



STAFF REPORT TO THE HISTORIC REVIEW BOARD

This document represents the Staff report for a Land Use Application requesting a major alteration (roof-mount solar panels) to the Historic Landmark property known as the Isabelle Rupert House, SHPO #161.

SECTION 1 – SUMMARY

MEETING DATE: May 9, 2019

CASE FILE NO.: Z0186-19-HL

STAFF CONTACT: Clay Glasgow, (503)742-4520, clayg@clackamas.us

LOCATION: 2323 SE Creighton Avenue, Milwaukie; T2S R1E Section 12BC, Tax Lot 04201

APPLICANT: Stephen Gates

OWNER: same

TOTAL AREA: Approximately 0.52 acres

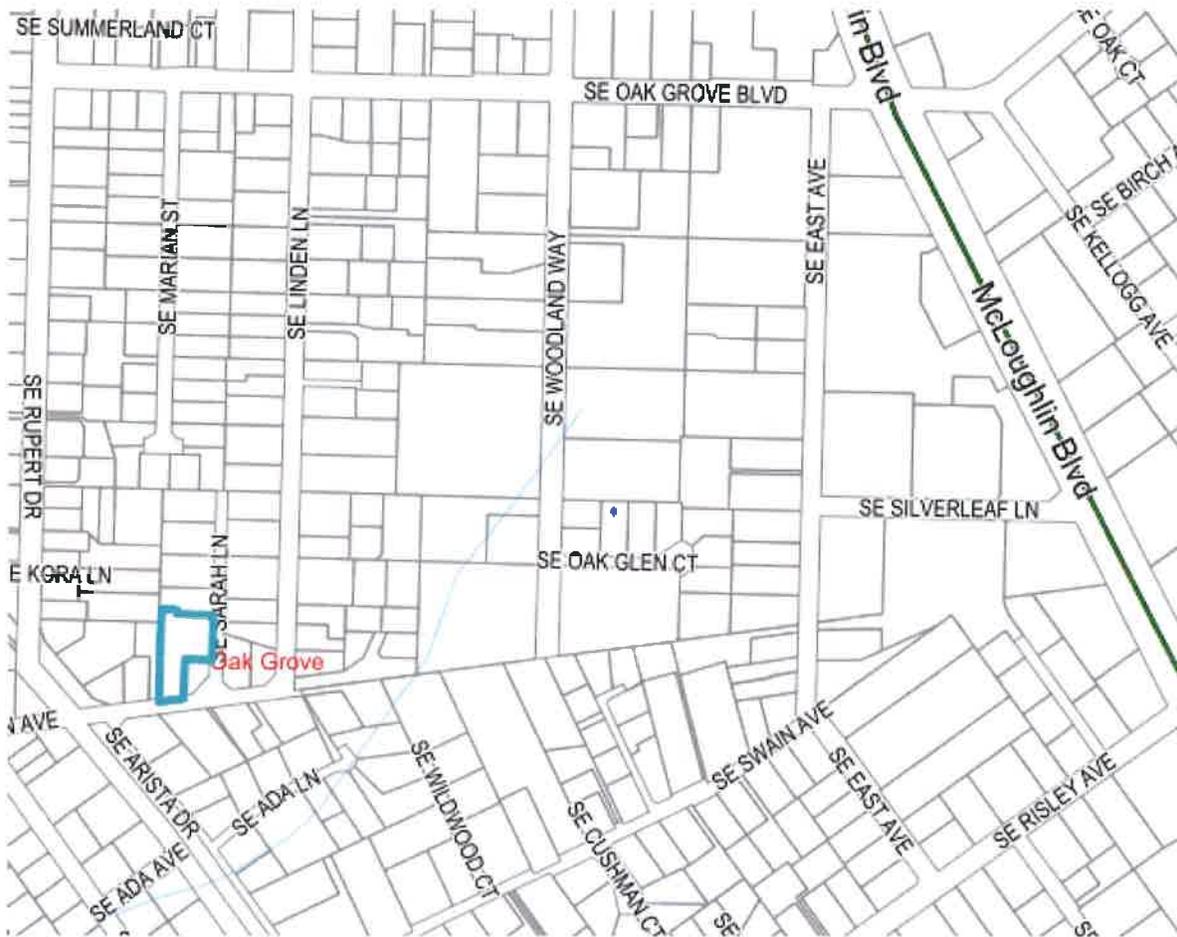
ZONING: R7/HL, Single Family Residential, Historic Landmark Overlay

CITIZENS PLANNING ORGANIZATION: Oak Grove Community Council

PROPOSAL: Review of an alteration – solar panels placed on ground. Also open for discussion is locating some of the panels on roof of non-historic addition to house.

APPLICABLE APPROVAL CRITERIA: This application is subject to Clackamas County Zoning and Development Ordinance (ZDO) Sections(s) 707.06C3.

Location Map

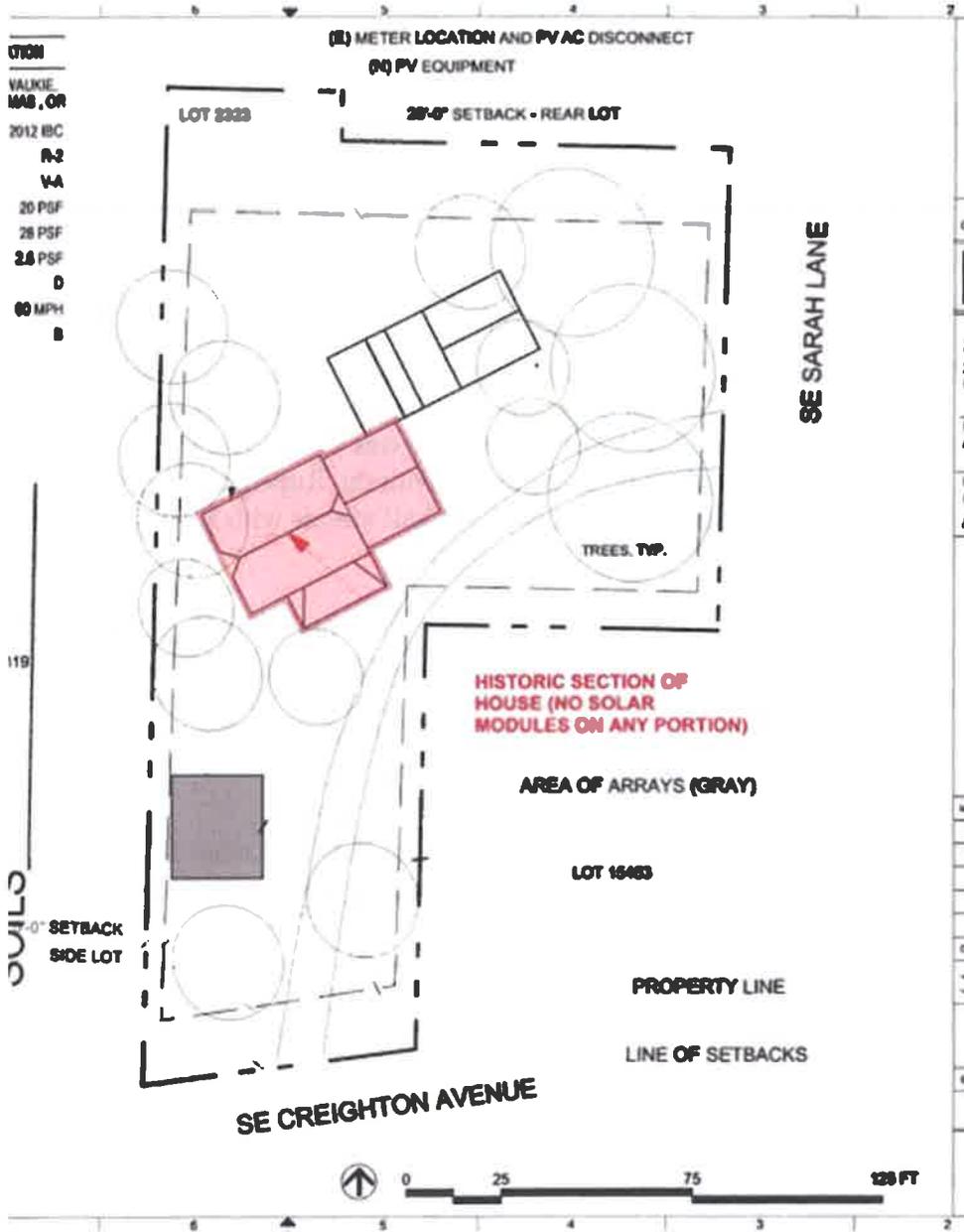




2/11/19



Plot Plan



BACKGROUND:

On February 12th of this year, the Historic Review Board met and considered a proposal to place roof-mounted solar panels on the Isabelle Rupert House, SHPO #161. At that time the HRB recommended staff deny the proposal, in that the panels would negatively impact the historic character of the home, particularly the distinctive clipped-gable roof. Staff subsequently denied the proposal. Applicant appealed that decision to the County's hearings officer, with the process currently on hold while this current proposal is being considered.

This proposal involves ground-mounting the solar panels, towards the front (southern) portion of the property (see attached site plans.) Staff also asks the HRB to consider possibility of adding panels to the non-historic addition to the house on the east side.

In April of 2014, Clackamas County designated the Isabelle Rupert House as a Historic Landmark. This was an owner initiated process - the building/site had been picked up on the original inventory done in the mid-80's but at that time was not designated. The building was constructed in approximately 1904 and is associated with the Rupert clan. It is designed in the Vernacular-Colonial Revival Style, and is one-and-a-half stories with a clipped gable roof. There have been alterations, including building addition.

Included in your packet is information on the building/site from the original inventory, as well as that discussed during the designation process in 2014. Also included is information from the Oak Lodge History Detectives submitted with the earlier proposal detailing background information on the property, the application submitted for this current proposal, etc.

Applicable criteria/findings: Section 707.06C3 of the Clackamas County Zoning Ordinance states that an alteration which exceeds a "minor" status, must adhere to the following standards of rehabilitation:

A. *The property shall be used for its historic purpose.*

The building was originally constructed as a dwelling. Current use remains the same.
This criterion is met.

B. *The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.*

The building has had alterations in the past, including an addition and change to windows discussed during the designation process. No historic features will be removed. This proposal differs from the previous in that no changes will be made to the designated. Panels are shown as being ground-mounted. Staff considers this compromise to be in keeping with the intent of this criterion.

This criterion is met.

- C. *Each property shall be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding features, shall not be done.*

This proposal does not involve adding features to create a false sense of historical development.

This criterion is met.

- D. *Most properties change over time: those changes that have acquired historic significance in their own right shall be retained and preserved.*

The current structure has had changes. No changes of historic features are proposed.

This criterion is met.

- E. *Distinctive features, etc that characterize the historic property shall be preserved.*

The HRB should discuss this change to the appearance of the property. Again, staff considers this to be a compromise of the “win-win” variety.

This criterion is met.

- F. *Deteriorated historic features shall be repaired rather than replaced.*

No historic features will be replaced or repaired.

This criterion is met.

- G. *Chemical or physical treatments, such as sandblasting shall not be used.*

No destructive chemical or physical treatment is proposed with this project.

This criterion is met.

- H. *Significant archeological resources affected by the project shall be protected and preserved.*

It is not anticipated that this project will affect any archeological resources.

This criterion is met.

- I. *New additions, exterior alteration, shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.*

The panels as proposed are clearly different than existing features. The HRB should consider if the change is compatible with massing, size, scale and architectural features of the building and site. Staff considers this proposal a valid example of how old is able to co-exist with new.

This criterion is met.

- J. *New additions and alterations shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property would be unimpaired.*

The solar panels can be removed in the future to return the building to pre-panel condition.

This criterion is met.

DISCUSSION:

Staff suggests the Historic Review Board carefully consider this proposal relative to applicable criteria from Section 707 of the Clackamas County Zoning Ordinance, along with guiding statutory language.

Z0186-19-HL

Application materials



Jennifer Hughes, Manager
Lindsey Nesbitt, Manager
Planning & Zoning

Department of Transportation and Development

150 Beaver Creek Road Oregon City, OR 97045

NOTICE OF LAND USE APPLICATION IN YOUR AREA

Date: 04/24/2019
Permit Number: Z0186-19
Application: Planning Director Review
From: Clackamas County Planning and Zoning
Notice Mailed To: Property owners within 300 feet
Community Planning Organizations (CPO)
Interested Citizens and Agencies

Application Proposal:

Locate photovoltaic panels on subject property, both ground-mount and roof-mount. This is the Isabelle Rupert House, designated County Historic Landmark. Earlier application showed the solar panels going on roof of the designated building. That proposal (Z0561-18-HL) was denied by staff then appealed the Hearings Officer. HO process currently on hold pending result of this current, changed request. Property location is 2323 SE Creighton Avenue; north side of Creighton just east of SE Arista Avenue, Oak Grove area.

Property Owner: GATES STEPHEN
2323 SE CREIGHTON AVE
MILWAUKIE, OR 97267

Applicant: GATES STEPHEN
2323 SE CREIGHTON AVE
OAK GROVE, OR 97267

Address: 2323 SE CREIGHTON AVE
MILWAUKIE, OR 97267

Location: 2323 SE Creighton; north side of Creighton just east of SE Arista Drive

Legal Description: 21E12BC04201 **Acres:** .52

Zone: R-7 Urban Low Density Residential

Staff: Clayton Glasgow 503-742-4520 **E-mail:** clayg@co.clackamas.or.us

How to Comment on this Application:

1. To be sure your comments will be considered prior to the decision, we need to have them within 20 days of the date of this notice.

Permit Number: Z0186-19

2. You may use the space provided below, mail a separate letter or e-mail the information. Please include the permit number, address the information to the staff member handling this matter, and focus your comments on the approval criteria for the application.

3. Return your mailed comments to: Clackamas County Planning and Zoning, 150 Beaver Creek Rd, Oregon City, OR 97045; FAX to (503) 742-4550.

Community Planning Organization: The following recognized Community Planning Organization (CPO) has been notified of this application. This organization may develop a recommendation on this application. You are welcome to contact this organization and attend their meeting. If this Community Planning Organization is currently inactive, and you are interested in becoming involved in Land Use Planning in your area, please contact the Citizen Involvement Office at (503) 655-8552.

OAK GROVE COM COUNCIL
JOSEPH EDGE (503) 974-6422

Decision Process: In order to be approved, this proposal must meet the approval criteria in the Zoning and Development Ordinance, Section(s)

315, 707, 1307

The Ordinance criteria for evaluating this application can be obtained from this office or viewed at www.clackamas.us/planning/zdo.html. You may view the submitted application at the following link, <https://accela.clackamas.us/citizenaccess/> within five days of the date of this notice, or at our office during weekday lobby hours, 8:00 am to 4:00 pm, Monday through Thursday and 8:00 am to 3:00 pm Friday.

A decision on this proposal will be made and a copy will be mailed to you. If you disagree with the decision you may appeal to the Land Use Hearings Officer who will conduct a public hearing. There is a \$250 appeal fee.

Comments:

Your Name/Organization

Telephone Number

Clackamas County is committed to providing meaningful access and will make reasonable accommodations, modifications, or provide translation, interpretation or other services upon request. Please contact us at 503-742-4696 or email swilliams@clackamas.us.

503-742-4696: ¿Traducción e interpretación? | Требуется ли вам устный или письменный перевод? | 翻译或口译? | Cán Biên dịch hoặc Phiên dịch? | 번역 또는 통역?



Planning & Zoning
 Development Services Building
 150 Beavercreek Road | Oregon City, OR | 97045
 Phone: (503) 742-4500 | Fax: (503) 742-4550
 E-mail: zoninginfo@co.clackamas.or.us
 Web: <http://www.clackamas.us/transportation/planning/>

LAND USE APPLICATION

DEEMED COMPLETE

ORIGINAL DATE SUBMITTED: 4.19.19
 FILE NUMBER: 20186-19-PDR
 APPLICATION TYPE: Planning Director Review- HL

The Planning and Zoning Division staff deemed this application complete for the purposes of Oregon Revised Statutes (ORS) 215.427 on: 4.23.19

Signature [Handwritten Signature]

Title Planner

Print Name Clay Glasgow

Comments: _____

Check one:

The subject property is located inside an urban growth boundary. The 120-day deadline for final action on the application pursuant to ORS 215.427(1) is:

The subject property is not located inside an urban growth boundary. The 150-day deadline for final action on the application pursuant to ORS 215.427(1) is:



CLACKAMAS COUNTY PLANNING AND ZONING DIVISION
 DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT
 DEVELOPMENT SERVICES BUILDING
 150 BEAVERCREEK ROAD | OREGON CITY, OR 97045
 503-742-4500 | ZONINGINFO@CLACKAMAS.US

Land Use Application

20561-18-PDR

For Staff Use Only	
Date received: 4.19.19	Staff initials: G
Application type: PDR	File number: 20186019 PDR
Zone: R-7	Fee: see
Violation #:	CPO/Hamlet: OAK GROVE CC

Applicant Information:
 What is proposed? photovoltaic - ground/roof mounted

Name of applicant: STEPHON GATES
 Mailing address: 2323 SE CREIGHTON RD AVE
 City OAK GROVE State OR Zip 97267
 Applicant is (select one): Property owner Contract purchaser Agent of the property owner or contract purchaser

Name of contact person (if other than applicant):
 Mailing address of contact person:

Applicant #'s: Wk: Cell: Email:
 Contact person #'s: Wk: Cell (808) 268-8090 Email: sgates@nei.com, libarhood power.com
 Other persons (if any) to be mailed notices regarding this application:

Name	Address	Zip	Relationship
------	---------	-----	--------------

Name Address Zip Relationship
 SITE ADDRESS: 2323 SE CREIGHTON AVE

TAX LOT #: T _____ R _____ Section _____ Tax Lot(s) 21E12BC04201
 Adjacent properties under same ownership: Total land area:
 T _____ R _____ Section _____ Tax lot(s) _____
 T _____ R _____ Section _____ Tax lot(s) _____
 T _____ R _____ Section _____ Tax lot(s) _____

I hereby certify that the statements contained herein, along with the evidence submitted, are in all respects true and correct to the best of my knowledge.
 STEPHON GATES 4/19/2019
 Property owner or contract purchaser's name (print) Date Owner or contract purchaser's signature

Applicant's name (print) Date Applicant's signature

4-19-19 4

707.06©(3)(a-j); GROUND MOUNT SOLAR ARRAY FOR 2323 SE CREIGHTON AVE

3. Major Alterations: Major alterations shall be reviewed as Type II applications pursuant to Section 1307. Approval of an application for a major alteration shall be subject to the following criteria for rehabilitation:

- a. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment. THIS IS A SINGLE-FAMILY HOME AND THIS USE WILL NOT CHANGE WITH THE ADDITION OF A SOLAR ARRAY.
- b. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided. CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE 707-11 Last Amended 5/23/18. WE WILL NOT BE REMOVING ANY HISTORICAL MATERIALS.
- c. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken. THE SOLAR MODULES WILL BE INSTALLED ON THE GROUND, FAR FROM THE HISTORIC AREAS OF THE HOUSE.
- d. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved. WE WILL NOT BE ALTERING ANY OF THESE CHANGES
- e. Distinctive features, finished, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved. WE SHALL PRESERVE THESE FEATURES
- f. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence. WE WILL NOT BE REPLACING ANY HISTORICAL FEATURES
- g. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the least damaging or gentlest means possible. WE WILL NOT BE USING ANY SUCH TREATMENTS
- h. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken. WE WILL BE DIGGING A TRENCH TO CONNECT THE SOLAR TO THE MAIN SERIVE PANEL AND A FOOTING TO MOUNT THE SOLAR TO, NONE OF THESE EXCAVATIONS WILL EXCEED 24" SO I DO NOT THINK WE WILL DISRUPT ANY ARCEOLOGICAL RESOURCES.
- i. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment. WE WILL NOT BE DESTROYING ANY HISTORICAL MATERIALS WITH THIS PROJECT

j. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property, including historic plant materials, and its environment would be unimpaired. **THE FUTURE REMOVAL OF THE SOLAR ARRAY WILL NOT IMPAIR THE ESSENTIAL FORM OF THE HISTORICAL PROPERTY.**



CLACKAMAS COUNTY PLANNING AND ZONING DIVISION
 DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT
 DEVELOPMENT SERVICES BUILDING
 150 BEAVERCREEK ROAD | OREGON CITY, OR 97045
 503-742-4500 | ZONINGINFO@CLACKAMAS.US

Land Use Application

For Staff Use Only	
Date received: <u>11/19/18</u>	Staff initials:
Application type: <u>Planning Director view</u>	File number: <u>20561-18-PDR</u>
Zone: <u>R-7</u>	Fee: <u>0</u>
Violation #:	CPO/Hamlet: <u>Oak Lodge</u>

What is proposed? 20kW Solar Energy System

Name of applicant: Stephen Gates

Mailing address: 2323 SE Creighton Ave

City Oak Grove State OR Zip 97267

Applicant is (select one): Property owner Contract purchaser Agent of the property owner or contract purchaser

Name of contact person (if other than applicant):

Mailing address of contact person:

Applicant #s: Wk: Cell: 808.268.8090 Email: sgates@neighborhoodpower.com

Contact person #s: Wk: Cell: Email:

Other persons (if any) to be mailed notices regarding this application:

Name	Address	Zip	Relationship
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Name	Address	Zip	Relationship
SITE ADDRESS:	<u>2323 SE Creighton Ave Oak Grove, OR 97267</u>		

TAX LOT #: T R Section Tax Lot(s) 21E12BC04201

Adjacent properties under same ownership: Total land area:

T R Section Tax lot(s)

T R Section Tax lot(s)

T R Section Tax lot(s)

I hereby certify that the statements contained herein, along with the evidence submitted, are in all respects true and correct to the best of my knowledge.

Stephen Gates 11.14.2018 
 Property owner or contract purchaser's name (print) Date Owner or contract purchaser's signature

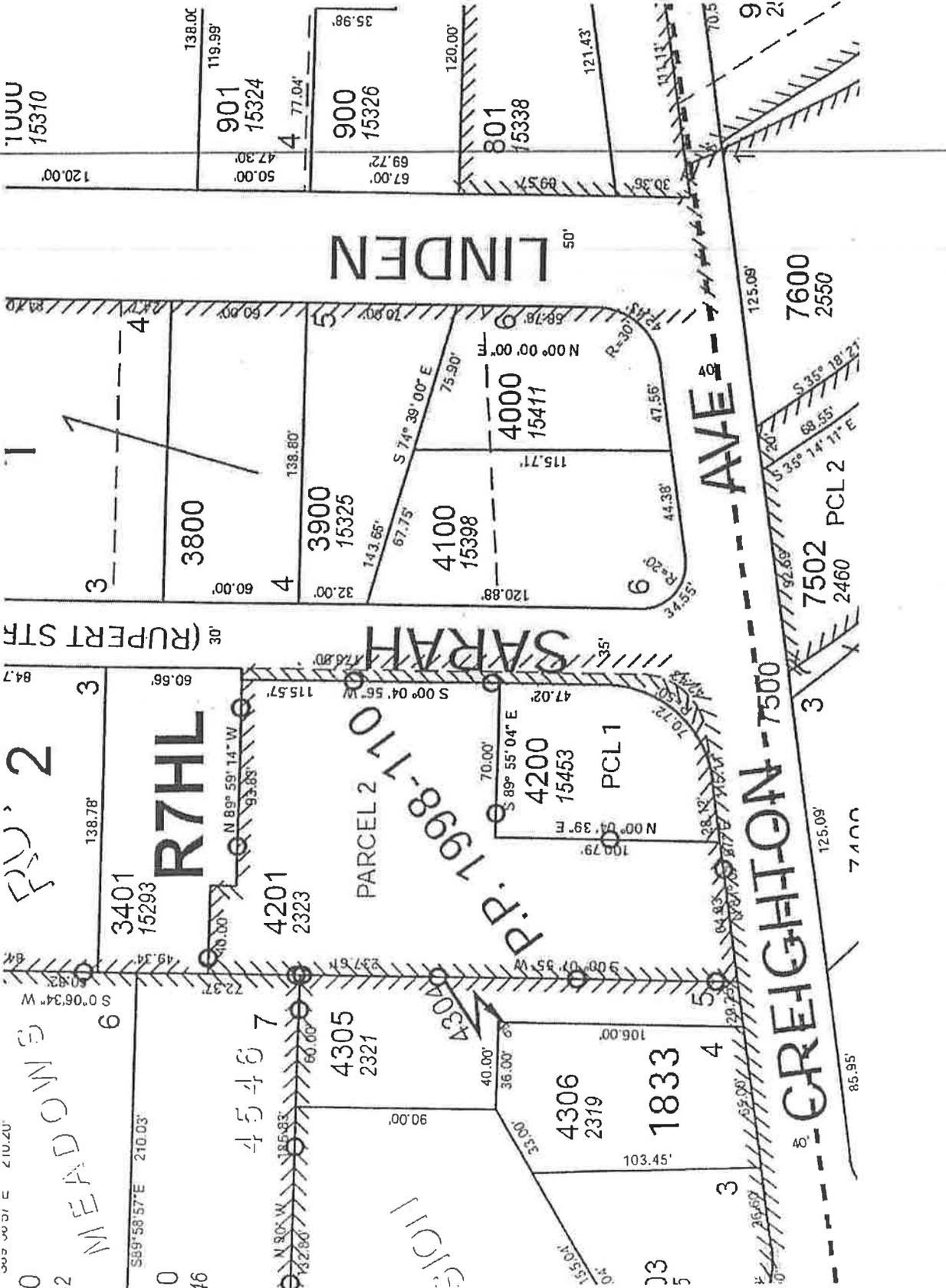
SAME
 Applicant's name (print) Date Applicant's signature

300 00 31 E 210.40'

MEADOWS

PL 2

(RUPERT STR)



TUUN
15310

901
15324

900
15326

801
15338

3800

3900
15325

4100
15398

4000
15411

3401
15293

4201
2323

4305
2321

4306
2319

4309
1833

7600
2550

7502
2460

7500

7400

LINDEN

AVE

GREGG-HON-7500

SARAH

P.P. 1998-110

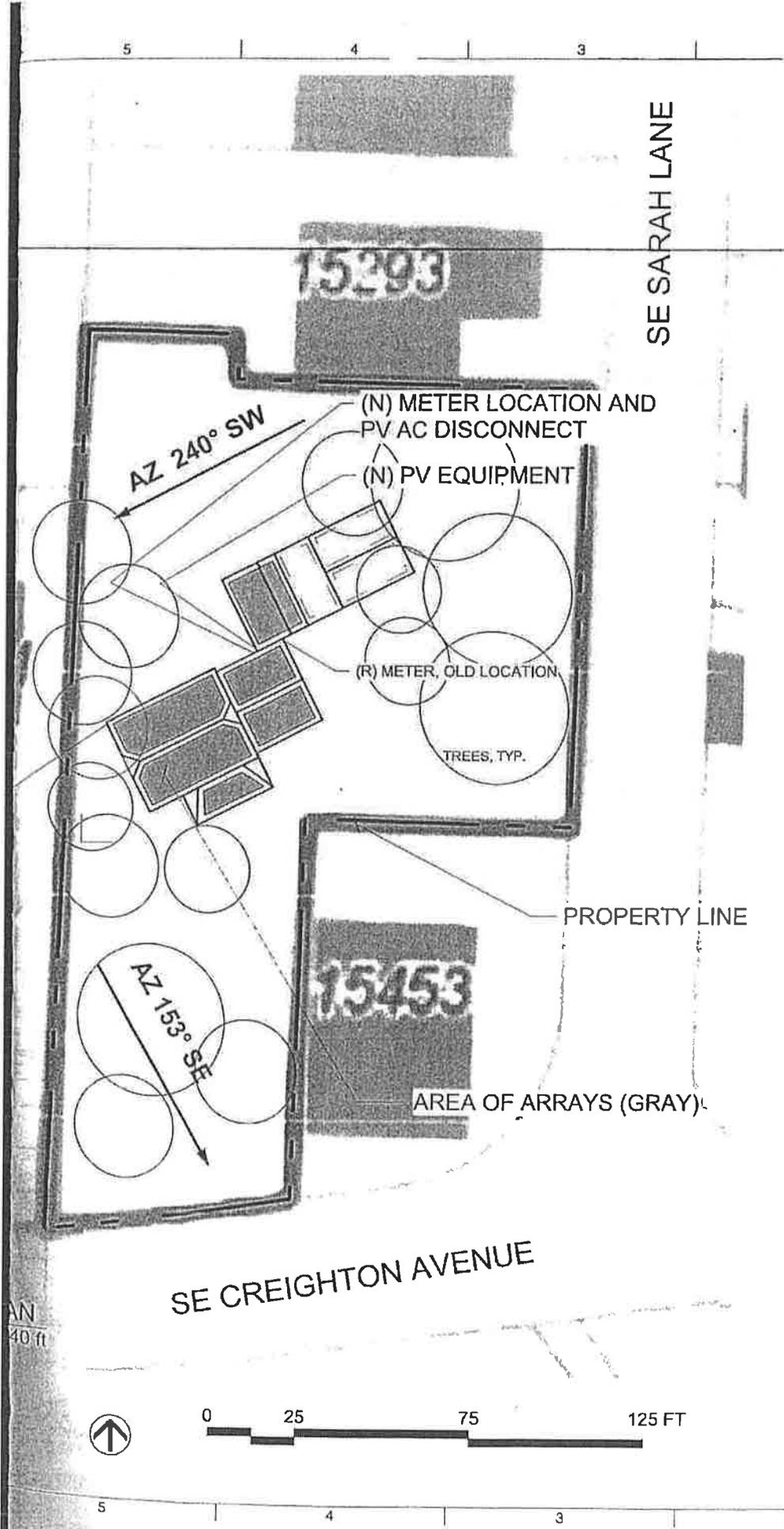
R7HL

31011

PCL 2

PCL 1

8.



NEIGHBORHOOD POWER CORPORATION
415 DAIRY RD, STE E-216, KAHULUI HI 96732

OR CCB #216250
CA: B, C-10 #938628 // HI: BC#33259, C#33260

INTERCONNECTION & PERMIT SUBMITTALS

CUSTOMER

Stephen Gates
2323 SE CREIGHTON AVE
MILWAUKIE, OR 97267
#1829258 (PORTLAND)

METER#: IN25009113
ACCOUNT #: 0022 53444-353309 0
DEYLA GATES

LEGAL PROPERTY OWNER:
GATES, STEPHEN DANIEL
AND GATES, DEYLA



MARK	DATE	BY	VERSION DESCRIPTION
v2a	2018.10.26	N42	INTERCONNECTION & PERMIT SUBMITAL

DRAWN BY: NPC42

Date: Oct 29, 2018
Filename: PV1-Gates Portland-ELECTRICAL-201810-v2a.vwx

- LOCATION MAP
- SITE PLAN

SHEET NUMBER

PV-1

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NEW PV SYSTEM FOR:
Stephen Gates
Home Owner & Builder

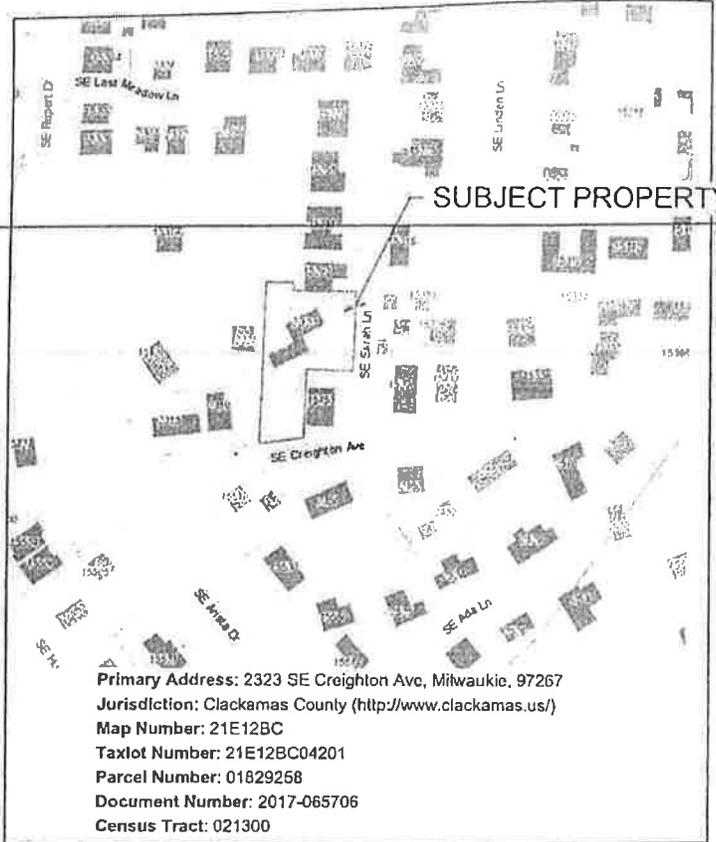
DESIGNER & CONTRACTOR
 RMI: STEPHEN DANIEL GATES
NEIGHBORHOOD POWER CORP

• OR CCB #216250
 • HI: BC#33259, C#33260
 415 DAIRY RD, STE E-216,
 KAHULUI HI 96732
 www.neighborhoodpower.com



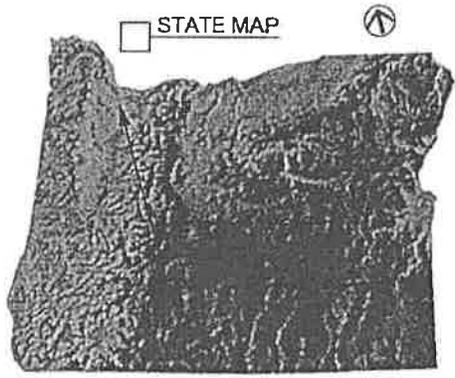
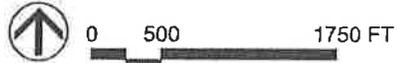
CODE DATA FOR PHOTOVOLTAIC INSTALLATION

JURISDICTION	CITY - COUNTY -	MILWAUKIE, CLACKAMAS, OR
CODE		2012 IBC
OCCUPANCY		R-2
CONSTRUCTION TYPE		V-A
ROOF SNOW LOAD (SLOPED)		20 PSF
ROOF DEAD LOAD (EXIST)		28 PSF
ROOF PV LOAD (ADDED)		2.8 PSF
SEISMIC DESIGN CATEGORY		D
EFFECTIVE WIND SPEED		60 MPH
WIND EXPOSURE CATEGORY		B



1A AREA PLOT PLAN
 Scale: 1:15000

(E) METER
 NEW
 LOCATION



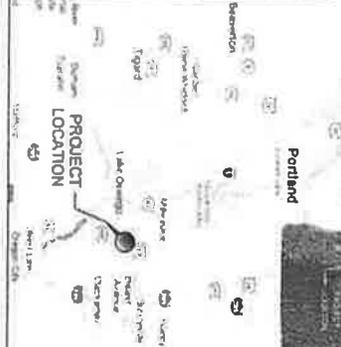
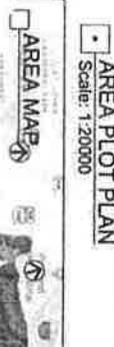
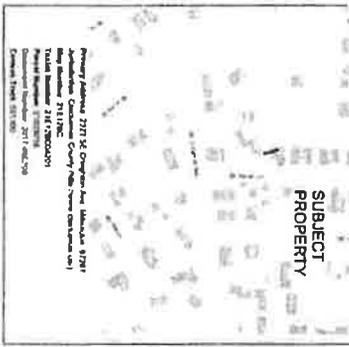
1 SITE
 Scale:



AREA MAP

NEW PV SYSTEM FOR:
Stephen Gates
Home Owner & Builder

DESIGNER & CONTRACTOR
NEIGHBORHOOD POWER CORP
 • OR CCB #216250
 • HI: BCRK33259, CKJ33260
 415 DARY RD, STE E-216
 KAHULUI HI 96732
 www.neighborhoodpower.com



CODE DATA FOR PHOTOVOLTAIC INSTALLATION

JURISDICTION	CITY	MILWAUKEE, WI
COUNTY		CLACKAMAS, OR
YEAR		2012 IRC
OCCUPANCY		R-2
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ROOF PV LOAD (ADDED)		28 PSF
SEISMIC DESIGN CATEGORY		D
EFFECTIVE WIND SPEED		60 MPH
WIND EXPOSURE CATEGORY		B

APPROVED PLOT PLAN:

PLANNING
BUILDING
ENGINEERING
SOILS

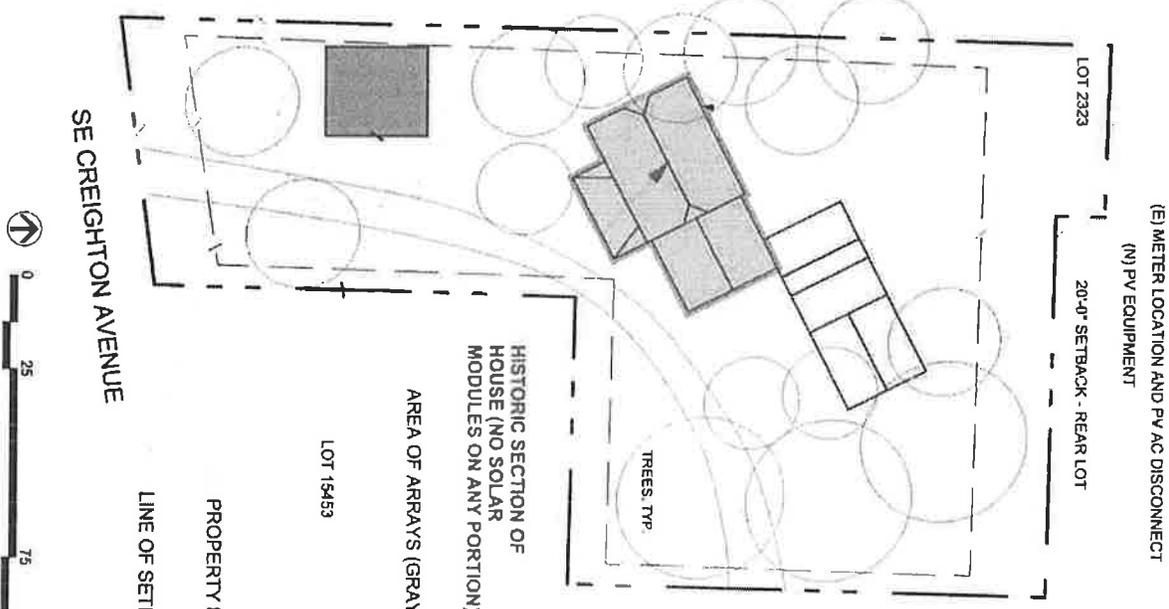
SITE PLAN
 Scale: 1" = 30' R

15'-0" SETBACK
 FRONT LOT

0'-0" SETBACK
 SIDE LOT

SE CREIGHTON AVENUE

SE SARAH LANE



(E) METER LOCATION AND PV AC DISCONNECT
 (N) PV EQUIPMENT



NEIGHBORHOOD POWER CORPORATION
 415 DARY RD, STE E-216, KAHULUI HI 96732
 OR CCB #216250
 HI: BCRK33259, CKJ33260

INTERCONNECTION & PERMIT SUBMITTALS

Stephen Gates
 2323 SE CREIGHTON AVE
 MILWAUKEE, OR 97267
 #18292298

METER#: IN2509113
 ACCOUNT #: 0022 53444-55305 0
 DEYLA GATES

LEGAL PROPERTY OWNER
 GATES, STEPHEN DANIEL
 AND GATES, DEYLA

MARK	DATE	BY	VERSION / DESCRIPTION
-2-	2018 10 29	NAZ	INTERCONNECTION & PERMIT SUBMITTALS
-1-	2018 04 10	NAZ	PRELIMINARY DESIGN (12/18/17)

DRAWN BY: MFC/CD
 Apr 10, 2019
 PVI-Called Portland Electrical 201811-15 ver

PV-1

• LOC'TN. & PLOT MAP
 • GROUND MOUNT

SHEET NUMBER

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Glasgow, Clay

From: Stephen Daniel Gates <sgates@neighborhoodpower.com>
Sent: Friday, April 19, 2019 6:09 PM
To: Glasgow, Clay; Sayles, Sara
Subject: Re: appeal, Z0561-18-PDR
Attachments: ANSWERS TO 707.06 (C) (3) (A-J) FOR THE GROUND MOUNT SECTION OF THE SOLAR.docx

Hello Clay,

Thank you for helping me with the new plan review application today. Attached are the answers to the HRB questions updated to cover the ground mount section of the solar project, permit # B0194119.

All the Best,
Stephen Daniel Gates
President, Neighborhood Power Corporation
(808) 268-8090
Skype: sgages888
www.neighborhoodpower.com

From: Stephen Daniel Gates
Sent: Friday, March 22, 2019 8:08:41 AM
To: Glasgow, Clay
Subject: Re: appeal, Z0561-18-PDR

Hello Clayton,

May I stop by your office today to go over a proposed design change for 2323 SE Creighton that keeps solar modules off of the main house roof? Thank you.

All the Best,
Stephen Daniel Gates
President, Neighborhood Power Corporation
(808) 268-8090
Skype: sgages888
www.neighborhoodpower.com

From: Glasgow, Clay <ClayGla@co.clackamas.or.us>
Sent: Tuesday, February 26, 2019 11:38 AM
To: Stephen Daniel Gates
Subject: appeal, Z0561-18-PDR

Hello,

We have scheduled the Appeal to Z0561-18-PDR to be heard May 21, 2019 at 10:30 a.m. This will be a public hearing before the Hearings Officer, in the auditorium at 150 Beaver Creek Road, in Oregon City. You will receive formal notice within the next couple of weeks but I wanted to get the information to you as soon as possible. Thank you.

Clayton Glasgow, Planner
Clackamas County
503-742-4520; clayg@clackamas.us

Spam Email

Phishing Email

Historic Landmark Designation, 2014
Background information



Oregon

John A. Kitzhaber, MD, Governor

Parks and Recreation Department

State Historic Preservation Office

725 Summer St NE, Ste C

Salem, OR 97301-1266

(503) 986-0671

Fax (503) 986-0793

www.oregonheritage.org

June 11, 2013

Ms. Linda Preisz, Senior Planner

Planning & Zoning

Development Services Bldg.

150 Beaver Creek Road

Oregon City, OR 97045

JUN 17 2013



Re Local Register Nomination for Rupert House, 2323 SE Creighton Avenue

Dear Ms. Preisz,

Congratulations on the nomination of the Rupert House to your local register of Historic Landmarks. We support the County's maintenance of a local register and nomination of the Rupert House. Please let us know if we can assist you in any way to encourage the listing of more properties in Clackamas County.

Sincerely,

Diana J. Painter, PhD

National Register and Survey Coordinator



**BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF CLACKAMAS COUNTY, STATE OF OREGON**

In the Matter of Designating the
ISABELL RUPERT HOUSE, described
as 21E12BC Tax Lot 4201, a Clackamas
County Historic Landmark

Order No.: 2014-29

File No.: Z0270-13-HL

This matter coming at this time and it appearing to the Board of County Commissioners that the ISABELLE RUPERT HOUSE does meet the criteria of Subsection 707 of the Zoning and Development Ordinance for designation as a Historic Landmark; and

It further appearing to the Board that the Historic Review Board at its public hearing on July 11, 2013 has recommended designating the ISABELL RUPERT HOUSE as a Historic Landmark; and

It further appearing to the Board that a hearing was held before this Board on April 30, 2014 at which testimony was taken and evidence presented; and

It further appearing to the Board that a decision was made by this Board on April 30, 2014;

Based upon the evidence and testimony presented this Board makes the following findings and conclusions:

1. The application meets the applicable approval criteria.
2. The Board adopts the relevant findings and conclusions contained in the Decision of the Historic Review Board, dated July 11, 2013 and in the staff materials presented at the April 30, 2014 hearing.

NOW, THEREFORE, IT IS HEREBY ORDERED THAT the ISABELLE RUPERT HOUSE is designated a Clackamas County Historic Landmark; and

It is further ordered that the required changes be made in the relevant zoning maps.

DATED this 30th Day of April 2014

Chair

Recording Secretary

Planning and Zoning Division

Development Services Building

Mike McCallister, Director

150 Beaver Creek Road Oregon City, OR 97045

Phone: (503) 742-4500 fax: (503) 742-4550 e-mail: zoninginfo@co.clackamas.or.us

Web: <http://www.clackamas.us/transportation/planning>

DECISION OF THE HISTORIC REVIEW BOARD

This document represents the decision of Historic Review Board for a Land Use Application requesting Historic Landmark overlay to be placed on the Isabelle Rupert House.

SECTION 1 – SUMMARY

HEARING DATE: JULY 11, 2013

CASE FILE NO.: Z0270-13-HL

STAFF CONTACT: Linda Preisz, (503)742-4528, lindap@co.clackamas.or.us

LOCATION: 2323 SE Creighton Avenue, Oak Grove, T2S R1E Section 12BC, Tax Lot 4201

APPLICANT: Pascale Steig, 2323 SE Creighton Avenue, Oak Grove, OR 97267

OWNER: same

TOTAL AREA: Approximately .52 acres

ZONING: R-7, Low Density Residential Zone, 7,000 sf minimum lot size

CITIZENS PLANNING ORGANIZATION: Oak Grove Community Council, Jim Martin, 503-659-2818, 15163 SE LaBonita Way, Oak Grove. OR 97267

PROPOSAL: Request for Historic Landmark Overlay be applied to the Isabelle Rupert House.

APPLICABLE APPROVAL CRITERIA: This application is subject to Clackamas County Zoning and Development Ordinance (ZDO) Sections(s) 707.02B

Planning and Zoning Division

Development Services Building

Mike McCallister, Director

150 Beaver Creek Road Oregon City, OR 97045

Phone: (503) 742-4500 fax: (503) 742-4550 e-mail: zoninginfo@co.clackamas.or.us

Web: <http://www.clackamas.us/transportation/planning>



BACKGROUND:

In 1984, Clackamas County conducted a Cultural Resources Inventory. The M. Isabelle Rupert house was noted in that inventory. It stated that the dwelling was built circa 1903. The Isabelle Rupert House is designed in the Vernacular-Colonial Revival Style and is one-and-a-half stories with a clipped gable roof. The original windows are one-over-one elongated double-hung sash with architrave molding. The main entrance has a hip roof supported by slender Doric Columns (believed to be replacements) which are set on concrete bases. It also noted that a building had been attached to the original structure. SHPO recorded it as #161 on the state inventory.

Maybe due to the attached structure, no more information or historic designation activity occurred. In a 2011, a map made to highlight landmark properties along the Trolley Trail included the M. Isabelle Rupert House. The current owner is now requesting Historic Landmark designation.

Research conducted by Michael Schmeer has found that the house was actually built in 1904. A short history of this house will be presented. In 1889 Joseph A. Rupert and his wife Sarah M. (Reid) Rupert arrived in Portland coming from Silver City, Idaho along with their children

Planning and Zoning Division

Development Services Building

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Web: <http://www.clackamas.us/transportation/planning>

4. It is an important or critical element in establishing or contributing to the continuity or character of the street, neighborhood, or community. (up to 7 points)

The Historic Review Board scored the Isabelle Rupert house with 7, 2, 7, and 3 for a total of 19 points.

Historical Significance

1. It is associated with the life or activities of a person, group, organization, or institution that has made a significant contribution to the community, state, or nation (up to 10 points)
2. It is associated with an event that has made a significant contribution to the community, state, or nation (up to 10 points)
3. It is associated with, and illustrative of, broad patterns of cultural, social, political, economic, or industrial history in the community, state, or nation. (up to 10 points)
4. It possesses the potential for providing information of a prehistoric or historic nature. (up to 10 points)

The Historic Review Board scored the Isabelle Rupert house with 10, 0, 7, and 5 for a total of 22 points. The HRB gave the Isabelle Rupert House a total score of 56.

SHPO recommended that the HRB and the Board of County Commissioners designate this house as a Historic Landmark. Also, Mike Schmeer of the Oak Lodge History Detectives submitted a detailed report of the structure. As stated in his letter, "The Joseph A. Rupert family first came to the Oak Grove area in 1889 and became respected members of the Oak Grove community. Early in 1912, the railroad company established "Rupert Station" in honor of the family. In 1927, "Rupert's Subdivision" was created from part of the family's acreage and "Rupert Street" came to be. Isabelle Rupert, the eldest daughter of Joseph and Sarah Rupert, is representative of the successful, independent women of her era, initially purchasing the property in her own name, building a home on it in 1904 and operating a successful fruit/nursery farm for over 35 years."

Decision: The Isabelle Rupert House qualifies as a Historic Landmark and recommends to the Board of County Commissioner that it be designated an Historic Landmark and that the appropriate changes be made to county maps.

THE APPROVAL OF THE HISTORIC REVIEW BOARD SHALL BECOME FINAL 10 DAYS FROM THE DATE OF THE WRITTEN FINDINGS UNLESS APPEALED IN WRITING BY ANY AGGRIEVED PARTY PUSUANT TO SECTION 1304 OF THE CLACKAMAS COUNTY ZONING ORDINANCE

CLACKAMAS COUNTY HISTORIC PROPERTIES EVALUATION FORM

Criteria for Architectural, Environmental, and Historical Significance

Name: Rank:
Address:
Legal:
Style: Date:
Zone: Land Size:

ARCHITECTURE

STYLE/BUILDING TYPE/CONVENTION: Significance as an example of a particular architectural style, building type, or convention.

Especially fine or extremely early	10	
Excellent or early	5	
Good if many survive	3	T
Of little interest	0	3

DESIGN/ARTISTIC QUALITY: Significance because of quality of composition, detailing and craftsmanship.

Excellent	4	
Very Good	3	Σ
Good	2	Σ
Fair/Poor	1	

MATERIALS/CONSTRUCTION: Significance as an example of a particular material or method of construction.

Especially fine or extremely early	4	
Excellent or early	3	Σ
Good	2	Σ
Of little interest	1	Σ

INTEGRITY: Significance because it retains its original design features, materials, and character.

No apparent changes	7	
Minor changes	5	
Major changes	3	Σ
Altered/Deteriorated	0	

RARITY: Significance as the only remaining, or one of the few remaining, properties of a particular style, building type, design, material, or method of construction.

One of a kind	10	
One of few	5	
One of several	3	Σ
One of many	0	

Report Use

SUBTOTAL:
20/5

ENVIRONMENT

LANDMARK: Significance as a visual landmark.

Symbol for the community	10
Conspicuous/well-known in community	7
Conspicuous/well-known in neighborhood	5
Not conspicuous/not well-known	0

SETTING: Significance because the current land-use surrounding the property contributes to the integrity of the pertinent historic period.

Excellent	4
Very Good	3
Good	2
Fair/Poor	1

ON SITE SETTING: Significance because the property consists of a complex of interrelated elements including associated structures from the historic period, viewsheds, natural features and historic landscape material.

Excellent	10
Good	7
Fair	3
Poor	0

CONTINUITY: Significance because the property contributes to the continuity or character of the street, neighborhood, or community.

Establishes character	7
Important/maintains character	5
Compatible	3
Incompatible	0

SUBTOTAL:

9

7

14

3

19

HISTORICAL ASSOCIATION

PERSON/GROUP/ORGANIZATION: Associated with the life or activities of a person, group, organization or institution that has made a significant contribution to the community, state, or nation.

Particularly strong	10	
Strong	7	
Some	5	
None	0	

EVENT: Associated with an event that has made a significant contribution to the community, state, or nation.

Particularly strong	10	
Strong	7	
Some	5	
None	0	

PATTERN: Associated with an illustrative of, broad patterns of cultural, social, political, economic, or industrial history in the community, state, or nation.

Particularly strong	10	
Strong	1	19
Some	5	
None	0	

LIKELIHOOD TO YIELD INFORMATION: Resource has yielded, or may be likely to yield, information important in prehistory or history.

Particularly strong	10	
Important	7	3
Some importance	5	
Unlikely	0	

SUBTOTAL:

TOTAL

15

22

Oak Lodge History Detectives, 2013
Background information



June 22, 2013

Oak Lodge History Detectives
14726 S.E. Oatfield Rd.
Milwaukie, OR 97267-2901

Re: Isabelle Rupert House Application

JUN 26 2013

Clackamas Co. Historic Resource Planning Staff
Clackamas County Planning Department
150 Beaver Creek Rd.
Oregon City, OR 97045

To whom it may concern:

Enclosed is a history of the Rupert Family of Oak Grove, with supporting documentation, which will provide you with historical context as it pertains to the application to grant Historic Landmark status to the Isabelle Rupert house at 2323 S.E. Creighton Avenue @ Sarah Lane.

The Joseph A. Rupert family first came to the Oak Grove area in 1902 and became respected members of the Oak Grove community, being well known throughout the northern part of Clackamas County. The Ruperts exemplify the wave of newcomers to Oak Grove following the construction of the interurban railroad between Portland and Oregon City in 1893. Early in 1912 the railroad company established "Rupert Station" in honor of the family. In 1927 "Rupert's Subdivision" was created from part of the family's acreage and "Rupert Street" came into being. Isabelle Rupert, the eldest daughter of Joseph and Sarah Rupert, is representative of the successful, independent women of her era, initially purchasing the properties in her own name, building a home on it ca. 1904, and operating a successful fruit/nursery farm for over 35 years.

The Oak Lodge History Detectives is a 501(C)4 non-profit corporation dedicated to promoting the place and appreciation of local history in the Oak Lodge area. We strongly support the application to designate the Isabelle Rupert House as a Historic Landmark.

Sincerely,
Mike Schmeer
Chairman, Oak Lodge History Detectives

THE RUPERT FAMILY OF OAK GROVE

In 1889 Joseph A. Rupert and his wife Sarah M. (Reid) Rupert arrived in Portland from Silver City, Idaho along with their children Margaret (Maggie) *Isabella*, Ethel C. and Francis (Frank) H. Rupert. Rupert was a pharmacist by trade, originally from Toronto, Canada – born there in 1844, the son of Adam and Annabella Rupert. On Oct. 12, 1870 Joseph married Sarah M. Reid in Thornhill, Ontario, Canada – she also born in 1844, the daughter of John and Isabella Reid.¹ The couple then headed west to Silver City in Idaho Territory where their three children were born and Joseph had established a drug store.²

The Ruperts remained in Silver City until 1889 when they moved to Portland and Joseph opened “J.A. Rupert & Company, Prescription and Druggists” on the N.W. corner of Third and B (Third and Burnside)³. The first ad for his establishment appeared in the Oregonian on Nov. 28, 1889 on page 1. In 1897 Rupert “caught the gold fever” and left for the Klondike, spending four years there⁴ while Sarah and the children remained in Oregon⁵. Returning to Portland about 1901 Rupert purchased two more stores at Third and Morrison and Thirteenth and Jefferson Streets.⁶

On Nov. 7, 1902, at the age of 30, the Rupert’s oldest daughter, Margaret *Isabelle* Rupert, purchased for \$366 Lot 1 in ‘Risley’ (plat) from James Steel (of the East Side Railway Company) and his wife Mary Ladd Steel, containing almost 2 acres.⁷ Lying on the South side of today’s Creighton Ave. the parcel had originally been part of the Jacob S. Risley Donation Land Claim but had been broken up following his death in 1902. The property was purchased in Isabelle’s name, “M.I. Rupert”. On Feb. 6, 1903 Isabelle purchased for \$400 from the Sellwood Land & Improvement Company “all of the land lying east of the right of way of the Oregon Water Power and Railway Company in Lots numbered 1 and 2 of Tract numbered 76 of the First Subdivision of a Portion of Oak Grove, containing three acres of land more or less”.⁸ This was on the north side of today’s Creighton Ave., from the trolley line east toward today’s Sarah Lane. Finally, on Oct. 21, 1903 she purchased for \$250 (also from the Sellwood Land & Improvement Company) Lots 2 & 3 in Tract 73 in the First Subdivision of Oak Grove, which bordered along the West side of today’s Linden Lane⁹. These purchases totaled approximately 6 acres on both sides of today’s Creighton Ave. between Arista Dr. and Linden Lane. Isabelle built a home on her property in 1904 and operated a fruit farm and nursery there for over 35 years. Lying adjacent to the East Side Railway Company’s electric car line (by then the Oregon Water Power and Railway Company) the location was convenient for getting their produce to Portland and Oregon City. About the time that Isabelle bought her property Joseph retired and he and Sarah moved to Oak Grove to live with Isabelle who had added on to her house to accommodate them¹⁰. The family’s small farm and home was considered one of the most attractive places along the road leading to Portland, making it one of the show places of the countryside¹¹. Joseph and Sarah’s daughter Ethel married Josephus Bullivant, Jr. in 1903 and lived in Portland where “Joe” operated a grocery business with his brother. Frank Rupert later married Adelaide F. Henri in 1908 and also lived in Portland.

In early 1912 the railway company established "Rupert Station" adjacent to the Rupert's property – the first mention of it occurring in the Oregonian on Jan. 21, 1912 on p.7.

Joseph Rupert died tragically on Oct. 21, 1922 when a hot tar pot exploded while he and his son-in-law, Joe Bullivant, Jr., were making repairs. Rupert's face and body were covered with flaming tar and he died at Good Samaritan Hospital. Bullivant was also burned but survived, and Sarah Rupert was slightly injured¹².

Isabelle and her mother continued operating the fruit farm in Oak Grove, and in March 1927, when she was 55, Isabella subdivided parts of Blocks 73 and 76 in the First Subdivision of Oak Grove, as well as Tract 1 in Risley subdivision, as "Rupert's Subdivision"¹³. She retained the remainder of her original property for her and her mother to live on. Sarah M. Rupert died on Aug. 18, 1938 at the age of 94¹⁴. Isabelle never married and in April 1940 she sold her home and property and moved into a house at 15325 S.E. Linden Lane¹⁵ in Rupert's Subdivision. Margaret Isabelle Rupert died in a Milwaukie nursing home on Mar. 2, 1967¹⁶.

Mike Schmeer

Oak Lodge History Detectives

June 2013

¹ Ontario, Canada Marriages 1801-1928; Ancestry.com. Record gives the place of residence for both bride and groom, their ages, place of birth and names their parents.

² Oregonian newspaper Oct. 23, 1922 p.20; 1880 Federal Census, Silver City, Owyhee Co., ID E.D. 29, p.4

³ Oregonian newspaper Oct. 23, 1922 p.20

⁴ *ibid.*

⁵ 1900 Federal Census, Bandon, Coos Co., OR

⁶ Oregonian newspaper Oct. 22, 1922 p.17 and Oct. 23, 1922 p.20

⁷ Clackamas Co., OR deeds Book 87, pp. 468, 469

⁸ Clackamas Co., OR deeds Book 86, pp. 446, 447

⁹ Clackamas Co., OR deeds Book 87, pp. 469, 470, 471

¹⁰ Oregonian newspaper Oct. 23, 1922 p.20

¹¹ Oregon City Enterprise newspaper Oct. 27, 1922

¹² Oregonian newspaper Oct. 22, 1922 p.17; Oct. 23, 1922 p.12; Oct. 23, 1922 p.20; Oregon City Enterprise Oct. 27, 1922

¹³ "Rupert's Subdivision of Tract 1 Risley And A Part Of Blocks 73 and 76, First Subdivison Of Oak Grove, Clackamas County, Ore." - plat, Clackamas County Surveyor's Office

¹⁴ Obituary, Oregonian newspaper Aug. 20, 1938 p.13

¹⁵ Clackamas Co., OR deeds Book 268, pp. 166, 167

¹⁶ Obituary, Oregonian newspaper Mar. 4, 1967 p.19

HUSBAND JOSEPH A. RUPERT
 BORN ABT 1844 Place ONTARIO, CAN.
 MARRIED OCT 12 1870 Place THORNHILL, ONTARIO, CAN.
 Occupation DRUGGIST, FRUIT FARM Residence _____
 Church Affil _____ War serv. _____
 Died OCT 21, 1922 Place PORTLAND, MULT. CO., OR
 Buried _____ Place _____
 Other wives _____
 Father ADAM RUPERT
 Mother (maiden name) ANNABELLE

Sheet submitted by:
MICHAEL G SCHMEER
OAK LODGE HISTORY
DETECTIVES

WIFE SARAH M. REID
 Born ABT. 1844 Place _____
 Church Affil _____ Occupation _____
 Died AUG. 18, 1938 Place CLACKAMAS CO., OR
 Buried _____ Place _____
 Other husb. _____
 Father JOHN REID
 Mother (maiden name) ISABELLA

Relationship to
 Husb: _____
 Relationship to
 Wife: _____

Place information sources
 on reverse side

CHILDREN	BORN		DIED		MARRIED	
	When	Where	When	Where	To whom	When Where
1 MARGARET (MAGGIE) I.	APRIL 1872	SILVER CITY, OWYHEE, ID	MAR 2, 1967	CLACKAMAS CO., OR	NEVER MARRIED	
2 ETHEL C.	JULY 1876	SILVER CITY, IDAHO	MAY 17, 1946	PORTLAND, MULT., OR	JOSEPHUS (JOE) BULLIVANT, JR.	OCT 11 1877 P.L.D.
3 FRANCIS (FRANK) H.	ABT. 1877	SILVER CITY, IDAHO	MAY 22 1951	JACKSON CO., OR	ADELAIDE F. HENRI	JUNE 24, 1908 MULT. CO., OR
4						
5						
6						
7						
8						
9						
10						
11						
12						

b.
CAN
OCT 11
1877



321

SCHEDULE B.-MARRIAGES.

	General No.	General No.	General No.		
BRIDEGROOM.	Name.	Joseph L. Rupert	James Stahl.	Justin Herwood	
	Age.	25	21	23	
	Residence when Married.	Rupert Village, Yorkham	Northham	North Gwillimbury	
	Place of Birth.	Canada	Yorkham	Canada	
	Bachelor or Widower (M. or W.)	B	B	B	
	Rank or Profession.	Courierman	Fireman	Farmer	
	Name of Parents.	Adam & Annabella Rupert.	John P. and Elizabeth Stahl.	Thomas Abraham Herwood and Ann Herwood	
	BRIDE.	Name.	Sarah R. Reid	Mrs. White	Ellen Smith
		Age.	25	20	21
		Residence when Married.	Thornhill	Unionville, Yorkham	North Gwillimbury
Place of Birth.		Canada	Unionville, Yorkham	Canada	
Spinster or Widower (M. or W.)		S	S	S	
Name of Parents.		John and Sabina Reid	Benjamin P. and Harriet White.	William Smith & Margaret Smith	
Name and Residence of Witnesses.		John Reid and Margaret Reid with J. Thornhill.	J. Stahl and F. E. Taylor of Yorkham	John Lobb - Logins and Wm. Herwood Burgess.	
Date and place of Marriage.		12 th Sept 70 Thornhill	15 th Dec 70	at Toronto April 17 th 1870	
Religion Denomination of Bridegroom.		Methodist	Evangelical	Breth. Conn.	
Religion Denomination of Bride.		Methodist	Baptist.	Methodist	
By whom Married.	John Beane	Daniel MacCallum	William Hodgman with Arthur Nixon		
By License or Banns (L. or B.)	L	L	L		
Division.	Yorkham	Yorkham	Georgina		
County.	York	York	York		
REMARKS.					

OREGONIAN
NOV. 28, 1889 p. 1

J. A. RUPERT & CO.,

Successors to E. E. Prowell,

Prescription Druggists

N. W. cor. Third and B, Portland.

MAY 17, 1892 P. 12

CHANGED ISLANDS.

H. H. Hildebrand's drug store, at the corner of Third and Morrison, has been sold to J. A. Rupert, who made Rupert's pharmacy, at the corner of Third and Morrison streets, such a grand success. Mr. Hildebrand in retiring from the business hopes his many friends will be as liberal in their patronage to the new firm as they were to him. Mr. C. Witzel, who was prescription clerk in the store for three years past, remains, to be chief clerk, and will greet all the old friends as usual.

RUPERT STATION
OREGONIAN
JAN. 21, 1912 P. 7

Finest View on the Willamette

Three and one-fifth acres; fronts the river; 10 minutes' walk to Rupert station; 50-foot solid rock bank; fine loam soil; under cultivation; small groves of fir trees scattered over it. Any one that has seen the hillsides on the Hudson will appreciate this. Price, \$4500. \$3260 cash, balance two years at 6 per cent interest.

O. FRED FISH

515-518 Selling Bldg. opp. Oregonian
A 771; Main 4841
Member Realty Board

TAR BURN KILLS FARMER

J. A. RUPERT OF OAK GROVE
INJURED FATALLY.

Face and Body of Victim Are
Covered With Flaming
Liquid After Explosion.

J. A. Rupert, 77, farmer living at Oak Grove, was injured fatally when a tar pot exploded yesterday, covering his face and body with the flaming liquid. The left side of the face and his nose, were completely seared away, it was said last night at Good Samaritan hospital, where he was taken following the accident. He died at 6:45 o'clock.

J. Bullivant Jr., a son-in-law of the injured man, was badly burned about the arms. He lives at 491 Harrison street in this city.

The force of the explosion, which has not yet been explained, due to the condition of both the men, who were the only ones near at the time, was sufficient to knock the underpinning from a nearby water tower and send it crashing to the ground.

Mr. Rupert came to Oregon from Idaho in 1889. He was a trooper in a campaign against the Indians in Idaho. After coming to Portland he engaged in the drug business, owning several stores at different times. He went to the Klondike during the gold rush, returned to Portland and later went to Bandon, Or., but after six years returned to this vicinity and settled down. He is survived by a widow and a daughter, Isabella, who lived with him at Rupert station; two sons, F. M. and F. H. Rupert, both of 1594 Front street, and a second daughter, Mrs. J. Bullivant, 491 Harrison street. Funeral arrangements have not been made.

OREGONIAN

OCT. 22, 1922 P. 17

Obituary.

J. A. Rupert.

Funeral services for J. A. Rupert, pioneer Portland druggist, who was killed by the explosion of a pot of tar at his Oak Grove home, Saturday afternoon, will be held today at the Portland crematorium. Dr. W. W. Youngston will officiate.

Mr. Rupert was one of the few surviving men of the old west. He was born in Toronto, Canada, in 1844, and came west at the age of 18. For a number of years he lived in Silver City, Idaho, where he reared a family. Mr. Rupert also served in the Indian campaigns in Idaho.

He came to Portland in 1889 and opened a drug store at Third and Burnside streets. In 1897, he caught the gold fever and was one of the first Portlanders to leave for the Klondyke. After spending four years in that country, he returned to Portland, again engaging in the drug business. He conducted stores at Third and Morrison and Thirteenth and Jefferson streets. Twenty years ago, Mr. Rupert retired from active business and settled on a small fruit farm near Oak Grove. He is survived by his widow, who was also hurt in Saturday's explosion, by one son, F. H. Rupert, 1594 Front street, and by two daughters, Isabella, who made her home with her parents at Oak Grove, and Mrs. Ethel Bullivant, 491 Harrison street.



OREGONIAN

OCT. 23, 1922 P. 20

OREGONIAN

OCT. 23, 1922 P. 12

RUPERT—In this city October 21, Joseph A. Rupert, aged 77 years, late of Oak Grove, Or., beloved husband of Sarah Rupert, father of Miss M. I. Rupert and Mrs. J. Bulligant Jr. and F. H. Rupert. Funeral services will be held Monday, October 23, at 10:30 A. M. at the Portland Crematorium. Arrangements in care of Miller & Tracey. Toronto, Canada, papers please copy.

JOHN RUPERT IS KILLED BY TAR POT EXPLOSION

John Rupert, of Rupert station, after whom that vicinity was named, died at St. Vincent's hospital Saturday. His death was due to injuries received when he was struck by a piece of iron, torn from a tar pot which exploded. His wife is in the hospital in a critical condition suffering from injuries and shock.

Rupert, who was 77 years of age, was assisting his son-in-law, Joseph Dullivant, Jr., of 491 Harrison Street, Portland in making repairs on his home when the accident occurred. Rupert was struck by a flying fragment, which tore away a portion of his face. Dullivant was slightly injured, and Mrs. Rupert, who was standing close by, was also struck.

The tower house, where the men were engaged in working, caught fire and was burned to the ground. All contents were consumed, including the pumping plant, tools and tarra products.

The man was rushed to the hospital, where every effort was made to save his life, but he died shortly after reaching the hospital.

Mr. Rupert was one of the best known residents of northern part of Clackamas county. He had taken great interest in his little farm, home and was considered one of the most attractive places along the road leading to Portland. He was a retired pharmacist and had taken an interest in his country home, making it one of the show places of the county. He prided himself on making it such. He first made his home in Portland as a sign-giving man, but later moved to Idaho, and worked in several Portland drug stores. He was a resident of Bandon, Oregon, for about six years, and later went to Alaska in the gold rush. Shortly afterwards he returned to Portland, later moving to Clackamas county.

*John Rupert
Rupert*

Joseph Rupert
d Oct 21
1922

C. C. E. C. T
27 OCT 1922

OREGONIAN
AUG. 20, 1938 P. 13

RUPERT—Sarah M., Aug. 18, aged 94 years, late of Oak Grove, beloved mother of M. Isabel Rupert, Mrs. Ethel C. Bullivant and Frank H. Rupert. Private funeral services will be held Saturday, Aug. 20, at the Chapel of the Moreland Funeral Home, 6637 S. E. Milwaukie, cor. Claybourne. Commitment private, Portland Crematorium. SE 0071.

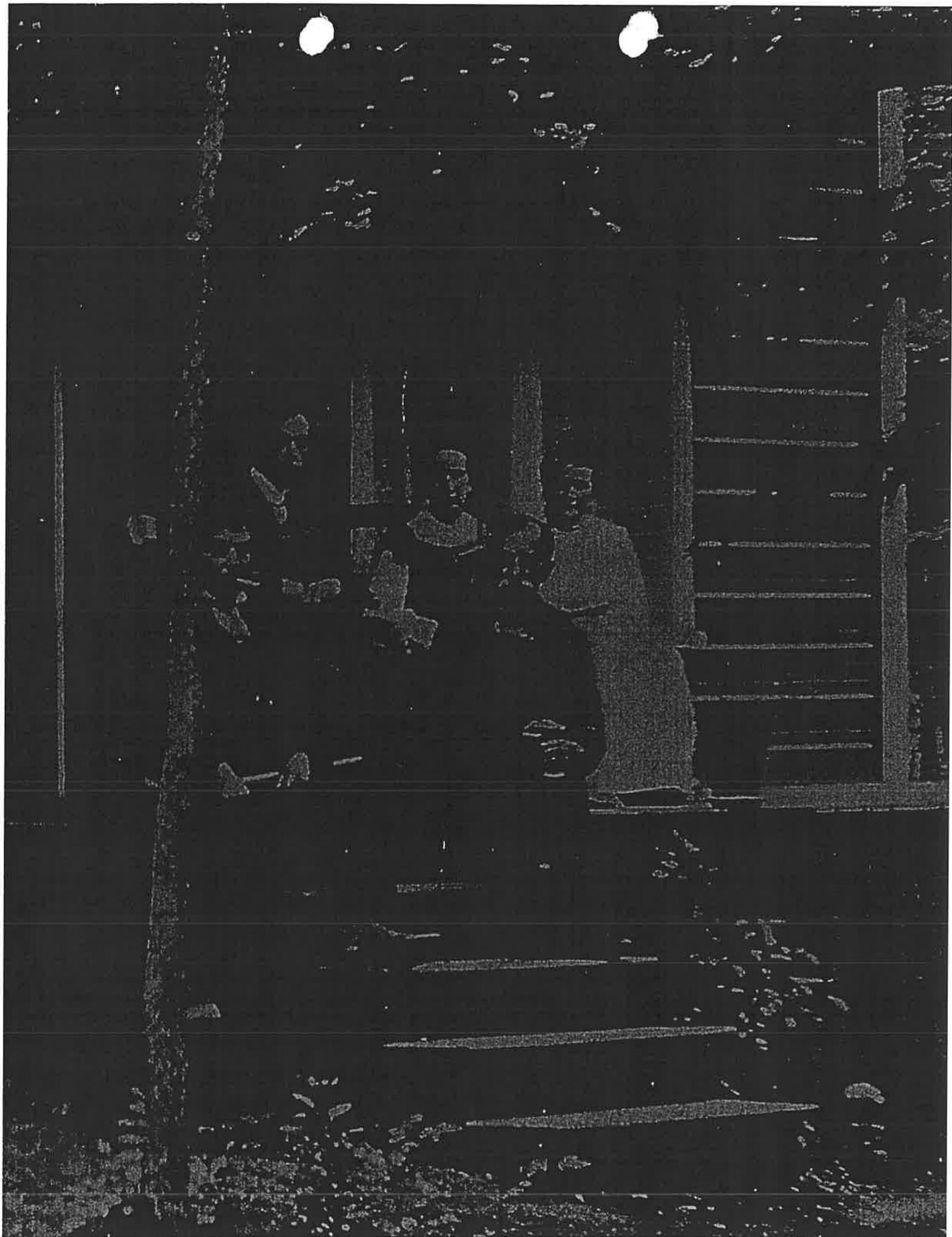
MARGARET RUPERT

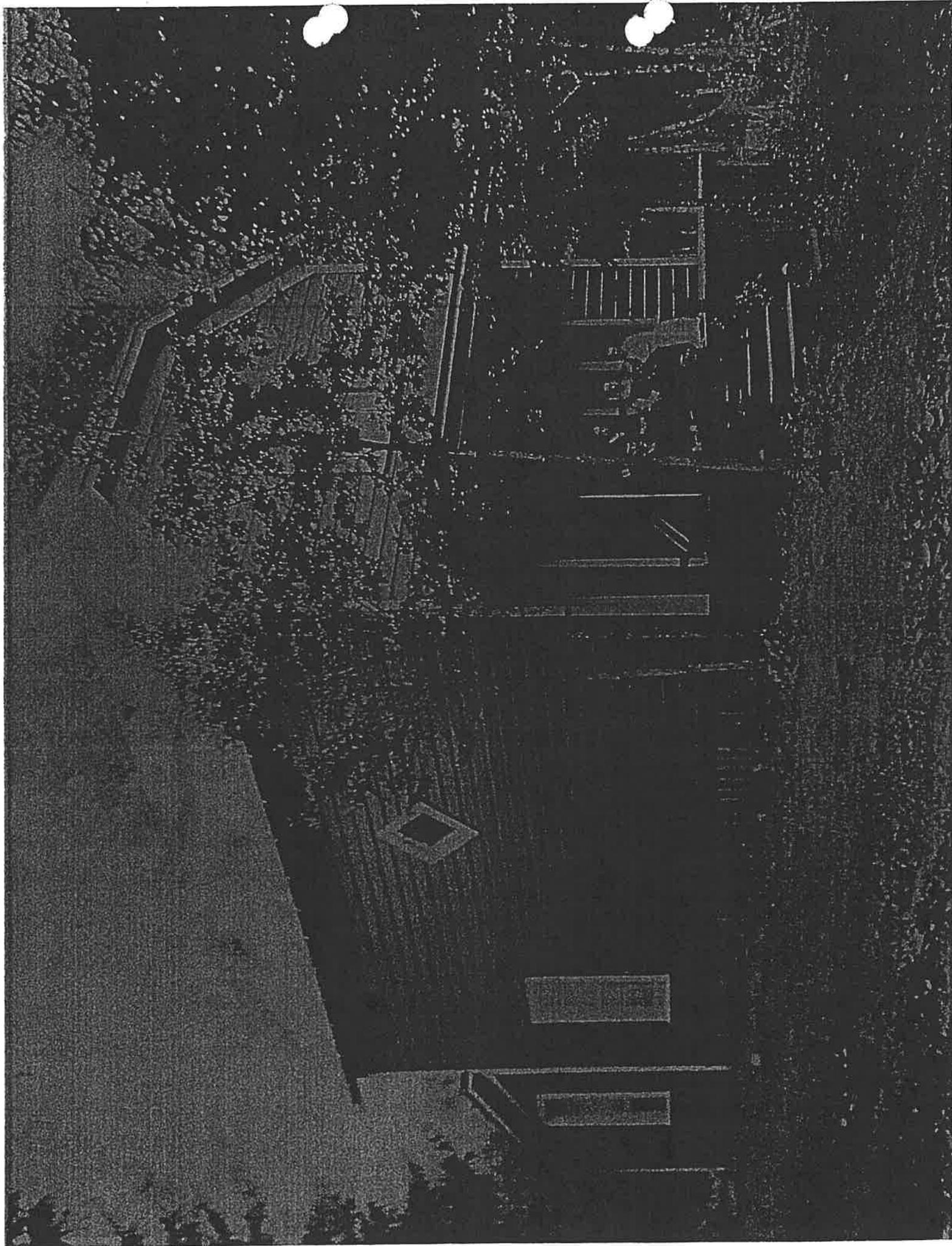
Funeral for Miss Margaret I. Rupert, 15325 SE Linden Lane, Milwaukie, will be Saturday at 2 p.m. at the Peake Memorial Chapel. Private committal will be in Portland Memorial Indoor Cemetery.

Miss Rupert died Thursday at a Milwaukie nursing home after a short illness.

She was born in Silver City, Idaho, April 15, 1872, and came to Portland as a young girl. She resided at Rupert Station, near Oak Grove, for many years.

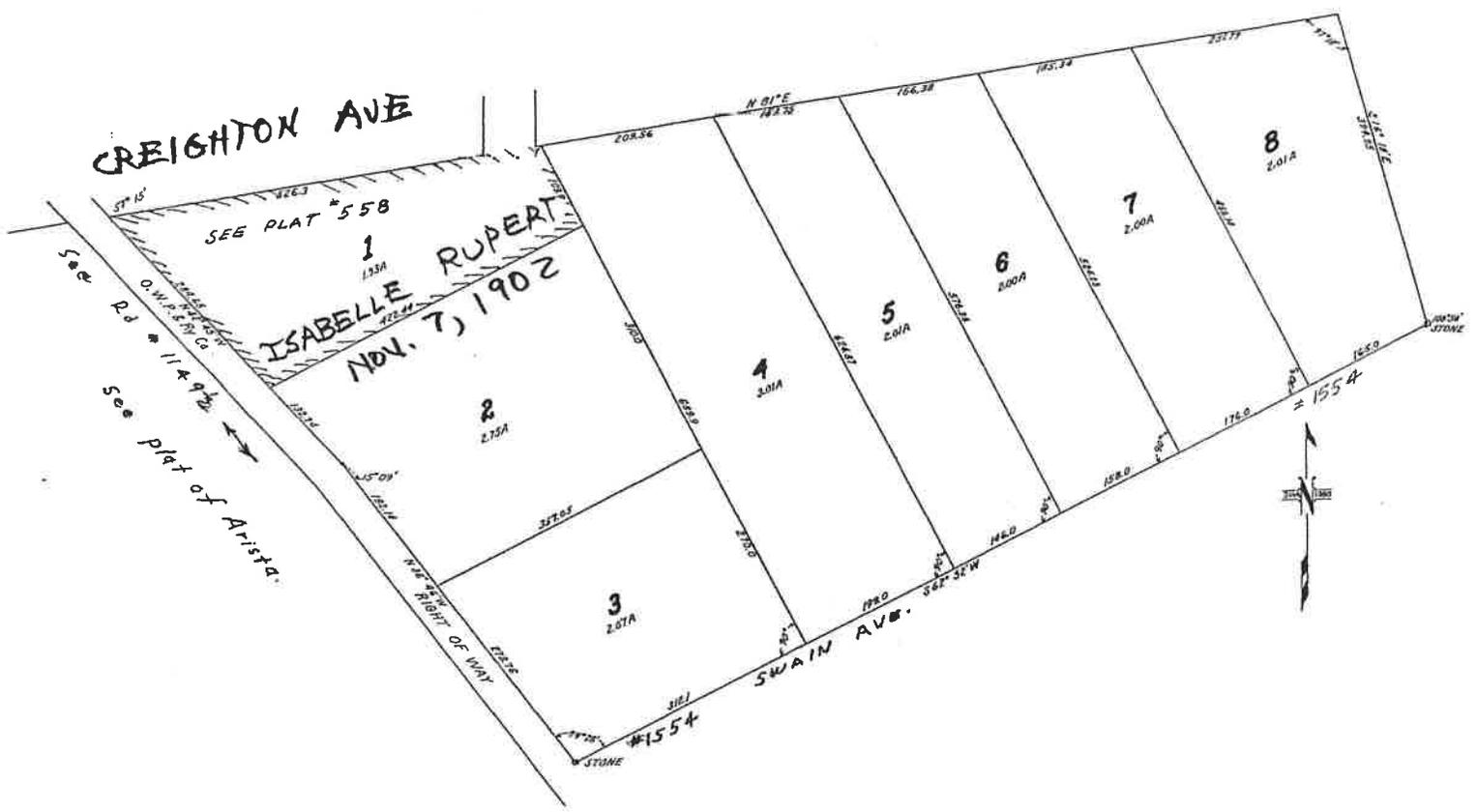
Surviving are a nephew, Rupert R. Bullivant, Portland, and a niece, Mrs. Andrew F. Murray, Malibu Beach, Calif.





1902

RISLEY



PLAT OF A TRACT OF LAND IN THE DONATION LAND CLAIM OF JACOB S. RISLEY IN SECS. 11 AND 12 T. 2 S. R. 1 E. W. M. AND BOUNDED AS FOLLOWS— BEGINNING ON THE LINE BETWEEN THE DONATION CLAIMS OF JACOB S. RISLEY AND SUSAN CREIGHTON AT A POINT WHERE THE EASTERLY SIDE LINE OF THE RIGHT OF WAY OF THE OREGON WATER POWER AND RAILWAY CO. CUTS SAID BOUNDARY LINE, RUNNING THENCE N. 91° E. TRACING SAID BOUNDARY LINE 1453.12 FEET TO AN IRON PIN, THENCE S. 16° 18' E. 394.25 FEET TO A STONE, THENCE S. 82° 52' W. 1156.10 FEET TO A STONE, THENCE N. 36° 44' W. 455.9 FEET TO A POINT, THENCE N. 42° 45' W. 417.39 FEET TO THE PLACE OF BEGINNING. AREA CALCULATED BY THE METHOD OF DOUBLE LONGITUDES, 17.78 ACRES.

STATE OF OREGON }
 CLACKAMAS COUNTY } SS I, H. H. JOHNSON, HEREBY CERTIFY THAT I HAVE SURVEYED THE TRACT OF LAND DESCRIBED ABOVE, THAT THE CORNERS, ANGLES, DISTANCES AND AREAS ARE AS INDICATED IN THE DESCRIPTION ABOVE AND ON THE MAP.
 H. H. JOHNSON.

KNOW ALL MEN BY THESE PRESENTS THAT WE, JAMES STEEL AND MARY L. STEEL HUSBAND AND WIFE, HEREBY DECLARE THAT WE ARE THE OWNERS IN FEE OF THE ABOVE DESCRIBED TRACT OF LAND, AND THAT WE DO HEREBY MAKE ESTABLISH AND DECLARE THIS MAP TO BE THE PLAT OF RISLEY AS LAID OUT BY US.
 JAMES STEEL Sec 1
 MARY L. STEEL Sec 1

STATE OF OREGON }
 MULTNOMAH COUNTY } SS ON THIS THE DAY OF NOVEMBER 11, 1902, PERSONALLY CAME BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY, THE WITHIN NAMED JAMES STEEL AND MARY L. STEEL, HIS WIFE, TO ME PERSONALLY KNOWN TO BE THE IDENTICAL PERSONS DESCRIBED IN AND WHO EXECUTED THE FOREGOING DEED AND ACKNOWLEDGED TO ME THAT THEY EXECUTE THIS SAME FOREBY AND VOLUNTARILY.
 WITNESS MY HAND AND OFFICIAL SEAL THIS DAY AND YEAR THIS CERTIFICATE WRITTEN.
 SEAL OF NOTARY
 J. R. RYAN, NOTARY PUBLIC FOR OREGON.

STATE OF OREGON }
 COUNTY OF CLACKAMAS } SS I HEREBY CERTIFY THAT THE WITHIN INSTRUMENT WAS FILED FOR RECORD NOV 1ST 1902 AT 2:20 O CLOCK P. M. REQUEST OF H. C. STARBUCKER AND RECORDED NOV. 1ST 1902 IN BOOK 5 OF PLATS ON PAGE 30.
 SEAL OF RECORDER
 HENRY E. STEVENS, COUNTY RECORDER.

STATE OF OREGON }
 COUNTY OF CLACKAMAS } SS I, E. C. HACKETT, RECORDER OF SAID COUNTY, CERTIFY THE WITHIN AND FOREGOING TO BE A TRUE AND CORRECT COPY OF THE MAP NOW ON FILE IN MY OFFICE AND IN MY CARE AND CUSTODY, AUGUST 13, 1934.
 E. C. Hackett
 COUNTY RECORDER.

RUPERT'S SUBDIVISION BLOCKS 73 AND 76 FIRST SUBDIVISION

C E R T I F I C A T E

State of Oregon) ss.
County of Clackamas)

I, J. P. Meldrum, being first duly sworn, depose and say that I have correctly surveyed and marked with lawful monuments the land shown on the attached plat of RUPERT'S SUBDIVISION of Tract 1 Risley and a part of BLOCKS 73 and 76 First Subdivision of Oak Grove, and that said tract is correctly bounded and described as follows to wit: Beginning at a Galvanized iron pipe driven at below the surface of the ground of the most westerly corner of Tract 1 Risley, which point is in the South boundary of the Susan Creighton Subdivision of Oak Grove, thence N. 81° 08' W. 2181.57 ft. distant from the SE. Cor. of said Claim in T23R1E. of the Running thence S. 42° 11' E. 284.65 ft. to an iron pipe, thence N. 62° 39' E. 425.1 ft. to an iron pipe, thence N. 26° 48' W. 169.25 ft. to an iron pipe driven at the most NE. Cor. of Tract 1 Risley and in the S. bdy. of the Susan Creighton D.L.C. of the Subdivision of Oak Grove, thence N. 60° 06' E. 513.55 ft. to an iron pipe driven at the NE. Cor. of Block 73 Said town plot, thence West 304.44 ft. to an iron pipe driven at the NW. Cor. of Lot 2, Block 73 First Subdivision of Oak Grove, thence S. 0° 00' E. 338.85 ft. to an iron pipe driven at the SW. Cor. of Lot 3, Block 73, said town plot, thence East 136.8 ft. to an iron pipe, thence S. 0° 00' W. 152.75 ft. to an iron pipe, thence on a curve to the right with a radius of 50 ft. through an angle of 81° at a distance of 42.44 ft. to an iron pipe, thence S. 81° 08' W. 246.6 ft. to an iron pipe, thence on a curve to the NE. Hence S. 47° 49' W. 15.25 ft. thence S. 42° 11' E. 387 ft. to the place of beginning. That I have subdivided said tract into Lots, Blocks, Streets and Avenues as shown hereon and that I have marked all corners with iron pipes.

Subscribed and sworn to before me this 15th day of March, 1927
by J. P. Meldrum County Clerk
Edith M. Hance Deputy

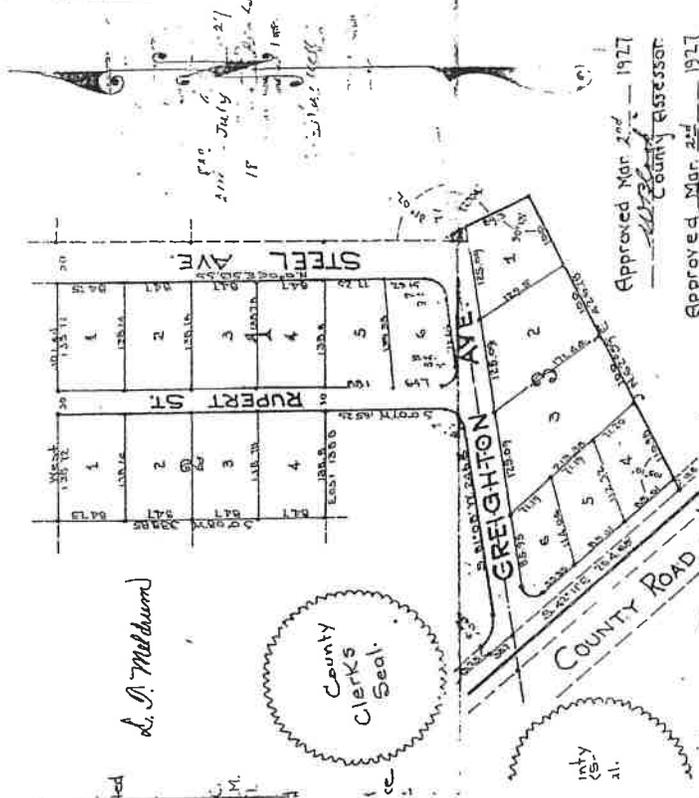
DEDICATION.

KNOW ALL MEN BY THESE PRESENTS, that I, M. I. Rupert, unmarried, the owner of the tract of land described in the Survey Certificate above, do hereby make, establish and declare the within map to be the true and official map and plat of RUPERT'S SUBDIVISION OF TRACT 1, RISLEY AND A PART OF BLOCKS 73 AND 76 FIRST SUBDIVISION OF OAK GROVE, and I do further dedicate to the use of the public forever all Roads, Streets and Avenues shown hereon as such.

IN WITNESS WHEREOF I have set my hand and seal this 15th day of March, 1927
Witnesses J. P. Meldrum M. J. Rupert (seal).
State of Oregon) ss.
County of Clackamas)

Be it known that on this 15th day of March, 1927 before me, a Notary Public for said County and State, personally appeared the within named M. I. Rupert, who being known to me to be the identical person described in and who executed the within map, and who acknowledged to me that she executed the same.
My Commission expires June 1, 1927
Notary Public for Oregon

OF TRACT 1 RISLEY AND A PART OF OF OAK GROVE, CLACKAMAS COUNTY, ORE.



Approved Mar. 24 1927
County Assessor
Approved Mar. 24 1927
County Treasurer
Approved Mar. 24 1927
County Commissioner
Approved Mar. 24 1927
Commissioner
Attest: Donald J. Rupert
County Clerk
By: Edith M. Hance
Deputy

All taxes from 1915 to 1927 payable in advance are paid
by Edith M. Hance
Deputy