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Jay Toll

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2006-048428



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LANDSCAPE PRESERVATION RESTRICTION (For Pending Lot 1 and Lot 6 Tollfield)

Owner: Jay Evan Toll

This Landscape Preservation Document acknowledges that owners (and assigns) of the pending Lot 1 and Lot 6 Tollfield, Oregon City, Clackamas County, Oregon, being portions of the property recorded in Deed Document No. 2003-099392, Clackamas County Deed Records, are required to comply with City of Oregon City Planning File Number TP 04-05 Conditions of Approval, dated June 8, 2005, specifically Condition of Approval No. 3. Said Condition of Approval No. 3 reads:

3. Holcomb Blvd is classified as a minor arterial in the TSP. The applicant shall orientate the front of the homes on Lots 1 and 6 to face Holcomb Blvd. An alternative to the lot/house orientation, which incorporates landscaping (without fencing) into the lot and street design, may be approved if it is found to accomplish the objective of this standard by the community development director. The intent of this standard is to provide a vegetated boulevard along Holcomb Blvd instead of a fenced corridor immediately behind the back of sidewalk. The applicant may provide and propose a landscape preservation area along the frontages of these lots on Holcomb Blvd. This landscape plan, to be reviewed and approved by the Planning Division, is required prior to final plat approval. The applicant shall cause to be recorded a landscape preservation document that protects the newly planted vegetation. Said document shall specifically prohibit the removal of any of the newly planted trees or vegetation unless such material has been found to be dead or diseased, or presents a hazard to the subject property. If the vegetation is removed for any reason, the property owner shall replace the according to the approved landscaping plan. This recorded document shall be recorded prior to final plat. Installation of the vegetation shall be completed prior to receiving Occupancy on Lots 1 or 6, if utilizing this alternative. Variations to the approved plans may be grant by the Planning Division after final plat if likewise is found to meet the intent of this standard.

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