

CITY OF CORVALLIS  
**REVISION PROJECT REVIEW ROUTING LIST  
 FOR REVISED/SUPPLEMENTAL GRAPHICS**

Date: October 12, 2009

Project Name: \_\_ LDO09-00011 & MRP09-00008; 504 NW 6th Street

Planner: Kelly Potter

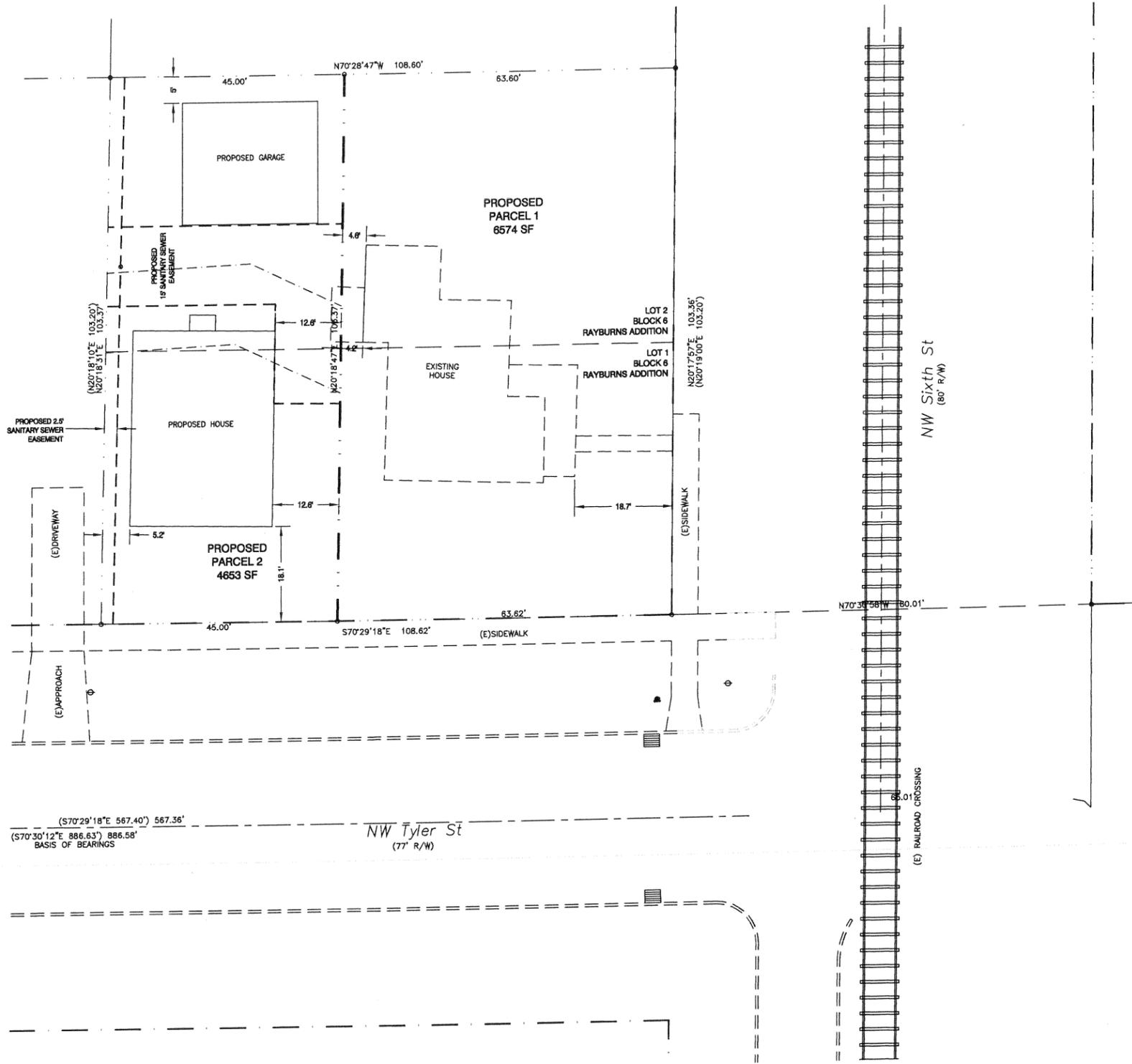
Due Date for Comments: **Friday, October 23, 2009**

X	Jeff McConnell Engineering/Public Works (2 copies + project schedule)	X	Clay Brooks City Surveyor (MLP, MRP, LLA)	X	Lisa Franklin Dev. Serv. Engineer
X	Paul Vinje Dev. Serv. Commercial Plans Examiner	X	Bill Clemens Dev. Serv. Commercial Plans Examiner	<input type="checkbox"/>	Director County Planning
X	Neil Hall Fire Department	<input type="checkbox"/>	Michele McKinnie (Finance) (MLP, MRP, LLA) (Comments Already Received - no liens)	<input type="checkbox"/>	Wetlands Program DSL (Wetland Form) 775 Summer St. NE, Suite 100 Salem, OR 97310
<input type="checkbox"/>	John deTar ODOT 3700 Philomath Blvd. Corvallis, OR 97333	<input type="checkbox"/>	Jim Brewer Deputy City Attorney (Already received 1st packet)	X	Joe Mardis County Surveyor's Office (MLP, MRP, LLA)
X	Myron Arneson ODOT Rail Division 555 13th St NE, Suite 3 Salem, OR 97301	<input type="checkbox"/>		<input type="checkbox"/>	<b>Other</b>

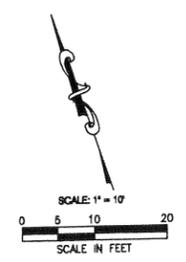
Please review the attached and note your comments on the back of this form (or other medium) and return to Kelly Potter, Community Development Department, 501 SW Madison Avenue, Corvallis, Oregon, 97339-1083 by the above due date. Please call me at 766-6908 if you have any questions, or send an email to [kelly.potter@ci.corvallis.or.us](mailto:kelly.potter@ci.corvallis.or.us).

**PLUS, SENT MYRON ARNESON WITH ODOT RAIL THE ENTIRE APPLICATION PACKAGE (WAS WAITING FOR GOOD GRAPHICS)**

FILE No. 1\1\08\30 Project\08\26\Production Drawings\08\26\08\26\DWG\10/09/08 08:20 - User



LEGEND	
	EXISTING STREET RIGHT-OF-WAY
	EXISTING LOT LINE
	EXISTING LOT LINE TO BE REMOVED
	PROPOSED LOT LINE
	EXISTING SANITARY SEWER EASEMENT TO BE REMOVED
	PROPOSED SANITARY SEWER EASEMENT



No.	REVISION	DATE

**PARSONS SURVEYING**  
 1915 S.E. Stone Street  
 Corvallis, Oregon 97333  
 (541) 752-7995

**DEVCO**  
 ENGINEERING INC.  
 246 N.E. CONNER, P.O. BOX 604  
 CORVALLIS, OR 97339  
 WWW.DEVCOENGINEERING.COM

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PROJECT:  
 504 NW 6th STREET

PROJECT LOCATION:  
 CORVALLIS, OREGON

CLIENT:  
 DOWNTOWN LIVING, LLC

SHEET TITLE:  
 TENTATIVE PARTITION PLAT  
 LOTS 1 AND 2, BLOCK 6,  
 RAYBURNS ADDITION  
 SW 1/4, SEC. 35, T11S R/W, W.M.  
 CORVALLIS, BENTON COUNTY,  
 OREGON

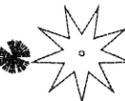
JOB NO.	08428
ISSUED:	10/08/08
DRAWN BY:	DEVCO
DRAWING:	<b>P2.00</b>
# OF SHEETS IN SET: X	

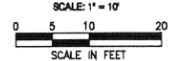
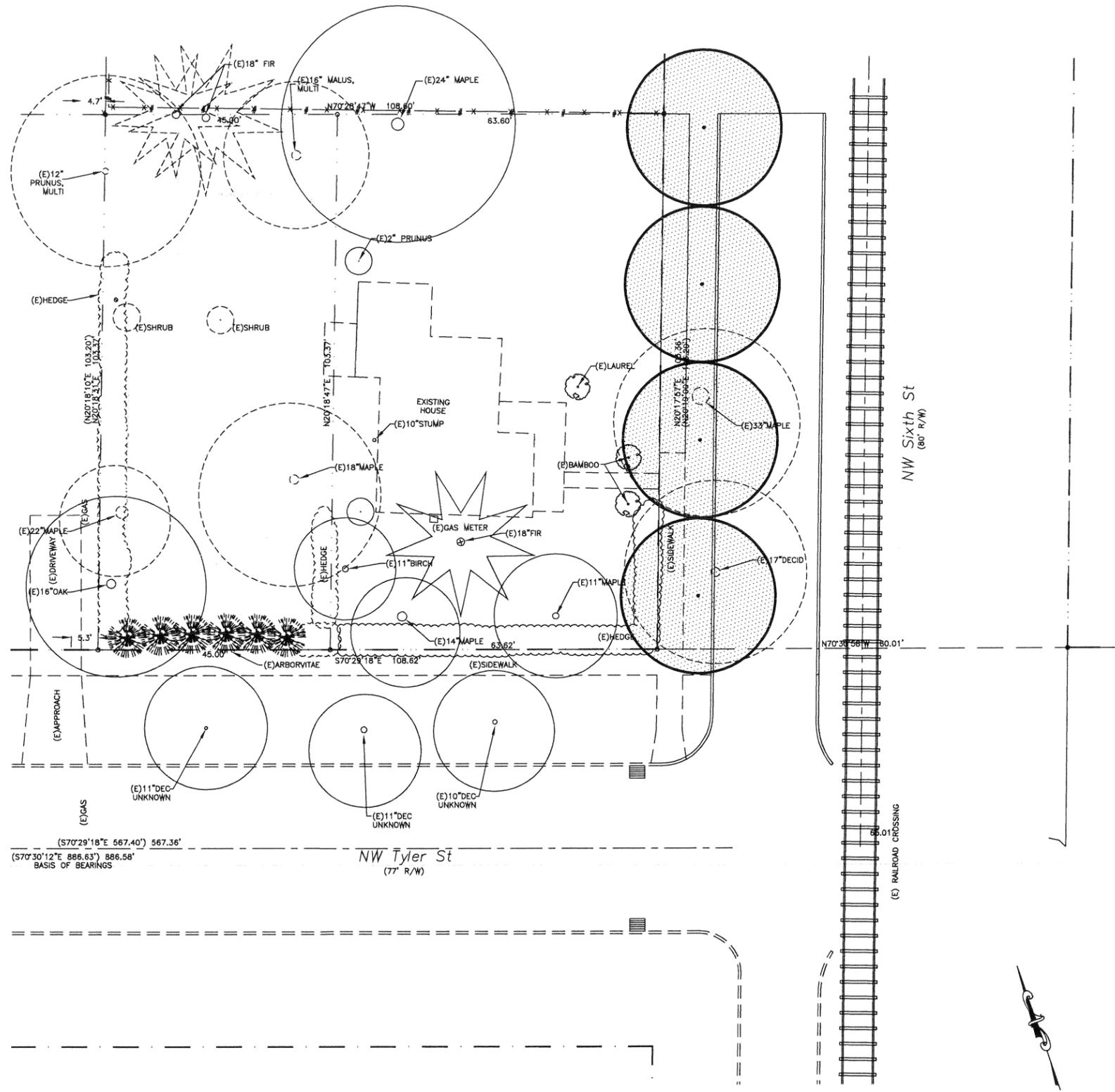
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OCT - 9 2009

Community Development  
 Planning Division



VEGETATION LEGEND	
	EXISTING TREE OR VEGETATION TO BE REMOVED
	EXISTING TREE OR VEGETATION TO BE PRESERVED
	NEW STREET TREE



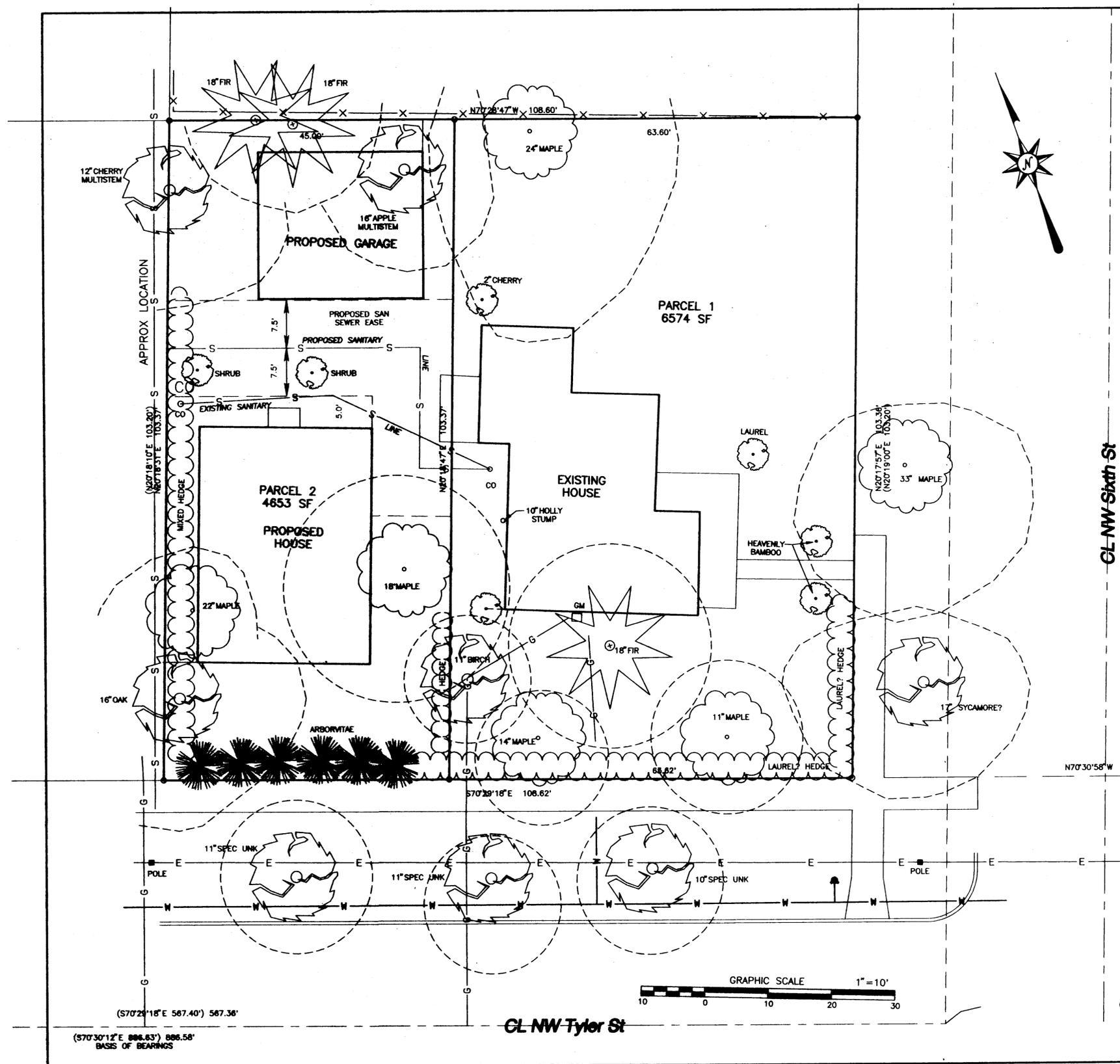
No.	REVISION	DATE

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PROJECT: 504 NW 6th STREET PROJECT LOCATION: CORVALLIS, OREGON CLIENT: DOWNTOWN LIVING, LLC
--

SHEET TITLE: PROPOSED VEGETATION PLAN
---

JOB NO.	09426
ISSUED:	10/08/09
DRAWN BY:	DEVCO
DRAWING:	<b>P2.02</b>
# OF SHEETS IN SET:	3



LEGEND

- FOUND MONUMENT AS NOTED
- TO SET 5/8" X 30" IRON ROD W/ YELLOW PLASTIC CAP MARKED "PARSONS PLS1918"
- ▲ FIRE HYDRANT
- SPEC UNK SPECIES UNKNOWN
- X --- FENCE LINE
- EASEMENT LINE
- STREAM
- S G --- SEWER LINE
- APPROX DRIP LINE
- W --- WATER LINE
- ★ TREE, CONIFER
- TREE, DECIDUOUS
- SHRUB
- HEDGE



REGISTERED  
PROFESSIONAL  
LAND SURVEYOR  
*Tyler B. Parsons*  
OREGON  
JULY 18, 1980  
TYLER B. PARSONS  
1918  
EXP: 12/31/2010

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SEP - 9 2009

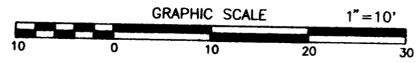
Community Development  
Planning Division

SITE PLAN  
for  
Kent Daniels

Lots 1 & 2, Block 6, Rayburn's Addition  
SW1/4 Sec 35, T11S R5W, W.M.  
Corvallis, Benton County, Oregon

PARSONS SURVEYING  
1915 S.E. Stone Street  
Corvallis, OR 97333  
(541) 752-7515

Scale: 1" = 10'  
Date: 9/9/2009  
Drawn: TBP  
Project: 0906  
Drawing: Site2.pro



(S70°22'18"E 567.40') 567.36'  
(S70°30'12"E 886.63') 886.58'  
BASIS OF BEARINGS

CL NW Tyler St

CL NW Sixth St

PREPARED  FILED

PAID  RECEIVED

LDO 09-00011 \$100 deposit paid 09.01.09 receipt # 455326



# RECEIVED

SEP - 1 2009

City of Corvallis - Planning Division  
501 SW Madison Ave.  
Corvallis, OR 97333  
Telephone: (541) 766-6908  
FAX: (541) 754-1792  
Planning@ci.corvallis.or.us  
www.corvallispermits.com

## Lot Development Option Application Community Development Planning Division

### Location / Description of Subject Property(ies)

Street Address 504 N.W. Sixth Street

Benton County Tax Assessor Map 11535CA Tax Lot(s) # 00101

Subdivision Name or Partition # Rayburn's Addition

Zone RS-9 Size (acres) 0.26 Density Range 1 du/ac - 3 du/ac

Historic Overlay  Natural Features  Related Land Use Cases HPP09-00013  
HPP09-00025

### Applicant Information

Applicant(s) Name(s) Downtown Living, LLC  
Last First M.I.

Same as Property Owner 329 S.W. Eighth Street  
Street Address

Corvallis OR 97333  
City State Zip Code

Phone # (541) 753-4039 Email Address wally@peak.org  
(2) Jerry.davis@comcast.net

Contact preference?  mail  phone  email

### Property Owner Information (where different than Applicant)

Property Owner(s) Name(s):  
Last First M.I.

Street Address  
City State Zip Code

Phone # Email Address

Contact preference?  mail  phone  email

Property Owner(s) Signature(s) Date  
(If Legal Representative: provide supporting documentation)

### Attachments (refer to the following pages)



corvallispermits.com  
for use: planning - permits - inspections

Track the status of your application

Visit corvallispermits.com and select "Check Case Status"

## Section 2.12.10 - BACKGROUND

A Lot Development Option provides a means to obtain minor variations from clearly measurable, numerically quantifiable development standards. The Lot Development Option exists for those circumstances where uniform, unvarying rules would prevent a more efficient use of a lot, prevent better preservation of Significant Natural Features, and/or prevent innovation in site planning and architectural design. A typical example is permitting a structure to be located closer to a property boundary than normally allowed by the zone regulations. A Lot Development Option also may provide a means to obtain major variations from required setbacks on lots with existing residential structures constructed prior to December 31, 2006, or to modify the use size limitations contained in Chapter 3.19 - Mixed Use Community Shopping (MUCS) Zone.

A Lot Development Option applies only to existing individual lots or to individual lots that are approved, or requested for approval, as part of a Tentative Subdivision Plat or Minor Land Partition process. Proposed modifications that exceed the allowed scope of a Lot Development Option as outlined in this Chapter need to be sought through the Planned Development process described in Chapter 2.5 - Planned Development.

Unless otherwise stated in the following chapters, the Lot Development Option process shall not be used to vary from the standards in Chapter 4.5 - Natural Hazard and Hillside Development Provisions, Chapter 4.11 - Minimum Assured Development Area (MADA), Chapter 4.12 - Significant Vegetation Protection Provisions, and Chapter 4.13 - Riparian Corridor and Wetland Provisions.

### 2.12.30.01 - Application Requirements

When the Director deems any requirement below unnecessary for proper evaluation of a proposed application, it may be waived.

An application for a Lot Development Option shall be made on forms provided by the Director and shall include the following, where applicable:

- a. Location and description of the subject property(ies), including all of the following, as relevant: address; tax assessor map and tax lot number; parcel number; written description of the boundaries of the proposal; and one set of assessor's maps of the subject site and surrounding area, with the subject site outlined in red;
- b. Signed consent by the subject property's owner(s) and/or the owner's legal representative(s). If a legal representative is used as a signatory, written proof of ability to be a signatory shall be furnished to the City. The owner's name(s) and address(es), and the applicant's name, address, and signature shall also be provided;
- b. Narrative addressing all aspects of the requested variation(s) and describing how the application meets the review criteria in Section 2.12.30.06, below; and
- c. Site plan(s) no larger than 11 by 17 in. suitable for photocopy reproduction. Site plan(s) and other graphics shall be drawn to scale and shall contain a sheet title, date, north arrow, and legend placed in the same location on each sheet and show:
  1. Relationship of the site to adjoining properties, streets, alleys, structures, public utilities, and drainageways;
  2. Identification of all requested variations;
  3. Lot line dimensions;
  4. Existing and proposed structures;
  5. Structures on adjacent property(ies) affected by the request;
  6. Vehicle and pedestrian access points and accessways;

7. Drainageways and any other prominent features;
  8. Location of trees and shrubs over three ft. in height;
  9. Fences and walls;
  10. Off-street parking facilities;
  11. Information required by Chapter 4.2 - Landscaping, Buffering, Screening, and Lighting, Chapter 4.5 - Natural Hazard and Hillside Development Provisions, Chapter 4.11 - Minimum Assured Development Area (MADA), Chapter 4.12 - Significant Vegetation Protection Provisions, and Chapter 4.13 - Riparian Corridor and Wetland Provisions, as applicable; and
  12. Any other information relevant to the proposal.
- d. An electronic version of these documents (both text and graphics, as applicable) if an applicant has produced part or all of an application in an electronic format. The applicant shall coordinate with the City regarding compatible electronic formats, to the greatest extent practicable;

### **2.12.30.03 - Determination of Lot Development Option Type**

The Director shall determine whether an application is for a Lot Development Option Type A or Type B, as described in "a," and "b," below. However, unless otherwise stated in the following chapters, the Lot Development Option process shall not be used to vary from the standards in Chapter 4.5 - Natural Hazard and Hillside Development Provisions, Chapter 4.11 - Minimum Assured Development Area (MADA), Chapter 4.12 - Significant Vegetation Protection Provisions, and Chapter 4.13 - Riparian Corridor and Wetland Provisions.

**a. Type A Lot Development Option** - A Lot Development Option shall be considered Type A in circumstances where the requested variations involve Residential Uses on an undeveloped lot or underdeveloped lot within a developed portion of the City that is zoned RS-3.5 as of December 31, 2006, or involves a lot containing existing residential structures in any residential zone constructed prior to December 31, 2006. Type A Lot Development Option requests shall involve clearly measurable, numerically quantifiable development standards that shall not exceed the thresholds listed below:

1. Setback reductions up to 40 percent for Residential Uses on an undeveloped or underdeveloped lot within developed areas zoned RS-3.5; or setback reductions up to 100 percent on a lot containing existing residential structures constructed prior to December 31, 2006, with the following exceptions:
  - a) Requests for variations to development standards in Chapter 4.0 - Improvements Required with Development, shall be processed through the Planned Development process outlined in Chapter 2.5 - Planned Development;
  - b) For new structures on undeveloped lots, side and/or rear yard setbacks for accessory structures that are more than 60 ft. from streets (other than alleys) may be reduced by up to 70 percent;
  - c) For new structures, interior side yards on corner lots may be reduced by up to 70 percent; and
  - d) For lots with existing residential structures, side and/or rear yard setbacks for accessory structures that are more than 60 ft. from streets (other than alleys) may be reduced by up to 100 percent.
2. Increasing the height of a structure by up to 10 percent;

3. Decreasing the required lot area by up to five percent. Applies only to lots created through the Minor Land Partition or Minor Replat process described in Chapter 2.14 - Partitions, Minor Replats, and Lot Line Adjustments;
4. Decreasing required lot width by up to five ft., excluding accessway widths required for flag lots created through the Minor Land Partition or Minor Replat process;
5. Increasing the total ground area proposed to be covered by structures, parking spaces, or vehicular circulation areas by up to five percent over that which is permitted in the underlying zone;
6. Decreasing the area reserved for private outdoor space and/or usable Green Area by up to 10 percent;
7. Decreasing the project site amenities such as screening and/or landscaping by up to 10 percent;
8. Decreasing the required number of parking spaces by up to 50 percent; or increasing the number of compact parking spaces by up to 50 percent;
9. Increasing the fence height outside of Vision Clearance Areas by up to 33 percent; and
10. Decreasing the designated Solar Access by up to 20 percent, except as provided in Chapter 4.6 - Solar Access.

The Director may allow as a Type A Lot Development Option similar types of modifications to development standards to those listed above, using the procedures set forth in Chapter 2.16 - Interpretations. Part of this interpretation shall consist of determining whether the modification is a Type A or Type B Lot Development Option.

- b. Type B Lot Development Option** - A Lot Development Option shall be considered Type B where the requested variations involve residential or nonresidential land uses within the portions of the City not covered in "a," above.

Type B Lot Development Option requests shall involve clearly measurable, numerically quantifiable development standards that shall not exceed the thresholds listed below:

1. Adjusting the applicable clearly measurable development standards by a maximum of 20 percent, with the following exceptions:
  - a) Requests for variations to development standards in Chapter 4.0 - Improvements Required with Development, shall be processed through the Planned Development process as outlined in Chapter 2.5 - Planned Development;
  - b) Side and/or rear yard setbacks for accessory structures that are more than 60 ft. from streets (other than alleys) may be reduced by up to 70 percent; and
  - c) For new structures, interior side yards on corner lots may be reduced by up to 70 percent.
2. Ensuring that no more than a total of three variations occurs. For example, if a single lot is involved, variations of up to three different development standards may occur. If a development site includes plans for multiple lots through a Minor Land Partition or Tentative Subdivision Plat, and multiple variations are needed, up to three lots may be involved in variations from the same development standard or different development standards.
3. Variations exceeding the thresholds described in "1," and "2," above, shall be sought through the Planned Development process described in Chapter 2.5 - Planned Development.

## 2.12.30.06 - Review Criteria

A Lot Development Option shall be reviewed to determine if the following criteria have been met:

- a. The land use for the proposed development is allowed in the underlying zone;
- b. The proposed development falls within the minimum and maximum density requirements for the underlying zone;
- c. All structures comply with Building and Fire Codes and Vision Clearance requirements established by the City Engineer;
- d. The proposal falls within the appropriate threshold for a Lot Development Option in Section 2.12.30.03;
- e. The proposed development shall not be contrary to the background and purposes in Sections 2.12.10. and 2.12.20, specific requirements contained in policies of the Comprehensive Plan, and any other applicable policies and standards adopted by the City;
- f. The proposed development shall not substantially reduce the amount of privacy enjoyed by users of neighboring structures when compared to development located as specified by this Code;
- g. The proposed development shall not adversely affect existing physical and natural systems, such as traffic, drainage, dramatic land forms, or parks, nor adversely affect the potential for abutting properties to use solar energy devices when compared to development located as specified in this Code;
- h. Where architectural features are involved, the proposed development shall be compatible with the design character of existing structures on adjoining properties;
- i. Where variations are proposed to Chapter 4.10 - Pedestrian Oriented Design Standards, the proposed development shall implement the purpose(s) of that chapter through inclusion of additional benefits to the pedestrian environment that compensate for the requested variations from development standards;
- j. Where Significant Natural Features are involved, the proposed development shall not adversely impact Significant Natural Features regulated by Chapter 4.2 - Landscaping, Buffering, Screening, and Lighting, Chapter 4.5 - Natural Hazard and Hillside Development Provisions, Chapter 4.11 - Minimum Assured Development Area (MADA), Chapter 4.12 - Significant Vegetation Protection Provisions, and Chapter 4.13 - Riparian Corridor and Wetland Provisions; and
- k. The proposal shall not result in the applicant, original developer, or individual property owner, receiving approval for more than three variations on the subject piece of property within a two-year period.

CASE: \_\_\_\_\_ DATE FILED: \_\_\_\_\_ DATE COMPLETE: \_\_\_\_\_

RESIDENTIAL  COMMERCIAL  REPLAT  PARTITION

UNPAID RECEIPT

MRP09-00008

RECEIVED

SEP - 1 2009



Community Development  
Planning Division

City of Corvallis - Planning Division  
501 SW Madison Ave.  
Corvallis, OR 97333  
Telephone: (541) 766-6908  
FAX: (541) 754-1792  
Planning@ci.corvallis.or.us  
www.corvallispermits.com

Minor Land Partition / Minor Replat Application

Location / Description of Subject Property(ies)

Street Address 504 N.W. Sixth Street

Benton County Tax Assessor Map 11535CA Tax Lot(s) # 00101

Subdivision Name or Partition # Rayburn's Addition (for Minor Replat Applications)

Zone RS-9 Size (acres) 0.26 Density Range 1 du/ac - 3 du/ac

Historic Overlay  Natural Features  Related Land Use Cases HPP09-00013  
HPP04-00025

Applicant Information

Applicant(s) Name(s) Downtown Living, LLC Last First M.I.

Same as Property Owner

Street Address 329 S.W. Eighth Street

City Corvallis State OR Zip Code 97333

Phone # (541) 753-4039 Email Address <sup>1</sup> wally@penk.org  
<sup>2</sup> Jerrydavis@comcast.net

Contact preference?  mail  phone  email

Property Owner Information (where different than Applicant)

Property Owner(s) Name(s): \_\_\_\_\_ Last First M.I.

Street Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Phone # \_\_\_\_\_ Email Address \_\_\_\_\_

Contact preference?  mail  phone  email

Property Owner(s) Signature(s) \_\_\_\_\_ Date \_\_\_\_\_  
(If Legal Representative: provide supporting documentation)

Attachments (refer to the following pages)



corvallispermits.com

Track the status of your application

Visit corvallispermits.com and select "Check Case Status"

## 2.14.30.01 – Application Requirements

When the Director deems any requirement below unnecessary for the proper evaluation of a proposed application, it may be waived.

Applications shall be made on forms provided by the Director and shall be accompanied by:

- a. Location and description of the subject property(ies), including all of the following, as relevant: address; tax assessor map and tax lot number; parcel number; written description of the boundaries of the proposal; and one set of assessor's maps of the subject site and surrounding area, with the subject site outlined in red;
- b. Signed consent by the subject property's owner(s) and/or the owner's legal representative(s). If a legal representative is used as a signatory, written proof of ability to be a signatory shall be furnished to the City. The owner's name(s) and address(es), and the applicant's name, address, and signature shall also be provided;
- c. An electronic version of these documents (both text and graphics, as applicable) if an applicant has produced part or all of an application in an electronic format. The applicant shall coordinate with the City regarding compatible electronic formats, to the greatest extent practicable;
- d. **Graphic Requirements** - The Tentative Plat and other graphics for both Nonresidential and Residential Partitions shall be drawn to scale and shall contain a sheet title, date, north arrow, and legend placed in the same location on each sheet and contain the information listed below. The Tentative Plat and other graphics shall not exceed 24 by 36 in. and shall include the following information, as applicable:
  1. Names of the owner, partitioner, engineer, and surveyor as appropriate;
  2. Property line boundaries of all contiguous land in the same ownership as the area encompassed in the application;
  3. Sufficient description to define location and boundaries of the area to be partitioned, replatted, and/or adjusted;
  4. Location of existing structures;
  5. Number and type of units proposed when known and appropriate;
  6. Location and width of all existing or proposed public or private accessways (rights-of-way) including any reserve strips and parking areas;
  7. Location of all existing and proposed public and private utilities, including water, sewer, and storm drainage;
  8. Proposed parcel layout indicating dimensions, parcel lines, and lot areas;
  9. Approximate location and width of Watercourses for review in accordance with Chapter 4.5 - Natural Hazard and Hillside Development Provisions and Chapter 4.13 - Riparian Corridor and Wetland Provisions; and
  10. All areas to be dedicated to the public and their proposed Uses including street rights-of-way, drainageways, easements, and reserve strips.
  11. Significant Natural Features Map(s) - Maps shall identify Significant Natural Features of the site, and provide all Code-required Significant Natural Feature information including but not limited to:
    - a) All information and preservation plans required by Chapter 4.2 - Landscaping, Buffering, Screening, and Lighting, Chapter 4.5 - Natural Hazard and Hillside

Development Provisions, Chapter 4.11 - Minimum Assured Development Area (MADA), Chapter 4.12 - Significant Vegetation Protection Provisions, and Chapter 4.13 - Riparian Corridor and Wetland Provisions, as applicable;

- b) All Jurisdictional Wetlands not already shown as part of "a," above. While not all Jurisdictional Wetlands are locally regulated by Chapter 4.13 - Riparian Corridor and Wetland Provisions, they need to be shown so that the City can route the application to the appropriate state and federal agencies for comment; and
- c) Archaeological sites recorded by the State Historic Preservation Office (SHPO).

12. Tentative Plat and Other Graphics -

a) General -

1) Nonresidential Partition Graphics - Nonresidential Partition graphics shall include features within a minimum 150-ft. radius of the site, such as existing streets and parcel boundaries; existing structures; driveways; utilities; Significant Natural Features regulated by Chapter 4.2 - Landscaping, Buffering, Screening, and Lighting, Chapter 4.5 - Natural Hazard and Hillside Development Provisions, Chapter 4.12 - Significant Vegetation Protection Provisions, and Chapter 4.13 - Riparian Corridor and Wetland Provisions; Minimum Assured Development Area information from Chapter 4.11 - Minimum Assured Development Area (MADA), if applicable; and any other information that, in the Director's opinion, would assist in providing a context for the proposed development. The Director may require that an applicant's graphics include information on lands in excess of 150 ft. from a development site (e.g., such as in cases where an adjacent property is large and a view of the whole parcel would be helpful, or when existing infrastructure is far away from the site).

2) Residential Partition Graphics - Residential Partition graphics shall include features within a minimum of 300 feet from all exterior boundaries of the site, showing existing streets and parcel boundaries; existing structures in excess of 100 sq. ft.; driveways; utilities; Significant Natural Features regulated by Chapter 4.2 - Landscaping, Buffering, Screening, and Lighting, Chapter 4.5 - Natural Hazard and Hillside Development Provisions, Chapter 4.12 - Significant Vegetation Protection Provisions, and Chapter 4.13 - Riparian Corridor and Wetland Provisions; and Minimum Assured Development Area information from Chapter 4.11 - Minimum Assured Development Area (MADA), if applicable. Additionally, if existing infrastructure is more than 300 ft. from an exterior boundary of the Residential Partition site, the Residential graphics shall extend beyond the required 300 ft. to include said features and all lands between the Residential Partition site and the existing infrastructure.

b) Conceptual Grading Plans - Existing and proposed topographic contours at two-ft. intervals. Where the grade of any part of the Partition exceeds 10 percent and where the Partition abuts existing developed lots, a conceptual grading plan shall be required as follows:

1. Nonresidential Partitions - Conceptual grading plans for Nonresidential Partition applications shall contain adequate information to evaluate impacts to the site and adjacent areas, consistent with Chapter 4.5 - Natural Hazard and Hillside Development Provisions. If a grading plan is required for a Nonresidential Partition, it shall indicate how these objectives are met, how runoff or surface water from individual lots will be managed, and how the proposal's surface waters will be managed. Additionally, Nonresidential Partition applications shall include two

design alternatives demonstrating that the applicant has achieved the optimal balance of applicable criteria;

2. Residential Partitions - Conceptual grading plans for Residential Partition applications shall identify all proposed cuts and fills and the associated grade changes in ft. to demonstrate adherence to the provisions in Chapter 4.5 - Natural Hazard and Hillside Development Provisions. The conceptual grading plan shall also indicate how runoff and surface water from individual lots will be managed, and how the proposal's surface waters will be managed. Additionally, the conceptual grading plan for Residential Partitions shall meet the requirements in "c," and "d," below;
  - c) For residential development, excavation and grading shall maintain hydrology that supports existing wetland and riparian areas and the application shall demonstrate adherence;
  - d) For residential development, the graphics, including the conceptual grading plan, must demonstrate that each lot can be served by streets and infrastructure in a manner that is consistent with the clear and objective approval standards contained in the following: the City's development standards outlined in by the applicable underlying zoning designation standards in Article III of this Code; the development standards in Article IV of this Code; the standards of all acknowledged City Facility Master Plans; the adopted City Design Criteria Manual; the adopted Oregon Structural Specialty Code; the adopted International Fire Code; the adopted City Standard Construction Specifications; the adopted City Erosion Prevention and Sediment Control Ordinance; and the adopted City Off-street Parking Standards;
13. Where it is evident that the parcel can be further divided, the applicant shall show, either on the Tentative Plat or as an attachment, that the Partition will not preclude efficient division of land in the future;
14. Narrative Requirements -
  - a) Phasing - Statement describing phases of project, if proposed. Phases shall be:
    - 1) For Nonresidential Partitions, substantially and functionally self-contained and self-sustaining with regard to access, parking, transportation facilities, utilities, Green Areas, and drainage without reliance on any uncompleted phase; capable of substantial occupancy, operation, and maintenance upon completion of construction and development, and be designed such that the phases support the infrastructure requirements for the project.
    - 2) Designed to Address Compatibility -
      - a. For Nonresidential Partitions, addressing compatibility means arranging the phases to avoid conflicts between higher and lower density development.
      - b. For Residential Partitions, Uses permitted outright within a zone are considered to be compatible and not to conflict. Between zones, compatibility is addressed at the time the zone is established. A Residential Use permitted outright within an existing zone is considered to be compatible with Uses permitted outright within existing neighboring zones;
      - c. For Residential Partitions, each proposed phase must meet all required clear and objective standards for access, parking, transportation facilities, utilities, Green Areas, and drainage without reliance on any uncompleted phase. Each proposed

phase, and the proposal as a whole, must be designed so that in addition to each proposed phase meeting all required infrastructure standards for that phase, at the completion of each phase all completed phases together will cumulatively meet all infrastructure standards that would be required for a project consisting of the completed phases. The Partition and each phase must also be designed so that by completion of all proposed phases all the phases together will meet all infrastructure requirements for the project.

- b) Explanation of how the proposal complies with the review criteria in Section 2.14.30.05; and
15. Traffic Impact Study -
- a) Nonresidential Partitions - Any proposal generating 30 or more trips per hour shall include Level of Service (LOS) analysis for the affected intersections. A Traffic Impact Analysis (TIA) is required, if required by the City Engineer. The TIA shall be prepared by a registered professional engineer. The City Engineer shall define the scope of the traffic impact study based on established procedures.
  - b) Residential Partitions - A Traffic Impact Analysis (TIA) is required. The TIA shall be prepared by a registered professional engineer, in accordance with the most current ITE standards, and shall address both current conditions and those within a 20-year horizon. The TIA shall quantify the trip generation effects of the proposal. The TIA shall estimate trip distribution patterns. Any proposal generating 30 or more trips per hour shall include Level of Service (LOS) analysis for the affected intersections. If any affected intersection LOS is or will fall be below LOS D during any hour, mitigation shall be proposed. The mitigation shall demonstrate that LOS D will be maintained for 20 years.
16. Information required by Chapter 4.5 - Natural Hazard and Hillside Development Provisions, Chapter 4.11 - Minimum Assured Development Area (MADA), Chapter 4.12 - Significant Vegetation Protection Provisions, and Chapter 4.13 - Riparian Corridor and Wetland Provisions, as applicable.

## 2.14.30.05 - Review Criteria

Requests for approval of a Tentative Partition Plat shall be reviewed to ensure:

- a. **Nonresidential Partitions** - Requests for the approval of a Tentative Partition Plat shall be reviewed to ensure:
  - 1. Consistency with the purposes of this Chapter and the following: the City's development standards outlined in the applicable underlying Zoning Designation standards in Article III of this Code; the development standards in Article IV of this Code; the standards of all acknowledged City Facility Master Plans; the adopted City Design Criteria Manual; the adopted Oregon Structural Specialty Code; the adopted International Fire Code; the adopted City Standard Construction Specifications; the adopted City Erosion Prevention and Sediment Control Ordinance; the adopted City Off-street Parking Standards; and any other applicable policies and standards adopted by the City Council;
  - 2. Pursuant to Comprehensive Plan Policy 3.2.7, demonstrated compatibility in the areas in "a," through "m," below, as applicable:
    - a) Basic site design (the organization of Uses on a site and the Uses' relationships to neighboring properties);
    - b) Visual elements (scale of potential development, etc.);

- c) Noise attenuation;
  - d) Odors and emissions;
  - e) Lighting;
  - f) Signage;
  - g) Landscaping for buffering and screening;
  - h) Transportation facilities;
  - i) Traffic and off-site parking impacts;
  - j) Utility infrastructure;
  - k) Effects on air and water quality (note: a DEQ permit is not sufficient to meet this criterion);
  - l) Consistency with the applicable development standards, including the applicable Pedestrian Oriented Design Standards; and
  - m) Preservation and/or protection of Significant Natural Features, consistent with Chapter 4.2 - Landscaping, Buffering, Screening, and Lighting, Chapter 4.5 - Natural Hazard and Hillside Development Provisions, Chapter 4.11 - Minimum Assured Development Area (MADA), Chapter 4.12 - Significant Vegetation Protection Provisions, and Chapter 4.13 - Riparian Corridor and Wetland Provisions. Streets shall also be designed along contours, and structures shall be designed to fit the topography of the site to ensure compliance with these Code standards;
3. Approval does not impede future development of property under the same ownership or on adjacent lands planned for urban densities with respect to the provision of City services and access from a public street;
4. Consistency with the density requirements of the Zone. When calculating the applicable density range for a subject property, applicants may include in their acreage calculation 50 percent of the area of any streets that front the subject site, for the distance the streets front the subject site.; and
5. For properties with Natural Resources or Natural Hazards subject to Chapter 4.5 - Natural Hazard and Hillside Development Provisions, Chapter 4.12 - Significant Vegetation Protection Provisions, or Chapter 4.13 - Riparian Corridor and Wetland Provisions, no Partition or Minor Replat shall create new lots or parcels unless each new and remaining lot or parcel contains:
- a) An area unconstrained by Natural Resources or Natural Hazards;
  - b) An area that includes Formerly Constrained Areas; or
  - c) Contains an area that includes the areas in 5.a) and 5.b) above;
- and that area is equal to or greater than the applicable Minimum Assured Development Area(s) for the zone or zones in which the site falls. Exceptions to this requirement are:
- d) Lots created for public park purposes; and
  - e) Privately- or publicly-owned lots completely contained within an area zoned Conservation - Open Space.

New Partitions may contain common open space tracts for the purpose of protecting Natural Resources and/or avoiding Natural Hazards.

b. ~~Residential Partitions~~ - Requests for the approval of a Tentative Partition Plat shall be reviewed to ensure:

1. Consistency with the clear and objective approval standards contained in the following: the City's development standards outlined in the applicable underlying Zoning Designation standards in Article III of this Code; the development standards in Article IV of this Code; the standards of all acknowledged City Facility Master Plans; the adopted City Design Criteria Manual; the adopted Oregon Structural Specialty Code; the adopted International Fire Code; the adopted City Standard Construction Specifications; the adopted City Erosion Prevention and Sediment Control Ordinance; and the adopted City Off-street Parking Standards;
2. The following criteria are met for Residential Partitions and the application demonstrates adherence to them:
  - a) Approval will permit City services and access from a public street to be provided to property under the same ownership and on adjacent lands planned for urban densities;
  - b) Consistency with the density requirements of the zone. When calculating the applicable density range for a subject property, applicants may include in their acreage calculation 50 percent of the area of any streets that front the subject site, for the distance the streets front the subject site;
  - b) Preservation and/or protection of Significant Natural Features, consistent with Chapter 4.2 - Landscaping, Buffering, Screening, and Lighting, Chapter 4.5 - Natural Hazard and Hillside Development Provisions, Chapter 4.11 - Minimum Assured Development Area (MADA), Chapter 4.12 - Significant Vegetation Protection Provisions, and Chapter 4.13 - Riparian Corridor and Wetland Provisions. Streets shall also be designed along contours, and structures shall be designed to fit the topography of the site to ensure compliance with these Code standards;
  - c) Land uses shall be those that are outright permitted by the existing underlying zoning designation;
  - d) Excavation and grading shall not change hydrology (in terms of water quantity and quality) that supports existing Locally Significant Wetlands and/or Riparian Corridors that are subject to this Code's Wetlands and/or Riparian Corridor provisions in Chapter 4.13 - Riparian Corridor and Wetland Provisions; and
  - e) For properties with Natural Resources or Natural Hazards subject to Chapter 4.5 - Natural Hazard and Hillside Development Provisions, Chapter 4.12 - Significant Vegetation Protection Provisions, or Chapter 4.13 - Riparian Corridor and Wetland Provisions, no Partition or Minor Replat shall create new lots or parcels unless each new and remaining lot or parcel contains remaining lot or parcel contains:
    - 1) An area unconstrained by Natural Resources or Natural Hazards;
    - 2) An area that includes Formerly Constrained Areas; or
    - 3) Contains an area that includes the areas in e.1) and e.2) above;

and that area is equal to or greater than the applicable Minimum Assured Development Area(s) for the zone or zones in which the site falls. Exceptions to this requirement are:

- 4) Lots created for public park purposes; and
- 5) Privately- or publicly-owned lots completely contained within an area zoned Conservation - Open Space.

New Partitions may contain common open space tracts for the purpose of protecting Natural Resources and/or avoiding Natural Hazards. See also Section 4.11.30.

A Residential Partition that conforms to these criteria in "1," and "2," above, is considered to meet all of the compatibility standards in this Section and shall be approved. A Residential Partition that involves Uses subject to Plan Compatibility or Conditional Development review, or that involves a Zone Change, shall be the applicable compatibility criteria for those Plan Compatibility, Conditional Development, and Zone Change applications.

## **CHAPTER 4.4**

### **LAND DIVISION STANDARDS**

#### **Section 4.4.10 - PURPOSES**

The Land Division standards in this Chapter are intended to preserve, protect, and promote the public health, safety, convenience, and general welfare. These standards are implemented in conjunction with the Subdivision, Expedited Land Division, and Partition procedures in Chapter 2.4 - Subdivisions and Major Replats; Chapter 2.5 - Planned Development; and Chapter 2.14 - Partitions, Minor Replats, and Lot Line Adjustments, respectively. They are also implemented in conjunction with Chapter 4.0 - Improvements Required with Development.

#### **Section 4.4.20 - GENERAL PROVISIONS**

##### **4.4.20.01 - Applicability**

All Land Divisions shall be in compliance with the requirements of the applicable zone and this Chapter, as well as with all other applicable provisions of this Code. Modifications to these requirements may be made through the procedures in Chapter 2.5 - Planned Development.

##### **4.4.20.02 - Blocks**

- a. **General** - Length, width, and shape of blocks shall be based on the provision of adequate lot size, street width, and circulation; and on the limitations of topography.
- b. **Size** - Blocks shall be sized in accordance with the Block Perimeter provisions within Section 4.0.60.n of Chapter 4.0 - Improvements Required with Development.

##### **4.4.20.03 - Lot Requirements**

- a. **Size and Shape** - Lot size, width, shape, and orientation shall be appropriate for the location of the Subdivision and for the Use Type contemplated. No lot shall be dimensioned to contain part of an existing or proposed street. All lots shall be buildable, and depth shall generally not exceed 2.5 times the average width. Lot sizes shall not be less than required by this Code for the applicable zone. Depth and width of properties reserved or laid out for commercial and industrial purposes shall be adequate to provide for off-street parking and service facilities required by the

type of use proposed, unless off-site parking is approved per Chapter 4.1 - Parking, Loading, and Access Requirements.

- b. Access - Each lot shall abut a street other than an alley for a distance of at least 25 ft. unless:**
1. The lot is created through a Land Partition or Minor Replat, in which case Section 4.4.30.01, below, shall apply; and/or
  2. The lot meets the exemption in "a," or "b," below:
    - a) Residential lots involving Single-family Detached; Single-family Attached, two units; or Duplex dwellings, provided:
      - 1) Front doors are less than 100 ft. from a street and are accessed by a sidewalk or multi-use path; and
      - 2) Vehicular access is provided via an alley.
    - b) Commercial, Industrial, and Residential lots other than those described in "a," above, provided:
      - 1) Front doors are less than 200 ft. from a street and are accessed by a sidewalk or multi-use path; and
      - 2) Vehicular access is provided via an alley.
- c. Through Lots** - Through Lots shall be avoided except where essential to overcome specific disadvantages of topography and orientation. A planting screen easement at least 20 ft. wide shall be required between Through Lots and adjacent streets, in accordance with Chapter 4.2 - Landscaping, Buffering, Screening, and Lighting. No vehicular rights of access shall be permitted across this planting screen easement. All Through Lots with frontage on parallel or approximately parallel streets shall provide the required front yard on each street, except as specified in Chapter 4.2 - Landscaping, Buffering, Screening, and Lighting.
- d. Lot Side Lines** - Side lines of lots, as much as practicable, shall be at right angles to the street the lots face.
- e. Lot Grading** - Lot grading shall conform to Chapter 4.12 - Significant Vegetation Protection Provisions; and the City's excavation and fill provisions.
- f. Building Lines** - Building setback lines may be established in a final plat or included in covenants recorded as a part of a final plat.
- g. Large Lots** - In dividing land into large lots that have potential for future further Subdivision, a conversion plan shall be required. The conversion plan shall show street extensions, utility extensions, and lot patterns to indicate how the property may be developed to Comprehensive Plan densities and to demonstrate that the proposal will not inhibit development of adjacent lands.
- h. Minimum Assured Development Area** - For property with Natural Resources or Natural Hazards subject to Chapter 4.5 - Natural Hazard and Hillside Development Provisions, Chapter 4.12 - Significant Vegetation Protection Provisions, or Chapter 4.13 - Riparian Corridor and Wetland Provisions, lots created through a Subdivision, Partition, or Lot Line Adjustment process

shall be consistent with the provisions of Chapter 4.11 - Minimum Assured Development Area (MADA) are met.

**Section 4.4.30 - SPECIAL PROVISIONS FOR LOTS CREATED THROUGH LAND PARTITIONS OR MINOR REPLATS**

In addition to complying with the provisions of Section 4.4.20 above, Partitions and Minor Replats shall be subject to the following standards and procedures.

**4.4.30.01 - Access Way**

a. For residential lots, access requirements of Section 4.4.20.03.b may be reduced and combined to provide an Access Way, a narrow strip of land connecting a parcel to a dedicated right-of-way or private street within a separate tract, in accordance with the following:

1. An Access Way to a single lot and one dwelling unit shall be a minimum of 17 ft. wide;
2. An Access Way to a single lot and two dwelling units or combined Access Ways to two lots and two dwelling units shall be a minimum of 23 ft. wide;
3. An Access Way to a single lot with more than two dwelling units shall be a minimum of 28 ft. wide;
4. A combined Access Way to two or three lots and three or four dwelling units with a common drive shall be a minimum of 28 ft. wide; and
5. A combined Access Way to two or three lots and five or more dwelling units with a common drive shall be a minimum of 34 ft. wide.

The Access Way ensures access to the parcel. Actual pavement widths within an Access Way shall be in accordance with the City's Off-street Parking and Access Standards, established by and available through the City Engineer and amended over time.

b. Access Ways must connect to a dedicated right-of-way at least 40 ft. wide and paved to City standards. An exception to the paving requirements for the existing dedicated right-of-way may be allowed if all of the following conditions are met:

1. The Access Way connects to a paved street that is a minimum of 20 ft. wide;
2. The Access Way serves a single lot and not more than two dwelling units;
3. The property owner signs an irrevocable petition for public street improvements and records it with the property through the Benton County Recorder's Office; and
4. The property owner demonstrates that the grade of the property will allow foundation drainage to be carried by gravity, without pumping, to a public storm drain or other drainage facility approved by the City Engineer.

c. The City Engineer may require that any private Access Way or driveway over 50 ft. long or serving two or more lots shall be constructed at the same time that the adjacent public street is constructed. This provision includes all required drainage, sewage, and utility facilities.

**4.4.30.02 - Lot Width** - The minimum lot width shall be as required by the applicable zone.

**4.4.30.03 - Lot Area** - The lot area shall be as required by the applicable zone and shall be provided entirely within the building site area, exclusive of any Access Way. See Figure 4.4-1 Lot Area Exclusive of Access Way, below.

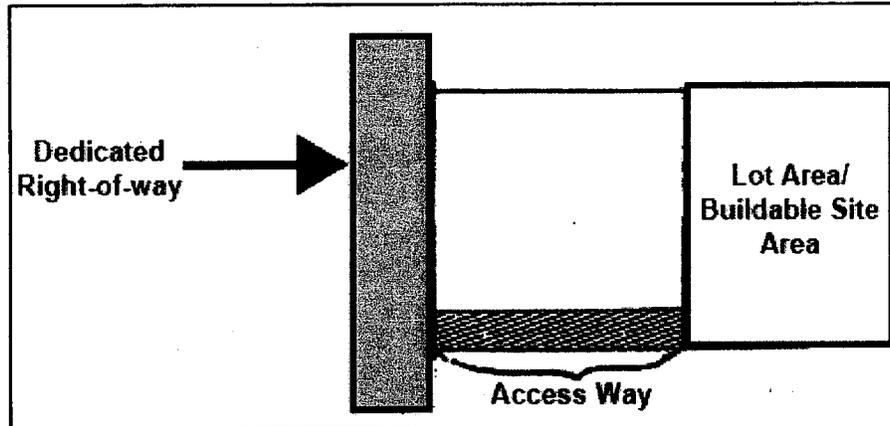


Figure 4.4-1 - Lot Area Exclusive of Access Way

**4.4.30.04 - Front Yard Determination** - If the partitioned lot is a flag lot, the property owner may determine the location of the front yard, provided that no side yard is less than 10 ft. long.

**4.4.30.05 - Site Improvements** - These requirements shall be in addition to others in Chapter 4.0 - Improvements Required with Development.

- a. **Screening** - A screen shall be provided along the property line of a lot of record where a paved driveway is within five ft. of the lot line; if the driveway is shared, the lot is exempt from this provision. Screening also may be required to maintain privacy for abutting lots. These screening requirements may be waived if the adjacent affected property owner consents in writing to such a waiver. Required screening shall be provided in accordance with Chapter 4.2 - Landscaping, Buffering, Screening, and Lighting.
- b. **Fire Protection** - The Fire Chief may require installation of a fire hydrant and turnaround(s) if the length of an Access Way would have a detrimental effect on fire fighting capabilities.

**4.4.30.06 - Existing Vegetation**

Significant beneficial vegetation including trees and shrubbery shall be preserved wherever possible, consistent with Chapter 4.2 - Landscaping, Buffering, Screening, and Lighting, Chapter 4.5 - Natural Hazard and Hillside Development Provisions, Chapter 4.12 - Significant Vegetation Protection Provisions, and Chapter 4.13 - Riparian Corridor and Wetland Provisions.

**4.4.30.07 - Reciprocal Easements**

If a common driveway serves more than one lot, a reciprocal easement to ensure access rights shall be recorded with the approved partition map.

**Table 2: General Development Land Use Application  
Fees (60% Cost Recovery)  
(Effective September 1, 2008)**

Description	Base Fee
Minor Replat	\$856
Vacation	\$2,215
Sign Permit	\$50
Sign Variance	\$2,215
PCR	\$428
LDO	\$856
Land Partition	\$2,114
LLA	\$214

75%

Total fee = \$1498

## LOT DEVELOPMENT OPTION NARRATIVE

**Purpose:** The purpose of this narrative is to address review criteria contained in Section 2.12.30.06 of the City of Corvallis Land Development Code for a Minor Lot Development Option (LDO).

This application is being submitted in conjunction with a Minor Replat application for property located at 504 NW 6<sup>th</sup> Street[1].

The property has one residence, referred to as the George Taylor House. The house and the property are a designated historic resource listed in both the National Register of Historic Places and Corvallis Register of Historic Landmarks and Districts.

**Lot Development Option Requests:** The applicant, Downtown Living, LLC, is seeking a variation from two standards contained in Chapter 3.4-Medium Density (RS-9) Zone.[2] The first variation would allow Lot 2 to have a lot width of 45 feet, instead of the RS-9 standard of 50 feet. A single detached dwelling will be developed on this property. The second variation would permit the existing historic house on Lot 1 to be 4.2 feet from the rear (west) property line, instead of the RS-9 development standard of 5 feet.

**Lot Development Review Criteria:** The following discussion addresses the City's criteria for granting an LDO. These are contained in Section 2.12.30.06 of the Corvallis Land Development Code:

***1. The proposal is consistent with Section 2.12.30.03a and Sections 2.12.30.03.c-e and "h;"***

The City recently adopted changes to the Corvallis Land Development Code that establish two LDO types.[3] A Minor LDO goes through an administrative process while a Major LDO requires a public hearing. Section 2.12.30.03.h establishes the parameters for a Minor LDO. This application qualifies under criterion h.2 for the building setback and under criterion h.7 for the reduction in lot width. The 2<sup>nd</sup> lot will measure 45 ft. by 103 ft. (4635 sq. ft) with the variation in the set back requirement from 5 ft. to 4.2 ft. on the east boundary of the 2<sup>nd</sup> lot, for approximately 20-ft. The first lot with the existing dwelling on it will measure 63 x 103 ft. (6592 sq. ft.)

***2. The land use for the proposed development is allowed in the underlying zone;***

Lot 2 will be developed with one detached single family dwelling. Authorization for this dwelling was granted by the City Historic Resource Commission (HRC) on August 11, 2009.[4] Lot 1 has this same building type, which is an outright permitted use in the RS-9 zone.

***3. The proposed development falls within the minimum and maximum density requirements for the underlying zone;***

The stated purpose of the Medium Density zone is to allow from 6 to 12 dwelling units per acre. The property is comprised of 0.26 acres. The applicant's proposal is to develop the property with one additional residence, resulting in a density of approximately 8 units per acre. This density meets the requirements for the RS-9 zone.[5] The property consists of 0.26 acres and has one dwelling on it. The density range for 0.26 acres for RS-9 zoning is 1.56 units to 3.12 units (6 units/acre x 0.26 = 1.56, and 12 units per acre = 3.12). Therefore the proposal to create a 2<sup>nd</sup> lot and build a second dwelling will meet the current density range requirement of 2-3 units per 0.26 acres, while the existing house on the 0.26 acre lot does not meet the minimum density for the parcel.

***4. All structures comply with Building and Fire Codes and vision clearance requirements established by the City Engineer;***

A new residence will be constructed on Lot 2. The City's permitting process will ensure compliance with all relevant building and fire codes. This dwelling will comply with the vision clearance requirement.

The LDO will allow a 0.8-foot encroachment for Lot 1 into the rear (west) yard, resulting in a 4.2-foot setback instead of the RS-9 standard of 5 feet. With this setback the dwelling still meets all applicable building and fire code

provisions and the vision clearance requirement.

**5. The proposed development shall not be contrary to the background and purposes in Sections 2.12.10 and 2.12.20 and any other applicable policies and standards adopted by the City;**

Section 2.12.10-*Background* states that a LDO is appropriate as a means to obtain a minor variation from clearly measurable, numerically quantifiable standards in order to allow for a more efficient use of a lot. Section 2.12.20-*Purposes* authorize a LDO to allow efficient use of land and provide flexibility and innovation in site planning and architectural design features. The requested modifications clearly meet both of these code sections.

The City's HRC has reviewed the new dwelling proposal and strongly supported the application. It concluded that the dwelling was compatible with the other houses in this neighborhood, including the George Taylor house, in terms of scale and architectural features.

The request is not contrary to any applicable City policies or standards. The following three Comprehensive Plan policies support the proposal:

*3.2.1: The desired land use pattern within the Corvallis Urban Growth Boundary shall emphasize:*

- A. Preservation of significant open space and natural features;*
- B. Efficient use of lands;*
- C. Efficient use of energy and other resources;*
- D. Compact urban form;*
- E. Efficient provision of transportation and other public services; and*
- F. Neighborhoods with a mix of uses, diversity of housing types, pedestrian scale, a defined center, and shared public areas.*

*9.2.7: To facilitate neighborhood-oriented development, the Land Development Code shall include provisions for:*

- A. Reduced setbacks and minimum lot size requirements in residential districts;*
- B. Varied lot dimensions within a neighborhood development; and*
- C. The consideration of an average lot size within a neighborhood development.*

*14.3.1: Infill and redevelopment within urban areas shall be preferable to annexations.*

**6. The proposed development shall not substantially reduce the amount of privacy enjoyed by users of adjacent structures when compared to development located as specified by this Code;**

The only residence that abuts the property is to the west. Tyler Street and 6<sup>th</sup> Street abut the property on the south and east respectively, and property to the north is zoned RS-9 and is vacant land. The proposed new residence will not reduce the amount of privacy its residents enjoy, because it has been designed to conform to Lot 2 without modifications to any of the development standards as set forth in the RS-9 zone, except for lot width. Both parcels will meet the RS-9 standard of 15 feet of minimum usable yard area.[6]

**7. The proposed development shall not adversely affect existing physical and natural systems, such as traffic, drainage, dramatic land forms, or parks, nor adversely affect the potential for abutting properties to use solar energy devices when compared to development located as specified in this Code;**

The proposal will result in one additional residence. All development standards contained in Section 3.4.30, other than the two modifications being addressed in this application, will be met. Access to Lot 2 will be from Tyler Avenue, an existing designated Local Street. Access to Lot 1 will continue to be from NW 6<sup>th</sup> Street. One additional dwelling will result in only a small increase in traffic.[7] City staff has indicated that street improvements to NW 6<sup>th</sup> Street will be required as a condition of approval for the Minor Replat.

The building site is level with no known drainage issues. The property has no dramatic landforms and is not adjacent to a park. The proposed setback encroachment is less than one foot (0.8 feet) and because the structure that is encroaching is already there, the new residence can be designed and located so its solar access is not impeded.

**8. Where architectural features are involved, the proposed development shall be compatible with the design character of existing structures on adjoining properties.**

The property and existing residence both have a national and local historic designation. Therefore, the proposed new residence must be found compatible with the design character of this property. The proposed residence has similar elements to the George Taylor House, including 12:12 and 6:12 roof pitches, one over one double hung windows, horizontal channel siding, a covered porch, and trim detailing for the windows and doors. As indicated previously, the HRC reviewed the design elements and found it to be compatible with the existing structures on adjoining properties (HPP09-00025 & NOD 2009 -029, copy included in application).

**Where variations are proposed to Chapter 4.10-Pedestrian Oriented Design Standards, the proposed development shall implement the purpose(s) of that chapter through inclusion of the additional benefits to the pedestrian environment that compensate for the requested variations from development standards.**

No variations are proposed to Chapter 4.10.

**10. Preservation and/or protection of Significant Natural Features is achieved consistent with Chapter 4.2-Landscaping, Buffering, Screening, and Lighting, Chapter 4.5-Natural Hazard and Hillside Development Provisions, Chapter 4.11-Minimum Assured Development Area (MADA, Chapter 4.12-Significant Vegetation Protection Provisions, and Chapter 4.13-Riparian Corridor and Wetland Provisions. Streets are also designed along contours, and structures are designed to fit the topography of the site to ensure compliance with these Code provisions;**

The subject property contains several trees that may qualify as “significant trees” as defined in Chapter 1.6 of the Corvallis Land Development Code due to their size. These are primarily located in the front and rear of the property and consist of Douglas fir and several large maple, and oak trees. Development of Lot 2 will necessitate the removal of one large maple tree, due to the proposed location of the driveway. While alternatives to this location were considered by the Stoops and staff, no better alternative was identified.[8] This tree is not protected under the property’s historic designation.

Prior to development on Lot 2, the City will require the applicant comply with the provisions contained in Chapter 4.2. Chapters 4.5, 4.11, 4.12, 4.13 do not apply.

**11. The proposed development shall provide benefits within the development that compensate for the variations from development standards such that the intent of the development standards.**

The requested variations will allow for an infill development consistent with both the City Comprehensive Plan and City Land Development Code. The variations will allow 2 buildable lots, which will meet the current RS-9 density requirements for the 0.26-acre parcel (which the existing single house does not). The variation to the setback requirement is less than 1 foot, and is only applicable to approximately 20 ft. of the 103-ft. length of the parcel. The setbacks proposed for the new dwelling will maintain privacy to the west and the proposed driveway on the east between the new dwelling and the existing historic house will create a significant buffer between the two dwellings. The variation in the lot width from 50 ft. to 45 ft. is offset by the design of the new dwelling, which is narrower than stand dwelling widths, and will allow both the driveway construction and more than the required setbacks.

**Conclusion:** This request for two modifications to the RS-9 standards complies with all applicable review criteria contained in Section 2.12.30.06 of the Corvallis Land Development Code.

**FOOTNOTES**

[1] This is a replat rather than partition, because the property is comprised of Lots 1 and 2, Block 6 of the Rayburn’s Addition.

[2] Planning Services staff informed the applicant that both requests could be processed as one application.

[3] These changes became effective on July 1, 2009.

[4] See City file HPP-09-00025.

[5] 0.26 acres equals 11,326 square feet, resulting in a housing density of less than 4 units per acre. By allowing a second dwelling, the density of housing will increase to one unit per 5,663 square feet, or 7.7 units per acre.

[6] Table 3.4.1 in Section 3.4.30.e.2.

[7] Less than 10 trips per day according to the Trip Generation Manual by the Institute of Transportation Engineers, which is a nationally recognized means of assessing trip generation impacts.

[8] The Stoops are the pending contract purchasers of Lot 2.

## MINOR REPLAT NARRATIVE

**Purpose:** The purpose of this narrative is to address review criteria contained in Section 2.14.30.05 of the City of Corvallis Land Development Code for a Minor Replat application. This application is being submitted in conjunction with a Lot Development application for property located at 504 NW 6<sup>th</sup> Street.

The property has one residence, referred to as the George Taylor House. The house and the property are a Designated Historic Resource listed in both the National Register of Historic Places and Corvallis Register of Historic Landmarks and Districts.

**Minor Replat/Partition Proposal:** The applicant, Downtown Living, LLC, is seeking tentative approval to reconfigure Lots 1 and 2, Block 6 of the Rayburn's Addition subdivision, because portions of the existing dwelling are situated on each lot. The proposal is to adjust the platted property line in a north-south orientation with a single-family unit on each resulting lot.

**Minor Replat Criteria:** *Requests for the approval of a Tentative Partition Plat shall be reviewed to ensure:*

*1) Consistency with clear and objective approval standards contained in the following: the City's development standards outlined in the applicable underlying Zoning Designation standards in Article III of this Code; the development standards in Article IV of this Code; the standards of all acknowledged City Facility Master Plans; the adopted City Design Criteria Manual; the adopted Oregon Structural Specialty Code; the adopted International Fire Code; the adopted City Standard Construction Specifications; the adopted City Erosion Prevention and Sediment Control Ordinance; and the adopted City Off-street Parking Standards;*

The replat proposal complies with all of the standards contained in the documents described above, including those in table 3.4-1. The Minor Land partition proposal will create two lots, one measuring 45 ft. x 103 ft. (4635 sq. ft.) and the other 63 ft. x 103 ft. (6592 sq. ft.), both of which will fall within the minimum and maximum density requirements of 6-12 units per acre (as is indicated in the accompanying Land Development Option narrative, the existing lot is 0.26 acres and is zoned RS-9, which allows 6-12 dwellings per acre. Since there is only one dwelling currently on the 0.26 acre parcel it does not meet the current RS-9 requirements of 1.56 dwelling to 3.12 dwellings per acre ( $6 \times 0.26 = 1.56$  and  $12 \times 0.26 = 3.12$ ). Creation of the new lot will increase the density to 2.0, which is in the allowed range of 2-3 dwellings per acre).

The applicant is also seeking a Lot Development Option to allow for a 5-foot reduction in lot width and for a 0.8-foot reduction in a rear yard setback. The proposal will meet the minimum lot width requirement of 50 ft. but will require the allowed 5-ft. reduction/variance in the 50-ft. width.

The dwelling that the prospective buyer of the new 45 ft. wide lot has proposed (which has been approved by the Historic Resources Commission Order no. 2009-050, attached) will meet all of the setback requirements, as well as all of the other standards g. Through r. In Section 3.4.30.

*2) The following criteria are met for Residential Partitions and the application demonstrates adherence to them:*

*a) Approval will permit City services and access from a public street to be provided to property under the same ownership and on adjacent lands planned for urban densities;*

The historical home is accessed from a gravel driveway from NW Sixth Street. The new dwelling will be accessed from NW Tyler Avenue. Both streets are public.

Both City sewer and water serve the property. These services are readily available for the proposed new

residence. Water service is from a line located in the NW Tyler Street right-of-way. The existing sewer connection from the George Taylor house is to a lateral main public line that runs along the west property line towards Washington Park (see attached map). The applicant will need to install a new sewer line from the George Taylor house to the main public lateral line, due to the location of the HRC approved new dwelling on the new 45-ft. wide lot. This new line location will be protected by a 15-foot wide private utility easement (see included proposed tentative plat for location of the new line from the George Taylor house.). The new dwelling will be connected directly into the public main lateral line located on the current west property line.

***b) Consistency with density requirements of the zone;***

The existing property is 0.26 acres. The proposed replat and development of an additional residence will result in a housing density of 7.7 units per acre. The RS-9 (Medium Density) zone requires a density of 6-12 dwelling units per acre, which is consistent with the density requirements of the zone (0.26 acres x 6 units = 1.56 units per acre, and 0.26 acres x 9 units = 3.12 units, so having 2 units on the 0.26 acres will meet the current density requirements).

**c) Preservation and/or protection of Significant Natural Features consistent with Chapter 4.2 – Landscaping, Buffering, Screening and Lighting, Chapter 4.5 - Natural Hazard and Hillside Development Provisions, Chapter 4.11- (MADA), Chapter 4.12 - Significant Vegetation Protection Provisions, and Chapter 4.13 – Riparian Corridor and Wetland Provisions.**

Chapter 4.2 - Significant vegetation (trees over 8 inches in diameter 4 ft. above ground and shrubs over 4 ft. tall are designated on the Tentative Plat map included with this application. The site plan for the new dwelling approved by the HRC will require the removal of one Maple larger than 8 inches in diameter in order to install the proposed driveway, as well as the removal of most if not all of the 10 ft. Arbor Vitae hedge on the southwestern side of the new 45 ft. lot. The removal of the Maple is required to meet buffering and setback requirements. The Arbor Vitae Hedge will be supplanted by vegetation and landscaping requirements that the new dwelling will be required to meet.

Chapters 4.5, 4.11, 4.12, and 4.13 are not applicable to this application.

**d) Land uses shall be those that are permitted by the existing underlying zoning designation;**

Single detached is listed as a permitted building type in the RS-9 zone.

**e) Excavation and grading shall not change hydrology that supports existing Locally Significant Wetlands and/or Riparian Corridors that are subject to this Code's Wetlands and/or Riparian Corridor provisions in Chapter 4.13-Riparian Corridor and Wetland Provisions;**

The property is nearly level; therefore minimal excavation will be required for the new home site. There are no Locally Significant Wetlands or Riparian Corridors on or near the subject property. Any surface runoff in this area would flow into the City's storm water system.

**f) For properties with Natural Resources or Natural Hazards subject to Chapter 4.5-Natural Hazards and Hillside Development Provisions, Chapter 4.12-Significant Vegetation Protection Provisions, or Chapter 4.13-Riparian Corridor and Wetland Provisions, no Partition or Minor Replat shall create new lots or parcels unless...**

The property does not contain inventoried Natural Resources or Natural Hazards and therefore this criterion is not applicable.

**Conclusion:** This application conforms to the review criteria listed and discussed above. According to the City's code provisions, a Residential Partition that conforms to these criteria in "1", and "2," above is

considered to meet all of the compatibility standards in this Section and shall be approved.

## **CHAPTER 4.4 – LAND DIVISION STANDARDS**

### **4.4.20.01 – Applicability**

This proposed land division is in compliance with the requirements of the applicable zone and this Chapter as well as all other applicable provisions of this code.

### **4.4.20.02 – Blocks**

The Block pattern is already established. This is infill.

### **4.4.20.03 Lot Requirements**

- a) **Size and shape:** the two new lots will meet the size and shape requirements. Both will be rectangular in shape with the following width and length dimensions: 1) 103 ft x 45 ft. and 2) 103 ft. X 64 ft.
- b) **Access** – Each lot will abut a street (Tyler St. for the 1<sup>st</sup> new lot and 6<sup>th</sup> St. for the existing house/2<sup>nd</sup> new/lot).
- c) **Through Lots** – No through lots are being created.
- d) **Lot Side Lines** – The lots involved are at right angles to the streets.
- e) **Lot Grading** – Chapter 4.12 does not apply. Applicability to Chapter 4.2 was explained earlier in this narrative. One Maple tree greater than 8 inches in diameter will in all likelihood need to be removed for the new house to meet setback and buffering requirements, and a section of Arbor Vitae facing Tyler St. will also need to be removed to enable access the lot for construction. Landscaping requirements for the new house will adequately replace the Arbor Vitae hedge. The new house will be located as far to the west as possible (taking setback requirements into account), which will enhance the protection of the historic George Taylor House by buffering it visually to the maximum distance possible from the new house.  
Requirements that the current owners of the property will be required to upgrade 6<sup>th</sup> St. in front of the George Taylor St. to City standards to do this minor land partition will very likely require the removal of two existing street trees, one in good condition, one in poor condition. The limits of right of way between the sidewalk and the railroad right of way may make it impossible to replace these trees, as the new street may be required to abut the curb and sidewalk. The property owners are willing to replace these trees if it proves feasible to do so.
- f) **Building Lines** – Set backs will be determined as code requires. Also, see the Land Development Option application and narrative included with this request.
- g) **Large Lots** – Not applicable.
- h) **Minimum Assured Development Area** – Not applicable.

## **Section 4.4.30 – SPECIAL PROVISIONS FOR LOTS CREATED THROUGH LAND PARTITIONS OR MINOR REPLATS VIA SECTION 4.4.20.03.b “1”**

### **4.4.30.01 - Access Way – Not Applicable**

**4.4.30.02 Lot Width** – Two new lots will be created in the RS –9 zoning. The first will be 63 ft. wide. The second will be 45 ft. wide, requiring a 5-ft. variance from the 50-Ft. standard. The variance is required due to the current location of the existing George Taylor House on the total 0.26-acre parcel (see tentative plat).

**4.4.30.03 Lot Area** – The lot areas of both new lots meet the minimum requirement of 3500 sq. ft. for RS – 9 zoning. One lot will be 4635-sq. ft. and the other will be 6592 sq. ft.

**4.4.30.04 – Front yard Determination** - Not applicable.

**4.4.30.05 - Site Improvements** – None required.

**4.4.30.06 – Existing Vegetation** – See earlier narrative regarding meeting consistency with Chapter 4.2.

**4.4.30.07 – Reciprocal Easements** – Not applicable.

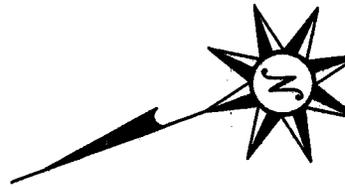
REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*Tyler B. Parsons*

OREGON  
JULY 18, 1980  
TYLER B. PARSONS  
1918

EXP: 12/31/2010

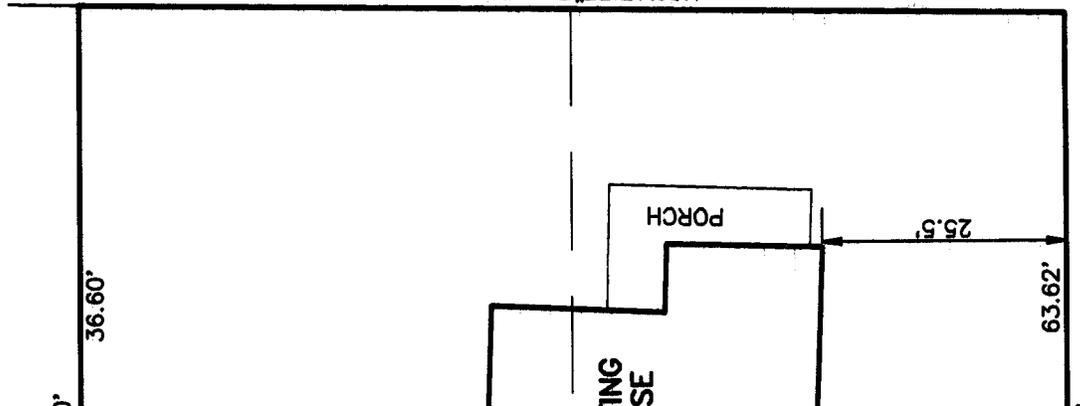
STITE PLAN



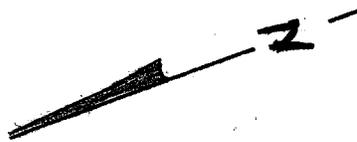
(80.00')

NW 6th St

N20°17'57"E 103.36'  
(N20°19'00"E 103.20')

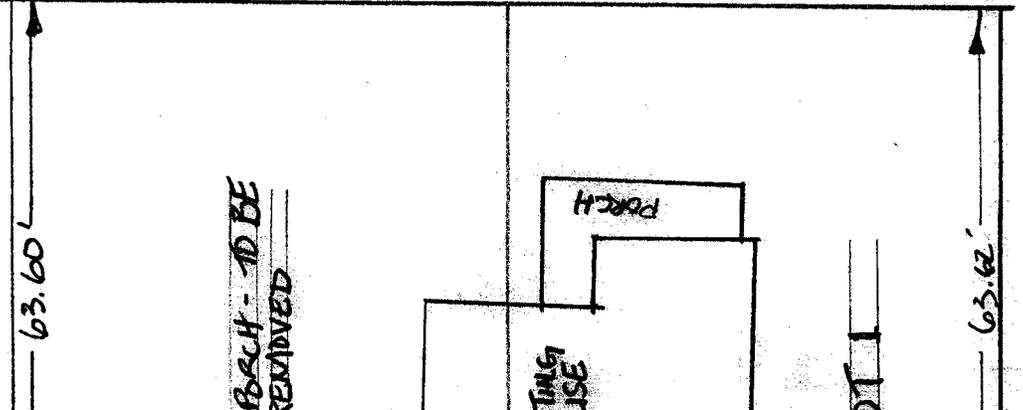


TENTATIVE PLAN



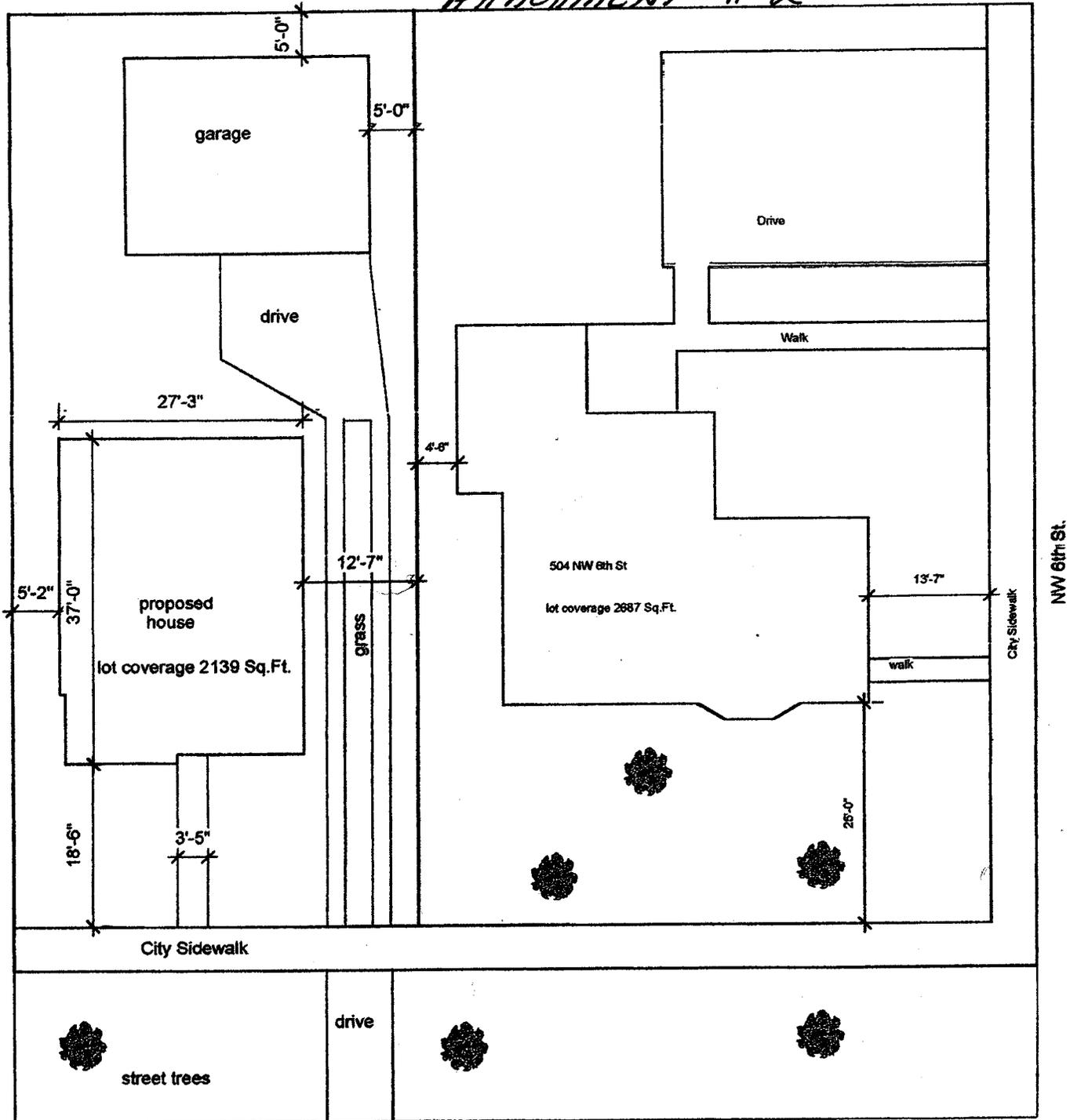
NW 6TH ST.

RED



# Stoops Proposal

## ATTACHMENT # 2

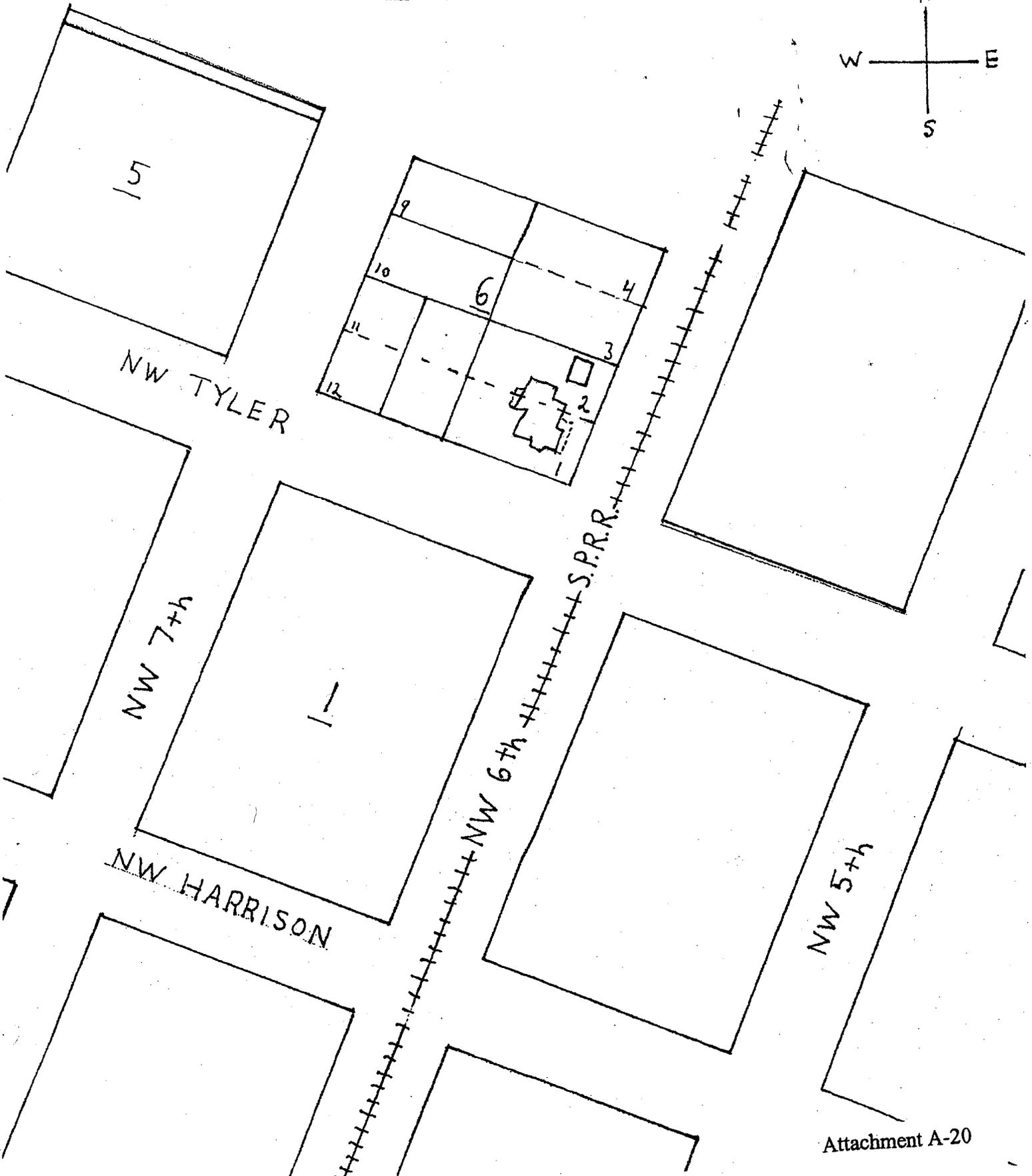
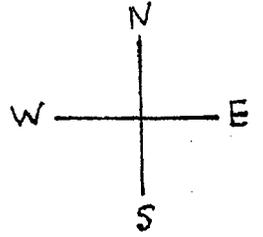


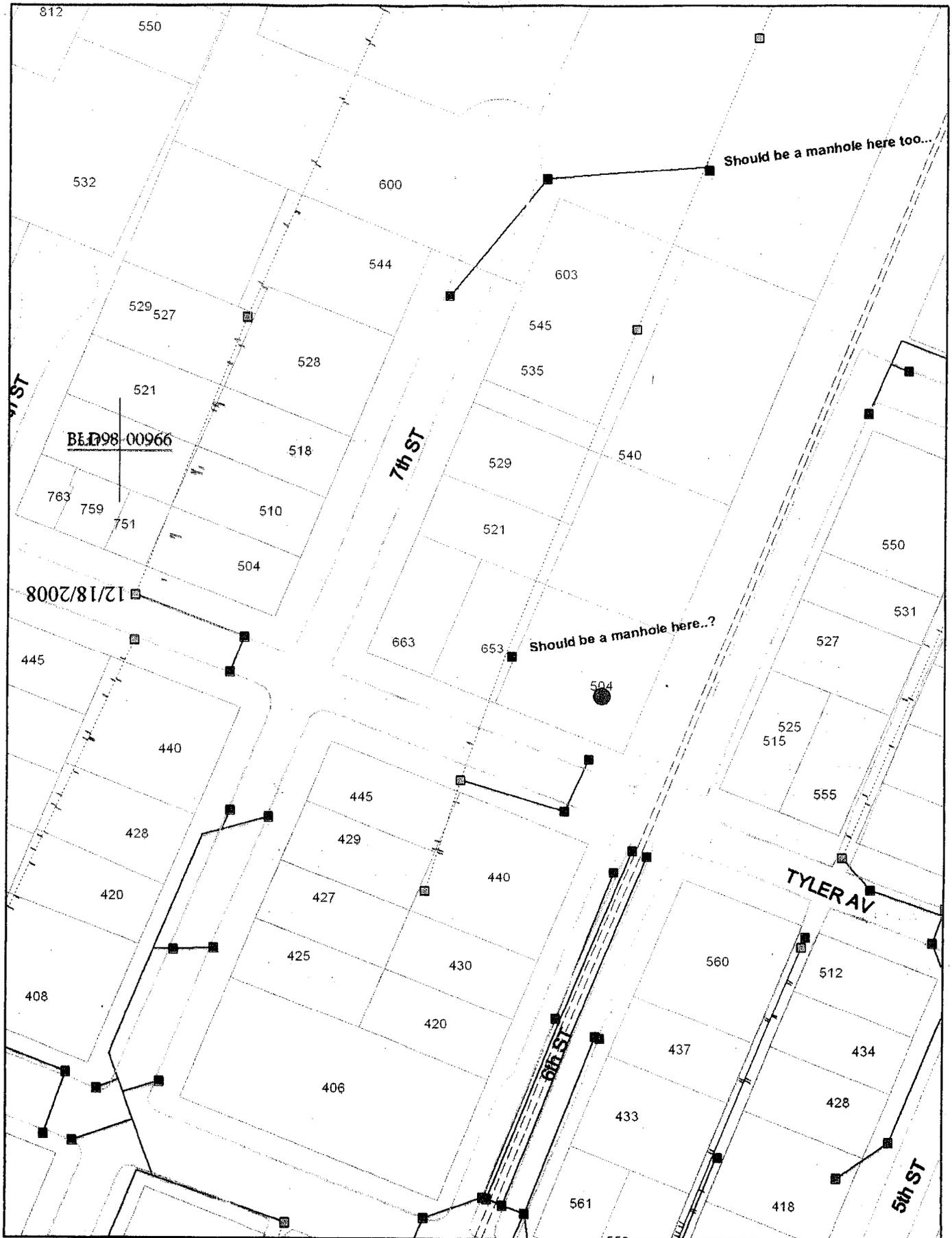
Plot Plan

scale 1/16"=1'

COPY OF A PORTION OF BENTON COUNTY PLAT MAP  
11 5 35 CA  
FOR THE CITY OF CORVALLIS.

SPECIFICALLY: LOTS 1 & 2, BLOCK 6 OF  
RAYBURN'S ADDITION





Utilities



**HISTORIC RESOURCES COMMISSION  
NOTICE OF DISPOSITION**

**ORDER NO. 2009-029**

- CASE:** Historic Preservation Permit George Taylor House (HPP09-00013)
- REQUEST:** Alteration or New Construction request to alter the exterior of the home's earlier remodeled carriage house by removing the back porch. Neither the existing back porch nor the earlier remodel to the carriage house are original. The applicant proposes to replace the back porch with a concrete step system.
- OWNER /  
APPLICANT:** Downtown Living LLC  
329 SW 8th Street  
Corvallis, OR 97333
- LOCATION:** The subject site is located at 504 NW 6th Street, at the northwest corner of the intersection of NW 6th Street and NW Tyler Avenue. The site is also identified on Benton County Assessor's Map 11-5-35CA as Tax Lot 101.

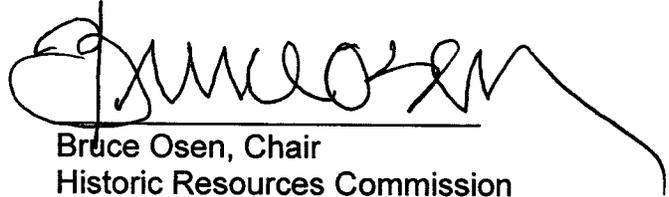
The Corvallis Historic Resources Commission conducted a review of the above case on June 9, 2009, and approved the request subject to the Conditions of Approval. The Commission adopted findings found in the June 1, 2009, staff report to the Commission, and findings in support of the Commission's decision, which were made during the deliberations during the June 9, 2009, Historic Resources Commission meeting, as reflected in the minutes from that meeting.

If you are an affected party and wish to appeal this decision, appeals must be filed in writing with the City Recorder within 12 days from the date the order is signed. The following information must be included:

1. Name and address of the appellant(s).
2. Reference the subject development and case number, if any.
3. A statement of the specific grounds for appeal.
4. A statement as to how you are an affected party.
5. Filing fee of \$240.00.

Appeals must be filed by 5:00 p.m. on the final day of the appeal period. The City Recorder is located in the City Manager's Office, City Hall, 501 SW Madison Avenue, Corvallis Oregon.

The proposal, staff report, hearing minutes, and disposition may be reviewed at the Community Development Department, Planning Division, City Hall, 501 SW Madison Avenue.



Bruce Osen, Chair  
Historic Resources Commission

Signed: June 10, 2009

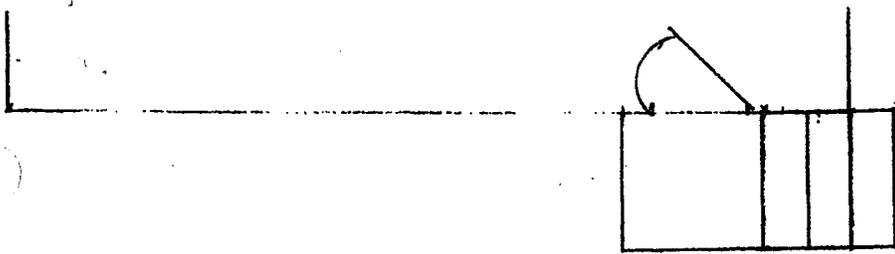
Appeal Deadline: June 22, 2009

Effective Period: June 22, 2011 (If not appealed)

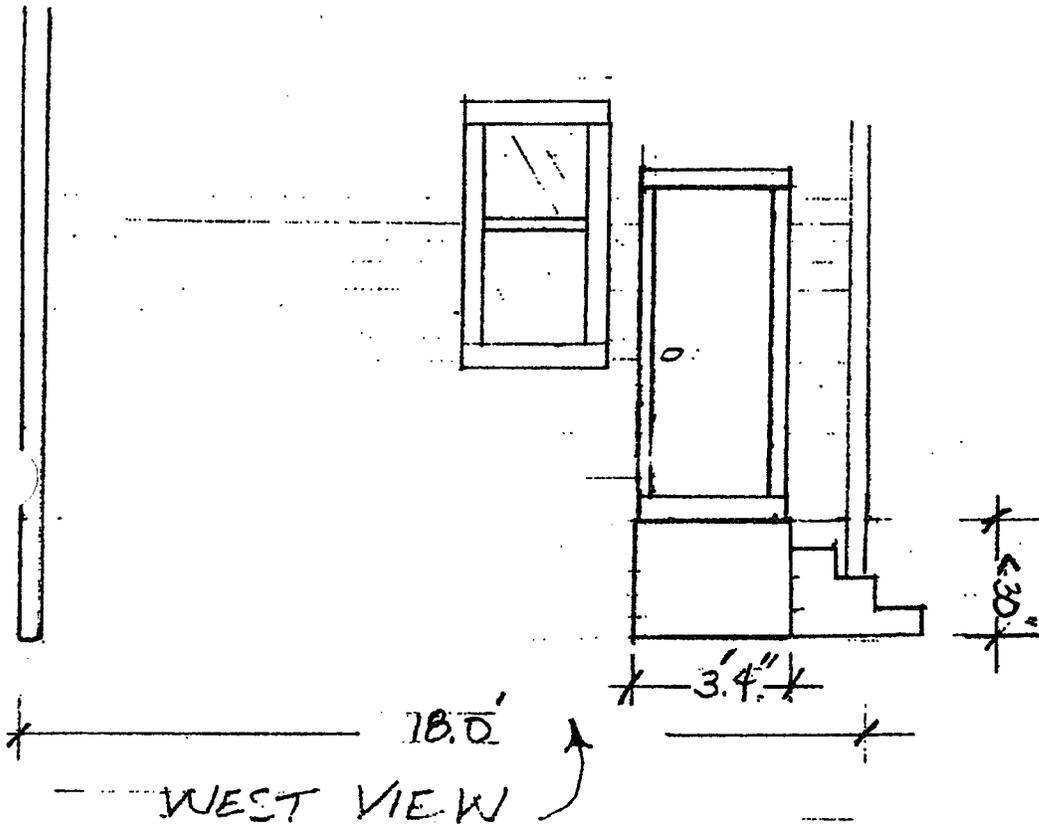
*Historic Preservation Permits shall be effective for a two-year period from the date of approval. In the event that the applicant has not begun the development or its identified and approved phases prior to the expiration of the established effective period, the approval shall expire.*

### **Conditions of Approval**

1. **Consistency with Plans** - Development shall comply with the plans and narrative in the applicant's proposal identified as **Attachment A** in the June 1, 2009, staff report to the HRC, except as conditioned. Development shall also comply with other approvals for the subject site including all conditions of approval, except as modified by this approval, or unless a requested modification otherwise meets the criteria for an Alteration or New Construction per LDC Chapter 2.9 - Historic Preservation Provisions.
2. **Additional Landing** - The first "stair" adjacent to the ground shall be redesigned to be a 3 ft. X 3 ft. concrete landing.
3. **Building Permits and other LDC Standards** - The applicant shall obtain any required Building Permits associated with the proposal. Work associated with the proposal shall comply with the Building Code, as adopted and amended by the State of Oregon; and other applicable state and local Codes and ordinances related to building, development, fire, health, and safety, including other provisions of the Land Development Code.

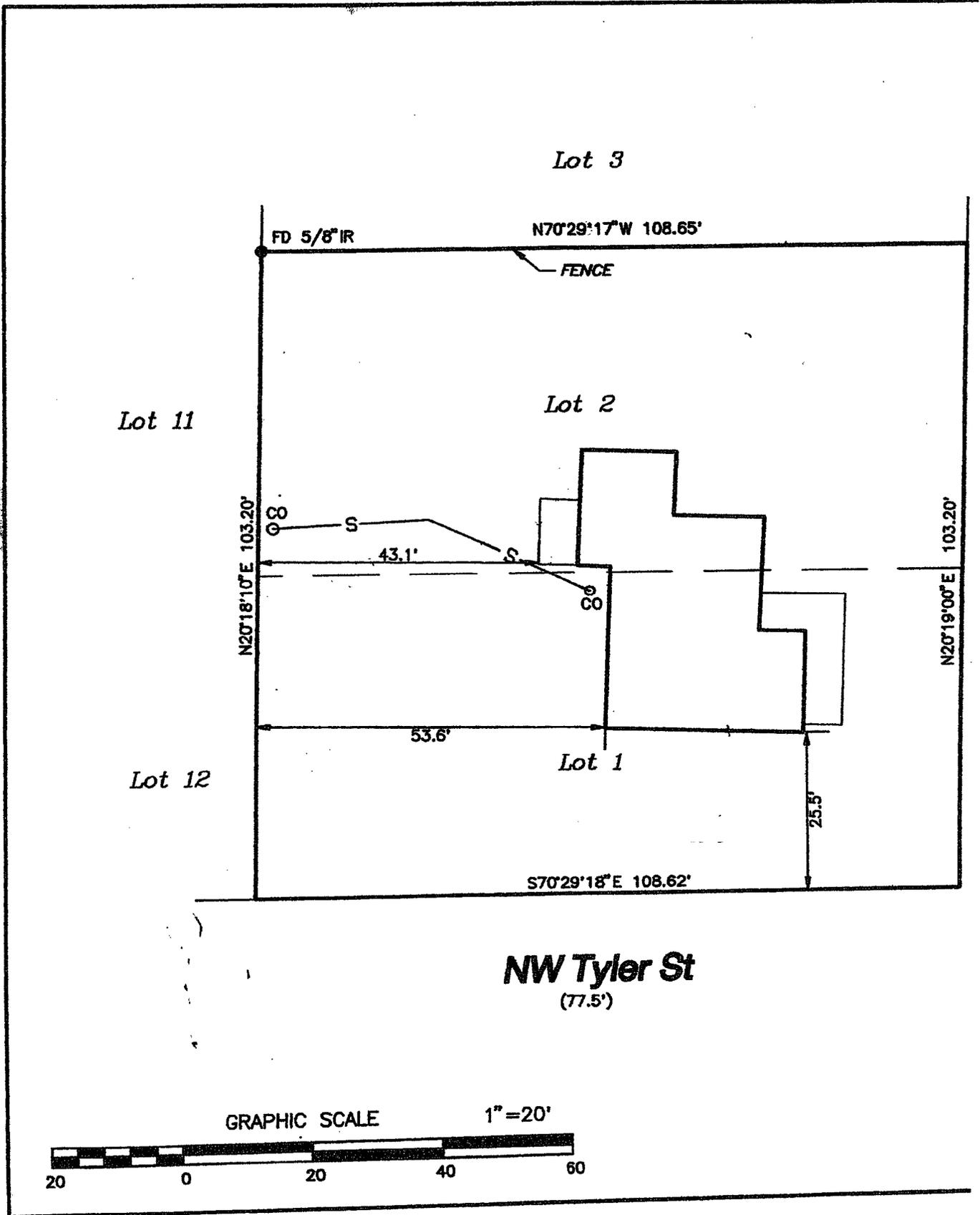


TOP VIEW ↗



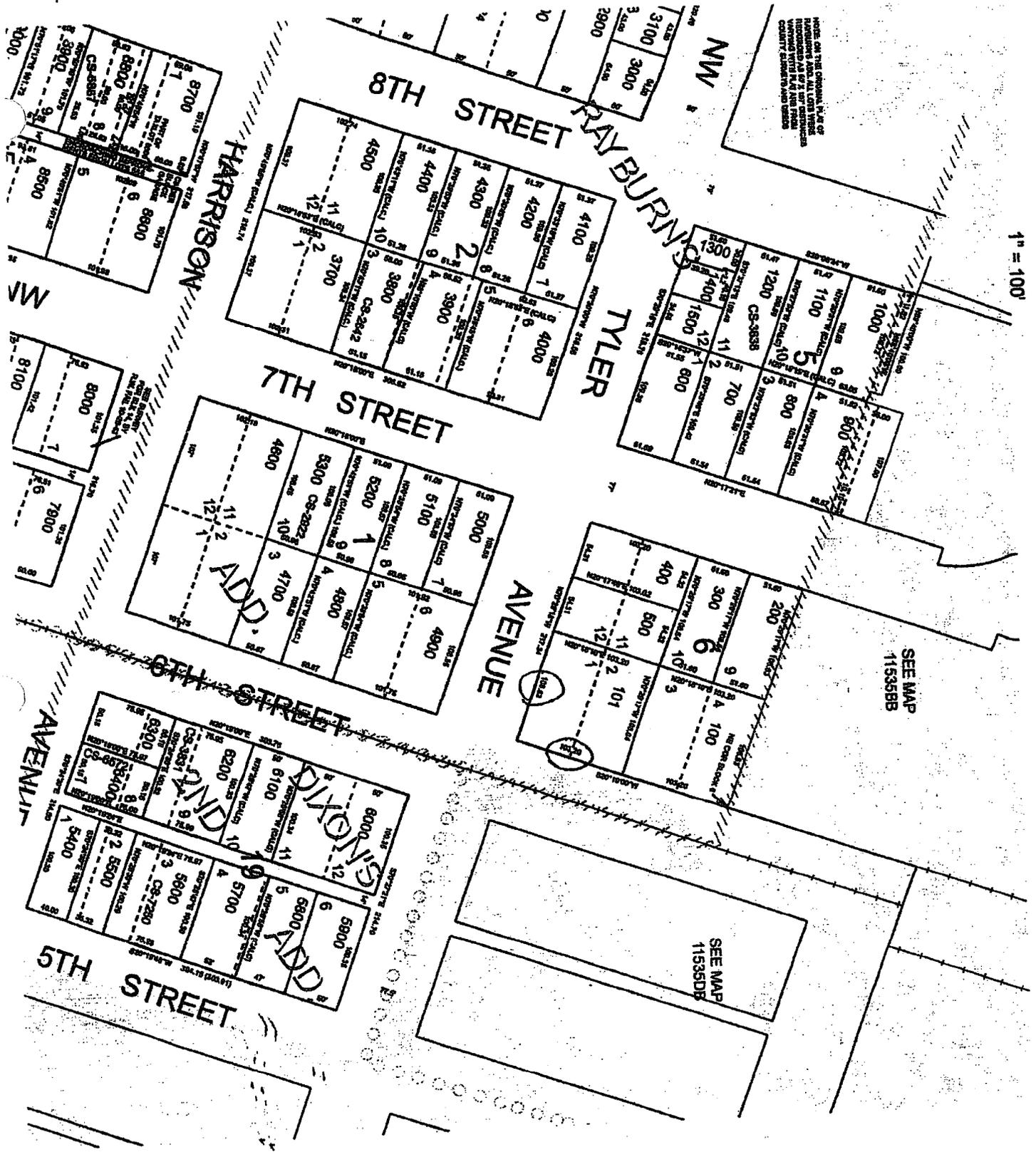
GEORGE TAYLOR HOUSE FEAR FORCH

APRIL 15, 2009

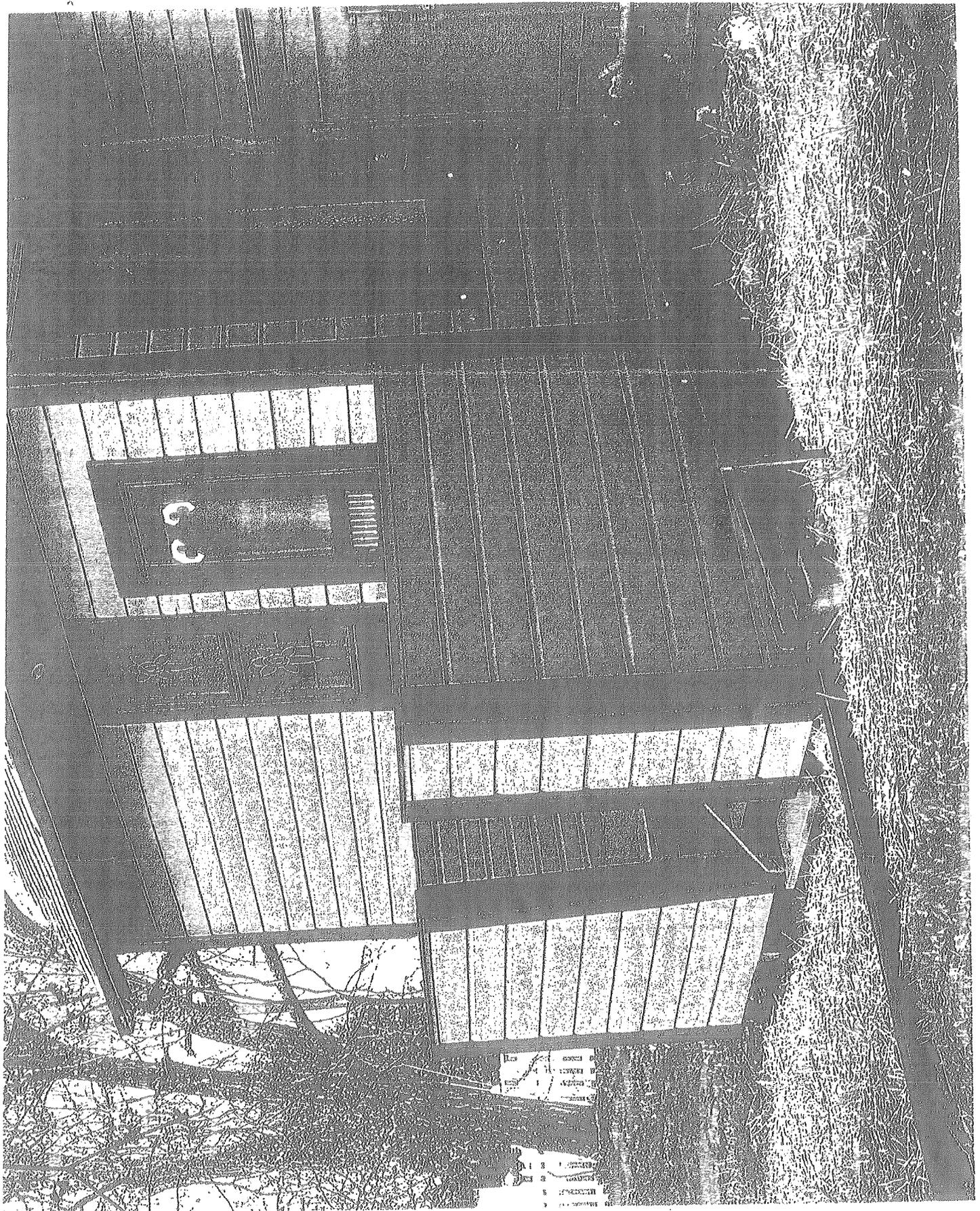


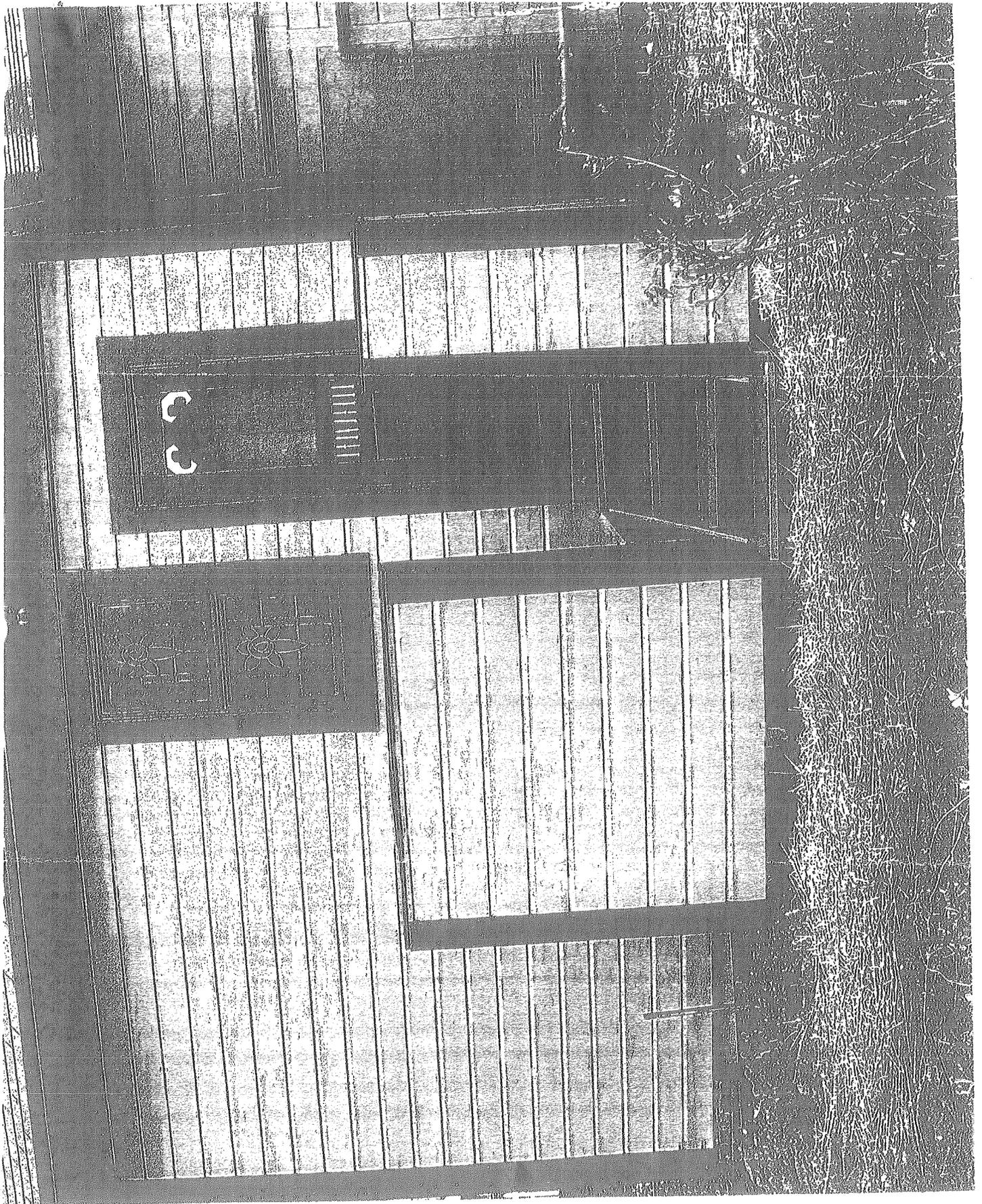
NOTES ON THE ORIGINAL PLAN OF  
 HARRISON AVENUE AND TYPERS  
 AVENUE IN THE CITY OF  
 WASHINGTON COUNTY, MISSOURI

1" = 100'

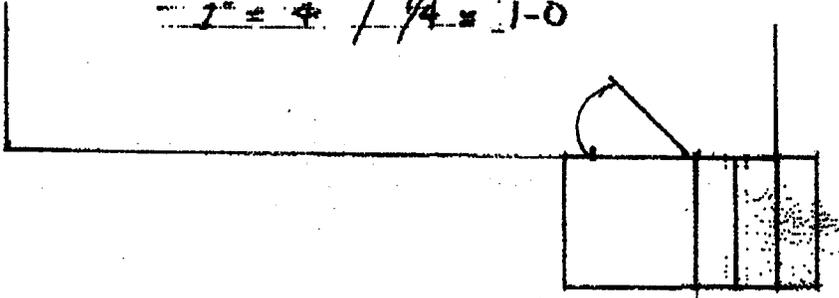


- 1801
- 1701
- 2501
- 6800
- 9801
- 11001
- 11302
- 11700
- 11800

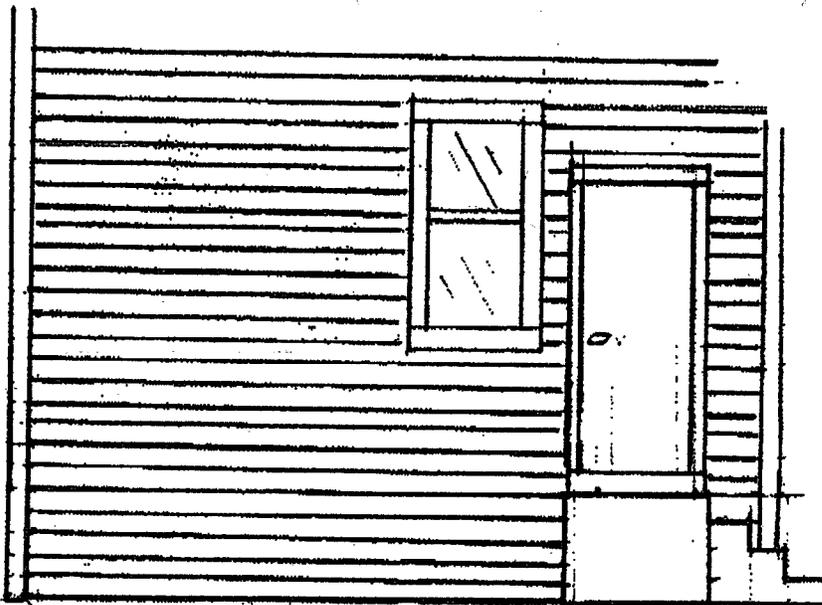




$1" = 4' / 1/4" = 1'-0'$



TOP VIEW



18'-0"  
WEST VIEW

3'-4"

GEORGE TAYLOR HOUSE REAR PORCH

APRIL 15, 2009



**HISTORIC RESOURCES COMMISSION  
NOTICE OF DISPOSITION**

**ORDER NO. 2009-050**

**CASE:** Historic Preservation Permit George Taylor House (HPP09-00025)

**REQUEST:** Alteration or New Construction request to construct a new single family residence with a detached garage to the west of the Designated Historic Resource. The new dwelling and garage will be accessed from NW Tyler Avenue via a separate driveway from the George Taylor House. The proposed house will have similar elements to the George Taylor House, including 12:12 and 6:12 roof pitches, one over one double hung wood windows, horizontal channel siding, a covered porch and trim detailing for the windows and doors. The proposed dwelling unit and garage will be slightly shorter than the George Taylor House, and the "footprint" of the proposed structures will be roughly 500 sq. ft. less than the existing structures.

<b>OWNER</b>	<b>APPLICANT</b>
Kent Daniels on behalf of Downtown Living, LLC 329 SW 8 <sup>th</sup> Street Corvallis, OR 97333	Ray and Helen Stoop 412 S. 30 <sup>th</sup> Street Philomath, OR 97370

**LOCATION:** The subject site is located at 504 NW 6<sup>th</sup> Street, and is identified on Benton County Assessor's Map 11-5-35 CA as Tax Lot 101.

The Corvallis Historic Resources Commission conducted a review of the above case on August 11, 2009, and approved the request subject to the Conditions of Approval. The Commission adopted findings found in the July 31, 2009, staff report to the Commission, and findings in support of the Commission's decision, which were made during the deliberations during the August 11, 2009, Historic Resources Commission meeting, as reflected in the minutes from that meeting.

If you are an affected party and wish to appeal this decision, appeals must be filed in writing with the City Recorder within 12 days from the date the order is signed. The following information must be included:

1. Name and address of the appellant(s).
2. Reference the subject development and case number, if any.
3. A statement of the specific grounds for appeal.
4. A statement as to how you are an affected party.
5. Filing fee of \$240.00.

Appeals must be filed by 5:00 p.m. on the final day of the appeal period. The City Recorder is located in the City Manager's Office, City Hall, 501 SW Madison Avenue, Corvallis Oregon.

The proposal, staff report, hearing minutes, and disposition may be reviewed at the Community Development Department, Planning Division, City Hall, 501 SW Madison Avenue.



Deb Kadas, Chair  
Historic Resources Commission

Signed: August 12, 2009

Appeal Deadline: August 24, 2009

Effective Period: August 24, 2011 (if not appealed)

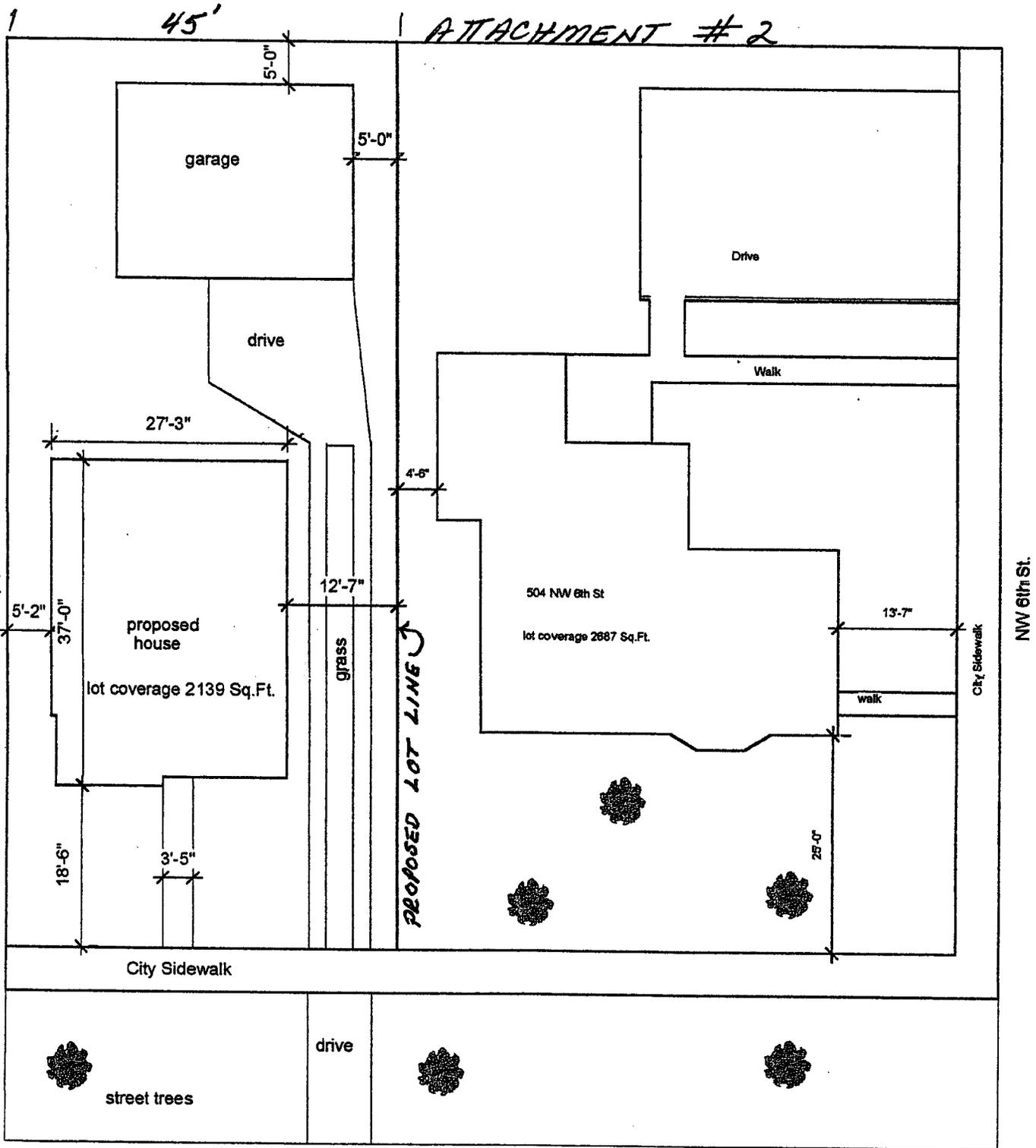
*Historic Preservation Permits shall be effective for a two-year period from the date of approval. In the event that the applicant has not begun the development or its identified and approved phases prior to the expiration of the established effective period, the approval shall expire.*

#### **Conditions of Approval**

1. Consistency with Plans - Development shall comply with the plans and narrative in the applicant's proposal identified as **Attachment A** of the July 31, 2009, staff report to the HRC. Development shall also comply with previous approvals for the subject site including all conditions of approval, except as modified by this approval, or unless a requested modification otherwise meets the criteria for an Alteration or New Construction per LDC Chapter 2.9 - Historic Preservation Provisions.
2. Minor Replat - The applicant shall apply for and receive approval of a Minor Replat application to remove or adjust the existing platted property line between lots 1 and 2 to ensure the proposed dwelling unit does not cross the platted property line. The

approved Final Plat shall be recorded with Benton County prior to issuance of building permits.

3. Driveway - Prior to occupancy, the applicant shall construct a fully surfaced driveway 10 ft. beyond the back edge of the sidewalk per the standard detail 108 of the City's Off-street Parking and Access Manual. Beyond the 10 ft., the driveway shall transition back to the drive-strips as proposed by the applicant.
4. Building Permits and other LDC Standards - The applicant shall obtain any required Building Permits associated with the proposal. Work associated with the proposal shall comply with the Building Code, as adopted and amended by the State of Oregon; and other applicable state and local Codes and ordinances related to building, development, fire, health, and safety, including other provisions of the Land Development Code.
5. Dormers - The dormers on the East and West elevations shall have gabled roof lines with pitches from 8:12 to 12:12. The pitches used for both dormers shall match, and the height of the dormer roof lines shall not exceed the main house roof line height.
6. Windows in Dormer Areas - The windows in the west elevation dormer area shall match the relative height of the windows in the east elevation dormer.
7. South / Front Elevation Windows - The windows on the western half of the South / Front elevation shall be modified to be a central bank of three windows that match the 2.5 X 5 ft. windows on the eastern half of the South / Front elevation.

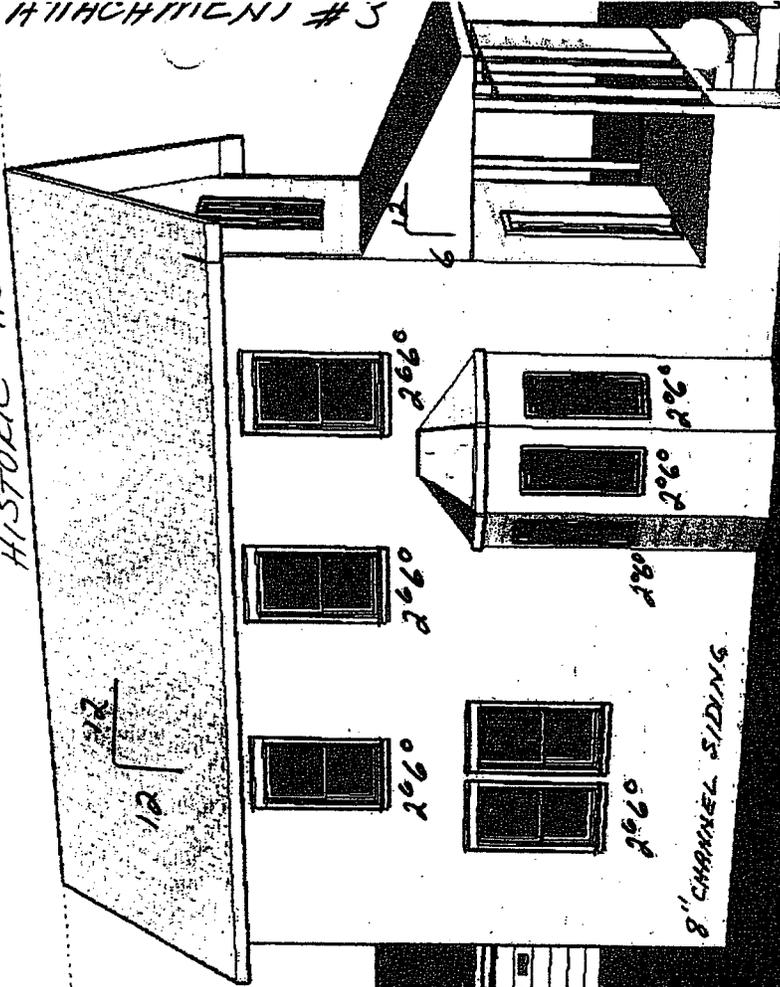


THE PROPERTY LINE THAT DIVIDES THE LOT HAS NOT YET BEEN APPROVED AND WILL BE SUBJECT TO A MINOR REPEAT

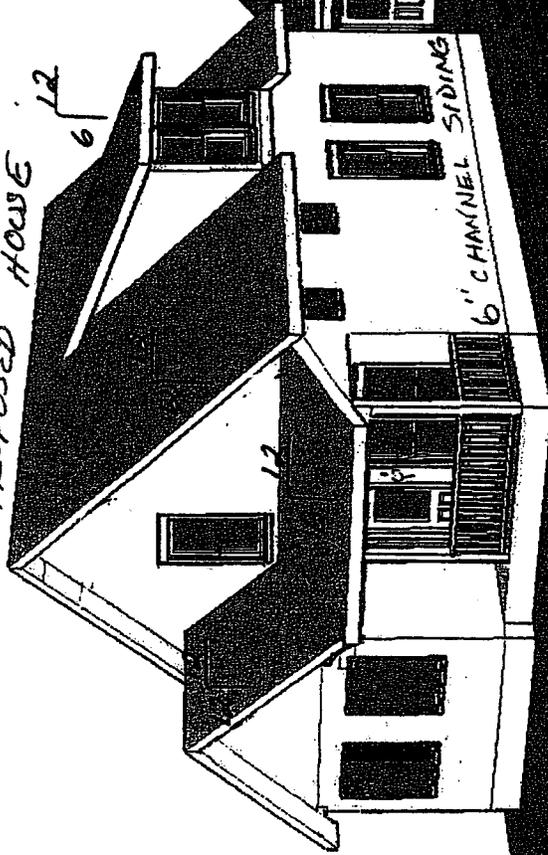
Plot Plan  
scale 1/16"=1'

ATTACHMENT #2

HISTORIC HOUSE

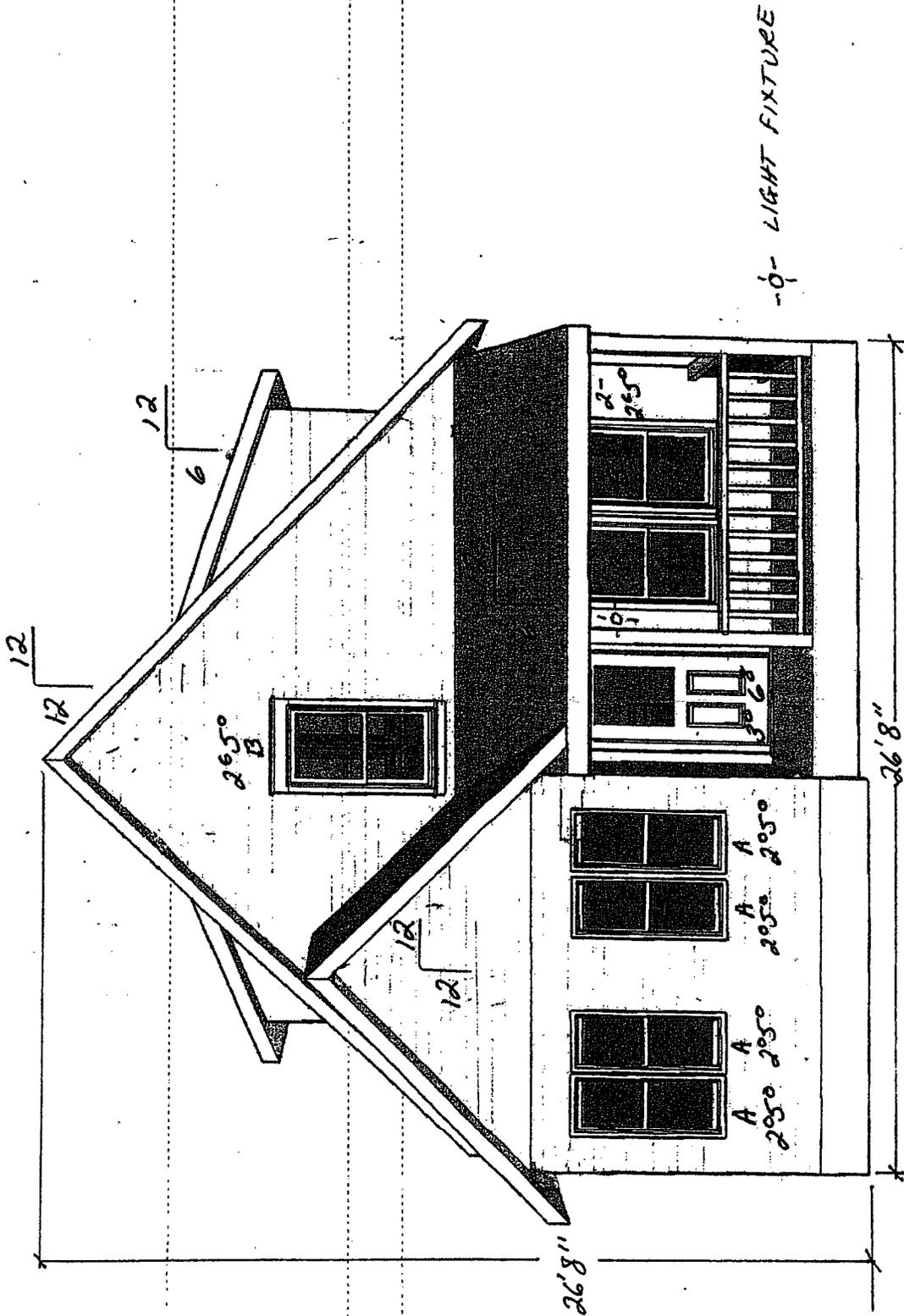


PROPOSED HOUSE

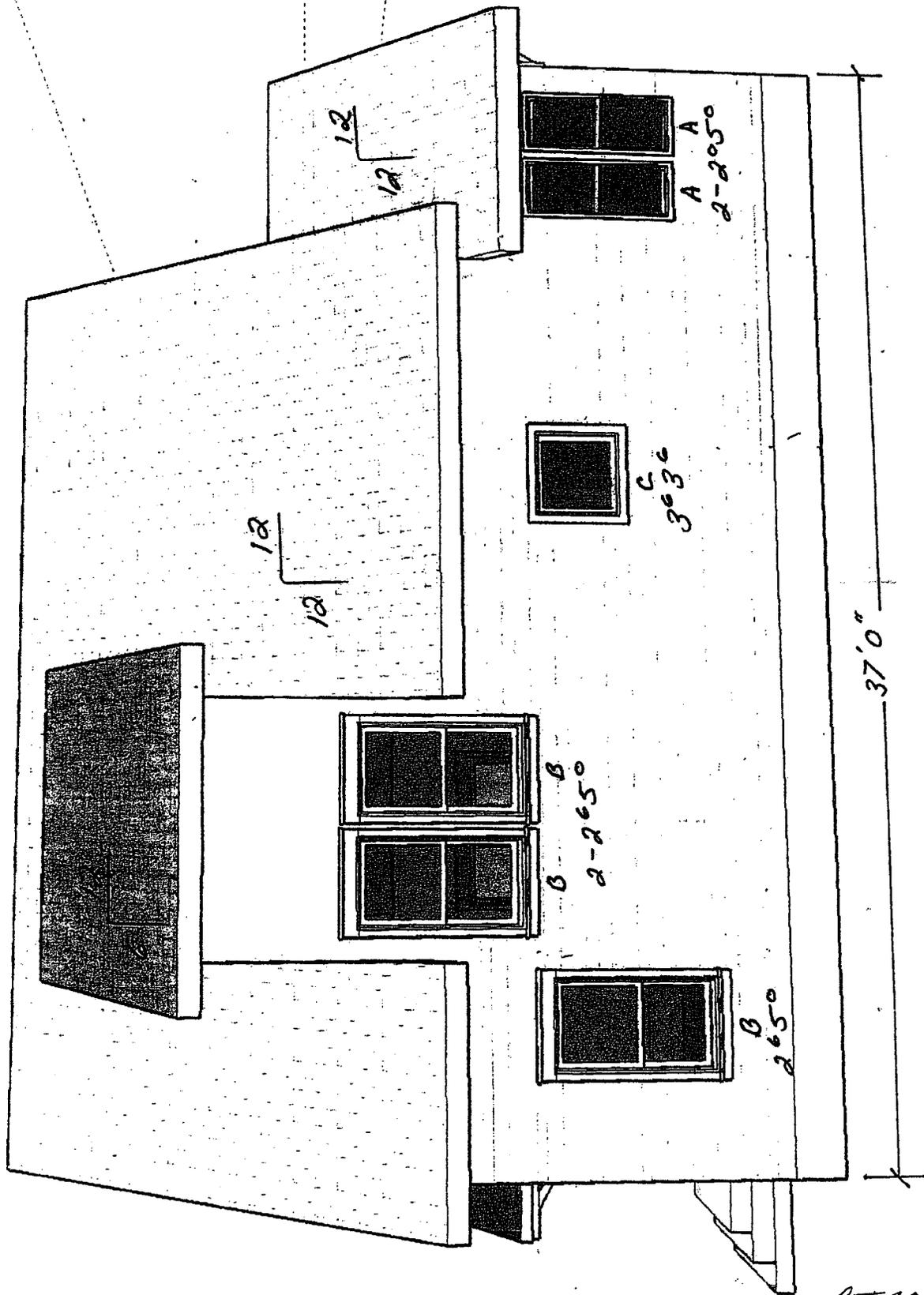


TYLER ST

ATTACHMENT # 4

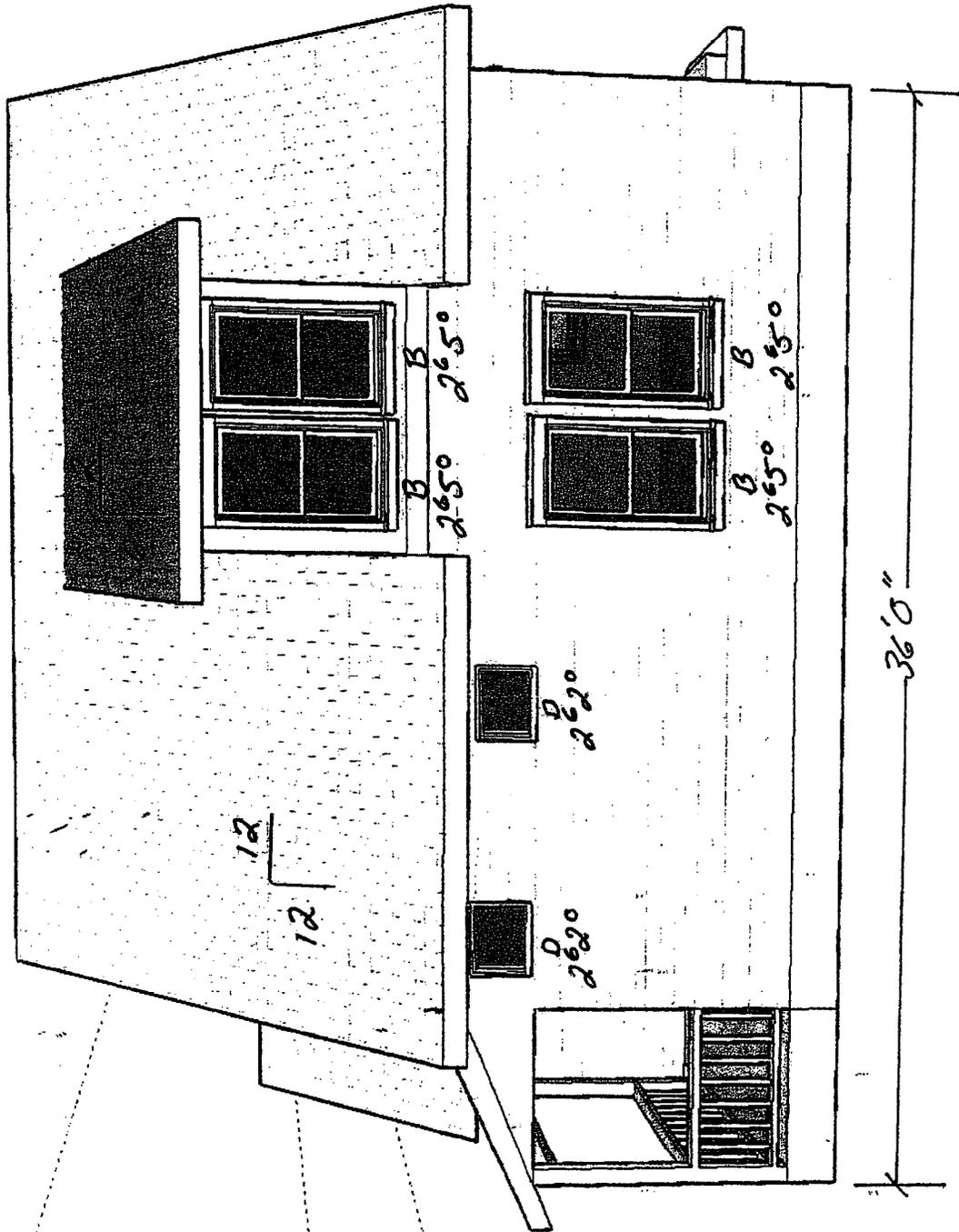


SOUTH / FRONT ELEVATION



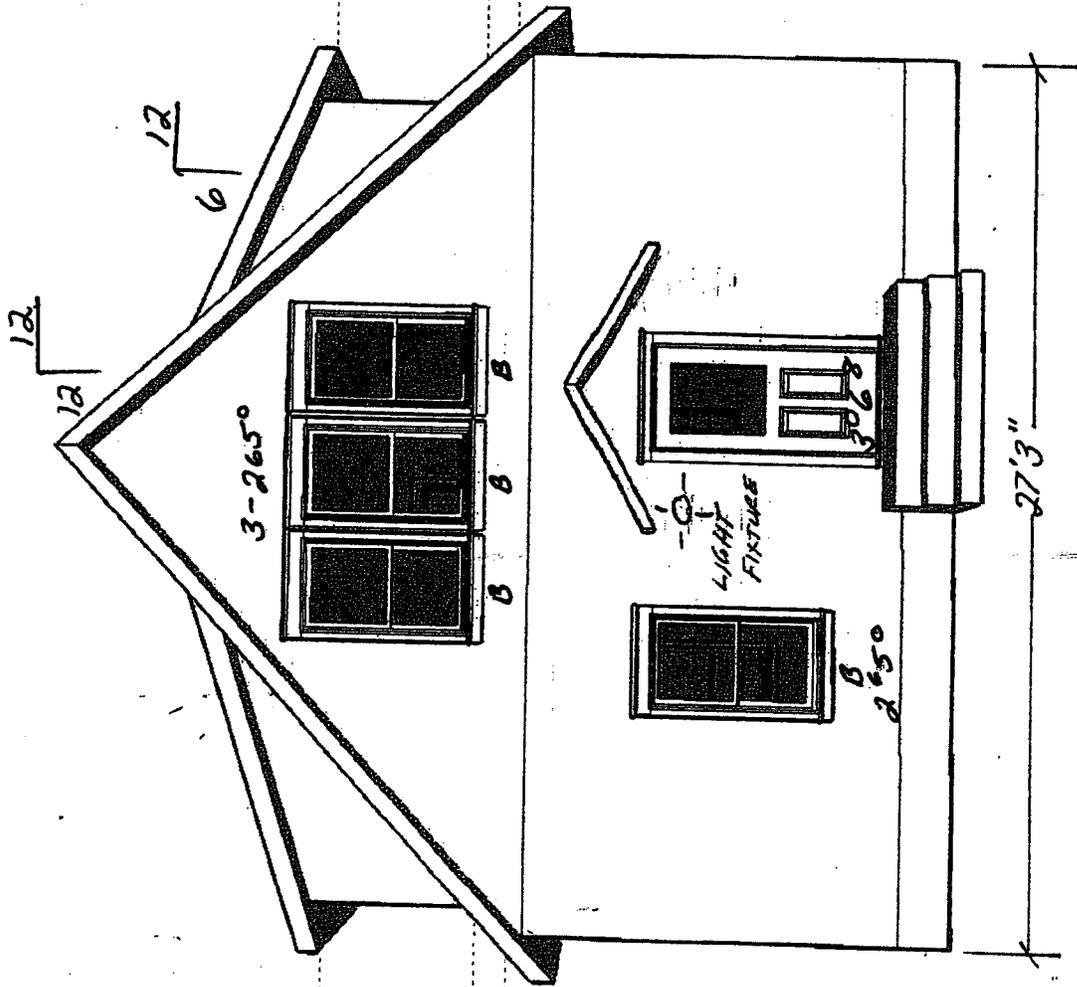
WEST/LEFT ELEVATION

ATTACHMENT # 6



EAST / RIGHT ELEVATION

ATTACHMENT # 7



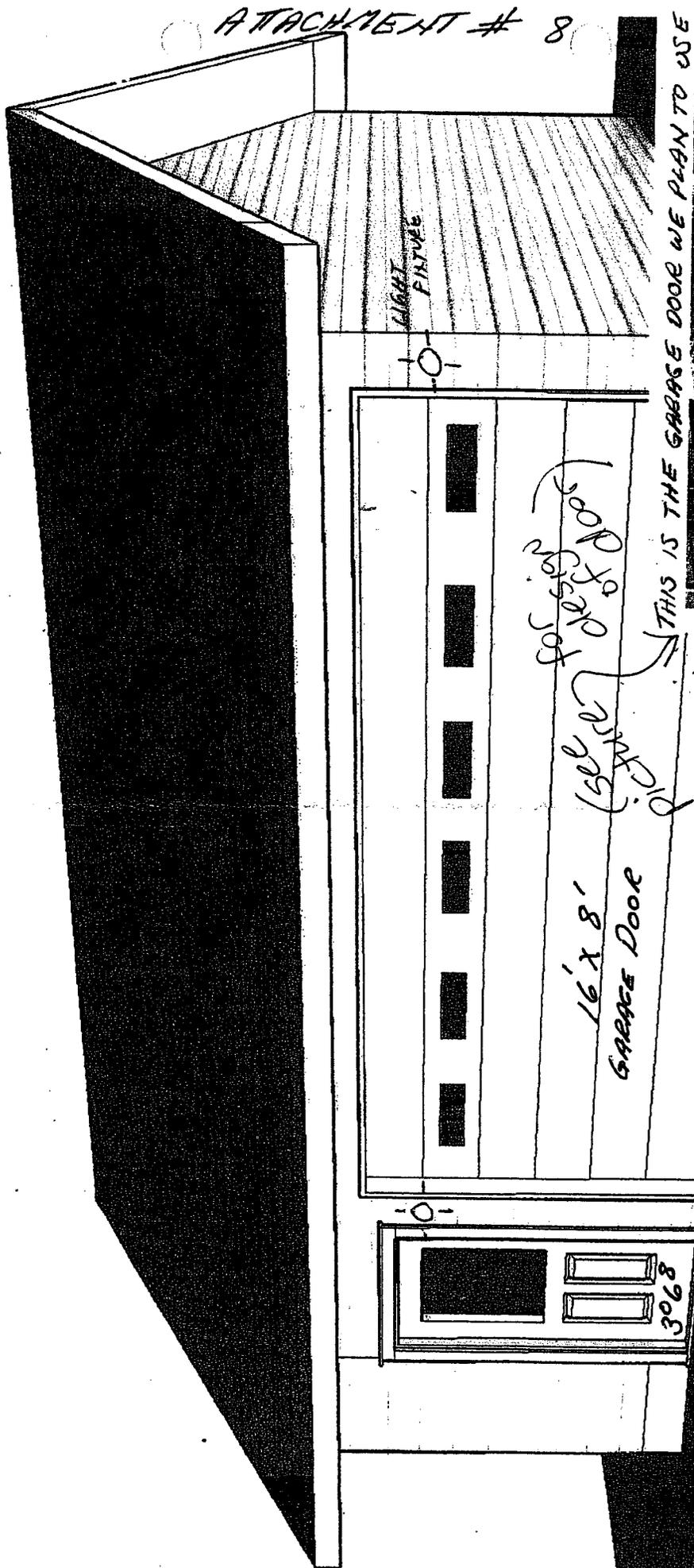
NORTH / REAR ELEVATION

ATTACHMENT # 7

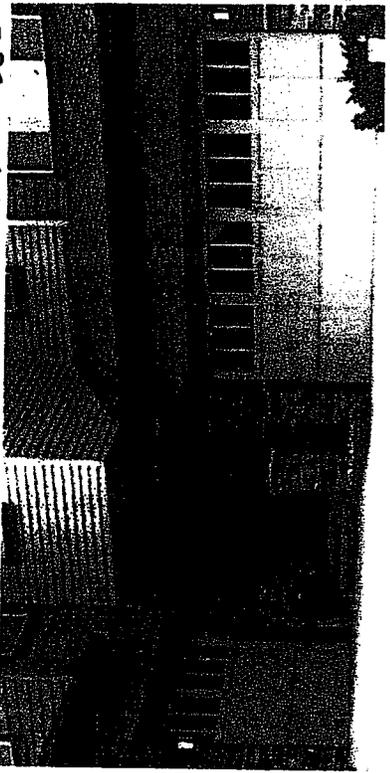
ATTACHMENT # 8

12  
12

GARAGE

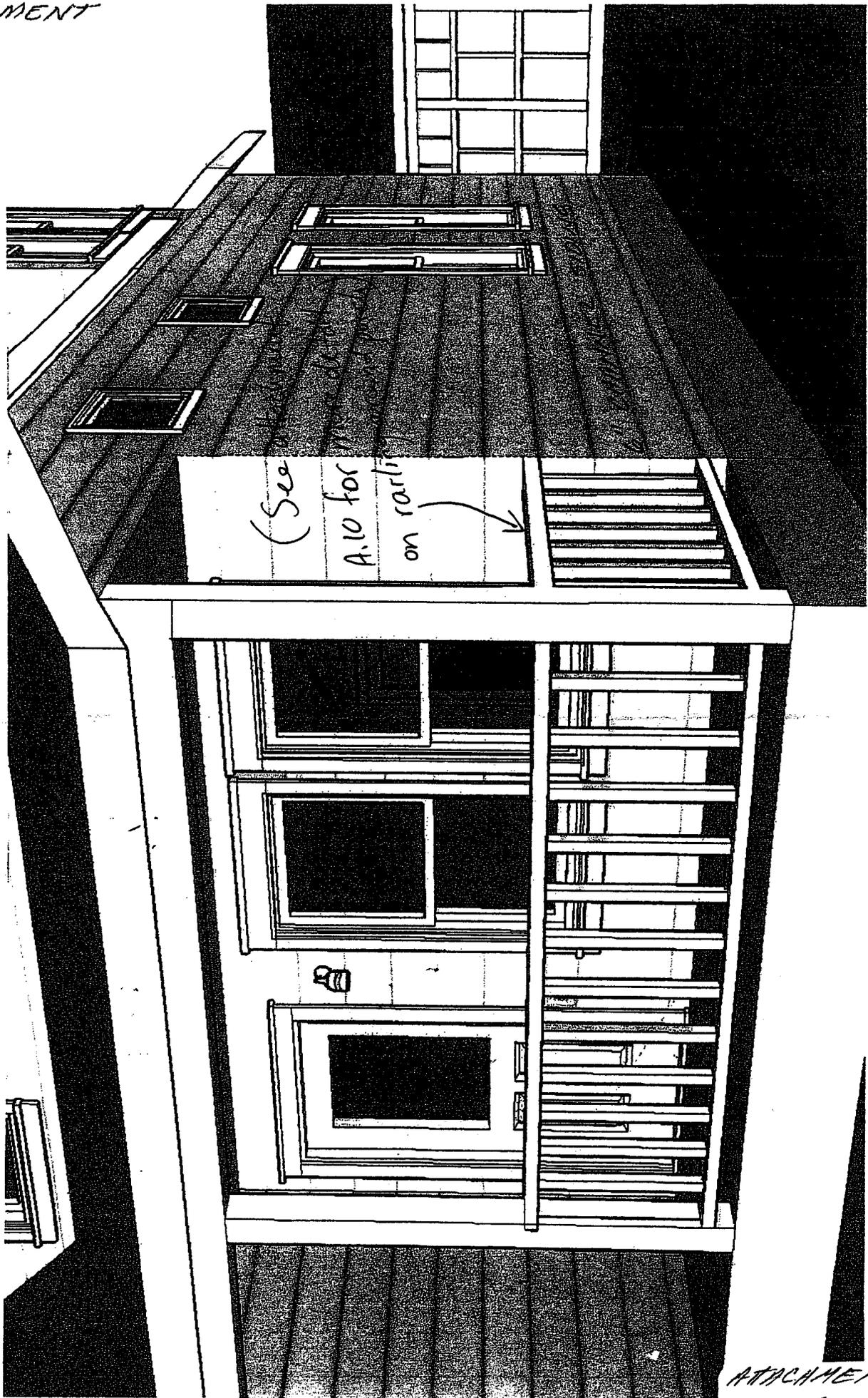


THIS IS THE GARAGE DOOR WE PLAN TO USE

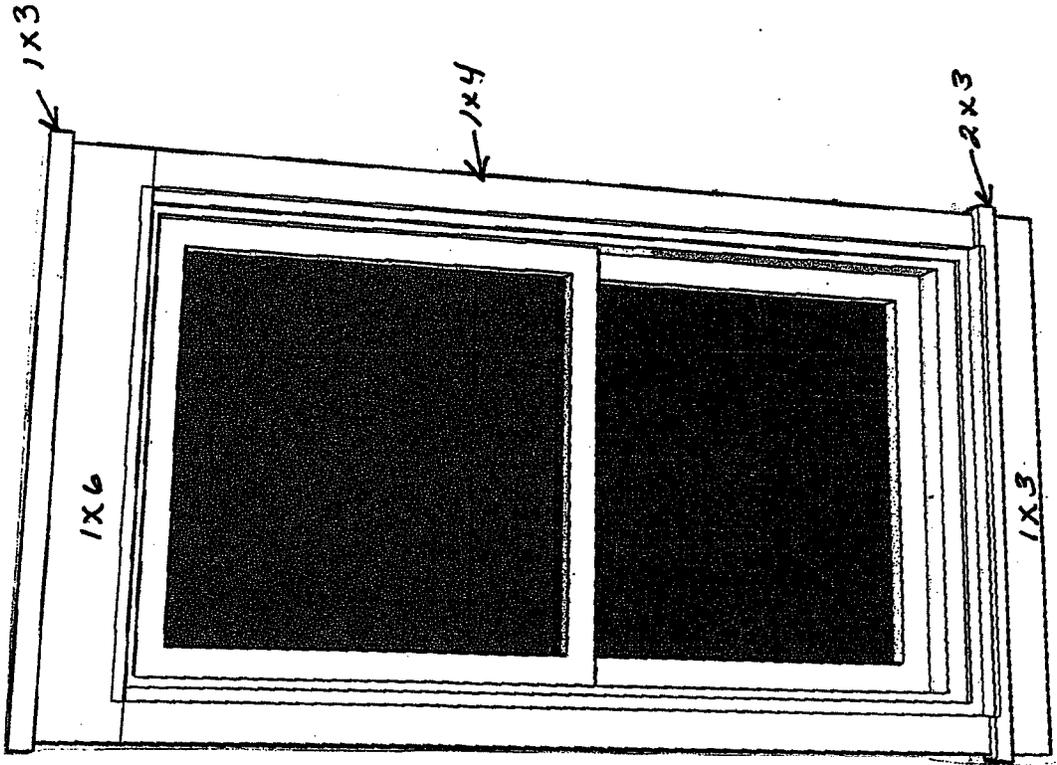


ATTACHMENT # 8

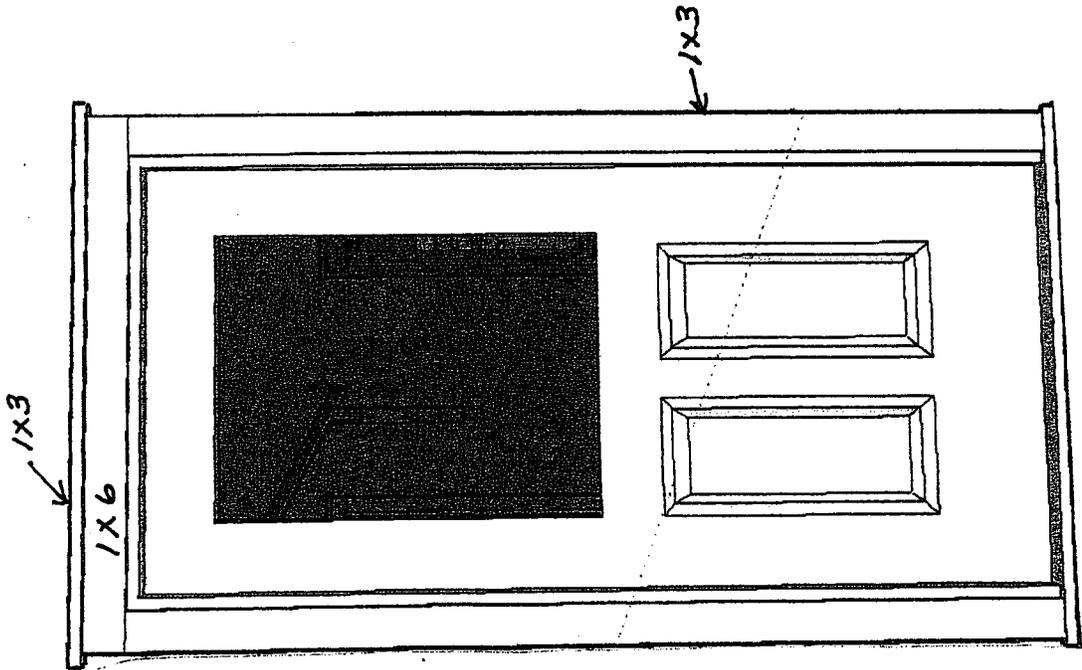
ATTACHMENT  
# 9



PROPOSED WINDOW & DOOR TRIM - NEW HOUSE



THIS TRIM TO BE USED ON ALL ALL WINDOWS



WINDOW SCHEDULE & DOOR SCHEDULE

TYPE	DESCRIPTION
A	2'5" WOOD DOUBLEMENTS
B	2'5" WOOD DOUBLEMENTS
C	3'3" WOOD CASEMENT
D	2'2" WOOD FIXED
	DOORS
E	3'6" WOOD

TYPE OF WINDOWS SHOWN ON ATTACHMENTS 4, 5, 6 & 7  
 WINDOW & DOOR DETAILS SHOWN ON ATTACHMENTS 9B-1 THRU 9B-5

TYPE A WINDOWS

Required Information for Window Alterations

The chart below identifies information necessary for Historic Preservation Permit applications for window alterations.

Window Feature	Existing	New / Modified
Location <i>FRONT &amp; LEFT ELEVATION</i>		
Size <i>2050</i>		
Style (Casement, <u>double-hung</u> etc.)		
Frame Material <i>WOOD</i>		
Trim Material <i>WOOD</i>		
Trim Style <i>SEE PERMIT. 9A</i>		
Trim Dimensions <i>9A</i>		
Operable? <i>YES</i>		
Grid Pattern <i>NONE</i>		
Individual Lights or Attached Grid? <i>—</i>	<i>NO GRIDS ON ANY WINDOWS.</i>	
Single or <u>Double Pane?</u>		

Additional Materials

- Elevation drawings illustrating existing conditions and proposed alterations. Each window or door to be modified should be identified.
- Site plan to scale showing footprint of buildings, lot lines, street and alleys, approximate locations of buildings on adjacent lots.
- In cases where proposed changes are minimal, photographs with a detailed narrative may take the place of elevation drawings.

TYPE B WINDOWS

Required Information for Window Alterations

The chart below identifies information necessary for Historic Preservation Permit applications for window alterations.

Window Feature	Existing	New / Modified
Location <i>ALL ELEVATIONS</i>		
Size <i>265"</i>		
Style (Casement, <u>double-hung</u> etc.)		
Frame Material <i>WOOD</i>		
Trim Material <i>WOOD</i>		
Trim Style <i>SEE ATTACH. 9A</i>		
Trim Dimensions <i>9A</i>		
Operable? <i>YES</i>		
Grid Pattern <i>NONE</i>		
Individual Lights or Attached Grid? <i>—</i>	<i>NO GRIDS ON ANY WINDOWS</i>	
Single or <u>Double Pane?</u>		

Additional Materials

- Elevation drawings illustrating existing conditions and proposed alterations. Each window or door to be modified should be identified.
- Site plan to scale showing footprint of buildings, lot lines, street and alleys, approximate locations of buildings on adjacent lots.
- In cases where proposed changes are minimal, photographs with a detailed narrative may take the place of elevation drawings.

TYPE C WINDOWS

**Required Information for Window Alterations**

The chart below identifies information necessary for Historic Preservation Permit applications for window alterations.

Window Feature	Existing	New / Modified
Location <i>LEFT ELEVATION</i>		
Size <i>3636</i>		
Style (Casement double-hung etc.)		
Frame Material <i>WOOD</i>		
Trim Material <i>WOOD</i>		
Trim Style <i>SEE ATTACHMENT 9A</i>		
Trim Dimensions <i>9A</i>		
Operable? <i>YES</i>		
Grid Pattern <i>NONE</i>		
Individual Lights or Attached Grid? <i>—</i>	<i>NO GRIDS ON ANY WINDOWS</i>	
Single or Double Pane?		

Additional Materials

- Elevation drawings illustrating existing conditions and proposed alterations. Each window or door to be modified should be identified.
- Site plan to scale showing footprint of buildings, lot lines, street and alleys, approximate locations of buildings on adjacent lots.
- In cases where proposed changes are minimal, photographs with a detailed narrative may take the place of elevation drawings.

TYPE D WINDOWS

**Required Information for Window Alterations**

The chart below identifies information necessary for Historic Preservation Permit applications for window alterations.

Window Feature	Existing	New / Modified
Location <i>RIGHT ELEVATION</i>		
Size <i>262°</i>		
Style (Casement, double-hung etc.) <i>FIXED</i>		
Frame Material <i>WOOD</i>		
Trim Material <i>WOOD</i>		
Trim Style <i>SEE ATTACH 9A</i>		
Trim Dimensions <i>9A</i>		
Operable? <i>NO</i>		
Grid Pattern <i>NONE</i>		
Individual Lights or Attached Grid? <i>—</i>	<i>NO GRIDS ON ANY WINDOWS</i>	
Single or <u>Double Pane?</u>		

Additional Materials

- Elevation drawings illustrating existing conditions and proposed alterations. Each window or door to be modified should be identified.
- Site plan to scale showing footprint of buildings, lot lines, street and alleys, approximate locations of buildings on adjacent lots.
- In cases where proposed changes are minimal, photographs with a detailed narrative may take the place of elevation drawings.

## TYPE E DOORS

**Required Information for Window Alterations**

The chart below identifies information necessary for Historic Preservation Permit applications for window alterations.

Window Feature	Existing	New / Modified
Location <i>FRONT BACK GARAGE</i>		
Size <i>3068</i>		
Style (Casement, double-hung etc.)		
Frame Material <i>WOOD</i>		
Trim Material <i>WOOD</i>		
Trim Style <i>SEE ATTACH 9A</i>		
Trim Dimensions <i>9A</i>		
Operable? <i>YES</i>		
Grid Pattern <i>—</i>		
Individual Lights or Attached Grid? <i>—</i>	<i>NO GRIDS ON ANY WINDOWS</i>	
Single or <u>Double Pane?</u>		

**Additional Materials**

- Elevation drawings illustrating existing conditions and proposed alterations. Each window or door to be modified should be identified.
- Site plan to scale showing footprint of buildings, lot lines, street and alleys, approximate locations of buildings on adjacent lots.
- In cases where proposed changes are minimal, photographs with a detailed narrative may take the place of elevation drawings.

**Required information for Sign Alterations or Installations**

The chart below identifies information necessary for Historic Preservation Permit applications relative to proposed signage.

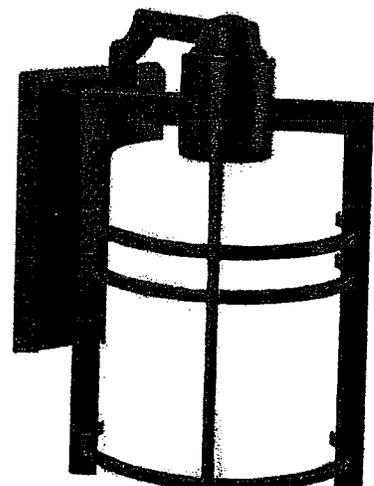
Sign Feature
Location
Size
Scale relative to building and other features (e.g. awnings, windows)
Materials
Method of Attachment
Impacts to facade
Covering architectural features?
Meet sign code standards?
Illuminated?
Light Fixtures
Style (provide example)
Materials <i>BRONZE &amp; GLASS</i>
Method of Attachment <i>LIGHT BLOCK ON SIDE OF HOUSE</i>
Location of conduit <i>NONE</i>
Location relative to signs <i>—</i>
Designed to prevent glare? <i>—</i>

Additional Materials

- Sketch of sign to scale
- Elevation drawings of building indicating location of features.
- Site plan showing building footprint and approximate adjacent lots (may not be required in all cases).

*THIS LIGHT FIXTURE WILL BE LOCATED IN 4 PLACES ON EXTERIOR OF HOUSE.*

- ① NEXT TO FRONT DOOR
- ② NEXT TO BACK DOOR
- ③ ON BOTH SIDES OF GARAGE DOOR



*ATTACHMENT # 14*

# CHAIN OF DEEDS

**GERARD (JERRY) GROESZ**  
VICE PRESIDENT  
ESCROW MANAGER  
TITLE OFFICER



***First American***  
***Title Insurance Company***

405 NW 5TH STREET STE. A, CORVALLIS, OR 97330  
OFFICE 541.757.1344 ▼ CELL 541.740.5277  
FAX 866.712.4647  
EMAIL [ggroesz@firstam.com](mailto:ggroesz@firstam.com)  
[www.firstam.com](http://www.firstam.com)

# CHAIN OF DEEDS

THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY

NE 1/4 SW 1/4 Sec. 35 T.11S. R.5W. W. M.  
BENTON COUNTY

11 5 35 CA  
CORVALLIS

1" = 100'

SEE MAP 11 5 35 BD

CENTER-SEC. 35

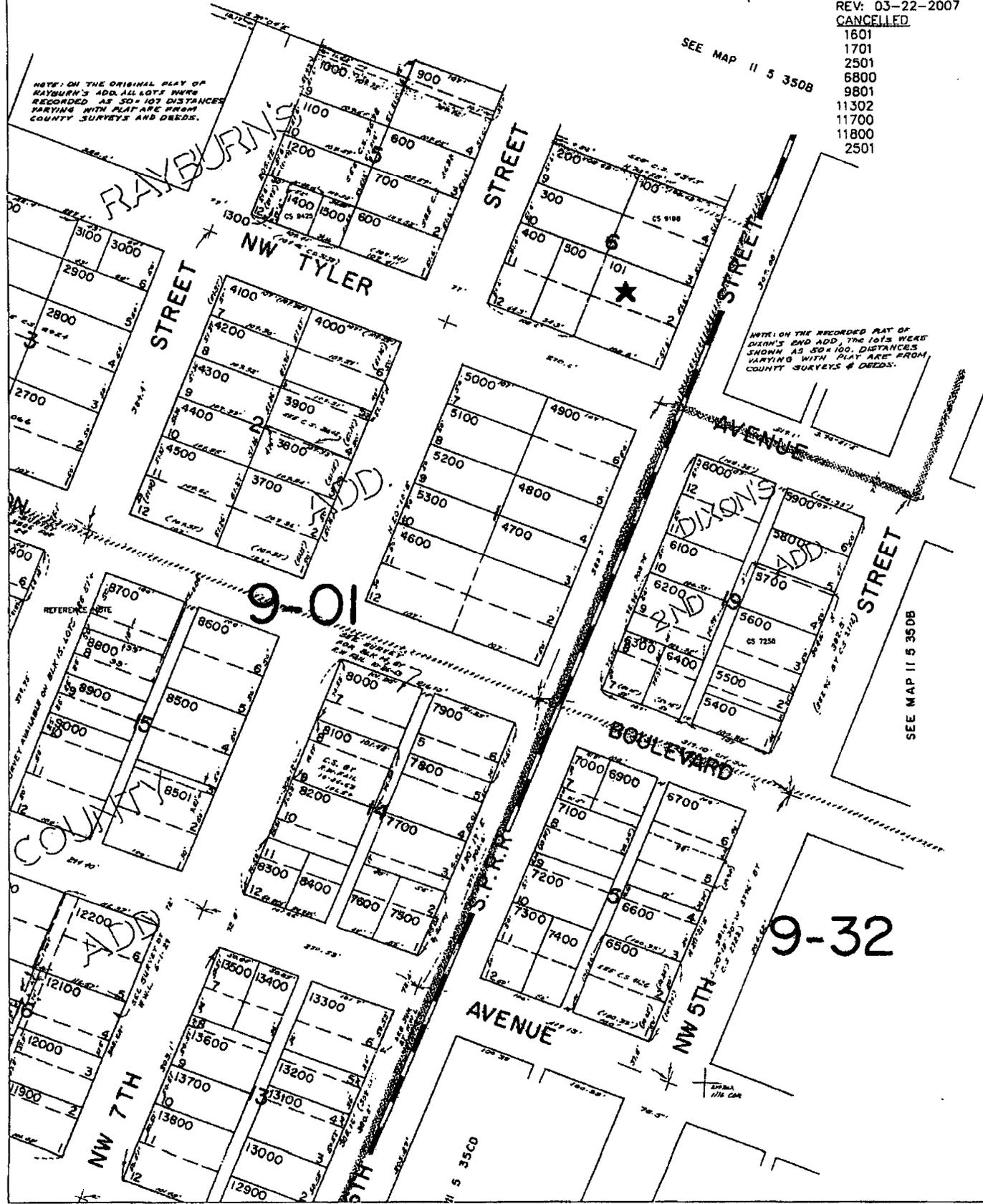
REV: 03-22-2007  
CANCELLED

- 1601
- 1701
- 2501
- 6800
- 9801
- 11302
- 11700
- 11800
- 2501

SEE MAP 11 5 350B

NOTE: ON THE ORIGINAL PLAT OF RAYBURN'S ADD. ALL LOTS WERE RECORDED AS 50 X 107 DISTANCES VARYING WITH PLAT ARE FROM COUNTY SURVEYS AND DEEDS.

NOTE: ON THE RECORDED PLAT OF DIXON'S END ADD, THE LOTS WERE SHOWN AS 50 X 100. DISTANCES VARYING WITH PLAT ARE FROM COUNTY SURVEYS & DEEDS.



RAYBURN'S  
NW TYLER STREET

DIXON'S  
NW 5TH STREET

9-01

9-32

NW 7TH STREET

AVENUE

BOULEVARD

NW 5TH STREET

SEE MAP 11 5 350B

11 5 350D

31/638

This Indenture, Made the 1<sup>st</sup> day of March in the year of our Lord, one thousand, eight hundred and ninety-three, between J. W. Rayburn of New Whatcom Wash. party of the first part and M. J. Rayburn of same place

the party of the second part, Witnesseth, That the said party of the first part, for and in consideration of the sum of One DOLLARS, Gold Coin of the United States of America, to him in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, he granted, bargained, sold, conveyed, and confirmed, and by these presents discharge, bargain, sell, convey and confirm unto the said party of the second part, and to his heirs and assigns forever. The following described real property to wit:

Lots one (1) two (2) three (3) ten (10) eleven (11) and twelve (12) in Block one (1) of Lot one (1) two (2) three (3) four (4) nine (9) ten (10) eleven (11) and twelve (12) in Block six (6) in Rayburn's addition to the City of Wasco Benton County Oregon, also the following described real property to wit:

Lots five (5) six (6) seven (7) and eight (8) in Block one (1) Lots one (1) two (2) three (3) four (4) five (5) six (6) seven (7) eight (8) nine (9) ten (10) eleven (11) in Block forty five (45) and lots one (1) two (2) three (3) four (4) five (5) six (6) seven (7) eight (8) nine (9) ten (10) eleven (11) in Block seventy (70) and lots one (1) two (2) three (3) four (4) five (5) six (6) seven (7) eight (8) nine (9) ten (10) eleven (11) and twelve (12) in Block fifty three (53) and lots three (3) four (4) five (5) six (6) seven (7) eight (8) nine (9) ten (10) eleven (11) and twelve (12) in Block sixty nine (69) in Rayburn's addition to the City of Wasco Benton County Oregon, and the south half of the north east quarter of the south east quarter of section fourteen (14) Township eleven (11) North of range eleven West of the Will Mer in Benton County Oregon

Together, with all and singular, the tenements, hereditaments, and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues, and profits thereof; and also all the estate, right, title, interest, property, possession, claim and demand whatsoever, as well in law as in equity, of the said party of the first part, of, in or to the above described premises, and every part and parcel thereof, with the appurtenances

To Have and to Hold, all and singular the above mentioned and described premises, together with the appurtenances, unto the said party of the second part, and to his heirs and assigns forever. And the said party of the first part, and his heirs, the said premises, in the quiet and peaceable possession of the said party of the second part, his heirs, and assigns, against the said party of the first part, and his heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same, shall and will warrant, and by these presents forever defend.

In Witness Whereof, the said party of the first part has hereunto set his hand - and seal - the day and year first above written.

Signed, Sealed and Delivered in the Presence of

E. R. Loring  
Alfred G. Black

J. W. Rayburn [SEAL]  
[SEAL]  
[SEAL]  
[SEAL]

STATE OF Washington  
ORIGON  
County of Whatcom

This Certifies, That on this 1<sup>st</sup> day of March, 1893, before me personally appeared the within named J. W. Rayburn

known to me to be the person - described in and who executed the within instrument, and acknowledged to me that - he - freely and voluntarily executed the same, for the purpose therein set forth, and

on an examination made by me, separately and apart from her said husband, acknowledged to me that she executed the same freely and voluntarily, and without fear or compulsion from any one.

Alfred G. Black  
Notary Public for Wash.  
County Clerk. Residence New Whatcom

Received for Record and Recorded June 26-93  
W. S. P. M.

361  
216

This Indenture made the 21<sup>st</sup> day of August 1897, between Peter Richard Sheriff of the County of Benton, State of Oregon, the party of the first part, and John Brown of the County of Multnomah, the party of the second part.

Witnesseth, That whereas, by virtue by an Execution and order of sale duly issued out of and under the seal of the Circuit Court of the State of Oregon for the said County of Benton dated the 23<sup>rd</sup> day of November 1896, upon a decree of foreclosure and judgment duly made and rendered in the said Court on the 12<sup>th</sup> day of November 1896, in a suit for the foreclosure of a mortgage, in which John Brown was Plaintiff, and J. H. Rayburn, M. J. Rayburn, Sal King, L. L. Hunt, James A. Gaultman, H. Beach, J. H. Clark, H. S. McStadden, William Mackay, B. H. Hilario and George T. Hill were defendants, to the Sheriff of said County directed and delivered commanding him to make sale of the real property hereinafter described and conveyed and in said Order and Execution specifically And Whereas, in obedience to said command, and made and by virtue of said Execution the said Sheriff did, on the 1<sup>st</sup> day of November 1896 levy and take all the lands tenements and real estate which the said Judgment debtors, J. H. Rayburn and M. J. Rayburn had, in and to the said premises hereinafter particularly set forth, described and conveyed, with the appurtenances, and did, on the 6<sup>th</sup> day of January 1897, sell all the right title, interest and claim of said defendants in said suit in and to the said premises, at public auction, at the Court room door in said County of Benton, State of Oregon, between the hours of nine in the morning and four in the afternoon of that day, namely, at two o'clock P.M. after having first given due notice of the time and place of said sale according to law to-wit: By posting notice of the time and place of sale, particularly describing the property, for four weeks successively prior to the day of sale in three of the most public places in the said County of Benton, and also by publishing a copy of such notice once each week for four successive weeks prior to said day of sale in the localities having a weekly newspaper of general circulation, printed and published in Benton County, Oregon, at which sale all the right title, interest and claim of the said defendants in and to said premises were struck off and sold to John Brown for the sum of Six hundred and twenty five and 92/100 dollars he being the highest bidder, and that being the highest sum bid therefor.

And whereas, the said Sheriff, after receiving from the said purchaser the said sum of money as bid as aforesaid, gave to the said purchaser such certificate of said sale as is by law directed to be given in the matter contained in such certificate were substantially stated in said Sheriff's return of his proceedings upon said Execution to the County Clerk of the County of Benton, State of Oregon. And whereas the said Court, by an order made the 23<sup>rd</sup> day of January 1897, duly confirmed said sale, and were thereafter notified and have expired since the confirmation of said sale, by the Court without any redemption of the said premises having been made.

Now therefore, this Indenture Witnesseth: That J. Peter Richard Sheriff of said County of Benton by virtue of said Execution and order of sale, and in pursuance of the Statute in such case made and provided, for and in consideration of the said sum of money, in hand paid, by the party of the second part, the receipt whereof is hereby acknowledged, have granted, bargained, sold, conveyed and confirmed, and by these presents do grant bargain, sell, convey and confirm unto the said party of the second part, and to his heirs and assigns forever, all the right title, interest and claim which the said defendant in said suit (or either of them) had on the said 12<sup>th</sup> day of November 1896 or at any time afterwards or now have in or to all those certain lots, pieces, or parcels of land, lying and being in the said County of Benton, State of Oregon, and more particularly described as follows to-wit: Lots numbered One, two, three and four in Block number Six in Rayburn Addition to the City of

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62

Corvallis, in Benton County, Oregon. Together with all and singular the hereditaments and appurtenances thereto belonging or in any wise appertaining, To Have and to Hold, the said premises, with the appurtenances, unto the said party, his heirs and assigns forever, free from all claim thereon upon the part of said defendants, or any of them, and as fully and absolutely as by law the said party of the second part can or ought to have or to hold the same hereunder.

In Witness Whereof, I, the said Sheriff, have hereunto set my hand and seal the day and year first above written.

Done in the presence of  
Vergil C. Hatten }  
E. C. Miller }

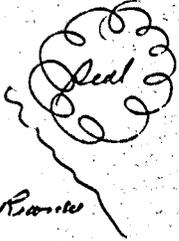
Peter Richard   
Sheriff of Benton County, Oregon

State of Oregon } pp.  
County of Benton }

On this, the 21<sup>st</sup> day of August 1897, before me, a Notary Public within and for said County, personally came the within-named Peter Richard Sheriff of the said County of Benton, State of Oregon, known to me to be the identical party described in, and who, as such Sheriff, executed the within instrument, and acknowledged to me that he executed the same.

In Witness Whereof, I have hereunto set my hand and notarial seal, the day and year in this certificate first above written.

E. C. Miller  
Notary Public for Oregon



Received for record and recorded  
September 29<sup>th</sup> 1897.

Geo A. Kellatby County Recorder  
By J. H. Crawford Deputy "

over

This Indenture, made the 28<sup>th</sup> day of April in the year of our Lord one thousand nine hundred and ninety (1922), between John Bonner and Adriana B. Bonner his wife the parties of the first part and George Taylor of Corvallis Oregon

Witnesseth, that the said parties of the first part, for and in consideration of the sum of Six Hundred and Seventy five and no/100 Dollars, Gold Coin of the United States of America, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, have granted, bargained, sold, conveyed and confirmed and by these presents do grant, bargain, sell, convey and confirm unto the said party of the second part, and to his heirs and assigns, forever, all the following described real property to wit: Lots numbered one (1), two (2), three (3) and four (4) in Block numbered six (6) in Rayburns addition to the City of Corvallis (formerly the original town of Marysville) in Benton County, State of Oregon, as the same appears by the maps and plats now on file in the office of the County Recorder for Benton County, Oregon.

S. I. S. R. stamps Canceled

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and also all the estate, right, title, interest, claim and demand whatsoever, as well in law as in equity, of the said party of the first part, of, in or to the above described premises, and every part and parcel thereof, with the appurtenances.

To Have and to Hold, all and singular the above mentioned and described premises, together with the appurtenances, unto the said party of the second part, and to his heirs and assigns forever. And the said parties of the first part, and their heirs, the said premises in the quiet and peaceable possession of the said party of the second part, his heirs and assigns, against the said parties of the first part, and their heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.

In Witness Whereof, the said parties of the first part have hereunto set their hands and seals the day and year first above written.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF

W. E. Yates  
Katherine Thompson

John Bonner  
Adriana Bonner  
[SEAL]  
[SEAL]  
[SEAL]  
[SEAL]

STATE OF OREGON,  
County of Multnomah

This Certifies, that on this 28<sup>th</sup> day of April 1922 before me personally appeared the within named John Bonner and Adriana Bonner his wife

known to me to be the persons described in and who executed the within instrument, and acknowledged to me that they freely and voluntarily executed the same, for the purpose therein set forth, and Adriana B. Bonner wife of said John Bonner on an examination made by me, separate and apart from her said husband, acknowledged to me that she executed the same freely and voluntarily and without fear or compulsion from any one.

W. E. Yates  
Notary Public for Or.

Received for record and recorded Aug. 24 1922 at 1.50 P.M. Grant Price

STATE OF OREGON, }  
County of Benton. } ss.

THIS CERTIFIES, That on this 28th day of March A. D., 1939, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named Ethel Morgan and Victor S. Morgan, her husband, who are known to me to be the identical individuals described in and who executed the within instrument and acknowledged to me that they executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and notarial seal the day and year last above written.

(Notarial Seal)

Jay L. Lewis.  
Notary Public for Oregon.  
My commission expires:  
Nov. 20-1939.

STATE OF OREGON, }  
County of Benton. } ss.

THIS CERTIFIES, That on this 21st. day of March, 1939, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named E. C. King and Minnie King, his wife, who are known to me to be the identical individuals described in and who executed the within instrument, and acknowledged to me that they executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and notarial seal the day and year last above written.

(Notarial Seal)

Jay L. Lewis,  
Notary Public for Oregon.  
My commission expires:  
Nov. 20-1939.

Received for record and recorded  
March 7, 1940, 1:55 o'clock PM

A. J. Moore, COUNTY CLERK  
By E. L. Jamberg, Deputy

31626

THIS CONTRACT, Made in duplicate this 2nd day of October A. D. 1939 by and between Charles E. Taylor and Katie Buchanan the first party, and George Oliver and Maude Oliver the second party.

WITNESSETH, That the said first party, in consideration of the covenants and agreements herein contained, agrees to sell unto the second party all of the land situated in the County of Benton and State of Oregon, and bounded and described as follows, to-wit:

Lots One (1) Two (2) Three (3) and Four (4) Block Six (6) Rayburns Addition. for the sum of purchase price of Sixteen hundred (\$1600.00) Dollars, which the second party agrees to pay to the first party at the following named times, to-wit:  
\$200.00 in cash, receipt whereof is hereby acknowledged, and the remainder in Monthly installments at 4226 N. E. Davis St. Portland, as follows:  
3324 N. E. 16th, Portland.  
\$15.00 thereof with interest at Five % per annum on deferred payments on the 2nd day of November 1939, and a like payment on the Second day of Each succeeding month thereafter until the whole of said purchase price shall be paid, and in addition thereto all taxes and other public charges, with assessments for sewers and street improvements which may hereafter become liens on said property, promptly before delinquency, and that he will keep the buildings now upon or which may be erected upon said property insured against

fire in some fire insurance company satisfactory to said first party, with loss, if any, payable to said first party as his interest may appear. All of which payments said second party hereby agrees to make as above provided.

And the said first party also agrees that when full payment shall have been received he will cause to be executed and delivered, at his own cost and expense, a good and sufficient deed, conveying the property aforesaid to the said second party, his heirs or assigns forever.

It is also agreed that the unpaid balance can be paid at any monthly paying period PROVIDED HOWEVER that when said purchase price is paid down to \$400.00 the first parties agree to furnish an abstract showing a good and merchantable title in the first parties; Second parties to have 30 days in which to examine said abstract and object thereto and said second parties shall not be required to make further payments until all such valid objections are corrected.

And it is understood and agreed between said parties that time is the essence of this contract, and in case the second party shall fail to make the payments above named, and each and every one of them, punctually within ten days of the time limited therefor, or fail to keep any agreements herein contained, then this contract shall, at the option of said first party, become null and void, and all rights and interests created or then existing in favor of the second party as against the first party hereunder, or to any payments theretofore made hereon, shall utterly cease and determine, and the right to the possession of the premises above described, and all other rights acquired by the second party hereunder, shall revert to and re-vest in said first party without any act of re-entry, or any other act of said first party to be performed, and without any right of the said second party of return, reclamation or compensation for moneys paid or received on account of the proposed purchase or sale of said property as absolutely, fully and perfectly as if this contract and such payments had never been made; and in case of such default all payments theretofore made on this contract are to be retained by and belong to said first party as the agreed, reasonable rent of said premises up to the time of such default. And the said first party shall, in case of such default, have the right immediately, or at any time thereafter, to enter upon the land aforesaid, without any process of law, and take immediate possession thereof, together with all the improvements and appurtenances thereon or thereto belonging.

IN WITNESS WHEREOF, Said parties have hereunto set their hands the day and year first above written.

Executed in the Presence of  
Mrs. Marie Motz  
A. G. Harrison

Charles E. Taylor (Seal)  
Belle Taylor  
With Power of Atty (Seal)  
Katie M Buchanan (Seal)  
George Oliver  
Maude Oliver

STATE OF OREGON, )  
 ) ss.  
County of Multnomah )

BE IT REMEMBERED, That on this 2nd day of October A. D. 1939, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named Charles E. Taylor By Belle Taylor with Power of Attorney, Katie Buchanan ..... Maude Oliver who are known to me to be the identical persons described in and who executed the within instrument, and acknowledged to me that they executed the same freely and

voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and my seal the day and year last above written.

(Notarial Seal)

A. G. Harrison  
Notary Public for Oregon.  
My Commission Expires  
Jan. 21-1941, 19.....

STATE OF OREGON )  
                          ) ss.  
County of Benton. )

BE IT REMEMBERED, That on this 6th day of October A. D. 1939, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named George Oliver, who are known to me to be the identical person described in and who executed the within instrument, and acknowledged to me that he executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and my seal the day and year last above written.

(Notarial Seal)

E. R. Woods  
Notary Public for Oregon.  
My Commission Expires Oct. 7, 1942

Received for record and recorded  
March 7, 1940 at 4:31 o'clock P. M.

A. J. Moore, COUNTY CLERK  
By: E. Wamberg, Deputy

31633

KNOW ALL MEN BY THESE PRESENTS, That Richard T. Myers, unmarried in consideration of One and no/100ths (\$1.00) Dollars, to him paid by Marian P. Myers do hereby remise, release and forever QUITCLAIM unto the said Marian P. Myers and unto her heirs and assigns all his right, title and interest in and to the following described parcel of real estate together with the tenements, hereditaments and appurtenances, situate in .....County of Benton, State of Oregon, to-wit:

Beginning at a 3/4" iron pin on the west line 30.00 chains S. 0° 11' W. of the northwest corner of Robert D. Grimsley D. L. C. #49, T. 13 S. R. 5 W. of the Will. Mer. in Benton County, Oregon; and running thence N. 0° 11' E. along said line 3.729 chains to a point 40 feet easterly at right angles to the center line of the State Highway as now located, thence along the east line of said highway N. 6° 54' E. 27.443 chains to the north line of said claim, thence S. 89° 26' E. along said line 37.495 chains to a 3/4" pipe, the northwest corner of land heretofore deeded, thence along the westerly line of said land S. 14° 14' E. 6.901 chains to a 1/2" pipe, S. 50° 52' E. 9.865 chains to a 1" iron rod, S. 23° 27' E. 7.629 chains to a 1/2" pipe and S. 30° 39' E. 12.089 chains to a 3/4" pipe which is 30.00 chains S. 0° 26' W. of the north line of said claim, thence N. 89° 26' W. 59.186 chains to the place of beginning, containing 145.00 acres.

Also: Lot 10, Block 11, Job's Addition to Corvallis, Benton County, Oregon.

TO HAVE AND TO HOLD the same to the said Marian P. Myers and to her heirs and assigns forever.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this ..... day of March A.D. 1940.

Executed in the presence of  
.....

R T Myers (SEAL)  
Richard T. Myers (SEAL)

53399

DEED OF GUARDIAN

\$1.10 in I. R. Stamps Affixed and Cancelled.

KNOW ALL MEN BY THESE PRESENTS, That KATE BUCHANAN, a widow, and THE FIRST NATIONAL BANK OF PORTLAND (OREGON), a national banking corporation, organized and existing under and by virtue of the laws of the United States of America, the duly appointed, qualified and acting Guardian of the Estate of Charles E. Taylor and Belle Taylor, his wife, incompetent persons, having been appointed as such by the Circuit Court of the State of Oregon for the County of Multnomah, Probate Department, and acting pursuant to an Order dated February 27, 1944, directing the execution of a deed to the real property hereinafter described to GEORGE OLIVER AND MAUDE OLIVER, said deed to be given, to carry out the terms of a contract dated October 7, 1919, between Charles E. Taylor and Kate (Katie) Buchanan, recorded in the County Records of Benton County, Oregon, in the Deed Records in Book 96, page 112, have bargained and sold and by these presents do grant, bargain, sell and convey unto the said George Oliver and Maude Oliver, husband and wife, their heirs and assigns, all of the following bounded and described real property, situated in the County of Benton and State of Oregon, to-wit:

Lots Numbered One (1), Two (2), Three (3) and Four (4) in Block Numbered Six (6) in Rayburn's Addition to the City of Corvallis, Benton County, Oregon.

together with all and singular the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining, and all of the estate, right, title and interest of said Kate Buchanan and Charles E. Taylor and Belle Taylor, his wife, in said premises.

TO HAVE AND TO HOLD the above described and granted premises unto the said George Oliver and Maude Oliver; their heirs and assigns forever.

IN WITNESS WHEREOF, Kate Buchanan and The First National Bank of Portland (Oregon), pursuant to a resolution of its Board of Directors, duly and lawfully adopted, have caused these presents to be signed and their seals to be affixed this 16th day of March, 1944.

Kate Buchanan

THE FIRST NATIONAL BANK OF PORTLAND, (OREGON)

(Corporate Seal)

By R. W. Lengfield Assistant Trust Officer

STATE OF OREGON )
COUNTY OF MULTNOMAH ) SS

BE IT REMEMBERED, That on this 16 day of March, 1944, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named KATE BUCHANAN, a widow, who is known to me to be the identical individual described in and who executed the within instrument, and acknowledged to me that she executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have herunto set my hand and notarial seal the day and year last above written.

(Notarial Seal)

L C Binford Notary Public for Oregon My Commission expires: 3/4/47

STATE OF OREGON )
COUNTY OF MULTNOMAH ) SS

BE IT REMEMBERED, That on this 16th day of March, 1944, before me appeared R. W. LENGFIELD to me personally known, who being duly sworn, did say that he, the said R. W. LENGFIELD is the Assistant Trust Officer of THE FIRST NATIONAL BANK OF PORTLAND (OREGON), the within named corporation, Guardian of Estate of Charles E. Taylor and Belle Taylor, his wife, and that the

seal affixed to said instrument is the corporate seal of said corporation, and that the said instrument was signed in behalf of said corporation by authority of its Board of Directors, and said F. W. LANGFELD acknowledged said instrument to be the free act and deed of said corporation.

IN TESTIMONY WHEREOF, I have herunto set my hand and affixed my official seal, this, the day and year first in this, my certificate, written.

(Notarial Seal)

C. Whitney Hastings, Jr.  
Notary Public for Oregon  
My Commission expires: 9-17-47

Received for record and recorded  
November 10, 1945 at 11:28 o'clock A.M.

A. J. Moore, COUNTY CLERK  
By: James D. Conner Deputy

53399

\$1.65 in I. S. Stamps Affixed and Cancelled.

Warranty Deed

THIS INDENTURE WITNESSETH: That A. C. Neal and Mabel C. Neal, his wife, for and in consideration of the sum of Ten and no/100ths DOLLARS to them paid, do hereby bargain, sell and convey unto Percy J. Fulmer and Anna Leone Fulmer, his wife, the following described premises to-wit:

Two and one Tenth Acres (2.10) off east side of following: Beginning at a point in center of state road S. 10.03 chains and W. 32 links from a 1 inch iron pipe driven in ground at intersection of center of state road with North line of David Butterfield D. L. C. No. 47, Township 17 S. Range 5 W. of Will. Mer. in Benton County, Oregon; thence N. 89° 10' E. 15.39 chains, thence N. 5° W. 3.345 chains; thence S. 89° 10' W. 15.17 chains to center of state road; thence S. 4° 31' W. 3.35 chains to beginning; except a strip 15 feet wide off south side thereof for a roadway, in Benton County, Oregon.

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto the said Percy J. Fulmer and Anna Leone Fulmer, his wife, their heirs and assigns forever.

And the said A. C. Neal and Mabel C. Neal do hereby covenant to and with the said Percy J. Fulmer and Anna Leone Fulmer, his wife, their heirs and assigns that they are the owners in fee simple of said premises; and that they are free from all incumbrances (except 1945-46 taxes and that certain mortgage in favor of D. J. Thatcher and Nettie M. Thatcher, in the amount of \$1,000.00, which the purchasers assume and agree to pay as part of the consideration hereof, and that they will warrant and defend the same from all lawful claims whatsoever, except as above set forth.

IN WITNESS WHEREOF, we have hereunto set our hands and seals this 14th day of June A.D., 1945.

A. C. Neal  
Mabel C. Neal

STATE OF OREGON, )  
County of Benton ) ss.

Be it remembered that on this 14th day of June A. D., 1945 personally came before me, a Notary Public in and for said county, the within named A. C. Neal and Mabel C. Neal, his wife, to me personally known to be the identical persons described in and who executed the within instrument, and acknowledged to me that they executed the same freely and voluntarily for the uses and purposes therein named.

Witness my hand and seal this 14th day of June A. D., 1945.

(Notarial Seal)

Fred McHenry  
Notary Public for Oregon

My Commission Expires Aug. 31, 1946.

Received for record and recorded

A. J. Moore, COUNTY CLERK

BOOK 118 PAGE 238

KNOW ALL MEN BY THESE PRESENTS, That GEORGE OLIVER

in consideration of Ten and more Dollars,

to him paid by Maude Oliver, his wife

do hereby grant, bargain, sell and convey unto said Maude Oliver, his wife,

as her SEPARATE PROPERTY,

her heirs and assigns, all the following real property, with the tenements, hereditaments and appurtenances, situated in the City of Corvallis,

County of Benton and State of Oregon, bounded and described as follows, to-wit:

Lots numbered One (1), Two (2), Three (3) and Four (4) in Block Numbered Six (6) in Rayburn's Addition to the City of Corvallis, Benton County, Oregon,

(Actual Consideration less than \$100.00)

TO HAVE AND TO HOLD, the above described and granted premises unto the said

Maude Oliver

her heirs and assigns forever.

IN WITNESS WHEREOF, I, the grantor above named herunto set my

hand and seal this tenth day of July, A. D. 1947.

EXECUTED IN THE PRESENCE OF

George Oliver (SEAL)

(SEAL)

(SEAL)

(SEAL)

STATE OF OREGON,

County of Benton

BE IT REMEMBERED, That on this 10th day of July, 1947

before me, the undersigned, a Notary Public

in and for said County and State, personally appeared the within named

George Oliver

who is known to me to be

the identical individual... described in and who executed the within instrument and acknowledged to me that he executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal the day and year last above written.

[Signature]
Notary Public for Oregon

My Commission Expires May 9, 1950.



62746

DEED

Bargain and Sale

GEORGE OLIVER

TO

LAUDE OLIVER

STATE OF OREGON

County of Benton

I hereby certify that the within instrument was received for record

1947 JUL 10 PM 3 11

and recorded in book 118 on page 238 Record of said County. Witness my hand and seal of County affixed.

A. J. MOORE, County Clerk

[Signature] Deputy

MEMORANDUM OF CONTRACT

M-59311

September 16, 1975.

RECORDED BY  
WILLIAMS WALKER FIRM

By instrument in writing, dated September 16, 1975, MAUDE OLIVER has sold to BRYNN HEINTZ LAWLER, the following described property situate in the County of Benton, State of Oregon, to-wit:

Lots 1 and 2, Block 6 of RAYBURN'S ADDITION to the City of Corvallis, Benton County, Oregon.

This Memorandum is executed to evidence and confirm the contract of sale above referred to, to which reference is made for its terms and conditions. The true and actual consideration for said contract stated in terms of Dollars is Thirty Thousand (\$30,000.00) Dollars.

Maude Oliver Vendor  
Brynn Heintz Lawler Purchaser

UNTIL FURTHER NOTICE FORWARD FUTURE TAX STATEMENTS TO: 504 7th St Corvallis, Or.

STATE OF OREGON )  
County of Benton ) ss. September 16, 1975.

Personally appeared MAUDE OLIVER and acknowledged the foregoing instrument to be her voluntary act.

Before me: William E. Flyn  
Notary Public for Oregon  
My Commission Expires: July 11, 1977

22044

STATE OF CALIFORNIA )  
County of Los Angeles ) ss. September 16, 1975.

Personally appeared BRYNN HEINTZ LAWLER and acknowledged the foregoing instrument to be her voluntary act.

Before me: William E. Flyn  
Notary Public for California  
My Commission Expires: July 11, 1977

MEMORANDUM OF CONTRACT - page-1

Return To:  
KEY ESCROW SERVICES, INC.  
688 N.W. VAN BUREN AVE.  
P. O. BOX 1310  
CORVALLIS, OR 97330

SEP 17 1975 8-1259-75

54190

STATE OF OREGON }  
County of Benton }

I hereby certify that the within instrument was received for record

SEP 17 1975 8 58

and assigned No 59311

In the Microfilm records of said county  
Witness my Hand and Seal of County Affid  
WILLIAM E. FLYNN  
Director of Records & Elections  
William E. Flyn  
County

m-143425-92

# WARRANTY DEED

MAUDE OLIVER

.....  
BRYNN HEINTZ LAWLER hereinafter called the grantor, conveys to  
hereinafter called the grantee, all the real property situated in Benton county, State of Oregon,  
described as:

Lots 1 and 2, Block 6 of RAYBURN'S ADDITION to the City  
of Corvallis, Benton County, Oregon.

and covenants that grantor is the owner of the above described property free of all encumbrances except  
1975 and 1976 taxes

and will warrant and defend the same against all persons who may lawfully claim the same, except as  
shown above.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 30,000.00.

In construing this deed and where the context so requires, the singular includes the plural.

Dated this 16th day of September 1975

*Maude Oliver*

STATE OF OREGON, County of Benton ss. September 16, 1975

Personally appeared the above named Maude Oliver

and acknowledged the foregoing instrument to be her voluntary act.

Before me:

*Mervin S. Smith*

Notary Public for Oregon.

My Commission expires July 11, 1977

## WARRANTY DEED

Maude Oliver

TO

Brynn Heintz Lawler

J. ALFRED JOINER  
Attorney at Law  
P. O. Box 9  
Corvallis, Oregon

Grantee's address for tax purposes is:

10 - 29 - 80

FORM No. 625 - WARRANTY DEED (Full-Blind or Copeland)

STANDARD FORM NO. 100 - 10-1-60

13-74

WARRANTY DEED

M-7254-8

KNOW ALL MEN BY THESE PRESENTS, That BRYNN HEINTZ LAWLER

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by BRYNN HEINTZ LAWLER and BARRY LAWLER, husband and wife, hereinafter called the grantee, does hereby grant, bargain, sell and convey unto the said grantee and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Benton and State of Oregon, described as follows, to-wit:

Lots 1 and 2, Block 6 of RAYBURN'S ADDITION to the City of Corvallis, Benton County, Oregon.

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever. And said grantor hereby covenants to and with said grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances

and that grantor will warrant and forever defend the said premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances. The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ NONE

However, the actual consideration consists of or includes other property or value given or promised which is part of the consideration (indicate which) (If none, so state) (If not applicable, should be deleted. See ORES-63,200.) In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

In Witness Whereof, the grantor has executed this instrument this 29th day of October, 1980; if a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto by order of its board of directors.

If executed by a corporation, file corporate seal

*Brynn Heintz Lawler*

STATE OF OREGON, County of Benton, }  
October 29, 1980.

STATE OF OREGON, County of \_\_\_\_\_ )  
Personally appeared \_\_\_\_\_, 19\_\_\_\_

Personally appeared the above named BRYNN HEINTZ LAWLER

Personally appeared \_\_\_\_\_, who, being duly sworn, each for himself and not one for the other, did say that the former is the president and that the latter is the secretary of \_\_\_\_\_

and acknowledged the foregoing instrument to be her voluntary act and deed.

and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed.

Before me: Deane S Van Syoc  
Notary Public for Oregon  
My commission expires: 4-76-81

Before me:  
Notary Public for Oregon  
My commission expires:

BRYNN HEINTZ LAWLER  
504 NW 6th Street  
Corvallis, Oregon

BARRY LAWLER  
504 NW 6th Street  
Corvallis, Oregon

After recording return to:  
 BRYNN & BARRY LAWLER  
504 NW 6th Street  
Corvallis, Oregon 97330.

Send a change if requested all her statements shall be sent to the following address:  
BRYNN or BARRY LAWLER  
504 NW 6th Street  
Corvallis, Oregon 97330.

STATE OF OREGON }  
County of Benton }  
I hereby certify that the within instrument was received for record  
1980 OCT 29 PM 4 29

and assigned No: 22564 1980

In the Microfilm records of said county witness my hand and seal of County Affiant  
DANIEL G. BURK  
Director of Recording  
*Daniel G. Burk*  
Benton County

STATE OF OREGON }  
COUNTY OF BENTON } SS 132639.

I HEREBY CERTIFY THAT THE WITHIN  
INSTRUMENT WAS RECEIVED FOR RECORD

'92 JAN 13 PM 3 44

AND  
ASSIGNED N<sup>o</sup> 143425 1992

IN THE MICROFILM RECORDS OF SAID COUNTY

WITNESS MY HAND AND SEAL OF COUNTY OFFICE

DANIEL G. BURK

DIRECTOR OF RECORDS & ELECTIONS

BY *D. G. Burk*  
DEPUTY

M-143426-92

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That..... BRYNN HEINTZ LAWLER

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by BRYNN HEINTZ LAWLER and BARRY LAWLER, husband and wife, hereinafter called the grantee, does hereby grant, bargain, sell and convey unto the said grantee and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Benton and State of Oregon, described as follows, to-wit:

Lots 1 and 2, Block 6 of RAYBURN'S ADDITION to the City of Corvallis, Benton County, Oregon.

IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever. And said grantor hereby covenants to and with said grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances

and that grantor will warrant and forever defend the said premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ NONE

However, the actual consideration consists of or includes other property or value given or promised which is the whole part of the consideration (indicate which) (The sentence between the symbols ©, if not applicable, should be deleted. See ORS 93.030.)

In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

In Witness Whereof, the grantor has executed this instrument this 26th day of July, 1976; if a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto by order of its board of directors.

*Brynn Heintz Lawler*

(If executed by a corporation, affix corporate seal)

STATE OF OREGON, County of Benton July 19 19 76

STATE OF OREGON, County of ) ss. 19

Personally appeared the above named BRYNN HEINTZ LAWLER

Personally appeared and who, being duly sworn, each for himself and not one for the other, did say that the former is the president and that the latter is the secretary of

and acknowledged the foregoing instrument to be her voluntary act and deed.

and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed.

Before me: Notary Public for Oregon My commission expires: 9-19-77

Before me: Notary Public for Oregon My commission expires:

GRANTOR'S NAME AND ADDRESS  
GRANTEE'S NAME AND ADDRESS  
After recording return to:  
Barry Lawler  
504 NW 6th St  
Corvallis, OR 97330  
NAME, ADDRESS, ZIP  
Should a change in residence be required all new references shall be sent to the following address:  
Barry Lawler  
504 NW 6th Street  
Corvallis, OR 97330  
NAME, ADDRESS, ZIP

STATE OF OREGON, ) ss.  
County of  
I certify that the within instrument was received for record on the day of 19 at o'clock M., and recorded in book on page or as file/reel number Record of Deeds of said county. Witness my hand and seal of County affixed.  
By Recording Officer Deputy

STATE OF OREGON }  
COUNTY OF BENTON } ss. 132640

I HEREBY CERTIFY THAT THE WITHIN  
INSTRUMENT WAS RECEIVED FOR RECORD

'92 JAN 13 PM 3 44

AND  
ASSIGNED N° 143426 1992

IN THE MICROFILM RECORDS OF SAID COUNTY

WITNESS MY HAND AND SEAL OF COUNTY OFFICE

DANIEL G. BURK  
DIRECTOR OF RECORDS & ELECTIONS

*Daniel G. Burk*  
DEPUTY





After recording return to:  
Barry Lawler  
2810 NW Johnson Ave.  
Corvallis, OR 97330

Until a change is requested all tax statements shall be sent to the following address:  
No Change

File No.: 7101-1299125 (KZ)  
Date: December 02, 2008

Return to First American Title

THIS SPACE RESERVED FOR RECORDER'S USE

BENTON COUNTY, OREGON **2008-444772**  
 DE-QCD  
 Cnt=1 Stn=8 COUNTER: **12/05/2008 11:22:21 AM**  
 \$10.00 \$11.00 \$10.00 \$15.00 **\$46.00**



00169800200804447720020024

I, James V. Morales, County Clerk for Benton County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.



James V. Morales - County Clerk

**STATUTORY QUITCLAIM DEED**

**Barry Lawler, Trustee of the Barry Lawler Living Trust**, Grantor, releases and quitclaims to **Barry Lawler**, all rights and interest in and to the following described real property:

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

**Lots 1 and 2, Block 6, RAYBURN'S ADDITION TO THE CITY OF CORVALLIS, as platted and recorded in Volume 1, Page 132, Benton County Plat Records, in the City of Corvallis, Benton County, Oregon.**

The true consideration for this conveyance is **\$0 - To Correct Vesting**. (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, OF CHAPTER 424, OREGON LAWS 2007. 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, OF CHAPTER 424, OREGON LAWS 2007.

APN: 230726

Statutory Quitclaim Deed  
- continued

File No.: 7101-1299125 (KZ)  
Date: 12/02/2008

Dated this 3 day of December, 2008

**The Barry Lawler Living Trust**

By: [Signature]  
**Barry Lawler, Trustee**

STATE OF Oregon )  
)ss.  
County of Benton )

This instrument was acknowledged before me on this 3<sup>rd</sup> day of December, 2008  
by Barry Lawler as Trustee of Barry Lawler Living Trust, on behalf of the Trust.

[Signature]

Notary Public for Oregon  
My commission expires: 1/14/2011





After recording return to:  
Downtown Living, LLC  
329 SW 8th  
Corvallis, OR 97333

Until a change is requested all tax statements shall be sent to the following address:  
Downtown Living, LLC  
329 SW 8th  
Corvallis, OR 97333

File No.: 7101-1299125 (KZ)  
Date: November 19, 2008

Return to First American Title

THIS SPACE RESERVED FOR RECORDER'S USE

**BENTON COUNTY, OREGON 2008-444773**

DE-WD  
Cnt=1 Stn=8 COUNTER1 **12/05/2008 11:22:21 AM**  
\$10.00 \$11.00 \$10.00 \$15.00 **\$46.00**



00169601200804447730020021

I, James V. Morales, County Clerk for Benton County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.

James V. Morales - County Clerk



**STATUTORY WARRANTY DEED**

**Barry Lawler**, Grantor, conveys and warrants to **Downtown Living, LLC**, 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 Benton, State of Oregon, described as follows:

**Lots 1 and 2, Block 6, RAYBURN'S ADDITION TO THE CITY OF CORVALLIS, as platted and recorded in Volume 1, Page 132, Benton County Plat Records, in the City of Corvallis, Benton County, Oregon.**

**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 **\$215,000.00**. (Here comply with requirements of ORS 93.030)

APN: 230726

Statutory Warranty Deed  
- continued

File No.: 7101-1299125 (KZ)  
Date: 11/19/2008

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, OF CHAPTER 424, OREGON LAWS 2007. 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, OF CHAPTER 424, OREGON LAWS 2007.

Dated this 3rd day of December, 2008

Barry Lawler  
Barry Lawler

STATE OF Oregon )  
County of Benton )ss.  
)

This instrument was acknowledged before me on this 3rd day of December, 2008 by **Barry Lawler**.

Kimberly Zentmire

Notary Public for Oregon  
My commission expires: 1/14/2011

