

## EXHIBIT 2

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November 6, 2017

Multnomah County Land Use and Transportation Program  
1620 SE 190th Avenue  
Portland, Oregon 97233-5910

**Re: PETITION of SKYLINE VIEW LLC for Vacation of Public Property and Public Interest in Property.**

Petitioner, Skyline View LLC, an Oregon limited liability company, 1109 Church St. NE, Salem, OR 97301 ("Petitioner"), hereby submits this petition for vacation of any and all public property and any and all public property interest, whether a public road, public easement or otherwise, created, if at all, by that certain Dedication Deed recorded August 26, 1955, in the official property records of Multnomah County, Oregon, at Book 1741, Page 441 ("Dedication Deed").

A true and accurate copy of the Dedication Deed is attached hereto as Exhibit 1; the purported public property or public property interest that is the subject of this Petition ("Vacation Property") is described therein.

Petitioner asserts that the Dedication Deed failed and is invalid and unenforceable and did not create any public property or any public interest in property. However, in the event, and to the extent, that the Dedication Deed did create public property or a public interest in property, whether a public road, public easement or otherwise, Petitioner brings this Petition to vacate the same.

The procedures and standards of approval for this Petition are set forth in ORS 368.326 through ORS 368.366 and MCC 27.054 and such standards of approval are satisfied as follows:

- The Property is not located in a City and, therefore, approval of this Petition will not violate the prohibition in ORS 368.326(1).
- In satisfaction of ORS 368.331, if approved, this proposed vacation will not deprive any owner of a recorded property right of access necessary for the exercise of that property right. All owners of a recorded property right have signed this Petition and, by so signing, hereby establish their agreement that this vacation will not deprive any such owner of the access described in ORS 368.331; and, further, by so signing, hereby establish their full, voluntary consent to this vacation.

- Regarding the standards of approval set forth in ORS 368.341(3):
  - (a) *Description of the property proposed to be vacated;*
    - The legal description of the Property is set forth in Exhibit 1 attached hereto.
  - (b) *Statement of the reasons for requesting the vacation;*
    - The public property or public property interest, whether a public road, public easement or otherwise, created, if at all, by the Dedication Deed is not, and has never been, in use. Petitioners desire to establish a dwelling in a location in or near the Property and, through vacation, desire and intend to eliminate any encroachment issues and any other prohibitions or limitations arising from or relating to the operation of the Dedication Deed.
  - (c) *The names and addresses of all persons holding any recorded in interest the property proposed to be vacated;*
    - The following constitute the only persons or entities holding a recorded interest in the property proposed to be vacated:
      - Petitioner (address above), together with Weyerhaeuser Company, a Washington corporation, successor by merger to Weyerhaeuser Columbia Timberlands LLC, an Oregon limited liability company PO Box 9777, Federal Way, WA 98063-9777 (hereinafter “Weyerhaeuser” or “Weyerhaeuser Company”), constitute all of the current owners of all the land purportedly, or actually, affected by the Dedication Deed and, further, constitute all of the current owners of any relevant recorded property right.
      - Multnomah County, Oregon, an Oregon political subdivision, is the Dedication Deed *Grantee*.
      - Per the Declaration of Rebecca S. White, submitted herewith, no other person or entity holds a recorded interest in the property except for interests in utility access easements, which will not be vacated through this proceeding.
  - (d) *The names and addresses of all persons or entities owning any improvements constructed on public property proposed to be vacated;*
    - There are no improvements constructed on public property proposed to be vacated; or, if there are any such improvements, there are no other owners thereof beyond Petitioner and Weyerhaeuser Company.
  - (e) *The names and addresses of all persons or entities owning any real property abutting public property proposed to be vacated;*

- The following constitute the only persons owning any real property abutting public property proposed to be vacated:
  - Petitioners, together with Weyerhaeuser, own all of the land abutting the Property on the north, south, and east sides of the Property.
  - Multnomah County owns the property, a public road, abutting the Property on the west side of the Property.

(f) *Signatures, acknowledged by a person authorized to take acknowledgments of deeds, of either owners of 60 percent of the land abutting the property proposed to be vacated or 60 percent of the owners of land abutting the property proposed to be vacated;*

- The signatories to this Petition constitute owners of 100 percent of the land abutting the property proposed to be vacated and 100 percent of the owners of land abutting the property proposed to be vacated, other than Multnomah County, whose consent would be indicated by the County's approval of this Petition.

(g) *If the petition is for vacation of property that will be redivided in any manner, a subdivision plan or partitioning plan showing the proposed redivision.*

- N/A.

Petitioner understands that it will be charged a fee for this proceeding, in an amount to be identified at a later date, and that the County will not record any vacation until such fee is paid by Petitioner.

Per ORS 368.351(1), the Multnomah County Board of Commissioners may, and Petitioner hereby requests that the Board does, make a determination about the vacation proposed herein without complying with ORS 368.346 because the proceedings for this vacation may be initiated by this Petition, which: complies with ORS 368.341; by the signatures below, indicates the owners' approval of this proposed vacation; and contains the acknowledged signatures of owners of 100 percent of private property proposed to be vacated and acknowledged signatures of owners of 100 percent of property abutting public property proposed to be vacated.

To perfect the requirements in ORS 368.351(1), Petitioner hereby requests that the county road official file with the Board a written report that contains the county road official's assessment that any vacation of public property is in the public interest for the reasons set forth above in response to ORS 368.341(3) and any other reasons determined by the county road official.

Petitioner and Weyerhaeuser understand that, upon vacation as requested herein, title in the underlying property shall vest as provided by law, including but not limited to ORS 368.366.

In conclusion, Petitioner requests that the Board approve this petition pursuant to ORS 368.351(1) and vacate the purported public property or public interest in property. This Petition is uncontested—as indicated by the signatures below, 100 percent of abutting property owners agrees to the vacation requested herein and all legal requirements have been satisfied.

Thank you for your prompt consideration of this matter. Please advise Peggy Hennessy, Reeves, Kahn, Hennessy & Elkins, attorney for Petitioner, at (503) 777-5473 if anything additional is required.

[signatures on next page]

