

ORDINANCE NO. 4390

An Ordinance rezoning certain property from a County EF-40 (Exclusive Farm Use--40 acre minimum) zone to a City F-P (Floodplain) zone on a parcel of land approximately 80 acres in size located adjacent to Kiwanis Marine Park and the east side of McMinnville proper.

RECITALS:

The Planning Commission received an application for a zone change (ZC 11-86) dated August 1, 1986, for the property described as Tax Lot 2300, Section 22, T. 4 S., R. 4 W., W.M.

A public hearing was held on September 11, 1986, at 7:30 p.m. before the Planning Commission after due notice had been given in the local newspaper on September 3, 1986, and written notice had been mailed to property owners within 300 feet of the affected property; and

At said public hearing, testimony was received, the application materials and a staff report were presented; and

The Planning Commission, being fully informed about said request found that a need existed for said change based upon the material submitted by the applicant and findings of fact and the conclusionary findings for approval contained in the staff report, all of which are on file in the Planning Department, and that the zone change is consistent with the Comprehensive Plan; and

The Planning Commission approved said zone change and has recommended said change to 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 the City of McMinnville.

Section 2. That the property described in Exhibit "A", which is attached hereto and incorporated herein by this reference, is hereby rezoned from an existing County EF-40 (Exclusive Farm Use--40 acre minimum) zone to a City F-P (Floodplain) zone.

Passed by the Council this 14th day of October, 1986, by the following votes:

Aye: Bernt Hansen, Johnstone, Wertz, Blanchard, Wilson, Carole Hanson

Nay: _____

Approved this 14th day of October, 1986.

Edward D. Hornley
MAYOR

Attest:
Carole M. Stevens
RECORDER

EXHIBIT "A"

ZC 11-86

A tract of land in Sections 21 and 22, Township 4 South, Range 4 West of the Willamette Meridian in Yamhill County, Oregon, said tract being part of the W. T. Newby Donation Land Claim No. 53, the Nehemiah Martin Donation Land Claim No. 83 and the J. B. Lichenthaler Certificate Claim No. 7267, in said Township and Range, and more particularly described as follows:

Beginning at the most Northerly corner of the Nehemiah Martin Claim; thence South 21°30' West 20 feet to the low water line on the left bank of the Yamhill River; thence South 51°04' West along the low water line, 298.7 feet to the Southeast corner of the East boundary line of the City of McMinnville corporate limits, as located on August 26, 1948; thence North 1°05' East along said East boundary line 430 feet to an iron pipe set on the Southerly margin of a 40-foot county road; thence North 72°44' East along the Southerly margin of said County Road 267 feet to the Southeast corner of said road; thence North 17°16' West 20 feet to the center of said road at the Easterly terminus thereof; thence North 72°44' East 54.3 feet to angle; thence North 43°14' East along the East line of land conveyed to C. T. Long, by Deed recorded September 5, 1911 in Book 62, Page 22, Deed Records, 528.7 feet to angle; thence North 38°07' East along the East line of said C. T. Long Tract 454.8 feet to the Southwest corner of land conveyed to M. E. Hendrick by Deed recorded February 21, 1917 in Book 72, Page 285, Deed Records; thence South 89°38' East along the South line of said M. E. Hendrick Tract 1,164.3 feet to the low water line on the left bank of the Yamhill River; thence up the left bank of the Yamhill River along the average low water line as follows: South 5°08' East 529.1 feet; South 36°36' East 303.4 feet; South 25°26' East 840.4 feet South 11°20' East 403 feet; South 2°09' West 168.7 feet; South 83°09' West 374.6 feet; North 71°05' West 1,262.6 feet; North 42° West 396 feet to a point on the North line of the Nehemiah Martin Claim; thence North 63° West along the North line of said Nehemiah Martin Claim 793 feet to the place of beginning.

EXCEPTING THEREFROM the following described property: A tract of land in Section 21, Township 4 South, Range 3 West of the Willamette Meridian in Yamhill County, Oregon, and being a part of the William F. Newby Donation Land Claim No. 53 in said Township and Range, more particularly described as follows:

Beginning at an iron pipe set at the intersection of the East City Limits of the City of McMinnville (as located on August 26, 1948) with the Southerly line of County Road (Brooks Street extended), said iron pipe being 202.54 feet North and 231.95 feet West from the angle corner of the said Newby Claim, which said angle corner is also the most Northerly corner of the Nehemiah Martin Donation Land Claim No. 83, and running thence along the Southerly line of said road, North 72°44' East 106.6 feet; North

Exhibit "A" (cont.)

17°16' West 20.0 feet and North 72°44' East 57.23 feet to an iron pipe; thence South 0°43 1/2' East 345.26 feet to the left bank of the Yamhill River; thence South 51°04' West along said river bank, 209.03 feet to the Southwest corner of the East boundary line of the City of McMinnville corporate limits; thence North 1°05' East along the said East boundary line, 408.93 feet to the place of beginning.

ALSO EXCEPTING THEREFROM that portion conveyed to Yamhill County, by Deed recorded September 22, 1955 in Book 178, Page 376, Deed Records of Yamhill County, Oregon.