

**Exhibit A**  
**Findings of Fact for ADS Minor Partition**  
**May 10, 2023**  
**994 E Penney Ave**

**BEFORE THE CITY PLANNING COMMISSION**  
**OF THE CITY OF HERMISTON, OREGON**

**In the Matter of a Request for Minor Partition to Divide Approximately 100.16 Acres of Property Described as Lot 2 of the “Stahl Replat” Located in Section 23 and 24, Township 4 North, Range 28 E, Generally Located North of Feedville Road, South of E. Penney Ave., East of Hermiston-Hinkle Rd., and West of SE Kelli Blvd.**

**NARRATIVE IN SUPPORT OF THE MINOR PARTITION APPLICATION PROPOSED BY AMAZON DATA SERVICES, INC.**

**I. INTRODUCTION**

Amazon Data Services, Inc., a Delaware corporation (“Applicant”), submits this application (“Application”) to the City of Hermiston (“City”) requesting approval to partition real property described as Lot 2 of the “Stahl Replat” in the City limits (“Property”) into two parcels as depicted on the proposed tentative partition plan in Exhibit 1. This narrative explains how the Application satisfies the applicable requirements of the Hermiston City Code (“HCC”) and ORS Chapter 92. Accordingly, the City Planning Commission (“Commission”) should approve the Application.

**II. DESCRIPTION OF SUBJECT PROPERTY AND SURROUNDING AREA**

Applicant is the owner of the Property, which is approximately 100.16 acres in size and located north of Feedville Road, south of E. Penney Ave., east of Hermiston-Hinkle Rd., and west of SE Kelli Boulevard in the City. The Property is described as Lot 2 of the “Stahl Replat,” Map No. 4N282400, Tax Lot 600. An aerial photo of the Property and the surrounding vicinity is attached as Exhibit 2. A tax lot map that identifies the Property is attached as Exhibit 3. A copy of the “Stahl Replat” is attached as Exhibit 4. The Property is zoned C-2 and M-2. It is vacant. Surrounding properties are zoned and utilized as follows:

<b>ADJACENT PROPERTY</b>	<b>ZONING</b>	<b>USE</b>
To North	C-2/M-2 and C-2/M-1	Warehouse; Vacant
To South	EFU/FI	Vacant; Railroad
To East	C-2/M-2	Warehouse; Retail
To West	C-2/M-2	Vacant

### III. DETAILS OF REQUEST

The proposal would partition the Property into two parcels—Parcel 1 and Parcel 2. Parcel 1 is proposed to be approximately 86.37 acres and has frontage on Feedville Road, SE Kelli Boulevard, and Penney Avenue. Parcel 2 is proposed to be approximately 13.79 acres in size and would be located in the southwestern section of the Property, with frontage on Feedville Road. The two parcels are depicted and described on the tentative partition plan attached as Exhibit 1. The purpose of the partition is to divide the Property into two separate parcels, which will ultimately be under separate ownership.

### IV. THE APPLICATION COMPLIES WITH THE CITY'S CRITERIA FOR A MINOR PARTITION

The City's Planning Department website lists the criteria for approving a preliminary plat for a minor partition. Those criteria are listed and responded to in this Section IV. Note that most of the criteria listed here are from the Hermiston City Code provisions that are addressed in Section V of this Application.

#### **A. The proposed preliminary plat is in [ ] conformance with the Hermiston Comprehensive Plan.**

RESPONSE: The Application requests approval of a tentative partition plan, which is a "limited land use decision" pursuant to ORS 197.015(12). As a result, the Application is only subject to comprehensive plan policies that are incorporated into the City's land use regulations. ORS 197.195(1). Incorporation is not achieved by a general statement in a land use regulation that an application must show "compliance with" the comprehensive plan and no specific comprehensive plan goals or policies are identified in the land use regulation. *Paterson v. City of Bend*, 201 Or App 344, 350-351, 118 P3d 842 (2005). Item A of Hermiston's CRITERIA FOR A MAJOR/MINOR PARTITION consists of a general statement requiring compliance with the City's comprehensive plan. It does not expressly incorporate any specific comprehensive plan provisions into the City's land use regulations. Therefore, the City is not permitted to review the Application for compliance with any specific comprehensive plan provision. Moreover, the City's adopted and acknowledged land use regulations are consistent with and implement the City's comprehensive plan. Therefore, compliance with these land use regulations will ensure that the Application is necessarily also consistent with the City's comprehensive plan.

#### **B. The proposed preliminary plat is in conformance with all applicable provisions of this code, other city codes and ordinances, and Oregon law.**

RESPONSE: The City has adopted land use regulations that implement these various requirements. For the reasons addressed in Section V below, the Application is consistent with these regulations. The Application is consistent with Oregon law. The Application complies with this criterion.

#### **C. For a minor partition, no creation of a street or road is required.**

RESPONSE: The Application complies with this criterion. See Exhibit 1.

**D. The proposed partitioning of land does not prohibit the extension of dedicated streets or roads.**

RESPONSE: The Application complies with this criterion. See Exhibit 1.

**E. The proposed partitioning will not conflict with legally established easements or access within or adjacent to the proposed land partition.**

RESPONSE: The Application complies with this criterion. See Exhibit 1.

**F. The parcels are located and laid out to properly relate to adjoining or nearby lot or parcel lines, utilities, streets, or other existing or planned facilities.**

RESPONSE: The Application complies with this criterion. See Exhibit 1.

**G. The proposed property is physically suitable for the type and proposed density of development and conforms to existing zone standards.**

RESPONSE: See section below addressing lot size requirements. The Application does not propose any development of the land. The Application complies with this criterion. See Exhibit 1.

**H. The existing sewer and water facilities are adequate to serve the proposed development.**

RESPONSE: This Application does not propose any development of the land. A future application to develop either parcel will address necessary services, including sewer and water.

**I. The resulting lots will conform to the minimum size standards required in that zone.**

RESPONSE: See sections below addressing the minimum size standards required in M-2 and C-2. The Application complies with this criterion.

**J. Separate water and sewer service will be provided to each parcel as it develops.**

RESPONSE: This Application does not propose any development of the land. A future application to develop either parcel will address necessary services, including sewer and water.

**V. THE APPLICATION COMPLIES WITH THE HERMISTON CITY CODE**

HCC Chapter 154 establishes the application requirements, review procedures, and approval standards for the Application. As explained below, the Application satisfies the applicable provisions and should be approved.

**154.02: PRELIMINARY ACTIONS:**

**Each subdivider of land shall confer with the city staff before preparing a preliminary subdivision plat or map in order to become thoroughly familiar with the subdivision requirements and with the proposals of the Comprehensive Plan affecting the territory in which the proposed subdivision lies.**

RESPONSE: Applicant had a preliminary meeting with City staff, including Assistant City Manager Mark Morgan and Planning Director Clinton Spencer, on March 28, 2023. The Application is responsive to the preapplication discussion with the City.

**154.04: JURISDICTION AND PROCEDURE**

**(A) It shall be unlawful for any person being the owner, agent or person having control of any land within the city to divide land by a major or minor partition not in accordance with the laws of the state and the regulations contained herein. The proposed partition shall first be submitted to the Planning Commission for approval or disapproval. After report and approval of the Planning Commission is made and filed, all minor partitions shall be permitted, but all major partitions shall be submitted to the City Council for its approval or disapproval. No plat or map shall be recorded and no lots shall be sold from a plat or map until approved by the City Council and recorded with the county.**

RESPONSE: Applicant is seeking approval pursuant to HCC of the proposed minor partition to the Planning Commission. The Application complies with the laws of the state of Oregon. After report and approval by the Planning Commission is made and filed, Applicant will submit the final partition to the Planning Commission for approval before sending the final partition to the County for recording.

**(B) The design and layout of all subdivisions shall conform with the requirements of §§ 154.15 through 154.21. The subdivider shall submit a preliminary plat or map in accordance with the specifications of § 154.35 hereof. The final plat or map shall be submitted in accordance with the provisions of §§ 154.45 and 154.46 hereof.**

RESPONSE: Applicant addresses the specific provisions of §§ 154.15 through 154.21, and HCC 154.35. Based upon those responses, the Commission should find that the Application complies with this requirement.

**154.15: RELATION TO ADJOINING STREET SYSTEM**

**(A) The function, location, width, and grade of streets shall be considered in relation to existing and planned streets, to topographical conditions, to public convenience and safety, and to the proposed use of land to be served by the streets.**

RESPONSE: This Application is for a minor partition and therefore does not include creation of a street. See Exhibit 1.

**(B) The street system shall assure an adequate and safe traffic circulation system with intersection angles, grades, tangents, and curves appropriated for the traffic to be carried, considering the terrain.**

RESPONSE: This Application is for a minor partition and therefore does not include creation of a street. See Exhibit 1. Therefore, this criterion is not applicable to the Application.

**(C) Off-set streets should be avoided.**

RESPONSE: This Application is for a minor partition and therefore does not include creation of a street. See Exhibit 1. Therefore, this criterion is not applicable to the Application.

**(D) The angle of intersection between minor streets and major streets should not vary by more than 10 degrees from a right angle unless special intersection design is provided.**

RESPONSE: This Application is for a minor partition and therefore does not include creation of a street. See Exhibit 1. Therefore, this criterion is not applicable to the Application.

**(E) Streets obviously in alignment with existing streets shall bear the names of the existing streets. All proposed street names should be checked to avoid duplication of other street names.**

RESPONSE: This Application is for a minor partition and therefore does not include creation of a street. See Exhibit 1. Therefore, this criterion is not applicable to the Application.

**(F) If the subdivision abuts a present or proposed major arterial street, marginal interceptor streets running parallel to the arterial street may be required.**

RESPONSE: The Property does not abut a present or proposed major arterial street. Therefore, this criterion is not applicable to the Application.

**(G) Streets shall be interconnected and provide for continuation or appropriate extension to surrounding properties. Cul-de-sac streets shall be allowed only when one or more of the following conditions exist:**

RESPONSE: This Application is for a minor partition and therefore does not include creation of a street. See Exhibit 1. Therefore, this criterion is not applicable to the Application.

**(1) Physical or topographic conditions make a street connection impracticable. Such conditions include but are not limited to freeways, railroads, steep slopes, wetlands, or other bodies of water where a connection could not reasonably be provided.**

RESPONSE: The Application does not propose a cul-de-sac, so this criterion is not applicable to the Application.

**(2) Buildings or other existing development on adjacent lands physically precludes a connection now or in the future, considering the potential for redevelopment.**

RESPONSE: The Application does not propose a cul-de-sac, so this criterion is not applicable to the Application.

**(3) Where street connection would violate provisions of leases, easements, covenants, restrictions or other agreements existing as of the date of adoption of the TSP which preclude a required street connection.**

RESPONSE: The Application does not propose a cul-de-sac, so this criterion is not applicable to the Application.

**(4) Where cul-de-sacs are planned, multi-use paths connecting the end of the cul-de-sac to other streets or neighborhood activity centers shall be provided if feasible.**

RESPONSE: The Application does not propose a cul-de-sac, so this criterion is not applicable to the Application.

**(5) Cul-de-sac streets shall be as short as possible and should not exceed a length of 400 feet. A cul-de-sac shall terminate with a turn-around.**

RESPONSE: The Application does not propose a cul-de-sac, so this criterion is not applicable to the Application.

#### **154.16: STREET AND ALLEY WIDTH**

**(A) The width of streets and alleys shall be adequate to fulfill city standards as provided for in the Transportation System Plan (TSP). The standard cross-sections provide some flexibility in the right-of-way and paved width, depending on factors such as whether on-street parking and bike lanes are provided. Standards for streets and alleys are adopted in the TSP and incorporated into this section by reference:**

**Table 1: Urban Arterial Cross Sections**

**Table 2: Urban Collector Cross Sections**

### **Table 3: Urban Local Street Cross Sections**

### **Table 4: Rural Arterial/Collector/Local Road Cross Sections**

RESPONSE: This Application is for a minor partition and therefore does not include creation of a street. See Exhibit 1. Therefore, this criterion is not applicable to the Application.

**(B) Where alleys are provided in residential blocks, a minimum width of 20 feet shall be required. Alleys are required in the rear of all business lots and shall be at least 25 feet wide. A five-foot cutoff shall be made at all acute angle alley intersections.**

RESPONSE: The Property is not in a residential block and does not include an alley. Therefore, this criterion is not applicable to the Application.

### **154.17: EASEMENTS**

**(A) Width requirements. Easements of at least six feet in width shall be provided on each side of all rear lot lines and alongside lot lines, where necessary, for poles, wires, conduits, storm and sanitary sewers, gas, water or other mains. Easements of greater width may be required along or across lots where necessary for the extension of main sewers or other utilities or where both water and sewer lines are located in the same easement.**

RESPONSE: The Property includes various easements, as shown on Exhibit 1. The Application does not propose development that may require additional easements. Therefore, this criterion is satisfied.

**(B) Along streams. Whenever any stream or important surface drainage course is located in an area which is being subdivided, the subdivider shall provide an adequate easement along each side of the stream for the purpose of widening, deepening, sloping, improving or protecting the stream or for drainage, parkway or recreational use.**

RESPONSE: The Property is not located along a stream. Therefore, this criterion is not applicable to the Application.

**(C) For irrigation. Whenever any irrigation system is located and/or proposed to be created in an area which is being subdivided, the subdivider shall provide an adequate easement as approved by the Planning Commission and the Hermiston Irrigation District.**

RESPONSE: The Application does not include nor propose an irrigation easement. Therefore, this criterion is not applicable to the Application.

### **154.18: BLOCKS**

**(A) In residential zones, block lengths shall not exceed 600 feet in length between intersecting through streets, except where topography or existing development creates conditions requiring longer blocks.**

RESPONSE: The Property is not in a residential zone. Therefore, this criterion is not applicable to the Application.

**(B) Where block lengths exceed 600 feet, the Planning Commission may require a six- to ten-foot-wide paved bicycle/pedestrian access way through the block to enhance bicycle and pedestrian circulation by providing short, direct connections between destinations.**

RESPONSE: The Property is not in a residential zone, and through block connections on the Property would not enhance bicycle or pedestrian circulation due to the existing and surrounding uses of the Property and lack of connections. Therefore, the Application satisfies this criterion.

**154:19: LOTS**

**(A) The lot arrangement and design shall be such that all lots will be properly related to topography and existing development patterns.**

RESPONSE: The proposed lots are properly related to the topography and existing development patterns, aligning with the existing street network. The Application satisfies this criterion.

**(B) All side lines of lots shall be at right angles to straight street lines and radial to curved street lines, unless prevented by environmental or topographical constraints, existing development patterns, or to comply with other standards in this code. Lots with double frontage shall be avoided.**

RESPONSE: The proposed parcel lines are at right angles to existing streets. The Application satisfies this criterion.

**(C) The minimum width of residential lots shall be 60 feet at the building lines. No lot shall have a depth in excess of three times its width. Minimum sizes of lots shall conform to the standards established by the zoning code of the city for the zone in which the lots are located. Where zero lot line lots are proposed, the minimum lot width shall be a minimum of 60 feet for the aggregate of all attached housing with a minimum of 2,000 square feet for each individual lot.**

RESPONSE: The Property is not a residential lot. Additionally, there is no minimum lot size for areas zoned to C-2 and M-2. HCC 157.056(D), 157.041; see HCC 157.055(D). Therefore, Application satisfies this criterion.



**(D) Where corner lots rear upon lots facing the side street, the corner lots shall have extra width sufficient to permit the establishment of front building lines on both the front and side of the lots adjoining the streets.**

RESPONSE: This provision does not apply to the proposed parcels in this Application, but Applicant acknowledges the requirements of this provision.

**(E) Corner lots at street intersections which, in the opinion of the Planning Commission, are likely to be dangerous to traffic movement shall have the corner of the lot cut off either by a chord or circular arc sufficient to allow a minimum of six feet between the curb line and the lot corner when and if the streets are curbed with the curb installed on a radius of 20 feet.**

RESPONSE: Applicant does not anticipate that the Planning Commission will deem its pre-existing corner lots as dangerous to traffic movement. Therefore, the Application satisfies this criterion.

**(F) Where a flag lot is proposed, the following design standards shall apply:**

**(1) The access portion shall be at least 25 feet wide.**

**(2) Where two flag lots are proposed, the 25-foot access lane may be shared between the two lots, with each lot having 12.5 feet of access.**

**(a) When two lots share a 25-foot access the city will require access easements to be prepared granting each parcel full access to the entire 25-foot access for ingress and egress.**

**(b) No fencing shall be installed in a shared access which inhibits the right of access for either parcel.**

**(3) The access portion of an access lane shall be paved to a width of at least 20 feet.**

**(4) The access shall include sufficient easements and paved improvements to allow adequate maneuvering space for fire and emergency vehicles.**

**(5) The minimum parcel size, setback and lot coverage requirements of the underlying zone will apply to all flag lots.**

**(a) When determining minimum parcel size, the access lane shall not be included in the calculation of lot size or lot coverage.**

**(b) When determining setback requirements, the front lot line shall be established by projecting an extension of the access lane through the property.**

(c) The minimum lot width shall be the same as that established in the underlying zone and shall be parallel to the extension of the access lane through the property.

(d) The minimum lot depth shall be the same as that established in the underlying zone and shall be perpendicular to the extension of the access lane through the property.

(6) No more than two parcels shall be created utilizing a single access flag. When more than two parcels are proposed, a new public street must be created.

RESPONSE: Neither Parcel 1 nor Parcel 2 is a flag lot. The Application satisfies this standard.

#### **154.20: CHARACTER OF DEVELOPMENT**

(A) Where the subdivision contains sewers, sewage treatment plants, water supply systems, park areas, streets, trees or other physical facilities necessary or desirable for the welfare of the area and which are of common use or benefit and are not or cannot be satisfactorily maintained by an existing public agency, provision shall be made by trust agreements made a part of the deed restrictions, acceptable to any agency having jurisdiction over the location and improvement of such facilities, for the proper and continuous maintenance and supervision of the facilities.

RESPONSE: The lot does not contain sewers, sewage treatment plants, water supply systems, park areas, streets, trees, or other physical facilities necessary or desirable for the welfare of the area and which are not or cannot be satisfactorily maintained by an existing public agency. Therefore, the Application satisfied this criterion.

#### **154.21: ACCESS MANAGEMENT**

In subdividing property, consideration shall be given to suitable sites for schools, parks, playgrounds and other common areas for public use so as to conform to any recommendation of the City Comprehensive Plan. Any provision for schools, parks and playgrounds should be indicated on the preliminary plan in order that it may be determined when and in what manner such areas will be provided or acquired by the appropriate taxing agency.

RESPONSE: The Application considers the recommendations of the Comprehensive Plan and satisfies this criterion. As a limited land use decision under ORS 197.015(12), the Application is only subject to the comprehensive plan policies that are incorporated into the City's land use regulations. ORS 197.195(1). Notwithstanding the foregoing, the Application given consideration to the HCC 154.21 and is consistent with the criterion.

#### **154.35: PRELIMINARY PLAT REQUIREMENTS**

**(A) Whenever any person desires to subdivide land into building lots and to dedicate streets, alleys or land for public use, the person shall submit four copies of the preliminary sketch plat conforming to the requirements of 154.15 through 154.21 to the Planning Commission before submission of the final plat.**

RESPONSE: Applicant submits the required preliminary plat, conforming with the requirements of HCC 154.15 through 154.21 as detailed above, as Exhibit 1 as well as three additional copies attached to the application.

**(B) The preliminary plat must be filed with the City Planner at least 30 days prior to the meeting of the Planning Commission. Minor partitions containing three lots or less may be exempted from the provisions of this section.**

RESPONSE: The Application is for a minor partition containing two lots and is exempt from the provisions of this section. However, Applicant is providing this Application more than 30 days prior to the meeting of the Planning Commission.

**(C) The preliminary plat shall show:**

**(1) The location of present property lines, section lines and the lines of incorporated areas, streets, buildings, water courses, tree masses and other existing features within the area to be subdivided and similar information regarding existing conditions on land immediately adjacent thereto;**

RESPONSE: Applicant's preliminary plat, attached as Exhibit 1, satisfies the requirements of this criterion.

**(2) The proposed location and width of streets, alleys, lots, building and setback lines and easements;**

RESPONSE: The Application satisfies this criterion.

**(3) Existing sanitary and storm sewers, water mains, culverts and other underground structures within the tract or immediately adjacent thereto. The location and size of the nearest water main and sewer or outlet are to be indicated in a general way upon the plat;**

RESPONSE: The preliminary plat shows the existing sanitary and storm sewers, water mains, culverts, and other underground structures to the extent on or adjacent to the Property.

**(4) The title under which the proposed subdivision is to be recorded and the name of the subdivider platting the tract;**

RESPONSE: The Application does not propose to change the title of the Stahl Replat. The subdivider and owner is Amazon Data Services, Inc., which is noted on the preliminary plat. See Exhibit 1.

**(5) The names and adjoining boundaries of all adjoining subdivisions and the names of recorded owners of adjoining parcels of unsubdivided land;**

RESPONSE: The Application complies with this criterion.

**(6) Contours referred to a City Engineer's bench mark with intervals sufficient to determine the character and topography of the land to be subdivided, but in no case shall the intervals be more than one foot;**

RESPONSE: The Application satisfies this criterion. See Exhibit 1.

**(7) North point, scale and date;**

RESPONSE: The plan includes the date, north point, and scale of drawing. See Exhibit 1.

**(8) Grades and profiles of streets and plans or written and signed statements regarding the grades of proposed streets; and the width and type of pavement, location, size and type of sanitary sewer or other sewage disposal facilities; water mains and other utilities; facilities for storm water drainage and other proposed improvements such as sidewalks, planting and parks, and any grading of individual lots; and**

RESPONSE: This Application dedicates land for City right-of-way and does not include a proposal for development that would require development details. The Applicant acknowledges the requirements of this criterion.

**(9) All the above information unless waived by the Planning Commission.**

RESPONSE: See above responses.

**(D) After the preliminary plat has been submitted to the Planning Commission in accordance with these regulations, a final plat, together with copies of any deed restrictions, shall be prepared and submitted to the City Planner. The plat shall be filed in the office of the City Planner at least 14 days prior to the meeting of the Planning Commission at which approval thereof is asked. This final plat shall be submitted and prepared in accordance with the provisions of 154.45 through 154.46 hereof.**

RESPONSE: Applicant intends to submit a final plat to the City Planner after approval of this Application by the Planning Commission. The final plat will comply with the provisions of HCC 154.45-154.46.

## **VI. CONCLUSION**

For the reasons set forth in this narrative and on the basis of evidence included with this Application, the Commission should approve the Application.

# TENTATIVE PARTITION PLAN

A PARTITION PLAT OF LOT 2, "STAHL REPLAT"  
 LOCATED IN SECTION 23 AND 24, TOWNSHIP 4 NORTH, RANGE 28 EAST,  
 WILLAMETTE MERIDIAN, CITY OF HERMISTON, UMATILLA COUNTY, OREGON

## SURVEY NOTES:

1. TOPOGRAPHIC AND UTILITY INFORMATION SHOWN HEREON IS FROM SURVEY WORK PERFORMED USING UAV (DRONE) DATA AND GROUND SURVEY DATA COLLECTED IN APRIL 2021.
2. THERE ARE NO WATERCOURSES OR AREAS SUBJECT TO FLOODING WITHIN THE PROPOSED PROPERTY
3. THERE ARE NO ROCK OUTCROPPINGS, LANDSLIDE HAZARD AREAS, WETLANDS, WOODED AREAS, OR OTHER UNIQUE FEATURES WITHIN THE PROPOSED PROPERTY.
4. THERE ARE NO KNOWN HISTORICAL SITES OR STRUCTURES WITHIN THE PROPOSED PROPERTY.

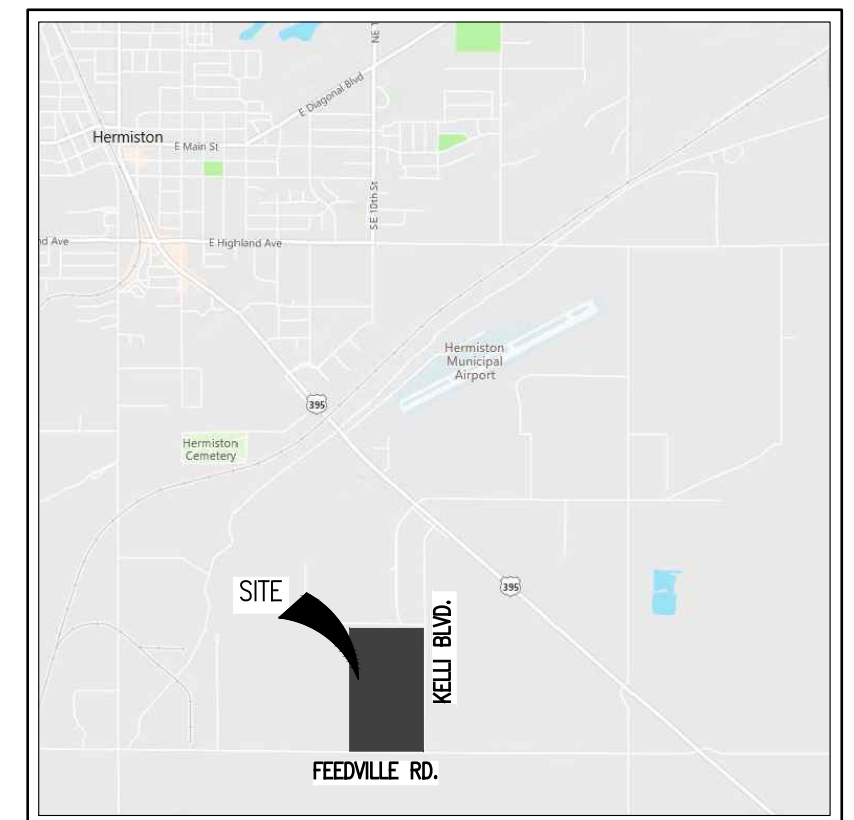
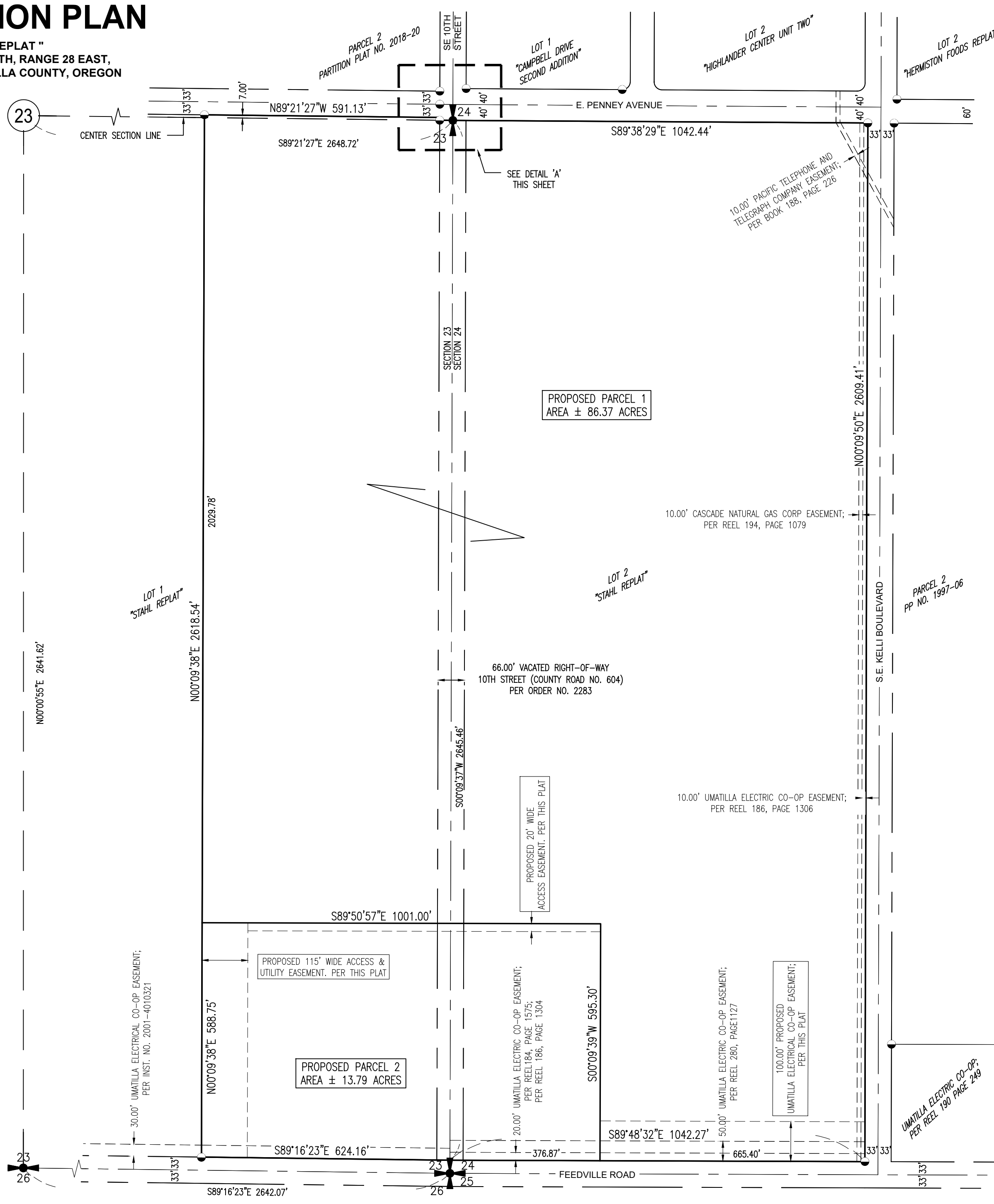
## LEGEND

- FOUND REBAR & CAP AS NOTED
- FOUND REBAR AS NOTED
- FOUND ALUMINUM CAP AS NOTED
- FOUND BRASS CAP AS NOTED
- CALCULATED CORNER AS NOTED
- ⊕ FOUND SECTION CORNER AS NOTED
- ⊕ FOUND QUARTER SECTION CORNER AS NOTED
- SUBJECT PROPERTY LINE
- - - EXISTING RIGHT-OF-WAY
- - - ADJOINING PROPERTY LINE
- - - EASEMENT LINE
- - - RIGHT-OF-WAY CENTERLINE

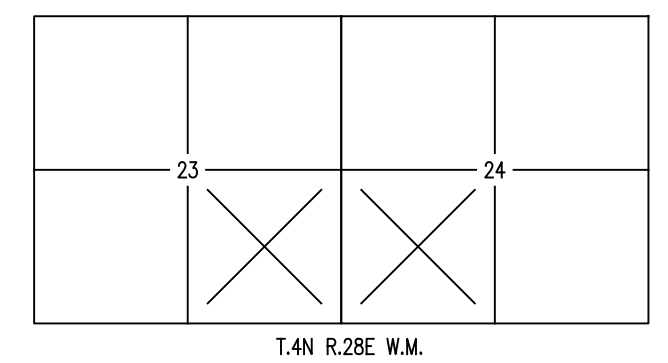
## LEGAL DESCRIPTION

\*PER AMERITITLE PRELIMINARY TITLE REPORT, REPORT NUMBER 9, FILE NUMBER 314638AM, DATED FEBRUARY 5, 2020:

LOT 2 OF STAHL REPLAT, RECORD ON NOVEMBER 27, 2019, AS DOCUMENT NO. 2019-6940037, IN BOOK 16, PAGE 95, OFFICE OF THE UMATILLA COUNTY RECORDS, UMATILLA COUNTY OREGON.



VICINITY MAP  
 N.T.S.



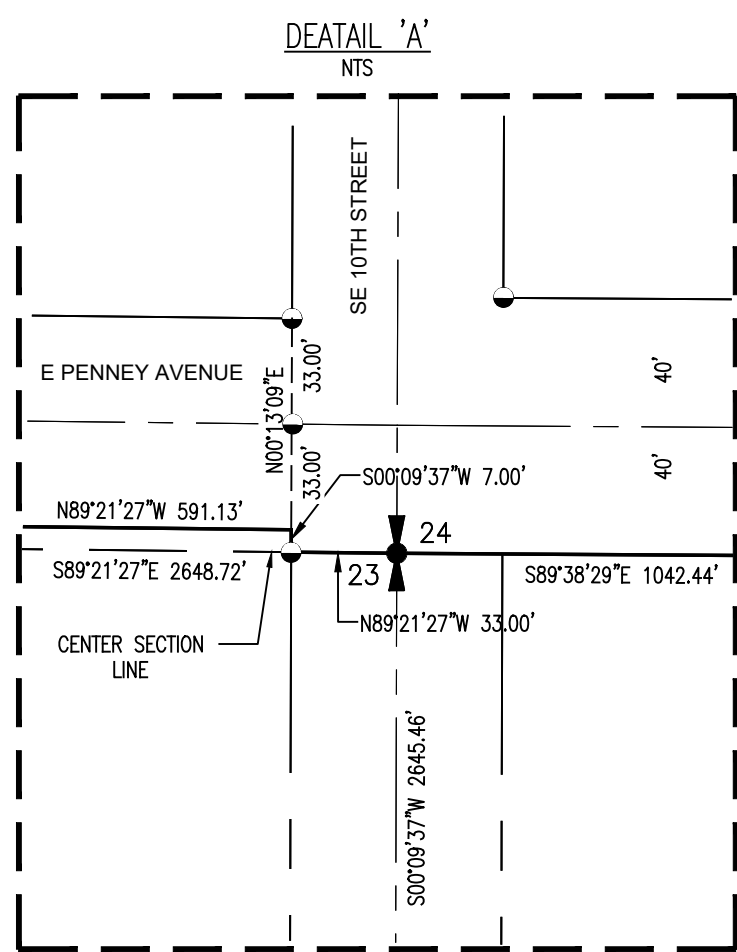
SCALE IN FEET  
 0 200 400

REGISTERED PROFESSIONAL LAND SURVEYOR  
**REVIEW COPY**  
 OREGON  
 MARCH 8, 2022  
 CHRISTOPHER J. D'ORAZIO  
 98905  
 RENEWS: 12-31-2023

OWNER: AMAZON DATA SERVICES INC.  
 ADDRESS: PO BOX 80416, SEATTLE WASHINGTON, 98106-0416  
 ZONING DESIGNATION: OUTLYING COMMERCIAL & HEAVY INDUSTRIAL (C-2 AND M-2) PER THE CITY OF HERMISTON  
 NOTES: NO RECORD OF WATER RIGHTS WERE FOUND AFFECTING THIS PROPERTY

SURVEY PREPARED FOR: TENTATIVE PARTITION PLAN	
<b>Parametrix</b> ENGINEERING . PLANNING . ENVIRONMENTAL SCIENCES	
150 NW PACIFIC PARK LANE, SUITE 110   BEND, OR 97701 P 541.508.7710 WWW.PARAMETRIX.COM	
PMX JOB NO. 8117-045	
SURVEYED	
DRAWN KDC/CAP	<b>ONE INCH AT FULL SCALE, IF NOT, SCALE ACCORDINGLY</b>
CHECKED CJD	
APPROVED CJD	
	SCALE 1" = 200'
	DATE APRIL 7, 2023

SHEET NO. 1 OF 2



# TENTATIVE PARTITION PLAN

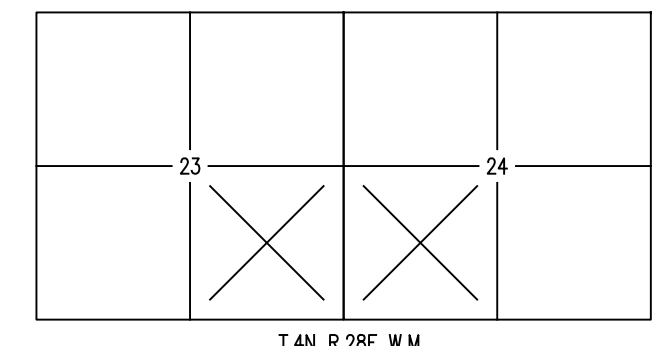
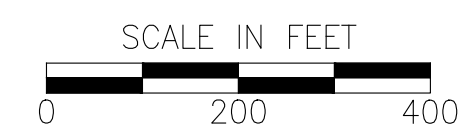
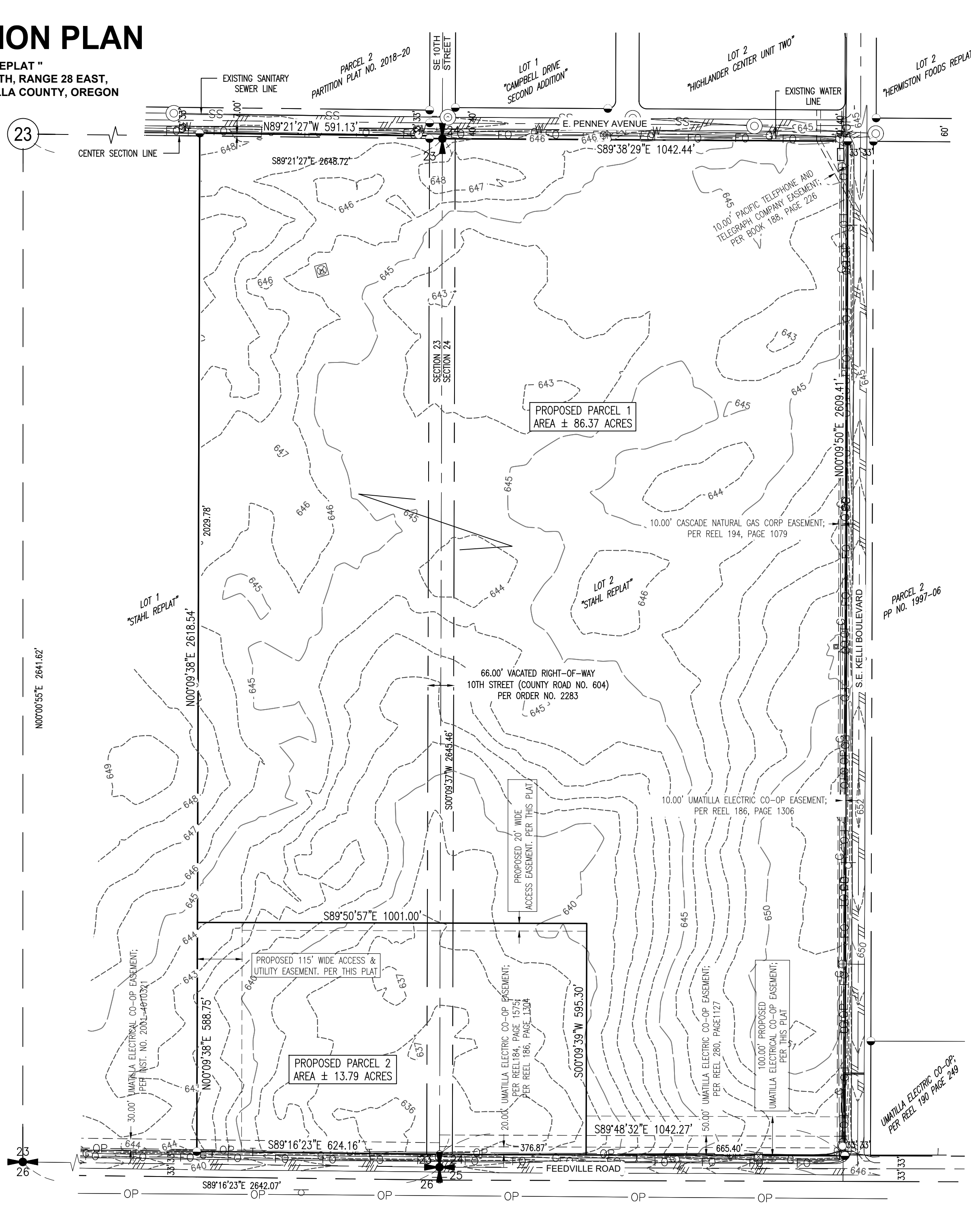
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- - - EASEMENT LINE
- - - EXISTING RIGHT-OF-WAY CENTERLINE
- x - x - EXISTING FENCE LINE
- - - EXISTING CONCRETE
- - - EXISTING PAVEMENT
- FO - FO - FO - EXISTING FIBER OPTIC LOCATES
- T - EXISTING COMMUNICATIONS LOCATES
- W - EXISTING WATER LOCATES
- G - EXISTING GAS LOCATES
- OP - EXISTING OVERHEAD POWER LINES
- P - EXISTING POWER LOCATES
- SS - EXISTING SANITARY SEWER LOCATES
- ⊕ EXISTING SIGN POST
- ⊕ EXISTING GAS VALVE
- ⊕ EXISTING GAS VALVE REGULATOR
- ⊕ EXISTING SANITARY MANHOLE
- ⊕ EXISTING FIRE HYDRANT
- ⊕ EXISTING IRRIGATION STATION
- ⊕ EXISTING WATER VALVE
- ⊕ EXISTING POWER POLE
- ⊕ EXISTING GUY ANCHOR POLE
- ⊕ EXISTING POWER PANEL
- ⊕ EXISTING POWER METER
- ⊕ EXISTING POWER TRANSFORMER
- ⊕ EXISTING POWER JUNCTION BOX
- ⊕ EXISTING GUY ANCHOR
- ⊕ EXISTING COMMUNICATION PANEL
- ⊕ EXISTING COMMUNICATION JUNCTION BOX
- EXISTING BOLLARD



T.4N R.28E W.M.

## LEGAL DESCRIPTION

\*PER AMERITITLE PRELIMINARY TITLE REPORT, REPORT NUMBER 9, FILE NUMBER 314638AM, DATED FEBRUARY 5, 2020:

LOT 2 OF STAHL REPLAT, RECORD ON NOVEMBER 27, 2019, AS DOCUMENT NO. 2019-6940037, IN BOOK 16, PAGE 95, OFFICE OF THE UMATILLA COUNTY RECORDS, UMATILLA COUNTY OREGON.

## HORIZONTAL DATUM

HORIZONTAL DATUM FOR THIS SURVEY IS NAD 1983(2011), OREGON STATE PLANE, OREGON NORTH ZONE, INTERNATIONAL FEET, DERIVED FROM THE OREGON REAL TIME GNSS NETWORK (ORGN)

## VERTICAL DATUM

VERTICAL DATUM FOR THIS SURVEY IS NAVD 88, OREGON STATE PLANE, OREGON NORTH ZONE, INTERNATIONAL FEET, DERIVED FROM THE OREGON REAL TIME GNSS NETWORK (ORGN)

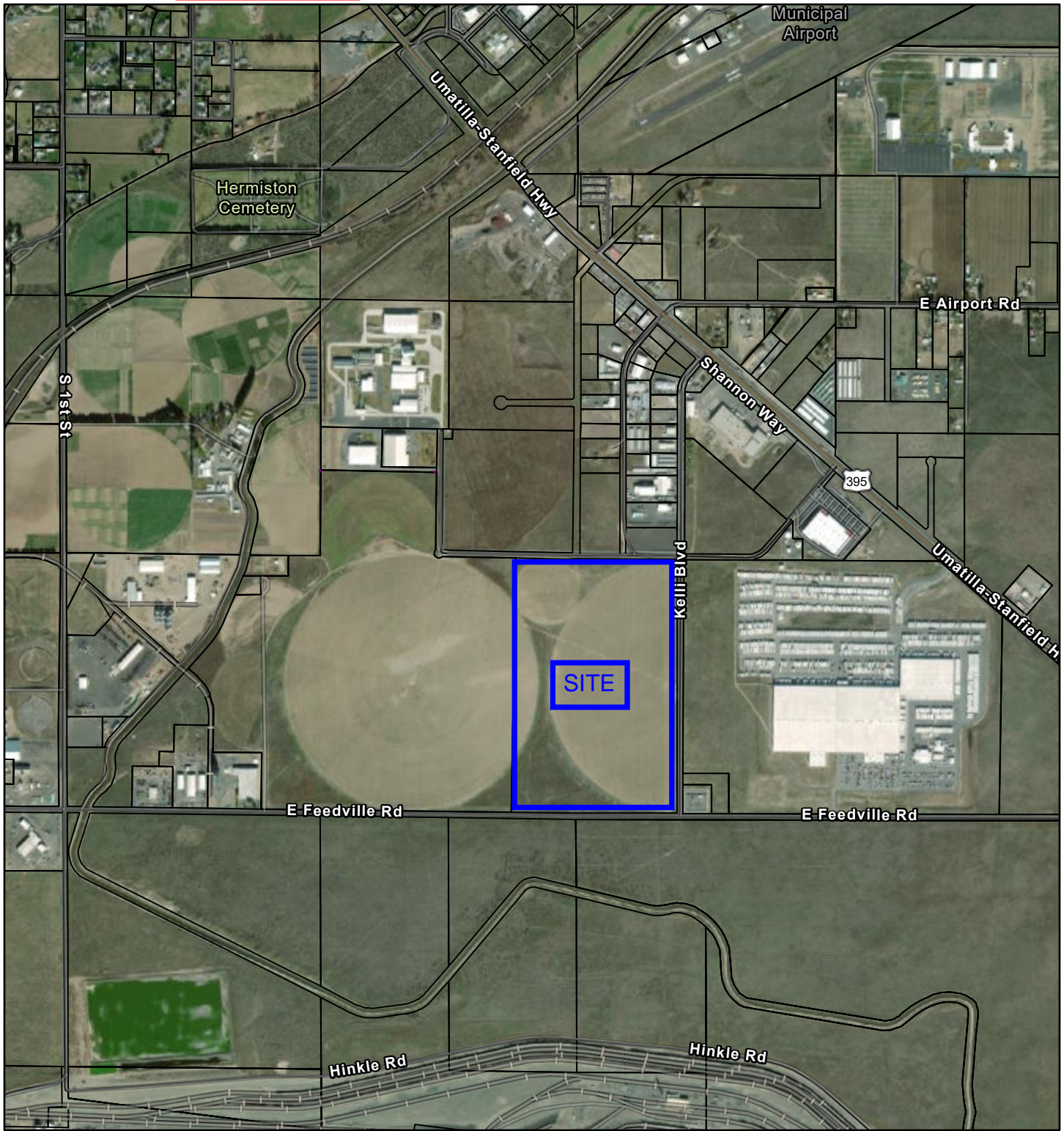
REGISTERED PROFESSIONAL LAND SURVEYOR  
**REVIEW**  
 OREGON  
 MARCH 8, 2022  
 CHRISTOPHER J. D'ORAZIO  
 98905  
 RENEWS: 12-31-2023

OWNER: AMAZON DATA SERVICES INC.  
 ADDRESS: PO BOX 80416, SEATTLE WASHINGTON, 98106-0416  
 ZONING DESIGNATION: OUTLYING COMMERCIAL & HEAVY INDUSTRIAL (C-2 AND M-2) PER THE CITY OF HERMISTON  
 NOTES: NO RECORD OF WATER RIGHTS WERE FOUND AFFECTING THIS PROPERTY

EXISTING CONDITIONS PLAN FOR: TENTATIVE PARTITION PLAN		
<b>Parametrix</b> ENGINEERING . PLANNING . ENVIRONMENTAL SCIENCES		
150 NW PACIFIC PARK LANE, SUITE 110   BEND, OR 97701 P 541.508.7710 WWW.PARAMETRIX.COM		
PMX JOB NO.		8117-045
SURVEYED		
DRAWN	KDC/CAP	<b>ONE INCH AT FULL SCALE. IF NOT, SCALE ACCORDINGLY</b>
CHECKED	CJD	
APPROVED	CJD	
		SCALE 1" = 200'
		DATE APRIL 7, 2023

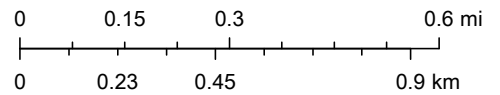
**EXHIBIT 2**

Vicinity Map



2/6/2023, 9:45:02 AM

1:24,952



Oregon State Parks, State of Oregon GEO, WA State Parks GIS, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA, Maxar

ArcGIS Web AppBuilder





# STAHL REPLAT

**A Replat of Parcel 1 of Partion Plat 1997-06 & Parcel 2 of Partition Plat 2019-08 Township 4 North, Range 28 East, W.M., Sections 23 & 24**

**City of Hermiston, Umatilla County, Oregon**

**For:**  
Stanfield Hutterian Brethren  
36345 Despain Gulch Road  
Stanfield, Oregon 97875

### PROPERTY DESCRIPTIONS:

**From Deed #2019-6840738  
PARCEL 1 of Partition Plat 1997-06**

**From Deed #2019-6840737  
PARCEL 2 of Partition Plat 2019-08**

### SURVEY RECORDS:

- R1 - McKinnis for Cook, P.P. 1997-06, C.S. #97-064-B
- R2 - Edwards for Cook, P.P. 2011-19, C.S. #C-1634-C
- R3 - Posada for Cook, P.P. 2019-08, C.S. #19-034-B
- R4 - Edwards for Umatilla Electric, C.S. #90-005-A
- R5 - Best for Hermiston Foods, LLC, C.S. #18-008-B

I do hereby certify that this is a true and exact copy of the Original Partition Plat as filed for Stanfield Hutterian Brethren in Umatilla County.

### SURVEYORS CERTIFICATE & NARRATIVE:

I, Ronald V. McKinnis, being a Registered Professional Surveyor of the State of Oregon, certify that I have correctly Surveyed and Monumented the lands as described in the Property Description on the face of this Plat, and that this Plat meets all the requirements as established by Chapter 92, Oregon Revised Statutes.

This survey is based on the previous survey by Posada for Cook, Partition Plat 2019-08 and my survey for Cook, Partition Plat 1997-06. The Bearing Base for this survey was the South Line of Section 23 along Feedville Road, as shown, consistent with Posada's survey and Edwards', R2. The Initial Point of this survey is the Brass Cap Quarter corner common to Sections 23 & 24. For the alignment of Kelli Blvd I held the original distance from the Southwest corner of Section 24 as found in R4 and the alignment of my two found pins along the East right of way of Kelli Blvd from R1. This survey was completed with a Trimble GPS RTK Total Station.

### OWNER'S DECLARATION:

We, the undersigned owners of the lands as shown on this plat, do hereby acknowledge that we have caused this plat to be created, We authorized that this Plat be prepared in accordance with the provisions of ORS Chapter 92, and we recognize this Plat as the Official Plat and Map of the Partition as filed in the County of Umatilla, State of Oregon.

By OWNER:

*Herb Stahl*  
Herb Stahl, for Stanfield Hutterian Brethren

On this 15<sup>th</sup> day of November, 2019, the above individual appeared personally before me and is known to me to be the identical individual who executed this plat declaration and acknowledged that he did so freely and voluntarily.

Before me: *Tammra Rac Sinor*  
Notary Public for Oregon

My Printed Name is Tammra Rac Sinor  
My Commission No. is 962927  
My Commission Expires May 21, 2021

Umatilla County  
Office of County Records  
Recording Information  
Seal

STATE OF OREGON,  
COUNTY OF UMATILLA }  
I certify that this instrument was received and recorded on 11-27-2019  
at 8:46 o'clock a. m., in the record of PLATS of said County.  
BOOK 16 PAGE 95  
OFFICE OF COUNTY RECORDS  
By: David A Stuvland Records Officer  
Fee \$ 120.00 No. 2019-6940037

### APPROVALS:

I certify that I have examined and approved this Replat on this 19 day of Nov, 2019

*David H. Kline*  
Umatilla County Surveyor

I certify that I have examined and approved this Replat on this 26 day of November, 2019

*Sharon A. Eno*  
City of Hermiston Planning Commission

I certify that I have examined and approved this Replat on this 25<sup>th</sup> day of November, 2019

*[Signature]*  
Mayor of City of Hermiston

I certify that I have examined and approved this Replat on this 15 day of Nov, 2019

*Cynthia Kapatrik*  
Hermiston Irrigation District

I certify that I have examined and approved this Replat on this 16<sup>th</sup> day of November, 2019

*[Signature]*  
Umatilla County Tax Assessor

I certify that I have examined and approved this Replat on this 18 day of Nov, 2019

*[Signature]*  
Umatilla County Tax Collector

*[Signature]*  
Umatilla County Commissioner

*[Signature]*  
Umatilla County Commissioner

*[Signature]*  
Umatilla County Commissioner

*[Signature]*  
Umatilla County Commissioner

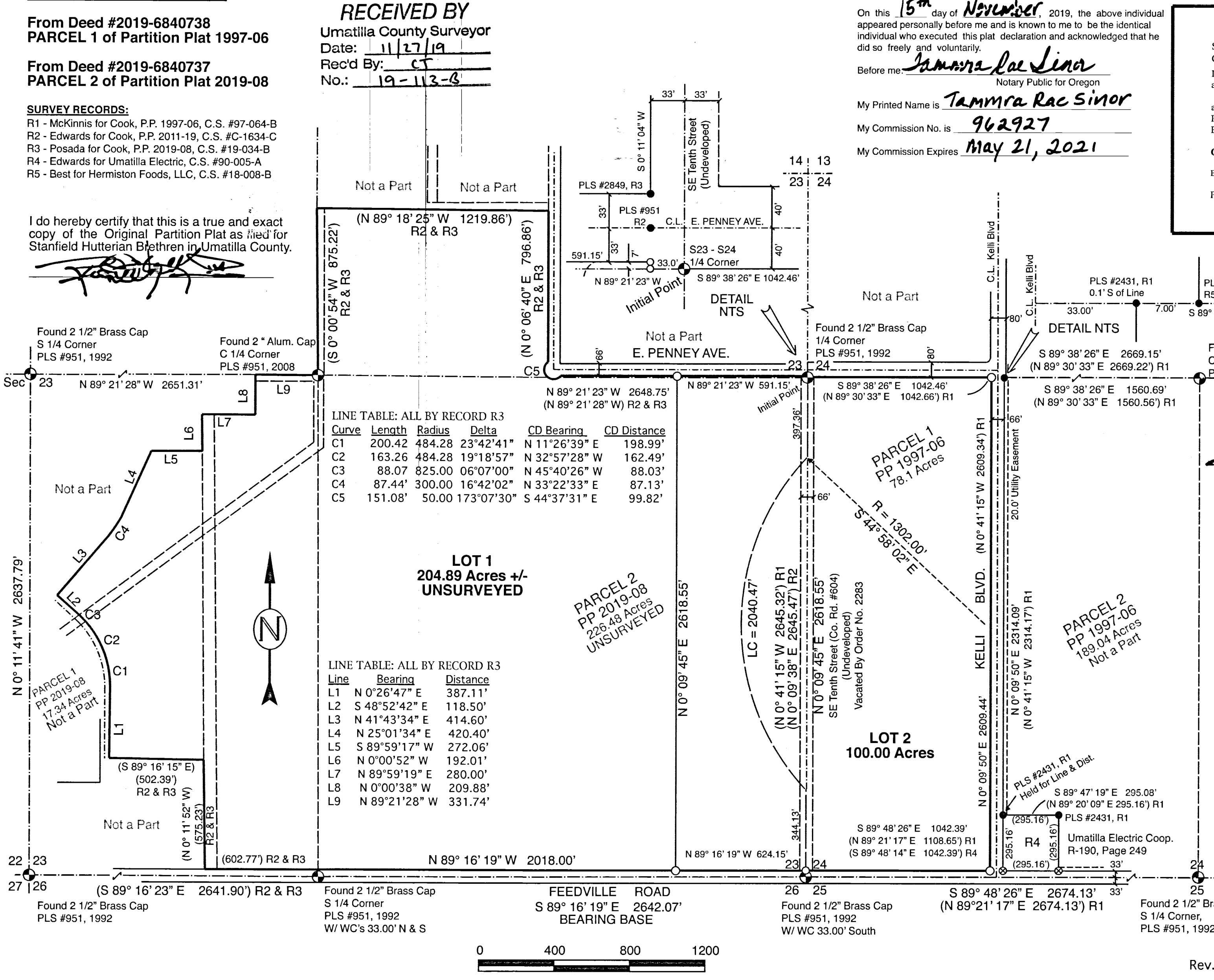
REGISTERED PROFESSIONAL LAND SURVEYOR  
*[Signature]*  
RONALD V. MCKINNIS  
JAN. 23, 1990  
2431  
Expires 12-31-20

- ### LEGEND
- SET MONUMENTS - 5/8" x 30" Iron Rods W/ Plastic Caps Stamped - L.S. # 2431
  - FOUND SECTION MONUMENTS - As Noted
  - FOUND MONUMENTS - As Noted
  - ⊗ FOUND Original Monument Disturbed, Not Held
  - ⊙ CALCULATED POINT - Not Set
  - SECTION LINES
  - REPLAT BOUNDARIES
  - (000) R0 RECORD BEARING DISTANCE FOR NOTED REFERENCE

SCALE 1" = 400 Ft.  
October, 2019

ENGINEERING - LAND SURVEYING - WATER RIGHTS  
**R. V. MCKINNIS ENGINEERING**  
79980 Prindle Loop Road  
Hermiston, Oregon 97838  
(541)-567-2017

EXHIBIT 4 - STAHL REPLAT





AFFIDAVIT OF CORRECTION (REPLAT)

After Recording Return To:  
R.V. McKinnis Engineering  
79980 Pindle Loop Road  
Hermiston, Oregon 97838

All Tax Statements Unchanged:  
In Consideration of: None

I, Ronald V. McKinnis, being the duly sworn, depose and say that I am the Surveyor who surveyed STAHL REPLAT, as filed in instrument No. 2019-6940037 recorded on the 27th day of November, 2019 on Plat Book 16, Page 95 of the Plat Records of Umatilla County.

The following corrections to said plat are necessary and in accordance with ORS 92.170, I state that the following corrections be made:

PLAT: At a Point North 33.00 feet of the Section Corner common to Sections 23, 24, 25, & 26 the Plat Shows:  
Set Monument 5/8" x 30" Iron Rod W/ Plasic Cap Stamped L.S. #2431.

Corrected to: Found 2 1/2" Brass Cap Witness Corner, PLS #951, 1992.

PLAT: At a Point West 33.00 feet of the Quarter Section Corner common to Sections 23 & 24, the Plat Shows:  
Set Monument 5/8" x 30" Iron Rod W/ Plasic Cap Stamped L.S. #2431.

Additional Note of: Found Aluminum Cap Witness Corner 0.18' South.

  
\_\_\_\_\_  
Ronald V. McKinnis PLS #2431

STATE OF OREGON )  
UMATILLA COUNTY ) SS

This instrument was acknowledged and sworn before me this 7 Day of January, 2020

(NOTARY SEAL)



  
\_\_\_\_\_  
NOTARY PUBLIC FOR OREGON  
My Commission Expires: 4-3-21

I hereby certify that I have examined this Affidavit of Correction and that the changes being made are permitted under ORS 92.170.

  
\_\_\_\_\_  
Dave Krumbein, Umatilla County Surveyor

1/9/2020  
\_\_\_\_\_  
Date