

ORDINANCE NO. 3972

An Ordinance rezoning certain property from County zone LDR (Low Density Residential with a 9,000 square foot lot size minimum) to a City zone R-2 (Single-family Residential) on a parcel of land approximately 7.83 acres in size.

WHEREAS, the Planning Commission received an application for a zone change (ZC 14-78) on the property located off Alethea Way in the southern portion of McMinnville, further described as Tax Lot 2000, Section 28BC, T. 4 S., R. 4 W.; and

WHEREAS, a public hearing was held on December 14, 1978 at 7:00 p.m. before the Planning Commission after due notice had been given in the local newspaper on December 4, 1978 and written notice had been mailed to property owners within 300 feet of the affected property; and

WHEREAS, at said public hearing the testimony of the applicants and surrounding property owners was received and a staff report was presented; and

WHEREAS, the Planning Commission being fully informed about said zone change, and based on the observations and the findings of fact has approved said zone change and has recommended said change to the Council; now, therefore,

THE CITY OF McMINNVILLE ORDAINS AS FOLLOWS:

Section 1. That the Council adopts the findings and conclusions of the Planning Commission, staff report on file in the Planning Department, and the application filed by Albert C. Williams, Lucille E. Williams, and John C. Williams.

Section 2. That the following described property shall be rezoned from existing County zone LDR (Low Density Residential with a 9,000 square foot lot size minimum) to a City of McMinnville R-2 (Single-family Residential) zone:

Being a part of the Donation Land Claim of Samuel Cozine and Mahala Cozine, his wife, Not. No. 1233, Claim No. 56, in T. 4 S., R. 4 W. of the Willamette Meridian in Yamhill County, Oregon, which said part thereof is more particularly described as beginning at a point in the center of the County Road 9.75 chains West of the Southeast corner of said Cozine claim; and running thence West 7.76 1/2 chains; thence North 12.48 chains to the South line of an 8-foot roadway; thence North 89° East 7.77 chains to the Northwest corner of "Hill" Tract; thence South 12.61 chains to the place of beginning and containing 9.62 acres, more or less.

ALSO the following described tract of land, to-wit: Beginning at a point 12.68 chains North and 3.53 chains West from the Southeast corner of said Cozine DLC and running thence East 1.05 chains; thence South 6.34 chains; thence West 7.36 chains; thence North 6.34 chains; thence East 6.34 chains to the place of beginning, and containing in all 15.00 acres, more or less.

EXCEPTING that portion of above described real premises by the grantor conveyed to State of Oregon, acting by and through its State Highway Commission.

AND FURTHER EXCEPTING therefrom that portion conveyed to the City of McMinnville, acting by and through its Water and Light Commission, by deed recorded March 15, 1978 in Film Volume 127, page 1177, Deed and Mortgage Records of Yamhill County, Oregon.

AND FURTHER EXCEPTING that portion of the second tract above described lying south of the state highway (Three Mile Lane).

Passed by the Council this 2nd day of January, 1979, by the following votes:

Ayes: Porter, Willoughby, Hamby, Springer, Wilson & Lewis

Nays: _____

Approved by the Mayor this 2nd day of January, 1979.

Thomas R. Scott
MAYOR

Attest:

Margie E. Kerber
RECORDER