

ORDINANCE NO. 4575

An Ordinance rezoning certain property from a County EF-40 (Exclusive Farm Use--40 acre minimum) zone to a City R-2 (Single-Family Residential) zone on 10.7 acres of land located east of Grandhaven Drive and north of the northerly terminus of Waggoner Drive.

RECITALS:

The Planning Commission received an application from The Piculell Group for a zone change (ZC 5-94), dated July 22, 1994, for the property described as portions of Tax Lots 4700 and 4800, Section 9, T. 4 S., R. 4 W., W.M.

A public hearing was held on October 13, 1994, at 7:30 p.m. before the Planning Commission after due notice had been given in the local newspaper on October 8, 1994, 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 said change conformed to the review criteria listed in Chapter 17.72.035 of Ordinance No. 3380 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 Piculell Group.

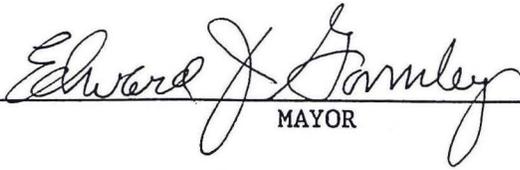
Section 2. That the property described in Exhibit "A," which is attached hereto and incorporated herein by this reference, is hereby rezoned from a County EF-40 (Exclusive Farm Use--40 acre minimum) zone to a City R-2 (Single-family Residential) zone.

Passed by the Council this 8th day of November, 1994, by the following votes:

Ayes: Kirchner, Olson, Payne, Tomcho, Windle

Nays: _____

Approved this 8th day of November, 1994.


MAYOR

Attest:

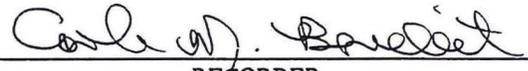

RECORDER

EXHIBIT "A"

A TRACT OF LAND IN THE SOUTHEAST 1/4 OF SECTION 9, TOWNSHIP 4 SOUTH, RANGE 4 WEST, WILLAMETTE MERIDIAN, YAMHILL COUNTY, OREGON. BEING A PART OF THE JAMES T. HEMBREE DONATION LAND CLAIM NO. 46 AND ALSO BEING A PART OF THOSE CERTAIN TRACTS DESCRIBED IN DEED TO DAVID R. MICKEY AND MARY J. MICKEY RECORDED APRIL 9, 1988, FILM 149, PAGE 1615 AND IN DEED TO EARL L. COBURN, RECORDED OCTOBER 22, 1980, FILM 155, PAGE 1411 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

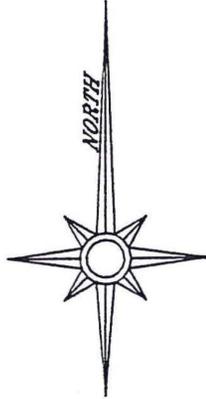
BEGINNING AT A POINT ON THE EAST LINE OF SAID JAMES T. HEMBREE DONATION LAND CLAIM, SAID POINT BEING 1915.95 FEET, SOUTH 00°07'03" WEST OF A BRASS CAP MARKING THE NORTHWEST CORNER OF THE MADISON MALONE DONATION LAND CLAIM NO. 49, SAID POINT BEING THE NORTHEAST CORNER OF SAID MICKEY TRACT; THENCE CONTINUING ALONG SAID EAST LINE OF SAID HEMBREE DONATION LAND CLAIM, SOUTH 00°07'03" WEST, 125.00 FEET TO THE SOUTHEAST CORNER OF SAID MICKEY TRACT; THENCE CONTINUING SOUTH 00°07'03" WEST, 363.00 FEET TO A 5/8 INCH IRON ROD AT THE SOUTHEAST CORNER OF SAID COBURN TRACT; THENCE ALONG THE SOUTH LINE OF SAID COBURN TRACT, NORTH 89°54'06" WEST, 752.63 FEET TO A 3/4 INCH IRON PIPE; THENCE CONTINUING ALONG SAID SOUTH LINE, SOUTH 89°50'36" WEST, 449.25 FEET TO A 5/8 INCH IRON ROD AT AN ANGLE CORNER OF THAT CERTAIN TRACT DESCRIBED AND RECORDED IN DEED TO ROBERT AND JULIANNE JOHNSTONE, RECORDED JANUARY 4, 1994, FILM 301, PAGE 338; THENCE ALONG SAID JOHNSTONE LINE, NORTH 00°01'25" EAST, 70.10 FEET TO A 5/8 INCH IRON ROD ON THE SOUTH LINE OF THAT CERTAIN TRACT DESCRIBED AND RECORDED IN DEED TO DIANE EHLERS, RECORDED NOVEMBER 5, 1987, FILM 217, PAGE 2082; THENCE ALONG SAID SOUTH LINE SOUTH 89°51'56" EAST, 2.69 FEET TO THE SOUTHEAST CORNER OF SAID FILM 217, PAGE 2082; THENCE ALONG THE EAST LINE OF SAID FILM 217, PAGE 2082 AND THE EXTENSION THEREOF, NORTH 00°05'13" EAST, 292.90 FEET TO THE NORTHEAST CORNER OF THAT CERTAIN TRACT DESCRIBED AND RECORDED IN DEED TO GEORGE AND GERTRUDE WALL, RECORDED DECEMBER 7, 1982, FILM 173, PAGE 1690, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF SAID MICKEY TRACT; THENCE CONTINUING ALONG SAID EXTENSION OF SAID EAST DEED LINE, ALONG THE EAST RIGHT OF WAY LINE OF GRAND HAVEN DRIVE, A 40.00 FOOT RIGHT OF WAY, NORTH 00°05'13" EAST, 125.00 FEET TO THE NORTHWEST CORNER OF SAID MICKEY TRACT; THENCE LEAVING SAID EAST RIGHT OF WAY LINE, ALONG THE NORTH LINE OF SAID MICKEY TRACT, SOUTH 89°59'50" EAST, 257.35 FEET; THENCE LEAVING SAID NORTH LINE OF SAID MICKEY TRACT, SOUTH 00°00'10" WEST, 102.27 FEET; THENCE SOUTH 32°32'42" EAST, 69.54 FEET; THENCE SOUTH 00°05'13" WEST, 104.11 FEET; THENCE SOUTH 89°59'50" EAST, 298.42 FEET; THENCE NORTH 82°21'28" EAST, 75.17 FEET; THENCE NORTH 00°00'10" EAST, 97.78 FEET; THENCE NORTH 12°30'58" EAST, 55.34 FEET; THENCE NORTH 00°00'10" EAST, 103.19 FEET TO A POINT ON SAID NORTH LINE OF SAID MICKEY TRACT; THENCE ALONG SAID NORTH LINE, SOUTH 89°59'50" EAST, 520.00 FEET TO THE NORTHEAST CORNER OF SAID MICKEY TRACT, SAID POINT BEING ON THE EAST LINE OF SAID JAMES T. HEMBREE DONATION LAND CLAIM NO. 46 AND THE POINT OF BEGINNING OF THIS DESCRIPTION.

THE ABOVE DESCRIBED TRACT CONTAINS 11.02 ACRES OF LAND, MORE OR LESS.

*THE PICULELL GROUP & DAVE MICKEY
ANNEXATION MAP
(to accompany attached description)
PROPOSED OVERLOOK ADDITION*

NORTHWEST
CORNER OF THE
MADISON MALONE
D. L. C. NO. 49

November 7, 1994 Scale: 1" = 300'



11.02 Acres to be Annexed

