



# TYPE III APPLICATION (QUASI-JUDICIAL REVIEW)

File #: CWP23-0009

**TYPES – PLEASE CHECK ONE:**

- Annexation
- Comprehensive Plan Amendment (site specific)
- Zoning Amendment (site specific)
- Historic Landmark Modification/alteration
- Conditional Use Permit
- Type III Major Modification
- Planned Unit Development
- Other: (Explain) \_\_\_\_\_

### APPLICANT INFORMATION:

APPLICANT: JASON PHILLIPS  
 ADDRESS: 3238 E. PROVINCE CT CITY: NEWBERG STATE: OR ZIP: 97132  
 EMAIL ADDRESS: Westlhomes@gmail.com PHONE: 503-830-6360 MOBILE: \_\_\_\_\_

OWNER (if different from above): \_\_\_\_\_ PHONE: \_\_\_\_\_  
 ADDRESS: \_\_\_\_\_ CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_

ENGINEER/SURVEYOR: \_\_\_\_\_ CONTACT: \_\_\_\_\_  
 EMAIL ADDRESS: \_\_\_\_\_ PHONE: \_\_\_\_\_ MOBILE: \_\_\_\_\_

### GENERAL INFORMATION:

PROJECT LOCATION: 3238 E. PROVINCE CT. PROJECT VALUATION: \$ \_\_\_\_\_  
 PROJECT DESCRIPTION/USE: SHORT TERM RENTAL  
 MAP/TAX LOT NO. (i.e. 3200AB-400): 32.21BB-00711 SITE SIZE: 7,435 SQ. FT.  ACRE   
 COMP PLAN DESIGNATION: MDR CURRENT ZONING: R3  
 CURRENT USE: SFR TOPOGRAPHY: \_\_\_\_\_  
 SURROUNDING USES:  
 NORTH: RESIDENTIAL SOUTH: RESIDENTIAL  
 EAST: RESIDENTIAL WEST: RESIDENTIAL

### ATTACHED PROJECT CRITERIA AND REQUIREMENTS (check all that apply)

- General Checklist:  Fees  Public Notice Information  Current Title Report  Written Criteria Response  Owner Signature  
 2 Copies of full Application Packet

For detailed checklists, applicable criteria for the written criteria response, and number of copies per application type, turn to:

Annexation .....	p. 15
Comprehensive Plan / Zoning Map Amendment (site specific) .....	p. 19
Conditional Use Permit .....	p. 21
Historic Landmark Modification/Alteration .....	p. 24
Planned Unit Development .....	p. 27

The Application Packet can be submitted to [Planning@newbergoregon.gov](mailto:Planning@newbergoregon.gov) or at 414 E First St., Newberg OR. 97132  
 If the Application is emailed 2 physical copies must be mailed or brought into the Community Development Department

The above statements and information herein contained are in all respects true, complete, and correct to the best of my knowledge and belief. Tentative plans must substantially conform to all standards, regulations, and procedures officially adopted by the City of Newberg. All owners must sign the application or submit letters of consent. Incomplete or missing information may delay the approval process.

Jason Phillips 5/2/23  
 Applicant Signature Date

Jason Phillips  
 Print Name

Jason Phillips 5/2/23  
 Owner Signature Date

Jason Phillips  
 Print Name

## VACATION RENTALS AND BED AND BREAKFAST CONDITIONAL USE PERMIT CHECKLIST

The following items must be submitted with each application. Incomplete applications will not be processed. Incomplete or missing information may delay the review process. Check with the Planning Division regarding additional requirements for your project.



**FEES**



**PUBLIC NOTICE INFORMATION** – Draft of mailer notice and sign; mailing list of all properties within 500'. *(This can be requested from a title company.)*



**CURRENT TITLE REPORT** (within 60 days old)



**WRITTEN CRITERIA RESPONSE** - Address the criteria listed on page 21 and [15.445.330](#) Vacation Rental Home standards or [15.445.010](#) Bed and Breakfast Establishments standards.



**PROJECT STATEMENT** - Provide a written statement that addresses the operational data for the project, including hours of operation, number of employees, traffic information, odor impacts, and noise impacts.



**EXISTING PROPERTY MAP** - Make sure the maps are at least 8 ½ x 11 inches in size and the scale is standard. An aerial picture of the property can be used as the existing property map (such as Google Maps). Where applicable, include the following information in the map(s) (information may be shown on multiple pages):



**Site Features:** Indicate the location and footprint of all on-site buildings and other facilities such as mail delivery, and trash disposal.



**Off-Street Parking:** Show proposed vehicular parking spaces and how the spaces meet the off-street parking requirements.



**Signs and Graphics:** Show the location, size, colors, materials, and lighting of all exterior signs, graphics or other informational or directional features.



**Other:** Show any other site elements which will assist in the evaluation of the site and the project.

Project Statement  
For  
Application for Vacation Rental

RE:

3238 E. Province Ct.  
Newberg, OR

Owner:

Jason and Katherine Phillips  
Phillips Family Trust  
PO Box 2938  
Oregon City, OR 97045

This property is located on Lot 11 of the Edgewater subdivision in Newberg and off Springbrook Road. The home is 3,100 SF on 3 levels. We designed the home with short term rentals in mind in as such the main living areas are all located at the rear of the property. The house backs up to a green space with Springbrook Creek flowing at the bottom. The home sits the furthest off the road to help screen occupants from neighboring properties.

The home has a 2 car garage available for parking, 2 spaces on the driveway, a gravel pad next to the driveway as well as one spot on the culdesac in front of the residence. There are a total of six bedrooms and 4 bathrooms on all three levels. This will accommodate up to 12 guests.

The property is to be managed by Lifestyle Properties located at 110 N Springbrook Rd. As the management company will be located next door, extra attention can be made to keep the property consistent to the peaceful neighborhood it is. The management company meets the guests personally upon check in to insure respect is given to neighbors and to the rules of the house.

The management company will have their team take care of cleaning and laundry but there are no full time or part time employees at the property. Hours of operation are 24 hrs/day and 7 days per week. We also don't intend on having any signage at this time.

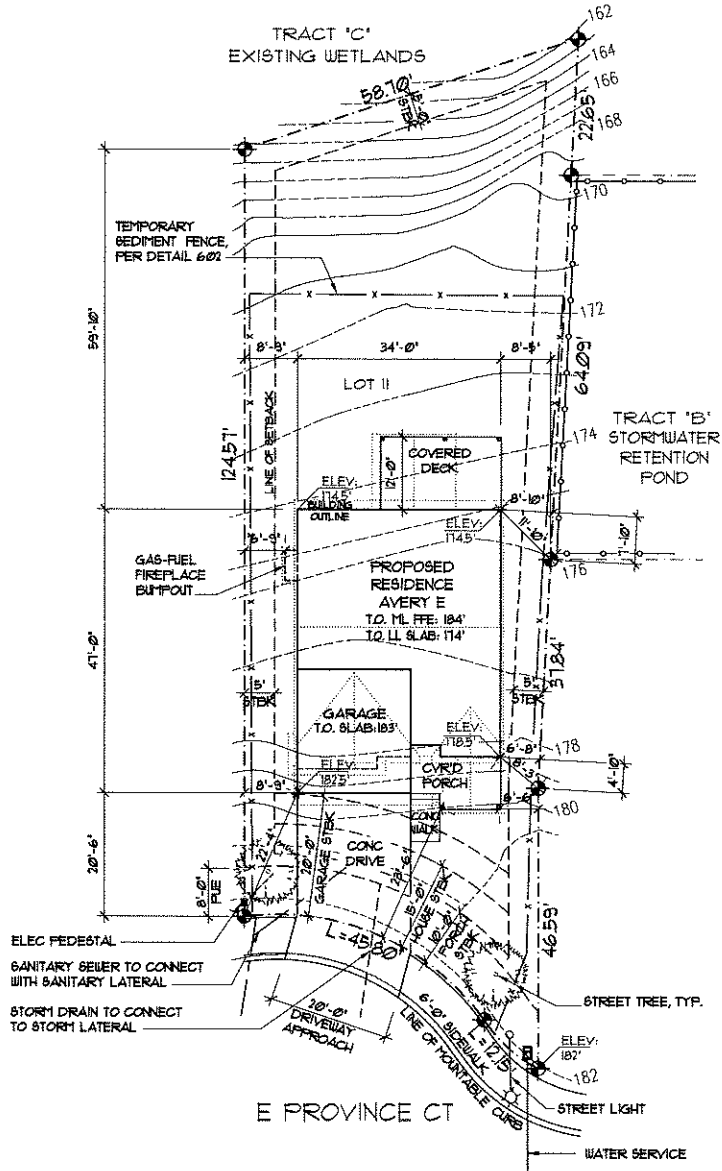


**EROSION CONTROL NOTES:**

1. INSTALL GRAVEL CONSTRUCTION ENTRANCE PER STANDARD DETAIL 601
2. PLACE SUBGRADE ROCK ALONG LENGTH OF SIDEWALK TO INTERCEPT FLOW PER CLEAN WATER SERVICES STANDARD DETAIL 805
3. PUT BIO-BAGS AT NEAREST DOWNSIDE CATCH BASIN PER DETAIL 605
4. INSTALL SEDIMENT FENCE PER DETAIL 602 ALONG PERIMETER OF THE PROPERTY, EXCLUDING LINE PROPERTY FRONTAGE.

TYP. STREET TREES TO BE PLANTED IN PUE AT 35'-40' O.C. INSTALL ROOT BARRIER ON SIDEWALK SIDE OF THE TREE TO PREVENT FUTURE SIDEWALK OR UTILITY CONFLICT. RE: LANDSCAPE PLAN FOR DETAILS

LOT AREA:	7,435 SQ. FT
IMPERVIOUS AREA	
DRIVEWAY	440 SQ. FT
COVERED ENTRY PORCH	126 SQ. FT
COVERED DECK	240 SQ. FT
WALK WAY	40 SQ. FT
TOTAL	846 SQ. FT
BUILDING FOOTPRINT 1,508 SQ. FT (NOT INCLUDING OVERHANGS)	
BUILDING COVERAGE = 20% (MAX BUILDING COVERAGE: 50%)	
PARKING COVERAGE = 6% (MAX PARKING COVERAGE: 30%)	
COMBINE LOT COVERAGE = 26% (MAXIMUM COMBINED COVERAGE: 60%)	



**LEGAL DESCRIPTION**  
 LOT 11- EDGEWATER  
 E PROVINCE COURT  
 NEWBERG, OREGON



SUNTEL DESIGN, INC. IS NOT LIABLE FOR THE ACCURACY OF THE TOPOGRAPHY INFORMATION. IT IS THE SOLE RESPONSIBILITY OF THE BUILDER TO VERIFY ALL SITE CONDITIONS, INCLUDING ANY FILL PLACED ON THE SITE, AND REPORT OWNERS OF ANY POTENTIAL FIELD MODIFICATIONS.

PLAN NAME: AVERY E  
 DATE: 12/20/21 RJC  
**P**



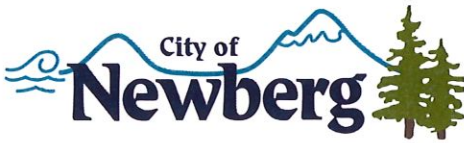
**SUNTEL**  
 DESIGN, INC.  
 155 B Ave, Suite 102, Lake Oswego, Oregon 97034  
 Tel: (503) 624-0555  
 www.sunteldesign.com

WEST ONE HOMES LOT 11- EDGEWATER  
**SITE PLAN**  
 AVERY E SCALE: 1"=20'-0"









FILE #: \_\_\_\_\_

COMMUNITY DEVELOPMENT  
PLANNING DIVISION  
(503) 537-1240  
planning@newbergoregon.gov

# VACATION RENTALS CRITERIA APPLICATION

**NOTE TO APPLICANTS - PROVIDE THIS INFORMATION WITH A TYPE II or TYPE III LAND USE APPLICATION AND A BUSINESS LICENSE APPLICATION.**  
For questions on this form, please contact the Planning Division at 503-537-1240 or email: planning@newbergoregon.gov.

### SITE INFORMATION:

Address: 3238 E. PROVINCE CT., NEWBERG, OR 97132	
Applicant Name: JASON PHILLIPS	
Mailing Address: PO BOX 2938	State/Zip: OREGON CITY, OR 97045
Phone: 503-830-6360	Email:
This is a single-family house: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No House Type: _____	

### FUTURE REQUIREMENTS:

Initial to commit to meeting these requirements if the vacation rental application is approved.

JP I/we will register and pay the transient lodging tax each year.

JP I/we will post the vacation rental home registration that contains the information listed in the Development Code in [15.445.340](#).

JP I/we understand the complaint process and revocation of registration listed in the Development Code in [15.445.350](#).

### GENERAL INFORMATION:

Provide a brief description of your proposed vacation rental including how it will be rented out.

THE CURRENT SINGLE FAMILY RESIDENCE IS PROPOSED TO BE MANAGED BY LIFESTYLE PROPERTIES. IT WILL BE MARKETED THROUGH THEIR WEBSITE AND PROMOTIONS. AS THEY ARE LOCATED NEXT TO OUR PROPERTY, THEIR STAFF HAS THE ABILITY TO TAKE ~~EXTRA~~ EXTRA STEPS TO INSURE THE NEIGHBORHOOD IS KEPT QUIET AND MAINTAINED AS SUCH.

### CONDITIONAL USE CRITERIA:

Provide a brief response to the criteria listed below from the Newberg Development Code in [15.225.060](#).

1. The location, size, design and operating characteristics of the vacation rental are such that it can be made reasonably compatible with and have minimal impact on the livability or appropriate development of abutting properties and the surrounding neighborhood, with consideration to be given to the generation of traffic and the capacity of surrounding streets, and to any other relevant impact of the use.

The property is in a residential neighborhood of similar homes. It will have no impact on the livability or development of neighboring properties. All have clear access independently. Traffic is accessed from Springbrook Rd.

2. The proposed vacation rental will provide a convenient and functional living, working, shopping or civic environment, and will be as attractive as the nature of the use and its location and setting warrants.

The location provides quick and easy access to both Hwy 99 and the Dundee Bypass. The livability of the home is predominately at the back of the house with views to Springbrook Creek Green space and barely visible to neighbors.

#### Other/Continued Response Section:

With the management team located next door (110 N. Springbrook Rd) we can assure extra attention can be taken to protect the neighborhood and its livability. They personally meet all tenants and explain rules and expectations as well as consequences for violation. The home was built with short term rental expectations so living space is private and located to the back of the home.



**First American Title™**

**First American Title Insurance Company**

775 NE Evans Street  
McMinnville, OR 97128  
Phn - (503)376-7363  
Fax - (866)800-7294

Order No.: 1032-4041196  
March 02, 2023

**FOR QUESTIONS REGARDING YOUR CLOSING, PLEASE CONTACT:**

**KEELEY ROBINSON**, Escrow Officer/Closer  
Phone: (503)538-7361 - Fax: (866)800-7290 - Email: KeeRobinson@firstam.com  
First American Title Insurance Company  
515 E Hancock, Newberg, OR 97132

**FOR ALL QUESTIONS REGARDING THIS PRELIMINARY REPORT, PLEASE CONTACT:**

**Clayton Carter**, Title Officer  
Phone: (503)376-7363 - Fax: (866)800-7294 - Email: ctcarter@firstam.com

**Preliminary Title Report**

This report is for the exclusive use of the parties herein shown and is preliminary to the issuance of a title insurance policy and shall become void unless a policy is issued, and the full premium paid.

Please be advised that any provision contained in this document, or in a document that is attached, linked or referenced in this document, that under applicable law illegally discriminates against a class of individuals based upon personal characteristics such as race, color, religion, sex, sexual orientation, gender identity, familial status, disability, national origin, or any other legally protected class, is illegal and unenforceable by law.

**County Tax Roll Situs Address:** 3238 E Province Court, Newberg, OR 97132

2021 ALTA Owners Standard Coverage	Liability \$	850,000.00	Premium \$	1,219.00 <b>BR</b>
2021 ALTA Owners Extended Coverage	Liability \$		Premium \$	
2021 ALTA Lenders Standard Coverage	Liability \$		Premium \$	
2021 ALTA Lenders Extended Coverage	Liability \$		Premium \$	
Endorsement 9.10, 22 & 8.1			Premium \$	
Govt Service Charge			Cost \$	25.00
Other			Cost \$	

We are prepared to issue Title Insurance Policy or Policies of First American Title Insurance Company, a Nebraska Corporation in the form and amount shown above, insuring title to the following described land:

The land referred to in this report is described in Exhibit A attached hereto.

and as of February 27, 2023 at 8:00 a.m., title to the fee simple estate is vested in:

West One Homes Inc.

Subject to the exceptions, exclusions, and stipulations which are ordinarily part of such Policy form and the following:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records; proceedings



by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.

2. Facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or by making inquiry of persons in possession thereof.
3. Easements, or claims of easement, not shown by the public records; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
4. Any encroachment (of existing improvements located on the subject land onto adjoining land or of existing improvements located on adjoining land onto the subject land), encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the subject land.
5. Any lien, or right to a lien, for services, labor, material, equipment rental or workers compensation heretofore or hereafter furnished, imposed by law and not shown by the public records.

**The exceptions to coverage 1-5 inclusive as set forth above will remain on any subsequently issued Standard Coverage Title Insurance Policy.**

**In order to remove these exceptions to coverage in the issuance of an Extended Coverage Policy the following items are required to be furnished to the Company; additional exceptions to coverage may be added upon review of such information:**

- A. Survey or alternative acceptable to the company
- B. Affidavit regarding possession
- C. Proof that there is no new construction or remodeling of any improvement located on the premises. In the event of new construction or remodeling the following is required:
  - i. Satisfactory evidence that no construction liens will be filed; or
  - ii. Adequate security to protect against actual or potential construction liens;
  - iii. Payment of additional premiums as required by the Industry Rate Filing approved by the Insurance Division of the State of Oregon
6. Water rights, claims to water or title to water, whether or not such rights are a matter of public record.
7. Taxes for the year 2022-2023
 

Tax Amount	\$	254.23
Unpaid Balance:	\$	254.23, plus interest and penalties, if any
Code No.:	29.0	
Map & Tax Lot No.:	R3221BB 00711	
Property ID No.:	715104	
8. City liens, if any, of the City of Newberg.
 

Note: There are no liens as of March 01, 2023. All outstanding utility and user fees are not liens and therefore are excluded from coverage.
9. The rights of the public in and to that portion of the premises herein described lying within the limits of streets, roads and highways.
10. Reimbursement Agreement of Public Water and Wastewater Extensions, including terms and provisions thereof.

Recorded: November 02, 2016, Instrument No. 201617116, Deed and Mortgage Records

11. Performance Agreement Edgewater (a Planned Unit Development) Agreement and the terms and conditions thereof:

Between: West One Homes Inc.  
And: City of Newberg  
Recording Information: April 26, 2022, Instrument No. 202206028, Deed and Mortgage Records

12. Easement as shown on the recorded plat/partition  
For: public utilities  
Affects: See plat for exact location

13. Deed of Trust and the terms and conditions thereof.  
Grantor/Trustor: West One Homes Inc., an Oregon corporation  
Grantee/Beneficiary: HomeStreet Bank, a Washington state chartered commercial bank, its successors, participants, and assigns  
Trustee: Matthew M. Chakoian, Attorney  
Amount: \$3,387,180.00  
Recorded: July 19, 2022  
Recording Information: Instrument No. 202210047, Deed and Mortgage Records  
(Affects said land and other property)

**Note: This Deed of Trust contains Line of Credit privileges.** If the current balance owing on said obligation is to be paid in full in the forthcoming transaction, confirmation should be made that the beneficiary will issue a proper request for full reconveyance.

14. Evidence of the identity and authority of the officers of West One Homes, Inc. to execute the forthcoming instrument must be submitted.
15. We do not find a recorded Notice of Completion for the improvements located on said property. A valid Notice of Completion will be required to be recorded prior to the issuance of the policy(s) as applied for herein.

- END OF EXCEPTIONS -

NOTE: According to the public record, the following deed(s) affecting the property herein described have been recorded within 24 months of the effective date of this report: NONE

NOTE: We find no matters of public record against Phillips Family Trust that will take priority over any trust deed, mortgage or other security instrument given to purchase the subject real property as established by ORS 18.165.

Note: In order to insure a transaction involving the herein named trust, we will need to be provided a Certification of Trust pursuant to ORS 130.800 through ORS 130.910.

Situs Address as disclosed on Yamhill County Tax Roll:

3238 E Province Court, Newberg, OR 97132



**THANK YOU FOR CHOOSING FIRST AMERICAN TITLE!**  
**WE KNOW YOU HAVE A CHOICE!**

**RECORDING INFORMATION**

Filing Address: **Yamhill County**  
777 Commercial Street SE, Suite 100  
Salem, OR 97301

Recording Fees: \$ **81.00** for the first page  
\$ **5.00** for each additional page

cc: Phillips Family Trust  
cc: West One Homes Inc



**Exhibit "A"**

Real property in the County of Yamhill, State of Oregon, described as follows:

LOT 11, EDGEWATER, IN THE CITY OF NEWBERG, YAMHILL COUNTY, OREGON.



## First American Title Insurance Company

### SCHEDULE OF EXCLUSIONS FROM COVERAGE

#### ALTA LOAN POLICY (07/01/21)

The following matters are excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. a. any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) that restricts, regulates, prohibits, or relates to:
  - i. the occupancy, use, or enjoyment of the Land;
  - ii. the character, dimensions, or location of any improvement erected on the Land;
  - iii. the subdivision of land; or
  - iv. environmental remediation or protection.
- b. any governmental forfeiture, police, regulatory, or national security power.
- c. the effect of a violation or enforcement of any matter excluded under Exclusion 1.a. or 1.b.  
Exclusion 1 does not modify or limit the coverage provided under Covered Risk 5 or 6.
2. Any power of eminent domain. Exclusion 2 does not modify or limit the coverage provided under Covered Risk 7.
3. Any defect, lien, encumbrance, adverse claim, or other matter:
  - a. created, suffered, assumed, or agreed to by the Insured Claimant;
  - b. not Known to the Company, not recorded in the Public Records at the Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
  - c. resulting in no loss or damage to the Insured Claimant;
  - d. attaching or created subsequent to the Date of Policy (Exclusion 3.d. does not modify or limit the coverage provided under Covered Risk 11, 13, or 14); or
  - e. resulting in loss or damage that would not have been sustained if consideration sufficient to qualify the Insured named in Schedule A as a bona fide purchaser or encumbrancer had been given for the Insured Mortgage at the Date of Policy.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with applicable doing-business law.
5. Invalidity or unenforceability of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury law or Consumer Protection Law.
6. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights law, that the transaction creating the lien of the Insured Mortgage is a:
  - a. fraudulent conveyance or fraudulent transfer;
  - b. voidable transfer under the Uniform Voidable Transactions Act; or
  - c. preferential transfer:
    - i. to the extent the Insured Mortgage is not a transfer made as a contemporaneous exchange for new value; or
    - ii. for any other reason not stated in Covered Risk 13.b.
7. Any claim of a PACA-PSA Trust. Exclusion 7 does not modify or limit the coverage provided under Covered Risk 8.
8. Any lien on the Title for real estate taxes or assessments imposed by a governmental authority and created or attaching between the Date of Policy and the date of recording of the Insured Mortgage in the Public Records. Exclusion 8 does not modify or limit the coverage provided under Covered Risk 2.b. or 11.b.
9. Any discrepancy in the quantity of the area, square footage, or acreage of the Land or of any improvement to the Land.

#### ALTA OWNER'S POLICY (07/01/21)

The following matters are excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. a. any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) that restricts, regulates, prohibits, or relates to:
  - i. the occupancy, use, or enjoyment of the Land;
  - ii. the character, dimensions, or location of any improvement on the Land;
  - iii. the subdivision of land; or
  - iv. environmental remediation or protection.
- b. any governmental forfeiture, police, regulatory, or national security power.
- c. the effect of a violation or enforcement of any matter excluded under Exclusion 1.a. or 1.b.  
Exclusion 1 does not modify or limit the coverage provided under Covered Risk 5 or 6.
2. Any power of eminent domain. Exclusion 2 does not modify or limit the coverage provided under Covered Risk 7.
3. Any defect, lien, encumbrance, adverse claim, or other matter:
  - a. created, suffered, assumed, or agreed to by the Insured Claimant;
  - b. not Known to the Company, not recorded in the Public Records at the Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
  - c. resulting in no loss or damage to the Insured Claimant;
  - d. attaching or created subsequent to the Date of Policy (Exclusion 3.d. does not modify or limit the coverage provided under Covered Risk 9 or 10); or
  - e. resulting in loss or damage that would not have been sustained if consideration sufficient to qualify the Insured named in Schedule A as a bona fide purchaser had been given for the Title at the Date of Policy.
4. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights law, that the transaction vesting the Title as shown in Schedule A is a:
  - a. fraudulent conveyance or fraudulent transfer;
  - b. voidable transfer under the Uniform Voidable Transactions Act; or
  - c. preferential transfer:
    - i. to the extent the instrument of transfer vesting the Title as shown in Schedule A is not a transfer made as a contemporaneous exchange for new value; or
    - ii. for any other reason not stated in Covered Risk 9.b.
5. Any claim of a PACA-PSA Trust. Exclusion 5 does not modify or limit the coverage provided under Covered Risk 8.
6. Any lien on the Title for real estate taxes or assessments imposed or collected by a governmental authority that becomes due and payable after the Date of Policy. Exclusion 6 does not modify or limit the coverage provided under Covered Risk 2.b.
7. Any discrepancy in the quantity of the area, square footage, or acreage of the Land or of any improvement to the Land.



**SCHEDULE OF STANDARD EXCEPTIONS**

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or by making inquiry of persons in possession thereof.
3. Easements, or claims of easement, not shown by the public records; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
4. Any encroachment (of existing improvements located on the subject land onto adjoining land or of existing improvements located on adjoining land onto the subject land), encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the subject land.
5. Any lien" or right to a lien, for services, labor, material, equipment rental or workers compensation heretofore or hereafter furnished, imposed by law and not shown by the public records.

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NOTE: A SPECIMEN COPY OF THE POLICY FORM (OR FORMS) WILL BE FURNISHED UPON REQUEST

Rev. 07-01-21



## Privacy Notice

**Effective:** October 1, 2019

**Notice Last Updated:** January 1, 2022

This Privacy Notice describes how First American Financial Corporation and its subsidiaries and affiliates (together referred to as "First American," "we," "us," or "our") collect, use, store, and share your information with the exception that a subsidiary or affiliate has their own privacy policy, that policy governs. This Privacy Notice applies to information we receive from you offline only, as well as from third parties, when you interact with us and/or use and access our services and products ("Products"). For more information about our privacy practices, including our online practices, please visit <https://www.firstam.com/privacy-policy/>. The practices described in this Privacy Notice are subject to applicable laws in the places in which we operate.

**What Type Of Information Do We Collect About You?** We collect a variety of categories of information about you. To learn more about the categories of information we collect, please visit <https://www.firstam.com/privacy-policy/>.

**How Do We Collect Your Information?** We collect your information: (1) directly from you; (2) automatically when you interact with us; and (3) from third parties, including business parties and affiliates.

**How Do We Use Your Information?** We may use your information in a variety of ways, including but not limited to providing the services you have requested, fulfilling your transactions, comply with relevant laws and our policies, and handling a claim. To learn more about how we may use your information, please visit <https://www.firstam.com/privacy-policy/>.

**How Do We Share Your Information?** We do not sell your personal information. We only share your information, including to subsidiaries, affiliates, and to unaffiliated third parties: (1) with your consent; (2) in a business transfer; (3) to service providers; and (4) for legal process and protection. To learn more about how we share your information, please visit <https://www.firstam.com/privacy-policy/>.

**How Do We Store and Protect Your Information?** The security of your information is important to us. That is why we take commercially reasonable steps to make sure your information is protected. We use our best efforts to maintain commercially reasonable technical, organizational, and physical safeguards, consistent with applicable law, to protect your information.

**How Long Do We Keep Your Information?** We keep your information for as long as necessary in accordance with the purpose for which it was collected, our business needs, and our legal and regulatory obligations.

**Your Choices** We provide you the ability to exercise certain controls and choices regarding our collection, use, storage, and sharing of your information. You can learn more about your choices by visiting <https://www.firstam.com/privacy-policy/>.

**International Jurisdictions:** Our Products are offered in the United States of America (US), and are subject to US federal, state, and local law. If you are accessing the Products from another country, please be advised that you may be transferring your information to us in the US, and you consent to that transfer and use of your information in accordance with this Privacy Notice. You also agree to abide by the applicable laws of applicable US federal, state, and local laws concerning your use of the Products, and your agreements with us.

We may change this Privacy Notice from time to time. Any and all changes to this Privacy Notice will be reflected on this page, and where appropriate provided in person or by another electronic method. **YOUR CONTINUED USE, ACCESS, OR INTERACTION WITH OUR PRODUCTS OR YOUR CONTINUED COMMUNICATIONS WITH US AFTER THIS NOTICE HAS BEEN PROVIDED TO YOU WILL REPRESENT THAT YOU HAVE READ AND UNDERSTOOD THIS PRIVACY NOTICE.**

**Contact Us** [dataprivacy@firstam.com](mailto:dataprivacy@firstam.com) or toll free at 1-866-718-0097.



### **For California Residents**

If you are a California resident, you may have certain rights under California law, including but not limited to the California Consumer Privacy Act of 2018 ("CCPA"). All phrases used in this section shall have the same meaning as those phrases are used under California law, including the CCPA.

**Right to Know.** You have a right to request that we disclose the following information to you: (1) the categories of personal information we have collected about or from you; (2) the categories of sources from which the personal information was collected; (3) the business or commercial purpose for such collection and/or disclosure; (4) the categories of third parties with whom we have shared your personal information; and (5) the specific pieces of your personal information we have collected. To submit a verified request for this information, go to our online privacy policy at [www.firstam.com/privacy-policy](http://www.firstam.com/privacy-policy) to submit your request or call toll-free at 1-866-718-0097. You may also designate an authorized agent to submit a request on your behalf by going to our online privacy policy at [www.firstam.com/privacy-policy](http://www.firstam.com/privacy-policy) to submit your request or by calling toll-free at 1-866-718-0097

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**Notice of Sale.** We do not sell California resident information, nor have we sold California resident information in the past 12 months. To the extent any First American affiliated entity has a different practice, it will be stated in the applicable privacy policy. We have no actual knowledge of selling the information of minors under the age of 16.

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**Notice of Collection.** To learn more about the categories of personal information we have collected about California residents over the last 12 months, please see "What Information Do We Collect About You" in <https://www.firstam.com/privacy-policy>. To learn about the sources from which we have collected that information, the business and commercial purpose for its collection, and the categories of third parties with whom we have shared that information, please see "How Do We Collect Your Information", "How Do We Use Your Information", and "How Do We Share Your Information" in <https://www.firstam.com/privacy-policy>.

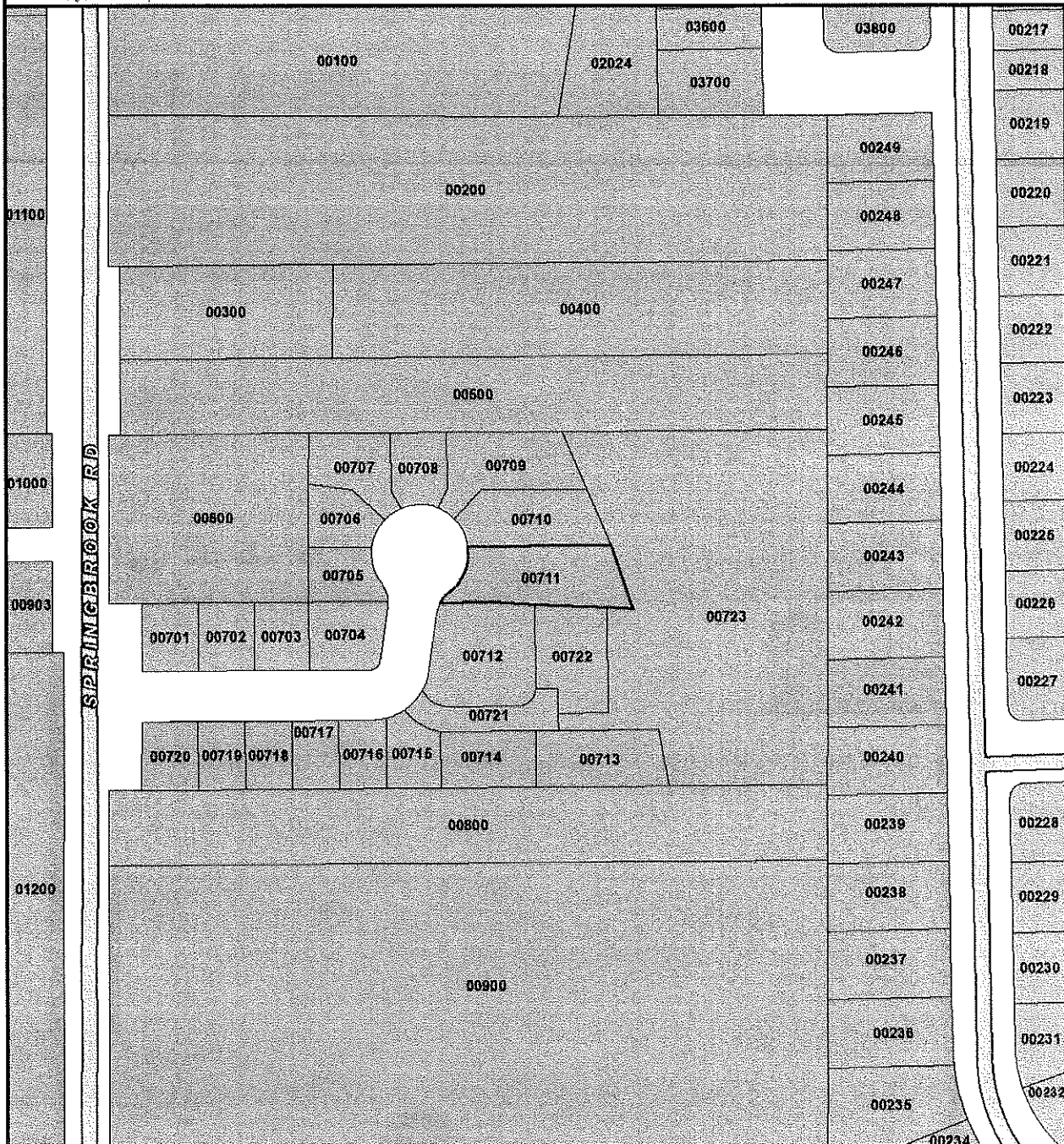
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# Taxlot



Subject



Taxlot

3/1/2023

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R3221BB 00300  
Christine Bernhardt  
208 N Springbrook Rd  
Newberg, OR 97132

R3221BB 00722  
City of Newberg  
Po Box 970  
Newberg, OR 97132

R3221BB 00713  
West One Homes Inc  
Po Box 2938  
Oregon City, OR 97045

R3221BB 00500  
Aaron & Lori Prince  
Po Box 1064  
Newberg, OR 97132

R3221BB 00717  
West One Homes Inc  
Po Box 2938  
Oregon City, OR 97045

R3221BB 00718  
West One Homes Inc  
Po Box 2938  
Oregon City, OR 97045

R3221BB 00719  
West One Homes Inc  
Po Box 2938  
Oregon City, OR 97045

R3221BB 00720  
West One Homes Inc  
Po Box 2938  
Oregon City, OR 97045

R3221BB 00703  
West One Homes Inc  
Po Box 2938  
Oregon City, OR 97045

R3221BB 00702  
West One Homes Inc  
Po Box 2938  
Oregon City, OR 97045

R3221BB 00701  
West One Homes Inc  
Po Box 2938  
Oregon City, OR 97045

R3221BB 00723  
West One Homes Inc  
Po Box 2938  
Oregon City, OR 97045

R3221BB 00800  
Keith & Debbie Carda  
100 N Springbrook Rd  
Newberg, OR 97132

R3221 00900  
Springbrook Investment LLC  
Po Box 21209  
Keizer, OR 97307

R3221BB 00200  
Curt & Tammy Landis  
212 N Springbrook Rd  
Newberg, OR 97132

R3221BB 00400  
Aaron & Lori Prince  
Po Box 1064  
Newberg, OR 97132

R3221BB 00715  
West One Homes Inc  
Po Box 2938  
Oregon City, OR 97045

R3221BB 00721  
West One Homes Inc  
Po Box 2938  
Oregon City, OR 97045

R3221BB 00712  
West One Homes Inc  
Po Box 2938  
Oregon City, OR 97045

R3221BB 00708  
West One Homes Inc  
Po Box 2938  
Oregon City, OR 97045

R3221BB 00707  
West One Homes Inc  
Po Box 2938  
Oregon City, OR 97045

R3221BB 00714  
West One Homes Inc  
Po Box 2938  
Oregon City, OR 97045

R3221BB 00716  
West One Homes Inc  
Po Box 2938  
Oregon City, OR 97045

R3221BB 00704  
West One Homes Inc  
Po Box 2938  
Oregon City, OR 97045

R3221BB 00711  
JasonPhillips  
Po Box 2938  
Oregon City, OR 97045

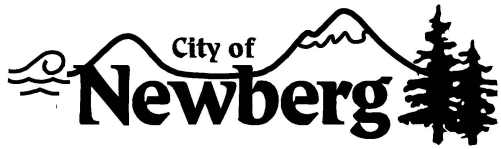
R3221BB 00710  
West One Homes Inc  
Po Box 2938  
Oregon City, OR 97045

R3221BB 00709  
West One Homes Inc  
Po Box 2938  
Oregon City, OR 97045

R3221BB 00705  
West One Homes Inc  
Po Box 2938  
Oregon City, OR 97045

R3221BB 00706  
West One Homes Inc  
Po Box 2938  
Oregon City, OR 97045





## Community Development Department

P.O. Box 970 • 414 E First Street • Newberg, Oregon 97132

503-537-1240. Fax 503-537-1272 [www.newbergoregon.gov](http://www.newbergoregon.gov)

### NOTICE OF PLANNING COMMISSION HEARING ON A CONDITIONAL USE PERMIT

A property owner in your neighborhood submitted an application to the City of Newberg for a conditional use permit to *operate vacation rental home*. The Newberg Planning Commission will hold a hearing on *August 10, 2023* at 7 p.m. at the Newberg Public Safety Building, 401 E. Third Street, Newberg, OR, to evaluate the proposal. You are invited to take part in the City's review of this project by sending in your written comments or by testifying before the Planning Commission. For more details about giving comments, please see the back of this sheet.

*The applicant requests a conditional use permit to operate a vacation rental home, also referred to as a short-term rental, in an existing 6-bedroom single-family residence.*

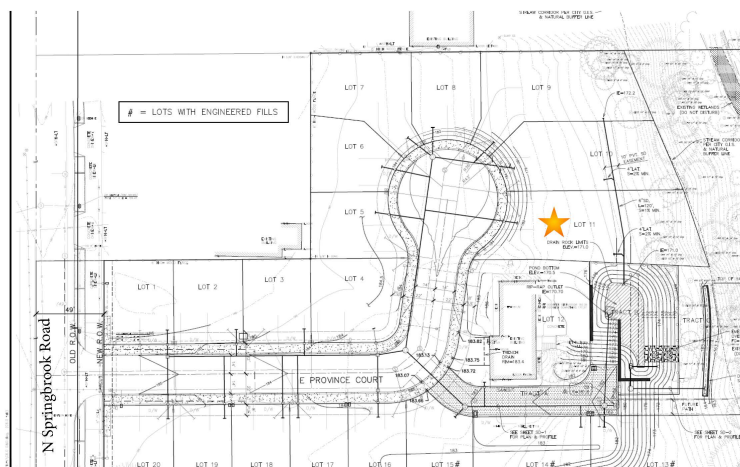
APPLICANT: *Jason Phillips*

TELEPHONE: *503-830-6360*

PROPERTY OWNER: *Jason Phillips*

LOCATION: *3238 E Province Court*

TAX LOT NUMBER: *3.2.21BB-00711*



We are mailing you information about this project because you own land within 500 feet of the proposed subdivision. We invite you to participate in the land use hearing scheduled before the Planning Commission. If you wish to participate in the hearing, you may do so in person or be represented by someone else. Oral testimony typically is limited to five minutes per speaker.

If you mail your comments to the City, please put the following information on the outside of the envelope:

Written Comments: File No. CUP23-0009  
City of Newberg  
Community Development Department  
PO Box 970  
Newberg, OR 97132

All written comments must be turned in by noon on Monday, *August 7, 2023*. Written information received after this time will be read out loud at the hearing subject to time limits for speakers and will be included in the record if there are further proceedings.

You can look over all the information about this project or drop comments off at Newberg City Hall, 414 E. First Street. You can also buy copies of the information for a cost of 25 cents a page. Application material can also be accessed at <https://www.newbergoregon.gov/planning/page/cup23-009-vacation-rental-3238-e-province-ct>

A staff report relating to the proposal will be available for inspection at no cost seven days prior to the public hearing. If you have any questions about the project, you can call the Newberg Planning Division at 503-537-1240.

Any issue which might be raised in an appeal of this case to the Land Use Board of Appeals (LUBA) must be raised during the public hearing process. You must include enough detail to enable the decision maker an opportunity to respond. The applicable criteria used to make a decision on this application for a conditional use permit are found in Newberg Development Code Section 15.100.050, 15.225.060, and 15.445.330.

Prior to the conclusion of the initial evidentiary hearing, any participant may request an opportunity to present additional evidence, arguments or testimony regarding the application through a continuance or extension of the record. Failure of an issue to be raised in the hearing, in person or by letter, or failure to provide statements or evidence sufficient to afford the decision maker an opportunity to respond to the issue precludes appeal to the State Land Use Board of Appeals based on that issue.

The Planning Commission will make a decision at the end of the public hearing process. If you participate in the public hearing process, either by testifying at the public hearing, or by sending in written comments, you will be sent information about any decision made by the City relating to this project.

Date Mailed: *July 21, 2023*

**ACCOMMODATION OF PHYSICAL IMPAIRMENTS:**

*In order to accommodate persons with physical impairments, please notify the City Recorder's office of any special physical or language accommodations you may need as far in advance of the meeting as possible and no later than 48 hours prior to the meeting. To request these arrangements, please contact the City Recorder at 503-537-1283. For TTY services please dial 711.*

# Land Use Notice

**FILE #** (insert the file number assigned to you at the time of application)

**PROPOSAL:** To Permit Short Term rental of 3238 E. Province Ct.

City of Newberg  
Community Development Department  
414 E First Street  
Phone: 503-537-1240





3238

**Land Use Notice**  
FILE# CUP23-0009  
**PROPOSAL:**  
TO OPERATE A HOUSING RENTAL HOME, ALSO REFERRED TO  
AS A SHORT TERM RENTAL AT 3238 E. PROSPERITY CT.  
City of Monterey  
Community Development Department  
114 E. Oak Street  
Monterey, CA 93940