

**CITY OF CASCADE LOCKS
PLANNING COMMISSION
AGENDA**

Thursday, May 11, 2017 at 7:00 PM
City Hall

- I. Call Meeting to Order
- II. Approval of March 9, 2017 Minutes.
- III. New Business
 - A. Public Hearing 7:00 PM – Port of Cascade Locks Site Plan Review.
 - B. Review Proposed Ordinances Regarding Accessory Dwelling Units and Short Term Rentals and Recommend to City Council for Approval.
- IV. Adjournment

The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired, or for other accommodations for person with disabilities, should be made at least 48 hours in advance of the meeting by contacting the City of Cascade Locks office at 541-374-8484.

I. Call Meeting to Order. Chair Cramblett called the meeting to order at 7:00 PM. Planning Commission Members present were Gyda Haight, Virginia Fitzpatrick, Gary Munkhoff, and Larry Cramblett. Also present were City Administrator Gordon Zimmerman, City Recorder Kathy Woosley, Todd Bouchard, Ed and Aurora delVal, Willis Boyer, Lynne Kononen, Margie Curtis, Brad Lorang and Kevin Rutherford.

CA Zimmerman explained that Cynthia Trippett had moved out of town so she had to resign from the Planning Commission.

II. Approval of February 9, 2017 Minutes. Motion: PCM Munkhoff moved, seconded by PCM Fitzpatrick, to approve the minutes. The motion passed unanimously.

III. New Business

A. Review Proposed Ordinances Regarding Accessory Dwelling Units and Short Term Rentals and Recommend to City Council for Approval. Chair Cramblett said the public would be given three minutes each to make any comments on the proposed ordinances. Todd asked the reason for the rules. Chair Cramblett said the City was reviewing the Hood River ordinance and Council recommended the Planning Commission review and work on an ordinance for Cascade Locks. Todd asked if there have been any problems in Cascade Locks or was the City just trying to come up with rules so there would be some type of regulations. Chair Cramblett said there needed to be some regulations in place. Willis asked if the Planning Commission had reviewed the exclusions listed in the Hood River Ordinance or the percentages of short term rentals that are in Hood River. Chair Cramblett said that wasn't going to be discussed at this point.

Margie said when she read the City's newsletter she assumed there had been problems regarding garbage, parking, etc. Chair Cramblett said some of those things will take place with short term rentals and the City has to have a way to handle those problems.

Aurora asked if any of the Planning Commissioners have used Airbnb as a service. No Planning Commissioners responded that they had used Airbnb as a service.

Brad said he sold the Art Gallery and is considering having a couple of nightly rentals. He said Airbnb is an excellent experience. He said you have to be accepted by Airbnb and if you create any problems it goes on a report and you can be blacklisted off of Airbnb. He said you can also review the place you rent and if there is something that you don't like, that can be reported on Airbnb. Brad said Airbnb is a great format for people that are doing vacation rentals because Airbnb handles all the booking, payments, and is user friendly. He said short term rentals in our tourist area are the best home based business. He said this is a large opportunity as the need is exceeding the availability. Brad said the Celilo Planning Studio developed a Trail Plan for Economic Development. He urged the Planning Commission to come up with something unique to Cascade Locks to address the situation in Cascade Locks. Brad asked the Planning Commission to consider sending the ordinance to the Joint Work Group on Economic Development for their review and recommendations.

Todd said he lives near Sadie B where there is a vacation rental. He said there has never been any trouble with loud music, trash, parking, etc. He said he didn't even know that it was a vacation rental until he saw it online. He said he owns a motel on the coast and does agree with the transient room tax. He said that is important and would want to make sure the vacation rentals pay that. Todd said you cannot make enough money in 90 days to run a business. He said he has met several people with the sailing events that have had to rent in Stevenson because there aren't any rentals in Cascade Locks. He said those people are spending their money in Stevenson on rent, food, cleaning, etc. Todd said we need jobs in Cascade Locks and this is an opportunity. He urged all to make sure they are run right and pay the transient room tax but don't kill it. He said he has more issues with neighbors and their broken down cars so the parking restriction should be applied to everyone and not just vacation rentals. He said noise issues can be reported to the police as that is the way it is handled currently. He said most vacation rentals are ran professionally and they rent for a week or less with not much trash

accumulating and someone coming to clean afterwards. He said to keep the money in Cascade Locks and regulate but don't stragulate.

Kevin said the idea is to encourage more availability of rooms and keep some control. He said instead of 90 day limit consider writing a limit to each rental term. He said you wouldn't be able to rent to one person more than 30 days at one time. He said this would allow someone to run their business and trying to enforce the 90 day limit is going to be real difficult. Willis said the maximum stay on Airbnb is two weeks.

Lynne said she started her small business when her circumstances changed. She said she is promoting and supporting her community. She said she considered this when sailors asked if she would consider renting rooms. She said she has been a resident for 18 years and has good relationships with 99% of her neighbors. She said she used Airbnb for an eight week trial. Lynne said she has been asked to consider her home for women's retreats, respite stays, and women's workshops during the shoulder seasons and keep tourism dollars generating in town. She said the 90 day limit would kill her business. She said the hosting is another part of this business and said she loves it. Lynne said this is an opportunity for her to share not only her home but this beautiful area where we live. She asked the Planning Commission to consider the 90 day limit and the parking. She said she has three legal parking places in front of her house that her family and friends have used for 25 years. She said the only place that she could create off street parking is on the side of her house and there is a utility pole there. Lynne said this is an unfair burden to put on such a small operation. She said she has four rooms she can rent but only rents two as that is all that she can manage and better fits with her neighborhood.

Aurora said she doesn't have an Airbnb but is considering it. She said they have friends that rent short term rentals in Stevenson because there are no rentals in Cascade Locks. She said she agrees what the others have already said but asked what is driving the ordinance, is there a problem, and wondered why creating an ordinance when there are no problems or a lot of empty houses. She said the transient room tax is reasonable.

Aurora said this is an opportunity for the City to have more of an open, transparent, and inclusive process. She said the residents received the newsletter last Thursday. Chair Cramblett stopped Aurora. He said this isn't a part of the conversation. Aurora said her comments are related. She said Hood River's ordinance was developed over a lot of years of discussion and in Cascade Locks we found out about it in a newsletter. She said process is very important. PCM Haight asked for voices to be lowered and to calm down. She said we may not necessarily see eye to eye on things but that doesn't mean for the good of our town that we can't go hand in hand. Chair Cramblett said if Aurora wanted to speak on the two ordinances he would be happy to hear it but would not talk about the communication part at this meeting and would agree to talk to her some other time. Willis said Aurora is allowed three minutes so she should be able to say anything she wants. Aurora asked what research and data had been gathered when considering this ordinance. She said she attended the meeting in February and handed out some information to the Planning Commission then on Accessory Dwelling Units. She said she knows about ADU's because she has built one. She said an inclusive process is relevant. She said as a community member it would have been better to label this as a listening session or a town hall meeting. She said there are people that should probably be here that could be affected by this. Aurora said she wants to have a community where there is much more good will and for people to have the ability to listen. She said she has used Airbnb internationally and domestically. She said you will find on Airbnb that her and her husband are quiet and leave the place cleaner than when they got there. She said short term rentals also have the potential to create new jobs like property management and cleaning services. Aurora said before making any kind of decision there needs to be a much longer process for listening and for the Planning Commission to get public input.

Willis said this should be regulated just like any other business. He said this is a business that touches all walks of life. He said in Portland homeowners are looking at the home they live in and making it work for them. He said single mothers, retired people, and single people are doing this. He said reality is always changing and this is just a new and different model. Willis said he hosts and visits using Airbnb and it is an extraordinary experience. He said making these restrictions on this business is going to make it hard on the people that are

already living in their home and wanting to share their home. Willis said he didn't buy his house in Cascade Locks intending for it to be a short term rental. He said he bought it because he thinks Cascade Locks is a great place to be in. He said he realized that he would probably only be using it half time and thought he could share it with the world. He said the people in Cascade Locks are sharing how great their community is. He said we are advertising for the City. He said the advertising is going to help the motel owners. Willis said there haven't been any problems and didn't see the need for heavy handedness right now. He said it seemed in the newsletter that everything was already decided due to problems. He said the newsletter talked about all the problems we are going to have and not all the reviews about how much Cascade Locks is loved. He said to open the door and wait until you start having these problems. He said if we had too many vacation homes and more people in town than we knew what to do with, house values would go up, commercial rent would double, and he said he's looking forward to those problems. He said the Downtown Zone should not be excluded. CA Zimmerman said the commercial zone is a motel. He said this ordinance pertains to the residential zones. Willis said the people that could buy a home here and build an ADU to rent out short term would help them with their mortgage, instead, will go to Stevenson and spend their money there.

PCM Haight said the original ordinance had 120 days and was reduced to 90 days. She said it has been helpful hearing the comments and hearing from people that are operating this type of business. She said she is an advocate for businesses. Todd suggested no limit and said the average rented time is six months of the year. Willis said he would probably rent 150-180 days. Lynne said she operated for eight weeks last summer and only had two nights vacant. Aurora said not everyone coming here is for tourism. She said grandparents could be coming to help out with childcare and not have to stay in a motel or in the same space with a crying baby. She said any limit is prohibitive. She said short term rentals will also make Cascade Locks a more walkable community. Kevin said he started researching last May and bed and breakfasts were full until December. Lynne welcomed everyone to visit her home so they could see what she has done and learn the benefits of hosting. Chair Cramblett said the Planning Commission is not against short term rentals and are just trying to put some regulations in place. Lynne suggested a group of people to include the stakeholders to help work through this. Chair Cramblett said he would like to see a base ordinance to start with. CA Zimmerman said the comments and letters will help to create that.

Brad said the number of days should not be limited. He said Airbnb is combining events with vacation stays. He asked for flexibility. He said most businesses aren't limited on how many days they can be open or their hours of business. He said vacation rentals are home based businesses. He said there is an aging population of empty nesters and this could help them to continue their lifestyle.

Willis said Cascade Locks is a lovely community and some of us want to share our homes with the rest of the world. He said we are the ambassadors for this community and it is a good idea to check in and make sure that we are following rules and regulations that need to be followed. He said we are on the forefront of a growing and changing community. He said tourism is probably still the number one driver in town. Willis said this seems to be short sided and unjust and that you don't want people here. He said to do whatever it takes to get people here. He said we need to work with what we have in Cascade Locks, which is the outdoors.

Margie said she would probably consider doing this if she was alone. She said when she came to this meeting she was upset based on the tone of the newsletter. She said it was presented negatively. She said after listening to the discussion she feels better about it.

CA Zimmerman said he studied the Hood River, Cannon Beach, Garibaldi, and the County's proposed ordinances and decided on the City of Hood River as a base. He said things were deleted from that ordinance, viewed by other people, and the City Attorney. He said this has been about a four month project. He said the City cannot start at unlimited days and then, at some point, limit days because the City would be taken to court on an illegal takings suit. CA Zimmerman said there seems to be an issue with a 90 day limit and asked what number works. Comments of no limitation came from the audience. Kevin asked if he had five rooms to rent

out does that count as one day. CA Zimmerman said it is the facility as a whole. The audience asked what problem was trying to be solved with a limit. CA Zimmerman replied that the purpose of the ordinance is to try to preserve the nature and character of our community. He said the other problem is the City doesn't have any places for employees to live. He explained that people in Hood River turned their homes into bed and breakfast facilities, renting 90 days during the summer, and then leasing for 9 months. He said we don't want that to happen in Cascade Locks. He said this was another reason for Accessory Dwelling Units to be used as a place for workforce housing. CA Zimmerman said another issue is parking, especially in Lynne's neighborhood. He said we don't want to exacerbate the problem and not have enough street parking for our visitors to enjoy. He asked if there were an appropriate number of parking spaces to require for an Airbnb. PCM Haight said the owners would be figuring out the parking issue depending on the tenants as they don't want to create problems.

Brad said it seems that we are putting different regulations on the people that are coming to stay in our town as opposed to the residents. He said the nightly rentals are maintained better than long term rentals. He said when home owners rent their homes long term their houses get destroyed and tenants don't pay their rent. He said then you have the costs of taking them to court and repairing the damage to your home. Brad said he didn't understand why ADU's have to be only long term rentals with a one year lease. He said the apartments in town aren't required to have one year leases. He said the City is placing a different standard on ADU's. Aurora agreed saying the long term renters near her home is continuously leaving toys and throwing garbage into her yard. She said the short term rentals keep up on their landscaping and upgrade their home. She said the ADU's should also be able to be used as a short term rental.

CA Zimmerman said an emergency contact was also required in the draft ordinance. He asked if this was a legitimate requirement. The citizens in the audience said the owners could manage that. CA Zimmerman said he wants the STR's to register so the City knows who is operating this type of business and require that the transient room tax is being paid. Todd said there is already an ordinance in place for the transient room tax. CA Zimmerman explained that ordinance does not have the "teeth" for the City to go after them if they don't register and pay. CA Zimmerman asked about the administrative conditional use process and fee. He said he wants to make sure that everyone comes in and files the paperwork and follows the regulations. Willis asked what the cost is to file the paperwork. CA Zimmerman said the City can't create any new taxes, fees, or charges per a Charter Amendment without a vote of the people. He said that was the reason to use a fee and process that was already in place. He said we don't have a business license. Willis said there are six Airbnb's in town and feels singled out. CA Zimmerman said he also doesn't want to see absentee homes. Willis said Cascade Locks isn't there yet. Todd said the homeowner has the option of being there or not and the City can't regulate that.

Brad said you can eliminate the fee since transient room tax will be coming into the City. He suggested charging \$125.00 up front and deferring the other \$500.00. CA Zimmerman said this ordinance has the provision for a fine if the short term rental owner does not register with the City and pay the transient room tax. Todd suggested adding the short term rental business to the transient room tax ordinance. Lynne admitted to not paying the transient room tax last season and due to her personal situation left town for four months. She said she has made an appointment with an accountant to help her take care of this.

PCM Munkhoff said it is obvious that this won't be solved tonight. He said a process has to be developed in order to proceed to include the public and the Planning Commission. He said Port General Manager Koch and Port Commissioner Lorang suggested the Joint Work Group on Economic Development review it. CA Zimmerman explained that how you use your land is a planning and zoning issue, which belongs in the Community Development Code. He said the transient room tax is not a land use issue. Willis said the short term rental business wants to be treated just as any other business. CA Zimmerman said the JWGED meets the fourth Thursday of the month.

Aurora said the process is important and she would like to know what kind of research and understanding do each of the Planning Commissioners have. She said it would not be reasonable for the Planning Commission to

reach any kind of decision until they have done some research on VACASA, VRBO and Airbnb. She suggested they read the reviews. PCM Fitzpatrick said she did do some research on regulations in other cities. Aurora said this business allows empty nesters to stay in their homes and have more income. She said it is a great way to meet people also.

CA Zimmerman said there are three others renting under Airbnb or VACASA that are not paying transient room tax. He asked if the citizens attending the meeting thought it was fair to fine the business owners that are advertising short term rentals and not registered and paying transient room tax. Everyone agreed. CA Zimmerman said everyone is given a packet of information on registering and paying the tax and can always come to City Hall for assistance if needed.

Todd asked what the City is trying solve with the restrictions on ADU's. CA Zimmerman explained that the original thought was that work force housing was needed and one way to do that was to allow homeowners to expand their home to include long term rentals. Todd said he could see a problem with the regulation of using the same siding material when the existing home could be an old home. He said someone could build an ADU, move into it, and renovate the old home. CA Zimmerman said they would just need to submit a plan to the City. Todd said the City should not be restricting this because the more it is restricted the less it is going to happen. He said we want to create more opportunities and not restrict them.

Aurora said it is really important for longer time to speak. She read item M. on the ADU ordinance. She said her ADU in Portland is professionally managed. She said an ADU is a small house. She said there is a lot of flexibility in these types of units. She said these are pro-family. She urged Planning Commissioners to get a good education and talk to people to find out why they do it.

Brad said he found it interesting that he could live in the ADU and rent out the house short term. He asked what the difference was. He said it didn't make sense that he could live in his house but not rent out the ADU short term. Brad said we need the flexibility. He said the City needs to give latitude to the creative thinkers. Todd said the City should look at setbacks, height, etc., but not how someone could use it or who can live there. Brad said the definition of an ADU is fully self-contained units so if you want to rent an ADU as short term, don't put a kitchen in it.

Willis said his company is building six or seven ADU's a year in Portland and most of those customers are retired people or those that have the extra income to do that. He said these are lovely additions to neighborhoods. He said there are some large lots in Cascade Locks so you might not want to limit one per lot. He said we are trying to get people to comply with the law rather than circumvent the law. He said if the City makes these laws so difficult to comply with people will try to go around it. Willis said the dynamics of the workforce and housing are changing. He said we need to make this as easy and flexible as possible. Willis said the SDC fees and land value is nominal here.

Chair Cramblett ended public comments at 8:45 PM and all citizens left the meeting.

Chair Cramblett said he would like to see a base ordinance and then have a representative that is an Airbnb, a home owner that lives out of town, a motel owner, etc. to be a part of the work group to discuss an ordinance.

PCM Munkhoff said every city has problems and has to regulate in some way. He said he has researched the Cannon Beach ordinance. He said Cannon Beach has a limit of 92 permits and you can only own one. Gary said he would like to talk to someone from Cannon Beach and find out the problems they were trying to solve. Gary said Cascade Locks only has so much room and how many do we want to have as vacation rentals with out of town owners. He said when you have vacant homes you don't have residents for schools, etc. He said these are the problems that the City has to think about. CR Woosley said the City is trying to get ahead of the problems instead of having to react to the problems.

CA Zimmerman said he has to process everything that he has heard and the issues will need to be addressed at a round table session. He said having an application informs the City of who it is, what they're doing, and the City would have the information for the transient room tax auditing. CR Woosley said there should be a fee because it is a lot of work to process the applications and deal with any issues that may arise. She said they aren't in a commercial zone so they can't be considered as a motel. She said normally cities would be dealing with this through their Community Development Code but ours is silent.

Chair Cramblett asked if it would be a conditional use process. PCM Munkhoff said a conditional use is a process through the Planning Commission. He suggested a different term. CA Zimmerman said there is a fee established for a conditional use permit and the City isn't allowed to charge a new fee. PCM Munkhoff said it could be called a license and you wouldn't have to charge for it. The Planning Commission talked about the term of licensing. PCM Munkhoff said Hood River's ordinance requires building inspection and approval before they are issued a license. CA Zimmerman asked PCM Munkhoff to email him his thoughts and he would work on the ordinance. PCM Munkhoff said he would review Portland's ordinance also. Chair Cramblett asked if the Planning Commission could meet in a work session in a couple of weeks to review. PCM Munkhoff said there shouldn't be any fear in regulating this because every city regulates short term rentals and accessory dwelling units.

CA Zimmerman said he also thought the \$625.00 fee and going through an administrative conditional use process would be onerous enough to make sure they had "skin in the game." He said if you are going to spend \$30,000 - \$40,000 on an accessory dwelling unit you can afford \$625.00 for the permit. He said he didn't have any particular concern about the term of the permit but wants them registered. CA Zimmerman said because of the charter amendment he had to choose something that we already have in place. He said he isn't able to estimate time spent on this and charge a fee accordingly. CM Munkhoff said the City doesn't license any business so why would the short term rentals and accessory dwelling units be licensed. CA Zimmerman said an ADU would require a building permit so there is a process already for that.

Chair Cramblett suggested a member from each stakeholder group to work with the Planning Commission to come up with a workable ordinance.

IV. Adjournment. Chair Cramblett adjourned the meeting at 9:32 PM.

Submitted by
Kathy Woosley, City Recorder

APPROVED:

Larry Cramblett, Chair

AGENDA ITEM III. A.

SITE PLAN REVIEW APPLICATION

City of Cascade Locks
P.O. Box 308
Cascade Locks, Oregon 97014
Phone: 541-374-8484
Fax: 541-374-8752

I. BACKGROUND INFORMATION

Applicant

Applicant Name: Port of Cascade Locks Phone: 541-374-8619

Address: 355 Wa Na Pa Street / PO Box 307, Cascade Locks, OR 97014

Applicant Standing (Fee Owner, Contract Purchaser, etc.): _____

Property Owner (if different)

Name: same Phone: _____

Address: _____

Property Information

Property Address: 50 NE Herman Creek Lane, Cascade Locks, OR 97014

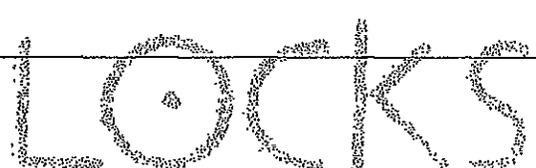
Township; Range; Section; Tax Lot: 2N-8E-6- TL600 & 309

Current Zoning: _____ Property Size: 0.47 Acres

Existing Use/Structures: Vacant Lane, portion of lot of old house

Application Proposal: _____

6000 s.f. Light industrial building for warehousing and distribution



FOR OFFICE USE ONLY

File Number: 4417-012

Submittal Date: 4/11/17 Fee: 635.00 Received by: [Signature]

Application Type: SPA Completeness: 4/18/17 120th Day: 8/16/17

II. APPLICATION REQUIREMENTS

- (A) Completed and signed application form.
- (B) Written response to the approval criteria. It is the applications responsibility to show how the application meets the approval criteria.
- (C) ONE copy and ONE PDF version of the site plan drawn to scale. The site plan must include the material required under Sections 8-6.148.040 of the Community Development Code. City staff will assist the applicant in determining what information is required on the site plan.
- (E) Names and addresses of all the property owners within 250 feet of the boundaries of the property. This list must be provided by a Title Company or the Hood River County Assessor.
- (F) Copy of the latest deed, sales contract, or title report indicating property ownership.
- (G) A current Hood River County tax map(s) showing the subject property(ies) and all properties within 250 feet of the subject property.
- (G) A signed fee agreement and payment for filing fee.

III. SIGNATURES

NOTE: ALL OWNERS MUST SIGN THIS APPLICATION OR SUBMIT A LETTER OF CONSENT AUTHORIZING ANOTHER INDIVIDUAL TO MAKE APPLICATION. INCOMPLETE OR MISSING INFORMATION WILL DELAY THE REVIEW PROCESS.

Paul Koehn 4/11/17
Applicant/Owner Date

LOCKS _____
Applicant/Owner Date

Port of Cascade Locks Flex Building No 4

Project Information

Zone: Light Industrial (LI)
Area: 0.47 Acres
Location: 50 N.E.Herman Creek Lane,
Tax Lot 600, T 02 N, R 08 E, Sec. 6
City of Cascade Locks, OR., 97014

Project Description:

The Port of Cascade Locks owns land along Herman Creek Lane (Tax lots 600 and 309) and are in the process of partitioning said tax lots into three parcels to accommodate an exchange of property with the City of Cascade Locks on which the City plans to drill an additional domestic water well. The Port District plans to continue to develop flex buildings to accommodate economic development and expand employment opportunities within the city. Parcel No. 2 of this newly created Partition is 0.47 acres and is suitable for one of the Port District's planned flex buildings. This proposed building would contain 6000 square feet, with a dividing wall to create two 3000 square foot spaces for office and storage uses. The Port has three buildings in this area already constructed or under construction for these purposes. The buildings are designed to be suited to individual tenant requirements.

This proposed Flex Building No. 4 will be a customized metal building constructed on a concrete slab with eave height of about 17 feet and a 4:12 pitch roof making the height of the structure to be 27 feet. The floor plan is 60' by 100' as depicted on the site plan. The new structure will be generally of similar architectural style and color scheme to match existing buildings. However, each building needs to be able to meet tenant needs and objectives.

Approval Criteria:

The site plan and required drawings are preliminary and in progress while the Port District coordinates with the City on its plans for the adjoining property so that site grading and utility locations are adequate for both projects. City Code Section 8-6.148.040 is addressed and is in progress with the City Public Works staff.

Site Utilities – Existing utilities have been installed over many years in Herman Creek Lane and have been located and mapped to develop plans for adjustments with the various utilities and the required connections to the proposed structure.

The utilities are:

Electrical Power – City of Cascade Locks, 480 volt, 400 amp service to each unit.

Domestic Water – City of Cascade Locks, two one-inch meters

Sanitary Sewer - City of Cascade Locks, one 4 inch sewer service

Telephone – CenturyLink, Hood River

Fiber Optics – Gorge Network

All of the above utilities are existing in front of the proposed building and are in the process of coordination with the staff members of these utility companies.

Grading – The subject site is relatively flat (0 to 3 % grades) and abuts the Herman Creek canyon to the east. This canyon wall is heavily vegetated and will remain in its natural state. The subject site is on a very slight knoll that slopes gently in each direction of about 2 per cent. The plan is to elevate the concrete slab to maintain drainage away from the building. Geo-technical engineers have been retained to test the stability of the underlying soils. Grading plans are being prepared and coordinated subject to the City plans for the domestic well and pumping facilities on adjoining parcel. A bio-swale is proposed for roof and site drainage subject to soil testing.

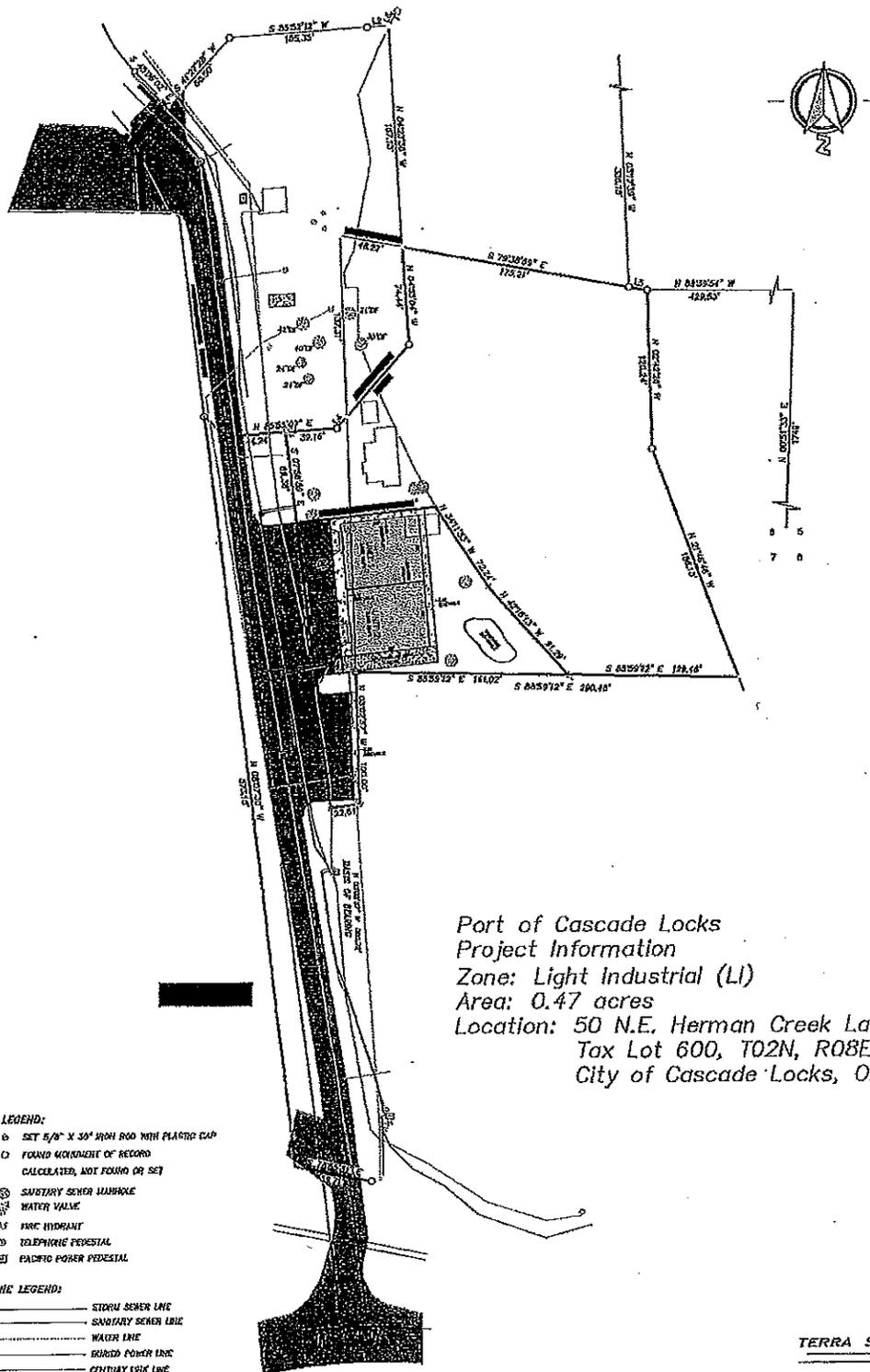
Landscaping – The back area of the subject parcel will be restored to grass for an outside lunch and break area that meets the required area of Section 8-6.148.148.090 of a minimum of 15 % for an LI zone. Two large fir trees are planned to be maintained as shown on the site plan.

Parking—13 spaces for cars/pickups, two handicap loading spaces, two large truck access spaces, for entrance to storage areas within the building. A 12 foot wide paved or concrete surface is planned on the south side for possible access to the back of the building. This is not a restricted access so the parking stall is available for use.

Flood Plain Zone – NA

Geologic Hazard Area – NA

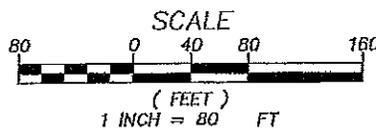
Wetlands/Riparian Area – NA



Port of Cascade Locks
 Project Information
 Zone: Light Industrial (LI)
 Area: 0.47 acres
 Location: 50 N.E. Herman Creek Lane
 Tax Lot 600, T02N, R08E, Sec. 6,
 City of Cascade Locks, OR 97014

- LEGEND:**
- SET 5/8" X 30" IRON ROD WITH PLASTIC CAP
 - FOUND MONUMENT OF RECORD CALCULATED, NOT FOUND OR SET
 - ⊙ SANITARY SEWER MANHOLE
 - ⊙ WATER VALVE
 - ⊙ FIRE HYDRANT
 - ⊙ TELEPHONE PEDESTAL
 - ⊙ PACIFIC POWER PEDESTAL

- LINE LEGEND:**
- STORM SEWER LINE
 - SANITARY SEWER LINE
 - WATER LINE
 - BURIED POWER LINE
 - CENTURY LINK LINE



TERRA SURVEYING

DATE: MAY 2, 2018
 SCALE: 1" = 80'
 PROJECT: (IND) PLAT
 ASSESSOR MAP: 2H-02-F TL 600, 309
 P.O. BOX 817
 HOOD RIVER, OREGON 97031
 PHONE: (541) 368-1531

C-0

Designed By: JEB

Drawn By: BR

Title: PORT OF CASCADE LOCKS

Approved By:

Drawing: 1 OF 2

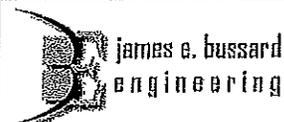
SITE PLAN - PARCEL 2

Date Approved:

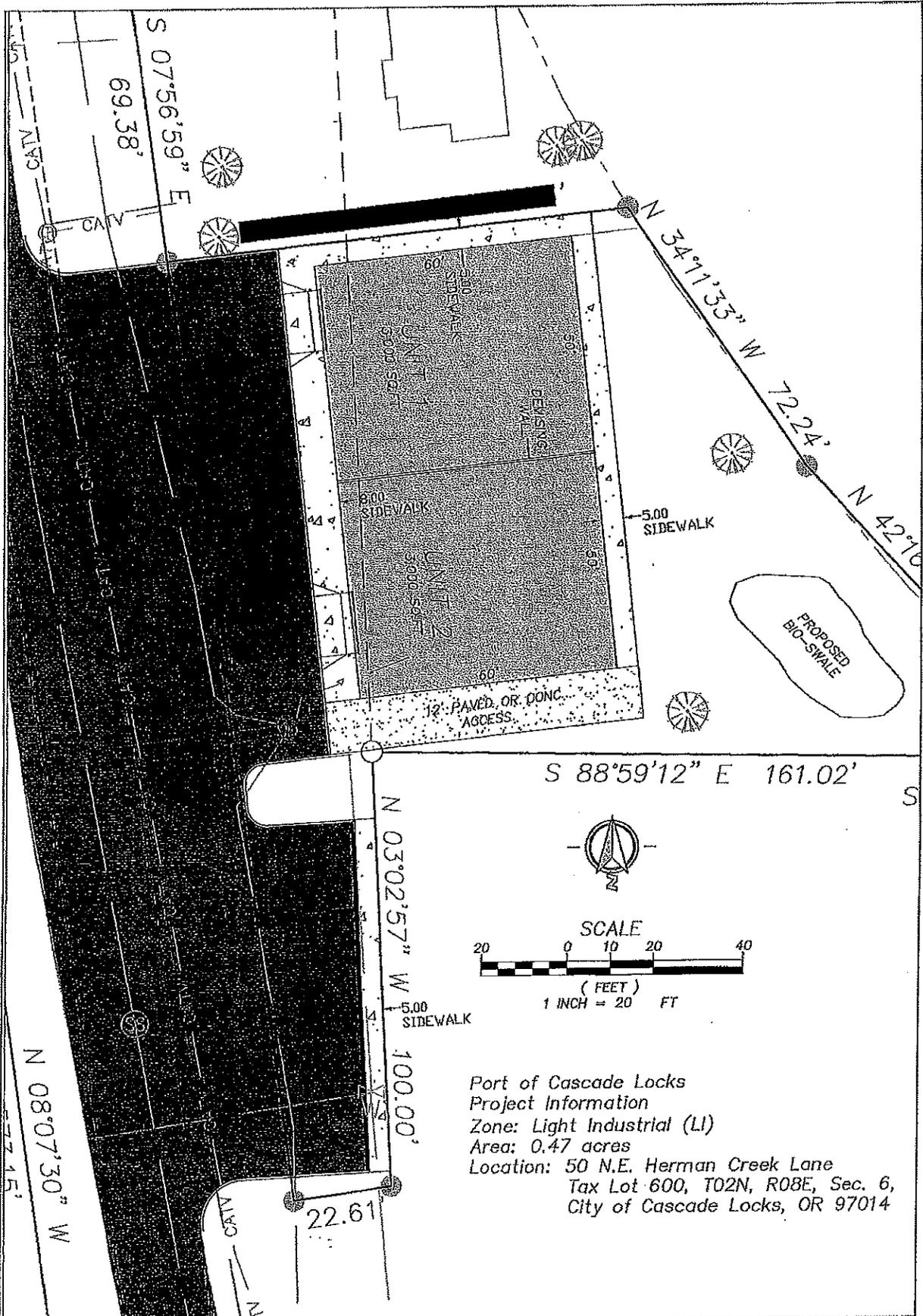
Revision:

Date: 04/10/2017

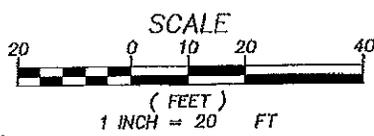
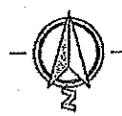
Scale: 1" = 80'



P.O. Box 117 • 11th valley oregon 97083 • P: 541.480.1034



S 88°59'12" E 161.02'



Port of Cascade Locks
Project Information
Zone: Light Industrial (LI)
Area: 0.47 acres
Location: 50 N.E. Herman Creek Lane
Tax Lot 600, T02N, R08E, Sec. 6,
City of Cascade Locks, OR 97014

C-1	Designed By: JEB	Drawn By: BR	Title: PORT OF CASCADE LOCKS	
	Approved By:	Drawing: 2 OF 2	SITE PLAN - PARCEL 2	
	Date Approved:	Revision:	Date: 04/10/2017	Scale: 1" = 20'

James A. Bussard
Engineering

P.O. Box 117 • 117th Valley Oregon 97063 • P. 541.394.7034

Map & Taxlot	Account #	Site Address	Owner	Mailing Address	City	State	Zip
02N08E0600300	8587		PORT OF CASCADE LOCKS	P O BOX 307	CASCADE LOCKS	OR	97014
02N08E0600301	1046	NE 85 HERMAN CREEK LN, CASCADE LOCKS	SMOKEY BEAR HOLDINGS, LLC	PO BOX 570	CASCADE LOCKS	OR	97014
02N08E0600309	11147		PORT OF CASCADE LOCKS	P O BOX 307	CASCADE LOCKS	OR	97014
02N08E0600400	8626	FOREST LN, CASCADE LOCKS	STATE OF OREGON	STATE FISH HATCHERY	SALEM	OR	97310
02N08E0600500	10146	NE 180 HERMAN CREEK LN, CASCADE LOCKS	PORT OF CASCADE LOCKS	P O BOX 307	CASCADE LOCKS	OR	97014
02N08E0600501	11148	NE 105 HERMAN CREEK LN, CASCADE LOCKS	CITY OF CASCADE LOCKS	PO BOX 308	CASCADE LOCKS	OR	97014
02N08E0600600	5738	50 HERMAN CREEK LN, CASCADE LOCKS	PORT OF CASCADE LOCKS	P O BOX 307	CASCADE LOCKS	OR	97014
02N08E0600700	7202	10 HERMAN CREEK LN, CASCADE LOCKS	GIBSON, ANDREA TRUSTEE	10 NE HERMAN CREEK LN	CASCADE LOCKS	OR	97014

Condemnation as described and recorded in
Volume 28, Page 456 Record of Deeds of Hood
River County, State of Oregon;

(c) An easement heretofore granted to the
Pacific Telephone and Telegraph Co., as de-
scribed and recorded in Volume 27, Page 234
Record of Deeds of Hood River County, Oregon;

(d) An easement granted to the City of
Tillamook, Oregon, for the purpose of
installing and maintaining an electric, gas
and sewer line across the foregoing described
property described and recorded in Volume
27, Page 234, Record of Deeds of Hood
River County, Oregon; and

(e) A river frontage lease for lot 16 on
the river to G. T. Smith and son of
Clatsop, Washington; and which lease ex-
pires October 12, 1948, and which lease is
not recorded.

The following described parcel of land, to-wit:

Commencing at the quarter section corner on
the South line of Section 8 in Township 2 North,
Range 8 East Willamette Meridian, Oregon; thence
North, on the North and South corner line of said
section 249 feet to an iron pipe driven in the
ground at its intersection with the Northerly
boundary of the Columbia River Highway; thence
Northerly, a distance of 1421.30 feet to a
line for the point of beginning of the tract or
tract to be described and conveyed; thence
thence North 88.1 feet to an iron pipe driven
in the ground in the Southerly right of way
boundary line of the Oregon-Washington Railroad
and Navigation Company; thence Southerly on
all of the aforesaid boundary 15 feet more or less
to an iron pipe driven in the ground for a point
thence Southerly 144.40 feet to an iron pipe
driven in the ground in the Northerly boundary
line of the Columbia River Highway; thence Southerly
on said boundary line of Highway 15
feet more or less to the point of beginning, and
containing, more or less, more or less sub-
ject to the certain easements heretofore
mentioned in this deed, and subject to any and all
rights of the Hood River Highway, as described and re-
corded in Volume 27, Page 234, Record of Deeds
of Hood River County, Oregon.

together with all the rights of whatsoever nature
of the said parcel of land and appurtenant to any of them
of the said parcel of land, property, heretofore described,
together with all and singular the tenements, hereditaments and
appurtenances thereto belonging or in any wise appertaining,
and also all our estate, right, title and interest in the same

TO HAVE AND TO HOLD the above described and granted premises unto the said grantees, their heirs, assigns and assigns forever.

And we the grantors above named, do covenant with the said grantees, their heirs, assigns and assigns, that the above granted premises, its appurtenances, interest and profits, shall lawfully and lawfully be held in fee simple, and that the above granted premises, its appurtenances, interest and profits, shall be free of all incumbrances excepting the rights of way and easements hereinbefore described, and the grantors will and lawfully shall warrant and defend the above granted premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever.

IN TESTIMONY WHEREOF, we, the grantors above named, have hereunto set our hands and seals on the date and at the places set opposite our respective names.

Harriet H. H. H. (SEAL) Executed at: Bonham, Cal.
Dated: June 2, 1918

John H. H. H. (SEAL) Executed at: San Francisco, Cal.
Dated: June 2, 1918

William J. H. H. (SEAL) Executed at: San Francisco, Cal.
Dated: June 2, 1918

John H. H. H. (SEAL) Executed at: San Francisco, Cal.
Dated: June 2, 1918

John H. H. H. (SEAL) Executed at: San Francisco, Cal.
Dated: June 2, 1918

2N	8	6	600	92
MAP NUMBER	SEC	T/A	TAX LOT NUMBER	TYPE
ACCOUNT NUMBER			TYPE	DEAL NUMBER
ACCOUNT NUMBER			TYPE	DEAL NUMBER

OFFICIAL RECORD OF DESCRIPTIONS
 OF REAL PROPERTY
 HOOD RIVER COUNTY ASSESSOR'S OFFICE

FORMERLY PART OF T/L NO.

INDENT EACH NEW COURSE TO THIS POINT	DESCRIPTION AND REFERENCE TO GRANT	DATE OF ENTRY ON THIS CARD	AREA RECORD		AREAS REMAINING
			VAL.	sq.	
	<p>Begin in the N line of the C. W. R. & N. Co. R/W 624.0 ft W measured along sd. N R/W of E line of Sec 7 T2N R8E W1E; th N 3° 50' W 385.86 ft to the POB;</p> <p>th N 3° 50' W 334.9 ft;</p> <p>th S 79° 31' E P11 with the N line of sd R. R. R/W 237.25 ft;</p> <p>th S 3° 37' E 120.0 ft 3 inches;</p> <p>th S 21° 30' E 185.0 ft;</p> <p>th due W 260.0 ft to the POB.</p> <p>Also; R/W</p>				
		WD	65	556	2.30
		Dist.		67	
		Rest.	0.3	16	
		W.D.		67	
			0.3	63	
		City of Compliance Major Restitute 2-2-88	880	152	
Exc Parcel 601	0.11	B&S 7-1-92	912	068	2.19

FILED

600

MAR 23 4 12 PM 1927

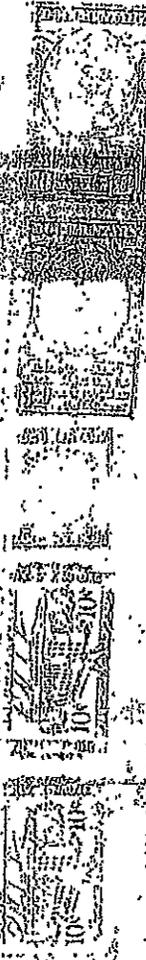
670363

WARRANTY DEED

K. W. Kirby
J. G. Gray

KNOW ALL MEN BY THESE PRESENTS, That MATTIE ECKTON, widow, hereinafter called the grantor, in consideration of Ten and no/100 (\$10.00) Dollars, and other good and valuable consideration to grantor paid by The Port of Cascade Locks, a municipal corporation of the State of Oregon, hereinafter called the grantee, does hereby grant, bargain, sell and convey unto the said grantee and grantee's successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances therunto belonging or appertaining, situated in the County of Hood River and State of Oregon, described as follows, to-wit:

That tract of land in the County of Hood River and State of Oregon, described as follows:
Beginning at the Southwest corner of that tract of land conveyed to Sidney S. Mohler by deed from Alfred D. Hawk and Lucy W. Hawk, his wife, dated October 21, 1910, and recorded in Volume 1319 of the public records of said County, Oregon, at page 661; then North along the West line of the Oregon, Washington and Pacific Navigation Company, a distance of 62 feet, measured along the North line of said Railroad right of way, westerly of the East line of Section 6, Township 2 North, Range 8 East of the Willamette Meridian; thence North 3° 50' West a distance of 385.86 feet to the true place of beginning of the tract of land herein described; thence continuing North 3° 50' West a distance of 334.59 feet, more or less, to a point in the Westerly extension of the North line of said Mohler tract of land; thence South 79° 31' East along the North line, as extended, of said Mohler tract of land, being parallel with the North line of said Railroad right of way, a distance of 237.25 feet, more or less, to the Northwest corner of that tract of land acquired by the State of Oregon, represented and acting by its State Fish Commission, through condemnation proceedings, filed December 1, 1922, Judgment Roll No. 1276, State Circuit Court for Hood River County; thence South 3° 37' East along the Westerly line of said State tract of land a distance of 120 feet and 3 inches; thence South 21° 30' East along the Westerly line of said State tract of land a distance of 185 feet, more or less, to a point that is due East of the true place of beginning of the tract of land herein described; thence due West a distance of 260 feet, more or less, to the true place of beginning of the tract of land herein described; TOGETHER THEREWITH the right of user, in common with others of a right of way for road purposes, 12 feet wide, over and across the following described tract of land:



Beginning at the Southwest corner of the principal tract of land hereinbefore described; thence East along the South line thereof to a point that is 12 feet East of, measured at right angles to, the West line thereof; thence South 3° 50' East to a point that is 12 feet Northerly of, measured at right angles to, the North line of the aforesaid Railroad right of way; thence Easterly parallel with the North line of said Railroad right of way to a point in the Northerly extension of the Easterly line of that certain private road crossing established by Agreement between Oregon-Washington Railroad & Navigation Company, et al., dated March 21, 1958, and recorded September 10, 1958, in Book 63, instrument No. 96831, Deed Records Hood River County; thence Southerly along the Northerly extension of the Easterly line of said private road crossing to the North line of said Railroad right of way; thence Westerly along the North line of said Railroad right of way to the Southwest corner of the aforesaid Mohler tract of land; thence North 3° 50' West a distance of 385.86 feet to the place of beginning.

To have and to hold the above described and granted premises unto the said grantee and grantee's successors and assigns forever.

And said grantor hereby covenants to and with said grantee and grantee's successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises free from all encumbrances except the following:

1. Reservation of right of way for road purposes contained in deed from Alfred D. Hawk et ux., to Sidney S. Mohler, recorded November 7, 1919, in Book 13 at page 561, Deed Records Hood River County, and thereafter conveyed to State of Oregon by deed from said Hawks recorded April 5, 1920 in Book 14, page 219, Deed Records Hood River County.

2. Right of way for road purposes acquired in condemnation proceedings brought by the State of Oregon, represented and acting by its State Fish Commission, against Sidney S. Mohler et al., filed December 1, 1922, Judgment Roll No. 1276 in the State Circuit Court for Hood River County, wherein final judgment in favor of the State of Oregon was entered December 11, 1925.

3. Right of way for electric transmission line together with appurtenant easements including clearance and trimming permit granted West Coast Power Company by deed from George E. Thomas recorded September 28, 1936 in Book 25 at page 462, Deed Records Hood River County.

4. Perpetual overflow easement acquired by the United States of America, through condemnation proceedings brought in the District Court of the United States for the District of Oregon, No. L-13052, transcript of final judgment being recorded June 22, 1939, in Book 27 at page 455, Deed Records Hood River County.

5. The rights of fishing, navigation and commerce in the State of Oregon and the Federal Government and the rights of the public in and to that portion thereof lying below the ordinary high water mark of the Columbia River as the same is affected by the aforesaid flowage easement.

6. Right of way for electric transmission lines and appurtenant easements granted City of Cascade Locks by deed from Harold W. Hawk et al., recorded May 13, 1948, in Book 37 at page 526, Deed Records Hood River County. It is our opinion that said right of way and easement was not intended to affect any portion of these premises, but the description used in said deed definitely overlaps upon these premises.

7. All the terms and provisions of that certain private road crossing agreement with Oregon-Washington Railroad and Navigation Company et al., recorded November 13, 1962, in Book 72, page 100, Deed Records;

and that grantor will warrant and forever defend the above granted premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever.

WITNESS grantor's hand and seal this 22 day of March, 1967.

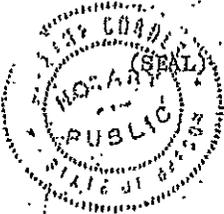
Hattie Ecklon

State of Oregon

County of Hood River

March 22, 1967

Personally appeared the above named HATTIE ECKLON and acknowledged the foregoing instrument to be her voluntary act and deed.



Hattie Ecklon
Notary Public for Oregon
My Commission Expires: 9-25-67

2N	8	6		309		2	11147	OFFICIAL RECORD OF DESCRIPTIONS OF REAL PROPERTY		
TWP.	RGE.	SEC.	1/4	PARCEL NUMBER	TYP.	Spec. Int. In REAL PROP.	CODE AREA NUMBER	Hood River COUNTY ASSESSOR'S OFFICE		
MAP NUMBER				TAX LOT NUMBER				FORMERLY PART OF 300		
Indent each new course to this point		DESCRIPTION AND RECORD OF CHANGE					Date of entry on this card	Deed Record Vol.	PG.	Acres Remaining

FTLPO
T2N R8E WM
Sec 6

Beg at intersection of W 1/2 E 1/4 sec 6 and r/w of OWR & N Co RR (sd pt also being SW cor of property desc in Ord rec'd 2-7-74 Microfilm No 740196 Hood River Co.; sd pt also being 1202.72' m/l N of SW cor sec 6);

th N 0° 43' 51" E alg sd W 1/2 600';
 th S 89° 15' 59" E 497.95';
 th cont S 89° 15' 59" E 32.05';
 th S 8° 6' 43" E 156.57' to TPOB;
 th S 49° 33' 17" E 23.97';
 th N 85° 26' 43" E 82.84';
 th N 40° 26' 43" E to a pt that bears N 3° 50' W 570' m/l fr Nly r/w of OWR & N Co RR;
 th S 3° 50' W 570' m/l to Nly r/w of OWR & N Co RR;
 th N 79° 31' W alg sd r/w 70' m/l to a pt that bears S 8° 6' 43" E fr TPOB;
 th N 8° 6' 43" E to TPOB.

Dd	7-1-92	40	377	1.28
Easement	5-6-96	46	225	



419 State St., Ste. 2, Hood River, OR 97031
PHONE (541)386-5300 FAX (541)386-2401

To: Port of Cascade Locks
P.O. Box 307
Cascade Locks, OR 97014
Attn: Holly Howell

Date: May 10, 2016
Order No. 104373AM
Re: 50 Herman Creek
Cascade Locks, OR 97014

We have enclosed our SORT Report pertaining to order number 104373AM:

Thank you for the opportunity to serve you. Your business is appreciated!

If you have any questions or need further assistance, please do not hesitate to contact your Title Officer listed below.

Sincerely,

A handwritten signature in black ink, appearing to read 'DSC DR'.

Douglas Dempnock, douglas.dempnock@amerititle.com
Title Officer



419 State St., Ste. 2, Hood River, OR 97031
PHONE (541)386-5300 FAX (541)386-2401

STATUS OF RECORD TITLE

Holly Howell
Port of Cascade Locks
P.O. Box 307
Cascade Locks, OR 97014

May 10, 2016
Title Number: 104373AM
Title Officer: Douglas Dempnook
Fee: \$200.00

We have searched the status of record title as to the following described property:

PARCEL 1 (02N-08E-06-309)

Beginning at the intersection of the West line of the East half of the Southeast quarter of Section 6, Township 2 North, Range 8 East of the Willamette Meridian, in the County of Hood River and State of Oregon, and the right of way of the Oregon-Washington Railroad and Navigation Company Railroad, said point also being the Southwest corner of property described in deed recorded February 7, 1974, Microfilm No. 740196, Hood River County; said point also being 1202.72 feet, more or less, North of Southwest corner of Section 6; thence North 0°43'51" East along said West line 600 feet; thence South 89°15'59" East 497.95 feet; thence continuing South 89°15'59" East 32.05 feet; thence South 8°6'43" East 156.57 to the place of beginning; thence South 49°33'17" East 23.97; thence North 85°26'43" East 82.84 feet; thence North 40°26'43" East to a point that bears North 3°50' West 570 feet, more or less, from the Northerly right of way of Oregon-Washington Railroad & Navigation Company Railroad; thence South 3°50' West 570 feet, more or less, to the Northerly right of way of the Oregon-Washington Railroad & Navigation Company Railroad; thence North 79°31' West along said right of way, 70 feet, more or less, to a point that bears South 8°6'43" East from the true place of beginning; thence North 8°6'43" East to the place of beginning.

PARCEL 2 (02N-08E-06-600)

A tract of land in Section 6, Township 2 North, Range 8 East of the Willamette Meridian, in the County of Hood River and State of Oregon, described as follows:

Beginning at the Southwest corner of that tract of land conveyed to Sidney S. Mohler by deed from Alfred D. Hawk and Lucy W. Hawk, his wife, dated October 21, 1919, and recorded November 7, 1919, in Book 13, page 561, Deed records Hood River County, which said point of beginning is in the North line of the Oregon-Washington Railroad and Navigation Company's right of way and 624 feet, measured along the North line of said railroad right of way, Westerly of the East line of Section 6, Township 2 North, Range 8 East of the Willamette Meridian; thence North 3°50' West a distance of 385.86 feet to the true place of beginning of the tract of land herein described; thence continuing North 3°50' West a distance of 334.59 feet, more or less, to a point in the Westerly extension of the North line of said Mohler tract of land; thence South 79°31' East along the North line, as extended, of said Mohler tract of land, being parallel with the North line of said Railroad right of way, a distance of 237.25 feet, more or less, to the Northwest corner of that tract of land acquired by the State of Oregon, represented and acting by its State Fish Commission, through condemnation proceedings, filed December 1, 1922, Judgment Roll No. 1276, State Circuit Court for Hood River County; thence South 3°37' East along the Westerly line of said State tract of land a distance of 120 feet and 3 inches; thence South 21°30' East along the Westerly line of said State tract of land a distance of 185 feet, more or less, to a point that is due East of the true place of

beginning of the tract of land herein described; thence due West a distance of 260 feet, more or less, to the true place of beginning of the tract of land herein described,

EXCEPTING THEREFROM, that portion thereof conveyed to the City of Cascade Locks, an Oregon Municipal Corporation, by deed recorded August 26, 1991, as Recorder's Fee No. 912058, Microfilm Records of Hood River County, Oregon.

Vestee:

Port of Cascade Locks

and dated as of May 6, 2016 at 7:30 a.m.

Said property is subject to the following on records matters:

1. The property herein described is carried on the tax rolls as exempt; however, it may become taxable from the date of transfer to a taxable entity and may be subject to the lien of real property taxes for this and/or prior years. Please contact the Hood River County Treasurer for further information.
2. City liens, if any, of the City of Cascade Locks.
(No inquiry has been made.)
3. The rights of the public in and to that portion of the herein described property lying within the limits of public roads, streets or highways.
4. An easement including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein as reserved in instrument:
Recorded: November 7, 1919
Book: 13, Page: 561

Conveyed to State of Oregon by Deed,
Recorded: April 5, 1920
Book: 14, Page: 219
5. Right of way easement as filed in State Circuit Court for Hood River, subject to the terms and provisions thereof;
Filed: December 1, 1922
Judgment Roll No.: 1276
Purpose: Road purposes acquired in condemnation proceedings brought by the State of Oregon, represented and acting by its State Fish Commission
6. An easement including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein as set forth in instrument:
Granted To: West Coast Power Company
Recorded: September 28, 1936
Book: 25, Page: 462

7. An easement including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein as set forth in instrument:
Granted To: United States of America
Recorded: September 10, 1937
Book: 26, Page: 282

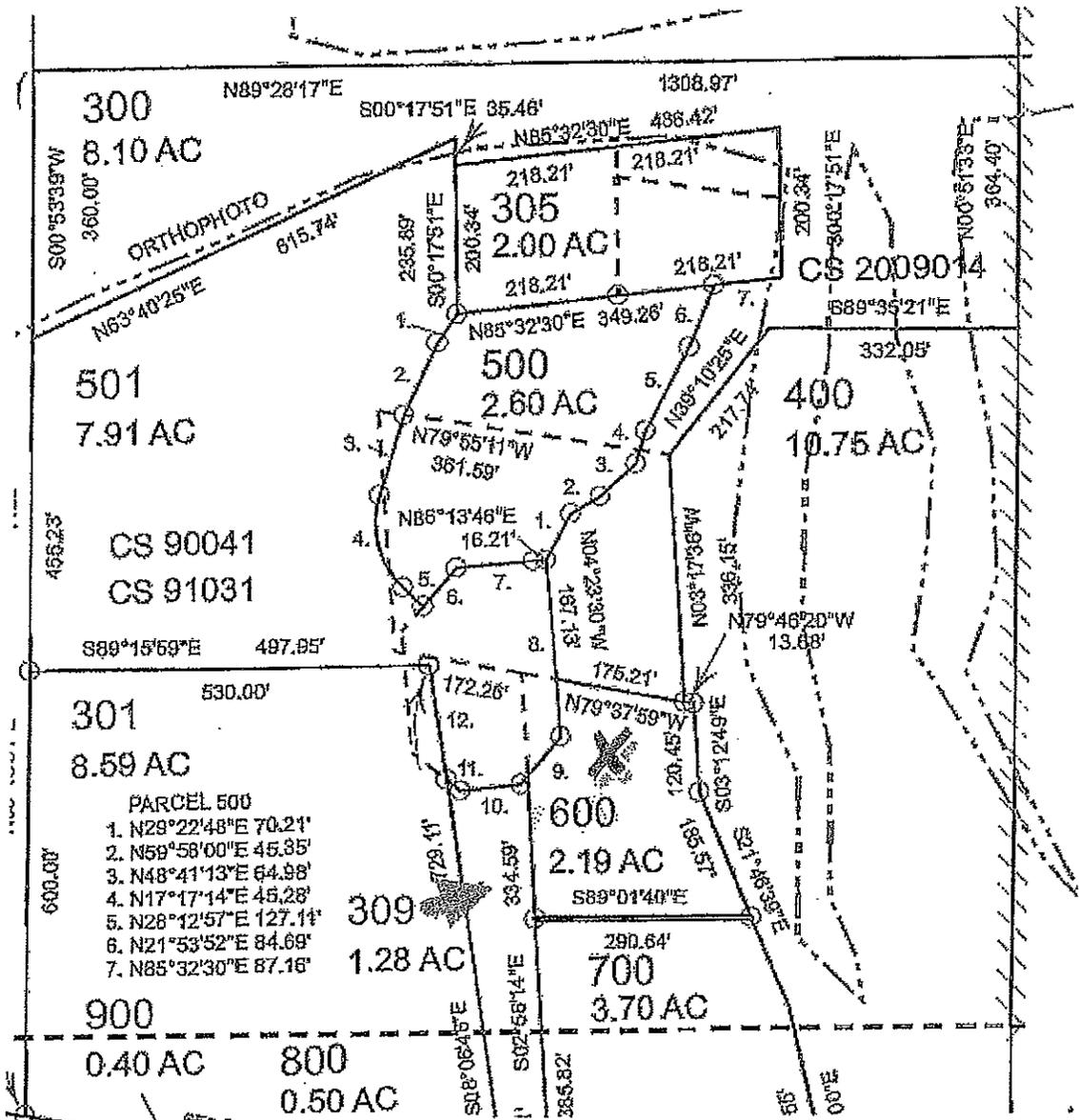
Also recorded: December 30, 1937
Book: 26, Page: 456
8. An easement including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein as set forth in instrument:
Granted To: Pacific Telephone and Telegraph Company
Recorded: September 15, 1939
Book: 27, Page: 534
9. An easement including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein as set forth in instrument:
Granted To: United States of America
Recorded: June 22, 1939
Book: 27, Page: 453
10. An easement including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein as set forth in instrument:
Granted To: City of Cascade Locks
Recorded: May 13, 1948
Book: 37, Page: 526
11. Private Road Crossing Agreement, including the terms and provisions thereof,
Recorded: November 13, 1962
Book: 72, Page: 100
12. An easement including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein as set forth in instrument:
Granted To: City of Cascade Locks
Recorded: October 31, 1969
Instrument No.: 691532
13. License for Road Purposes, including the terms and provisions thereof,
Recorded: August 14, 1978
Instrument No.: 783056
14. Major Partition, including the terms and provisions thereof,
Recorded: January 29, 1988
Instrument No.: 880152
15. An easement including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein as set forth in instrument:
Granted To: City of Cascade Locks
Recorded: May 3, 1996
Instrument No.: 961275
16. Ordinance No. 1997-1, an Ordinance Regulating Conduct on Property and Repealing Ordinances, including the terms and provisions thereof,
Recorded: September 3, 1997
Instrument No.: 972897

Order No. 104373AM
Page 4

NOTE: Any map or sketch enclosed as an attachment herewith is furnished for information purposes only to assist in property location with reference to streets and other parcels. No representation is made as to accuracy and the company assumes no liability for any loss occurring by reason of reliance thereon.

~~THIS IS NOT A TITLE REPORT, A COMMITMENT TO ISSUE TITLE INSURANCE OR A GUARANTEE OF ANY KIND.~~ No liability is assumed with this report. The fee charged for this service does not include supplemental reports or other services. Further dissemination of the information in this report in a form purporting to insure title to the herein described land is prohibited by law.

"Superior Service with Commitment and Respect for Customers and Employees"



50 Herman Creek
Cascade Locks, OR 97014

THIS MAP IS FURNISHED AS AN ACCOMMODATION STRICTLY FOR THE PURPOSES OF GENERALLY LOCATING THE LAND. IT DOES NOT REPRESENT A SURVEY OF THE LAND OR IMPLY ANY REPRESENTATIONS AS TO THE SIZE, AREA OR ANY OTHER FACTS RELATED TO THE LAND SHOWN THEREOF

Herman Creek



PRELIMINARY TITLE REPORT

Port Of Cascade Locks
Attn: Anna
P.O. Box 307
Cascade Locks, OR 97014
Attn: rare@portofcascadelocks.org

August 6, 2010

Report #1

Title Number: 0042045

Escrow Officer: TITLE ONLY

Policy or Policies to be issued:
PLANT SERVICE

<u>Liability</u>	<u>Premium</u>
	\$200.00

We are prepared to issue ALTA 6/17/06 title insurance policy(ies) of STEWART TITLE GUARANTY COMPANY, in the usual form and amount(s) shown above, insuring the title to the land described as follows:

AS SET FORTH ON ATTACHED EXHIBIT "A"

Vestee:

THE PORT OF CASCADE LOCKS, a municipal corporation of the State of Oregon

Dated as of August 5, 2010 at 8:00 A.M.

Schedule B of the policy(ies) to be issued will contain the following general and special exceptions unless removed prior to issuance:

GENERAL EXCEPTIONS:

- 1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.*
- 2. Facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or by making inquiry of persons in possession thereof.*
- 3. Easements, or claims of easement, not shown by the public records; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.*
- 4. Any encroachment (of existing improvements located on the subject land onto adjoining land or of existing improvements located on adjoining land onto the subject land), encumbrances, violation, variation or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the subject land.*
- 5. Any lien, or right to a lien, for services, labor, material, equipment rental or workers compensation heretofore or hereafter furnished, imposed by law and not shown by the public records.*
- 6. Unpatented mining claims whether or not shown by the public records.*

SPECIAL EXCEPTIONS:

7. Taxes for the fiscal year 2010-11, a lien not yet payable.
8. City liens, if any, of the City of Cascade Locks, Oregon. No search has been made.
9. The property herein described is carried on the tax rolls as exempt; however, it may become taxable from the date of transfer to a taxable entity and may be subject to the lien of real property taxes for this and/or prior years. Please contact the Hood River County Treasurer for further information.
10. The rights of the public in roads and highways.
11. Right of way easement, subject to the terms and provisions thereof:
 - Filed :December 1, 1922
 - Judgment Roll No. :1276 (State Circuit Court for Hood River County
 - Final Judgment :December 11, 1925
 - Purpose :road purposes acquired in condemnation proceedings brought by the State of Oregon, represented and acting by its State Fish Commission
12. An Easement created by instrument, subject to the terms and provisions thereof:
 - Recorded :September 10, 1937
 - Book/Page No. :Book 26 of Deeds at page 282 (Records of Hood River County, Oregon)
 - Also Recorded :Book 26 at page 456 (Records of Hood River County, OR)
 - In Favor of :United States of America
 - Purpose :flowage easement
13. An Easement created by instrument, subject to the terms and provisions thereof:
 - Recorded :May 13, 1948
 - Book/Page No. :Book 37 of Deeds at page 526 (Records of Hood River County, Oregon)
 - In Favor of :City of Cascade Locks
 - Purpose :electric transmission
14. All the terms and provisions of that certain private road crossing agreement with Oregon-Washington Railroad and Navigation Company et al:
 - Recorded :November 13, 1962
 - Book/Page No. :Book 72 at page 100 (Records of Hood River County, OR)
15. An Easement created by instrument, subject to the terms and provisions thereof:
 - Recorded :October 31, 1969
 - Microfilm No. :691532 (Records of Hood River County, Oregon)
 - In Favor of :City of Cascade Locks
 - Purpose :utility lines, wells, pump stations and all necessary related facilities
16. License for road purposes, including the terms and provisions thereof:
 - In Favor of :Allied Fisheries
 - Recorded :August 14, 1978
 - Microfilm No. :783056 (Records of Hood River County, OR)

17. Major Partition, subject to the terms and provisions thereof:
Recorded :January 29, 1988
Microfilm No. :880152 (Records of Hood River County, OR)
18. Easement Agreement, and the terms and provisions thereof:
Between :Port of Cascade Locks and City of Cascade Locks
Recorded :May 3, 1996
Microfilm No. :961275 (Records of Hood River County, OR)
19. An Ordinance Regulating Conduct on Port Property and Repealing Ordinances, including the terms and provisions thereof:
Recorded :September 3, 1997
Microfilm No. :972897 (Records of Hood River County, OR)
20. Boundary Line Adjustment, subject to the terms and provisions thereof:
Recorded :April 10, 2009
Microfilm No. :200901409 (Records of Hood River County, Oregon)

NOTE: Taxes for fiscal year 2009-10 are paid in full as follows:
Code No. :2
Map Tax Lot No. :2N-08-06-500
Reference No. :8588/10146
Amount :\$Exempt

NOTE: The property address as shown on the Assessor's Roll is:

Unknown

NOTE: As of the date hereof, there are no matters against The Port of Cascade Locks which would appear as exceptions in the policy to issue, except as shown herein.

NOTE: The policy to be issued may contain an arbitration clause. When the Amount of Insurance is less than the amount, if any, set forth in the arbitration clause, all arbitrable matters shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties.

NOTE: Any map or sketch enclosed as an attachment herewith is furnished for information purposes only to assist in property location with reference to streets and other parcels. No representation is made as to accuracy and the company assumes no liability for any loss occurring by reason of reliance thereon.

This report is preliminary to the issuance of a policy of title insurance and shall become null and void unless a policy is issued and the full premium paid.

AmeriTitle

By: Laurie Baum
Laurie Baum, Title Officer

LB:lb

"Superior Service with Commitment and Respect for Customers and Employees"

Exhibit "A"

A parcel of land located in the Southeast quarter of Section 6, Township 2 North, Range 8 East of the Willamette Meridian, in the City of Cascade Locks, County of Hood River and State of Oregon, being more particularly described as follows:

Commencing at a ¼ inch iron pipe, which monuments the Northeast corner of the George E. Thomas property as recorded in Hood River County Deed Book 24, page 430, said corner being on the Westerly line of the State of Oregon Fish Commission property as acquired by the State of Oregon, represented and acting by its State Fish Commission, through condemnation proceedings filed December 1, 1922, Judgment Roll No. 1276, said point being 1749 feet North and 429 feet West of the Southeast corner of said Section 6; thence North 79°46'20" West a distance of 13.68 feet to a ½ inch iron pipe; thence North 79°37'59" West a distance of 175.21 feet to a point; thence North 04°23'30" West a distance of 167.13 feet to the point of beginning of the following description; thence North 29°22'48" East a distance of 70.21 feet to a 5/8 inch iron rod with cap marked L.S. 72306; thence North 59°58'00" East a distance of 45.35 feet to a 5/8 inch iron rod with cap marked L.S. 72306; thence North 48°41'13" East a distance of 64.98 feet to a 5/8 inch iron rod with cap marked L.S. 72306; thence North 17°17'14" East a distance of 45.28 feet to a 5/8 inch iron rod with cap marked L.S. 72306; thence North 28°12'57" East a distance of 127.11 feet to a 5/8 inch iron rod with cap marked L.S. 72306; thence North 21°53'52" East a distance of 84.69 feet to a 5/8 inch iron rod with cap marked P.L.S. 1815; thence South 85°32'30" West a distance of 349.26 feet to a 5/8 inch iron rod with cap marked P.L.S. 932; thence South 34°03'35" West a distance of 46.21 feet to a 5/8 inch iron rod; thence South 24°38'08" West a distance of 105.60 feet to a 5/8 inch rod; thence South 17°14'52" West a distance of 112.55 feet to a 5/8 inch iron rod with cap marked P.L.S. 932 and the beginning of a curve concaved Easterly, whose chord bears South 13°46'26" East (deed call South 13°36'08" East) a distance of 128.96 (deed call 129.26 feet) radius distance of 125.00 feet; thence along said curve, through the central angle of 62°06'24" a distance of 135.50 feet (deed call 135.84 feet) to a 5/8 inch iron rod; thence South 45°06'02" East a distance of 37.44 feet to a 5/8 inch iron rod; thence North 41°27'28" East a distance of 68.50 feet to a 5/8 inch iron rod; thence North 85°52'12" East a distance of 105.35 feet to a ½ inch iron rod with cap marked L.S. 932; thence North 86°13'46" East a distance of 16.21 feet to the point of beginning.

BOUNDARY LINE ADJUSTMENT APPROVAL

APPROVED FOR PLANS BY: He. DAY OF
PLANNING
 CITY MANAGER OF CASCADE LOCKS

BOUNDARY LINE ADJUSTMENT

for
PORT OF CASCADE LOCKS

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

OREGON 2806
 ERIN W. CALHOUN
 90108
 Expires December, 2008

COMPLIMENTS OF
 AMERITITLE
 THIS SKETCH IS
 FURNISHED
 TO ASSIST IN
 PROPERTY LOCATION
 AND THE COMPANY
 DOES NOT GUARANTEE
 ITS ACCURACY

HOOD RIVER COUNTY
 SURVEYOR'S OFFICE

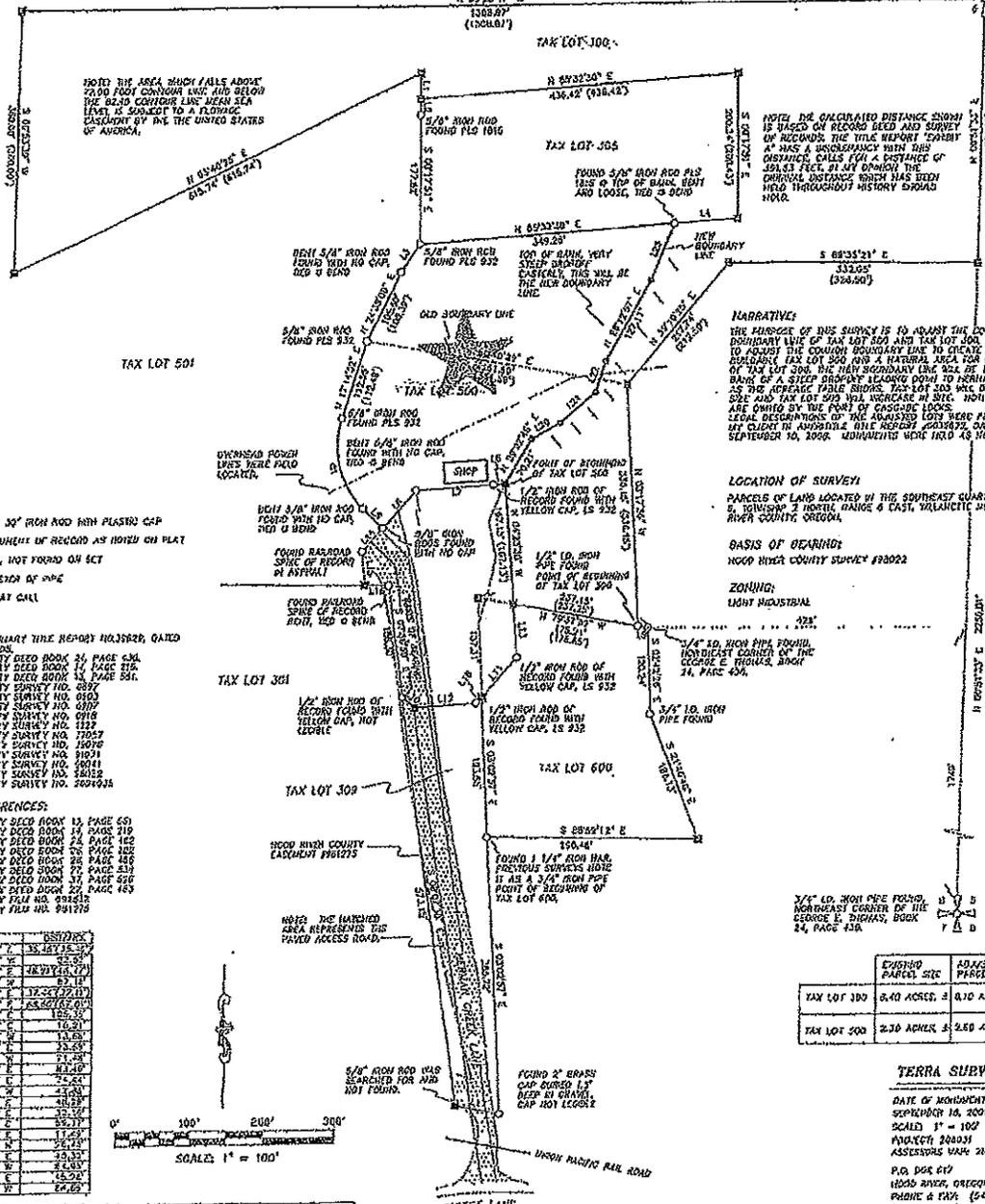
CS 2009 014

DATE FILED: 4-6-09

BY: Randy [Signature]

OWNER:
 PORT OF CASCADE LOCKS
 1800 RIVER
 Rt. 41, St. Albans

POINT OF BEGINNING OF
 TAX LOT 300



NOTE: THE AREA WHICH FALLS ABOVE
 70.00 FOOT CONTOUR LINE AND BELOW
 THE 60.00 CONTOUR LINE MEAN SEA
 LEVEL IS SUBJECT TO A FLOODING
 CASUALTY BY THE UNITED STATES
 OF AMERICA.

NOTE: THE CALCULATED DISTANCE SHOWN
 IS BASED ON RECORD DEED AND SURVEY
 OF RECORDS. THE TITLE REPORT 'TAXLOT
 A' HAS A DISCREPANCY WITH THIS
 DISTANCE CALLS FOR A DISTANCE OF
 391.81 FEET. IF ANY DISCREPANCY THE
 ORIGINAL DISTANCE TOOK HAS BEEN
 HELD THROUGHOUT HISTORY SHOULD
 HOLD.

NARRATIVE:
 THE PURPOSE OF THIS SURVEY IS TO ADJUST THE CONTOUR
 BOUNDARY LINE OF TAX LOT 304 AND TAX LOT 305. THE GOAL IS
 TO ADJUST THE CONTOUR BOUNDARY LINE TO CREATE A LEGAL
 BOUNDARY. TAX LOT 304 AND A MATERIAL AREA FOR CONSERVATION
 OF TAX LOT 305. THE NEW BOUNDARY LINE WILL BE THE TOP OF
 BANK OF A STEEP DRAINAGE LEADING DOWN TO RAINBOW CREEK.
 AS THE ADJACENT TABLE SHOWS, TAX LOT 304 WILL DECREASE IN
 SIZE AND TAX LOT 305 WILL INCREASE IN SIZE. NORTH PROPERTIES
 ARE OWNED BY THE PORT OF CASCADE LOCKS.
 LEGAL DESCRIPTIONS OF THE ADJUSTED LOTS WERE PROVIDED BY
 MY CLIENT IN NUMBER 1016 RECORD. FORMER DATED
 SEPTEMBER 10, 2005. ADJUSTMENTS WERE MADE AS NOTED.

LOCATION OF SURVEY:
 PARCELS OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION
 5, TOWNSHIP 2 NORTH RANGE 6 EAST, MERIDIAN, 1900
 RIVER COUNTY, OREGON.

BASIS OF BEARINGS:
 HOOD RIVER COUNTY SURVEY #30022

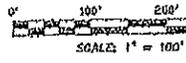
ZONING:
 LIGHT INDUSTRIAL

- LEGEND:**
- SET 3/4" x 30" IRON ROD WITH PLASTER CAP
 - FOUND MONUMENT OF RECORD AS NOTED ON PLAT
 - ⊕ CALCULATED, NOT FOUND ON SITE
 - ⊔ WERE TRANSFER OF PIPE
 - () DEED OR PLAT CALL

- REFERENCES:**
- AMERITITLE PROFESSIONAL TITLE REPORT HQ30022, DATED
 SEPTEMBER 10, 2005.
- HOOD RIVER COUNTY DEED BOOK 35, PAGE 634
 - HOOD RIVER COUNTY DEED BOOK 14, PAGE 218
 - HOOD RIVER COUNTY DEED BOOK 14, PAGE 219
 - HOOD RIVER COUNTY DEED BOOK 24, PAGE 482
 - HOOD RIVER COUNTY DEED BOOK 28, PAGE 129
 - HOOD RIVER COUNTY DEED BOOK 28, PAGE 130
 - HOOD RIVER COUNTY DEED BOOK 27, PAGE 218
 - HOOD RIVER COUNTY DEED BOOK 27, PAGE 219
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- CASCHENT REFERENCES:**
- HOOD RIVER COUNTY DEED BOOK 13, PAGE 651
 - HOOD RIVER COUNTY DEED BOOK 14, PAGE 219
 - HOOD RIVER COUNTY DEED BOOK 24, PAGE 482
 - HOOD RIVER COUNTY DEED BOOK 28, PAGE 129
 - HOOD RIVER COUNTY DEED BOOK 28, PAGE 130
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LINE	BEARING	DISTANCE
1	N 89°26'12" E	436.42
2	S 89°26'12" E	436.42
3	N 89°26'12" E	436.42
4	S 89°26'12" E	436.42
5	N 89°26'12" E	436.42
6	S 89°26'12" E	436.42
7	N 89°26'12" E	436.42
8	S 89°26'12" E	436.42
9	N 89°26'12" E	436.42
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14	S 89°26'12" E	436.42
15	N 89°26'12" E	436.42
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17	N 89°26'12" E	436.42
18	S 89°26'12" E	436.42
19	N 89°26'12" E	436.42
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28	S 89°26'12" E	436.42
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95	N 89°26'12" E	436.42
96	S 89°26'12" E	436.42
97	N 89°26'12" E	436.42
98	S 89°26'12" E	436.42
99	N 89°26'12" E	436.42
100	S 89°26'12" E	436.42



TAX LOT	EXISTING PARCEL SIZE	ADJUSTED PARCEL SIZE
TAX LOT 300	6.40 ACRES	6.10 ACRES
TAX LOT 305	2.30 ACRES	2.60 ACRES

TERRA SURVEYING
 DATE OF MONUMENTATION:
 SEPTEMBER 10, 2005
 SCALE: 1" = 100'
 PROJECT: 2005031
 ASSESSORS MAP: 28 OF 28
 P.O. BOX 617
 HOOD RIVER, OREGON 97031
 PHONE & FAX: (541) 348-4221
 E-MAIL: terrasurveying.net

CS 2009 014

CS 2009 014

RECEIVED MAR 17 2009

48306

COMPARED

Emma Van Anda to Albia G. Wyatt

WARRANTY DEED

Filed for record Sept. 10, 1937 at 1:30 P. M.

KNOW ALL MEN BY THESE PRESENTS that I, Emma Van Anda, widow of and sole heir of E. A. Van Anda, deceased, in consideration of the sum of \$10.00 (Ten Dollars) and other valuable consideration, do grant, bargain, sell and convey unto Albia G. Wyatt all of the following described premises situated in the City of Hood River, County of Hood River, State of Oregon, to-wit:

Lots Numbered 7, 22, and 23, in Block Number 6 in Riverview Addition to the City of Hood River, according to the duly recorded plat.

Together with all and singular the hereditaments and appurtenances thereunto belonging.

TO HAVE AND TO HOLD the same unto the said Albia G. Wyatt and unto her heirs and assigns forever.

I, the grantor, covenant that as the owner of fee simple title in said premises, that same is free of incumbrances except that said Lots 6 and 7 are subject to unpaid taxes, appearing of record, all of which the grantee assumes; and that I will and all of my heirs, executors and administrators will forever warrant and defend the same against the lawful claims of all persons whomsoever except as to assessments and taxes against the said Lots 6 and 7.

IN WITNESS WHEREOF I have hereunto set my hand and seal this 8th day of September, 1937.

\$1.00 Documentary Stamp attached and canceled.

Mrs. Emma Van Anda (SEAL)

STATE OF OREGON)
County of Hood River) ss

THIS IS TO CERTIFY that on this 8th day of September, 1937, before me personally appeared Emma Van Anda, the widow and sole heir of E. A. Van Anda, deceased, who is known to me and who is known to me to be the identical person who executed the within and foregoing instrument and she acknowledged to me that she 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)

Ernest C. Smith
Notary Public for Oregon
My Commission Expires 7/25/40

BK 26
Pg 282

48308

COMPARED

United States of America vs. Alfred D. Hawk et al.

FINAL JUDGMENT IN CONDEMNATION

Filed for record Sept. 10, 1937 at 2:15 P. M.

IN THE DISTRICT COURT OF THE UNITED STATES

FOR THE DISTRICT OF OREGON

BE IT REMEMBERED, That on Tuesday, the 7th day of September, 1937 the same being the 56th Judicial day of the Regular July Term of said Court, the following proceedings, among others, were had before the Honorable James Alger Fee, United States District Judge, for said District, to-wit:

233

BK 26 pg.

232

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF OREGON

UNITED STATES OF AMERICA,

Plaintiff,

vs,

ALFRED D. HAWK and LUCY W. HAWK,
husband and wife, and HOOD RIVER
COUNTY, OREGON, a municipal corpora-
tion,
Defendants.

No. L-12810

FINAL JUDGMENT IN CONDEMNATION

NOW AT THIS TIME This matter coming on to be heard upon an application for final judgment and decree, the plaintiff appearing by Carl C. Donagh, United States Attorney for the District of Oregon, and J. W. McCulloch, Special Assistant to the Attorney General, and the defendants Alfred D. Hawk and Lucy W. Hawk, appearing by J. H. Hazlett, their attorney;

And it appearing to the Court that on the 25th day of March, 1937, this Court entered a Judgment on Stipulation in the above entitled cause, wherein the Court ordered and adjudged that on the payment into the registry of this Court of the sum of FIVE HUNDRED and 00/100 DOLLARS (\$500.00), that the flowage easement over the lands described in said proceeding be condemned and appropriated to the use of the plaintiff, the United States of America;

And it now appearing to the Court that the amount of money above set forth has been paid into the registry of this Court, and that the said sum is now in the possession of the Clerk of this Court, subject to the orders of the Court;

NOW THEREFORE, IT IS ORDERED, ADJUDGED and DECREED, that the right and easement to overflow and flood the lands described in said proceeding, up to the 24-foot contour line above mean sea level, together with the right to go upon and remove therefrom timber, brush and driftwood, is hereby vested in the Plaintiff herein, the United State of America.

The lands and premises over which said right and easement is hereby granted, are particularly described as follows:

All that portion of the NE 1/4 of SE 1/4 of Section 6, Township 2 North of Range 8 East of the Willamette Meridian, Hood River County, Oregon, lying north of the Oregon-Washington Railroad & Navigation Company's right of way, excepting therefrom the following described parcels of land:

a. Beginning at a point where the Oregon-Washington Railroad & Navigation Company's right of way intersects with the east line of Alfred D. Hawk's land, running thence north along Hawk's east line 695 feet to a point; thence west parallel with the Oregon-Washington Railroad & Navigation Company's right of way 624 feet to a point; thence south parallel with Hawk's east line to the north line of the Oregon-Washington Railroad & Navigation Company's right of way; thence east along the north line of the Oregon-Washington Railroad & Navigation Company's right of way to the place of beginning.

b. Beginning at a point on the east line of Section 6, Township 2 North, Range 8 East of the Willamette Meridian, 695 feet north of the north line of the right of way of the Oregon-Washington Railroad & Navigation Company, the point of beginning herein being the northeast corner of the tract of land conveyed by A. D. Hawk and Lucy W. Hawk, his wife, to Sidney S. Mohler by warranty deed dated October 21, 1919, recorded at page 561 of Vol. 13 of Deeds of Hood River County, Oregon; thence north from said point of beginning along said section line 578.1 feet; thence west 328.5 feet; thence south 36° 51' west 212.8 feet; thence south 3° 37' east to the north boundary line of the land conveyed by the said A. D. Hawk and Lucy W. Hawk to Sidney S. Mohler by warranty deed dated October 21, 1919, recorded at page 561 of Vol. 13 of Deeds of Hood River County, Oregon; thence east along the north boundary line of the tract of land conveyed to said Mohler on a line parallel with the north line of the right of way of the Oregon-Washington Railroad & Navigation Company to the point of beginning.

c. A parcel of land lying in the southeast quarter of Section 6, Township 2 North, Range 8 East of the Willamette Meridian, Hood River County, Oregon, and being a portion of that tract of land which was conveyed by that certain deed to A. D. Hawk and Lucy W. Hawk, his wife, by warranty deed dated October 21, 1919, recorded at page 561 of Vol. 13 of Deeds of Hood River County, Oregon.

In Witness Whereof, I have hereunto set my hand and affixed my official seal the day and year ~~above~~ ~~certificates~~ first above written.

(NOTARIAL SEAL)

R. H. Coppock
Notary Public for Oregon.
My Commission Expires 9 - 23 - 39

BK 26
Pg. 436

46883

COMPARED

CERTIFIED COPY FINAL JUDGMENT IN CONDEMNATION

UNITED STATES OF AMERICA, Plaintiff, vs. ALFRED D. HAWK, ET AL, Defendants.
Filed for record Dec. 30, 1937, at 8:30 A.M.

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF OREGON

BE IT REMEMBERED, That on Tuesday, the 5th day of October, 1937 the same being the 1st Judicial day of the Regular Medford, 1937 Term of said Court, the following proceedings, among others, were had before the Honorable James Alger Fee United States District Judge, for said District, to wit:

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF OREGON

UNITED STATES OF AMERICA,
Plaintiff,

vs.

ALFRED D. HAWK and LUCY W. HAWK,
husband and wife, and HOOD RIVER
COUNTY, OREGON, a municipal corporation,
Defendants.

No. 1-12810

FINAL JUDGMENT IN CONDEMNATION

NOW AT THIS TIME this matter coming on to be heard upon an application for final judgment and decree, the plaintiff appearing by Carl C. Donough, United States Attorney for the District of Oregon, and J. W. McCulloch, Special Assistant to the Attorney General, and the defendants Alfred D. Hawk and Lucy W. Hawk, appearing by J. H. Hazlett, their attorney;

And it appearing to the Court that on the 25th day of March, 1937, this Court entered a Judgment on Stipulation in the above entitled cause, wherein the Court ordered and adjudged that on the payment into the registry of this Court of the sum of FIVE HUNDRED and 0/100 DOLLARS (\$500.00), that the Ebbage easement over the lands described in said proceeding be condemned and appropriated to the use of the plaintiff, the United States of America;

And it now appearing to the Court that the amount of money above set forth has been paid into the registry of this Court, and that the said sum is now in the possession of the Clerk of this Court, subject to the orders of the Court;

NOW THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED, that the right and easement to overflow and flood the lands described in said proceeding, up to the 94-foot contour line above mean sea level, together with the right to go upon and remove therefrom timber, brush and driftwood, is hereby vested in the Plaintiff herein, the United States of America;

The lands and premises over which said right and easement is hereby granted, are particularly described as follows:

All that portion of the E 1/2 of SE 1/4 of Section 6, Township 2 North of Range 8 East of the Willamette Meridian, Hood River County, Oregon, lying north of the Oregon-Washington Railroad & Navigation Company's right of way, excepting therefrom the following described parcels of land:

Beginning at a point where the Oregon-Washington Railroad & Navigation Company's right of way intersects with the east line of Alfred D. Hawk's land, running thence north along Hawk's east line 695 feet to a point; thence west parallel with the Oregon-Washington Railroad & Navigation Company's right of way 624 feet to a point; thence south parallel with Hawk's east line to the north line of the Oregon-Washington Railroad & Navigation Company's right of way; thence east along the north line of the Oregon-Washington Railroad & Navigation Company's right of way to the

point on the east line of Section 6, Township 2 North, Range

8 East of the Willamette Meridian, 695 feet north of the north line of the right of way of the Oregon-Washington Railroad & Navigation Company, the point of beginning herein being the northeast corner of the tract of land conveyed by A. D. Hawk and Lucy W. Hawk, his wife, to Sidney S. Kohler by warranty deed dated October 21, 1919, recorded at page 561 of Vol. 13 of Deeds of Hood River County, Oregon; thence north from said point of beginning along said section line 576.1 feet; thence west 328.5 feet; thence south 36° 51' west 212.5 feet; thence south 3° 37' east to the north boundary line of the land conveyed by the said A. D. Hawk and Lucy W. Hawk to Sidney S. Kohler by warranty deed dated October 21, 1919, recorded at page 561 of Vol. 13 of Deeds of Hood River County, Oregon; thence east along the north boundary line of the tract of land conveyed to said Kohler on a line parallel with the north line of the right of way of the Oregon-Washington Railroad & Navigation Company to the point of beginning.

9. A parcel of land lying in the southeast quarter of Section 6, Township 2 North, Range 8 East of the Willamette Meridian, Hood River County, Oregon, and being a portion of that tract of land which was conveyed by that certain deed to A. D. Hawk, and recorded in Vol. 21, page 373, of Hood River County Records of Deeds, the said parcel being described as follows:

Beginning at the northeast corner of the Geo. E. Thomas property, said corner being on the westerly line of the State of Oregon Fish Commission property; said corner also being 1749.7 feet north and 438.4 feet west of the southeast corner of said Section 6; thence north 3° 37' west along the westerly line of said State of Oregon property a distance of 339.3 feet; thence north 79° 30' west a distance of 397.14 feet; thence south 3° 37' east a distance of 339.3 feet; thence south 79° 30' east and on the north line of the said Thomas property a distance of 397.14 feet to the point of beginning;

IT IS FURTHER ORDERED and DIRECTED that the Clerk of this Court pay over to the said defendants, Alfred D. Hawk and Lucy W. Hawk, or their attorney of record, the sum of money hereinabove mentioned, without any deductions for commissions or poundage fees, taking a receipt therefor to be filed in said cause.

Done and dated this 5th day of October, 1937.

James Alger Fee
DISTRICT JUDGE.

Filed October 5, 1937
G. H. Marsh, Clerk
by H.S. Canyon, Deputy

UNITED STATES OF AMERICA)
) ssi
DISTRICT OF OREGON)

I, G. H. MARSH, Clerk of the United States DISTRICT Court for the DISTRICT OF OREGON, do hereby certify that the foregoing copy of Final Judgment in Condemnation, in cause No. L-12810, United States of America vs. Alfred D. Hawk and Lucy W. Hawk, husband and wife, and Hood River County, Oregon, a municipal corporation, has been by me compared with the original thereof, and that it is a correct transcript therefrom, and of the whole of such original, as the same appears of record and on file at my office and in my custody.

In testimony whereof I have hereunto set my hand and affixed the seal of said court at Portland, in said District, this 23d day of December 1937

(DISTRICT COURT SEAL)

G. H. MARSH, Clerk,
By F J Buck, Deputy Clerk

46887

COMPARED

Jessie K. Kight to Leona Lovlee

WARRANTY DEED

Filed for record Dec. 31, 1937, at 9:05 A.M.

THIS INDENTURE, Made this 16 day of July, 1936, BETWEEN Jessie K Kight a married woman as her own and Fernel Property the part of the first part, and LEONA LOVLEE as her sole and separate property the party of the second part,

WITNESSETH: That the said party of the first part, in consideration of 1022 Ten Dollars and other Exchange DOLLARS, to him in hand paid, the receipt of which is hereby acknowledged, do I hereby grant, bargain, sell, convey and confirm unto the said part of the second part, and to his heirs and assigns forever, all that real property in the County of Hood River State of Oregon described as:

The Southwest quarter (SW $\frac{1}{4}$) of Section Four (4) and the Northeast quarter (NE $\frac{1}{4}$)

OK 37 pg
526

EASEMENT DEED FOR TRANSMISSION LINE

KNOW ALL MEN BY THESE PRESENTS, That Harold W. Hawk and Helen S. Hawk
William W. Hawk and Rachel W. Hawk, Elizabeth Moore Cottam-Louis F.
Cottam
Barbara Du Barry and Joseph N. Du Barry

parties of the first part in consideration of the sum of One
Hundred Dollars, to them in hand paid by the City of Cascade Locks,
a municipal corporation in the State of Oregon, do hereby Grant
to the Party of the Second part the right to construct and to
permanently maintain a transmission line, for the transmission of
electricity over, along and across the following described prop-
erty, to-wit:

Beginning at the Northwest Corner of the Northeast quarter
of the Southeast quarter of Section 6 in Township 2 North,
Range 8 East, Will. Mer; running thence East on the North line
of said Northeast quarter of said Southeast quarter to the
Quarter Section Corner on the East line of said Section 6;
thence South No° 9' East 364.4 feet to an iron pipe; thence
West 326.5 feet; thence South 36° 51' West 212.5 feet to an
iron pipe; thence South 30° 27' East 351.1 feet to an iron
pipe; thence North 79° 31' West 193.5 feet; thence South No°
8' East 695 feet to an iron pipe in the Northern boundary
line of the Oregon-Washington Railroad and Navigation Co.;
thence North 79° 31' West on the said boundary line 713.5 feet
to an iron pipe; thence North No° 6' West 1425 feet, more or
less, to the place of beginning, all in Hood River County, Ore.

Save and except from the above described tract that certain 3
acre tract acquired by the State of Oregon, as described in Vol
7 page 541 Circuit Court Journal for said County and State; and
the flowage rights acquired by the U S as shown by Court Record.
And subject to the right heretofore granted to Pac Tel & Tel
Co for a cable crossing over said premises.

The proposed transmission line for which this easement is had
will extend in a general Northwesterly to Southwesterly direc-
tion, over the land above described; that the right to construct
such line includes the right to install and maintain suitable
guys and anchors, and to enter upon said premises from time to
time to service such lines, and also the right to keep the right
of way clear of brush and trees.

In consideration of the mutual promises herein made, the party of the Second part agrees to pay for all damage which may be done to growing crop, fences or stock belonging to the Parties of the First part by the agents or employees of the Party of the Second part.

It is expressly stipulated that if it becomes necessary or expedient, due to any road construction or other material change of conditions of said property that the right to maintain this easement shall include the right to make suitable changes in such transmission lines, and that any changes required shall all be at the expense of the party of the Second part.

WITNESS OUR HANDS AND SEALS THIS _____ day of September, 1947.

Harold W. Hawk (SEAL)
Helen J. Hawk (SEAL)
William W. Hawk (SEAL)
Rachel W. Hawk (SEAL)
Elizabeth Moore Cottam (SEAL)
James F. Cottam (SEAL)
Joseph N. Du Barry (SEAL)
Barbara Du Barry (SEAL)

STATE OF Wisconsin
COUNTY OF Winnebago

Personally appeared before me a Notary Public in and for said County and State, the within named Harold W. Hawk, Helen J. Hawk, William W. Hawk, Rachel W. Hawk, Louis F. Cottam, Elizabeth Moore Cottam, Joseph N. Du Barry, and Barbara Du Barry

to me known to be the persons who executed the foregoing and who each did acknowledge the same to be ^{his} his and her free act and deed. Witness my hand and Notarial Seal this 3 day of October 1947.

Joseph N. Du Barry
Notary Public
My Comm. Exp. March 26, 1949

(over)

State of Colorado
County of Boulder

Personally appeared before me a Notary Public for the said State and County the within named Harold W. Hawk and Helen S. Hawk to me known to be the persons who executed the foregoing and did acknowledge the same to be his or her free act and deed. Witness my hand and Notarial Seal this 19 day of September 1947.

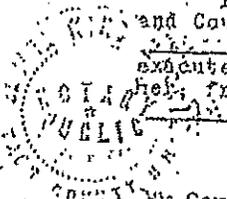


Notary Public Albert M. Borden

My Commission expires Jan. 10, 1949

State of Illinois
County of Franklin

Personally appeared before me a Notary Public for the said State and County, the within named W. H. Borer and W. H. Borer to me known to be the persons who executed the foregoing and did acknowledge the same to be his or her free act and deed. Witness my hand and Notarial Seal this 19 day of September 1947.

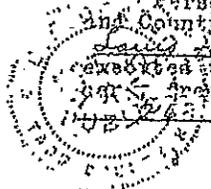


Notary Public W. H. Borer

My Commission expires 9-1-47

State of Illinois
County of Franklin

Personally appeared before me, a Notary Public for the said State and County, the within named Elizabeth Moore Cottam and Samuel A. Cottam to me known to be the persons who executed the foregoing and did acknowledge the same to be his or her free act and deed. Witness my hand and Notarial Seal this 19 day of Sept 1947.

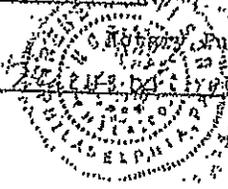


Notary Public O. J. Denton

My Commission expires 7-23-51

State of Pennsylvania
County of Philadelphia

Personally appeared before me, a Notary Public for the said State and County, the within named Robert M. Bury and Joseph T. De Bury to me known to be the persons who executed the foregoing and did acknowledge the same to be his or her free act and deed. Witness my hand and Notarial Seal this 3 day of October 1947.



Notary Public Robert M. Bury

My Commission expires 10-3-47

We the undersigned grantors of an easement to the City of Cascade Locks, Oregon for the purpose of creating and operating an electric transmission across property as described in the easement, do hereby authorize Mr. A. D. Hawkins to collect and to receive for us as our agent, the amount of the consideration One Hundred Dollars as stated in the easement as given.

Signed

Harwood W. Hawk

Walter J. Hawk

William W. Hawk

Robert W. Hawk

Elizabeth Marie Hawk

Laura A. Hawk

Robert D. Hawk

Joseph M. Hawk

*OK
A.D.
minutes of Sept meeting*

KNOW ALL MEN BY THESE PRESENTS, that Harold W. Hawk and Helen S. Hawk, his wife, of Boulder, Colorado, William C. Hawk and Rachel W. Hawk, his wife, of San Cristobal, New Mexico, Elizabeth Moore Cottam and Louis F. Cottam, her husband, of Taos, New Mexico, and Barbara Hawk Du Barry and Joseph N. Du Barry, her husband, of Villa Nova, Pennsylvania, in consideration of Ten And No/100 (\$10.00) Dollars and other valuable consideration to them paid by Port of Cascade Locks, an Oregon municipal corporation, do hereby grant, bargain and sell unto said Port of Cascade Locks all of the following bounded and described real property situated in the County of Hood River, State of Oregon, to-wit:

Beginning at the Northwest corner of the Northeast quarter of the Southeast quarter Section 6 in Township 2 North, Range 8 East, Willamette Meridian, Oregon; running thence due East on the North line of said Northeast quarter of said Southeast quarter, to the quarter section corner on the East line of said Section 6; thence South 0° 08' East 364.4 feet to an iron pipe driven in the ground for corner; thence due West 326.5 feet; thence South 36° 51' West 212.5 feet to an iron pipe driven in the ground for corner; thence South 30° 27' East 351.1' to an iron pipe driven in the ground for corner; thence North 79° 31' West 193.5 feet; thence South 0° 08' East 695.00 feet to an iron pipe driven in the ground in the Northerly boundary line of the Oregon-Washington Railroad and Navigation Company right-of-way; thence North 79° 31' West on said right-of-way line 713.5 feet to an iron pipe driven in the ground for corner; thence North 0° 6' West 1425 feet more or less to the point of beginning, containing 28.70 acres more or less, saving and excepting therefrom the following, to-wit:

- (a) 3 acres more or less on the Easterly boundary of the above described land acquired by the State of Oregon by judgment in condemnation of the Circuit Court of Hood River County, as entered in Volume 7 Page 541 Circuit Court Journal of Hood River County, State of Oregon;
- (b) A flowage easement heretofore acquired by the United States of America by Judgment in

778
Condemnation as described and recorded in
Volume 26 Page 456 Record of Deeds of Hood
River County, State of Oregon;

(c) An easement heretofore granted to the
Pacific Telephone and Telegraph Co. as de-
scribed and recorded in Volume 27, Page 534
Record of Deeds of Hood River County, Oregon;

(d) An easement granted to the City of
Cascade Locks, Oregon, for the purpose of
installing and maintaining an electric light
and power line across the foregoing described
property described and recorded in Volume
27 Page 511 Record of Deeds of Hood
River County, Oregon; and

(e) A river frontage lease for log tie up
privilege as given to C. T. Smith and Son of
Stevenage, Washington, and which lease ex-
pires October 12, 1948, and which lease is
not recorded.

ALSO, the following described parcel or strip of land, to-wit:

Commencing at the quarter section corner on
the South line of Section 6 in Township 2 North,
Range 8 East Willamette Meridian, Oregon; thence
North on the North and South center line of said
section 249 feet to an iron pipe driven in the
ground at its intersection with the Northerly
boundary of the Columbia River Highway; thence
Northeasterly on the Northerly boundary of the
said Highway, a distance of 1491.90 feet to a
point for the point of beginning of the tract or
strip to be described and conveyed. Running
thence North 956.1 feet to an iron pipe driven
in the ground in the Southerly right of way
boundary line of the Oregon-Washington Railroad
and Navigation Company; thence Southeasterly on
said right of way boundary 15 feet more or less
to an iron pipe driven in the ground for corner;
thence Southerly 244.40 feet to an iron pipe
driven in the ground in the Northerly boundary
line of the Columbia River Highway; thence South-
westerly on said boundary line of Highway 15
feet more or less to the point of beginning, and
containing .086 of an acre, more or less; sub-
ject however to a certain easement heretofore
granted to the Pacific Telephone and Telegraph
Co. by the grantors hereof, as described and re-
corded in Volume 27, Page 534, Record of Deeds
of Hood River County, Oregon.

Together with all water rights of whatsoever nature
now possessed by said grantors and appurtenant to any or both
of the two parcels of real property hereinbefore described;
together with all and singular the tenements, hereditaments and
appurtenances thereto belonging or in any wise appertaining,
and also all our estate, right, title and interest in the same
including dower and claim of dower.

TO HAVE AND TO HOLD the above described and granted premises unto the said grantee, its successors in interest and assigns forever.

And we, the grantors above named, do covenant to and with the above named grantee, its successors in interest and assigns, that we are lawfully seized in fee simple of the above granted premises; that the above granted premises are free of all incumbrances excepting the rights of way and easements hereinbefore described, and the grantors will and their heirs, executors and administrators shall forever warrant and defend the above granted premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever.

IN TESTIMONY WHEREOF, we, the grantors above named, have hereunto set our hands and seals on the date and at the places set opposite our respective names:

Harold W. Hawk (SEAL)

Executed at: Boulder, Colorado

William F. Hawk (SEAL)

June 7, 1948
Dated:

William F. Hawk (SEAL)

Executed at: Denver, Colorado

William F. Hawk (SEAL)

June 7, 1948
Dated:

Laurie F. Cotton (SEAL)

Executed at: 700 N. W.

Elizabeth Marie Cotton (SEAL)

June 11, 1948
Dated:

Joseph N. DeRuy (SEAL)

Executed at: 900 Palmyra Denver

Barbara Hawk DeRuy (SEAL)

June 11, 1948
Dated:

691532

PUMP STATION AND PIPELINE

EASEMENT

K. St. Kirby
V. ...

The undersigned Port of Cascade Locks, Oregon, Grantors, hereby grant to the City of Cascade Locks, Oregon, its successors and assigns, referred to herein as the City, a permanent right to construct, reconstruct, operate and maintain utility lines, wells, and pump station, and all necessary related facilities under the following described land:

Parcel 1.

Beginning at the Southwest corner of the land described in the deed recorded in Book 40, page 377 of deeds, in the office of the County Recorder of Hood River County;

thence along the Northerly Right-of-Way line of the Oregon-Washington Railroad and Navigation Company land South 79° 31' East 713.5 feet to an iron pipe; thence leaving said right-of-way line North 3° 50' West 663.31 feet to the true point of beginning of this description; thence South 86° 10' West 65.0 feet; thence North 3° 50' West 100.0 feet; thence North 86° 10' East 100.0 feet; thence South 3° 50' East 100.0 feet; thence South 86° 10' West 35.0 feet to the true point of beginning.

DATA

Parcel 2.

A parcel of land 10.0 feet in width and lying 5.0 feet on each side of the following described centerline.

Beginning at the Southwest corner of the land described in the deed recorded in Book 40, page 377 of deeds in the office of the County Recorder of Hood River County; thence along the Northerly Right-of-Way line of the Oregon-Washington Railroad and Navigation Company land South 79° 31' East 708.5 feet to the true point of beginning of this description; thence North 3° 50' West 663.31 feet to a point in the Southerly line of Parcel 1 above described.

DATA

Also, the Grantors do hereby give unto the City, the permanent right to go upon land owned by said Port of Cascade Locks over existing or future constructed roadways, for the purpose of access for constructing, reconstructing, operating and maintaining the utility lines, wells, and pump station and necessary related facilities on the aforementioned and described permanent easement.

TO HAVE AND TO HOLD the above easement unto said City, its successors and assigns, forever.

IN ADDITION THERETO, The Grantors do hereby give unto the City, a construction easement of 20 feet in width along and abutting the westerly side and for the full length of the aforementioned and described permanent easement.

It is the intent that the outer defined limits of the permanent and construction easements extend from property line to property line.

TO HAVE AND TO HOLD said construction easement and right-of-way unto said City, its successors and assigns, during construction of the water lines and their related facilities.

The City shall fill all excavations as soon as practicable after opening; dispose of all brush and debris; and replace in like condition all improvements, trees, ornamental shrubs and crops, if practicable, and as soon as practicable after damage or destruction, but if not practicable then pay to Grantors, their heirs and assigns, the reasonable value thereof.

Grantors reserve the right to use the surface of the land for walkways, driveways, planting, and related purposes except for the 100-foot by 100-foot well and pump station site which shall not be used for any purposes except by said City; and all utility facilities shall be at a depth consistent with these purposes. Also, no subsurface sewage disposal facilities shall be installed within 100 feet of the wells.

All utilities to the pump station shall be placed underground. Construction of buildings upon Parcel 1 of the Easement must be approved by the Port of Cascade Locks.

The only other persons, firms, or corporations known by Grantors to have any interest in the granted property are NONE

Dated this 31st day of OCTOBER, 1969.

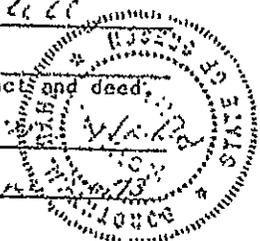
Nancy Campbell

STATE OF OREGON }
County of Hood River } ss.

Page 21, 1969.

Personally appeared the above-named Nancy Campbell
Port Commissioner
and acknowledged the foregoing instrument to be their voluntary acts and deed.

Before me Dorothy
Notary Public for Oregon
My Commission expires June 13, 1973



783056

783056

LICENSE

The PORT OF CASCADE LOCKS, a municipal corporation of the State of Oregon, conveys to ALLIED FISHERIES, INC., a corporation, a license to travel over and across the following described property in the County of Hood River, State of Oregon to-wit:

SEE "EXHIBIT A"

ALLIED FISHERIES, INC., its agents, independent contractors and invitees may use the area for road purposes only for access to property heretofore purchased from the Port of Cascade Locks.

The PORT reserves the right to use, construct, reconstruct, relocate and maintain the road for access to other properties of the PORT, by the PORT and by their successors and assigns. If the road is relocated, the PORT will provide Allied Fisheries, Inc., their successors and assigns, with reasonable and similar access to their property.

IN WITNESS WHEREOF, the Port of Cascade Locks has hereunto set its hand and seal by its President and Secretary on this 11th day of May, 1978.

FILED

HOOD RIVER COUNTY

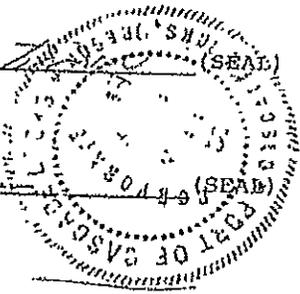
AUG 14 12 00 PM '78

DEPARTMENT OF RECORDS AND ASSESSMENT

DEPUTY [Signature]

[Signature] President

[Signature] Secretary



STATE OF OREGON)
County of Hood River) ss.

May 11, 1978

Personally appeared GLYN O. LATIMER and JOHN M. CARLSON who being duly sworn did say that they are the President and Secretary, respectively, of the PORT OF CASCADE LOCKS 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 they acknowledged said instrument to be its voluntary act and deed. Before me:



[Signature] Notary Public for Oregon
My commission expires: Jan 5 1979

LICENSE

"EXHIBIT A"

An easement for road purposes over a strip of land that is 20 feet wide and located in the East half of the Southeast quarter of Section 6, Township 2 North, Range 8 East of the Willamette Meridian, in the County of Hood River and State of Oregon, the center line of said strip of land being described as follows:

Beginning at the intersection of the West line of the East half of the Southeast quarter of said Section 6 with the Northerly line of the Oregon-Washington Railroad and Navigation Company right-of-way, as the same traverses said Section 6; thence Easterly along the Northerly line of said Oregon-Washington Railroad and Navigation Company right-of-way 664 feet, more or less, to a point that is 10 feet Easterly of, measured at right angles to, the East line extended of that tract of land conveyed to Cascade Locks Development Association by deed recorded February 7, 1974, film No. 740196, Deed Records Hood River County, Oregon, which said point is the true place of beginning; thence Northerly, parallel with and 10 feet Easterly from the East line of said Cascade Locks Development Association tract of land, and the Southerly and Northerly extensions of said East line, to a point in the South line of that tract of land conveyed to the Port of Cascade Locks by deed recorded March 17, 1964, in Book 75, page 384, Deed Records Hood River County, Oregon; thence Northwesterly to a point in the North line of said Port of Cascade Locks tract of land that is 10.5 feet Southeasterly of the Northwest corner thereof; thence Northeasterly to a point in the South line of that tract of land conveyed to Allied Fisheries, Inc., by deed recorded October 5, 1977, film No. 772320, Deed Records Hood River County, Oregon, which point is North 85° 08' 30" East 12.0 feet from the Southwest corner thereof, and which point is the point of ending of this description.

(301,303
204)

880152 (4)

CERTIFICATE OF COMPLIANCE

MAJOR PARTITION 1/82-12

LOCATION: 2N Township 8E Range 5-2-6 Section 300, 300, 500, 26, 600 Tax Lots(s)

1. We, the undersigned legal title holders, do hereby approve the filing and recording of this Major Partition and road easement:

PORT OF CASCADE LOCKS

By:

Jerry J. Jacques

Jerry J. Jacques, Attorney

2. The unnamed road created by this Major Partition (description attached) is a 24 foot non-exclusive easement created for, at a minimum, road and utility purposes. Said easement contains at a minimum the lands covered by it, the intent and purpose of the easement, and the maintenance responsibilities of all parties.

3. This Major Partition has been examined and approved this 29th day of JANUARY 19 88.

Gutha D. Walbuck Hood River County Planning Director

4. All tax payments currently due upon the property included in this Major Partition are not delinquent/have been fully paid as required by law.

1/29/88 Date

Carlene L. Park Hood River County Tax Collector

5. Filed for record this 29th day of January 19 88

Department of Records and Assessments

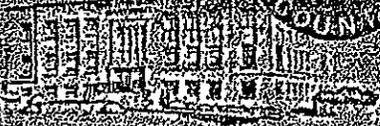
J. J. J. Deputy

Application No. 2522
Date 2/10/82

ATTACHMENT C

PARCELINEER INFORMATION Name of Parceler <u>State of Alaska</u> Address <u>2101 Box 507</u> <u>Chugiach, Alaska 99570</u> Phone No. <u>907-4615</u> Is parceler: Owner <input type="checkbox"/> Agent <input type="checkbox"/> Purchaser: <input type="checkbox"/> Other (Specify) _____	ORIGINAL PARCEL INFORMATION Section <u>6, 11A, 5</u> Township <u>2 North</u> Range <u>8 East</u> Tax lot <u>21, 22, 23, 24, 25, 26, 27, 28, 29, 300, 300, 300</u> Total Acreage <u>31.21</u> Zone <u>N</u> Comprehensive Plan <u>Industrial</u> Source of Water Supply _____ City of <u>Cascade Locks</u> Method of Sewerage Disposal _____ Septic tank _____ Proposed use of property _____ <u>Industrial</u>
PARCEL OWNER INFORMATION Name <u>Same as above</u> Address _____ Phone No. _____ If parceler is not owner, we need the owner's written approval.	

NEW PARCEL INFORMATION		
Parcel No. 1	Parcel No. 2	Parcel No. 3
Acreage <u>288.21</u>	Acreage <u>5.17</u>	Acreage <u>19.83</u>
Approx. Depth <u>3200</u>	Approx. Depth <u>317</u>	Approx. Depth <u>408</u>
Approx. Width <u>5200</u>	Approx. Width <u>709</u>	Approx. Width <u>1530</u>
Application Fee <u>30.00</u>	Conditions/Reasons _____	
Collected by <u>Wendy Scott 2/10/82</u>	_____	
On _____	_____	
Initial Action _____	_____	
Recorded _____	Dred Harbor _____	
(FOR OFFICE USE ONLY)		



MICHAEL NAGLER
PLANNING DIRECTOR

308 STATE STREET
HOOD RIVER COUNTY COURTHOUSE, ROOM 10
HOOD RIVER, OREGON 97031-2023
PHONE 803-280-1309

February 6, 1987

Dana Walker, Manager
Port of Cascade Locks
P.O. Box 307
Cascade Locks, OR 97014

RE: MAJOR PARTITION #82-12, PORT OF CASCADE LOCKS; 2N 8E 5 #300 AND
2N 8E 6 #300, #500 & #600

Dear Dana:

Pursuant to the requirements of Article 72 - Planning Director Review Procedures, and based upon the conclusions and findings presented in the enclosed staff report dated February 5, 1987, your request for a time extension and revisions to prior approved conditions of partition #82-12, has been conditionally approved with the conditions listed below. Prior to selling or issuing a building permit for any of the parcels, applicant will comply with the following conditions:

1. This approval is only for a major partition creating three parcels containing the following acreages: 288.51, 17, and 19.53 acres, and roads as shown on applicant's plot plan dated January, 1987, as prepared by Robert E. Meyer Consultants, Inc.
2. Applicant to complete the requirements of the partition by August 3, 1987 (Monday). If this partition request becomes null and void. Due to the prior extensions given since 1982, no additional exceptions will be given, and reapplication will be required. If reapplication is made, applicants will be required to comply with current standards, not standards of approval indicated in 1982.
3. The entry road shall contain a 60' nonexclusive easement and right-of-way for road and utility purposes as shown on the applicant's plans submitted by Robert E. Meyer Consultants, Inc., pages 2 of 5, and as adopted by the City of Cascade Locks. This road to have a paved width of 20' with 5' shoulders, to a point past the intersection of the road into the industrial park. The industrial road shall contain a 50' right-of-way and nonexclusive easement for road and utility purposes. This industrial road to be paved to a width of 32' with curbs on each side. The road shall be paved to the intersection shown in red on the applicant's industrial road plan profile utility plan, page 4 of 5 of the submittal.

880152

February 5, 1987

R. Walker
Page 2

*changed section from
Manner Walker dated March 30, 1987*

- 4. The remaining portions of the industrial road (north extension and east extension into the cul-de-sac) will be constructed to an all-weather surface until the Port has sufficient funds to pave.
- 5. The roads shall also meet the requirements of the City of Cascade Locks Fire Department.
- 6. The roads (entry and industrial) shall be constructed pursuant to the above conditions prior to issuance of any County building permits.
- 7. The water line extension and storm drainage line, and other utilities required by the City of Cascade Locks shall be constructed and placed prior to issuance of County building permits.
- 8. Applicant must meet all requirements of the Public Utility Commission (PUC) concerning the railroad crossing. The time frame for completion of this condition is not August 3, 1987. Completion of this condition is based upon the scheduling and requirements of the PUC. However, the Port of Cascade Locks shall make formal application to the PUC within 60 days from approval date of this major partition to initiate and complete the process for establishing the crossing. The crossing shall be completed in a timely manner. This condition and others established pursuant to approval of the major partition will again be reviewed during application for building permits.
- 9. The 60' and 50' nonexclusive easements for road and utility purposes shall be established as shown in the applicant's submittal. The instruments creating these easements shall contain at a minimum the lands covered by them, the intent and purpose of the easements, and specify maintenance responsibilities of all parties. The easements shall be approved by the Planning Department prior to recordation.
- 10. The storm drain line extending into Government Cove shall be reviewed and approved by the State Department of Fish & Wildlife, Division of State Lands, and U.S. Army Corps of Engineers prior to construction. County approval does not guarantee approval by the U.S. Army Corps of Engineers or the Oregon Division of State Lands. Applicants are required to contact the following agencies for approval:
 - a. District Engineer, Portland District Corps of Engineers, P.O. Box 2946, Portland, OR 97208; phone (503) 221-6995; or
 - b. Oregon Division of State Lands, 1600 State Street, Salem, OR 97310; phone (503) 378-3059.
- 11. All the above conditions shall be complied with and a final plot plan suitable for recording, easement legal descriptions and Certificate of Compliance shall be submitted to the Planning Department in a form suitable for recording, along with the appropriate filing fees. The Certificate of Compliance must be prepared and have approved signatures as required by the Major Partition Ordinance. Copies of the Certificate of Compliance are available in the Hood River County Planning Department. Recording fees are \$4.00 per page and must be paid by the applicant. Staff will assist the applicant in recording.
- 12. Although the proposed road meets City standards, it does not meet County road standards. Furthermore, entry road is not a County road. For further

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February 5, 1987

Information regarding acceptance into the County road system, please contact Jim Lyon, County Engineer, phone (503) 386-2516. It is highly questionable whether this road system would be accepted by the County primarily due to budget constraints and the fact that it doesn't meet County road standards. Nor will it be maintained by the County.

13. After completion of the above partition requirements, future partitioning of other parcels will require compliance with the County Subdivision Ordinance. Creation of four or more parcels in a calendar year will require making application for a subdivision. Applicant is advised that since 1982, regulations have changed regarding road standards, consequently further applications would require meeting stricter requirements unless otherwise approved by the City of Cascade Locks.
14. Upon completion of the above requirements, and prior to building, applicant will be required to contact the County Building & Planning Departments and make application for a County Industrial Land Use Permit. The applicant will also be required to comply with requirements of the County Industrial Zone (M-1).
15. Applicant shall meet requirements of the County Sanitarian.
16. Road naming requires making application through the Hood River County Planning Department and a public hearing by the Board of County Commissioners.
17. This approval does not condone nor require interference with existing easements, covenants, deeds or restrictions of record which affect this or adjacent properties. For information regarding easements, etc., please contact the Hood River County Department of Records & Assessments, or a title company.

You or any person with standing have the right to appeal any of these conditions to the County Planning Commission within 15 days from the date of this decision. Appeal forms are available in the County Planning Department, Room 107, County Courthouse, 309 State Street, Hood River, Oregon, 97031-2093. Filing fee for an appeal is \$75.00. Please contact me if you have questions.

Sincerely,


Michael Nagler
Planning Director

db

enclosure

cc: Jerry Jacques, Attorney at Law
Jim Lyon, County Engineer
Ken Hobson, City of Cascade Locks Manager
Gary Alfson, P.E., Robert E. Meyer Consultants, Inc.
Cindy Walbridge, Associate Planner
Bob Montgomery, County Administrator
Dan Meader, Planning Consultant
Scott Fitch, County Sanitarian
Dick McCullay, Fire Chief, City of Cascade Locks
Donald A. Still, Senior Crossing Safety Specialist

180152

JVC

Township 2 North, Range 8 East, Section 6
Tax Lot 500

Hood River County Instrument #670363

That tract of land in the County of Hood River and State of Oregon, described as follows:

Beginning at the Southwest corner of that tract of land conveyed to Sidney S. Mohler by deed from Alfred D. Hawk and Lucy W. Hawk, his wife, dated October 21, 1919, and recorded November 7, 1919, in Book 13, Page 561, Deed Records Hood River County, which said point of beginning is in the North line of the Oregon-Washington Railroad & Navigation Company's right of way and 624 feet, measured along the North line of said Railroad right of way, Westerly of the East line of Section 6, Township 2 North, Range 8 East of the Willamette Meridian; thence North $3^{\circ} 50'$ West a distance of 385.86 feet to the true place of beginning of the tract of land herein described; thence continuing North $3^{\circ} 50'$ West a distance of 334.59 feet, more or less, to a point in the Westerly extension of the North line of said Mohler tract of land; thence South $79^{\circ} 31'$ East along the North line, as extended, of said Mohler tract of land, being parallel with the North line of said Railroad right of way, a distance of 237.25 feet, more or less, to the Northwest corner of that tract of land acquired by the State of Oregon, represented and acting by its State Fish Commission, through condemnation proceedings, filed December 7, 1922, Judgment Roll No. 1276, State Circuit Court for Hood River County; thence South $3^{\circ} 37'$ East along the Westerly line of said State tract of land a distance of 120 feet and 3 inches; thence South $21^{\circ} 30'$ East along the Westerly line of said State tract of land a distance of 185 feet, more or less, to a point that is due East of the true place of beginning of the tract of land herein described; thence due West a distance of 260 feet, more or less, to the true place of beginning of the tract of land herein described; TOGETHER THEREWITH the right of use in common with others of a right of way for road purposes, 12 feet wide, over and across the following described tract of land:

880152

PORTLAND, OREGON
TOWNSHIP 2 NORTH, RANGE 8 EAST, SECTION 6
MAY 1979

BOOK THREE OF RECORDS OF DEEDS PG 317

All that portion of the East half of the Southeast quarter of Section 6, Township 2 North, Range 8 East of the Willamette Meridian, in the County of Hood River and State of Oregon lying North of the Union Pacific Right of Way, EXCEPTING THEREFROM the following described tracts of land:

1. That tract conveyed to Cascade Locks Development Association, an Oregon corporation, by deed recorded February 7, 1974 as Recorder's Fee No. 740196, Film Records. (Tax Lot 301)
2. That tract conveyed to Allied Fishers, Inc., by deed recorded June 27, 1979 as Recorder's Fee No. 791445, Film Records.
3. That tract conveyed to Allied Fisheries, Inc., by deed recorded July 30, 1980 as Recorder's Fee No. 801648, Film Records.
4. That portion conveyed to the State of Oregon by deed recorded April 5, 1920 in Book 1, page 219, Deed Records.
5. That portion described in Deed to Benjamin E. Vencill et al., by deed recorded November 29, 1974 as Recorder's Fee No. 742261, Film Records.
6. That portion described in Deed to the Port of Cascade Locks, recorded March 23, 1967 as Recorder's Fee No. 670363, Film Records.
7. That portion taken by judgment in condemnation in Suit No. 2343, a copy of which was recorded May 9, 1941 in Book 28, page 586, Deed Records.
8. That portion conveyed to Sidney S. Mohler by deed recorded November 7, 1919 in Book 13, page 561, Deed Records.

880151

TERRA SURVEYING
LAND-ROUTE CONSTRUCTION

PARCEL No. 1 cont'd

JOB # 8203
SHEET 2 OF 4

#2

PORT OF CASCADE LOCKS

Legal Description

Map or Partition Parcel 2

A parcel of land located in the South one-half of Section 5, Township 2 North Range 8 East of the Willamette Meridian in the county of Hood River and state of Oregon being more particularly described as follows:

Commencing at a point which is located North 30-06-58 West a distance of 1633.26 feet from the South one-fourth corner of said Section 5, and being the same point as stated in the Agreement filed September 19, 1977, in Hood River county by and between the Port of Cascade Locks, "the lessor", and Cascade Locks Lumber Company, "the lessee". Said point being the intersection of the centerlines of lessee's existing crossroad and the railroad main line centerline. Thence North 18-51-16 East a distance of 63.55 feet to a 5/8" by 30" iron rod on the Northerly right-of-way line of said railroad; Thence North 20-09-23 West a distance of 408.94 feet to the point of beginning; Thence North 69-50-37 East a distance of 709.73 feet; Thence North 20-09-23 West a distance of 320.21 feet; Thence South 69-21-52 West a distance of 709.78 feet to a 5/8 inch x 30 inch iron rod; Thence South 20-09-23 East a distance of 314.77 feet to the point of beginning.

Contains 5.17 acres more or less

Also reserving a 25.0 foot in even width easement for road and utility purposes over the South 25.0 feet and the East 25.0 feet of the above described property.

#3

PORT OF CASCADE LOCKS
Description
of
the
Property

A parcel of land located in the South one-half of Section 5,
Township 2 North, Range 3 East of the Willamette Meridian in the
County of Hood River and State of Oregon being more particularly
described as follows:

Commencing at a point which is located North 30-06-58 West a
distance of 1637.26 feet from the South one-fourth corner of
said Section 5, and being the same point as stated in the
agreement filed September 19, 1977 in Hood River County by and
between the Port of Cascade Locks, "the lessor", and Cascade
Locks Lumber Company, "the lessee"; Said point being the
intersection of the centerlines of lessee's existing crossroad
and the railroad main line centerline; Thence North 18-51-16 East
a distance of 697.59 feet to a 5/8" by 30" iron rod on the
Northerly right-of-way line of said railroad and the point of
beginning of the following described tract.

Thence North 20-09-23 West a distance of 408.94 feet; Thence
North 69-50-32 East a distance of 709.73 feet; Thence
North 20-09-23 West a distance of 320.71 feet; Thence
North 69-21-52 East a distance of 695.52 feet to a 5/8 inch x 30 inch
iron rod; Thence South 39-03-02 East a distance of 762.75 feet,
to a similar iron rod; Thence on and along the Northerly right-of-way
of the Union Pacific Railroad a distance of 1769.63 feet more or less
to the point of beginning;
Contains 19.8 acres more or less.

NOTE: Road easement description continues on page 2 of 2

880152

Township 2 North, Range 8 East, Section 6,
Tax Lot 800

Hood River County, Book 63 of Deeds, page 291.

A parcel of land lying in the SE 1/4 of section 6, Township 2 North, Range 8 East, W.M., Hood River County, Oregon, and being that property conveyed by that certain final judgment dated August 7, 1936, and filed in the circuit court of the State of Oregon for the county of Hood River, wherein the State of Oregon, by and through its State Highway Commission, was the Plaintiff and Alfred D. and Lucy Hawk were the Defendants, and bearing case number 2343, the said parcel being described as follows:

BEGINNING at the Northeast corner of the George E. Thomas property, said corner being on the Westerly line of the State of Oregon Fish Commission property; said corner also being 1749.7 feet North and 438.8 feet West of the Southeast corner of said Section 6; thence North 3 degrees 37' West, along the Westerly line of the State of Oregon property, a distance of 339.3 feet; thence North 79 degrees 30' West, a distance of 397.14 feet; thence South 3 degrees 37' East, a distance of 339.3 feet; thence South 79 degrees 30' East, and on the North line of the said Thomas property, a distance of 397.14 feet to the point of beginning.

The parcel of land to which this description applies contains 3.0 acres, more or less.

Road and Utility Easement
in Parcel 3

ALSO reserving a road and utility easement, the description of which is as follows:

A parcel of land located in the south one-half of Section 5, Township 2 North, Range 8 East of the Willamette Meridian in the county of Hood River and state of Oregon being more particularly described as follows:

Commencing at a point which is located North 30-06-58 West a distance of 1633.26 feet from the South one-fourth corner of said section 5, and being the same point as stated in the agreement filed September 19, 1977, in Hood River county by and between the Port of Cascade Locks, the lessor, and Cascade Locks Lumber Company, the lessee. Said point being the intersection of the centerlines of lessee's existing crossroad and the railroad main line centerline; Thence North 48-51-16 East a distance of 69.55 feet to a 5/8" by 30" iron rod on the Northerly right-of-way line of said railroad and the point of beginning of the following described tract: Thence North 20-09-23 West a distance of 723.71 feet; Thence South 69-21-52 West a distance of 60.00 feet; Thence South 20-09-23 East a distance of 722.27 feet to the Northerly Right-of-Way line of said Railroad; Thence North 79-44-43 East on and along the Northerly Right-of-Way of said Railroad a distance of 60.00 feet more or less to the point of beginning.

PORT OF CASCADE LOCKS
Road and Utility Easement
in Parcel 3

ALSO reserving a road and utility easement, the description of which is as follows:

Beginning at the most Westerly Northwest corner of Parcel 3 as described; Thence North 69-50-37 East a distance of 709.73 feet; Thence North 20-09-23 West a distance of 920.71 feet; Thence North 69-21-50 East a distance of 25.00 feet; Thence South 20-09-23 East a distance of 295.52 feet; Thence North 69-50-37 East a distance of 203.46 feet; Thence along the arc of a 15.00 foot radius curve, (the long chord of which bears North 40-57-33 East a distance of 14.49 feet), a distance of 15.12 feet; Thence along the arc of a 60.00 foot radius curve, (the long chord of which bears South 20-09-23 East a distance of 64.00 feet), a distance of 309.49 feet; Thence along the arc of a 15.00 foot radius curve, (the long chord of which bears North 81-16-19 West a distance of 14.49 feet), a distance of 15.12 feet; Thence South 69-50-37 West a distance of 938.19 feet; Thence North 20-09-23 West a distance of 25.00 feet to the point of beginning.

Beginning at the southwest corner of the principal tract of land hereinbefore described, thence East along the south line thereof to a point that is 12 feet East of, measured at right angles to, the West line thereof; thence South $3^{\circ} 50'$ East to a point that is 12 feet Northerly of, measured at right angles to, the North line of the aforesaid Railroad right of way; thence Easterly parallel with the North line of said Railroad right of way to a point in the Northerly extension of the Easterly line of that certain private road crossing established by Agreement between Oregon-Washington Railroad & Navigation Company et al., dated March 21, 1958, and recorded September 10, 1958, in Book 63, instrument No. 96831, Deed Records Hood River County; thence Southerly along the Northerly extension of the Easterly line of said private road crossing to the North line of said Railroad right of way; thence Westerly along the North line of said Railroad right of way to the Southwest corner of the aforesaid Mohler tract of land; thence North $3^{\circ} 50'$ West a distance of 385.86 feet to the place of beginning.

To have and to hold the above described and granted premises unto the said grantee and grantee's successors and assigns forever.

And said grantor hereby covenants to and with said grantee and grantee's successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises free from all encumbrances except the following:

1. Reservation of right of way for road purposes contained in deed from Alfred D. Hawk et ux., to Sidney S. Mohler, recorded November 7, 1919, in Book 13 at page 561, Deed Records Hood River County, and thereafter conveyed to State of Oregon by deed from said Hawk, recorded April 5, 1920 in Book 14, page 219, Deed Records Hood River County.
2. Right of way for road purposes acquired in condemnation proceedings brought by the State of Oregon, represented and acting by its State Fish Commission, against Sidney S. Mohler et al., filed December 1, 1922, Judgment Roll No. 1276 in the State Circuit Court for Hood River County, wherein final judgment in favor of the State of Oregon was entered December 11, 1925.
3. Right of way for electric transmission line together with appurtenant easements including clearance and trimming permit granted West Coast Power Company by deed from George E. Thomas recorded September 28, 1936 in Book 25 at page 462, Deed Records Hood River County.
4. Perpetual overflow easement acquired by the United States of America through condemnation proceedings brought in the District Court of the United States for the District of Oregon, No. 1-13052, transcript of final judgment being recorded June 22, 1939, in Book 27 at page 455, Deed Records Hood River County.

880152

Township 2 North, Range 8 East, Section 5
Tax Lot 300

All that portion of the following described real property, in the County of Hood River and State of Oregon, that is Northerly of the Northerly line of the right of way of the Oregon-Washington Railroad & Navigation Company, an Oregon corporation, as said right of way has been relocated and is now established, to-wit:

The west half of the Northeast quarter, and the Southeast quarter of the Northwest quarter, and the North half of the Southwest quarter, and the Northwest quarter of the Southeast quarter, and Government Lots 1 and 2, of Section 5, Township 2 North, Range 8 East of the Willamette Meridian.

EXCEPTING THEREFROM that portion described in Agreement dated August 25, 1961 and recorded September 19, 1977 as Recorder's Fee No. 772173.

ALSO EXCEPTING THEREFROM that portion described in agreement dated September 12, 1974, and recorded September 19, 1977, as Recorder's Fee No. 772174, Film Records.

in THE PORT OF CASCADE LOCKS, a municipal corporation;

subject to the usual printed exceptions, and

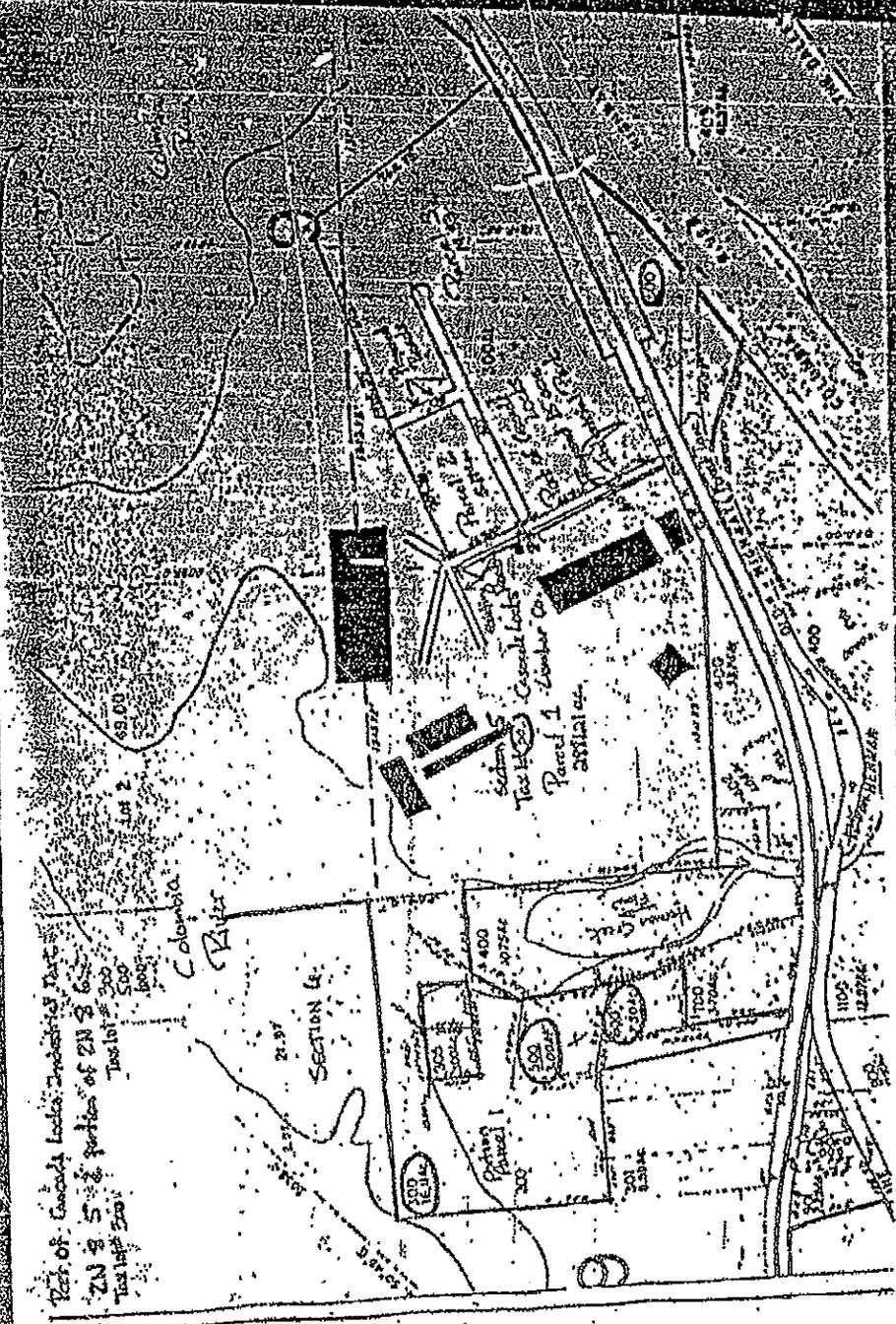
1. The right, title and interest of Government agencies, and the rights of the public, in and to that portion lying below the highwater mark of the Columbia River.
2. Right of way, including the terms and provisions thereof, in favor of Pacific States Telephone and Telegraph Company, recorded February 2, 1906, in Book 41, page 228, Wasco County Deed Records, and transcribed in Book H, page 119, Hood River County Deed Records.
3. Flowage easements including the terms and provisions thereof, in favor of the United States of America by Judgment in United States District Court, Case No. L-12010, a copy of which was recorded October 17, 1936 in Book 25, page _____.

880152

G. P. ...

Part of Canada Leds. Division of Part
ZN 5 2 portions of ZN 3 & 6
Township 500
Range 1000

880152



SECTION 5
Township 500
Range 1000
Columbia River
Creek
Pond

SECTION 4

400

500

700

1100

1200

1300

1400

1500

1600

1700

1800

1900

2000

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COUNTY OF GOV. RIVER

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961275 (3)

EASEMENT AGREEMENT

THIS EASEMENT AGREEMENT, Made and entered into this 3rd day of May, 1996, by and between the PORT OF CASCADE LOCKS, a public owned and governed entity of the State of Oregon herein called "THE PORT" and THE CITY OF CASCADE LOCKS, a public owned and governed entity of the State of Oregon herein called "THE CITY".

WITNESSETH:

The parties hereto, each in consideration of the agreements and the performance thereof on the part of the other, do agree:

1. **EASEMENT.** Subject to the terms and conditions hereof, THE PORT hereby grants to THE CITY the right to construct, maintain, and operate a sanitary sewer collection system within the following described areas. See also attached maps

PUBLIC SANITARY SEWER EASEMENT

A 20.00 foot wide public sanitary easement being 10.00 feet on both sides of the following described centerline, situated in the southeast quarter of section 6, township 2 north, range 8 east of the Willamette meridian, in Hood River County, Oregon, being more particularly described as follows:

Commencing at a 5/8 inch iron rod marking the southeast corner of that tract of land described in instrument number 740196, Hood River County deed records, as depicted in survey number 90041, Hood River County survey records, said iron rod being on the northerly right-of-way line of the union pacific railroad and being north 30 deg 59' 08" east 1273.32 feet from a brass disc marking the southeast corner of the aforementioned section 6; thence south 21 deg 50' 16" east running through said railroad right-of-way and running through the right-of-way of Forest Lane a distance of 135.30 feet to the point of beginning; thence north 08 deg 36" 31" west running through said Forest Lane right-of-way, said railroad right-of-way and running through that tract of land conveyed to Port of Cascade Locks as described in book 75, page 384, Hood River County Deed of Records a distance of 890.00 feet; thence north 45 deg 01" 14" west a distance of 93.55 feet to the terminus point of the herein described easement.¹

¹ HERMAN CREEK LANE

2. **EASEMENT OVER ADJACENT LANDS.** THE PORT also grants to THE CITY the right of ingress and egress over the adjacent lands of THE PORT as may be necessary to THE CITY in the construction, maintenance, and operation of the said sanitary sewer collection lines.
3. **TERM.** The term of this agreement shall be for as long as sanitary services are required and desired.²

Witnesses:

[Signature]
Mary Hutto

PORT OF CASCADE LOCKS

By: *[Signature]* Date: 5/2/94
 Attest: *[Signature]* Date: 5/3/94

Witnesses:

[Signature]
[Signature]

CITY OF CASCADE LOCKS

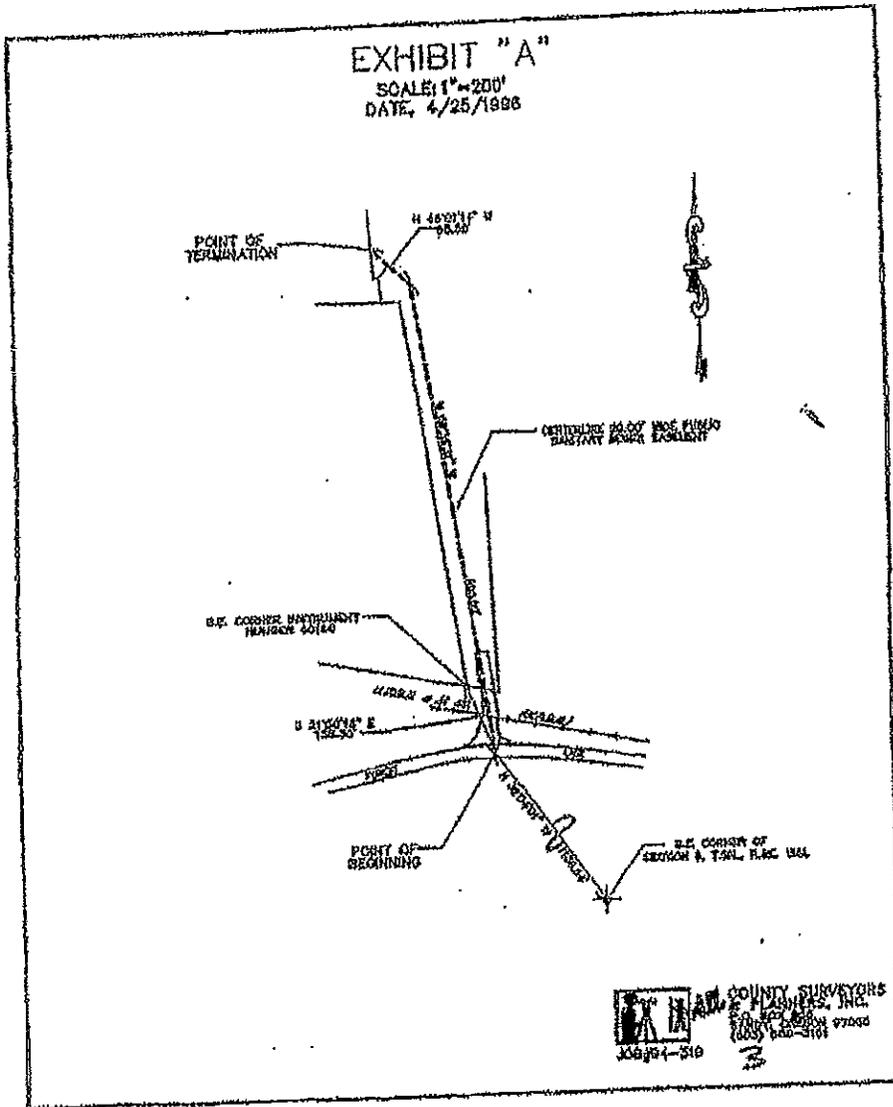
By: *[Signature]* Date: 5/2/94
 Attest: *[Signature]* Date: 5/3/94

² HERMAN CREEK LANE

961275(3)

EXHIBIT "A"

SCALE: 1" = 200'
DATE: 4/25/1988



COUNTY SURVEYORS
J. H. HARRIS, INC.
1000 N. 10th St.
Tulsa, Oklahoma 74103
308-24-510

961275(3)

961275(5)

Section No. _____

FILED
RECORDS AND ASSESSMENT
HOOD RIVER, OR.

MAY 3 12 38 PM '96

STATE OF OREGON)
COUNTY OF HOOD RIVER) ss. _____

I certify that this document was received and
recorded in the

Books

REPORTS.

Sandra E. Barry, Director of Records and
Assessment and Executive Recorder of County
of Hood River, Oregon.

By: [Signature]

Return to: [Signature]

[Signature]

[Signature]

Fee: \$ 45 9/10/96

ORDINANCE NO. 1997-1

972897 (5)

AN ORDINANCE REGULATING CONDUCT ON PORT PROPERTY
AND REPEALING ORDINANCES

The Port of Cascade Locks ordains as follows:

SECTION 1. Definitions.

- "Board" shall mean Port of Cascade Locks Board of Commissioners;
- "Bridge" shall mean Bridge of the Gods;
- "Port" shall mean Port of Cascade Locks;
- "Port beach area" shall mean that portion of Port property contiguous with and easterly of the Port marina, running along the Columbia River;
- "Port industrial property" shall mean that portion of Port property which is zoned industrial or light industrial and Government Rock;
- "Port marina" shall mean that portion of Port property used for boat launching and moorage, located generally south and east of the Port Visitor's Center Building;
- "Port marina park" shall mean that portion of Port property near the downtown commercial area of the City of Cascade Locks generally located northerly of the Union Pacific Railroad tracks, westerly of the Port Beach Area, southerly of the Columbia River, and easterly of the Indian property;
- "Port property" shall mean all real property in Hood River County, Oregon owned or controlled by the Port of Cascade Locks, and the Bridge of the Gods.

SECTION 2. Launching of boats. No person shall launch any boat or motorized watercraft from Port property except in designated launching areas.

SECTION 3. Speed limits. No person shall drive a vehicle at a rate of speed exceeding 15 miles per hour on Port property.

SECTION 4. Overnight camping. No person shall camp or remain overnight on Port property except in designated camping areas. No person shall camp in the Port marine park campground for more than ten (10) consecutive nights, nor for more than fourteen (14) nights in any calendar month.

SECTION 5. Trespass. No person shall enter or remain upon Port industrial property unless a Port licensee or lessee, or unless the person is there for the purpose of conducting business with the Port or a Port licensee or lessee at the property.

SECTION 6. Hunting. No person shall discharge firearms, hunt, or attempt to trap animals on Port property.

SECTION 7. Fishing.

- a. No person shall fish from Port property except in designated fishing areas in the Port marine park.
- b. No person shall fish from the Port marine park at any time other than from one-half hour prior to sunrise until one-half hour after sunset.
- c. No person shall fish from a space designated for handicapped fishing unless the person has a handicap parking permit, or has a handicap which would make them eligible to receive such a permit from the Oregon Department of Motor Vehicles.
- d. No person shall fish from Port property without a valid Oregon fishing license in their possession, unless the person is not required by State law to carry a fishing license.
- e. No person shall clean fish or dispose of fish parts on or from Port property.

SECTION 8. Fires. No person shall build or attempt to build a fire on Port property other than in areas specifically designated by the Port for campfires in the Port marine park.

SECTION 9. Alcohol. No person shall possess alcohol while on docks or walkways in the Port marina except to transport the alcohol to or from moored boats, nor possess alcohol on Port property in any area where alcohol is prohibited.

SECTION 10. Residential occupation. No person shall erect or maintain a residence or living quarters on Port property.

SECTION 11. Right of removal.

- a. No person shall remain on Port property after being asked to leave Port property by the Port general manager, or by a Port employee acting within the scope of their duties.
- b. No person shall cause or allow their personal property to remain on Port property after the Port general manager or Port employee acting within the scope of their duties has asked the person to remove or relocate the personal property.

SECTION 12. Violation of Oregon traffic laws. No person shall operate a motor vehicle on Port property in a manner which is an offense punishable as an infraction under the Oregon Vehicle Code.

SECTION 13. Swimming. No person shall wade, swim nor bathe in the Port marina nor in the old navigation locks at the Port marine park.

SECTION 14. Minors. No child under fifteen (15) years of age shall be aboard a moored boat or on the dock in the Port marina if not accompanied by an adult. No parent, guardian, or person having custody or control of a child under the age of 15 years shall allow such child to be

unaccompanied by an adult in violation of this section.

SECTION 15. Overnight stays on boats. No person shall stay overnight on a boat in the Port Marina for more than 3 consecutive nights, nor leave a boat in the marina for longer than 72 hours.

SECTION 16. Littering. No person shall litter on Port property. For purposes of this section littering is defined as the dumping, throwing, placing, depositing or leaving, or causing to be dumped, thrown, deposited or left any refuse of any kind or any object or substance which tends to pollute, mar or deface.

SECTION 17. Sewer dumping fees. No person shall dump or dispose of sewage on Port property except where designated by the Port, and after paying any sewer dumping fee established by the Board.

SECTION 18. Animal control. No person shall permit any animal to run at large, or to be on a leash unless under control of the person, on Port property.

SECTION 19. Park hours. No person shall enter nor remain in the Port marine park between the hours of 10:00 P.M. and one-half hour before sunrise unless the person is a camper or boater authorized to use the Port campsites or moorage areas, or unless attending a Port authorized function.

SECTION 20. Parking.

a. No person shall park a motor vehicle in a designated handicapped parking space unless that person has a valid handicapped parking permit issued by a state motor vehicle department.

b. No person shall park a motor vehicle in the Port marine park except in Port designated parking areas.

SECTION 21. Commercial activities. No person shall carry on commercial activities on Port property unless authorized to do so by the Port general manager or the Board.

SECTION 22. Skateboarding/Rollerblading. No person shall ride on a skateboard or rollerblades in the marine park.

SECTION 23. Weight limit on bridge. No person shall drive a vehicle nor cause a vehicle to be driven on the bridge that is in excess of 30,000 pounds.

SECTION 24. Jumping from bridge. No person shall jump from the bridge.

SECTION 25. Stopping. Except as required by the Port, by a law enforcement officer, by vehicular breakdown or as necessary for safety or traffic, no person shall stop, park, or leave a motor vehicle unattended on the bridge.

SECTION 26. Port permission. A person may act in a manner which would otherwise violate a provision of this ordinance if given permission to do so by the Board, Port general manager, or a Port employee given authority to grant such permission by the Port general manager or the Board.

SECTION 27. Fees. No person shall refuse nor neglect to pay a fee established by the Board for use of Port property, facilities or services, when due.

SECTION 28. Penalties. (1) Any person who violates this ordinance shall be subject to a fine not to exceed \$250.00. (2) Each violation of a separate section of this ordinance shall constitute a separate offense, and each day that a violation of this ordinance is committed or permitted to continue shall constitute a separate offense. (3) The maximum penalty for a violation of this ordinance shall not exceed the maximum penalty prescribed for violation of a substantially similar offense prescribed by the Oregon Revised Statutes now or hereafter in effect.

SECTION 29. Severability. Each section, subsection or other portion of this ordinance shall be severable; the invalidity of any section, subsection, or other portion shall not invalidate the remainder.

SECTION 30. Enforcement of Ordinance. (1) The Board may appoint peace officers who shall have the same authority, for the purpose of the enforcement of the provisions of this ordinance, as other peace officers; (2) All peace officers of the city, the county, the state and those appointed by the Board shall have the authority to issue citations for the violation any section of this ordinance; (3) Any person who is issued a citation for the violation of any section of this ordinance must appear in the Justice of the Peace Court in Cascade Locks on the date and time listed on the citation, or in such other court as the Board may designate.

SECTION 31. Ordinances Repealed. The following Port of Cascade Locks ordinances are repealed:

Ordinance No. 1, dated April 22, 1965;
Ordinance No. 2, dated August 13, 1970;
Ordinance No. 3, dated May 13, 1971;
Ordinance No. 4, dated July 2, 1971;
Ordinance No. 5, dated July 27, 1972;
Ordinance No. 6, dated August 8, 1974;
Ordinance No. 9, dated August 31, 1991;
Ordinance No. 1984-11, dated January 26, 1984; and
Ordinance No. 1984-12, dated January 26, 1984.

4- ORDINANCE NO. 1997-1

972897

Read for the first time: 8/7 1997.
Read for the second time: 8/21 1997.

^{21st}
Passed this 3 day of AUGUST, 1997, by the Port of Cascade Locks
Board of Commissioners.

FORT OF CASCADE LOCKS

[Signature]
President

ATTEST:
[Signature]
Secretary

Ordinance No. 972897

FILED
REGISTRAR
HOOD RIVER, OR.
SEP 2 2 03 PM 1997

STATE OF OREGON)
COUNTY OF HOOD RIVER) ss. _____

I certify that this document was received and recorded in the _____

[Signature]
Recorder

Sandra E. Barry, Director of Records and Assessment and Ex-Clerk/Recorder of Court, Hoquiam for said county.

By: *[Signature]* Deputy

Return to:
Port of Cascade Locks
P.O. Box 307
Cascade Locks, OR 97014

Fee: \$5.00

City Hall
P.O. Box 308
Cascade Locks, Oregon 97014
Phone: 541-374-8484
Fax: 541-374-8752

HOOD RIVER COUNTY, OR. 2009-01409
D-PLA 04/10/2009 10:26 AM
Cnt=1 Str=2 COUNTER \$40.00 \$11.00 \$10.00 \$61.00



I certify that this instrument was received and recorded in the records of said county.
Sandra E. Berry, Director of Records and Assessment and Ex-Officio Recorder.

LOT LINE ADJUSTMENT APPLICATION FINAL PLAT

I. BACKGROUND INFORMATION

Applicant

Applicant Name: Port of Cascade Locks Phone: 541-374-8619

Address: PO Box 307, Cascade Locks OR 97014

Applicant Standing (Fee Owner, Contract Purchaser, etc.): owner

Property Owner (if different)

Name: same Phone: _____

Address: _____

Property Information

First Property Address: Herman Creek Rd.

Township; Range; Section; Tax Lot: 2N-08E-06-300

Second Property Address: Herman Creek Rd

Township; Range; Section; Tax Lot: 2N-08E-06-500

Date of Preliminary Plat approval: August, 2008

Application Proposal: TWO parcels owned by the Port are to share a new boundary designed to separate buildables from Herman Creek resource land

II. APPLICATION REQUIREMENTS



- (A) _____ Completed and signed application form.
- (B) _____ THREE copies of the final lot line adjustment map drawn to scale. The map must include the information required under Sections 8-6.184.080 of the Community Development Code. These requirements are described on the attached Final Map Requirements and City staff is also available to assist applicants. If any required information cannot be reasonably articulated through the map that information should be included in the application through a narrative.
- (C) _____ The county assessor's map showing the property
- (D) _____ Copy of the latest deed, sales contract, or title report indicating property ownership and a document containing a legal description of the land to be partitioned. *Comment - w/12.600*
- (F) _____ A current Hood River County tax map(s) showing the subject property(ies) and all properties within 250 feet of the subject property
- (G) _____ A signed fee agreement and payment for filing fee.

III. SIGNATURES

NOTE: ALL OWNERS MUST SIGN THIS APPLICATION OR SUBMIT A LETTER OF CONSENT AUTHORIZING ANOTHER INDIVIDUAL TO MAKE APPLICATION. INCOMPLETE OR MISSING INFORMATION WILL DELAY THE REVIEW PROCESS.

[Signature] 8/22/08
Applicant/Owner Date

Applicant/Owner Date

FOR OFFICE USE ONLY			
File Number:	_____		
Submittal Date:	_____	Fee: _____	Received by: _____
Application Type:	_____	Completeness: _____	120th Day: _____

CITY OF CASCADE LOCKS
CITY ADMINISTRATOR'S DECISION

LOT LINE ADJUSTMENT 08-02
APPLICANT: PORT OF CASCADE LOCKS

APPLICATION

This application is for approval to adjust existing lot lines of two lots. The change is defined below:

Tax Lot	Old Acreage	New Acreage
300	8.40	8.10
500	2.30	2.80

APPLICANT

Port of Cascade Locks

OWNER

Port of Cascade Locks

LOCATION

East side of Herman Creek Road south of Forest Lane, Cascade Locks

Sec. 2N-8E-6 TL 300 & 500

ZONING

LI (Light Industrial)

EXISTING LAND USE

The property is predominately vacant with the exception of a shop building occupying a small portion of Lot 500.

SURROUNDING LAND USE

To the north and east the land is vacant. To the west is a sawmill and the City sewerage treatment plant. To the north is a manufacturing facility.

BACKGROUND

This is for vacant industrial land located on the east side of Herman Creek Road. The purpose is to take steep lands leading down to the bank of Herman Creek and include them in a single tax lot that encompasses Herman Creek and its immediate surroundings so that they can be better set aside for conservation purposes. The resultant lot at the top of the bank will be larger and will encompass only buildable land, making it more marketable.

PROPOSED LOT LINE ADJUSTMENTS

The criteria for approving a lot line adjustment are found in 8-6.184.060 Lot Line Adjustment Approval Criteria. These are quoted below along with a discussion of the proposed lot line adjustment:

8-6.184.060 Lot Line Adjustment Approval Criteria The Administrator shall approve a request for a lot line adjustment when the following criteria are satisfied.

- A. A maximum of two adjacent lots are involved in the lot line adjustment.

Finding of Fact - This decision deals with tax lots 300 and 500.

- B. An additional lot is not created by the lot line adjustment, and neither lot is reduced below the minimum lot size for the applicable zoning district.

Finding of Fact - no additional lots are being created and all lots meet the minimum dimensional and size requirements of the Community Development Code.

- C. By reducing the lot size, the lot or structures on the lot will not be in violation of the site development or regulations for the applicable zoning district.

Finding of Fact - The adjustment does not impact any setbacks of existing structures. The dimensions of the resultant parcels are consistent with all applicable code requirements.

- D. Both lots shall have a minimum street frontage of 15 feet or an access easement to a street with a minimum width of 15 feet.

Finding of Fact - Lot 500 has significant frontage along Herman Creek Road. Lot 300 has an access point at the north end of Herman Creek Road, however, the intent is for this entire property to be put in a conservation easement so that access is not required for development.

- E. It conforms with all state regulations set forth in ORS Chapter 92, Subdivision and Partitions.

Finding of Fact - The proposed lots meet all applicable regulations.

F. Proposed lots which are greater than twice the minimum lot size shall be of such a configuration to facilitate the future repartitioning of such lot in accordance with the requirements of the zoning district and this title.

Finding of Fact – There is no minimum lot size in the IL zone. Lot 500 is being sized so that it can be partitioned in the future to meet the needs of future industrial development.

DECISION:

Lot Line Adjustment 08-02 is hereby approved subject to the following conditions:

1. A final lot line adjustment map shall be submitted to the City for review and approval in accordance with CDC 8-6.184.070 and 8-6.184.080.
2. The final lot line adjustment map shall substantially conform to the approved lot line adjustment.

Signed this 28th day of August 2008



Bernard Seeger, City Administrator

Exhibit 'A'
TERRA SURVEYING
P.O. Box 617
Hood River, OR 97031
PHONE & FAX (541) 386-4531
E-Mail: terra@gorge.net

LEGAL DESCRIPTION
FOR
ADJUSTED TAX LOT 300
PORT OF CASCADE LOCKS

Page 1 of 1

A parcel of land located in the Southeast Quarter of Section 6 in Township 2 North, Range 8 East, Willamette Meridian in the City of Cascade Locks, County of Hood River and State of Oregon, being more particularly described as follows.

Commencing at a 3/4" iron pipe monumenting the Northeast corner of the George E. Thomas property as recorded in Hood River county records book 24, page 430, said corner being on the westerly line of the State of Oregon Fish Commission property as land acquired by the State of Oregon, represented and acting by its State Fish Commission, through condemnation proceedings, filed December 1, 1922, Judgment Roll No. 1276 said point being 1749 feet North and 429 feet West of the Southeast corner of said Section 6; thence North 79°46'20" West a distance of 13.68 feet to a 1/2" iron pipe and the point of beginning of the following description.

Thence North 03°17'36" West, along the westerly line of said State of Oregon property, a distance of 336.15 feet to a point; thence North 39°10'25" East a distance of 217.74 feet to a point; thence South 89°35'21" East a distance of 332.05 feet; thence North 00°51'33" East a distance of 364.40 to the East quarter corner of Section 6; thence South 89°28'17" West a distance of 1308.97 feet to a point; thence South 00°53'39" West a distance of 360.00 feet to a point; thence North 63°40'25" East a distance of 615.74 feet to a point; thence South 00°17'51" East a distance of 35.46 feet to a point; thence North 85°32'30" East a distance of 436.42 feet to a point; thence South 00°17'51" East a distance of 200.34 feet to a point; thence South 85°32'30" West a distance of 87.16 feet to a 5/8" iron rod with cap P.L.S. 1815; thence South 21°53'52" West a distance of 84.69 feet to a 5/8" iron rod with cap marked L.S. 72306; thence South 28°12'57" West a distance of 127.11 feet to a 5/8" iron rod with cap marked L.S. 72306; thence South 17°17'14" West a distance of 45.28 feet to a 5/8" iron rod with cap marked L.S. 72306; thence South 48°41'13" West a distance of 64.98 feet to a 5/8" iron rod with cap marked L.S. 72306; thence South 59°58'00" West a distance of 45.35 feet to a 5/8" iron rod with cap marked L.S. 72306; thence South 29°22'48" West a distance of 70.21 feet to a 5/8" iron rod with cap marked L.S. 72306; thence South 04°23'30" East a distance of 167.13 feet to a point; thence South 79°37'59" East a distance of 175.21 feet to the point of beginning.

Contains 8.10 Acres., more or less
March 5, 2009 EMC

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
DECEMBER 30, 2005
BRIK M. CARLSON
72306

Expires: Dec 2009

Exhibit 'A'
TERRA SURVEYING
P.O. Box 617
Hood River, OR 97031
PHONE & FAX (541) 386-4531
E-Mail: terra@gorge.net

LEGAL DESCRIPTION
FOR
ADJUSTED TAX LOT 500
PORT OF CASCADE LOCKS

Page 1 of 2

A parcel of land located in the Southeast Quarter of Section 6 in Township 2 North, Range 8 East, Willamette Meridian in the City of Cascade Locks, County of Hood River and State of Oregon, being more particularly described as follows.

Commencing at a ¾" iron pipe monumenting the Northeast corner of the George E. Thomas property as recorded in Hood River County deed book 24, page 430, said corner being on the westerly line of the State of Oregon Fish Commission property as land acquired by the State of Oregon, represented and acting by its State Fish Commission, through condemnation proceedings, filed December 1, 1922, Judgment Roll No. 1276 said point being 1749 feet North and 429 feet West of the Southeast corner of said Section 6; thence North 79°46'20" West a distance of 13.68 feet to a 1/2" iron pipe; thence N 79°37'59" W a distance of 175.21 to a point; thence North 04°23'30" West a distance of 167.13 feet to the point of beginning of the following description. Thence North 29°22'48" East a distance of 70.21 feet to a 5/8" iron rod with cap marked L.S. 72306; thence North 59°58'00" East a distance of 45.35 feet to a 5/8" iron rod with cap marked L.S. 72306; thence North 48°41'13" East a distance of 64.98 feet to a 5/8" iron rod with cap marked L.S. 72306; thence North 17°17'14" East a distance of 45.28 feet to a 5/8" iron rod with cap marked L.S. 72306; thence North 28°12'57" East a distance of 127.11 feet to a 5/8" iron rod with cap marked L.S. 72306; thence North 21°53'52" East a distance of 84.69 feet to a 5/8" iron rod with cap marked P.L.S. 1815; thence South 85°32'30" West a distance of 349.26 feet to a 5/8" iron rod with cap marked P.L.S. 932; thence South 34°03'35" West a distance of 46.21 feet to a 5/8" iron rod; thence South 24°38'08" West a distance of 105.60 feet to a 5/8" iron rod; thence South 17°14'52" West a distance of 112.55 feet to a 5/8" iron rod with cap marked P.L.S. 932 and the beginning of a curve concaved easterly whose chord bears South 13°46'26" East (deed call South 13°36'08" East) a distance of 128.96 (deed call 129.26 feet). Radius distance of 125.00 feet. Thence along said curve through the central angle of 62°06'24" a distance of 135.50 feet (deed call 135.84 feet) to a 5/8" iron rod; thence South 45°06'02"

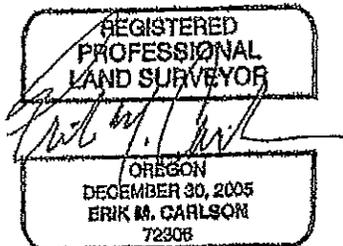
Exhibit 'A' (Cont.)
TERRA SURVEYING
P.O. Box 617
Hood River, OR 97031
PHONE & FAX (541) 386-4531
E-Mail: terra@gorge.net

LEGAL DESCRIPTION
FOR
ADJUSTED TAX LOT 500
PORT OF CASCADE LOCKS

Page 2 of 2

East a distance of 37.44 feet to a 5/8" iron rod; thence North $41^{\circ}27'28''$ East a distance of 68.50 feet to a 5/8" iron rod; thence North $85^{\circ}52'12''$ East a distance of 105.35 feet to a 1/2" iron rod with cap marked L.S. 932; thence North $86^{\circ}13'46''$ East a distance of 16.21 feet to the point of beginning.

Contains 2.60 Acres, more or less
March 5, 2009 EMC



Expires: Dec 2009

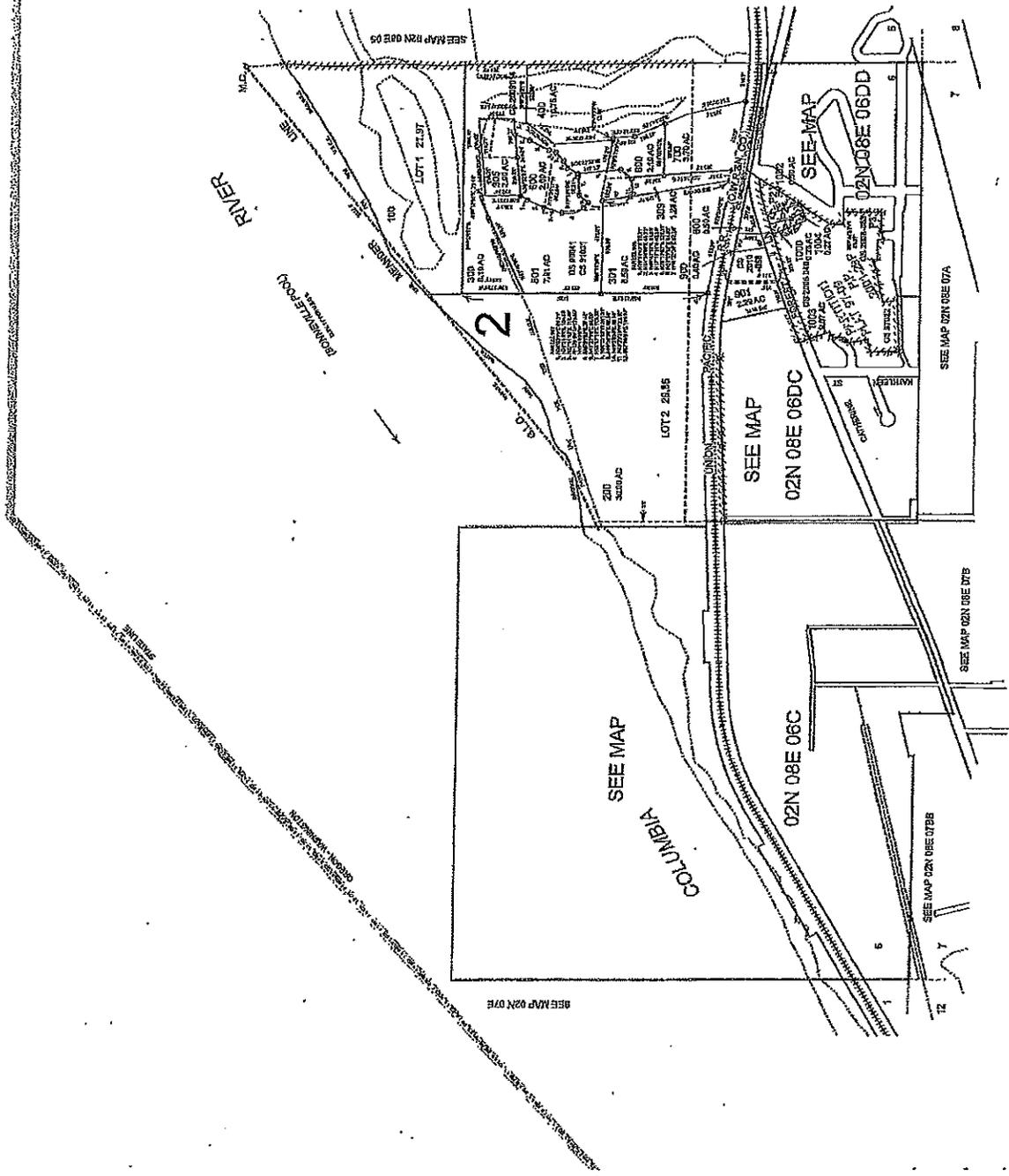
THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY

1" = 400'

SECTION 6 T.2N. R.8E. W.M.
HOOD RIVER COUNTY

02N08E06
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02N08E06

**NOTICE TO APPLICANT
REIMBURSEMENT TO CITY OF CASCADE LOCKS
FOR ADMINISTRATIVE FEES**

TO: APPLICANT

The City of Cascade Locks, like many other small cities in Oregon, is faced with a severely reduced budget for the administration of the City's Ordinances. The land use planning process in the State of Oregon has become increasingly complex. To properly process land use applications, the City must rely upon professional consultants to assist in preparing the legal notices, conducting on-site inspections, preparation of staff reports, and, in some cases, actual attendance at the Planning Commission and/or City Council meetings. The City utilizes a consultant to ensure that applications are processed fairly and promptly. Because of reduced budgets, the City finds it necessary to transfer some administrative costs to you, the applicant, as part of the land use planning process. Therefore, you are asked to read and sign the agreement below indicating that you understand and agree to this requirement.

**AGREEMENT TO REIMBURSE CITY
FOR ADMINISTRATIVE COSTS**

I/We, the applicant(s), Port of Cascade Locks,
hereby agree to reimburse the City of Cascade Locks for administrative costs over and above the costs covered by the Basic Fee, which we have paid. We have been advised that an estimated cost is \$ 850⁰⁰, but that the actual costs could exceed this amount. In the event the City is required to commence litigation to recover these costs, the prevailing party shall be awarded costs and reasonable attorney's fees, including any costs and fees on appeal.

The amount not paid shall also become a lien against the property on which the land use action is sought, in favor of the City of Cascade Locks, and shall be docketed in the City Lien Docket.

DATED this 11th day of April, 20 17.

LAND USE APPLICANT(S): Port of Cascade Locks

PROPERTY OWNER(S):
(If Different Than Above)

Paul Koch 4/11/17

Notice of Public Hearing

Notice is hereby given that the Cascade Locks Planning Commission, at its meeting at 7 p.m. on May 11, 2017, in the City Council Chambers of the City Hall, 140 SW WaNaPa Street, Cascade Locks, Oregon, will consider the following application:

File Title: LU 17-004 Port of Cascade Locks Site Plan Review

Applicant: Port of Cascade Locks
P.O. Box 307
Cascade Locks, OR 97014

Request: Construction of a 6,000 square-foot light industrial building

Location: 2N 08E 06 Tax Lot 600
50 NE Herman Creek Lane

Criteria: Cascade Locks Community Development Code Sections, 8-6.148 Site Plan Review, 8-6.84 Light Industrial Zone and the City's Comprehensive Plan.

(SEE MAP ON REVERSE)

PROPERTY OWNERS WITHIN 250 FEET OF THE SUBJECT PROPERTY ARE RECEIVING THIS NOTICE. SPECIAL NOTICE TO MORTGAGEE, LEINHOLDER, VENDOR, OR SELLER: ORS CHAPTER 215 REQUIRES THAT IF YOU RECEIVE THIS NOTICE, IT MUST PROMPTLY BE FORWARDED TO THE PURCHASER.

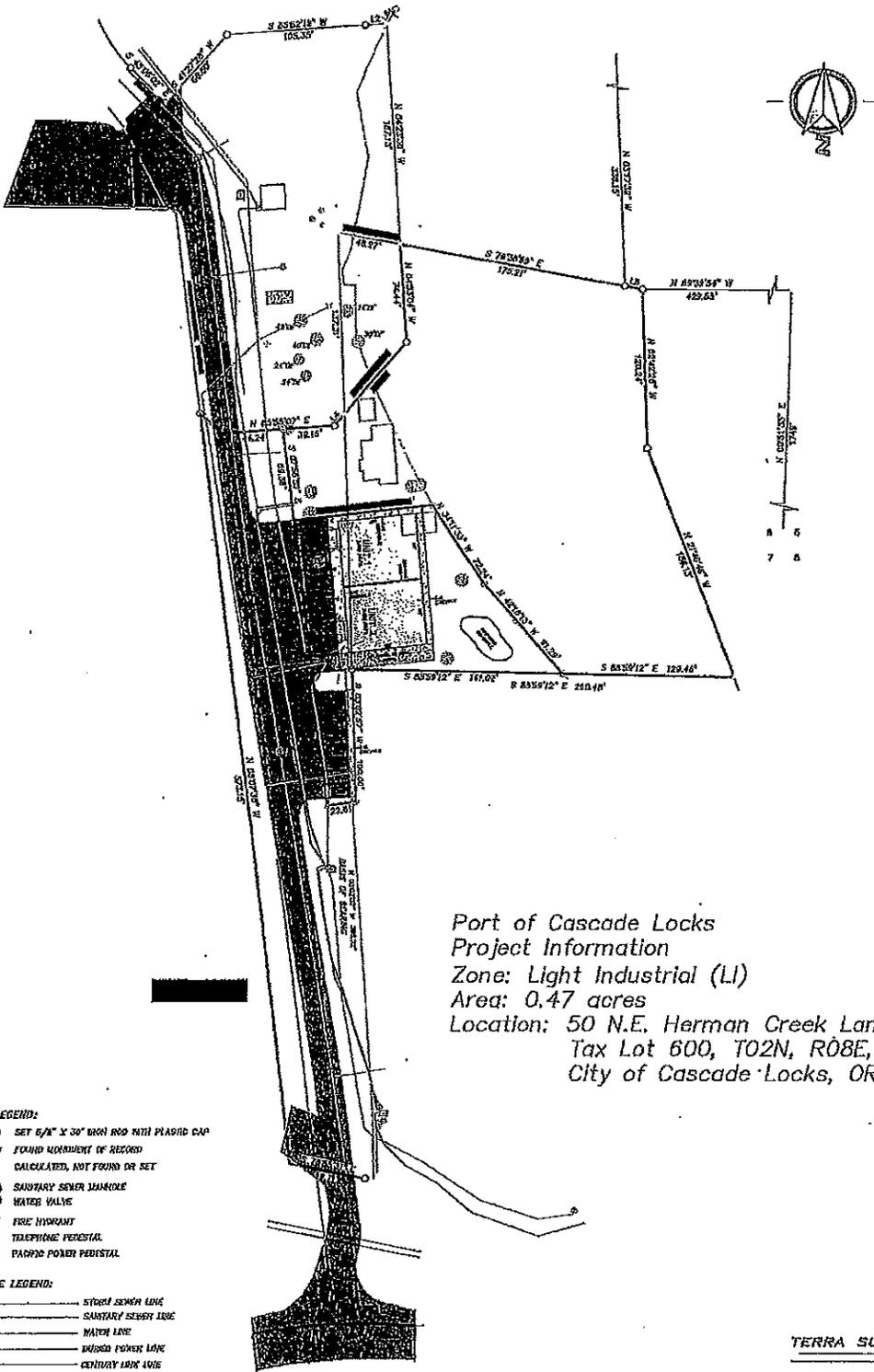
The Public Hearing on this matter will be conducted in accordance with the rules contained in the zoning ordinance adopted by the Cascade Locks City Council, which is available at City Hall.

All interested persons may appear and provide testimony and only those who submit written comments or testify at the hearing shall be entitled to appeal.

Failure of an issue to be raised in the hearing, in person or by letter, or failure to provide sufficient specificity to afford the approval authority an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals based on that issue.

At least seven days prior to the Hearing, a copy of the staff report will be available for inspection at no cost, or a copy can be obtained for fifteen cents per page.

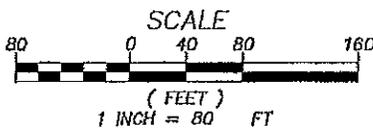
For further information, please contact Kathy Woosley at Cascade Locks City Hall, at 374-8484, 140 WaNaPa, Cascade Locks, OR 97014.



Port of Cascade Locks
 Project Information
 Zone: Light Industrial (LI)
 Area: 0.47 acres
 Location: 50 N.E. Herman Creek Lane
 Tax Lot 600, T02N, R08E, Sec. 6,
 City of Cascade Locks, OR 97014

- LEGEND:**
- ⊙ SET 5/8" X 30" IRON ROD WITH PLASTIC CAP
 - FOUND MONUMENT OF RECORD
 - CALCULATED, NOT FOUND OR SET
 - ⊕ SANITARY SEWER MANHOLE
 - ⊕ WATER VALVE
 - ⊕ FIRE HYDRANT
 - ⊕ TELEPHONE PEDESTAL
 - ⊕ PACIFIC POWER PEDESTAL

- LINE LEGEND:**
- STORM SEWER LINE
 - SANITARY SEWER LINE
 - WATER LINE
 - FIRE LINE
 - TELEPHONE LINE
 - POWER LINE



TERRA SURVEYING

DATE: MAY 2, 2016
 SCALE: 1" = 80'
 PROJECT: 16036147
 ASSESSOR'S MAP: 20-05-a N. 604, 309
 P.L. 2016 817
 1400 AVENUE, OREGON 97031
 503.333.4531

C - 0

Designed By: JEB	Drawn By: DR	Title: PORT OF CASCADE LOCKS
Approved By:	Drawing: 1 OF 2	SITE PLAN - PARCEL 2
Date Approved:	Revision:	Date: 04/10/2017 Scale: 1" = 80'

James A. Bussard
 Engineering
 P.O. Box 117 • 175th Valley Oregon 97063 • P. 541.480.7034

CITY OF CASCADE LOCKS
STAFF REPORT

TO: Cascade Locks Planning Commission
FROM: Stan Foster
Contracted Planner
RE: Port of Cascade Locks
Herman Creek Industrial Development
Site Plan Review LU 17-006
DATE: May 1, 2017

GENERAL INFORMATION

Application

This is an application for site plan approval of a new flex building industrial development on a property zoned LI (Light Industrial).

Location

East side of Herman Creek Lane, Assessors Map 2N 8 6, Tax Lot 600, Cascade Locks

Comprehensive Plan Designation

Industrial

Zoning

LI (Light Industrial)

Applicant

Port of Cascade Locks
PO Box 307
Cascade Locks OR 97014

Owner

Port of Cascade Locks
PO Box 307
Cascade Locks OR 97014

BACKGROUND INFORMATION

Site Conditions

The subject property is located on the east side of Herman Creek Lane generally across from Smokey Mountain Logistics. The parcel has an old house and shed that will be removed. The terrain is generally flat with little significant vegetation. The newest flex building will be south of the City's well and storage building. A partition plat to be filed (LU 16-007) will allow Flex Building 4 on its own parcel and the other portion of tax lot 600 will be sold to the City of Cascade Locks for a new well that is proposed in the 2014 Water Master Plan.

Vicinity Description

Surrounding properties to the north, east, west, and south are also within the city and are designated Industrial in the Comprehensive Plan. To the west is the sewer treatment plant and south of that is Smokey Mountain Logistics. Land to the east is all in the Herman Creek wetland and riparian area and is in its natural state.

Access to the property is only available via Herman Creek Lane which directly accesses Forest Lane (US Highway 30).

Site Design

The site plan for the proposed industrial development is attached to the application, along with a narrative description. Proposed is one 6,000 square foot industrial building in the southwestern portion of the property. This is designed for flex space that can accommodate many different types of business uses and users at any one time. The design also includes parking and loading areas along the western and southern portion of the property.

Storm Drainage

Herman Creek Lane is built to country lane standards which rely on a permeable shoulder to manage storm runoff. The runoff generated by the buildings and parking lot will be directed into a retention pond along the southeast edge of the property. From there, any water that exceeds the capacity of the swales will be directed into Herman Creek.

Water

The Public Works Superintendent indicates the property can be serviced with adequate water. A line is located in Herman Creek Lane that is available for tapping for on-site domestic water use.

Public Safety

The Station Captain offered these recommendations:

The only comments I have are for the building to install knox box and have addresses that are contrasting in color and can be seen from the road.

Sewer

The Public Works Superintendent indicates the property can be serviced with adequate sewer service. A line is located in Herman Creek Lane that is available for tapping for sewer service to the new buildings.

ANALYSIS AND FINDINGS

The criteria for approving a site plan review are found in 8-6.148.110 Approval Standards. These are quoted below along with findings for each:

A. *The applicable provisions of this title are:*

1. *Accessory structures - Chapter 8-6.164;*

FINDINGS: There are no accessory structures proposed so this criterion is not applicable.

2. *Additional yard and setback requirements - Section 8-6.44.060;*

B. *Community Services*

1. *If the use is in a residential zone, its location will not by itself or in combination with other nearby conditional uses, decrease the desirability of the area for the retention of existing housing or the development of new housing.*

FINDINGS: The proposed industrial use is not in a residential zone so this criterion is not applicable.

2. *The proposal will mitigate differences in appearance or scale through such means as setbacks, screening, landscaping, and other design features.*

FINDINGS: The building will be setback from all the property lines well in excess of applicable setbacks. No residential uses are near the subject property. The standard is met.

3. *Buildings over the required height of the base zone shall have an additional building setback of 1 foot for every foot over the building height standard.*

FINDINGS: The will not be allowed to be any higher than the 35 foot maximum in the base zone so this criterion does not apply.

4. *The transportation system is capable of safely supporting the proposed use in addition to the existing and planned uses in the area. Evaluation factors include, but are not limited to, street capacity and level of service, access to collector or arterial streets, transit availability, on-street parking impacts, access requirements, and neighborhood impacts.*

FINDINGS: Herman Creek Lane is improved to country lane standards which are adequate to handle industrial truck and car traffic associated with this development. The criterion is met.

5. *Safe and convenient pedestrian and bicyclist access shall be provided to the site.*

FINDINGS: Pedestrians and bicyclists will be able to access the site via Herman Creek Lane. Traffic volumes are expected to be relatively low so no conflicts are expected to occur.

3. *Base zone requirements - Chapters 8-6.44 through 8-6.96;*

FINDINGS: Industrial buildings are allowed as a permitted use in the Light Industrial zone. The zone requires a 10 foot setback in the front yard and a 20 foot setback for any frontage abutting a residential zone. The indicated front yard is approximately 22 feet in depth. Since there are no adjacent residentially zoned properties, no side or rear setbacks are required. The proposed building is not to exceed the required 35 foot maximum height. The base zone requires that no more than 85% of the property be impervious surfaces. It appears from the site plan that about half of the property will remain open and either landscaped or in a natural condition.

FINDINGS: The proposed development meets the base requirements of the Industrial zone.

4. *Building height exceptions - Section 8-6.44.060;*

FINDINGS: The applicant does not state that any architectural features will exceed the height of the base zone. The development is not within the Airport Protection Overlay Zone and no communication facilities are proposed in the development. All signs will be required to comply with the provisions of code section 8-6.144.

5. *Circulation and access - Chapter 8-6.112;*

FINDINGS: The current country lane standard improvement of Herman Creek Lane is adequate for the likely industrial traffic. ODOT will review the proposed development and may have its own requirements for any needed improvements to Forest Lane or the intersection of Herman Creek Lane and Forest Lane.

6. *Landscaping and screening - Chapter 8-6.104;*

FINDINGS: As the property does not border any residentially zoned lane, no screening or buffering is required. The parking area must be screened in accordance with 8-6.104.130.A. This will be checked at the time of building permit review and approval.

7. *Parking and loading - Chapter 8-6.108;*

FINDINGS: The code requires new industrial buildings to have one parking space per 2,000 square feet of floor area. The site plan shows 14.

FINDINGS: More than enough parking spaces are shown on the site plan.

8. *Public facility and service requirements;*

FINDINGS: The Public Works Superintendent indicates there is available of adequate sewer, water, and storm drain facilities. The Utilities Superintendent indicates that electricity can be provided to the subject property.

9. *Flood Plain Overlay Zone - Chapter 8-6.120;*

FINDING: The property does not fall into this zone

10. *Geologic Hazard Overlay Zone - Chapter 8-6.124;*

FINDING: The property does not fall into this zone

11. *Airport Protection Overlay Zone - Chapter 8-6.132*

FINDINGS: The property does not fall into this zone.

12. *Downtown Design Overlay Zone - Chapter 8-6.136;*

FINDINGS: The property does not fall into the overlay zone

13. *Signs - Chapter 8-6.144;*

FINDINGS: The proposed development will be required to adhere to the City's sign requirements. Sign permits are required for any signs.

14. *Vision clearance - Chapter 8-6.116;*

FINDINGS: There is no driveway directly from the subject property to a public street. Therefore the vision clearance requirements do not apply.

15. *Wetland and Riparian Areas - Chapter 8-6.128; and*

FINDINGS: The applicant does not note any wetland or riparian areas on the site, nor is the site identified as having wetland or riparian areas on the Local Wetlands Inventory. Therefore this criterion does not apply to this application.

16. *Manufactured and Mobile Homes - Chapter 8-6.100.*

FINDINGS: No manufactured or mobile homes are proposed in this application

17. *The Design Standard sections of the D, C, and RC zones.*

FINDINGS: The property does not fall into any of these zones

B. *Relationship of the Natural and Physical Environment*

1. *Buildings shall be:*

- a. *Located to preserve existing trees, topography, and natural drainage to the degree possible;*

FINDINGS: There are no trees impacted by the development.

- b. *Located in areas not subject to ground slumping or sliding; and*

FINDINGS: The applicant states there is no evidence of slumping or sliding.

2. *Trees having a 6-inch diameter or greater diameter, 4 feet from the base, shall be preserved or replaced by new plantings.*

FINDINGS: There are no trees impacted by this development.

C. *Exterior Elevations*

1. *Along the vertical face of single-family attached and multifamily structures, offsets shall occur at a minimum of every 30 feet by providing any two of the following:*

- a. *Recesses (decks, patios, entrances, floor area, etc.), of minimum depth of eight feet;*

- b. *Extensions (decks, patios, entrances, floor area, etc.), of minimum depth of 8 feet, a maximum length of an overhang shall be 25 feet; or*
- c. *Offsets or breaks in roof elevations of 3 or more feet in height.*

FINDINGS: The proposal is not a residential structure so this criterion does not apply.

D. *Buffering, Screening and Compatibility between Abutting or Neighboring Uses*

In addition to the Landscaping and Beautification standards in Chapter 8-6.104, the approval authority may require additional buffering or screening between different types of land uses (for example, between single-family and multifamily residential, or residential and commercial) which are abutting or within 250 feet of the subject property. Additional buffering or screening may be required to address compatibility issues presented by such things as service areas, storage areas, parking lots, exterior lighting, and mechanical devices on rooftops (e.g., air cooling and heating systems). The following factors shall be considered to determine the design of the buffer:

1. *The purpose of the buffer, for example to decrease noise levels, absorb air pollution and odors, filter dust, or provide a visual barrier;*
2. *The width and height of the buffer required to achieve its intended purpose;*
3. *The directions from which buffering is needed;*
4. *The required density of the buffering; and*
5. *Whether the viewer is stationary or mobile.*

E. *Privacy and Noise*

1. *Structures which include residential dwelling units shall provide private outdoor areas that are screened from adjoining units;*

FINDINGS: The proposal is not a residential structure so this criterion does not apply.

F. *Private Outdoor Areas - Residential Uses*

1. *In addition to the requirements of Subsection 8-6.148.110 D. 2, each ground level residential living unit shall have an outdoor private area (patio, terrace, porch), and shall be at least 48 square feet in size with a minimum width dimension of 4 feet and: Balconies used for entrances or*

exits shall not be considered as open space except where such exits or entrances are for the sole use of the unit.

FINDINGS: The proposal is not a residential structure so this criterion does not apply.

G. Shared Outdoor Recreation Areas - Residential Uses

1. *In addition to the requirements of Subsections 8-6.148.110 E. and F., outdoor recreation space shall be provided in multi-family or manufactured/mobile home park residential development for the shared or common use of all residents in the following amounts:*
 - a. *Studio size up to and including two-bedroom units, 200 hundred square feet per unit; and*
 - b. *Three or more bedroom units, 300 square feet per unit.*
2. *The required recreation space may be provided using one or more of the following options:*
 - a. *It may be all outdoor space;*
 - b. *It may be part outdoor space and part indoor space, for example, an outdoor tennis court, and indoor recreation room;*
 - c. *It may be all public or common space;*
 - d. *It may be part common space and part private, for example, it could be an outdoor tennis court, indoor recreation room and balconies on each unit; or*
 - e. *Where balconies are added to units, the balconies shall not be less than 48 square feet.*

FINDINGS: The proposal is not a residential structure so this criterion does not apply.

H. Demarcation of Public, Semipublic and Private Spaces - Crime Prevention

1. *The structures and site improvements shall be designed so that public areas such as streets or public gathering places, semipublic areas and private outdoor areas are clearly defined in order to establish persons having a right to be in the space, in order to provide for crime prevention and to establish maintenance responsibility; and*
2. *These areas may be defined by:*

- a. *A deck, patio, low wall, hedge, or draping vine;*
 - b. *A trellis or arbor;*
 - c. *A change in the texture of the path material;*
 - e. *Signs; or*
 - f. *Landscaping.*
3. *Mail boxes shall be located in lighted areas having vehicular or pedestrian traffic.*
 4. *Light fixtures shall be provided in parking lots, stairs, ramps, and abrupt grade changes.*

FINDING: The development will include building and yard lighting. The parking area in front of and adjacent to the building will be open and visible to the public street. The standard is met.

I. Landscaping

1. *All landscaping shall be designed in accordance with the requirements set forth in this title.*
3. *CR, RC, LI, P, and OS Zones. A minimum of 15 percent of the site area shall be landscaped.*
7. *Parking, Loading or Service Areas.*
 - a. *A parking, loading or service area which abuts a street shall be set back from the right-of-way line by a landscaped strip at least 10 feet in width and the landscaped area shall: comply with the provisions of Chapter 8-6.104, Landscaping.*
 - b. *A parking, loading or service area which abuts a property line shall be separated from the property line by a landscaped area that complies with the provisions of Chapter 8-6.104, Landscaping.*

FINDING: The proposed development meets these standards. The landscaping plan will be reviewed as part of the building permit process to assure conformance with standards.

J. Drainage

All drainage plans shall be designed to comply with city public facilities standards and Oregon Department of Transportation requirements.

FINDING: A drainage plan will be reviewed at the time of building permit to assure compliance with applicable standards.

K. Natural Features

Evidence of compliance with applicable state and federal protection and notification requirements regarding wetlands, riparian areas, and wildlife habitat.

FINDING: This criterion is not applicable as there are no identified wetlands, riparian areas, or wildlife habitats.

L. Mail Boxes

Mail boxes are prohibited in public road right-of-way.

FINDING: The City will assure this standard is met.

RECOMMENDATION

It is recommended the Planning Commission APPROVE the proposed site design review subject to the following conditions:

1. The site plan submitted with the building permit applications shall substantially conform to that submitted with this application.
2. Each of the buildings will have a Knox box with the installation to be approved by the Fire Department Station Captain. Each of the buildings will have address numbers that are contrasting in color and can be seen from the road.
3. All required setbacks and landscaping are met and reflected on the final site plan.

AGENDA ITEM III. B.

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY OF CASCADE LOCKS ADOPTING SHORT TERM RENTAL REGULATIONS WITHIN THE CITY OF CASCADE LOCKS

WHEREAS, the City Council of the City of Cascade Locks recognizes the nature of the community can be affected by unregulated short term rentals;

WHEREAS, short term rentals can encourage a vibrant tourism industry; and

WHEREAS, short term rentals can create significant transient room tax revenue;

THE CITY OF CASCADE LOCKS, HOOD RIVER COUNTY, OREGON, ORDAINS AS FOLLOWS:

SECTION 1. Definitions for understanding Short Term Rentals:

As used in this title, the singular includes the plural and the masculine includes the feminine and neuter. The word "may" is discretionary, but the word "shall" is mandatory. The following words and phrases shall have the meanings given them in this section.

BED AND BREAKFAST FACILITY means a single-family dwelling which conducts transient rental of rooms with or without a morning meal.

GROUP RESIDENTIAL means residential occupancy of dwelling units by groups of more than five (5) persons who are not related by blood, marriage, legal adoption or legal guardianship, and where communal kitchen and dining facilities are provided. Typical uses include the occupancy of houses, cooperatives, halfway houses, and intermediate care facilities. (See ORS 90.113.)

HOSTED HOMESHARE means the transient rental of a portion of a dwelling while the homeowner is present.

HOSTEL means any establishment having beds rented or kept for rent on a daily basis to travelers for a charge or fee paid or to be paid for rental or use of facilities and which are operated, managed, or maintained under the sponsorship of a non-profit organization that holds a valid exemption from federal income taxes under the federal law. (See ORS 446.310.)

NON-TRANSIENT RENTAL means to rent a dwelling unit or room(s) for compensation on a month-to-month basis, or for a longer period.

RESIDENTIAL OR RESIDENTIAL USE means the occupancy of a dwelling unit on a non-transient basis. Uses where tenancy is arranged on a transient basis are not considered residential.

RESIDENTIAL DEVELOPMENT means single-family dwellings, manufactured home, duplexes, triplexes, townhouses, residential condominiums, multi-family dwellings, accessory dwelling

units, group residential facilities, and similar structures. In some circumstances the use of residential development for non-residential uses may be approved.

(RESIDENTIAL) DWELLING UNIT means a single unit providing complete, independent living facilities for one (1) or more person, including permanent provisions for living, sleeping, eating, cooking, and sanitation. Buildings with more than one set of cooking facilities are considered to contain multiple dwelling units unless the additional cooking facilities are clearly accessory, such as an outdoor grill.

ROOMING HOUSE means a building where the non-transient rental of lodging, without meals, is provided to five (5) or more people.

SINGLE-FAMILY DWELLING, DETACHED (Detached Single Family Dwelling). A detached single-family dwelling unit located on its own lot.

TRANSIENT RENTAL means to rent a dwelling unit or room(s) for compensation on less than a month-to-month basis.

VACATION HOME RENTAL means the transient rental of an entire dwelling unit.

SECTION 2. Regulations:

Hosted Homeshares, **Transient Rentals**, and Vacation Home Rentals are permitted as a conditional use in the following City of Cascade Locks residential zones:

Rural Residential (RR)
Low Density Residential (LDR)
Medium Density Residential (MDR)
High Density Residential (HDR)

Hosted Homeshares and Vacation Home Rentals are not permitted in the following City of Cascade Locks zones:

Commercial (C)
Commercial/Residential (CR)
Manufactured/Mobile Home Park Residential (MHR)
Downtown Zone (D)
Resort Commercial (RC)
Any Planned Unit Development (PUD)

A. Conditional Use Permit and TRT License shall be required as follows:

1. Persons operating a hosted homeshare, **transient rental**, or vacation home rental shall obtain a Conditional Use Permit.

2. The Conditional Use Permit shall be good for two (2) years from the date of issuance.
3. An application for a short term rental unit shall be processed as a **City Administrator review ministerial decision.**
4. A Conditional Use Permit shall not be granted if not accompanied by a Transient Room Tax License.

B. Use Restrictions – All Zones.

1. The room(s) for transient rental shall not include rooms within a recreational vehicle, travel trailer, tent, or other temporary shelter.
2. The maximum occupancy for the dwelling shall be two persons per bedroom plus two additional persons. For example, a two-bedroom dwelling would have a maximum occupancy of six persons.
3. One (1) hard surfaced off-street parking space shall be provided for every two bedrooms. In calculating the number of spaces required, the total shall be rounded up. Parking areas shall not be located in the front yard. If the garage is to be utilized to meet the parking requirement, a photo of the interior of the garage shall be submitted to show the garage is available for parking. Required parking may be permitted on another lot within 250 feet of the subject property with a shared parking agreement and proof of legal parking access.
4. The maximum number of days per year for which a hosted homeshare or vacation rental home may be rented is ninety (90) days per calendar year. The number of days the unit is rented per quarter shall be reported on the TRT quarterly report.
5. **An emergency contact number shall be provided to the vacation rental occupier and to the City. The emergency contact shall respond to the vacation rental property within 30 minutes to address any emergency or complaint issue.**

Failure to comply with this Code Section is a city code violation punishable by a fine of up to \$500 per day for each day the violation exists. Any homeshare, **transient rental**, or vacation rental including those advertised through internet rental accounts or services are subject to this ordinance. Internet rental accounts or services include, but are not limited to, providers such as "AirBnB," "Vacasa," and "Craigslist." Copies of online advertisements for properties located inside the City limits of Cascade Locks are evidence of intent to provide homeshare, **transient rental**, or vacation rental properties.

SECTION 3. Effective Date. This Ordinance will take effect 30 days after approval by the Mayor.

FIRST READING by the City Council 27th day of March, 2017.

ADOPTED by the City Council this 10th day of April, 2017.

APPROVED by the Mayor this 10th day of April, 2017.

ATTEST:

Kathy Woosley, City Recorder

Tom Cramblett, Mayor

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF CASCADE LOCKS ADOPTING ACCESSORY DWELLING UNIT ("ADU") REGULATIONS WITHIN THE CITY OF CASCADE LOCKS

WHEREAS, the City Council of the City of Cascade Locks recognizes the density of dwelling units within the community can be enhanced by allowing accessory dwelling units within the City limits;

WHEREAS, accessory dwelling units can provide additional income for our citizens; and

WHEREAS, accessory dwelling units will not detract from the character of the community;

THE CITY OF CASCADE LOCKS, HOOD RIVER COUNTY, OREGON, ORDAINS AS FOLLOWS:

SECTION 1. Regulations:

- A. An ADU may be created within, or detached from, any single-family dwelling, whether existing or new, as a subordinate use, where permitted by this chapter in RR, LDR, MDR, and HDR Zones **located in the City.**
- B. Only one ADU may be created per parcel or ownership as an accessory use **in conjunction with an existing** single-family dwelling (no townhouse or duplex).
- C. **An ADU cannot be bought or sold separately, as a condominium or a dwelling on wheels might be.**
- D. An application for an ADU shall be processed as a **City Administrator review ministerial decision. The City Administrator may deny an application for an ADU if the ADU does not use building materials, architectural design, and colors such that the ADU blends with the general appearance of the primary dwelling.**
- E. Only the property owner, which includes title holders and contract purchasers, may apply for an ADU. The property owner must occupy the primary dwelling or the ADU as their principal residence for at least six months out of the year. A primary residence shall be the residence where the owner is registered to vote, used as the primary residence for tax purposes, or **established by other proof provided by the owner** that the residence is **the owner's primary dwelling**. The owner shall sign an affidavit before a notary affirming that the owner occupies either the main dwelling or the ADU.
- F. One off-street parking space shall be provided for the ADU in addition to the off-street parking that is required for the primary dwelling.

- G. ADUs shall not exceed 800 square feet in **habitable floor area**. **The floor area of any garage shall not be included in determining the habitable floor area.**
- H. **All applicable requirements of the residential zone shall remain in full force and ADUs can only be created on these subject parcels if they can be created in a manner which maintains the primary parcel in full compliance with the underlying zone.**
- I. All other applicable development standards including, but not limited to, setbacks must be met for both the primary dwelling and the ADU.
- J. If a garage or detached building does not currently meet setbacks, it may not be converted to an ADU.
- K. All applicable standards in the City's building, plumbing, electrical, fire and other applicable codes for dwelling units must be met.
- L. The owner of the property shall accept full responsibility for the monthly sewer, electric and water bills.
- M. An ADU may not be used as a **short term rental**, hosted homeshare, **transient rental**, or vacation home rental. **Unless the ADU is owner occupied, the owner shall provide proof that the ADU is rented on a minimum 12-month lease. A 12-month lease is not required if the owner rents the ADU to an immediate relative.**
- N. The application and permit fee for an ADU shall be the same as a conditional use permit.

SECTION 2. Effective Date. This Ordinance will take effect 30 days after approval by the Mayor.

FIRST READING by the City Council 27th day of March, 2017.

ADOPTED by the City Council this 10th day of April, 2017.

APPROVED by the Mayor this 10th day of April, 2017.

ATTEST:

Kathy Woosley, City Recorder

Tom Cramblett, Mayor

1. **Call to Order/Pledge of Allegiance.** The JWGED was called to order by PP Groves at 7:05 PM. Members present: PP Jess Groves, PGM Paul Koch, Port Secretary Sally Moore, Mount Hood Community College (MHCC) Representative Aaron Sorenson, Nate Stice, Office of the Governor Kate Brown: Regional Solutions Coordinator, PC Brad Lorang, CM Glenda Groves, CM Richard Randall and Citizen Member Bernard Seeger. Citizens present were: Dave Lipps, Caroline Park, Margie Curtis, Kate Stuart, Ray Cless and Gyda Haight.
2. Welcomes and Self-Introductions All in the room introduced themselves.
3. **Adoption of meeting minutes February 23, 2017**
Motion: CM Randall moved, seconded by PC Lorang to approve the February 23, 2017 minutes. Motion passed unanimously.
4. **Citizen Input:** Caroline Park stated she is grateful that Short Term Rentals (STR) are being addressed before a decision is made for the City of Cascade Locks. PP Groves stated it needs to be vetted out in the community. Gary Munkhoff was to speak about STR's tonight, but was absent. PP Groves stated that it would still be discussed even though Gary was absent. Dave Lipps stated he was there to address Short Term Rentals. Gyda Haight stated that meetings should always be open, public and the agenda should be set.
5. **City/Port Issues:**
 - a. Discussion of the JWGED members to determine if any information or facts needs to be sent to the broader community. – PGM Koch stated this will always be on the agenda to remind the group that there are always issues and facts to get out to the community and the public.
 - b. Discussion on economic possibilities of short term rentals and accessory dwelling units - PC Lorang stated the driver for Hood River was restriction and Cascade Locks (CL) is not at that point. He noted "one size does not fit all" and stated CL will need to be flexible. He said there is a deficiency of bricks and mortar in CL and allowing people to make money on their property and have people stay in town to shop and eat and spend money will help the local economy. PP Groves stated the point of the Joint Work Group is to look at this strategically and put it in the economic development basket. He stated parking needed to be addressed and said this can be a safety issue as the streets are not wide. The City needs to make sure they can get a fire truck down the street. He stated they need to get everyone's input on parking and what does it look like? He stated one option could be to maybe park on one side of the road. Bernard Seeger stated Gresham has STR's, and has a permit process. It is expensive. Some do not pay for it. It is hard to track them as Gresham is too big. There are a lot of regulations. He would like to know what the economic impact study would look like for CL. He stated that income is a good thing and making it too regulated and cumbersome would not work. He asked what the Transient Room Tax (TRT) was for the City. PC Lorang suggested making the STR process as simple as possible. Caroline stated there are people who make income in the community from STR. There are 10 or so active STR's and she feels that it is statistically significant. She sits on the Tourism Committee, and stated that most pay the Transient Room Tax (TRT) already and there is already a baseline. PGM Koch stated the Planning Commission is asking the JWGED to look at STR's with an economic development point view rather than a restrictive point of view. That would help the City figure out how to design a program that would allow a person to make an income. Katelin Stuart stated that it should be noted there is a nuanced difference between seasonal rental and a short term rental, (i.e., windsurfing), and that should be added as well. PP Groves agreed and noted that. Gyda Haight, a member from the Planning Commission stated she would like to see what Bernard and the Community has to say,

hear the conversation and ideas and know the different structures and prices that other cities use. She thanked the Bernard for his information. PC Lorang suggested making the STR application process as simple as possible. He would not charge an application fee, just charge a TRT. Dave Lipps stated he would like to move the ADU conversation along faster. Dave Lipps stated that ADU's will help the City as housing is a problem and will solve the workforce housing shortage problem. Dave Lipps, owner of Thunder Island Brewing stated many of his employees need housing as well and cannot find it. PP Groves stated there is a workforce housing shortage. PP Groves stated the next meeting there will be a discussion about ADU's at JWGED, and it will added to the agenda as an item, and PGM Koch will let CA Zimmerman know.

c. Port Economic Development Activities – PGM Koch reported that on May 4 at 9:30AM, the Port and City will meet during the Economic Development Subcommittee meeting to discuss two options to the waste water approach in the Business Park and in the City, and how they might serve the community and the Port. He reported that the Port is waiting for a decision on their 1.8 million dollar loan application to build new Flex 2 and Flex 4 buildings. The Port has committed tenants ready to lease the buildings. The Port will hold another community meeting in June to discuss the final Marine Park Master Plan and the Commission will then adopt it later that month. The Port received a \$10,000 grant to conduct a study on the best way to house the Oregon Pony. The Pony is on loan from the Oregon Historical Society. An Advisory Team was formed to get ideas on possibilities. The team has come up with 5- different options for a new building. The building in which the Pony is now housed in, is inadequate and will need immediate repairs as the Pony requires specific humidity ranges. Long term plans for the Pony will be discussed at a public listening session in May and final Port Commission adoption will be in June.

d. City Economic Development Activities – CA Zimmerman was not present to give a report. However, PP Groves reported the waterline project was delayed, but should start this summer at the east end of CL. Traffic will be disrupted. He stated the City made an offer to purchase a substation from BPA for \$50,000.

6. Reports from Other Agencies

a. Aaron Sorenson with Mt Hood Community College stated that next Thursday MHCC will hold their Diversity Job Fair. Businesses from CL were invited. Students and citizens from CL were invited. Aaron stated on June 24, they will hold their annual Strawberry Shortcourse. It is a family fun event where businesses can come and have a booth. There are free workshops, like homebrewers, etc. It is free of charge. Aaron stated the Mechatronics program is ready to go and will start this fall. It is fully accredited. It will have a cohort of 16 students and scholarships will be available the first year.

Caroline Park shared that this is the first time the Tourism Committee has had a full Board. She stated Emmy Thompson recently joined the Committee. It is a volunteer Board. They administer the TRT tax under the guidance of the City. She stated she attended the Marine Park Master Planning meeting. This inspired the Tourism Committee to do the same. They have been working on a Strategic Plan and it will be presented to Council by the end of the year in the hope it will align with the outcomes of Travel Oregon Rural Tourism Studio held last year in the Gorge. Caroline noted a lot of work has gone into it. They would like a member of the Joint Work Group to attend some meetings. Caroline stated the Port overcrossing project into the park stairs/elevator would not be conducive to the bicycle tourism community. She asked for consideration of the economic impact of cycle tourism and that

infrastructure. Dave Lipps stated at the ODOT public meeting there was a huge interest in the ramp elevator overpass into the park. Dave stated with stairs, marathons will still have to go through the tunnel into the Park and block the road. He stated it is not creating a solution and a ramp would solve that solution. Nate Stice Regional Solutions coordinator gave some reports from other agencies. He stated he spoke with Carolyn Meece of Business Oregon and she stated that the Port's Flex building loan application is still pending; the Airport study is still being considered by the Port's marketing fund as well; the ODFW exchange process will restart later in the spring and ODOT crosswalk on WaNaPa design will start next week. He noted that the Governor's office is very interested in the conversation on workforce housing in the State, specifically in rural areas. He noted he is available to help with the tools and funding provided to him with housing projects. PP Groves stated that he has received phone calls from locals regarding the beautification of the downtown area and would like the Port and City to pursue grant funding for that. He said the Angela Coe Rainy Walk will be May 6.

7. **Other Matters:** Bernard Seeger stated the PCT Trails Skills College will be held the weekend of April 28. He has registered for the event. He noted in order to clean up the trails; a person has to be certified. He stated the trails are a disaster after this winter. Caroline Park stated that the PCT Assn., particularly the Mt. Hood Chapter, needs to be commended for all of their hard work cleaning up trails near the area recently. Dave Lipps stated crews have been cleaning up crews 4 days a week. PGM Koch stated the Firemen's Breakfast will be held April 29 from 7am-2pm.
8. **Next meeting: May 25, 2017**
9. **Adjournment: The meeting adjourned at 8:20pm.**

Prepared by
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APPROVED:

Jess Groves, Port President

Issues and Concerns for Short Term Rentals (STR)

The following issues need to be discussed and addressed in any short term rental ordinance adopted by the City of Cascade Locks.

1. Definition and Types of STR

- a. Home share
- b. Vacation Home rental
- c. Bed and Breakfast
- d. Transient Rental

2. Planning and Zoning:

- a. Understanding that STR is a planning issue
- b. What zones should STR be allowed to operate in?
- c. What zones should be excluded?
- d. Conditional Use
 - i. Planning Commission Review
 - ii. City Administrator Review

3. Limitations on Number of Days for Rentals

4. Registration Requirements

- a. Fee to cover the costs necessary to issue permit
- b. Owner Contact Information
- c. Emergency in town contact
- d. Transient Room Tax (TRT)

5. Audits

6. Inspections

7. Parking

- a. On Street

b. Off Street

8. Preventative versus Curative Regulations

Stakeholders to be consulted:

- 1. Planning Commission**
- 2. Home Share Owner**
- 3. Vacation Home Rental Owner**
 - a. Out of Town Property Owner
 - b. In town Property Owner
- 4. Transient Room Representative (Motel Owner or Designee)**
- 5. Tourism Committee Representative**

Issues and Concerns Accessory Dwelling Units (ADU's)

The following issues need to be discussed and addressed in any short term rental ordinance adopted by the City of Cascade Locks.

1. Definition of Accessory Dwelling Unit

- a. Size: square foot or percentage
- b. Building Code requirements

2. Planning and Zoning:

- a. Understanding that ADU is a planning issue
- b. What zones should ADU's be allowed to operate in?
- c. What zones, if any, should be excluded?
- d. Conditional Use
 - i. Planning Commission Review
 - ii. City Administrator Review

3. Limitations on Use

- a. STR (Yes or No)

4. Registration Requirements

- a. Fee
- b. Owner Contact Information

5. Parking

- a. On Street
- b. Off Street

6. Preventative versus Curative Regulations

