

## Elena Sasin

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**From:** ba506@comcast.net  
**Sent:** Monday, October 31, 2016 12:34 PM  
**To:** Elena Sasin  
**Subject:** Re: Appeal of Case File Number: LD2016-000

EXHIBIT

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Dear Elena,

Thank you for your response. I understand that the MOA rules are a private matter between the association and the homeowner, however I request that my comments be made a part of the official appeal record.

Thank you,  
Bill Athenas

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**From:** "Elena Sasin" <esasin@beavertonoregon.gov>  
**To:** "ba506@comcast.net" <ba506@comcast.net>  
**Sent:** Monday, October 31, 2016 8:19:35 AM  
**Subject:** RE: Appeal of Case File Number: LD2016-000

Hello Bill,

You are correct, the MOA rules and regulations are a private matter between the property owner and the MOA.

Please let me know if you have any other questions.

Kind regards,

### Elena Sasin

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**From:** ba506@comcast.net [mailto:ba506@comcast.net]  
**Sent:** Sunday, October 30, 2016 4:14 PM  
**To:** Elena Sasin <esasin@beavertonoregon.gov>  
**Subject:** Appeal of Case File Number: LD2016-000

William Athenas  
15400 SW Heron Court  
Beaverton, OR 97007

City of Beaverton

Planning Division  
P.O. Box 4755  
Beaverton, OR 97076

10/30/2016

Attn: Elena Sasin

Project Name: SW 155<sup>th</sup> 3-Lot Partition  
Case File Number: LD2016-0002, TP2016-0003, FS2016-0001

Dear Sirs:

The property that is petitioning for a 3 lot partition (LD2016-0002) is part of the Murrayhill Owners Association (MOA), a planned unit development, and is therefore subject to the rules of the MOA. The specific rule I am referring to in this case is C, C, &R's 2.36 which states that once a single family unit has been constructed on a lot that lot is then defined as a single family lot. As this lot is a single family lot as defined by the MOA C, C, &R's it cannot be partitioned into 3 lots.

My question is if the city approves this partition will it be taking a position on the validity of the MOA rules and in effect overruling the MOA or will it consider that the enforcement of the MOA rules to be a private matter between the MOA and the owner of lot 108 located at 10510 SW 155<sup>th</sup> St, Beaverton, OR 97007.

Thank you,  
Bill Athenas

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