



AGENDA  
CITY OF THE DALLES  
HISTORIC LANDMARKS COMMISSION  
CITY HALL COUNCIL CHAMBERS  
313 COURT SREET  
THE DALLES, OREGON 97058  
*CONDUCTED IN A HANDICAP ACCESSIBLE MEETING ROOM*

--- --, **SEPTEMBER 13, 2004**

**104 P.M.**

- I. Call to order**
- II. Roll call**
- III. Approval of Agenda**
- IV. Approval of Minutes – Not available**
- V. Public comment: The public is invited to comment on any topic that does not appear on the agenda.**
- VI. Public Hearing: Historic Landmarks Commission Application #85-04 of Sunne J. Preston to disinter her Great Grandmother, Mary A. Porter, from the Pioneer Cemetery, remove the remains & have them cremated. The cremated remains and the headstone will be transported by family members and placed with her Great Grandfather Claudius Porter in the Calhoun Cemetery in Harrison County, Iowa.**
- VII. Resolution 81-04**
- VIII. Commissioner/Staff Comments**
- IX. Next meeting date: Wednesday, September 22, 2004**
- X. Adjournment**

## Dawn Hert

---

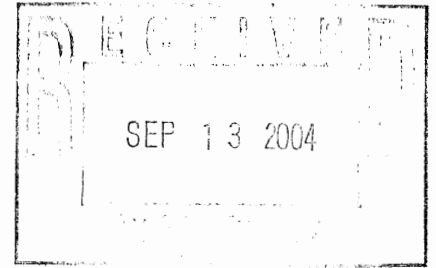
**From:** MEYER Mirra [Mirra.Meyer@state.or.us]  
**Sent:** Thursday, September 09, 2004 4:20 PM  
**To:** Dawn Hert  
**Subject:** Mary Preston disinterment

Dawn, this is to affirm that OCHC Commissioners have voted, six out of seven, in with no objections to the disinterment of the remains of Mary A Porter and the removal of her headstone for transport to Iowa for reburial. (The seventh OCHC commissioner is apparently "on vacation".) OCHC Commissioners did stipulate the following: 1. That complete and detailed records be kept in The Dalles and in the "receiving" county in Iowa. 2. That appropriate oversight be provided. (I expect to be there and hope you will be also, as well as an archaeologist just in case.) 3. That all necessary permits have been obtained.

A message came in today from another descendent asking for for info. I sent her what I had. Perhaps you and I should talk tomorrow? I will be in thIe office, after a meeting in Portland, by about 10.

Mirra Meyer  
Oregon Commission on Historic Cemeteries  
State Historic Preservation Office  
503-986-0685

12 Sept 2004  
Judy Swett  
764 Spring Valley Pkwy  
Spring Creek NV 89815  
775-738-7691  
[sciam@citlink.net](mailto:sciam@citlink.net)



**RE: Mary Ann Porter Disinterment from the Pioneer Cemetery**

City of The Dalles

In light of new information please rescind my previously emailed statement dated Sept 10th, 2004.

Faxed copies of this email will also be sent to:  
The Dalles City Hall at: 1-541-298-5490  
And Ms Mirra Meyer at: 1- 503-986-0793

Thank you for the opportunity to enter my comments. Please include this email or the faxed hard copy, as part of all official records and the public hearing scheduled, in regards to the disinterment of Mary Ann Porter from the Pioneer Cemetery.

I am the Great-great granddaughter of Mary Ann and Claude Porter. As a genealogist I first learned of, and visited Mary's grave about 25 years ago, with my two young daughters. As bits and pieces of Mary's life have unfolded through the years, I have come to respect her and the hardships she surely endured in the hopes of bettering the lives of her 10 children. It is obvious that even 100 years after her death, she has affected the lives of her desendants. She has brought at least two family lines together in an attempt to appropriately honor her memory, and the dying wish of her husband Claude.

I learned only this week of the impending removal of Mary's remains and her headstone. I was shocked, surprised and more than a little dismayed that someone wanted to disturb Mary's grave. My sister and I visited, The Dalles a year ago and the high point of our trip was visiting Mary's grave and the grave of our Great-grandfather Collins who is also buried in The Dalles. It was a moving experience to read and touch her stone, which had been so lovingly placed by her husband over a hundred years ago. The experience solidified our connections to our Oregon pioneer ancestors and the history of The Dalles and our native Oregon.

While I only speak for myself, I have consulted with a number of other direct descendants including my mother and aunts to learn how they feel about Mary's disinterment. I have additionally attempted to locate other descendants via the Internet in the hopes of obtaining the broadest possible family consensus. With only a couple of days - it was impossible to contact or locate even a small portion, of what must surely

be hundreds or even thousands of descendants. The applicant Sunne Preston and I have had several, sometimes emotional, conversations via telephone. Her motives seem worthy and honorable and we struggled to find a compromise that would be acceptable to all, and still honor the wishes of our ancestors. With the new information however - that now seems impossible.

**We have newly discovered information that it was not the wish of C.F.F. Porter that the remains of his wife Mary be taken to IA, but rather that his remains be taken to Oregon for final interment.**

**The new information is from the obituary of Benjamin F. Porter. C.F.F. Porter and his son Benjamin F. Porter, died hours apart in January of 1907, in Harrison County Iowa. The obituary of the son, Ben Porter reads in part;**

**"Benjamin F. Porter died at the family home near Calhoun last night at 10:30 o'clock, of pneumonia. Mr. Porter was born December 21st, 1860, being thus about 47 years of age at the time of his demise. His father C.F.F. Porter also died yesterday, but in the morning. The remains will be buried tomorrow in the Calhoun cemetery, temporarily, and later both the father and the son will be taken to Oregon for final interment."**

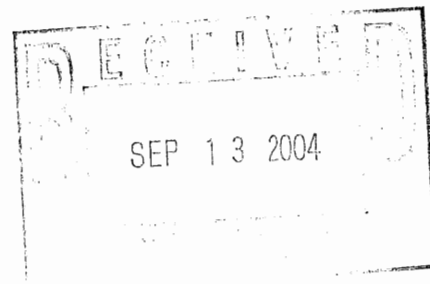
**The obituary is printed below and also posted to the web at:**  
<http://www.citlink.net/~smoswet/PorterCFF%20&%20BenObitsw.jpg>

**In light of this new information and after careful consideration and consultation with my mother and other descendants, I now oppose any removal of any remains or the headstone from the grave of Mary Ann Porter, in The Dalles, Pioneer Cemetery. This was not the dying wish of Claude F. F. Porter. Let them both rest in peace.**

**Thank you for your consideration. Please let us know your final decision.**

**Sincerely,  
Judy Schmoe Swett  
764 Spring Valley Pkwy  
Spring Creek NV 89815  
775-738-7691  
[sciam@citlink.net](mailto:sciam@citlink.net)**

**cc: Ms Mirra Meyer [mirra.Meyer@state.or.us](mailto:mirra.Meyer@state.or.us)  
fax # 503-986-0793  
The Dalles City Hall - Dawn Hert - [dawn\\_hert@ci.the-dalles.or.us](mailto:dawn_hert@ci.the-dalles.or.us)**

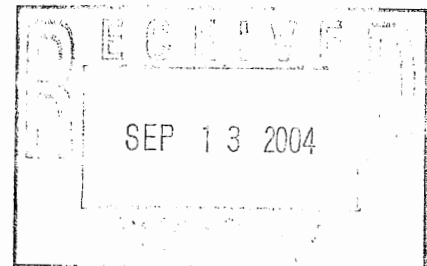


## Obituaries of C.F.F. Porter and son Benjamin F. Porter January 1907

### Death of C. F. F. Porter

C. F. F. Porter died at his farm home near Calhoun at 1:30 o'clock this morning, of pneumonia aged 69 years. The deceased moved to this county from Oregon three years ago, and had made a large circle of friends by kindly disposition and neighborly conduct. He leaves eight children to mourn his death. The funeral will be held from the Calhoun school house, Wednesday, at 10 o'clock, and the remains will be buried in Calhoun county. Three other members are down with the pneumonia, one son being dangerously sick with the disease.

Benjamin F. Porter died at the family home near Calhoun last night at 10:30 o'clock, of pneumonia. Mr. Porter was born December 21st, 1860, being thus about 47 years of age at the time of his demise. His father, C. F. F. Porter also died yesterday, but in the morning. The remains will be buried tomorrow in the Calhoun cemetery, temporarily, and later both the father and son will be taken to Oregon for final interment. The case is doubly sad on account of the whole family being sick and almost helpless. Mr. Porter leaves a wife, son and daughter, also three step-children to mourn their loss.

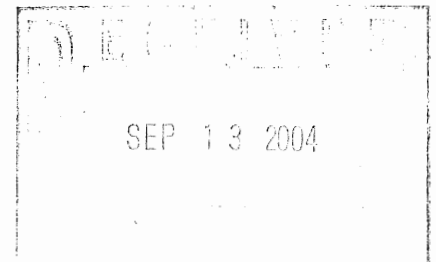


**FAX COVER LETTER**Date: 9-12-2004 Number of Pages (Including this Page): 4**TO:**Name: City of The Dalles, Community Development /  
Information: PLANNING  
Fax Number: 541-298-5490**FROM:**Name: SANDY WAPINSKI  
Information: FILER, IDAHO  
Fax Number: \_\_\_\_\_**MESSAGE:**

Please include these comments and documents as part of the public hearing of Sept. 13, 2004, in regards to the disinterment of MARY ANN PORTER from the Pioneer Cemetery

Thank you.

Sandy Wapinski



September 12, 2004

City of The Dalles  
Community Development/Planning

Regarding the Disinterment of Mary Ann Porter buried in The Dalles Pioneer Cemetery

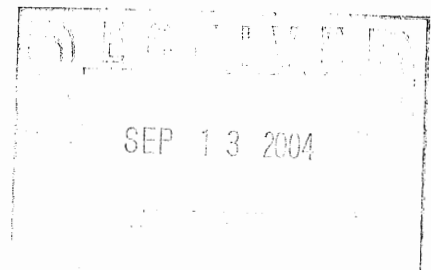
Please include this faxed copy as part of the official record of the public hearing to be held  
September 13, 2004.

On September 8, 2004, I learned of the plans to remove the remains and gravestone of my great-great-grandmother Mary Ann Porter from her grave in Pioneer Cemetery. My initial reaction was shock and dismay. Just last year, my sister and I visited The Dalles specifically to find and visit this very grave. I live in Southern Idaho and my sister lives in Northern Nevada. We traveled hundreds of miles and I took time off from my work to make this trek. We enjoyed our visit to The Dalles immensely, but the mission and highlight was to visit our great-great grandmother. The Pioneer Cemetery was rather difficult to find, but once we did the experience was awesome. We found Mary Ann's beautiful grave marker and paid our respects. My sister left some flowers and we took some photos. Visiting my great-great grandmother and this historic cemetery was a moving experience for me. I felt the family connection to Mary Ann Porter and I felt the history of the entire cemetery as I looked at all of the amazing stones and markers. This was a very personal experience, but I am telling about it so that all of the people involved in the process of disinterment will know that there is family who care, who visit and will be profoundly affected by the removal of Mary Ann's remains and gravestone.

Documentation has now been found that indicates it was not the wish of Claude Porter to have the remains of his wife Mary taken to Iowa, but that his remains be taken to Oregon for final interment. Based on that information, conversations with family, and my personal experience, I would oppose any disinterment and removal of remains or gravestone of Mary Ann Porter from the Pioneer Cemetery. Please let her rest in peace.

I would have come to The Dalles in person to attend the public hearing but the notice was so short that I could not make arrangements to be away from work. I thank you for the opportunity to comment and participate. Feel free to contact me if further information is desired.

Sandy Wapinski  
PO Box 714  
Filer, ID 83328-0714  
(208) 326-5334



September 12, 2004

City of The Dalles  
Community Development/Planning

Re: Public Hearing for Disinterment of Mary Ann Porter

Please include faxed copy as part of all official records and the Public hearing scheduled for September 13, 2004, in regards to the disinterment of Mary Ann Porter from the Pioneer Cemetery.

Mary Ann Porter was our great-grandmother. We believe her grave should be left untouched for several reasons. One of the most important reasons is that Mary Ann's husband Claudius and son Benjamin were to be returned to The Dalles for burial after their death, according to the 1907 obituary of the son. It appears that C.F.F. Porter never intended to remove the remains of his wife, Mary Ann and take them to Iowa but wished to be buried in Oregon.

Our family appreciates the historic and sacred value of the cemetery and the pioneers of that era and wish to express our wishes that the tombstone, gravesite and surroundings remain undisturbed. Thank you for allowing us to express our opinion.

Marjorie Schmoie (Great-Granddaughter)  
P.O. Box 32  
Filer, Idaho, 83328  
Ph. 208-326-5251

Betty Tucker (Great-Granddaughter)  
944 South Park Ave. West  
Twin Falls, Idaho 83301  
(208) 733-5061

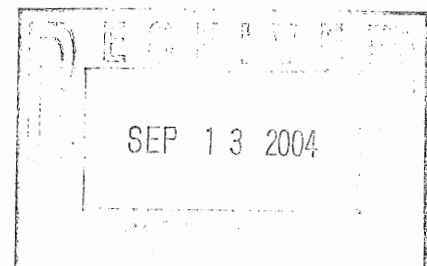




### Death of C. F. F. Porter

C. F. F. Porter died at his farm home near Calhoun at 1:30 o'clock this morning, of pneumonia aged 69 years. The deceased moved to this county from Oregon three years ago, and had made a large circle of friends by kindly disposition and neighborly conduct. He leaves eight children to mourn his death. The funeral will be held from the Calhoun school house, Wednesday, at 10 o'clock, and the remains will be buried in Calhoun county. Three other members are down with the pneumonia, one son being dangerously sick with the disease.

Benjamin F. Porter died at the family home near Calhoun last night at 10:30 o'clock, of pneumonia. Mr. Porter was born December 21st, 1860, being thus about 47 years of age at the time of his demise. His father, C. F. F. Porter also died yesterday, but in the morning. The remains will be buried tomorrow in the Calhoun cemetery, temporarily, and later both the father and son will be taken to Oregon for final interment. The case is doubly sad on account of the whole family being sick and almost helpless. Mr. Porter leaves a wife, son and daughter, also three step-children to mourn their loss.



# FACSIMILE COVER PAGE

---

To : City of The Dalles

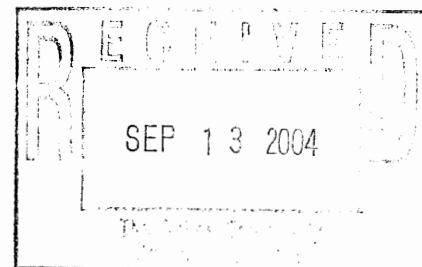
From : swett

Sent : 9/12/2004 at 10:24:18 AM

Pages : 4 (including Cover)

Subject : Mary Ann Porter Disinterment

---





HLC# 85-04

### HISTORICAL LANDMARKS APPLICATION

Application is required for modifications and/or alterations to the exterior of certified historic structures and all structures within certified historic districts. Additionally, new construction within established historic districts are also required to appear before the City of The Dalles Historical Landmarks Commission.

Name:	Sunne J. Preston
Address	1051 Madrid Ave., Moorhead, Iowa 51558
Site Address	Pioneer Cemetery - Scenic Drive
Telephone	(712) 886-5202

Please describe your project goals.

Disinterment of my great-grandmother Mary A. Porter from the Pioneer Cemetery. We will have remains cremated & reinterred in Iowa.

How will your project affect the appearance of the building and or site?

The site will be affected due to the removal of the headstone. Utmost care will be taken to ensure that the disturbed ground is placed back to a near original state.

What efforts are being made to maintain the historic character of this structure?

Not applicable. No structure involved with this application.

What is the current use of this property?

Pioneer Cemetery

Will the use change as a result of approval of this application? Yes/No No

List any known archeological resources on site.

Buried Pioneers.

The review criteria for each application are the Secretary of the Interior's Standards. These standards have been adopted by City Ordinance 94-1194 as local review criteria.

**I certify that the above information is correct and submit this application with nine (9) copies of a site plan drawn to scale, nine (9) copies of detailed, elevation drawings with proposed changes, and nine (9) current color photographs (4X6 inch minimum) of the building/structure front.**

Applicant

Date

8/31/04

City of The Dalles - Site owner.  
Owner (if not the applicant)

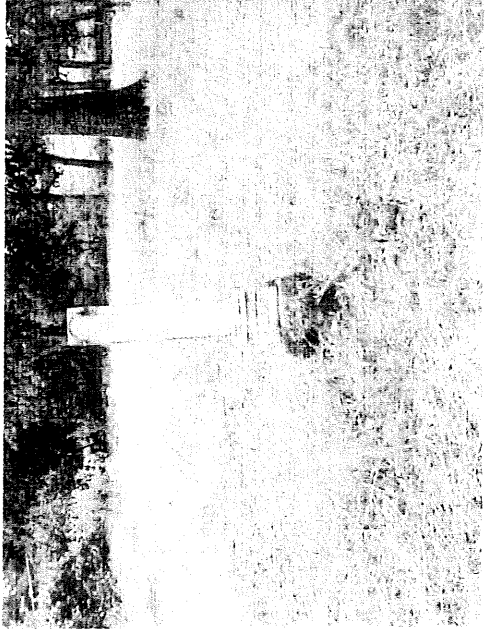
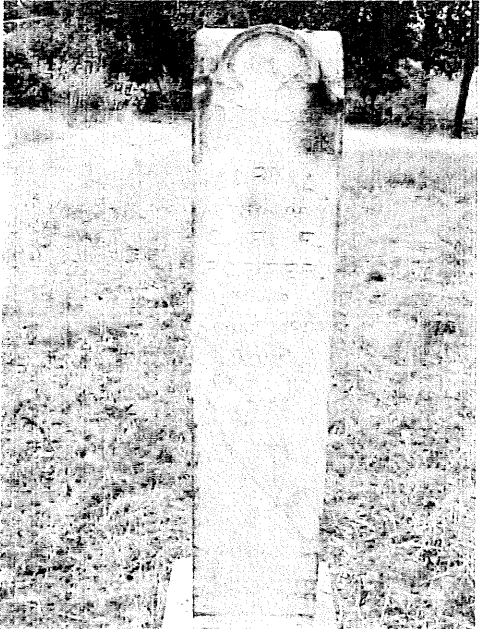
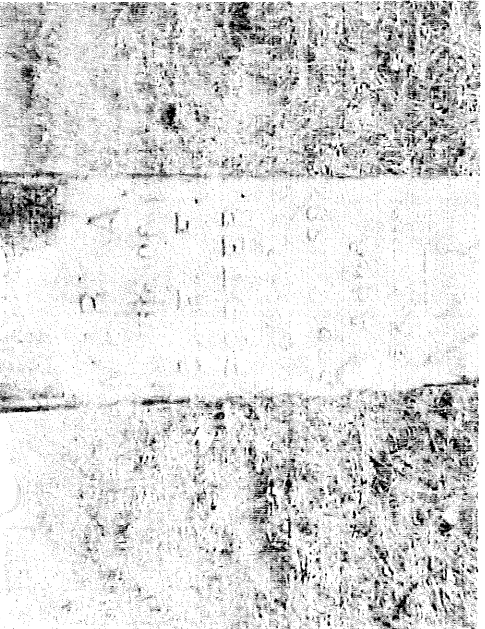
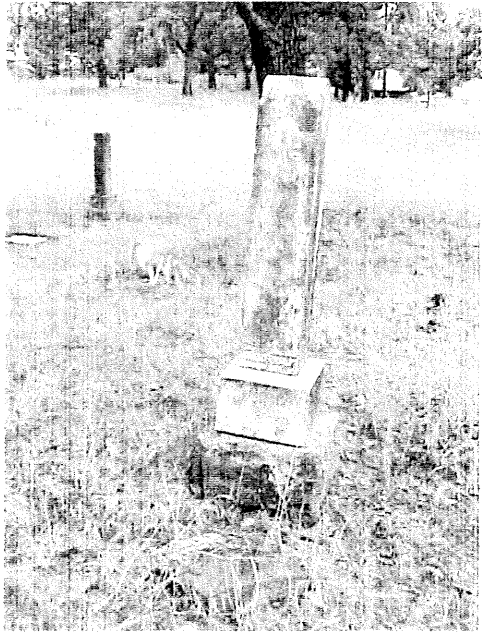
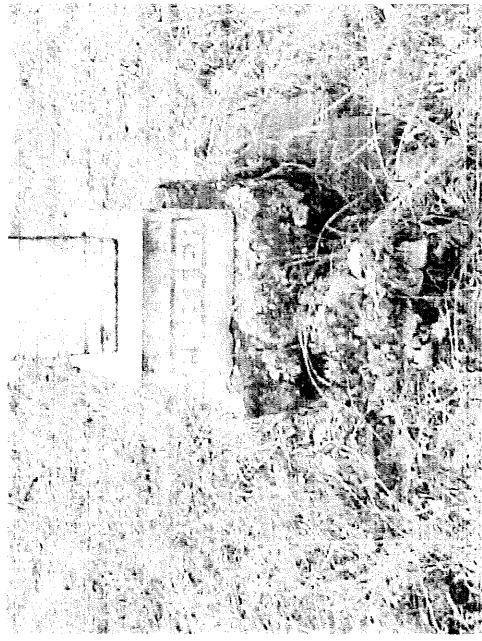
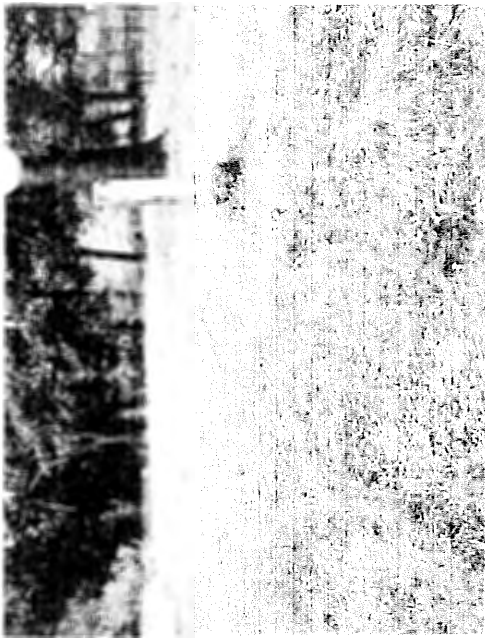
I have reviewed the above application and certify that it is complete and accepted for processing.

[Signature]  
Secretary, Historical Landmarks Commission

8/31/04

**For Office Use Only**

Historical Classification	<u>Local landmark.</u>
	(Primary, Secondary, Historical, Etc.)
Historic Building/Site <input checked="" type="checkbox"/>	Historic District: Trevitt <input type="checkbox"/> Commercial <input type="checkbox"/>
Historic Name	<u>The Pioneer Cemetery</u>
	(If any)
Year(s) Built	





**STAFF REPORT  
HISTORIC LANDMARKS REVIEW #85-04  
The Dalles City Park**

**TO:** The Dalles Historic Landmarks Commission

**FROM:** Dawn Marie Hert, Associate Planner  
Community Development Department

**HEARING DATE:** September 13, 2004

**ISSUE:** Request to remove remains (if any), and headstone of pioneer Mary A. Porter from the Pioneer Cemetery to be re-interred in the Calhoun Cemetery in Harrison City, Iowa.

**SYNOPSIS:**

APPLICANT	Sunne J. Preston
PROPERTY OWNER	City of The Dalles
LOCATION	220 E. 10 <sup>th</sup> Street
ZONING	RH/CFO
EXISTING USE	Pioneer Cemetery
SURROUNDING USE	Residential & Community College
HISTORIC STATUS	Locally landmarked in 1989, registered with Oregon Pioneer Cemetery Board (now the Oregon Commission on Historic Cemeteries.)

**NOTIFICATION:** Published advertisement in local newspaper; notification to property owners within 100 feet, SHPO.

**RECOMMENDATION:** Approval, with conditions, based on the following findings of fact.

**BACKGROUND:** The historic name of this site is The Pioneer Cemetery. The applicant is requesting the disinterment of her great grandmother Mary A. Porter to be re-interred at a cemetery in Iowa next to the deceased's husband. Mary A. (Puckett) Porter was born 3/22/1840 and died September 24, 1897 at the age of 57 of an infection. Mary's husband Cladius and his brother Zacharies decided to take their families west circa. 1880 and followed the Oregon Trail in covered wagons settling just west of The Dalles. The Porter family returned to Iowa around the turn of the century and lived in Harrison County, Iowa. Before Cladius' death in 1907, he requested that his daughter Jessie bring Mary's remains home to Iowa to be buried. It

was the families understanding that this was in the form of a promise. Times were tough and this promise was not able to be kept. At this time, the great-granddaughter Sunne has the resources and skills to keep this promise with the assistance of other family members.

**ANALYSIS:** The Historic Landmarks Commission is responsible for conducting hearings dealing with proposed alterations to designated historic landmarks. City of The Dalles General Ordinance 94-1194 will serve as a tool to help the Commission make these decisions. The purpose of the Historic Landmarks Commission, the Historic Ordinance and the review criteria are to:

- *Protect historic and cultural resources from destruction, inappropriate alteration, and incompatible adjacent development;*
- *Stabilize and improve property values in historic districts and citywide;*
- *Enhance the city's attractiveness to visitors and residents, and stimulate business, industry and tourism;*
- *Educate The Dalles' citizens and visitors concerning the city's heritage;*
- *Preserve the historic housing stock of The Dalles;*
- *Comply with The Dalles comprehensive Plan regarding historic resources under Statewide Planning Goal 5.*

#### **CITY OF THE DALLES GENERAL ORDINANCE 94-1194—AN ORDINANCE RELATING TO HISTORIC RESOURCES WITHIN THE CITY OF THE DALLES**

Section 7, Subsection A. Review Criteria:

“Secretary’s Standards. Commission decisions shall be based on the Secretary of the Interior’s Guidelines for the Treatment of Historic Properties.” The following are pertinent standards from the “Guide”.

**1. *A property shall be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.***

FINDING A-1: The use for this site will remain the same and be used as a Pioneer Cemetery. The applicant is proposing to disinter her great grandmother and relocate her remains, if any, back to Iowa to be laid to rest with her great-grandfather (the deceased’s husband). The headstone will be removed and taken with the remains. The vacant grave will be left and the basalt rock that the headstone sat upon will also remain. This will be addressed as a condition of approval.



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

FINDING-A2: The historic character of the property will be retained and the site where the pioneer laid will be preserved. Under State law, the headstone and remains are the property of the family. Removal of Mary Porter's remains and headstone will be allowed with the approval of the Oregon Department of Human Resources Health Division and the Oregon Commission of Historic Cemeteries.

***3. 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.***

FINDING-A3: This property is recognized as a physical record of its time and no changes either conjectural or otherwise are proposed.

***4. Changes to a property that have acquired historic significance in their own right shall be retained and preserved.***

FINDING-A4: No such changes are proposed with this application. The only change involves removal of the headstone and remains of Mary Porter.

***5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.***

FINDING-A5: This proposal does not seek to alter any of the above. No historic materials will be changed; no structures are involved in this review. The only significant feature that is being proposed to be removed is the headstone. The craftsmanship of the headstone will be required to be well documented with photographs to remain in the City's Historic Pioneer Cemetery file. This will be addressed as a condition of approval.

***6. Deteriorating historical 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 and physical evidence.***

FINDING-A6: The applicant is not repairing or replacing any missing historical features. Therefore, this criterion does not apply.

***7. 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 gentlest means possible.***

FINDING-A7: The applicant proposes no chemical or physical treatments and no structures will be affected by this application. Therefore, this criterion does not apply.



**8. Significant archaeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.**

FINDING A8: No archaeological resources are expected to be affected by this proposal, other than the remains of Mary Porter. The applicant is responsible to notify the appropriate authorities if an archaeological resource is found in the excavation.

**9. 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.**

FINDING-A9: The applicant is not proposing an addition or new construction. Therefore, this criterion does not apply.

**10. 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 and its environment would be unimpaired.**

FINDING-A10: The applicant is not proposing an addition or new construction. Therefore, this criterion does not apply.

**CONCLUSIONS:** Removal of the remains of Mary A. Porter will not affect the historic nature of integrity of the Pioneer Cemetery. As with any disinterment, the remains and headstone are the property of the family. Staff has determined that the disinterment of Mary A. Porter and her headstone be approved with the following conditions:

**Proposed Conditions of Approval:**

1. Work will be completed in substantial conformance to the proposals as submitted and reviewed.
2. Photographs of the site and disinterment will be required for proper documentation of the historic plot. The City will provide an individual to be at the disinterment to photograph the site and the event.
3. The remains will need to be excavated and handled by a licensed funeral service practitioner.
4. The use of a backhoe or tractor will be prohibited, *only hand excavation will be allowed.* The excavation should be in a workmanlike manner with the utmost care and consideration of the surrounding gravesites. After the excavation and removal of the remains, the applicant will be required to return the site to as near the previous state as possible.
5. Prior to excavation approvals will need to be made by the Oregon Department of Human Services – Health Division, and the Oregon Commission on Historic

Cemeteries. Copies of these approvals will need to be provided to the Planning Department for the application file.

6. Any discovered archeological resources or materials, other than the remains, will need to be professionally evaluated prior to any continued excavation at the site.
7. The applicant will ~~give the City the permission to place a marker or headstone at the family plot that has the essential information of Mary Porter and the date she was disinterred, for historical purposes,~~ <sup>shall replace the</sup> similar size, material, duplicate the info currently on the headstone.
8. If the family chooses to have the headstone replaced, they may also do so with the approval of the Historic Landmarks Commission.

B. New - Den

Add to #4  
The excavators will work in concert with the Archaeologist.

**HISTORIC LANDMARKS RESOLUTION NO. 81-04**

APPROVING THE DALLES HISTORIC LANDMARKS COMMISSION APPLICATION  
# HLC 85-04

The applicant, Sunne J. Preston will disinter her Great Grandmother, Mary A. Porter, from the Pioneer Cemetery, remove the remains & have them cremated. The cremated remains and the headstone will be transported by family members and placed with her Great Grandfather Claudius Porter in the Calhoun Cemetery in Harrison County, Iowa.

The Pioneer Cemetery is located to the East of 420 E. Scenic Drive and is further described as 1N 13E 10 BB tax lot 600.

I. RECITALS:

- A. The Historic Landmarks Commission of the City of The Dalles has, on September 13, 2004 conducted a public hearing to consider the above request.
- B. A Staff report was presented, stating findings of fact and conclusions of law.
- C. Staff Report number 85-04 and the minutes of September 13, 2004, upon approval, provide the basis for this resolution and are herein attached by reference.

II. RESOLUTION: Now, Therefore, be it FOUND, DETERMINED, and ORDERED by the Historic Landmarks Commission of the City of The Dalles as follows:

- A. In all respects as set forth in Recitals, Part "I" of this resolution.
- B. Historic Landmarks Review No. HLC 85-04 of City of The Dalles is hereby approved with the following conditions:
  - 1. Work will be completed in substantial conformance to the proposals as submitted and reviewed.
  - 2. Photographs of the site and disinterment will be required for proper documentation of the historic plot. The City will provide an individual to be at the disinterment to photograph the site and the event.
  - 3. The remains will need to be excavated and handled by a licensed funeral service practitioner.
  - 4. The use of a backhoe or tractor will be prohibited. The excavation should be in a workmanlike manner with the utmost care and consideration of the surrounding

- gravesites. After the excavation and removal of the remains, the applicant will be required to return the site to as near the previous state as possible.
5. Prior to excavation approvals will need to be made by the Oregon Department of Human Services – Health Division, and the Oregon Commission on Historic Cemeteries. Copies of these approvals will need to be provided to the Planning Department for the application file.
  6. Any discovered archeological resources or materials, other than the remains, will need to be professionally evaluated prior to any continued excavation at the site.
  7. The applicant will give the City the permission to place a marker or headstone at the family plot that has the essential information of Mary Porter and the date she was disinterred, for historical purposes.
  8. If the family chooses to have the headstone replaced, they may also do so with the approval of the Historic Landmarks Commission.

III. APPEALS, COMPLIANCE AND PENALTIES:

- A. Any party of record may appeal a decision of the Historic Landmarks Commission to the City Council for review. Appeals must be made in accordance to Section 9(a) of the Historic Landmarks Ordinance No. 1194, and must be filed with City Clerk within ten (10) days of the date of mailing of this Order.
- B. Failure to exercise this approval within the time line set either by Order or by Ordinance will invalidate this permit.

APPROVED AND ADOPTED THIS 13<sup>Th</sup> DAY OF SEPTEMBER 2004.

\_\_\_\_\_  
Eric Gleason, Chairman  
Historic Landmarks Commission

I, Dan Durow, Director of the Community Development Department of the City of the Dalles, hereby certify that the foregoing Order was adopted at the meeting of the City Historic Landmarks Commission, held on September 13, 2004.

AYES:

NAYS:

ABSENT:

ABSTAIN:

ATTEST: \_\_\_\_\_

Dan Durow, Director, Community Development Dept.

Resolution No. 81-04

Sunne J. Preston/Pioneer Cemetery

Page 2 c