

ORDINANCE NO. 4080

An Ordinance rezoning certain property from an R-2 (Single-family Residential) zone to an R-3 (Two-family Residential) zone on a parcel of land approximately 4.64 acres in size located on South Davis Street.

WHEREAS, the Planning Commission received an application for a zone change (ZC 5-80) dated February 28, 1980, on the property described as Tax Lots 1000, 1100, and 1200, Section 28BC, T. 4 S., R. 4 W., Willamette Meridian; and

WHEREAS, a public hearing was held on April 10, 1980, at 7:00 p.m. before the Planning Commission after due notice had been given in the local newspaper on March 31, 1980, 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 was received. Testimony received from two surrounding property owners was in opposition to the requested change. A staff report was presented; and

WHEREAS, the Planning Commission being fully informed about said zone change, and based on the observations and 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 Dean Klaus, Roger Davis, and Alice V. Hagans.

Section 2. That the property described in Exhibit "A," which is attached hereto and by this reference incorporated herein, shall be rezoned from existing R-2 (Single-family Residential) zone to an R-3 (Two-family Residential) zone.

Section 3. That this ordinance shall be subject to the terms and conditions of Ordinance 3823, entitled "Initiative and Referendum," for a period of thirty days.

Passed by the Council this 6 day of May, 1980, by the following votes:

Ayes: Smith, Allen, Springer, Wilson and Hamby

Nays: _____

Approved this 6 day of May, 1980.

Attest:

Marjorie E. Kiser
RECORDER

Norman Hamby
COUNCIL PRESIDENT

EXHIBIT "A"

ZC 5-80

Being a tract of land in the Samuel Cozine D.L.C. No. 56, Section 28, Township 4 South, Range 4 West, Willamette Meridian, Yamhill County, Oregon and being more particularly described as follows:

Beginning at a point in the center of South Davis Street (formerly a County Road) 12.35 chains North and 25.28 chains West of the Southeast corner of the said Cozine D.L.C., said point being the Northwest corner of a tract of land conveyed to George Martin and Pearl Martin, in Volume 86, Page 6, Deed Records of Yamhill County, Oregon; thence along said centerline of South Davis Street 136.5 feet, more or less, to the westerly projection of the South line of Parcel 2 as described in Film Volume 146, Page 47, Deed Records of Yamhill County, Oregon; thence South $89^{\circ}27'18''$ East 147.0 feet to the Southeast corner of said Parcel 2, as located and staked by County Survey C.S.P.-7419, Volume U, Page 749, Yamhill County Surveyor Records; thence North $0^{\circ}24'$ East 120 feet to the South line of Woodford Meadows, a Subdivision of Record in Yamhill County, Oregon; thence along the South line of said subdivision to the Northwest corner of that tract conveyed to Anna Dorothy Limberg and Conrad J. Limberg, in Book 119, Page 406, Deed Records of Yamhill County, Oregon; thence South along the West line of said Limberg tract 245 feet, more or less, to the North line of tract conveyed to William Bernards, in Book 109, Page 597, Deed Records of Yamhill County, Oregon; thence easterly to the Northeast corner of the George Martin tract; thence South 165 feet, more or less, to the North line of Barnsley Meadows extended easterly; thence westerly along said extension and North line of Barnsley Meadows, a Subdivision of Record in Yamhill County, Oregon, to the centerline of South Davis Street; thence along said centerline 2.45 chains to the place of beginning.