence South 00°01'20" West 100.36 feet along the East line of the Jones tract to the Southerly line of the aforesaid Associated Thrift and Securities, Inc., tract; thence along said Southerly line, South 89°58'40" East 148.00 feet to the true point of beginning.

PARCEL II:

A part of the D.D. Thompkins Donation Land Claim No. 61 in Section 24, Township 2 South, Range 1 East, of the Willamette Meridian, in the City of West Linn, County of Clackamas and State of Oregon, more particularly described as follows:

Beginning at a point on the Southwesterly boundary line of the Pacific Highway, which point being also the Southwesterly corner of that tract of land conveyed to Associated Thrift and Securities, Inc., as Parcel 1 in Deed recorded October 2, 1959 in Deed Book 561, page 803; running thence North 89°58'40" West 225 feet along the Southerly boundary line of said Associated Thrift and Securities tract to the true point of beginning, said point being the Southwest corner of that tract of land conveyed to Wilbur Chasey, et ux by Deed recorded in Clackamas County Deed Book 569, page 227; thence North 0°01'20" West 100.47 feet along the West line of the Chasey tract to the South line of Mohawk Way, according to the duly recorded plat of SHA-WA-AWA, in the City of West Linn, County of Clackamas and State of Oregon; thence North 89°68'30" West along the South line of Mohawk Way, a distance of 5 feet; thence South 0°01'20" West 100.47 feet parallel to the West line of the Chasey tract to the South line of the Associated Thrift and Securities tract; thence West 89°68'40" West 5 feet to the true point of beginning.

55' EAST 113' 58'

PARCEL III:

A part of the D.D. Thompkins Donation Land Claim No. 61 in Section 24, Township 2 South, Range 1 East, of the Willamette Meridian, in the City of West Linn, County of Clackamas and State of Oregon, more particularly described as follows:

Beginning at a point on the Southwesterly boundary line of the Pacific Highway, which point being also the Southeasterly corner of that tract of land conveyed to Associated Thrift and Securities, Inc., as Parcel 1 in Deed recorded October 2, 1959 in Deed Book 561, page 803; running thence North 89°58'40" West 208 feet and the true point of beginning; thence continuing North 89°58'40" West 12 feet to the Southeast corner of a tract conveyed to Joseph R. Beaver, et ux, by Deed recorded April 20, 1976 as Fee No. 76-12381, Clackamas County Records; thence North 0°01'20" East along the East line of said Beaver tract 100.47 feet to the South line of Mohawk Way; thence North 84°58'30" East along the South line of said Mohawk Way 4 feet; thence Southeasterly to the true point of beginning.

PARCEL IV: 39°

A part of the D.D. Thompkins Donation Land Claim No. 61 in Section 24, Township 2 South, Range 1 East, of the Willamette Meridian, in the City of West Linn, County of Clackamas and State of Oregon, more particularly described as follows:

Beginning at a point on the Southeasterly boundary line of the Pacific Highway, which point being also the Southeasterly corner of that tract of land conveyed to Associated Thrift and Securities, Inc., as Parcel 1 in Deed recorded October 2, 1959 in Deed Book 561, page 803; running thence North 89°58'40" West 202 feet to the true point of beginning; thence continuing North 89°58'40" West 6 feet to the Southeast corner of a tract conveyed to Joseph R. Beaver, et ux, by Deed recorded September 15, 1983 as Fee No. 83-30258, Clackamas County Records; thence Northwesterly along the East line of said Beaver tract 42 feet; thence North 84°58'30" East 7 feet; thence Southerly to the point of beginning.

89
NOTE: This Legal Description was created prior to January 01, 2008.

Subject to:

1. Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

The true consideration for this conveyance is **\$225,000.00**. (Here comply with requirements of ORS 93.030)

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, 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.

Dated this 18 day of December, 2012.

Joseph R. Beaver
Joseph R. Beaver

Domitila Beaver
Domitila Beaver

STATE OF Arizona)
County of Yuma)ss.
)

This instrument was acknowledged before me on this 18 day of December, 2012 by **Joseph R. Beaver and Domitila Beaver.**

Jordan Steenstra

Notary Public for Arizona
My commission expires:





Chicago Title Company

10151 SE Sunnyside Road, Suite 300
Clackamas, Oregon 97015
Phone: 503.786.3940 Fax: 866.892.3853
E-mail: trios@ctt.com

ADJ E. DZ
✓ w/ MARKUS
10/11/06

METROSCAN PROPERTY PROFILE Clackamas (OR)

OWNERSHIP INFORMATION

Owner	: Dahlgren Denny B & Angela D	Parcel Number	: 00374062
CoOwner	:	Ref Parcel #	: 21E24CB05400
Site Address	: 3833 Mohawk Way West Linn 97068	T: 02S R: 01E S: 24 Q: SW QQ: NW	
Mail Address	: PO Box 237 West Linn Or 97068		
Telephone	:		

SALES INFORMATION

Transfer Date	: 12/22/2006	Document #	: 006-117550
Sale Price	: \$175,000	Deed Type	: Warranty
% Owned	: 100	Vesting Type	: Married Persons
Prior Transfer Date	: 12/22/2006	Prior Document #	: 006-117549
Prior Sales Price	: \$124,000		

PROPERTY DESCRIPTION

Map Page Grid :
 Census Tract : 205.04 Block: 3
 Neighborhood : Calaroga/Cedar Oaks
 Subdivision/Plat: Barrington Heights Ph 02
 Improvement : 131 R1-3 Res 1 Story
 Land Use : 101 Res, Residential Land, Improved
 Legal : SECTION 24 TOWNSHIP 2S RANGE 1E
 : QUARTER CB TAX LOT 05400
 :

ASSESSMENT AND TAX INFORMATION

Mkt Land : \$200,412
 Mkt Structure : \$337,080
 Mkt Total : \$537,492
 %Improved : 63
 AssdTotal : \$322,161
 Mill Rate : 18.6254
 Levy Code : 003002
 17-18 Taxes : \$5,980.15
 Millage Rate : 18.6254

PROPERTY CHARACTERISTICS

Bedrooms	: 4	Building SF	: 2,911	BldgTotSqFt	:
Bathrooms	: 2.50	1st Floor SF	:	Lot Acres	: .19
Full Baths	: 2	Upper Finished SF	:	Lot SqFt	: 8,276
Half Baths	: 1	Finished SF	:	Garage SF	:
Fireplace	:	Above Ground SF	: 2,911	Year Built	: 1961
Heat Type	: Forced Air-Gas	Upper Total SF	:	School Dist	: 003
Floor Cover	: Carpet	UnFinUpperStorySF:		Foundation	: Concrete
Stories	: 1	Basement Fin SF	:	Roof Type	: Composition
Int Finish	: Drywall	Basement Unfin SF	:	Roof Shape	: Gable
Ext Finsh	: Avg Plywood	Basement Total SF	:		

This title information has been furnished, without charge, in conformance with the guidelines approved by the State of Oregon Insurance Commissioner. The Insurance Division cautions intermediaries that this service is designed to benefit the ultimate insureds. Indiscriminate use only benefiting intermediaries will not be permitted. Said services may be discontinued. No liability is assumed for any errors in this report. Information is deemed reliable but not guaranteed.

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After recording return to:
Denny B. Dahlgren and Angela D. Dahlgren
18220 S Lorraine Drive
Oregon City, OR 97045


Until a change is requested all tax statements shall be sent to the following address:
Denny B. Dahlgren and Angela D. Dahlgren
18220 S Lorraine Drive
Oregon City, OR 97045

File No.: 7072-905891 (DJH)
Date: December 18, 2006

Recorded By
First American Title Insurance Company of Oregon
No. 905891-55

THIS SPACE RESERVED FOR RECORDER'S USE

Clackamas County Official Records **2006-117550**
Sherry Hall, County Clerk



01054706200601175500040042 **\$41.00**

12/22/2006 01:24:51 PM

D-D Cnt=1 Stn=2 TINAJAR
\$20.00 \$11.00 \$10.00

STATUTORY WARRANTY DEED

Jasper Phillips, Grantor, conveys and warrants to **Denny B. Dahlgren and Angela D. Dahlgren, husband and wife**, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

See Legal Description attached hereto as Exhibit A and by this reference incorporated herein.

Subject to:

1. Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

The true consideration for this conveyance is **\$175,000.00**. (Here comply with requirements of ORS 93.030)

EXHIBIT A

LEGAL DESCRIPTION:

PART OF THE D.D. TOMPKINS DONATION LAND CLAIM NO. 61, IN THE NORTHWEST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER OF SECTION 24, TOWNSHIP 2 SOUTH, RANGE 1 EAST, WILLAMETTE MERIDIAN, IN THE CITY OF WEST LINN, CLACKAMAS COUNTY, STATE OF OREGON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION OF THE SOUTHERLY BOUNDARY OF MOHAWK WAY AS SHOWN ON THE DULY RECORDED PLAT OF SHA-WA-AWA, AND THE WESTERLY RIGHT-OF-WAY LINE OF THE PACIFIC HIGHWAY (OREGON CITY, OSWEGO HIGHWAY); THENCE NORTHWESTERLY ON A CURVE TO THE LEFT FOLLOWING THE SOUTHERLY BOUNDARY OF SAID MOHAWK WAY, 41.67 FEET TO A POINT; THENCE CONTINUING ALONG SAID MOHAWK WAY ON A CURVE TO THE RIGHT, A DISTANCE OF 20.0 FEET TO THE TRUE POINT OF BEGINNING OF THE TRACT HEREIN TO BE DESCRIBED; THENCE SOUTHEASTERLY ON A LINE 130 FEET, MORE OR LESS, TO A POINT ON THE SOUTH LINE OF THAT TRACT OF LAND CONVEYED TO WILBUR CHASEY, ET UX, BY DEED RECORDED MARCH 29, 1960 IN BOOK 569, PAGE 227, CLACKAMAS COUNTY DEED RECORDS, SAID POINT BEING 110.0 FEET WESTERLY OF THE SOUTHEAST CORNER THEREOF; THENCE WESTERLY ALONG THE SOUTH LINE OF SAID CHASEY TRACT, 110.00 FEET TO THE SOUTHEAST CORNER OF THAT TRACT CONVEYED TO JOSEPH R. BEAVER, ET UX, BY DEED RECORDED APRIL 20, 1976 AS RECORDER'S FEE NO. 76-12381, CLACKAMAS COUNTY RECORDS; THENCE NORTHERLY ALONG THE EAST LINE OF SAID BEAVER TRACT A DISTANCE OF 100.47 FEET TO THE SOUTH LINE OF AFORESAID MOHAWK WAY; THENCE NORTHEASTERLY ALONG THE SOUTHEASTERLY LINE OF SAID MOHAWK WAY TO THE TRUE POINT OF BEGINNING.

*113.30' to corner
170.76' call
to ...*

EXCEPTING THEREFROM A PART OF THE D.D. TOMPKINS DONATION LAND CLAIM NO. 61 IN TOWNSHIP 2 SOUTH, RANGE 1 EAST, WILLAMETTE MERIDIAN, IN THE CITY OF WEST LINN, CLACKAMAS COUNTY, STATE OF OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHEASTERLY BOUNDARY LINE OF THE PACIFIC HIGHWAY, WHICH POINT BEING ALSO THE SOUTHEASTERLY CORNER OF THAT TRACT OF LAND CONVEYED TO ASSOCIATED THRIFT AND SECURITIES, INC. AS PARCEL I IN DEED RECORDED OCTOBER 2, 1959 IN DEED BOOK 567, PAGE 803; THENCE RUNNING NORTH 89°58'40" WEST 208 FEET AND THE TRUE POINT OF BEGINNING; THENCE CONTINUING NORTH 89°58'40" WEST 12 FEET TO THE SOUTHEAST CORNER OF A TRACT CONVEYED TO JOSEPH R. BEAVER, ET UX, BY DEED RECORDED APRIL 20, 1976 AS FEE NO. 76-12381, CLACKAMAS COUNTY RECORDS; THENCE NORTH 00°01'20" EAST ALONG THE EAST LINE OF SAID BEAVER TRACT 100.47 FEET TO THE SOUTH LINE OF MOHAWK WAY; THENCE NORTH 84°58'30" EAST ALONG THE SOUTH LINE OF SAID MOHAWK WAY 4 FEET; THENCE SOUTHEASTERLY TO THE TRUE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM A PART OF THE D.D. TOMPKINS DONATION LAND CLAIM NO. 61 IN TOWNSHIP 2 SOUTH, RANGE 1 EAST, WILLAMETTE MERIDIAN, IN THE CITY OF WEST LINN, CLACKAMAS COUNTY, STATE OF OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

*(= P 3
2012-081027
361
33°*

3

APN: 00374062

Statutory Warranty Deed
- continued

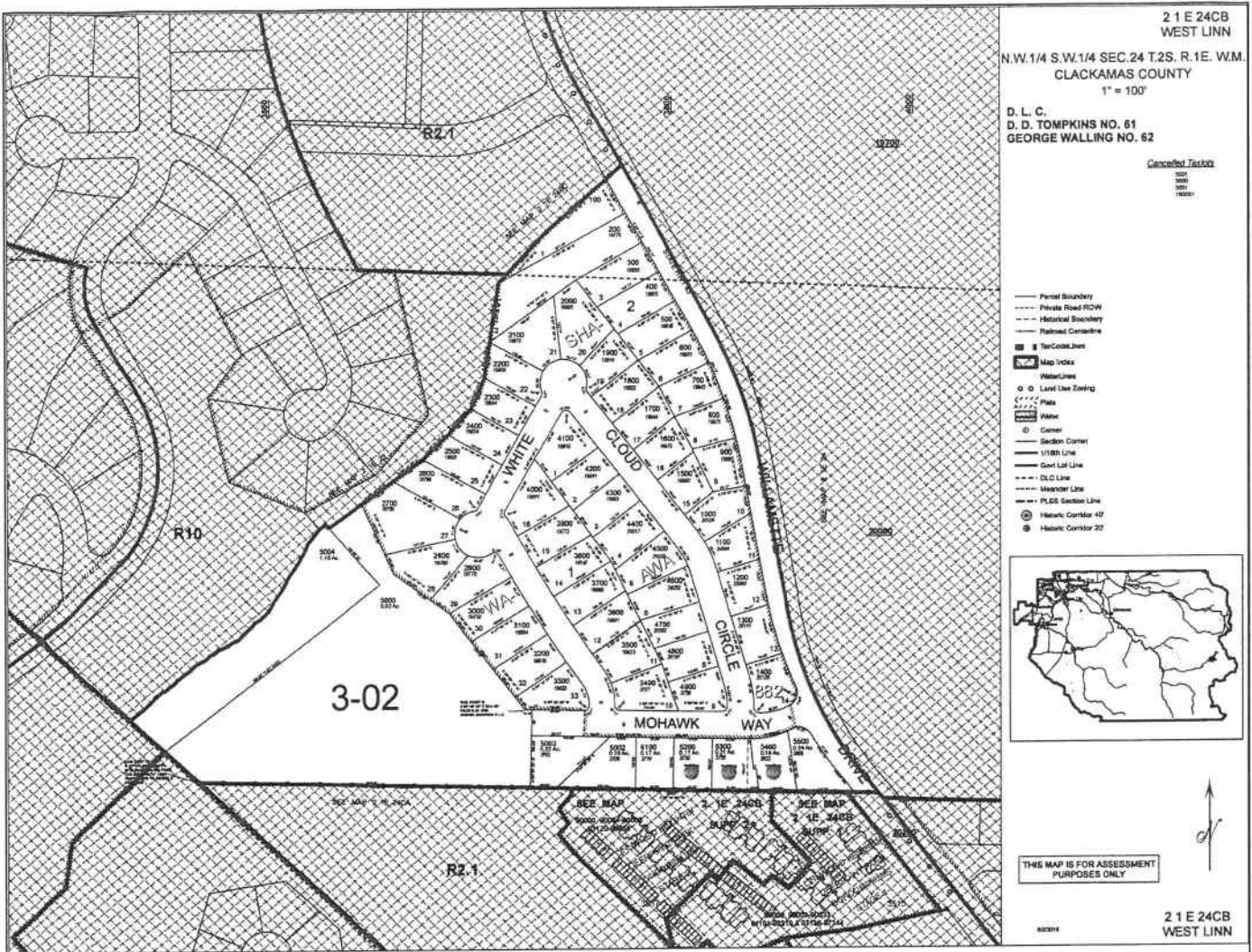
File No.: 7072-905891 (DJH)
Date: 12/18/2006

~~SOUTHEASTERLY~~
WESTERLY

BEGINNING AT A POINT ON THE ~~SOUTHEASTERLY~~ BOUNDARY LINE OF THE PACIFIC HIGHWAY, WHICH POINT BEING ALSO THE SOUTHEASTERLY CORNER OF THAT TRACT OF LAND CONVEYED TO ASSOCIATED THRIFT AND SECURITIES, INC. AS PARCEL I IN DEED RECORDED OCTOBER 2, 1959 IN DEED BOOK 567, PAGE 803; THENCE RUNNING NORTH 89°58'40" WEST 202 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING NORTH 89°58'40" WEST 6 FEET TO THE SOUTHEAST CORNER OF A TRACT CONVEYED TO JOSEPH R. BEAVER, ET UX, BY DEED RECORDED SEPTEMBER 15, 1983 AS FEE NO. 83-30258, CLACKAMAS COUNTY RECORDS; THENCE NORTHWESTERLY ALONG THE EAST LINE OF SAID BEAVER TRACT 42 FEET; THENCE NORTH 84°58'40" EAST 7 FEET; THENCE SOUTHERLY TO THE POINT OF BEGINNING.

2018-09-02

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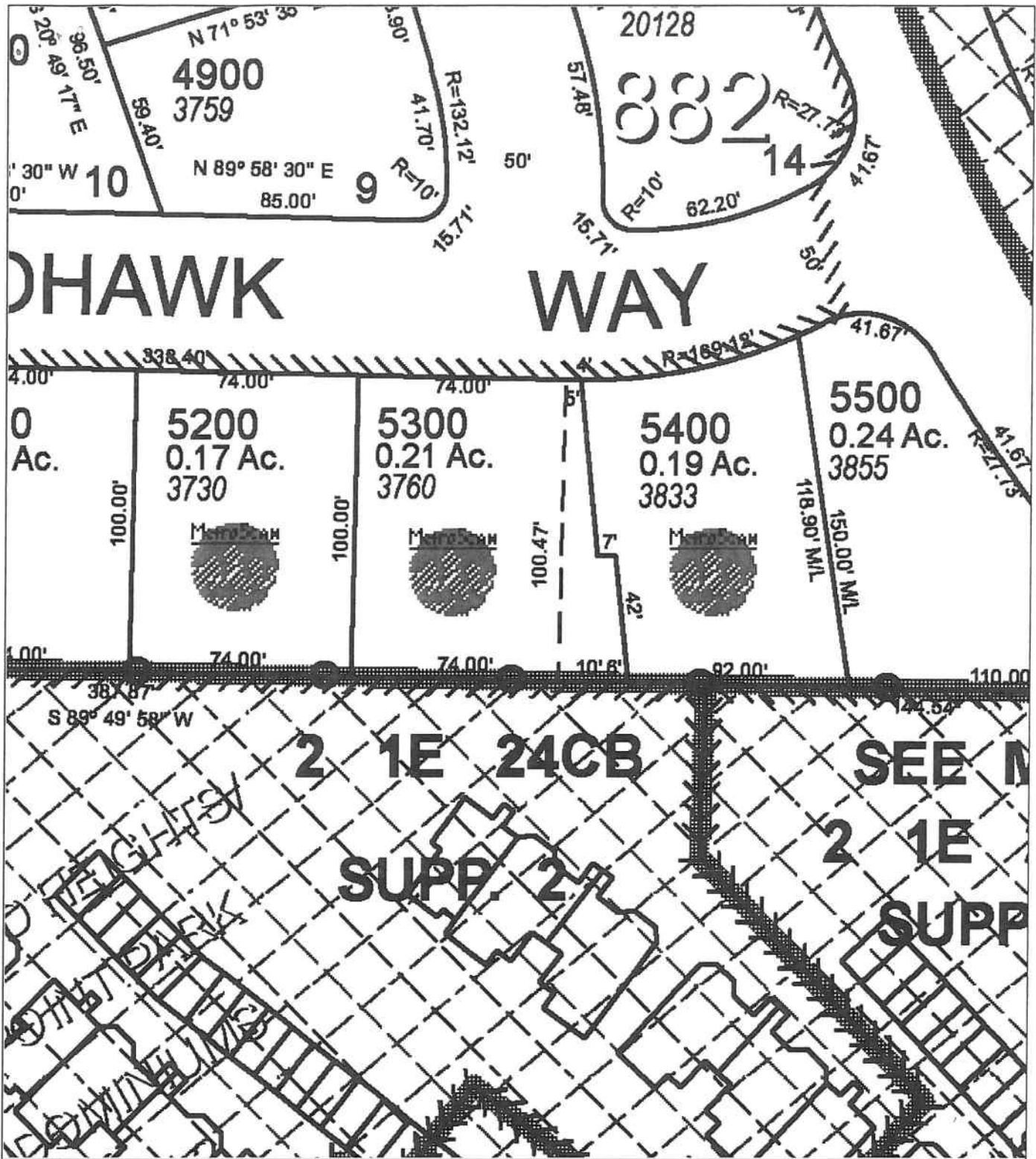
Map No. 21E24CB05400



CHICAGO TITLE COMPANY
 10151 S.E. SUNNYSIDE ROAD Suite 300
 CLACKAMAS, OREGON 97015



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, and is not a survey of the land depicted. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the Company does not insure dimensions, distances, location of easements, acreage or other matters shown thereon.



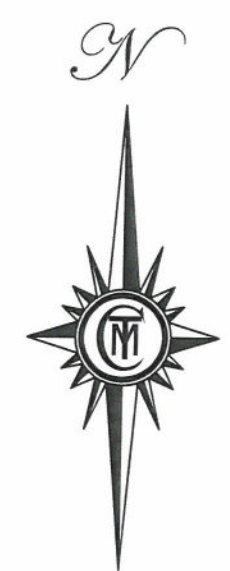
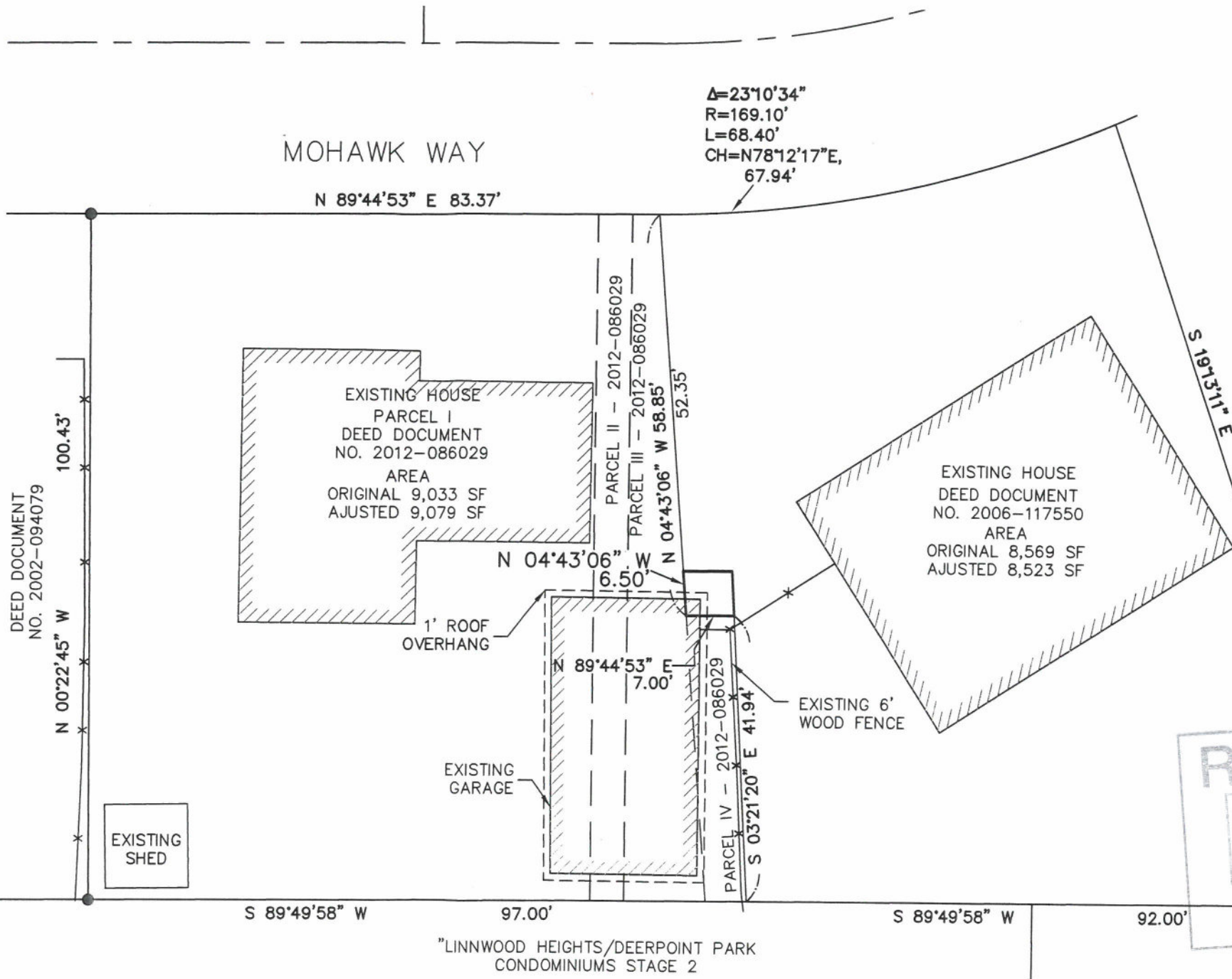
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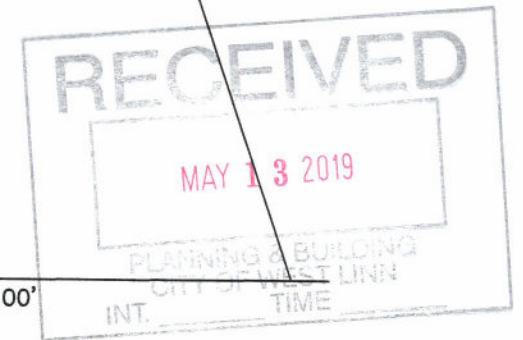
CHICAGO TITLE COMPANY
 10151 S.E. SUNNYSIDE ROAD Suite 300
 CLACKAMAS, OREGON 97015



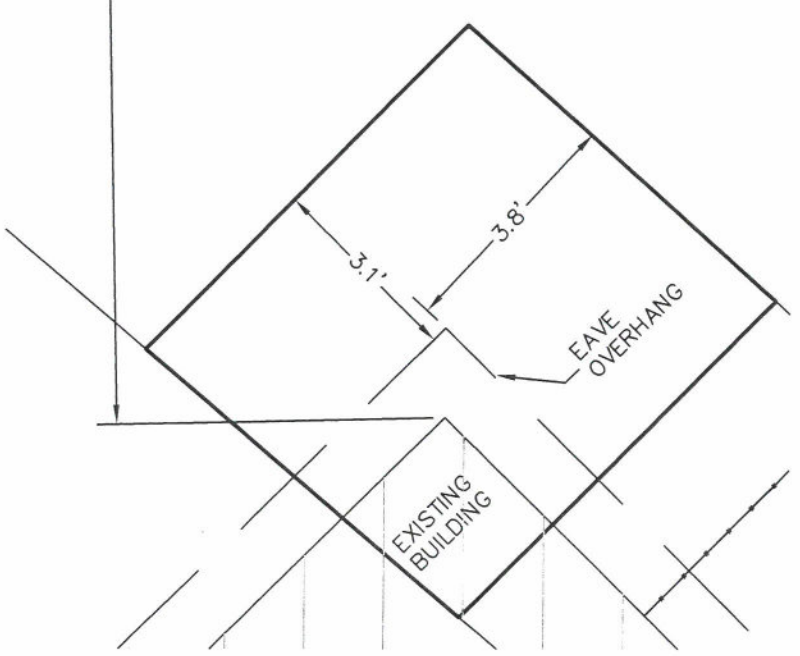
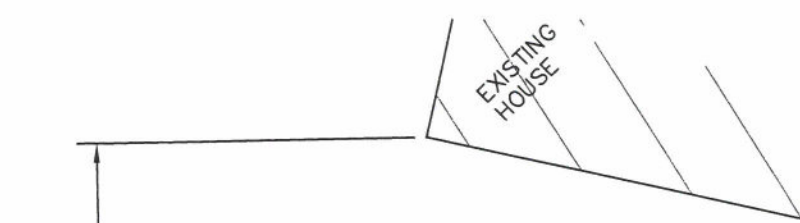
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SCALE 1" = 20'



SHEET 1 OF 2



EXCHANGE TRACT DETAIL
SCALE: 1" = 3'

REGISTERED PROFESSIONAL LAND SURVEYOR
Michael R. Gates
OREGON
JULY 25, 1990
MICHAEL R. GATES
2449

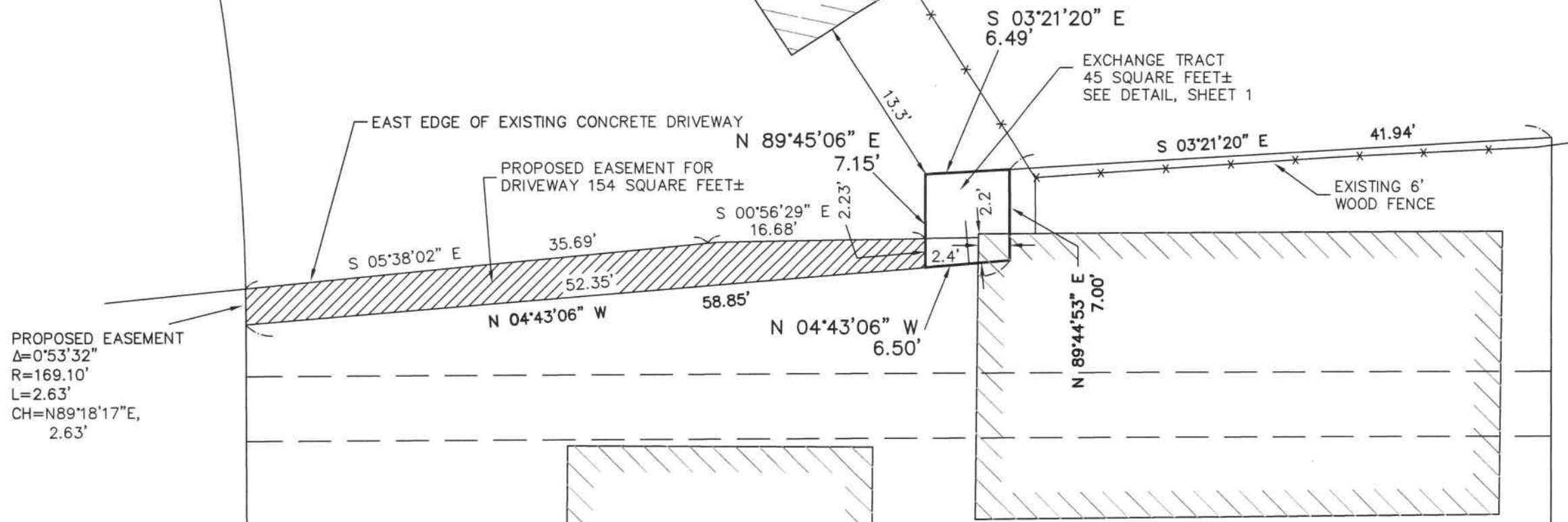
EXPIRES: 6-30-19

PROPOSED PROPERTY LINE ADJUSTMENT EXHIBIT	
FOR JEREMY MEDHAUG	
SW 1/4 SEC 24, T 2 S, R 1 E, W.M.	
CITY OF WEST LINN	
CLACKAMAS COUNTY, OREGON	
APRIL 24, 2019	
DRAWN: RLMc	CHECKED: MRG
SCALE 1"=20' ACCOUNT # 500-623	
Y: \500-623\DWG\500623SKETCH1.DWG	

3760 MOHAWK WAY	
CMT SURVEYING AND CONSULTING	
20330 SE HIGHWAY 212 DAMASCUS, OR 97089 PHONE (503) 850-4672 FAX (503) 850-4590	



SCALE 1" = 10'



MOHAWK WAY

SHEET 2 OF 2

PROPOSED PROPERTY LINE ADJUSTMENT EXHIBIT	
FOR JEREMY MEDHAUG	
SW 1/4 SEC 24, T 2 S, R 1 E, W.M.	
CITY OF WEST LINN	
CLACKAMAS COUNTY, OREGON	
APRIL 24, 2019	
DRAWN: RLMc	CHECKED: MRG
SCALE 1"=10' ACCOUNT # 500-623	
Y: \500-623\DWG\500623SKETCH1.DWG	

3760 MOHAWK WAY



CMT SURVEYING AND CONSULTING

20330 SE HIGHWAY 212
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