

Community Development Department

P.O. Box 970 ▪ 414 E First Street ▪ Newberg, Oregon 97132
503-537-1240 ▪ Fax 503-537-1272 ▪ www.newbergoregon.gov

Notice of Decision
Freindsview Springbrook Meadows II – Two Lot Consolidation
File No. PLC20-0004

June 9, 2020

AKS Engineering & Forestry, LLC
Attn: Ms. Mimi Doukas, AICP, RLA
12965 SW Herman Road, Suite 100
Tualatin, OR 97062

Re: Lot Consolidation for Yamhill County Assessor's Map R3216, Tax Lots 2026 and 2019
File No. PLC20-0004

Dear Ms. Doukas,

The Newberg Community Development Director has approved the proposed property consolidation (PLC20-0004) for Yamhill County Assessor's Map R3216, Tax Lots 2026 and 2019. The decision will become effective on Jun 23, 2020 unless an appeal is filed.

You may appeal this decision to the Newberg Planning Commission within 14 calendar days of this decision in accordance with Newberg Development Code 15.100.170. All appeals must be in writing on a form provided by the Planning Division. If you wish to appeal, you must submit the written appeal form together with the required fee of \$541.80 to the Planning Division within 14 days of the date of this decision.

The deadline for filing an appeal is 4:30 pm on June 22, 2020.

If you have any questions, please contact me at 503-537-1215 or keith.leonard@newbergoregon.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Keith Leonard".

Keith Leonard, AICP
Associate Planner
City of Newberg

STAFF REPORT
Freindsview Springbrook Meadows II – 2 Lot Consolidation
File No. PLC20-0004

FILE NO: PLC20-0004

REQUEST: Lot consolidation for 2 existing tax lots

LOCATION: North of E Hayes Street and west of N Providence Drive

TAX LOT: Lot Consolidation for Yamhill County Tax Map R3216 Tax Lots 2026 and 2019

APPLICANT: AKS Engineering & Forestry, LLC. (Consultant) & Friendsview Manor, Inc.

OWNER: Friendsview Manor, Inc.

ZONING: R-P (Residential Professional District)

SUBDISTRICTS: SP (Springbrook Specific Plan Subdistrict) AIHS (Airport Inner Horizontal Surface Overlay)

A. FINDINGS

15.230.010 Property consolidations.

A. Consolidating Properties. An owner of abutting properties may consolidate them into a single lot through any of the following:

- 1. A deed restriction recorded with the Yamhill County recorder. The applicant shall file a copy of the recorded deed restriction with the director. The deed restriction shall state that the properties are to be considered one lot for planning and zoning purposes, and that the properties shall not be conveyed separately prior to their being divided in accordance with regulations of the city.***
- 2. The plat vacation process as described in ORS 271.080 through 271.230.***
- 3. The replat process as described in ORS 92.180 through 92.190.***
- 4. A property line adjustment, subdivision plat or partition plat that effects the consolidation of the property.***

Findings: The applicants' project includes consolidation of two abutting tax lots including Yamhill County Assessor's Map R3216 Tax Lots 2026 and 2019.

The applicant has proposed to record a deed restriction combining the lots as one lot for planning and zoning purposes under the Newberg Municipal Code (NMC). A copy of the draft

Deed Restriction is provided in Exhibit “J” of the applicants’ submittal. It includes language that the properties are considered one lot for planning and zoning purposes and that the properties shall not be conveyed separately unless the property is divided in accordance with City of Newberg regulations. A legal description of the separate and consolidated properties, along with a map are provided as Exhibits “A”, “B” and “C” to the Deed Restriction. The consolidated property is described in applicants’ Exhibit “C”. The deed restrictions and legal descriptions and lot consolidation map (Exhibit “D”) are included in Attachment 1.

B. NOTES

Approval of the proposed property consolidation is subject to the following:

1. Record the approved deed restriction document with the Yamhill County Clerk.
2. Submit a copy of the recorded deed restriction document to the Community Development Department, City of Newberg.

Attachment 1: Applicants’ Deed Restrictions, Legal Descriptions (Exhibits “A”, “B” and “C”) and Lot Consolidation Map (Exhibit “D”)

**Attachment 1 – Draft Deed Restrictions, Legal Descriptions (Exhibit “A”, “B” and “C”)
and Lot Consolidation Map (Exhibit “D”)**

After Recording Return to:

Lot 5 of Oak Meadows II Subdivision

Deed Restriction Declaration

- 1. Declarant hereby declares that this Deed Restriction shall run with the land and be binding upon its successors, assigns and heirs.
- 2. Declarant declares that the Properties described in Exhibit "A" and Exhibit "B" are hereby consolidated as one lot for planning and zoning purposes under the City of Newberg planning and zoning regulations. The consolidated properties are described in Exhibit "C" and shown on Exhibit "D" attached.
- 3. Declarant declares that the properties shall not be conveyed separate and apart from any other portion, unless and until the Property is divided in accordance with the regulations of the City of Newberg.

IN WITNESS WHEREOF, Declarant has executed this Deed Restriction as of the date first above written.

DECLARANT:

Friendsview Manor,
dba Friendsview Retirement Community
an Oregon nonprofit corporation

By: _____
G. Michael Gougler, Chief Operating Officer

STATE OF OREGON)
) ss.
County of _____)

This instrument was acknowledged before me on _____, 2019, by
G. Michael Gougler, Chief Operating Officer, **Friendsview Manor, dba Friendsview Retirement Community** an Oregon nonprofit corporation

EXHIBIT "A"

PARCEL 2 OF PARTITION PLAT 2017-06, A DULY RECORDED PLAT IN THE RECORDS OF YAMHILL COUNTY, STATE OF OREGON.

EXHIBIT "B"

LOT 2 OF THE PLAT "OAK MEADOWS II", A DULY RECORDED PLAT IN THE RECORDS OF YAMHILL COUNTY, STATE OF OREGON.

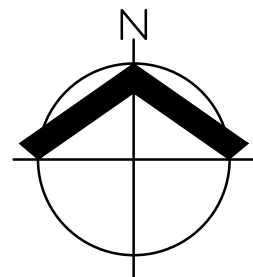
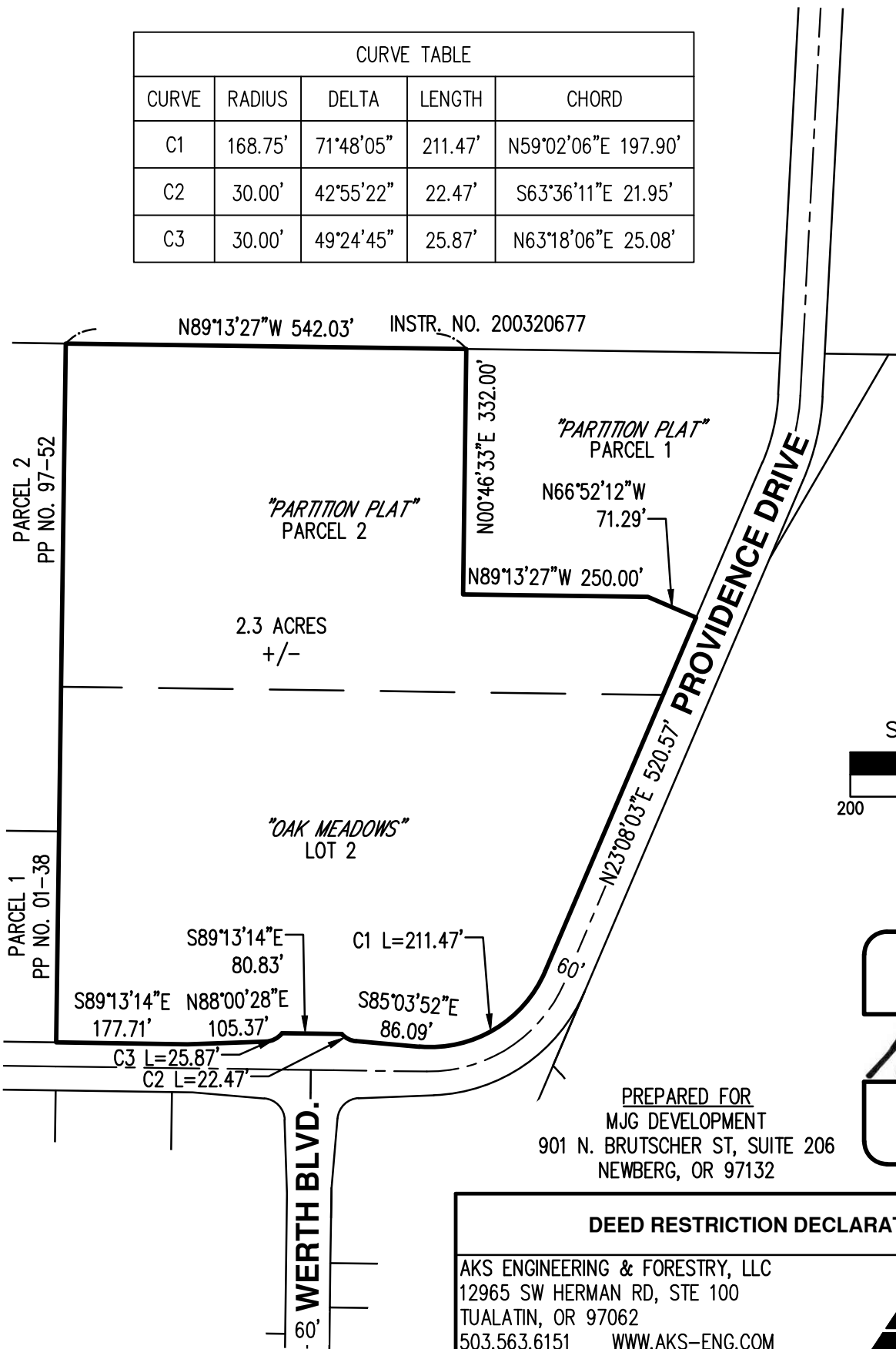
EXHIBIT "C"

PARCEL 2 OF PARTITION PLAT 2017-06, A DULY RECORDED PLAT IN THE RECORDS OF YAMHILL COUNTY, STATE OF OREGON AND LOT 2 OF THE PLAT OF "OAK MEADOWS II", A DULY RECORDED PLAT IN THE RECORDS OF YAMHILL COUNTY, STATE OF OREGON.

EXHIBIT D

A TRACT OF LAND LOCATED IN THE SE 1/4 OF SEC. 16 AND THE NE 1/4 OF SECTION 21, T3S, R2W, W.M., CITY OF NEWBERG, YAMHILL COUNTY, OREGON

CURVE TABLE				
CURVE	RADIUS	DELTA	LENGTH	CHORD
C1	168.75'	71°48'05"	211.47'	N59°02'06"E 197.90'
C2	30.00'	42°55'22"	22.47'	S63°36'11"E 21.95'
C3	30.00'	49°24'45"	25.87'	N63°18'06"E 25.08'



SCALE: 1" = 200 FEET



07/29/2019

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Nick White

OREGON
JANUARY 9, 2007
NICK WHITE
70652LS

RENEWS: 6/30/20

PREPARED FOR
MJG DEVELOPMENT
901 N. BRUTSCHER ST, SUITE 206
NEWBERG, OR 97132

DEED RESTRICTION DECLARATION

AKS ENGINEERING & FORESTRY, LLC
12965 SW HERMAN RD, STE 100
TUALATIN, OR 97062
503.563.6151 WWW.AKS-ENG.COM



EXHIBIT
D

DRWN: KJM
CHKD: NSW
AKS JOB:
5680