



# TYPE III APPLICATION (QUASI-JUDICIAL REVIEW)

File #: CUP23-0014

**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:** Julie Foster Giffin  
**ADDRESS:** 637 SW Keck Drive #221 **CITY:** McMinnville **STATE:** OR **ZIP:** 97128  
**EMAIL ADDRESS:** Juliegiffin4@gmail.com **PHONE:** 8184684266 **MOBILE:** 8184684266

**OWNER** (if different from above): Dave & Ellen Hendry **PHONE:** 8187203164  
**ADDRESS:** 3830 4th Avenue **CITY:** La Crescenta **STATE:** CA **ZIP:** 91214

**ENGINEER/SURVEYOR:** N/A **CONTACT:** \_\_\_\_\_  
**EMAIL ADDRESS:** \_\_\_\_\_ **PHONE:** \_\_\_\_\_ **MOBILE:** \_\_\_\_\_

**GENERAL INFORMATION:**

**PROJECT LOCATION:** 3841 Shelly Court, Newberg, OR 97132 **PROJECT VALUATION:** \$ 574,900  
**PROJECT DESCRIPTION/USE:** Short Term Vacation Rental  
**MAP/TAX LOT NO. (i.e. 3200AB-400):** R3207AC 00118 **SITE SIZE:** 1846 **SQ. FT.**  **ACRE**   
**COMP PLAN DESIGNATION:** \_\_\_\_\_ **CURRENT ZONING:** R-1 LD  
**CURRENT USE:** R-1 Low Density Residential **TOPOGRAPY:** \_\_\_\_\_

**SURROUNDING USES:**  
**NORTH:** R-1 Low Density Residential **SOUTH:** R-1 Low Density Residential  
**EAST:** R-1 Low Density Residential **WEST:** R-1 Low Density Residential

**ATTACHED PROJECT CRITERIA AND REQUIREMENTS (check all that is included)**

- General Checklist:**  Fees  Public Notice Information  Current Title Report  Written Criteria Response  Owner Signature  
 2 -Hard copies of full Application Packet  1 -Digital Copy 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. 11
Comprehensive Plan / Zoning Map Amendment (site specific) .....	p. 18
Conditional Use Permit .....	p. 22
Short Term Rental .....	p. 26
Historic Landmark Modification/Alteration .....	p. 37
Planned Unit Development .....	p. 41

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

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.

The above statements and information herein contained are in all respects true, complete, and correct to the best of my knowledge and belief.

Julie Foster Giffin  
Applicant Signature Date 8-21-23

[Signature]  
Owner Signature Date 8-21-23

JULIE FOSTER GIFFIN  
Print Name

DAVE HENDRY  
Print Name



# NEWBERG PERMIT CENTER FEE SCHEDULE

Effective Date:  
April 1, 2023

**5% TECHNOLOGY FEE WILL BE ADDED TO TOTAL FEES (Resolution No. 2016-3268)**

<b>PRE-APPLICATION REVIEW</b>	<b>\$100</b>
<b>TYPE I (ADMINISTRATIVE REVIEW)</b>	
OTHER: ANY TYPE I ACTION NOT SPECIFICALLY LISTED IN THIS SECTION	\$202
HOME OCCUPATION BUSINESS LICENSE REVIEW	\$202
ADU DESIGN REVIEW	\$202
COTTAGE CLUSTER DESIGN REVIEW	\$404
PROPERTY CONSOLIDATION	\$202
CODE ADJUSTMENT	\$505
* DESIGN REVIEW (DUPLEX OR COM. /IND. MINOR ADDITION REVIEW)	0.3% OF PROJECT VALUE, \$505 MINIMUM
MINOR MODIFICATION OR EXTENSION OF TYPE I DECISION	\$202
MAJOR MODIFICATION OF TYPE I DECISION	50% OF ORIGINAL FEE
* PARTITION FINAL PLAT	\$1,015 + \$88 PER PARCEL
PROPERTY LINE ADJUSTMENT	\$1,015
SIGN REVIEW	\$89 + \$1.00 PER SQ. FT. OF SIGN FACE
* SUBDIVISION, PUD, OR CONDOMINIUM FINAL PLAT	\$2,034 + \$88 PER LOT OR UNIT
HISTORIC LANDMARK MINOR ALTERATION/DEMOLITION	\$0
<b>TYPE II (LAND USE DECISION)</b>	
OTHER-ANY TYPE II ACTION NOT SPECIFICALLY LISTED IN THIS SECTION	\$1,015
MINOR MODIFICATION OR EXTENSION OF TYPE II DECISION	\$202
MAJOR MODIFICATION OF TYPE II DECISION	50% OF ORIGINAL FEE
* DESIGN REVIEW (INCLUDING MOBILE/MANUFACTURED HOME PARKS)	0.6% OF TOTAL PROJECT COST, \$1,015 MINIMUM
* PARTITION PRELIMINARY PLAT	\$1,015 + \$88 PER PARCEL
* SUBDIVISION PRELIMINARY PLAT	\$2,034 + \$88 PER LOT
VARIANCE	\$1,015
<b>TYPE III (QUASI-JUDICIAL REVIEW)</b>	
OTHER-ANY TYPE III ACTION NOT SPECIFICALLY LISTED IN THIS SECTION	\$2,155
ANNEXATION	\$2,833 + \$270 PER ACRE
COMPREHENSIVE PLAN AMENDMENT (SITE SPECIFIC)	\$2,655
CONDITIONAL USE PERMIT	\$2,155
MINOR MODIFICATION OR EXTENSION OF TYPE III DECISION	\$202
MAJOR MODIFICATION OF TYPE III DECISION	50% OF ORIGINAL FEE
HISTORIC LANDMARK ESTABLISHMENT OR MODIFICATION	\$0
HISTORIC LANDMARK ELIMINATION	\$2,471
* SUBDIVISION PRELIMINARY PLAT	\$2,034 + \$88 PER LOT
* PLANNED UNIT DEVELOPMENT	\$4,304 + \$88 PER LOT
ZONING AMENDMENT (SITE SPECIFIC)	\$2,684
<b>TYPE IV (LEGISLATIVE AMENDMENTS)</b>	
COMPREHENSIVE PLAN TEXT AMENDMENT OR LARGE SCALE MAP REVISION	\$3,053
DEVELOPMENT CODE TEXT AMENDMENT OR LARGE SCALE MAP REVISION	\$3,053
<b>APPEALS</b>	
TYPE I OR II APPEAL TO PLANNING COMMISSION	\$582
TYPE I OR II APPEAL TO CITY COUNCIL	\$1,055
TYPE III APPEAL TO CITY COUNCIL	\$1,239
TYPE I ADJUSTMENTS OR TYPE II VARIANCES (That are not designed to reculate the physical characteristics of a use permitted outright)	\$326
EXHIBITOR LICENSE FEE APPEAL TO THE CITY COUNCIL	50% OF EXHIBITOR LICENSE FEE
<b>OTHER FEES</b>	
TECHNOLOGY FEE (This fee will be added to all Planning, Engineering and Building Fees, does not apply to SDC fee)	5% OF TOTAL
TREES IN PUBLIC RIGHT-OF-WAY REMOVAL PERMIT	\$10.50
EXPEDITED LAND DIVISION	\$7,563 + \$88 PER LOT OR UNIT
URBAN GROWTH BOUNDARY AMENDMENT	\$4,833
VACATION OF PUBLIC RIGHT-OF-WAY	\$2,005
FEE-IN-LIEU OF PARKING PROGRAM	\$16,231 PER VEHICLE SPACE
VERTICAL HOUSING DEVELOPMENT ZONE FEES	\$600 CERTIFICATION & APPLICATION FEE \$400 ANNUAL MONITORING FEE
BIKE RACK COST SHARING PROGRAM	\$100 PER RACK
<b>LICENSE FEES</b>	
GENERAL BUSINESS	\$50
HOME OCCUPATION	\$25
PEDDLER/SOLICITOR/STREET VENDOR	NO FEE (GENERAL BUSINESS LICENSE FEE ONLY)
EXHIBITOR	\$148
TEMPORARY MERCHANT	\$120/45 DAYS OR \$401/PERPETUAL

## \* ADDITIONAL LAND USE REVIEW FEES – ENGINEERING DEPARTMENT

PLANNING REVIEW, PARTITION, SUBDIVISION & PUD'S (TYPE II/III APPLICATIONS).....	\$329.90 FIRST 19 LOTS + \$14.66 PER LOT OVER 19
FINAL PLAT REVIEW: PARTITION & SUBDIVISION .....	\$329.90 + \$8.29 PER LOT OR PARCEL
DEVELOPMENT REVIEW FOR PUBLIC IMPROVEMENTS ON COMMERCIAL, INDUSTRIAL, INSTITUTIONAL ZONES, & MULTIFAMILY DEVELOPMENTS	\$461.37 1ST ACRE + \$263.54 PER ADDITIONAL ACRES

## 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.

Submit one (1) original 8 ½" x 11" or 11" x 17" reproducible document together with 2 copies of the following information:

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



## **TYPE III SHORT TERM RENTAL CRITERIA**

### **THERE ARE SEVERAL TYPES OF SHORT-TERM RENTALS:**

#### **BED & BREAKFAST ESTABLISHMENT (2 OR FEWER ROOMS):** *(Only Zones R-1 is Type III Process)*

Is a structure designed as a single-family dwelling and occupied by an on-site manager (property occupant/property owner) in which 2 or fewer sleeping units are provided for periods of less than 30 days for use by travelers or transients for a charge or fee paid or to be paid for the rental or use of the facility.

#### **BED & BREAKFAST ESTABLISHMENT (3 OR MORE ROOMS):**

Is a structure designed as a single-family dwelling and occupied by an on-site manager in which 3 or more sleeping units are provided for periods of less than 30 days for use by travelers or transients for a charge or fee paid or to be paid for the rental or use of the facility. This use is also typically known as a traditional bed & breakfast.

#### **GENERAL REQUIREMENTS:** [NMEC15.445.010](#)

- The structure used for a [bed and breakfast establishment](#) shall be designed for and occupied as a single-family residence. The structure shall maintain the characteristics of a single-family residence.
- All residences used for bed and breakfast establishments shall be applicant occupied.
- A minimum of one off-street [parking space](#) shall be provided for every two permitted guest sleeping rooms. In addition, parking standards normally required for single-family residences will apply.
- The duration of each guest's stay at the bed and breakfast establishment shall be limited to no more than seven consecutive days and no more than 15 days within a 30-day period.
- Bed and breakfast establishments located in other than single-story buildings shall provide permanent or portable fire escape systems from the upper floor(s) in a manner acceptable to the Newberg fire department.
- All bed and breakfast establishments shall conform to the requirements of the current edition of the Oregon Structural Specialty Code and Oregon Fire [Code](#).

#### **VACATION RENTAL HOMES:** *(Only Zones R-1 & R-2 is Type III process)*

A single-family dwelling unit that is used, rented or occupied for periods of less than 30 days, or is available, advertised, or listed by an agent as available for use, rent for occupancy for periods of less than 30 days. The purpose is to maintain the peace, quiet, traffic patterns, and property maintenance typical for the residential neighborhood.

#### **GENERAL REQUIREMENTS:** [NMC15.445.300-340](#)

- The [vacation rental home](#) must be a **structure** approved for occupancy as a [single-family dwelling](#) unit.
- The vacation rental home shall provide a minimum of two [parking spaces](#) on the site that are available for use of the rental occupants.
- The applicant shall provide for regular refuse collection.
- The vacation rental home may not be occupied by more than two rental occupants per bedroom, up to a maximum of 15 people.
- The premises of the vacation rental home may not include any occupied [recreational vehicle](#), [trailer](#), tent or temporary shelter during the rental occupancy.
- Prior to use or advertising for use of a dwelling as a vacation rental home, the [owner](#) or operator shall register the vacation rental home with the city on forms provided by City Staff. The registration shall include such information required by the City, including the name and contact information for the [owner](#), operator and a local contact.



- The [applicant](#) shall post the vacation rental home registration within the dwelling adjacent to the front door. At a minimum, the posting will contain the following information:
  - A. The name of the operator and a telephone number where the operator may be reached.
  - B. The telephone number for the police department.
  - C. The maximum number of occupants permitted to stay in the [dwelling](#).
  - D. The standards for the rental occupancy.
  - E. The solid waste collection day.

**COMPLAINTS AND REVOCATION OF REGISTRATION. [NMC15.445.350](#)**

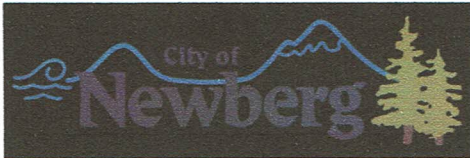
If the City receives two or more written complaints within a one-year period regarding a vacation rental home occupancy, and the issues have not been resolved through the Code Enforcement Officer, the City Manager may schedule a [hearing](#) to consider revoking the vacation rental home registration. The hearing may be conducted by the City Manager, or other such hearings officer as the City Manager may appoint for this purpose.

The City Manager shall notify the owner and operator of the hearing, those submitting written complaints, and may invite others to submit testimony at the hearing. After hearing the facts, the City Manager may do any of the following:

- A. Revoke the registration for noncompliance with the standards in this section. If this permit is revoked, the premises may not be used as a vacation rental home for a period of two years, or a period of lesser time as determined by the hearings officer.
- B. Impose additional conditions necessary to fulfill the purpose of this section.
- C. Establish a probationary period to monitor compliance.
- D. Dismiss the complaint.
- E. Refer the matter to the [code](#) enforcement officer for citation in municipal court or other appropriate jurisdiction.

The hearings officer's decision may be appealed to the planning commission by the [applicant](#), [owner](#), or [person](#) filing the written complaint within 14 calendar days of the date of the decision in the manner provided in NMC [15.100.170](#).





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

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

# VACATION RENTALS CRITERIA FORM

**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](mailto:planning@newbergoregon.gov).

## SITE INFORMATION:

Address: 3841 N. Shelly Court, Newberg, OR 97132	
Applicant Name: Julie Foster Giffin	
Mailing Address: 637 SW Keck Drive, #221 McMinnville	State/Zip: OR 971289
Phone: 818-468-4266	Email: <a href="mailto:juliegiffin4@gmail.com">juliegiffin4@gmail.com</a>
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.*

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

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

  JG   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 proposed use of this house is a short term rental (STR) when the owners are not in residence. The home will be occupied several times per year by the owners and when they are not in residence, the planned use is a short term rental. The property will be rented out on AirBnB and VRBO.



**VACATION RENTALS CRITERIA:**

Provide a brief response to the criteria listed below from the Newberg Development Code in [15.445.330](#).

1. The vacation rental home shall provide a minimum of two parking spaces on the site that are available for use of the rental occupants. Please state where those parking spaces will be located.

This home has the requisite minimum of 2 parking spaces on site. Both are in the driveway. If needed, additional cars can park in the garage as well as through the gate along the right side of the house.

2. The applicant shall provide for regular refuse collection. Please state the location and collection day.

We will set up refuse collection with Waste Management.

3. The vacation rental home may not be occupied by more than two rental occupants per bedroom, up to a maximum of 15 people. Please state how you'll meet this criterion.

This home has 4 bedrooms and will be available to a maximum of 8 occupants.

4. The premises of the vacation rental home may not include any occupied recreational vehicle, trailer, tent or temporary shelter during the rental occupancy. Please state how you'll meet this criterion.

This information will be part of our house rules and will be stated on our vacation rental listings.



**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 will be occupied part-time by the owners (a husband and wife and from time to time with their family). When the owners are not in residence, the planned use is as an STR. The house rules and listing will state that renters must be considerate of neighbors with regard to noise (with no outside noise before 9 am and after 10 pm), parking, trash and general demeanor. There is plenty of off street parking available so there should be little to no impact to surrounding streets.

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 house itself is already in great condition with a beautiful and well maintained backyard and outdoor space. There is an automatic sprinkler system in place. We will hire the services of a landscaping service to help maintain the yard. We will also employ a cleaning service to clean and maintain the home in between renters. The home will provide a convenient and functional living space for couples and families staying there.

Other/Continued Response Section:



## **Project Statement for 3841 Shelly Ct, Newberg, OR**

This proposed short-term rental will provide a beautiful, convenient, and functional living space for families and couples when visiting Newberg, the Willamette Valley and all that it has to offer, when the owners are not in residence. The months/hours of operation will be year-round, 24 hours per day when we have guests/bookings. We will list the home on Airbnb and VRBO.

The home has 4 bedrooms and will allow for a maximum of 8 occupants. There are several off-street parking spaces available including 2 in the driveway, 2 in the attached garage, and 2 along the right side of the house. See attached images for locations of all the above as well as exterior and interior home images.

We will employ a landscape service to help maintain the property. The home is equipped with an automatic sprinkler system in the front and back yards. We will employ a cleaning service to clean and maintain the home in between guests. Additionally, we will have trash collection set up weekly and may employ the services of maintenance/repair services when required.

The STR will be managed by the applicant (who lives locally and is the owner's daughter). She will be available at any time for renters and their needs.

This STR will have a vacation rental home registration adjacent to the front door with the following info –

- A. The name of the operator and a telephone number where the operator may be reached.
- B. The telephone number for the police department.
- C. The maximum number of occupants permitted to stay in the dwelling (8)
- D. The standards for rental occupancy.
- E. The solid waste collection day.

Owner and applicant are fully aware and understand the complaints and revocation of registration code and will make every effort to avoid complaints and where necessary follow up with all complaints.



## PRELIMINARY REPORT

In response to the application for a policy of title insurance referenced herein Ticor Title Company of Oregon hereby reports that it is prepared to issue, or cause to be issued, as of the specified date, a policy or policies of title insurance describing the land and the estate or interest hereinafter set forth, insuring against loss which may be sustained by reason of any defect, lien or encumbrance not shown or referred to as an exception herein or not excluded from coverage pursuant to the printed Schedules or Conditions of said policy forms.

The printed Exceptions and Exclusions from the coverage of said policy or policies are set forth in Exhibit One. Copies of the policy forms should be read. They are available from the office which issued this report.

This report (and any supplements or amendments hereto) is issued solely for the purpose of facilitating the issuance of a policy of title insurance and no liability is assumed hereby.

The policy(s) of title insurance to be issued hereunder will be policy(s) of Chicago Title Insurance Company, a/an Florida corporation.

**Please read the exceptions shown or referred to herein and the Exceptions and Exclusions set forth in Exhibit One of this report carefully. The Exceptions and Exclusions are meant to provide you with notice of matters which are not covered under the terms of the title insurance policy and should be carefully considered.**

**It is important to note that this preliminary report is not a written representation as to the condition of title and may not list all liens, defects and encumbrances affecting title to the land.**

This preliminary report is for the exclusive use of the parties to the contemplated transaction, and the Company does not have any liability to any third parties nor any liability until the full premium is paid and a policy is issued. Until all necessary documents are placed of record, the Company reserves the right to amend or supplement this preliminary report.

*Countersigned*

A handwritten signature in black ink, appearing to read 'Peter Harris', written over a horizontal line.

Peter Harris





115 N College St., Ste 2, Newberg, OR 97132  
 (503)542-1400 FAX (866)454-4637

**PRELIMINARY REPORT**

**ESCROW OFFICER:** MaryJane Hendrix  
 TeamMaryJane@TicorTitle.com  
 (503)542-1400

**ORDER NO.:** 471823126380  
**LENDER REF.:** 54032306658899

**TITLE OFFICER:** Deborah Clark

**TO:** Ticor Title Company of Oregon  
 115 N College St., Ste 2  
 Newberg, OR 97132

**ESCROW LICENSE NO.:** 201208074

**OWNER/SELLER:** Heidi Tsohantaridis and Demetrius Tsohantaridis, Trustees under the Smith Living Trust dated January 14, 2020, as to an undivided 1/2 interest and Demetrius Tsohantaridis and Heidi Tsohantaridis, Trustees under the Hoffman Living Trust dated January 14, 2020, as to an undivided 1/2 interest

**BUYER/BORROWER:** David A. Hendry and Ellen E. Hendry

**PROPERTY ADDRESS:** 3841 Shelly Court, Newberg, OR 97132

**EFFECTIVE DATE:** July 17, 2023, 08:00 AM

1. THE POLICY AND ENDORSEMENTS TO BE ISSUED AND THE RELATED CHARGES ARE:

	<u>AMOUNT</u>	<u>PREMIUM</u>
ALTA Owner's Policy 2021 Owner's Standard (Short Term Rate)	\$ 581,500.00	\$ 1,105.00
OTIRO Endorsement No. 110		\$ 0.00
ALTA Loan Policy 2021 Extended Lender's Proposed Insured: CrossCountry Mortgage, LLC, its successors and/or assigns as their respective interests may appear	\$ 407,050.00	\$ 450.00
OTIRO 209.10-06 - Restrictions, Encroachments, Minerals - Current Violations (ALTA 9.10-06)		\$ 100.00
OTIRO 222-06 - Location (ALTA 22-06)		\$ 0.00
OTIRO 208.1 - Environmental Protection Lien (ALTA 8.1 - 2021)		\$ 0.00
Government Lien Search		\$ 25.00

2. THE ESTATE OR INTEREST IN THE LAND HEREINAFTER DESCRIBED OR REFERRED TO COVERED BY THIS REPORT IS:

A Fee

3. TITLE TO SAID ESTATE OR INTEREST AT THE DATE HEREOF IS VESTED IN:

Heidi Tsohantaridis and Demetrius Tsohantaridis, Trustees under the Smith Living Trust dated January 14, 2020, as to an undivided 1/2 interest and Demetrius Tsohantaridis and Heidi Tsohantaridis, Trustees under the Hoffman Living Trust dated January 14, 2020, as to an undivided 1/2 interest

**PRELIMINARY REPORT**  
(continued)

4. THE LAND REFERRED TO IN THIS REPORT IS SITUATED IN THE CITY OF NEWBERG, COUNTY OF YAMHILL, STATE OF OREGON, AND IS DESCRIBED AS FOLLOWS:  
SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF



**EXHIBIT "A"**  
Legal Description

Lot 18, NATALIE PARK, in the City of Newberg, County of Yamhill and State of Oregon.

**AS OF THE DATE OF THIS REPORT, ITEMS TO BE CONSIDERED AND EXCEPTIONS TO COVERAGE IN ADDITION TO THE PRINTED EXCEPTIONS AND EXCLUSIONS IN THE POLICY FORM WOULD BE AS FOLLOWS:**

**GENERAL 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. Any 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, which are 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 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.

**SPECIFIC ITEMS AND EXCEPTIONS:**

- 6. Property taxes in an undetermined amount, which are a lien but not yet payable, including any assessments collected with taxes to be levied for the fiscal year 2023-2024.
- 7. City Liens, if any, in favor of the City of Newberg. None found as of July 20, 2023.
- 8. Easement(s) for the purpose(s) shown below and rights incidental thereto as delineated or as offered for dedication, on the map of said tract/plat;
 

Purpose:           Public utility  
Affects:            8 feet along street frontage
- 9. Covenants, conditions, restrictions and easements but omitting any covenants or restrictions, if any, including but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, source of income, gender, gender identity, gender expression, medical condition or genetic information, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law, as set forth in the document

Recording Date:    May 10, 1996  
 Recording No:     1996-07349

- 10. Subdivision Compliance Agreement

Recording Date:    July 17, 1996  
 Recording No.:    1996-11593



11. A deed of trust to secure an indebtedness in the amount shown below,

Amount: \$500,000.00

Dated: May 22, 2023

Trustor/Grantor: Demetrius H. Tsohantaridis and Heidi S. Tsohantaridis, Trustees of their successors in trust under Smith Living Trust, dated January 14, 2020, as to an undivided 1/2 interest and Demetrius H. Tsohantaridis and Heidi S. Tsohantaridis as Trustees, or their successors in trust under the Hoffman Living Trust, dated January 14, 2020, as to an undivided 1/2 interest

Trustee: First American Title Insurance Company

Beneficiary: Randy Smith and Sheryl Smith, as tenants by the entirety

Loan No.: Not Disclosed

Recording Date: June 14, 2023

Recording No: 202305133

Affects other property also

12. Any invalidity or defect in the title of the vestees in the event that the trust referred to herein is invalid or fails to grant sufficient powers to the trustee(s) or in the event there is a lack of compliance with the terms and provisions of the trust instrument.

If title is to be insured in the trustee(s) of a trust (or if their act is to be insured), this Company will require a copy of said Trust Agreement or a Trust Certification pursuant to ORS Chapter 130.860.

The Company reserves the right to make additional requirements or add additional items or exceptions after review of the requested documentation.

If the forthcoming conveyance/encumbrance is to be executed by the original trustee(s), it will not be necessary to furnish a copy of the trust agreement.

13. 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.

To remove this item, the Company will require an affidavit and indemnity on a form supplied by the Company.

14. 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.

To remove this item, the Company will require an affidavit and indemnity on a form supplied by the Company.

**ADDITIONAL REQUIREMENTS/NOTES:**

- A. Note: Property taxes for the fiscal year shown below are paid in full.

Fiscal Year: 2022-2023  
Amount: \$4,281.36  
Levy Code: 29.0  
Account No.: 504175  
Map No.: R3207AC 00118

Prior to close of escrow, please contact the Tax Collector's Office to confirm all amounts owing, including current fiscal year taxes, supplemental taxes, escaped assessments and any delinquencies.

- B. Note: There are no matters against the party(ies) shown below which would appear as exceptions to coverage in a title insurance product:

Parties: David A. Hendry and Ellen E. Hendry

- C. In addition to the standard policy exceptions, the exceptions enumerated above shall appear on the final ALTA Policy unless removed prior to issuance.
- D. Note: The State of Oregon requires every ALTA Owner's Policy (07-01-2021) to include the OTIRO 110 Endorsement as a supplement to the definition of Insured in said Owner's Policy's Conditions to confirm coverage is the same for an Oregon Registered Domestic Partner as it is for a Spouse.
- E. Notice: Please be aware that due to the conflict between federal and state laws concerning the cultivation, distribution, processing, manufacture, sale, dispensing or use of marijuana and psilocybin, the Company is not able to close or insure any transaction involving Land associated with these activities.
- F. Note: There are NO conveyances affecting said Land recorded within 24 months of the date of this report.
- G. Note: No utility search has been made or will be made for water, sewer or storm drainage charges unless the City/Service District claims them as liens (i.e. foreclosable) and reflects them on its lien docket as of the date of closing. Buyers should check with the appropriate city bureau or water service district and obtain a billing cutoff. Such charges must be adjusted outside of escrow.
- H. THE FOLLOWING NOTICE IS REQUIRED BY STATE LAW: YOU WILL BE REVIEWING, APPROVING AND SIGNING IMPORTANT DOCUMENTS AT CLOSING. LEGAL CONSEQUENCES FOLLOW FROM THE SELECTION AND USE OF THESE DOCUMENTS. YOU MAY CONSULT AN ATTORNEY ABOUT THESE DOCUMENTS. YOU SHOULD CONSULT AN ATTORNEY IF YOU HAVE QUESTIONS OR CONCERNS ABOUT THE TRANSACTION OR ABOUT THE DOCUMENTS. IF YOU WISH TO REVIEW TRANSACTION DOCUMENTS THAT YOU HAVE NOT SEEN, PLEASE CONTACT THE ESCROW AGENT.



I. Recording Charge (Per Document) is the following:

County	First Page	Each Additional Page
Yamhill	\$81.00	\$5.00

Note: When possible the company will record electronically. An additional charge of \$5.00 applies to each document that is recorded electronically.

Note: Please send any documents for recording to the following address:

Portland Title Group  
Attn: Recorder  
1455 SW Broadway, Suite 1450  
Portland, OR. 97201

Please email your release to the following email address: or-ttc-yamhillrecording@ticortitle.com

J. Note: Effective January 1, 2008, Oregon law (ORS 314.258) mandates withholding of Oregon income taxes from sellers who do not continue to be Oregon residents or qualify for an exemption. Please contact your Escrow Closer for further information.

K. Note: This map/plat is being furnished as an aid in locating the herein described Land in relation to adjoining streets, natural boundaries and other land. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the Company does not insure dimensions, distances or acreage shown thereon.

L. NOTE: IMPORTANT INFORMATION REGARDING PROPERTY TAX PAYMENTS

Fiscal Year:	July 1 <sup>st</sup> through June 30 <sup>th</sup>
Taxes become a lien on real property, but are not yet payable:	July 1 <sup>st</sup>
Taxes become certified and payable (approximately on this date):	October 15 <sup>th</sup>
First one third payment of taxes is due:	November 15 <sup>th</sup>
Second one third payment of taxes is due:	February 15 <sup>th</sup>
Final payment of taxes is due:	May 15 <sup>th</sup>

Discounts: If two thirds are paid by November 15<sup>th</sup>, a 2% discount will apply.  
If the full amount of the taxes are paid by November 15<sup>th</sup>, a 3% discount will apply.

Interest: Interest accrues as of the 15<sup>th</sup> of each month based on any amount that is unpaid by the due date. No interest is charged if the minimum amount is paid according to the above mentioned payment schedule.



**EXHIBIT ONE**  
**2021 AMERICAN LAND TITLE ASSOCIATION LOAN POLICY (07-01-2021)**  
**EXCLUSIONS FROM COVERAGE**

The following matters are expressly 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.
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 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 reason not stated in the 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.

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage.

**SCHEDULE B - GENERAL EXCEPTIONS FROM COVERAGE**

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

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, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land. The term "encroachment" includes encroachments of existing improvements located on the Land onto adjoining land, and encroachments onto the Land of existing improvements located on adjoining land.
5. Any lien for services, labor or material heretofore or hereafter furnished, or for contributions due to the State of Oregon for unemployment compensation or worker's compensation, imposed by law and not shown by the Public Records.

**2021 AMERICAN LAND TITLE ASSOCIATION OWNER'S POLICY (07-01-2021)**  
**EXCLUSIONS FROM COVERAGE**

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, or
  - 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.

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage.

**SCHEDULE B - GENERAL EXCEPTIONS FROM COVERAGE**

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

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, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land. The term "encroachment" includes encroachments of existing improvements located on the Land onto adjoining land, and encroachments onto the Land of existing improvements located on adjoining land.
5. Any lien for services, labor or material heretofore or hereafter furnished, or for contributions due to the State of Oregon for unemployment compensation or worker's compensation, imposed by law and not shown by the Public Records.



## EXHIBIT ONE

### 2006 AMERICAN LAND TITLE ASSOCIATION LOAN POLICY (06-17-06) EXCLUSIONS FROM COVERAGE

The following matters are expressly 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:

- (a) Any law, ordinance or governmental regulation (including but not limited to building and zoning) restricting, regulating, prohibiting or relating to
  - the occupancy, use, or enjoyment of the Land;
  - the character, dimensions or location of any improvement erected on the land;
  - the subdivision of land; or
  - environmental protection;or the effect of any violation of these laws, ordinances or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
- Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
- Defects, liens, encumbrances, adverse claims, or other matters
  - created, suffered, assumed or agreed to by the Insured Claimant;
  - not known to the Company, not recorded in the Public Records at 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;

- resulting in no loss or damage to the Insured Claimant;
  - attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 11, 13, or 14); or
  - resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.
- Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with the applicable doing-business laws of the state where the Land is situated.
  - Invalidity or unenforceability in whole or in part of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury or any consumer credit protection or truth-in-lending law.
  - Any claim, by reason of the operation of federal bankruptcy, state insolvency or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
    - a fraudulent conveyance or fraudulent transfer, or
    - a preferential transfer for any reason not stated in the Covered Risk 13(b) of this policy.
  - Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the Insured Mortgage in the Public Records. This Exclusion does not modify or limit the coverage provided under Covered Risk 11(b).

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage.

#### SCHEDULE B - GENERAL EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

- 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.
- 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.
- 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.
- Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land. The term "encroachment" includes encroachments of existing improvements located on the Land onto adjoining land, and encroachments onto the Land of existing improvements located on adjoining land.
- Any lien for services, labor or material heretofore or hereafter furnished, or for contributions due to the State of Oregon for unemployment compensation or worker's compensation, imposed by law and not shown by the Public Records.

### 2006 AMERICAN LAND TITLE ASSOCIATION OWNER'S POLICY (06-17-06) EXCLUSIONS FROM COVERAGE

The following matters are expressly 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:

- (a) Any law, ordinance or governmental regulation (including but not limited to building and zoning) restricting, regulating, prohibiting or relating to
  - the occupancy, use, or enjoyment of the Land;
  - the character, dimensions or location of any improvement erected on the land;
  - the subdivision of land; or
  - environmental protection;or the effect of any violation of these laws, ordinances or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
- Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
- Defects, liens, encumbrances, adverse claims, or other matters
  - created, suffered, assumed or agreed to by the Insured Claimant;

- not known to the Company, not recorded in the Public Records at 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;
  - resulting in no loss or damage to the Insured Claimant;
  - attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 9 and 10); or
  - resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Title.
- Any claim, by reason of the operation of federal bankruptcy, state insolvency or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
    - a fraudulent conveyance or fraudulent transfer, or
    - a preferential transfer for any reason not stated in the Covered Risk 9 of this policy.
  - Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage.

#### SCHEDULE B - GENERAL EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

- 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.
- 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.
- 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.
- Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land. The term "encroachment" includes encroachments of existing improvements located on the Land onto adjoining land, and encroachments onto the Land of existing improvements located on adjoining land.
- Any lien for services, labor or material heretofore or hereafter furnished, or for contributions due to the State of Oregon for unemployment compensation or worker's compensation, imposed by law and not shown by the Public Records.







712234	1.5	2860	5148	3878 N Chase St Numburg	Salas, Miguel N, Silas, Celia E & G Celia	Silas	Miguel	Salas	OR	97132	3878 N Chase St Numburg	OR	97132	2020	R-1
712236	2	1745	8616	334 E Chandler I Numburg	Snow, Carol E, Tourkale	Snow	Carol	Campbell J	OR	97132	334 E Chandler I Numburg	OR	97132	2019	R-1
712238	2	1713	6695	328 E Chandler I Numburg	Campbell, James Campbell, Judy I, Judy	Campbell	James	Brooks	OR	97132	328 E Chandler I Numburg	OR	97132	2019	R-1
712340	2	1713	6741	320 E Chandler I Numburg	Brooks, James R Brooks, Valerie A Valdele	Brooks	James	Brooks	OR	97132	320 E Chandler I Numburg	OR	97132	2019	R-1
712342	2	1745	6242	312 E Chandler I Numburg	Manigg, Trevor S Manigg, Lauren Leauran	Manigg	Trevor	Manigg	OR	97132	312 E Chandler I Numburg	OR	97132	2019	R-1
712344	2	1713	6250	302 E Chandler I Numburg	Orzoco, Kathleen E	Orzoco	Kathleen	Orzoco	OR	97132	302 E Chandler I Numburg	OR	97132	2019	R-1
712346	2	1745	6250	242 E Chandler I Numburg	Burnows, John W Burnows, Taylor T Taylor	Burnows	John	Burnows	OR	97132	242 E Chandler I Numburg	OR	97132	2019	R-1
712348	2	1713	6250	202 E Chandler I Numburg	Armstrong, Jillii Jo, Deanna K, Deanna	Armstrong	Jillii	Armstrong	OR	97132	202 E Chandler I Numburg	OR	97132	2019	R-1
712350	2.5	2564	6250	222 E Chandler I Numburg	Potter, Samuli S Potter, Angeli M Angeli	Potter	Samuli	Potter	OR	97132	222 E Chandler I Numburg	OR	97132	2019	R-1
712352	2.5	2162	7808	212 E Chandler I Numburg	Koesters, Kody J Koesters, Janelle	Koesters	Kody	Koesters	OR	97132	212 E Chandler I Numburg	OR	97132	2019	R-1
712354	3.5	2066	8638	3861 N Jones St Numburg	Robinson, Melissa	Robinson	Melissa	Robinson	OR	97132	3861 N Jones St Numburg	OR	97132	2019	R-1
712356	2	2541	7474	3873 N Jones St Numburg	Kozushko, Peter Kozushko, Clare Clare-Lee	Kozushko	Peter	Kozushko	OR	97132	3873 N Jones St Numburg	OR	97132	2019	R-1
712358	2.5	2650	6904	3881 N Jones St Numburg	Sheadman-Holly, J Revy Liking Trud	Sheadman-Holly	J	Sheadman-Holly	OR	97132	3881 N Jones St Numburg	OR	97132	2019	R-1
712360	2.5	3209	7139	105 E Chandler I Numburg	Thomas, Mark A, Thomas, Chelsea Chelsea	Thomas	Mark	Thomas	OR	97132	105 E Chandler I Numburg	OR	97132	2019	R-1
712362	2.5	2162	8167	111 E Chandler I Numburg	Grandfield, Danae	Grandfield	Danae	Grandfield	OR	97132	111 E Chandler I Numburg	OR	97132	2019	R-1
712364	2.5	2462	6115	205 E Chandler I Numburg	Pono, Eric Pono, Amy	Pono	Eric	Pono	OR	97132	205 E Chandler I Numburg	OR	97132	2019	R-1
712366	2	1713	6919	215 E Chandler I Numburg	Grall, Kenneth J Grall, Brenda L, Brenda	Grall	Kenneth	Grall	OR	97132	215 E Chandler I Numburg	OR	97132	2019	R-1
712368	2	1746	6116	225 E Chandler I Numburg	Wall, Caryn E Wall, Craig A, Craig	Wall	Caryn	Wall	OR	97132	225 E Chandler I Numburg	OR	97132	2019	R-1
712370	2	1713	6298	233 E Chandler I Numburg	Meahnt, Matthew H	Meahnt	Matthew	Meahnt	OR	97132	233 E Chandler I Numburg	OR	97132	2019	R-1
712372	2	1713	6660	245 E Chandler I Numburg	Bennell, Francis Bennell, Ann Mar Ann	Bennell	Francis	Bennell	OR	97132	245 E Chandler I Numburg	OR	97132	2019	R-1
712374	2	1745	6270	305 E Chandler I Numburg	Bansley, David W Bansley, Rebecca Rebecca	Bansley	David	Bansley	OR	97132	305 E Chandler I Numburg	OR	97132	2019	R-1
712376	2.5	2162	6667	316 E Chandler I Numburg	Quinn, Paul A Quinn, Shari L, Shari	Quinn	Paul	Quinn	OR	97132	316 E Chandler I Numburg	OR	97132	2019	R-1
712378	1	1713	6667	3895 N Chase St Numburg	Henderson, Bryo Henderson, Rhyl Rhonda	Henderson	Bryo	Henderson	OR	97132	3895 N Chase St Numburg	OR	97132	2021	R-1
712380	3.5	2642	6663	235 E Taylor Dr Numburg	Boucher, Daniel Dungen, Debra L Debra	Boucher	Daniel	Boucher	OR	97132	235 E Taylor Dr Numburg	OR	97132	2021	R-1
712382	2.5	2683	6636	235 E Taylor Dr Numburg	David, Jared Davis, Kelsey	David	Jared	David	OR	97132	235 E Taylor Dr Numburg	OR	97132	2021	R-1
712384	1.5	2528	4900	227 E Taylor Dr Numburg	Keller, Steven Tr Keller, Linda Tru-Linda	Keller	Steven	Keller	OR	97132	227 E Taylor Dr Numburg	OR	97132	2021	R-1
712386	2.5	2683	4748	215 E Taylor Dr Numburg	Fik, Laura Fik, Brent	Fik	Laura	Fik	OR	97132	215 E Taylor Dr Numburg	OR	97132	2021	R-1
712388	2	2674	7801	240 E Taylor Dr Numburg	Glumont, Dan	Glumont	Dan	Glumont	OR	97132	240 E Taylor Dr Numburg	OR	97132	2021	R-1
712390	2	2674	6172	232 E Taylor Dr Numburg	Bay, Todd M	Bay	Todd	Bay	OR	97132	232 E Taylor Dr Numburg	OR	97132	2021	R-1
712392	2	2674	6884	224 E Taylor Dr Numburg	Riggs, Douglas Riggs, Erica A, Erica A	Riggs	Douglas	Riggs	OR	97132	224 E Taylor Dr Numburg	OR	97132	2021	R-1
712394	2	2674	6703	212 E Taylor Dr Numburg	Vinson, Leanne Vinson, Justin	Vinson	Leanne	Vinson	OR	97132	212 E Taylor Dr Numburg	OR	97132	2021	R-1
712834	2	2674	6272	206 E Taylor Dr Numburg	Rudnick, Paul Rudnick, Kallin Kallin	Rudnick	Paul	Rudnick	OR	97132	206 E Taylor Dr Numburg	OR	97132	2021	R-1
712836	2	2674	6928	128 E Taylor Dr Numburg	Hunt, Owen E Hunt, Casia N, Casia	Hunt	Owen	Hunt	OR	97132	128 E Taylor Dr Numburg	OR	97132	2021	R-1
712838	2	2674	8661	110 E Taylor Dr Numburg	Bradshaw, Julie Bradshaw, Sishi Sishi	Bradshaw	Julie	Bradshaw	OR	97132	110 E Taylor Dr Numburg	OR	97132	2021	R-1
712854	2	3801	6734	102 W Taylor Ct Numburg	Lucasou, John Lucasou, Georgi Georgina	Lucasou	John	Lucasou	OR	97132	102 W Taylor Ct Numburg	OR	97132	2019	R-1



**TICOR TITLE™**

This map/plat is being furnished as an aid in locating the herein described land in relation to adjoining streets, natural boundaries and other land, and is not a survey of the land depicted. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the company does not insure dimensions, distances, location of easements, acreage or other matters shown thereon.



R3207AB08100  
NEWBERG CITY OF  
PO BOX 970  
NEWBERG OR 97132

R320701000  
CHEHALEM PARK & RECREATION  
DISTRICT  
ATTN: BROWN ALLYN ATTORNEY  
NEWBERG OR 97132

R3207AC00100  
KEVIN FISH  
SANDRA FISH  
3841 JONES ST  
NEWBERG OR 97132

R3207AD03200  
DEBBIE ALGA  
3622 MORRIS ST  
NEWBERG OR 97132

R3207AC00321  
ERIC DOUBET  
KELSEY DOUBET  
3537 MORRIS ST  
NEWBERG OR 97132

R3207AC00322  
CAROL HOWARD  
322 HILLTOP DR  
NEWBERG OR 97132

R3207AC00323  
BRANDON BAXTER  
SIOBHAN BAXTER  
314 HILLTOP DR  
NEWBERG OR 97132

R3207AC00324  
WENDY GREGOR  
306 HILLTOP DR  
NEWBERG OR 97132

R3207AC00325  
WOOD LIVING TRUST  
224 HILLTOP DR  
NEWBERG OR 97132

R3207AC00326  
JOHNATHAN BROSE  
COURTNEY MERRIOTT  
212 HILLTOP DR  
NEWBERG OR 97132

R3207AC00327  
JAMES SEELEY  
JUDY SEELEY  
204 HILLTOP DR  
NEWBERG OR 97132

R3207AC00328  
MICHAEL VANGRUNSVEN  
JERI VANGRUNSVEN  
3615 MORRIS ST  
NEWBERG OR 97132

R3207AC00329  
ARNOLD TURNER III  
RENEE TURNER  
323 HILLTOP DR  
NEWBERG OR 97132

R3207AC00330  
MICHAEL RENNICK  
PEGGY RENNICK  
315 HILLTOP DR  
NEWBERG OR 97132

R3207AC00331  
ETHAN MOSER  
REBECCA MOSER  
301 HILLTOP DR  
NEWBERG OR 97132

R3207AC00332  
BRYAN DANIELSON  
SARAH BARBER  
227 HILLTOP DR  
NEWBERG OR 97132

R3207AC00333  
BRIAN MILBOURN  
ALEXANDRA MILBOURN  
213 HILLTOP DR  
NEWBERG OR 97132

R3207AC00334  
JAMES NEWMAN  
JAYME NEWMAN  
201 HILLTOP DR  
NEWBERG OR 97132

R3207AC00335  
BRENT GUTHRIE  
JO EMMA  
3619 JONES ST  
NEWBERG OR 97132

R3207AC00336  
ROGER SHARP  
MARY JO SHARP  
3607 JONES ST  
NEWBERG OR 97132

R3207AD03100  
CATHY HOLBROOK  
3870 MORRIS ST  
NEWBERG OR 97132

R3207AC00103  
JAMES MACNAIR  
AMY MACNAIR  
3203 SOLSTICE LN  
NEWBERG OR 97132

R3207AC00104  
TRAVIS SMITH  
3801 JONES ST  
NEWBERG OR 97132

R3207AC00105  
JURAN LIVING TRUST  
3723 JONES ST  
NEWBERG OR 97132

R3207AC00106  
MICHAEL CASADY  
MARY CASADY  
3701 JONES ST  
NEWBERG OR 97132

R3207AC00107  
CHEHALEM PARK & RECREATION  
DISTRICT  
414 1ST ST  
NEWBERG OR 97132

R3207AC00108  
HOWARD FAMILY TRUST  
512 MOUNTAIN VIEW RD  
EL CAJON CA 92021

R3207AC00109  
BRIAN ERNST  
VANESSA ERNST  
212 NATALIE DR  
NEWBERG OR 97132

R3207AC00110  
JILLIAN FELIZARTA  
WILFRED FELIZARTA  
224 NATALIE DR  
NEWBERG OR 97132

R3207AC00111  
CAITLIN JOHNSON  
236 NATALIE DR  
NEWBERG OR 97132

R3207AC00112  
RONALD CARR  
MARSHA CARR  
304 NATALIE DR  
NEWBERG OR 97132

R3207AC00113  
GEORGE BURNSIDE  
CAROL BURNSIDE  
312 NATALIE DR  
NEWBERG OR 97132

R3207AC00114  
ARNOLD RAHIER  
SHIRLEY RAHIER  
311 NATALIE DR  
NEWBERG OR 97132

R3207AC00115  
ROBERT DAVIS  
GLORIA DAVIS  
3824 SHELLY CT  
NEWBERG OR 97132

R3207AC00116  
2011 MORRISSON LIVING TRUST  
3842 N SHELLY CT  
NEWBERG OR 97132

R3207AC00117  
CHRISTOPHER MYERS  
LISA MYERS  
3856 SHELLY CT  
NEWBERG OR 97132

R3207AC00119  
MARVIN BIXBY  
JUDITH BIXBY  
3823 SHELLY CT  
NEWBERG OR 97132

R3207AC00120  
LINDSAY LILLIE  
JOSHUA LILLIE  
3801 SHELLY CT  
NEWBERG OR 97132

R3207AC00121  
CHRIS DESANTO  
LAURA DESANTO  
213 NATALIE DR  
NEWBERG OR 97132

R3207AC00122  
MICHAEL THOMPSON  
VICKI THOMPSON  
3800 JONES ST  
NEWBERG OR 97132

R3207AC00123  
ALAN JONES  
1007 BUSCHMANN RD #2  
PARADISE CA 95969

R3207AC00124  
BRAD NELSON  
3842 JONES ST  
NEWBERG OR 97132

R3207AD03101  
JOHN CLEMONS  
SALLY CLEMONS  
3850 MORRIS ST  
NEWBERG OR 97132

R3207AD03102  
CHRISTOPHER STRANGE  
3800 MORRIS ST  
NEWBERG OR 97132

R3207AD03103  
RONALD AULD  
PATRICIA AULD  
411 NATALIE DR  
NEWBERG OR 97132

R3207AD03104  
RAUHA RAHKOLA  
SARAH RAHKOLA  
421 NATALIE DR  
NEWBERG OR 97132

R3207AD03108  
BOE FAMILY TRUST  
412 NATALIE DR  
NEWBERG OR 97132

R3207AD03109  
JAMES RIGHTMIRE  
JOANN RIGHTMIRE  
26045 NE VIEW CREST CT  
NEWBERG OR 97132

R3207AC00134  
EDWARD HOWARD  
KELLE HOWARD  
336 NATALIE DR  
NEWBERG OR 97132

R3207AC00135  
324 NATALIE DR  
NEWBERG OR 97132

R3207AC00136  
DONNA RAMOS  
3546 ATLAS ST  
SAN DIEGO CA 92111

R3207AC00137  
DEBRA DEL SARTO  
KYLE CHAPPELL  
331 NATALIE DR  
NEWBERG OR 97132

R3207AC00138  
CONNIE HOLLAND  
3823 MORRIS ST  
NEWBERG OR 97132

R3207AC00139  
RONALD DENNIS  
SARAH DENNIS  
3841 MORRIS ST  
NEWBERG OR 97132

R3207AC00140  
KIRBY BLANKENSHIP  
LILI BLANKENSHIP  
3861 MORRIS ST  
NEWBERG OR 97132

R3207AA03200  
PHILIP TOLLEFSON  
BEVERLY TOLLEFSON  
3941 MORRIS ST  
NEWBERG OR 97132

R3207AA03300  
CANDACE M SHUE  
KIMMEE K PATAWARAN  
3947 N MORRIS ST  
NEWBERG OR 97132

R3207AD05800  
SEAN KEETON  
JENNIFER KEETON  
3872 MORRIS ST  
NEWBERG OR 97132

R3207AD05900  
MARIKA CONRAD  
MICHAEL CONRAD  
3867 MORRIS ST  
NEWBERG OR 97132

R3207AD06000  
LISA FERNANDEZ  
JAMES RICE  
3873 MORRIS ST  
NEWBERG OR 97132



R3207AD06100  
MATTHEW BROWN  
LAUREN BROWN  
3879 MORRIS ST  
NEWBERG OR 97132

R3207AD06200  
KIAN BROWN  
BREE BROWN  
3885 MORRIS ST  
NEWBERG OR 97132

R3207AD06300  
JOHN BUEHLER  
SUSAN BUEHLER  
3891 MORRIS ST  
NEWBERG OR 97132

R3207AD06400  
ADAM PHILLIPS  
KIMBERLY PHILLIPS  
3897 MORRIS ST  
NEWBERG OR 97132

R3207AB00500  
MICHAEL CAIN  
JANET CAIN  
307 E TAYLOR DR  
NEWBERG OR 97132

R3207AB00600  
LINDSAY STOLLER  
KENNETH STOLLER  
243 E TAYLOR DR  
NEWBERG OR 97132

R3207AB00700  
KEVIN KOPPLE  
NICOLE KOPPLE  
304 E TAYLOR DR  
NEWBERG OR 97132

R3207AB00800  
JEFFREY VINSON  
HEATHER VINSON  
314 E TAYLOR DR  
NEWBERG OR 97132

R3207AB00900  
ADDISON HOLLEN  
JESSICA HOLLEN  
326 E TAYLOR DR  
NEWBERG OR 97132

R3207AB01000  
GARY BERING  
BETH BERING  
332 E TAYLOR DR  
NEWBERG OR 97132

R3207AC03900  
MELANIE MILDENBERGER  
JEFFERSON MILDENBERGER  
3896 N CHASE ST  
NEWBERG OR 97132

R3207AC04000  
KATI ZOUCHA  
CODY ZOUCHA  
3884 N CHASE ST  
NEWBERG OR 97132

R3207AC04100  
MIGUEL SALAS  
CELIA SALAS  
3878 N CHASE ST  
NEWBERG OR 97132

R3207AC04200  
CAROL SNOW  
334 E CHANDLER DR  
NEWBERG OR 97132

R3207AC04300  
JAMES CAMPBELL JR  
JUDY CAMPBELL  
328 E CHANDLER DR  
NEWBERG OR 97132

R3207AC04400  
JAMES BROOKS  
VALERIE BROOKS  
320 E CHANDLER DR  
NEWBERG OR 97132

R3207AC04500  
TREVOR MARUGG  
LAUREN MARUGG  
312 E CHANDLER DR  
NEWBERG OR 97132

R3207AC04600  
KATHLEEN OROZCO  
302 E CHANDLER DR  
NEWBERG OR 97132

R3207AC04700  
JOHN BURROWS  
TAYLOR BURROWS  
242 E CHANDLER DR  
NEWBERG OR 97132

R3207AC04800  
JUSTIN ARMSTRONG  
DEANNA JOO  
230 E CHANDLER DR  
NEWBERG OR 97132

R3207AC04900  
SAMUEL PORTER  
ANGELA PORTER  
222 E CHANDLER DR  
NEWBERG OR 97132

R3207AC05000  
KODY KOSTERS  
JANELLE KOSTERS  
212 E CHANDLER DR  
NEWBERG OR 97132

R3207AC05100  
MELISSA ROBINSON  
3861 N JONES ST  
NEWBERG OR 97132

R3207AC05200  
PETER KOZUSHKO  
CLARE-LEE KOZUSHKO  
3873 N JONES ST  
NEWBERG OR 97132

R3207AC05300  
STEADMAN HOLLY J REV LIVING  
TRUST  
3881 N JONES ST  
NEWBERG OR 97132

R3207AC05400  
MARK THOMAS  
CHELSEA THOMAS  
105 E CHANDLER DR  
NEWBERG OR 97132

R3207AC05500  
DANAE GRANDFIELD  
111 E CHANDLER DR  
NEWBERG OR 97132

R3207AC05600  
ERIC PONO  
AMY PONO  
205 E CHANDLER DR  
NEWBERG OR 97132

R3207AC05700  
KENNETH GRALL  
BRENDA GRALL  
215 E CHANDLER DR  
NEWBERG OR 97132

R3207AC05800  
CARYN WALL  
GREG WALL  
225 E CHANDLER DR  
NEWBERG OR 97132

R3207AC05900  
MATTHEW MEINERT  
233 E CHANDLER DR  
NEWBERG OR 97132

R3207AC06000  
FRANCISCO BENETTI  
ANN BENETTI  
245 E CHANDLER DR  
NEWBERG OR 97132

R3207AC06100  
DAVID BEASLEY  
REBECCA BEASLEY  
305 E CHANDLER DR  
NEWBERG OR 97132

R3207AC06200  
PAUL QUINN  
SHARI QUINN  
315 E CHANDLER DR  
NEWBERG OR 97132

R3207AC06300  
BRYON HENDERSON  
RHONDA HENDERSON  
3895 N CHASE ST  
NEWBERG OR 97132

R3207AB01100  
DANIEL BOUCHER  
DEBRA DUNGAN  
239 E TAYLOR DR  
NEWBERG OR 97132

R3207AB01200  
JARED DAVIS  
KELSEY DAVIS  
235 E TAYLOR DR  
NEWBERG OR 97132

R3207AB01300  
STEVEN KELLER  
LINDA KELLER  
227 E TAYLOR DR  
NEWBERG OR 97132

R3207AB01400  
LAURA FISK  
BRENT FISK  
215 E TAYLOR DR  
NEWBERG OR 97132

R3207AB01500  
DAN GUIMONT  
240 E TAYLOR DR  
NEWBERG OR 97132

R3207AB01600  
TODD BAY  
232 E TAYLOR DR  
NEWBERG OR 97132

R3207AB01700  
DOUGLAS RIGGS  
ERICA A RIGGS  
224 E TAYLOR DR  
NEWBERG OR 97132

R3207AB01800  
LEANNE VINSON  
JUSTIN VINSON  
212 E TAYLOR DR  
NEWBERG OR 97132

R3207AB01900  
PAUL RUDWICK  
KAITLIN RUDWICK  
206 E TAYLOR DR  
NEWBERG OR 97132

R3207AB02000  
OWEN HUNT  
CASIE HUNT  
128 E TAYLOR DR  
NEWBERG OR 97132

R3207AB02100  
JULIE BRADSHAW  
SETH BRADSHAW  
110 E TAYLOR DR  
NEWBERG OR 97132

R3207AC06400  
JOHN LUCESCU  
GEORGETA LUCESCU  
102 W TAYLOR CT  
NEWBERG OR 97132



City of Newberg Sample Posted notice for 3841 Shelly Ct.  
Notice will be the required size (min. 2'x3') and will be printed landscape on the required weatherproof material (white with black lettering). Notice to be posted at least 10 days prior to first hearing.

# Land Use Notice

**File #:** (to be assigned)

**Proposal: Operation of Vacation Rental  
Home**

**FOR FURTHER INFORMATION, CONTACT:**

City of Newberg

Community Development Department

414 E. First Street

Phone: 503-537-1240

PLANNING DIVISION FILE #: \_\_\_\_\_

**CITY OF NEWBERG  
AFFIDAVIT OF NOTICING**

**REFERENCE ATTACHED LIST(S)/NOTICE(S)**

I, JULIE GIFFIN, do hereby certify that the attached Notice of Land Use Action was:

- a) mailed to the following list of property owners, by United States mail, postage prepaid  
on \_\_\_\_\_;  
(date)
- b) posted on the site according to standards established in Newberg Development Code §15.100.260  
on \_\_\_\_\_.  
(date)

I acknowledge that failure to mail the notice in a timely manner constitutes an agreement by the applicant to defer the 120-day process limit and acknowledge that failure to mail will result in the automatic postponement of a decision on the application 15.100.210.(D)(2) \_\_\_\_\_.  
(date)

\_\_\_\_\_  
Signature Date

\_\_\_\_\_  
Print name



**AFTER RECORDING RETURN TO:**  
City of Newberg  
Community Development Department  
PO Box 970 – (414 E. First Street)  
Newberg, OR 97132

---

## COVENANT OF WAIVER OF RIGHTS AND REMEDIES

### Recitals

- 1) The undersigned, Dave Hendry and Ellen Hendry (hereinafter referred to as "Owner" or "Owners") has/have petitioned the City of Newberg (hereinafter referred to as "City") to commence certain proceedings, relating to operation of vacation rental for the real property described in **Exhibit A** which is attached hereto and incorporated herein.
- 2) Pursuant to the enactment of **Ballot Measure 49** (adopted November 6, 2007), if a public entity enacts one or more land use regulations that restrict the residential use of private real property or a farming or forest practice and that reduce the fair market value of the property, then the owner of the property shall be entitled to just compensation from the public entity that enacted the land use regulation or regulations as provided in Measure 49.
- 3) There is the potential that the Oregon electors or the Oregon Legislature may, in the future, enact further statutory or constitutional amendments relating to compensation for the impact of local regulations upon real property, under certain circumstances.
- 4) City does not wish to approve the Owner's/Owners' requested proceedings if the result would or could arguably give rise to a later claim by the Owner or Owners, or the Owner's/Owners' successors or assigns for compensation for the land use regulations in effect upon the effective date of the proceedings, or would or could arguably require the City to waive the City's land use regulations in effect upon the effective date of the proceedings, which are being newly imposed upon the property by reason and result of the proceedings.
- 5) Owner(s) seek(s) to induce the City to proceed with the proceedings and therefore Owner(s) agree(s) to eliminate the potential of claim for compensation or the right to seek waiver from the City's land use regulations existing as of the effective date of the proceedings.

**NOW THEREFORE**, the undersigned Owner(s) warrant(s) that the Owner(s) executing this covenant hold(s) the full and complete present ownership or any interest therein in the property, and hereby agree(s) and covenant(s) as follows:

- 1) As inducement to the City to proceed with the following proceeding(s) affecting the subject real property: \_\_\_\_\_, which may include designation of the property as subject to additional applicable overlay zones and districts, e.g., Limited Use Overlay District, (all inclusively referred to herein as "proceedings"), the undersigned Owner(s), on behalf of Owner(s), Owner's/Owners' heirs, devisees, executors, administrators, successors and assigns, agree(s) and covenant(s) to the City of Newberg, its officers, agents, employees and assigns that the undersigned hereby remises, waives, releases and forever discharges, and agrees that Owner(s) shall be estopped from asserting any rights and remedies, actions, causes of action, suits, claims, liabilities, demands, and rights to waivers arising under or granted by any statutory or constitutional regulatory compensation or waiver provisions, including but not limited to Ballot Measure 49 (2007) or otherwise enacted after the date of this proceeding which would create a right of claim for compensation or waiver from City land use regulations that exist upon the effective date of the proceeding and which, by the approval of the proceeding, are then applicable to the property.
- 2) This waiver and release shall bind the undersigned's heirs, devisees, executors and administrators, successors in interests, and assigns. This covenant, waiver, release and discharge shall run with the land, and this instrument, or a memorandum hereof, may be recorded in the official records of the County in which the subject real property is located. This instrument may be terminated upon the filing of a Notice of Termination of Covenant filed by the City of Newberg.

- 3) If this instrument is given contemporaneous with a consent to future proceedings to be initiated by the City, Owner(s) acknowledge(s) that the proceedings may be initiated by the City of Newberg at any time in the discretion of the City of Newberg, and that this waiver and release is applicable to any ordinances adopted prior to the effective date of the proceeding.
- 4) This document is executed of my/our own free will and without duress. I, or if more than one, each of us respectively acknowledge that I/we have been advised to obtain legal advice prior to the execution of this document, and that either I, or each of us respectively, have either obtained legal advice or have independently elected not to seek legal advice prior to the execution of this document, recognizing that this document may affect my/our legal rights and remedies.

OWNER

OWNER

\_\_\_\_\_

\_\_\_\_\_

STATE OF OREGON )

) ss.

County of Yamhill )

This instrument was acknowledged before me on this \_\_\_\_ day of \_\_\_\_\_, 202\_\_\_\_, by \_\_\_\_\_ and \_\_\_\_\_.

\_\_\_\_\_  
 Notary Public for Oregon  
 My Commission expires: \_\_\_\_\_

CITY OF NEWBERG

APPROVED AS TO FORM:

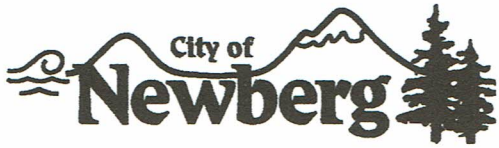
\_\_\_\_\_  
 Sue Ryan , City Recorder

\_\_\_\_\_  
 James Walker, City Attorney

Dated: \_\_\_\_\_

Dated: \_\_\_\_\_





## 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)

### WE WANT YOUR COMMENTS ON A PROPOSED VACATION RENTAL IN YOUR NEIGHBORHOOD

A property owner in your neighborhood submitted an application to the City of Newberg for a Vacation Rental. You are invited to take part in the City's review of this project by sending in your written comments. For more details about giving comments, please see the back of this sheet.

The Vacation Rental will provide a place for families and couples when visiting Newberg, the Willamette Valley and all that it has to offer, when the owners are not in residence. This home allows a maximum of 8 occupants and will serve as a vacation rental year-round. The property will be managed locally by the applicant listed below. The owners will employ a landscaping service to maintain the property as well as a cleaning service to clean and maintain the home. There are several off-street parking spots provided, with 2 in the driveway, 2 in the garage and 2 alongside of the house.

APPLICANT: *Julie Foster Giffin*  
TELEPHONE: *818-468-4266*

PROPERTY OWNER: *David & Ellen Hendry*

LOCATION: *3841 Shelly Ct, Newberg, OR 97132*

TAX LOT NUMBER: *Yamhill County Tax Map and Lot Number R3207AC 00118*



We are mailing you information about this project because you own land within 500 feet of the proposed new project. We invite you to send any written comments for or against the proposal within 14 days from the date this notice is mailed.

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

Written Comments: File No.XX **(City staff will give you the file number for  
City of Newberg your project at the time of application)**  
Community Development Department  
PO Box 970  
Newberg, OR 97132

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. If you have any questions about the project, you can call the Newberg Planning Division at 503-537-1240.

All written comments must be turned in by 4:30 p.m. on **enter date two weeks from date you mailed notice.** Any issue which might be raised in an appeal of this case to the Land Use Board of Appeals (LUBA) must be submitted to the City in writing before this date. 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 design review approval are found in Newberg Development Code 15.220.050(B).

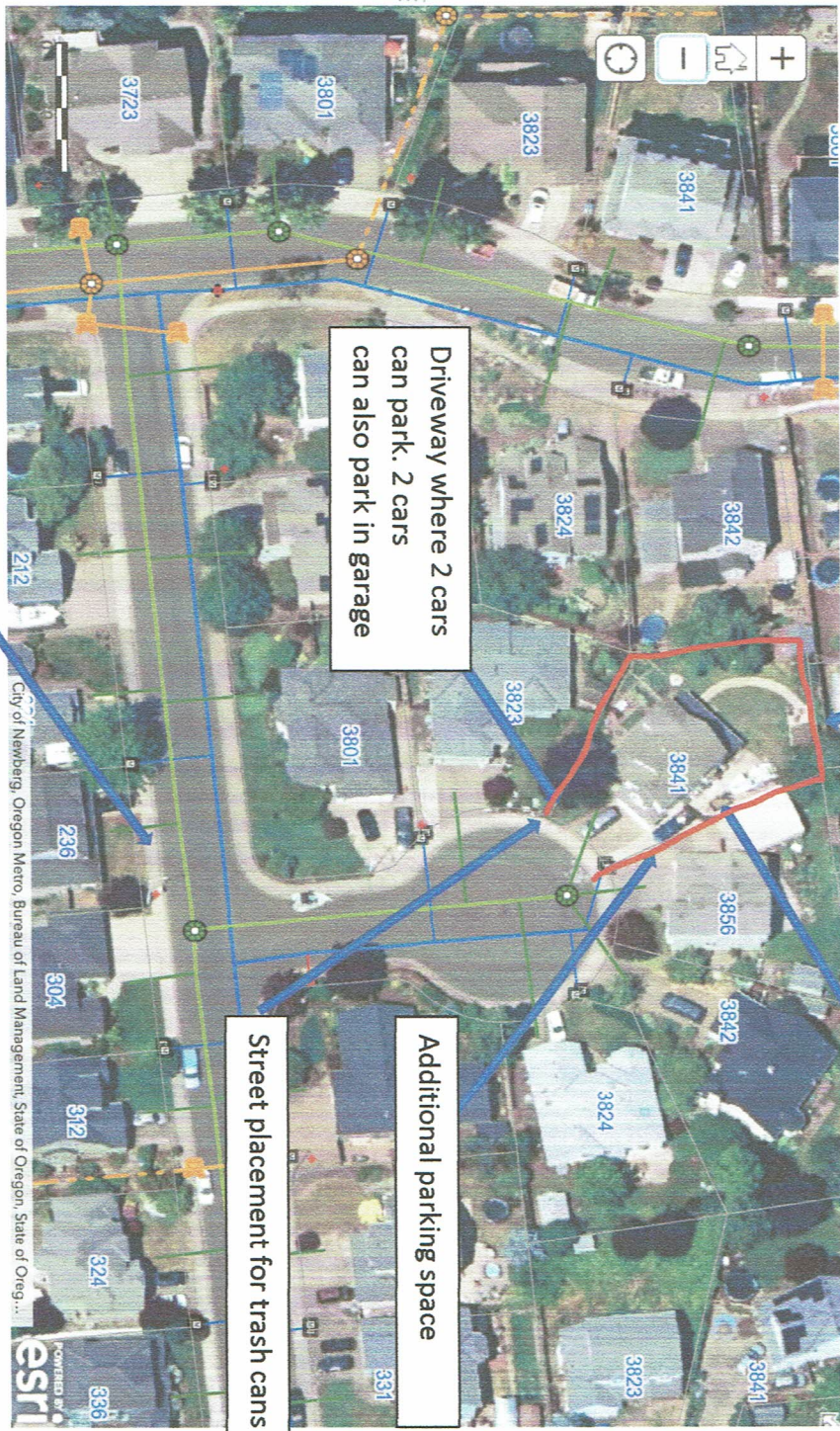
The Community Development Director will make a decision at the end of a 14-day comment period. If you send in written comments about this project, you will be sent information about any decision made by the City relating to this project.

Date Mailed: ***Date notice is mailed***



# Public Utilities Map City of Newberg (3841 Shelly Ct)

- Legend
    - Wastewater Mains
      - Abandoned
      - Removed
      - Force Main
      - Gravity Main
    - Wastewater Laterals
      - Abandoned
      - Active
      - Proposed
      - Removed
    - Water Meters
- [Help](#)
[Trust Center](#)
[Legal](#)
[Report Abuse](#)
[Contact Us](#)
[Contact Esri](#)



Garden/storage shed

Trash receptacle Storage  
alongside house.  
Additional parking space

Driveway where 2 cars  
can park. 2 cars  
can also park in garage

Additional parking space

Street placement for trash cans

Mailbox bank for cul de sac



# Public Utilities Map City of Newberg (3841 Shelly Ct)

Legend

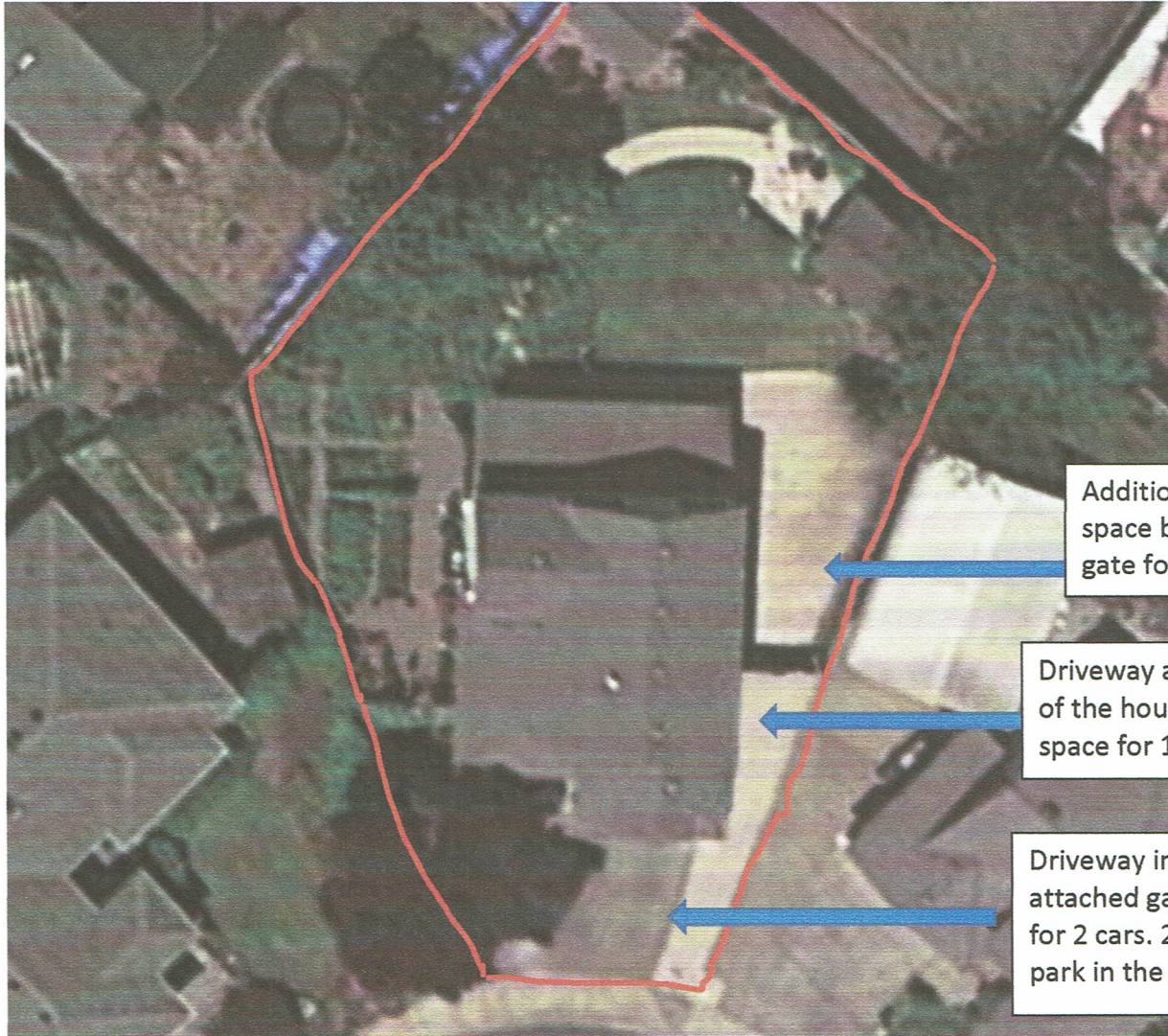
- Wastewater Mains
  - Abandoned
  - Removed
  - Force Main
  - Gravity Main
- Wastewater Laterals
  - Abandoned
  - Active
  - Proposed
  - Removed
- Water Meters

Help Trust Center Legal  
Report Abuse Contact Us

Contact Esri







Additional parking space beyond the gate for 1 car.

Driveway alongside of the house with space for 1 car.

Driveway in front of attached garage with space for 2 cars. 2 cars may also park in the garage.

3841 Shelly Ct, Newberg, OR 97132  
8,276 Sq Foot Lot  
1,846 Sq Foot Home  
Built 1996  
2 Stories

4 Bedrooms  
2 ½ Bathrooms  
Forced Air, Hot Water  
Central A/C  
Attached 2 car garage

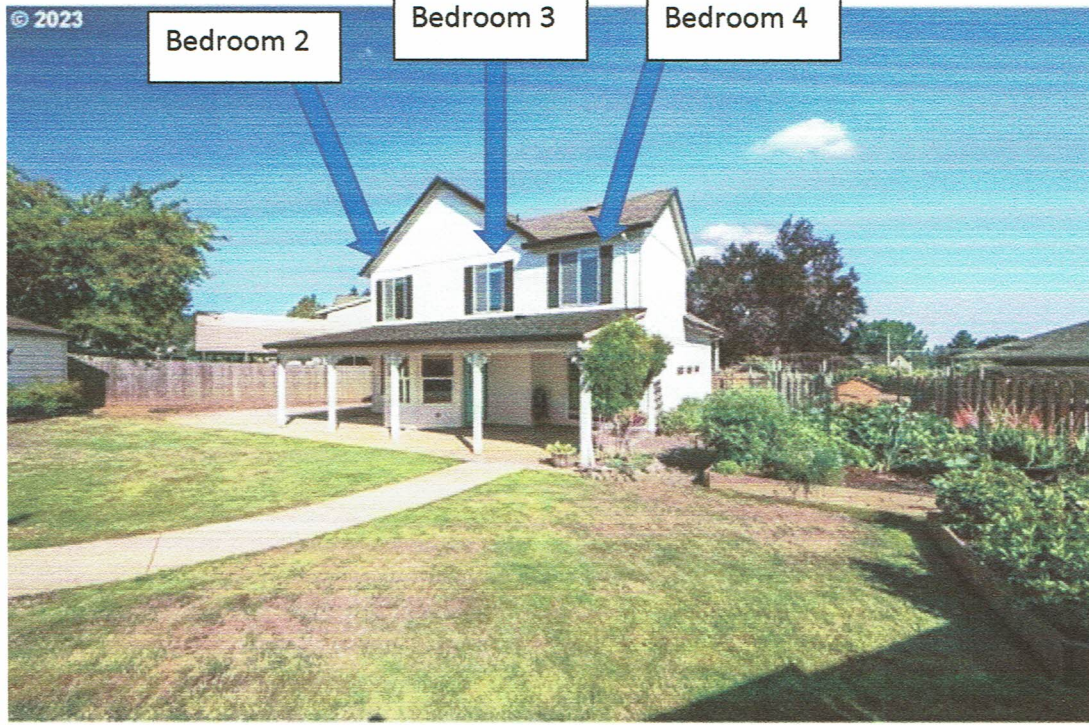




Primary/Master  
Bedroom and Bathroom

Exterior front of  
House

Front Entrance



Exterior rear of  
House

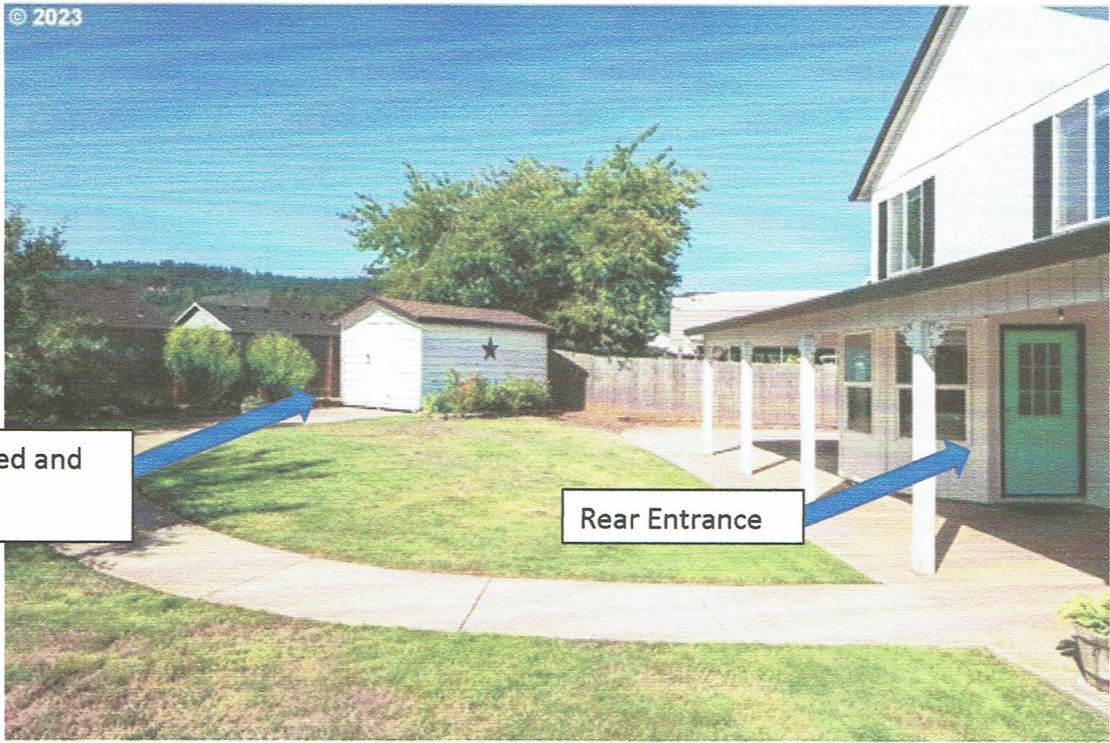
Bedroom 2

Bedroom 3

Bedroom 4

© 2023





Garden Shed and Storage

Rear Entrance

Exterior rear of House



Trash receptacles

Additional Parking

Exterior rear of House





Living Room



Living Room,  
Dining Room,  
Slider to back  
yard



© 2023



Kitchen and  
Breakfast Nook

© 2023



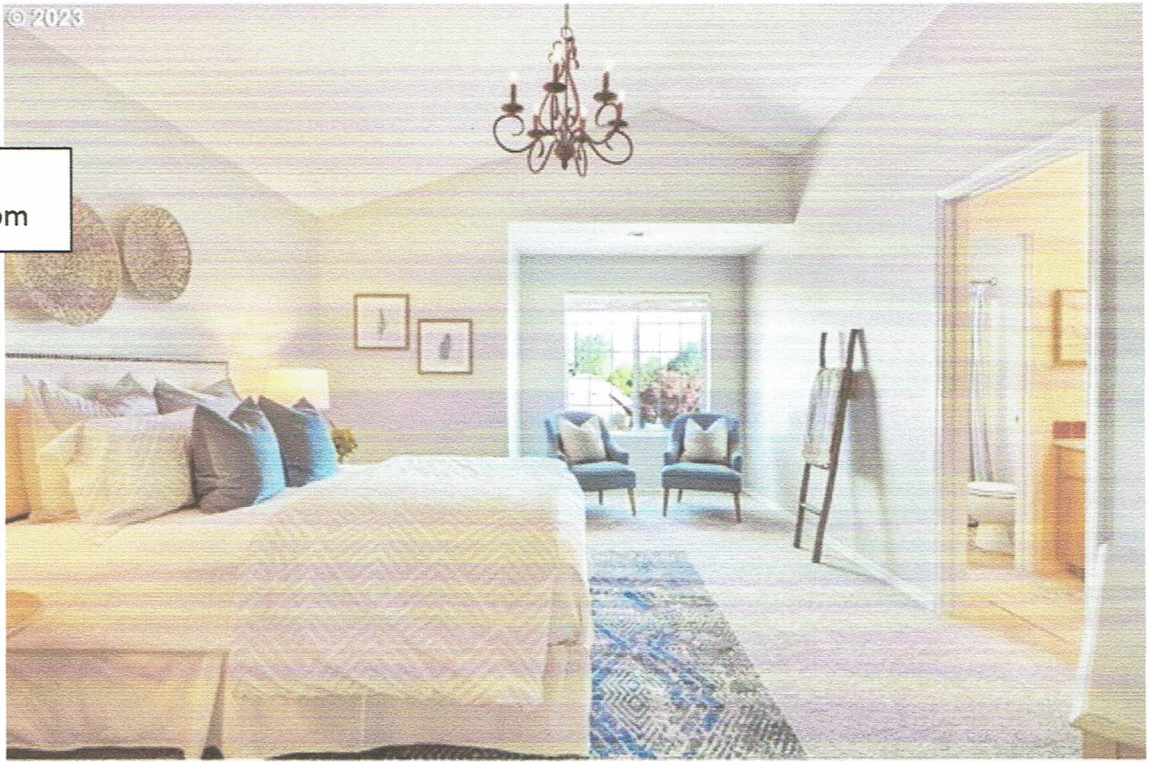
Kitchen, Breakfast  
Nook & Great Room





Downstairs half  
Bathroom





Primary/Master  
Bedroom & Bathroom



Bedroom 2



Bedroom 3



Bedroom 4





Upstairs Guest  
Bathroom





# Yamhill County, Oregon

*'In the heart of the Willamette Valley'*

535 NE 5th Street  
McMinnville, OR 97128  
503-434-7521

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[Property Search](#) > [Search Results](#) > [Property Summary](#)

## Property Account Summary

Application for 4 bedroom/8 vacation rental occupants, however assessor data indicates 3 bedrooms. Applicant may submit evidence of additional approved bedrooms, otherwise will be processed as 3 bedrooms. - JD

8/28/2023



image above for more information

Account Number	504175	Property Address	3841 SHELLY CT , NEWBERG, OR 97132
----------------	--------	------------------	------------------------------------

### General Information

Alternate Property #	R3207AC 00118
Property Description	Lot 18 in NATALIE PARK
Property Category	Land &/or Buildings
Status	Active, Locally Assessed
Tax Code Area	29.0
Remarks	

### Tax Rate

Description	Rate
Total Rate	15.9373

### Property Characteristics

Neighborhood	Newberg General
Land Class Category	101 Res Improved
Account Acres	0.1888
Square Feet	8225.0000
Change Property Ratio	Residential

### Parties

Role	Name
Owner	SMITH LIVING TRUST
Owner	HOFFMAN LIVING TRUST
Owner	TSOHANTARIDIS HEIDI TRUSTEE



07/01/2005	07/01/2005	2005-13794	\$257,500.00	126051		S	No
01/16/1997	01/16/1997	1997-00840	\$186,082.00	85514		S	No
08/15/1996	08/15/1996	1996-13426	\$100,000.00	83397		S	No

### Property Details

Living Area Sq Ft	Manf Struct Size	Year Built	Improvement Grade	Stories	Bedrooms	Full Baths	Half Baths
1846	0 X 0	1996	4	2	3	2	1

[Printable Version](#)

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ADMINISTRATIVE INFORMATION

OWNERSHIP

Tax ID R3207AC 00118

Printed 09/01/2023 Card No. 1 of 1

PARCEL NUMBER  
504175

Parent Parcel Number

Property Address  
3841 SHELLY CT

Neighborhood  
60701010 Newberg General

Property Class  
101 101 Res Improved

TAXING DISTRICT INFORMATION

Jurisdiction 36

Area 001

District 29.0

Section & Plat R3207-1

Routing Number 6

[REDACTED]

3841 SHELLY CT  
NEWBERG, OR 97132 USA  
Lot 18 in NATALIE PARK

TRANSFER OF OWNERSHIP

Date		
08/18/2023	SMITH LIVING TRUST & HOFFMAN LIVING Doc #: 276757	\$581500
05/06/2020	TSOHANTARIDIS HEIDI & DEMETRIUS Doc #: 262791	\$0
01/29/2015	FEDERAL HOME LOAN MO Doc #: 165219	\$264900
08/13/2014	TEATRO BARBARA Doc #: 163261	\$10
08/13/2014	TEATRO BARBARA Doc #: 163260	\$241398

# RESIDENTIAL

VALUATION RECORD

Assessment Year		01/01/2020	01/01/2021	01/01/2021	01/01/2022	01/01/2022	01/01/2023	01/01/2023
Reason for Change		RATIO	Aprsl Updt	RATIO	Aprsl Updt	RATIO	Aprsl Updt	RATIO
VALUATION	L	209611	202534	205999	203700	203700	235724	235724
MARKET VALUE	B	188203	230391	216512	245658	280356	263309	263309
	T	397814	432925	422511	449358	484056	499033	499033
VALUATION	L	0	0	0	0	0	0	0
LAND USE	B	188203	230391	216512	245658	280356	263309	263309
	T	188203	230391	216512	245658	280356	263309	263309

LAND DATA AND CALCULATIONS

Rating	Measured	Table	Prod. Factor				Influence	Value
Soil ID	Acreage		-or-	Base	Adjusted	Extended	Factor	
-or-	-or-		Depth Factor	Rate	Rate	Value		
Actual	Effective	Effective	-or-					
Frontage	Frontage	Depth	Square Feet					
Land Type								
Zoning:	2 SITE			23.07	23.07	189774		[REDACTED]
Legal Acres:	3 ON SITE DEVELOPMENT	97	1.00	45950.00	45950.00	45950		[REDACTED]
0.0000								

RA20: 8/15/19 AVERAGE COND. NVC. MA  
 RNOT: Real Property Appraisal Note  
 6/01 AVG YD IMPS ADDED. PORCH IN CLASS. SD  
 12/23/15 MAILING ADDRESS CHANGE. SED

Supplemental Cards

Supplemental Cards

MEASURED ACREAGE 0.1888

TRUE TAX VALUE [REDACTED]

Supplemental Cards  
TOTAL LAND VALUE [REDACTED]



IMPROVEMENT DATA

01

PHYSICAL CHARACTERISTICS

Style: 2 Story  
Occupancy: Single family  
Story Height: 2  
Finished Area: 1846  
Attic: None  
Basement: None

ROOFING

Material: Comp Shingle heavy arch  
Type: Gable  
Framing: Std for class  
Pitch: Not available

FLOORING

16 OWJ+plywd sub 1.0, 2.0  
Carpet 1.0, 2.0

EXTERIOR COVER

Masonite 1.0, 2.0  
T 111 plywood 1.0, 2.0

INTERIOR FINISH

Drywall 1.0, 2.0

ACCOMMODATIONS

Finished Rooms 4  
Bedrooms 4  
Fireplaces: 1

HEATING AND AIR CONDITIONING

Primary Heat: Forced hot air & cool  
Lower Full Part  
/Bsmt 1 Upper Upper  
Air Cond 0 926 920 0

PLUMBING

#  
3 Fixt. Baths 2 6  
2 Fixt. Baths 1 2  
Kit Sink 1 1  
Water Heat 1 1  
TOTAL 10

REMODELING AND MODERNIZATION

Amount Date

Construction	Base Area	Floor Area	Finished Area	Sq Ft	Value
24 Wood - Double F	926	1.0	926		76890
24 Wood - Double F	920	2.0	920		49910
		0 Crawl	----		0
TOTAL BASE					126800
Row Type	Adjustment				1.00%
SUB-TOTAL					126800
0 Interior Finish					0
0 Ext Lvg Units					0
0 Basement Finish					0
Fireplace(s)					2320
Heating					4880
Air Condition					0
Frame/Siding/Roof					530
Plumbing Fixt: 10					4700
Other Features					1080
SUB-TOTAL ONE UNIT					140310
SUB-TOTAL 0 UNITS					140310
Exterior Features					
Description	Value	Garages			
RFX	3000	0 Integral	0		
		399 Att Garages	21920		
		0 Att Carports	0		
		0 Bsmt Garage	0		
		Ext Features	3000		
SUB-TOTAL					165230
Quality Class/Grade					4
GRADE ADJUSTED VALUE					165230

(LCM: 100.00)

SPECIAL FEATURES

Description	Value
D :CTFORM	0
DISHWSHR	480
DISPOSER	150
FPG	2320
KCHRDWD	0
MICRO	450
G01:IF2	3

SUMMARY OF IMPROVEMENTS

Description	Value	ID	Use	Stry Hgt	Const Type	Grade	Year Const	Eff Year	Cond	Base Rate	Feat-ures	Adj Rate	Size or Area	Computed Value	Phys Depr	Obsol Depr	Market Adj	% Comp	Value
D :CTFORM	0	D	DWELL	2.00		4	1996	1996	AV	0.00	Y	0.00	1846	██████	17	0	192	0	██████
DISHWSHR	480	G01	ATTGAR	0.00	1				AV	51.48	Y	54.93	399	██████	0	0	0	0	0
DISPOSER	150																		
FPG	2320																		
KCHRDWD	0																		
MICRO	450																		
G01:IF2	3																		

Data Collector/Date

dcs-qa 10/04/2019

Appraiser/Date

dcs-qa 10/04/2019

Neighborhood

Neigh 60701010 AV

Supplemental Cards  
TOTAL IMPROVEMENT VALUE

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