



# TYPE II APPLICATION – LAND USE

File #: PAR23-0002

**TYPES – PLEASE CHECK ONE:**

Design review

Tentative Plan for Partition

Tentative Plan for Subdivision

Type II Major Modification

Variance \_\_\_\_\_

✓ Other: (Explain) Partition Plat - Middle Housing

**APPLICANT INFORMATION:**

APPLICANT: Daniel Danicic, Yamhill Land Development Services LLC

ADDRESS: PO Box 1042 CITY: Newberg STATE: OR ZIP: 97132

EMAIL ADDRESS: djd.ylds@gmail.com PHONE: 503-476-7702 MOBILE: 503-476-7702

OWNER (if different from above): Benjamin and Allison Nelson PHONE: \_\_\_\_\_

ADDRESS: 2505 E Portland Rd CITY: Newberg STATE: OR ZIP: 97132

ENGINEER/SURVEYOR: Yamhill Land Development Services CONTACT: Daniel Danicic, PE

EMAIL ADDRESS: djd.ylds@gmail.com PHONE: 503-476-7702 MOBILE: 503-476-7702

**GENERAL INFORMATION:**

PROJECT LOCATION: 200 E 3rd Street Newberg, OR 97132 PROJECT VALUATION: \$ 10,000

PROJECT DESCRIPTION/USE: Two lot partition of residential lot under Middle Housing code criteria

MAP/TAX LOT NO. (i.e.3200AB-400): R3219AC-11600 SITE SIZE: 6360 SQ. FT.  ACRE

COMP PLAN DESIGNATION: Residential CURRENT ZONING: R1

CURRENT USE: Single Family residence and ADU

**SURROUNDING USES:**

NORTH: R1 Residential SOUTH: R1 Residential

EAST: R1 Residential WEST: R1 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 response, and other requirements per application type, turn to:

Design Review .....	p. 13
Partition Tentative Plat .....	p. 15
Subdivision Tentative Plat .....	p. 17
Variance Checklist .....	p. 20
Short-term Rental .....	p. 22

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.

10/20/23  
Applicant Signature Date

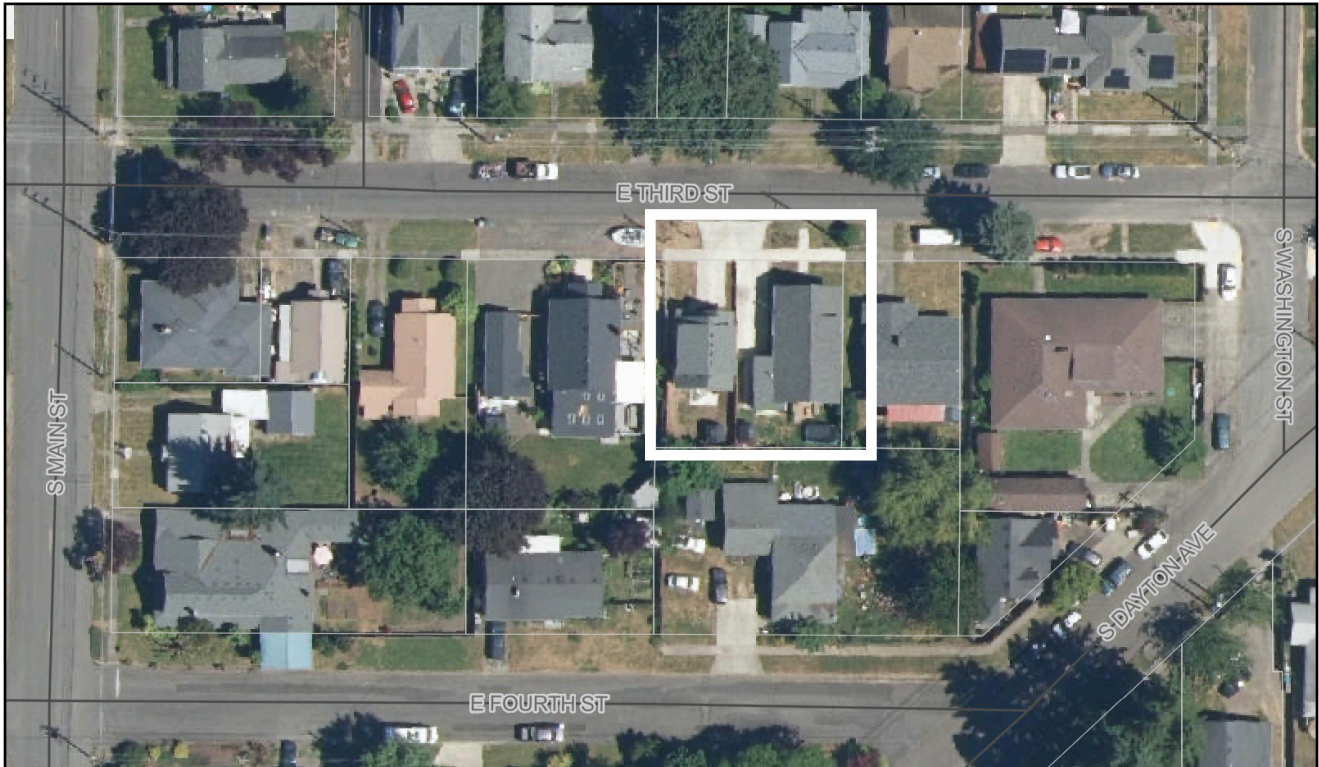
Benjamin J Nelson 10/18/2023  
Owner Signature Date

Daniel Danicic  
Print Name

Ben Nelson  
Print Name

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# Type II Preliminary Plat for Middle Housing Land Division



170/200 E 3rd St  
Newberg, OR 97132

November 27, 2023

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## **ATTACHMENTS**

- A Type II Application
- B Title report
- C TVF&R Permit
- D Public Notice Information
- E Preliminary Plat

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## PROJECT DETAILS

Applicant:	Yamhill Land Development Services LLC PO Box 1042 Newberg, OR 97132
Owner:	Benjamin and Allison Nelson 2505 E Portland Road Newberg, OR 97132
Property Description	Tax Lot R3219AC 11600 170 and 200 E THIRD ST Newberg, OR 97132
Zoning	R1
Existing Lot	6,351.61 SF
Proposed Lots	Parcel 1 2,501.23 SF Parcel 2 3,850.38 SF

## PROJECT DESCRIPTION

The property currently consist of a single family house and an accessory dwelling unit (ADU). The property owner would like to utilize the recently adopted Middle Housing land division code to create a detached duplex project separating each of the housing units onto separate lots.

## WRITTEN CRITERIA RESPONSE

### Chapter 15.405 LOT REQUIREMENTS

A. In the following districts, each lot or development site shall have an area as shown below except as otherwise permitted by this code:

1. In the R-1, R-2, R-3, R-P and AR districts, the following minimum lot area standards apply:

Zone	Minimum lot area for single family	Minimum lot area for duplex dwelling	Minimum lot area for triplex dwelling	Minimum lot area for quadplex dwelling	Minimum lot area for townhouse	Minimum lot area for cottage cluster	Minimum lot area per dwelling unit for multifamily
R-1	5,000 SF	5,000 SF	5,000 SF	7,000 SF	1,500 SF	7,000 SF	Per conditional use review

**RESPONSE:** The existing lot is 6352 SF which is greater than the required 5,000 SF for a duplex unit. Criteria is met

#### 15.405.030 Lot dimensions and frontage.

A. Width. Widths of lots shall conform to the standards of this code.

**RESPONSE:** The proposed development confirms to the width standard.

B. Depth to Width Ratio. Each lot and parcel shall have an average depth between the front and rear lines of not more than two and one-half times the average width between the side lines. Depths of lots shall conform to the standards of this code. Development of lots under 15,000 square feet are exempt from the lot depth to width ratio requirement.

**RESPONSE:** The lot is less than 15,000 sf so criteria is not applicable.

C. Area. Lot sizes shall conform to standards set forth in this code. Lot area calculations shall not include area contained in public or private streets as defined by this code.

**RESPONSE:** The lot sizes conform to standards set forth on this code, see below.

D. Frontage.

1. No lot or development site shall have less than the following lot frontage standards:

a. Each lot or development site shall have either frontage on a public street for a distance of at least 25 feet or have access to a public street through an easement that is at least 25 feet wide. No new private streets, as defined in NMC 15.05.030, shall be created to provide frontage or access except as allowed by NMC 15.240.020(L)(2).

**RESPONSE:** Each proposed lot has frontage greater than 25 ft. Criteria met.

*c. Each lot in R-1 zone shall have a minimum width of 35 feet at the front building line and AI or RP shall have a minimum width of 50 feet at the front building line.*

**RESPONSE:** Parcel 2 has a width of 48.55 ft at the building line which meets this criteria. Parcel 1 has a width of 31.50 ft which is 9% less than the required 35 ft. A Type I Code Adjustment application has been submitted concurrently with this application to approve the reduced measurement.

**15.405.040 Lot coverage and parking coverage requirements.**

*B. Residential uses in residential zones shall meet the following maximum lot coverage and parking coverage standards; however, cottage cluster projects shall be exempt from the standards. See the definitions in NMC 15.05.030 and Appendix A, Figure 4.*

*1. Maximum Lot Coverage. a. R-1: 40 percent, except:*

- i. Fifty percent if all structures on the lot are one story; and*
- ii. Sixty percent for townhouse dwellings. b. R-2 and RP: 60 percent.*
- c. AR and R-3: 60 percent.*

*2. Maximum Parking Coverage. R-1, R-2, R-3, and RP: 30 percent. 3. Combined Maximum Lot and Parking Coverage.*

- a. R-1: 60 percent.*
- b. R-2, R-3, RP and townhouse dwellings in R-1: 70 percent.*

*3. Combined Maximum Lot and Parking Coverage.*

- a. R-1: 60 percent.*
- b. R-2, R-3, RP and townhouse dwellings in R-1: 70 percent.*

**RESPONSE:** Criteria is met, refer to table below for lot coverage calculations.

	Lot Area (SF)	Lot Coverage (SF)		Parking Coverage (SF)		Combined Coverage (SF)	
<b>Max Allowed</b>			40%		60%		60%
<b>Parcel 1</b>	2501.23	581.26	23%	338.51	14%	919.77	35%
<b>Parcel 2</b>	3850.38	1384.56	13%	503.15	13%	1887.71	49%

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## Chapter 15.220 SITE DESIGN REVIEW

### 15.220.020 Site design review applicability.

*A. Applicability of Requirements. Site design review shall be required prior to issuance of building permits or commencement of work for all improvements noted below. Site design review permits shall be processed as either Type I or Type II, as noted below.*

*1. Type I.*

- a. Single-family dwellings;*
- b. Duplex dwellings;*
- c. Triplex dwellings;*
- d. Quadplex dwellings;*
- e. Townhouse dwellings; f. Cottage cluster projects;*

**RESPONSE:** The proposed partition application does not include any new structures requiring a building permit. Site design review criteria does not apply.

## Chapter 15.410 YARD SETBACK REQUIREMENTS

### 15.410.020 Front yard setback.

*A. Residential (see Appendix A, Figure 10).*

*1. AR, R-1 and R-2 districts shall have a front yard of not less than 15 feet. Said yard shall be landscaped and maintained.*

**RESPONSE:** The existing house on Parcel 1 has a 22ft front yard, criteria met. Parcel 2 has a 13ft front yard which is 13% less than this standard. A code adjustment for the reduced setback is included in the concurrently submitted Type I application.

*3. The entrance to a garage or carport, whether or not attached to a dwelling, shall be set back at least 20 feet from the nearest property line of the street to which access will be provided. However, the foregoing setback requirement shall not apply where the garage or carport will be provided with access to an alley only.*

**RESPONSE:** Neither newly created parcel has a garage, this criteria does not apply.

### 15.410.030 Interior yard setback.

*A. Residential.*

*1. All lots or development sites in the AR, R-1, R-2 and R-3 districts shall have interior yards of not less than five feet, except that where a utility easement is recorded adjacent to a side lot line, there shall be a side yard no less than the width of the easement.*

**RESPONSE:** The new lots have at least the minimum five foot interior yard. Criteria is met.

### 15.410.080 Middle housing land divisions.

*Applications for middle housing land divisions shall follow the yard setback requirements set forth in this chapter.*

**RESPONSE:** See responses above for compliance.

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## Chapter 15.415 BUILDING AND SITE DESIGN STANDARDS

### 15.415.020 Building height limitation.

#### A. Residential.

1. In the R-1 district, no main building shall exceed 30 feet in height, except that townhouse dwellings shall not exceed 35 feet in height.

**RESPONSE:** Both existing homes are less than 30 feet in height. Criteria is met.

### 15.415.040 Public access required.

No building or structure shall be erected or altered except on a lot fronting or abutting on a public street or having access to a public street over a private street or easement of record approved in accordance with provisions contained in this code. New private streets may not be created to provide access except as allowed under NMC 15.332.020(B)(24), 15.336.020(B)(8), and in the M-4 zone. Existing private streets may not be used for access for new dwelling units, except as allowed under NMC 15.405.030. No building or structure shall be erected or altered without provisions for access roadways as required in the Oregon Fire Code, as adopted by the city.

**RESPONSE:** Both new parcels will have direct access the a public street. Criteria is met. **Chapter**

## CHAPTER 15.420 LANDSCAPING AND OUTDOOR AREAS

### 15.420.010 Required minimum standards.

#### A. Private and Shared Outdoor Recreation Areas in Residential Developments.

1. Private Areas. Each ground-level living unit in a residential development subject to a design review plan approval shall have an accessible outdoor private space of not less than 48 square feet in area. The area shall be enclosed, screened or otherwise designed to provide increased privacy for unit residents, their guests and neighbors.

2. Individual and Shared Areas. Usable outdoor recreation space shall be provided for the individual and/or shared use of residents and their guests in any multifamily residential development, as follows:

a. One- or two-bedroom units: 200 square feet per unit.

b. Three- or more bedroom units: 300 square feet per unit.

c. Storage areas are required in residential developments. Convenient areas shall be provided in residential developments for the storage of articles such as bicycles, barbecues, luggage, outdoor furniture, and the like. These shall be entirely enclosed.

3. In the AR airport residential district a five percent landscaping standard is required with the goal of “softening” the buildings and making the development “green” with plants, where possible. The existence of the runway, taxiway, and approach open areas already provide generally for the 15 percent requirement.

**RESPONSE:** The proposed land use action is not subject to a design review process, is not a multifamily residential, nor in the AR zone, so this chapter is not applicable.



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## Chapter 15.425 EXTERIOR LIGHTING

### 15.425.040 Requirements.

#### A. General Requirements – All Zoning Districts.

1. Low-level light fixtures include exterior lights which are installed between ground level and six feet tall. Low-level light fixtures are considered nonintrusive and are unrestricted by this code.

2. Medium-level light fixtures include exterior lights which are installed between six feet and 15 feet above ground level. Medium-level light fixtures must either comply with the shielding requirements of subsection (B) of this section, or the applicant shall show that light trespass from a property has been designed not to exceed one-half foot-candle at the property line.

3. High-level light fixtures include exterior lights which are installed 15 feet or more above ground level. High-level light fixtures must comply with the shielding requirements of subsection (B) of this section, and light trespass from a property may not exceed one-half foot-candle at the property line.

**RESPONSE:** The existing exterior lighting consists of low-level lights which are deemed to be unrestricted by this code, therefore criteria is met by default.

## Chapter 15.430 UNDERGROUND UTILITY INSTALLATION

A. All new utility lines, including but not limited to electric, communication, natural gas, and cable television transmission lines, shall be placed underground. This does not include surface-mounted transformers, connections boxes, meter cabinets, service cabinets, temporary facilities during construction, and high-capacity electric lines operating at 50,000 volts or above.

B. Existing utility lines shall be placed underground when they are relocated, or when an addition or remodel requiring a Type II design review is proposed, or when a developed area is annexed to the city.

**RESPONSE:** All new utility lines will be placed underground prior to final plat approval in compliance with this code provision.

## Chapter 15.440 OFF-STREET PARKING, BICYCLE PARKING, AND PRIVATE WALKWAYS

### 15.440.010 Required off-street parking.

A. Off-street parking shall be provided on the development site for all R-1, C-1, M-1, M-2 and M-3 zones. In all other zones, the required parking shall be on the development site or within 400 feet of the development site which the parking is required to serve. All required parking must be under the same ownership as the development site served except through special covenant agreements as approved by the city attorney, which bind the parking to the development site.

**RESPONSE:** Off-street parking is provided for each of the new parcels.

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**15.440.030 Parking spaces required.**

*Use/Minimum Parking Spaces Required*

Dwelling, single-family	2 for each dwelling unit on a single lot
Dwelling, duplex	1 for each dwelling unit
Dwelling, triplex	1 for each dwelling unit Except that conversion of a detached single-family dwelling to a triplex dwelling shall not be subject to this requirement
Dwelling, quadplex	1 for each dwelling unit Except that conversion of a detached single-family dwelling to a quadplex dwelling shall not be subject to this requirement

**RESPONSE:** The proposed partition under the middle housing code is considered a detached duplex. This requires one parking space per dwelling unit which currently exists. Criteria is met

**15.440.060 Parking area and service drive improvements.**

All public or private parking areas, outdoor vehicle sales areas, and service drives shall be improved according to the following:

- A. All parking areas and service drives shall have surfacing of asphaltic concrete or Portland cement concrete or other hard surfacing such as brick or concrete pavers. Other durable and dust- free surfacing materials may be approved by the director for infrequently used parking areas. All parking areas and service drives shall be graded so as not to drain stormwater over the public sidewalk or onto any abutting public or private property.
- B. All parking areas shall be designed not to encroach on public streets, alleys, and other rights- of-way. Parking areas shall not be placed in the area between the curb and sidewalk or, if there is no sidewalk, in the public right-of-way between the curb and the property line. The director may issue a permit for exceptions for unusual circumstances where the design maintains safety and aesthetics.
- C. All parking areas, except those required in conjunction with a single-family detached, duplex, triplex, quadplex or townhouse dwelling, or cottage cluster project, shall provide a substantial bumper which will prevent cars from encroachment on abutting private and public property.
- D. All parking areas, including service drives, except those required in conjunction with single- family detached, duplex, triplex, quadplex or townhouse dwellings or cottage cluster projects, shall be screened in accordance with NMC 15.420.010(B).
- E. Any lights provided to illuminate any public or private parking area or vehicle sales area shall be so arranged as to reflect the light away from any abutting or adjacent residential district.
- F. All service drives and parking spaces shall be substantially marked and comply with NMC 15.440.070.
- H. A reduction in size of the parking stall may be allowed for up to a maximum of 30 percent of the total number of spaces to allow for compact cars. For high turnover uses, such as convenience stores or fast-food restaurants, at the discretion of the director, all stalls will be required to be full-sized.

**RESPONSE:** The existing parking areas are Portland cement concrete and are not lighted. Criteria is met

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**15.440.075 Residential garage standards.**

*A. Single-car garages for residential uses shall have a minimum inside width of 10 feet by 20 feet.*

*B. Two-car garages for residential uses shall have a minimum inside width of 20 feet by 20 feet.*

*C. Three-car garages for residential uses shall have a minimum inside width of 30 feet by 20 feet.*

**RESPONSE:** Neither parcel has a garage, criteria does not apply.

## **CC&RS**

No CC&Rs are proposed.

## **TRAFFIC ANALYSIS**

No additional trips will be created by this partition application, therefore a traffic analysis is not required.

## **PUBLIC UTILITIES ANALYSIS**

The project site is currently fully served by public utilities. The project will disconnect the ADU building from shared services to its own separate water and sanitary sewer service lines. This does not change or increase the impact to these utilities.

## **STORMWATER ANALYSIS**

This property is currently utilizes the public storm system in E 3rd Street. The proposed partition will not create any new impervious area, therefore there will be no impact to the storm system as a result of this partition.

## **FUTURE STREETS CONCEPT PLAN**

A future streets concept plan is not warranted as all the adjacent land is fully developed and no new street are proposed.

## **WETLAND DELINEATION**

Per the State of Oregon Division of State Lands inventory, there are no mapped wetland on the site.

# Attachment B

Title report

THIS REPORT IS ISSUED BY THE ABOVE-NAMED COMPANY ("THE COMPANY") FOR THE EXCLUSIVE USE OF THE FOLLOWING CUSTOMER:

WCP Companies  
Phone No.: 503-476-1020

Date Prepared: December 21, 2023  
Effective Date: December 14, 2023 / 08:00 AM  
Charge: \$350.00  
Order No.: 471823128781  
Reference: 200 E 3RD St, Newberg, OR 97132

The information contained in this report is furnished to the Customer by Tigor Title Company of Oregon (the "Company") as an information service based on the records and indices maintained by the Company for the county identified below. This report is not title insurance, is not a preliminary title report for title insurance, and is not a commitment for title insurance. No examination has been made of the Company's records, other than as specifically set forth in this report ("the Report"). Liability for any loss arising from errors and/or omissions is limited to the lesser of the fee paid or the actual loss to the Customer, and the Company will have no greater liability by reason of this report. This report is subject to the Definitions, Conditions and Stipulations contained in it.

#### **REPORT**

- A. The Land referred to in this report is located in the County of Yamhill, State of Oregon, and is described as follows:  
As fully set forth on Exhibit "A" attached hereto and by this reference made a part hereof.
- B. As of the Effective Date, the tax account and map references pertinent to the Land are as follows:  
As fully set forth on Exhibit "B" attached hereto and by this reference made a part hereof.
- C. As of the Effective Date and according to the Public Records, we find title to the land apparently [vested in:](#)  
As fully set forth on Exhibit "C" attached hereto and by this reference made a part hereof.
- D. As of the Effective Date and according to the Public Records, the Land is subject to the following liens and encumbrances, which are not necessarily shown in the order of priority:  
As fully set forth on Exhibit "D" attached hereto and by this reference made a part hereof.

Ticor Title Company of Oregon  
Public Record Report for New Subdivision or Land Partition  
Order No. 471823128781

**EXHIBIT "A"**  
**(Land Description)**

**For APN/Parcel ID(s):** [54611](#)  
**For Tax Map ID(s):** **R3219AC11600**

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The West 50 feet of Lot 3 and the West 50 feet of the North half of Lot 2, Block 8, EVEREST'S ADDITION, to the City of Newberg, County of Yamhill, State of Oregon.

TOGETHER WITH that portion of vacated Garfield Street inuring thereto by Vacation Order No. 572, recorded September 15, 1948 in [Book 150, Page 461](#), Deed Records.

Ticor Title Company of Oregon  
Public Record Report for New Subdivision or Land Partition  
Order No. 471823128781

**EXHIBIT "B"**  
**(Tax Account and Map)**

[APN/Parcel ID\(s\) 54611 as well as Tax/Map ID\(s\) R3219AC11600](#)

Ticor Title Company of Oregon  
Public Record Report for New Subdivision or Land Partition  
Order No. 471823128781

**EXHIBIT "C"**  
**(Vesting)**

Benjamin J. Nelson and Allison R. Nelson, as tenants by the entirety



**EXHIBIT "D"**  
**(Liens and Encumbrances)**

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

Fiscal Year: 2023-2024  
Amount: \$4,897.42  
Levy Code: 29.0  
Account No.: [54611](#)  
Map No.: R3219AC 11600

1. City Liens, if any, in favor of the City of Newberg.
2. Any easements or rights of way for existing utilities or other rights of way over those portions of said Land lying within the public right of way vacated by resolution or ordinance

Recording Date: September 16, 1948  
Recording No: [Book 150, Page 461](#)  
Affects: Reference is hereby made to said document for full particulars

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

Amount: \$150,000.00  
Dated: May 7, 2020  
Trustor/Grantor: Benjamin J. Nelson and Allison R. Nelson, as tenants by the entirety  
Trustee: First American Title Insurance Company  
Beneficiary: Larry Dean Stevens  
Loan No.: N/A  
Recording Date: May 11, 2020  
Recording No: [202007452](#)

An agreement to modify the terms and provisions of said deed of trust as therein provided

Executed by: Benjamin J. Nelson and Allison R. Nelson  
Recording Date: December 14, 2020  
Recording No: [202022632](#)

The document referenced below which purports to reconvey/release the above deed of trust is not sufficient for the reason stated:

Reason: The recorded document is a Satisfaction of Deed of Trust and is executed by the Beneficiary. Pursuant to Oregon law a Deed of Reconveyance executed by the Trustee of record is required to release a Deed of Trust in the State of Oregon pursuant to ORS 86.720.  
Recording Date: February 10, 2023  
Recording No: [202301178](#)

**EXHIBIT "D"**  
**(Liens and Encumbrances)**  
(continued)

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

Amount: \$435,000.00  
Dated: May 14, 2021  
Trustor/Grantor: Benjamin J. Nelson and Allison R. Nelson, husband and wife  
Trustee: Chicago Title Insurance Company of Oregon, an Oregon corporation  
Beneficiary: MERS, as nominee for KeyBank National Association  
Loan No.: 2-6025209774  
Recording Date: September 14, 2021  
[Recording No:](#) [202118517](#)

\*\*End of Liens & Encumbrances\*\*

**BOUNDARY DEEDS:**

BOUNDARY DEED

Recording Date: July 28, 1978  
Recording No.: Film [Volume 131, Page 849](#)

BOUNDARY DEED

Recording Date: November 26, 2014  
[Recording No.:](#) [201414883](#)

BOUNDARY DEED

Recording Date: September 26, 2019  
[Recording No.:](#) [201913659](#)

## DEFINITIONS, CONDITIONS AND STIPULATIONS

1. **Definitions.** The following terms have the stated meaning when used in this report:
  - (a) "Customer": The person or persons named or shown as the addressee of this report.
  - (b) "Effective Date": The effective date stated in this report.
  - (c) "Land": The land specifically described in this report and improvements affixed thereto which by law constitute real property.
  - (d) "Public Records": Those records which by the laws of the state of Oregon impart constructive notice of matters relating to the Land.
2. **Liability of Company.**
  - (a) This is not a commitment to issue title insurance and does not constitute a policy of title insurance.
  - (b) The liability of the Company for errors or omissions in this public record report is limited to the amount of the charge paid by the Customer, provided, however, that the Company has no liability in the event of no actual loss to the Customer.
  - (c) No costs (including without limitation attorney fees and other expenses) of defense, or prosecution of any action, is afforded to the Customer.
  - (d) In any event, the Company assumes no liability for loss or damage by reason of 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.
    - (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, liens or encumbrances, or claims thereof, which are not shown by the Public Records.
    - (4) Discrepancies, encroachments, shortage in area, conflicts in boundary lines or any other facts which a survey would disclose.
    - (5) (i) Unpatented mining claims; (ii) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (iii) water rights or claims or title to water.
    - (6) Any right, title, interest, estate or easement in land beyond the lines of the area specifically described or referred to in this report, or in abutting streets, roads, avenues, alleys, lanes, ways or waterways.
    - (7) Any law, ordinance or governmental regulation (including but not limited to building and zoning laws, ordinances or regulations) restricting, regulating, prohibiting or relating to (i) the occupancy, use or enjoyment of the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iii) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the Public Records at the effective date hereof.
    - (8) Any governmental police power not excluded by 2(d)(7) above, except to the extent that notice of the exercise thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the Public Records at the effective date hereof.
    - (9) Defects, liens, encumbrances, adverse claims or other matters created, suffered, assumed, agreed to or actually known by the Customer.
3. **Report Entire Contract.** Any right or action or right of action that the Customer may have or may bring against the Company arising out of the subject matter of this report must be based on the provisions of this report. No provision or condition of this report can be waived or changed except by a writing signed by an authorized officer of the Company. By accepting this form report, the Customer acknowledges and agrees that the Customer has elected to utilize this form of public record report and accepts the limitation of liability of the Company as set forth herein.
4. **Charge.** The charge for this report does not include supplemental reports, updates or other additional services of the Company.

**LIMITATIONS OF LIABILITY**

"CUSTOMER" REFERS TO THE RECIPIENT OF THIS REPORT.

CUSTOMER EXPRESSLY AGREES AND ACKNOWLEDGES THAT IT IS EXTREMELY DIFFICULT, IF NOT IMPOSSIBLE, TO DETERMINE THE EXTENT OF LOSS WHICH COULD ARISE FROM ERRORS OR OMISSIONS IN, OR THE COMPANY'S NEGLIGENCE IN PRODUCING, THE REQUESTED REPORT, HEREIN "THE REPORT." CUSTOMER RECOGNIZES THAT THE FEE CHARGED IS NOMINAL IN RELATION TO THE POTENTIAL LIABILITY WHICH COULD ARISE FROM SUCH ERRORS OR OMISSIONS OR NEGLIGENCE. THEREFORE, CUSTOMER UNDERSTANDS THAT THE COMPANY IS NOT WILLING TO PROCEED IN THE PREPARATION AND ISSUANCE OF THE REPORT UNLESS THE COMPANY'S LIABILITY IS STRICTLY LIMITED. CUSTOMER AGREES WITH THE PROPRIETY OF SUCH LIMITATION AND AGREES TO BE BOUND BY ITS TERMS

THE LIMITATIONS ARE AS FOLLOWS AND THE LIMITATIONS WILL SURVIVE THE CONTRACT:

ONLY MATTERS IDENTIFIED IN THIS REPORT AS THE SUBJECT OF THE REPORT ARE WITHIN ITS SCOPE. ALL OTHER MATTERS ARE OUTSIDE THE SCOPE OF THE REPORT.

CUSTOMER AGREES, AS PART OF THE CONSIDERATION FOR THE ISSUANCE OF THE REPORT AND TO THE FULLEST EXTENT PERMITTED BY LAW, TO LIMIT THE LIABILITY OF THE COMPANY, ITS LICENSORS, AGENTS, SUPPLIERS, RESELLERS, SERVICE PROVIDERS, CONTENT PROVIDERS AND ALL OTHER SUBSCRIBERS OR SUPPLIERS, SUBSIDIARIES, AFFILIATES, EMPLOYEES, AND SUBCONTRACTORS FOR ANY AND ALL CLAIMS, LIABILITIES, CAUSES OF ACTION, LOSSES, COSTS, DAMAGES AND EXPENSES OF ANY NATURE WHATSOEVER, INCLUDING ATTORNEY'S FEES, HOWEVER ALLEGED OR ARISING, INCLUDING BUT NOT LIMITED TO THOSE ARISING FROM BREACH OF CONTRACT, NEGLIGENCE, THE COMPANY'S OWN FAULT AND/OR NEGLIGENCE, ERRORS, OMISSIONS, STRICT LIABILITY, BREACH OF WARRANTY, EQUITY, THE COMMON LAW, STATUTE OR ANY OTHER THEORY OF RECOVERY, OR FROM ANY PERSON'S USE, MISUSE, OR INABILITY TO USE THE REPORT OR ANY OF THE MATERIALS CONTAINED THEREIN OR PRODUCED, **SO THAT THE TOTAL AGGREGATE LIABILITY OF THE COMPANY AND ITS AGENTS, SUBSIDIARIES, AFFILIATES, EMPLOYEES, AND SUBCONTRACTORS SHALL NOT IN ANY EVENT EXCEED THE COMPANY'S TOTAL FEE FOR THE REPORT.**

CUSTOMER AGREES THAT THE FOREGOING LIMITATION ON LIABILITY IS A TERM MATERIAL TO THE PRICE THE CUSTOMER IS PAYING, WHICH PRICE IS LOWER THAN WOULD OTHERWISE BE OFFERED TO THE CUSTOMER WITHOUT SAID TERM. CUSTOMER RECOGNIZES THAT THE COMPANY WOULD NOT ISSUE THE REPORT BUT FOR THIS CUSTOMER AGREEMENT, AS PART OF THE CONSIDERATION GIVEN FOR THE REPORT, TO THE FOREGOING LIMITATION OF LIABILITY AND THAT ANY SUCH LIABILITY IS CONDITIONED AND PREDICATED UPON THE FULL AND TIMELY PAYMENT OF THE COMPANY'S INVOICE FOR THE REPORT.

THE REPORT IS LIMITED IN SCOPE AND IS NOT AN ABSTRACT OF TITLE, TITLE OPINION, PRELIMINARY TITLE REPORT, TITLE REPORT, COMMITMENT TO ISSUE TITLE INSURANCE, OR A TITLE POLICY, AND SHOULD NOT BE RELIED UPON AS SUCH. THE REPORT DOES NOT PROVIDE OR OFFER ANY TITLE INSURANCE, LIABILITY COVERAGE OR ERRORS AND OMISSIONS COVERAGE. THE REPORT IS NOT TO BE RELIED UPON AS A REPRESENTATION OF THE STATUS OF TITLE TO THE PROPERTY. THE COMPANY MAKES NO REPRESENTATIONS AS TO THE REPORT'S ACCURACY, DISCLAIMS ANY WARRANTY AS TO THE REPORT, ASSUMES NO DUTIES TO CUSTOMER, DOES NOT INTEND FOR CUSTOMER TO RELY ON THE REPORT, AND ASSUMES NO LIABILITY FOR ANY LOSS OCCURRING BY REASON OF RELIANCE ON THE REPORT OR OTHERWISE.

Ticor Title Company of Oregon  
Public Record Report for New Subdivision or Land Partition  
Order No. 471823128781

IF CUSTOMER (A) HAS OR WILL HAVE AN INSURABLE INTEREST IN THE SUBJECT REAL PROPERTY, (B) DOES NOT WISH TO LIMIT LIABILITY AS STATED HEREIN AND (C) DESIRES THAT ADDITIONAL LIABILITY BE ASSUMED BY THE COMPANY, THEN CUSTOMER MAY REQUEST AND PURCHASE A POLICY OF TITLE INSURANCE, A BINDER, OR A COMMITMENT TO ISSUE A POLICY OF TITLE INSURANCE. NO ASSURANCE IS GIVEN AS TO THE INSURABILITY OF THE TITLE OR STATUS OF TITLE. CUSTOMER EXPRESSLY AGREES AND ACKNOWLEDGES IT HAS AN INDEPENDENT DUTY TO ENSURE AND/OR RESEARCH THE ACCURACY OF ANY INFORMATION OBTAINED FROM THE COMPANY OR ANY PRODUCT OR SERVICE PURCHASED.

NO THIRD PARTY IS PERMITTED TO USE OR RELY UPON THE INFORMATION SET FORTH IN THE REPORT, AND NO LIABILITY TO ANY THIRD PARTY IS UNDERTAKEN BY THE COMPANY.

CUSTOMER AGREES THAT, TO THE FULLEST EXTENT PERMITTED BY LAW, IN NO EVENT WILL THE COMPANY, ITS LICENSORS, AGENTS, SUPPLIERS, RESELLERS, SERVICE PROVIDERS, CONTENT PROVIDERS, AND ALL OTHER SUBSCRIBERS OR SUPPLIERS, SUBSIDIARIES, AFFILIATES, EMPLOYEES AND SUBCONTRACTORS BE LIABLE FOR CONSEQUENTIAL, INCIDENTAL, INDIRECT, PUNITIVE, EXEMPLARY, OR SPECIAL DAMAGES, OR LOSS OF PROFITS, REVENUE, INCOME, SAVINGS, DATA, BUSINESS, OPPORTUNITY, OR GOODWILL, PAIN AND SUFFERING, EMOTIONAL DISTRESS, NON-OPERATION OR INCREASED EXPENSE OF OPERATION, BUSINESS INTERRUPTION OR DELAY, COST OF CAPITAL, OR COST OF REPLACEMENT PRODUCTS OR SERVICES, REGARDLESS OF WHETHER SUCH LIABILITY IS BASED ON BREACH OF CONTRACT, TORT, NEGLIGENCE, THE COMPANY'S OWN FAULT AND/OR NEGLIGENCE, STRICT LIABILITY, BREACH OF WARRANTIES, FAILURE OF ESSENTIAL PURPOSE, OR OTHERWISE AND WHETHER CAUSED BY NEGLIGENCE, ERRORS, OMISSIONS, STRICT LIABILITY, BREACH OF CONTRACT, BREACH OF WARRANTY, THE COMPANY'S OWN FAULT AND/OR NEGLIGENCE OR ANY OTHER CAUSE WHATSOEVER, AND EVEN IF THE COMPANY HAS BEEN ADVISED OF THE LIKELIHOOD OF SUCH DAMAGES OR KNEW OR SHOULD HAVE KNOWN OF THE POSSIBILITY FOR SUCH DAMAGES.

END OF THE LIMITATIONS OF LIABILITY

# Attachment C

TVF&R Permit

**FIRE CODE / LAND USE / BUILDING REVIEW  
APPLICATION**



**North Operating Center**  
11945 SW 70<sup>th</sup> Avenue  
Tigard, OR 97223  
Phone: 503-649-8577

**South Operating Center**  
8445 SW Elligsen Rd  
Wilsonville, OR 97070  
Phone: 503-649-8577

REV 6-30-20

**Project Information**

Applicant Name: Daniel Danicic  
Address: PO Box 1042  
Phone: 503-476-7702  
Email: djd.ylds@gmail.com  
Site Address: 170/200 E 3<sup>rd</sup> St  
City: Newberg, OR  
Map & Tax Lot #: R3219AC-11600  
Business Name: Yamhill Land Development Services  
Land Use/Building Jurisdiction: Newberg  
Land Use/ Building Permit # N/A

Choose from: Beaverton, Tigard, Newberg, Tualatin, North Plains, West Linn, Wilsonville, Sherwood, Rivergrove, Durham, King City, Washington County, Clackamas County, Multnomah County, Yamhill County

**Project Description**

Partition of lot with existing home and ADU structure into two separate lots.

**Permit/Review Type (check one):**

- Land Use / Building Review - Service Provider Permit
- Emergency Radio Responder Coverage Install/Test
- LPG Tank (Greater than 2,000 gallons)
- Flammable or Combustible Liquid Tank Installation (Greater than 1,000 gallons)
  - \* Exception: Underground Storage Tanks (UST) are deferred to DEQ for regulation.
- Explosives Blasting (Blasting plan is required)
- Exterior Toxic, Pyrophoric or Corrosive Gas Installation (in excess of 810 cu.ft.)
- Tents or Temporary Membrane Structures (in excess of 10,000 square feet)
- Temporary Haunted House or similar
- OLCC Cannabis Extraction License Review
- Ceremonial Fire or Bonfire (For gathering, ceremony or other assembly)

**For Fire Marshal's Office Use Only**

TVFR Permit # 2023-0164  
Permit Type: SPP-Newberg  
Submittal Date: 10-12-23  
Assigned To: DFM Arn  
Due Date: NA  
Fees Due: \$0  
Fees Paid: \$0

**Approval/Inspection Conditions**  
(For Fire Marshal's Office Use Only)

**This section is for application approval only**

[Signature] 10-15-23  
Fire Marshal or Designee Date

Conditions:

See approved fire service plan.

See Attached Conditions:  Yes  No

Site Inspection Required:  Yes  No

**This section used when site inspection is required**

Inspection Comments:

Final TVFR Approval Signature & Emp ID Date

**PROJECT:**  
Middle Housing Land Division  
170/200 E 3rd St  
Newberg, OR 97132

**OWNER:**  
Ben Nelson  
2505 E Portland Rd #105  
Newberg, OR 97132

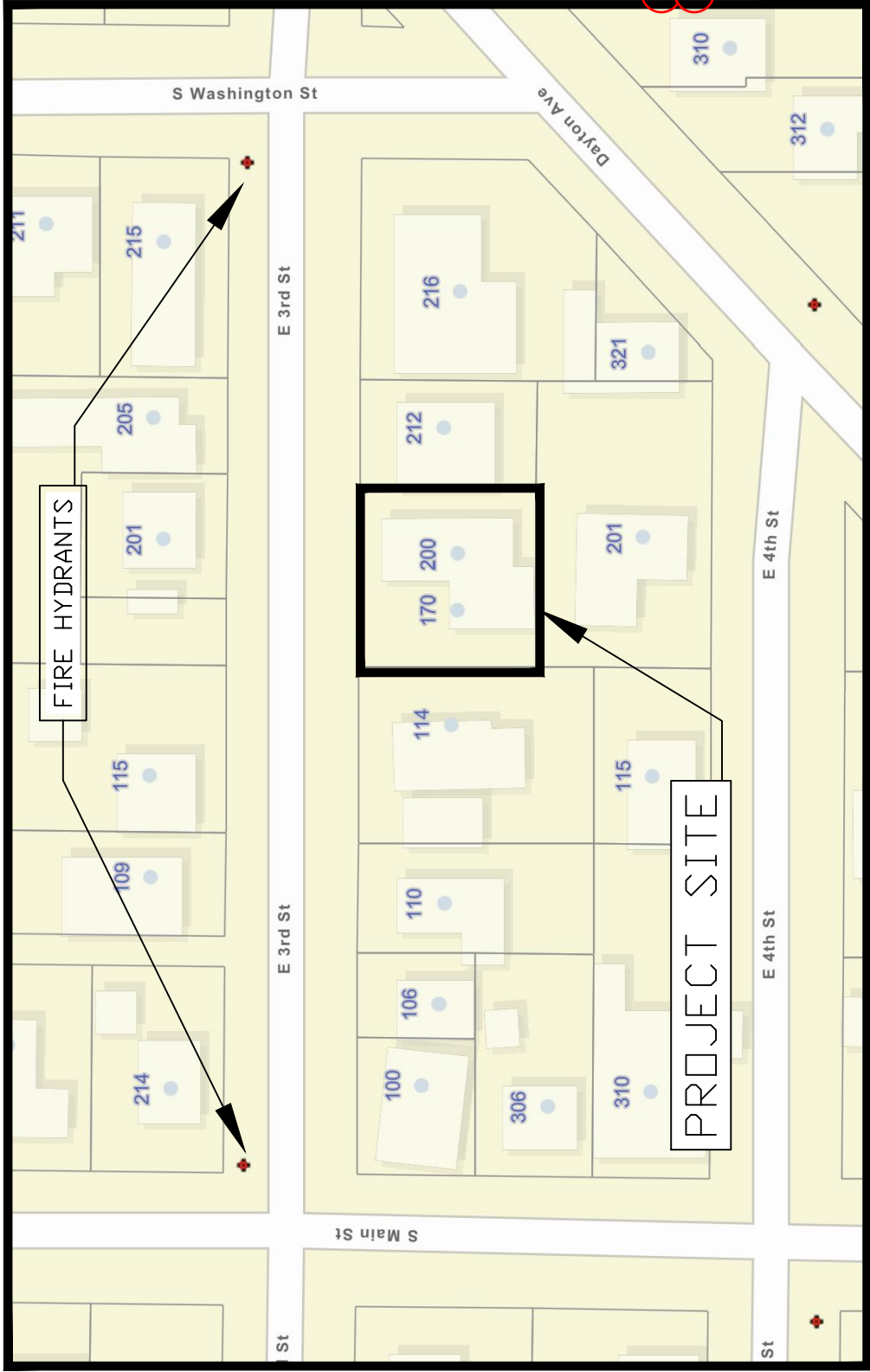
**PREPARED BY:**  
Yamhill Land Development LLC  
PO Box 1042  
Newberg, OR 97132



APPROVAL OF PLANS IS NOT AN APPROVAL  
OF OMISSIONS OR OVERSIGHTS.

*Tyson Ann Gardner*  
Deputy Fire Marshal II

TVF&R Permit# 2023-0164



**SHEET INDEX**

- G1 - COVER
- C1 - SITE PLAN

**COVER**

**G-1**



**PROJECT:**  
Middle Housing Land Division  
170/200 E 3rd St  
Newberg, OR 97132

**OWNER:**  
Ben Nelson  
2505 E Portland Rd #105  
Newberg, OR 97132

**PREPARED BY:**  
Yamhill Land Development LLC  
PO Box 1042  
Newberg, OR 97132



APPROVAL OF PLANS IS NOT AN APPROVAL  
OF OMISSIONS OR OVERSIGHTS.

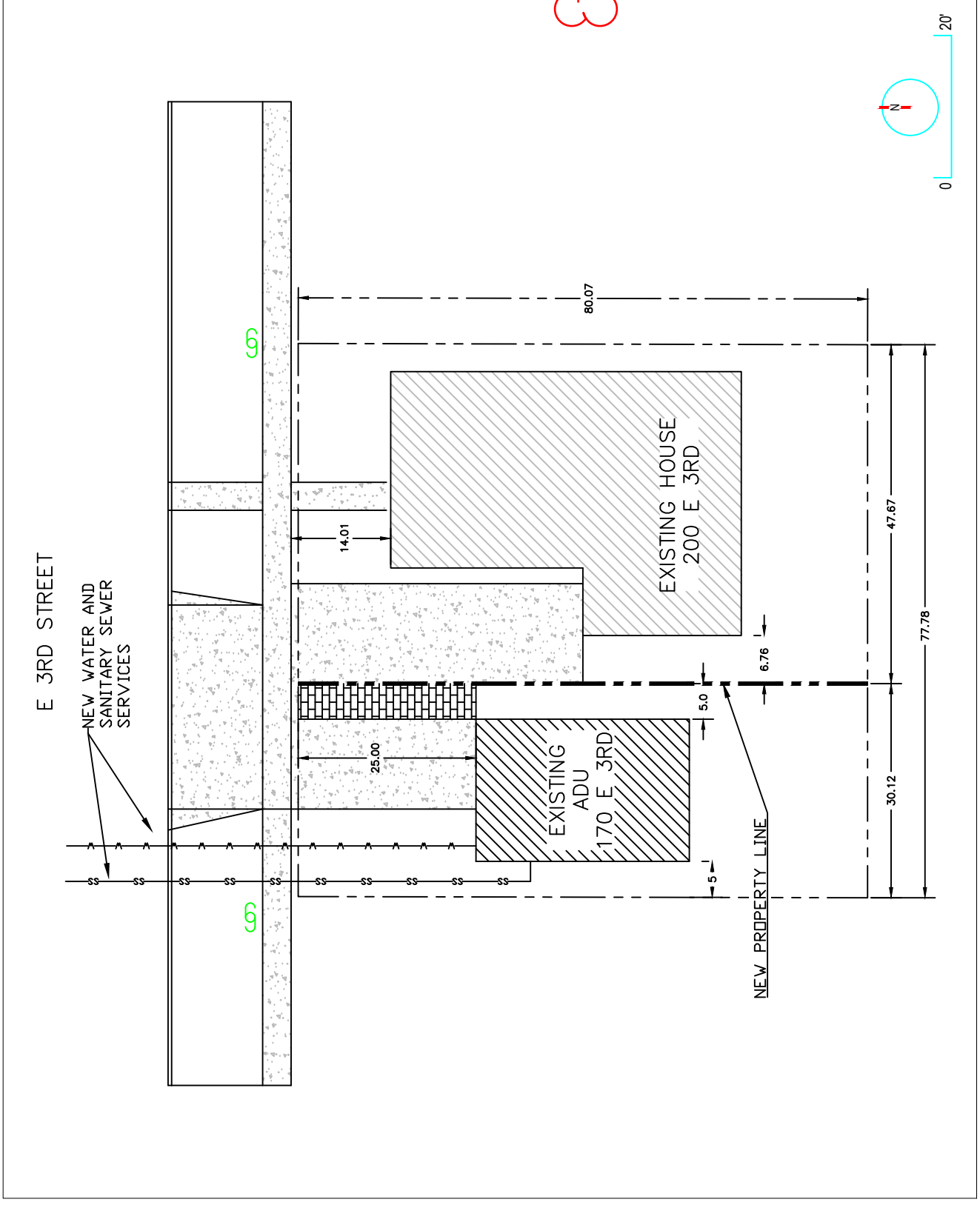
*Tyson Ann Jambler*  
Deputy Fire Marshal II

TVF&R Permit# 2023-0164

**SHEET INDEX**  
G1 - COVER  
C1 - SITE PLAN

**SITE PLAN**

**C-1**



# Attachment D

Public Notice Information



# 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 NEW DEVELOPMENT IN YOUR NEIGHBORHOOD

A property owner in your neighborhood submitted an application to the City of Newberg to subdivide a parcel of land from one lot into two separate lots. You are invited to take part in the City's review of this project by sending in your written comments. You also may request that the Planning Commission hold a hearing on the application. The applicable criteria used to make a decision on this application for preliminary subdivision plan approval are found in Newberg Development Code 15.235.050(B). For more details about giving comments, please see the back of this sheet.

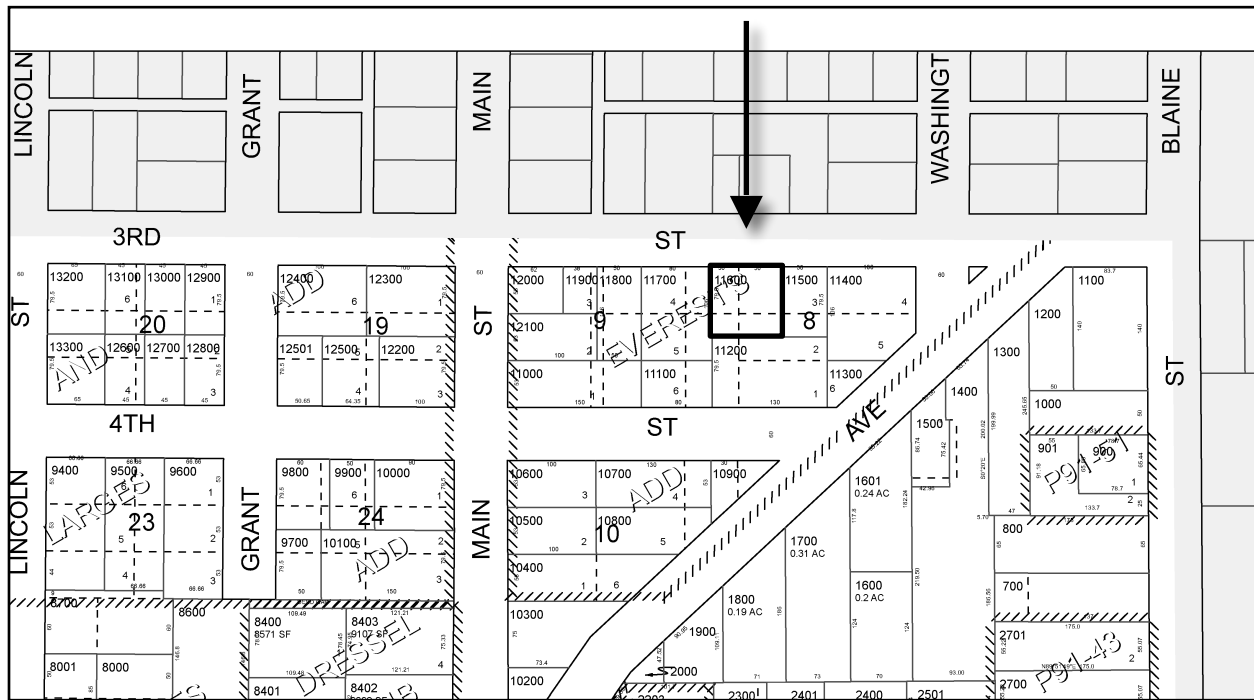
The development would place the existing house and ADU into separate lots.

APPLICANT: *Daniel Danicic, Yamhill Land Development LLC*  
TELEPHONE: *503-476-7702*

PROPERTY OWNER: *Ben and Allison Nelson*

LOCATION: *170/200 E 3rd St. Newberg, OR 97132*

TAX LOT NUMBER: *Yamhill County Tax Map and Lot Number 3219AC-11600*



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 of Newberg  
Community Development Department  
PO Box 970  
Newberg, OR 97132

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).

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.

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***

**POSTED NOTICE**

**Land Use Notice**

**FILE # \_\_\_\_\_**

**PROPOSAL:** Subdivide a parcel of land from one lot into two separate lots

**FOR FURTHER INFORMATION, CONTACT:**

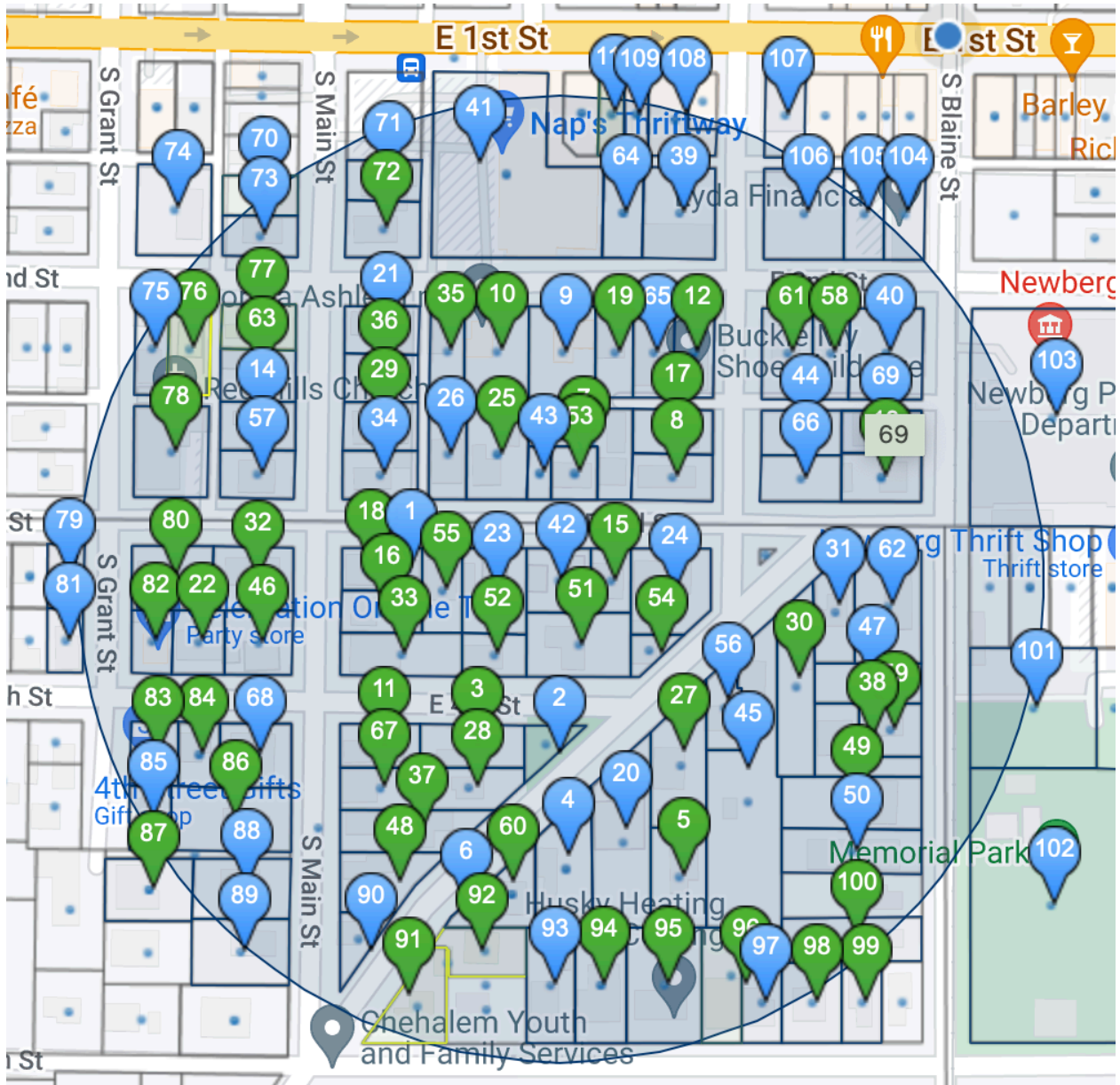
City of Newberg  
Community Development Department  
414 E First Street  
Phone: 503-537-1240

2'

3'

Notice must be white with black letters, and must be landscape orientation, as shown above.  
The notice must be lettered using block printing or a "sans-serif" font, such as Arial.

# Notice Map





**First American**

my**FirstAm**<sup>®</sup>

**3 Line Report**

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**Search Criteria:**

Farm Type: Parcel  
Land Use Type: Both  
Property Type: Residential Properties: All Residential Types  
Residential Income & Other: All Res Income And Other Types  
Commercial, Industrial, Government/Public Use, Agricultural/Rural, Recreational/Entertainment,  
Transportation/Communication  
Vacant Land: All Vacant Types  
Res. Beds: No Min to No Max  
Res. Baths: No Min to No Max  
Comm. Stories:  
Comm. # of Units: No Min to No Max  
Sale Price: No Min to No Max  
Sq. Ft.: No Min to No Max  
Lot Size: No Min to No Max  
Pool: No Preference  
Months Back: Any  
Occupancy: All



myFirstAm® 3 Line Report

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1	<b>Owner</b> : Sarita Springer & Kevin Kump <b>Site</b> : <b>Mail</b> : 623 NW Morning View Ct McMinnville, OR 97128	<b>Parcel Number</b> : 49619 <b>Transfer Date/Price</b> : 10/28/2019 / \$179,250.00 <b>Use</b> : Residential, SFR
2	<b>Owner</b> : Newberg City Of <b>Site</b> : <b>Mail</b> : 535 NE 5th St McMinnville, OR 97128	<b>Parcel Number</b> : 49762 <b>Transfer Date/Price</b> : / \$0.00 <b>Use</b> : Commercial, MUNICIPAL PROPERTY
3	<b>Owner</b> : Newberg City Of <b>Site</b> : <b>Mail</b> : 414 E 1st St Newberg, OR 97132	<b>Parcel Number</b> : 54407 <b>Transfer Date/Price</b> : / \$0.00 <b>Use</b> : Commercial, MUNICIPAL PROPERTY
4	<b>Owner</b> : Bauer Family Trust & Bauer Family Trust <b>Site</b> : 112 E 1st St Newberg 97132 <b>Mail</b> : 33030 NE Corral Creek Rd Newberg, OR 97132	<b>Parcel Number</b> : 50161 <b>Transfer Date/Price</b> : / \$0.00 <b>Use</b> : Commercial, COMMERCIAL BUILDING
5	<b>Owner</b> : Johnson Leonard L & Christine L Trustees & Johnson Living Trust <b>Site</b> : 204 E 1st St Newberg 97132 <b>Mail</b> : 19460 NE Williamson Rd Newberg, OR 97132	<b>Parcel Number</b> : 50143 <b>Transfer Date/Price</b> : / \$0.00 <b>Use</b> : Commercial, COMMERCIAL BUILDING
6	<b>Owner</b> : Johnson Leonard L & Christine L Trustees & Johnson Living Trust <b>Site</b> : 206 E 1st St Newberg 97132 <b>Mail</b> : 19460 NE Williamson Rd Newberg, OR 97132	<b>Parcel Number</b> : 50134 <b>Transfer Date/Price</b> : / \$0.00 <b>Use</b> : Commercial, COMMERCIAL BUILDING
7	<b>Owner</b> : Johnson Leonard L & Christine L Trustees & Johnson Living Trust <b>Site</b> : 208 E 1st St Newberg 97132 <b>Mail</b> : 19460 NE Williamson Rd Newberg, OR 97132	<b>Parcel Number</b> : 482548 <b>Transfer Date/Price</b> : / \$0.00 <b>Use</b> : Commercial, COMMERCIAL BUILDING
8	<b>Owner</b> : Brent L Johnson <b>Site</b> : 300 E 1st St Newberg 97132 <b>Mail</b> : 22195 NE Sunnycrest Rd Newberg, OR 97132	<b>Parcel Number</b> : 50072 <b>Transfer Date/Price</b> : / \$0.00 <b>Use</b> : Commercial, COMMERCIAL BUILDING
9	<b>Owner</b> : Nikolas Stanek & Jasmine B Moore <b>Site</b> : 108 E 2nd St Newberg 97132 <b>Mail</b> : 108 E 2nd St Newberg, OR 97132	<b>Parcel Number</b> : 51053 <b>Transfer Date/Price</b> : 02/05/2021 / \$320,000.00 <b>Use</b> : Residential, RESIDENTIAL (NEC)
10	<b>Owner</b> : Russell E Thomas & Mary L Thomas <b>Site</b> : 110 W 2nd St Newberg 97132 <b>Mail</b> : 110 W 2nd St Newberg, OR 97132	<b>Parcel Number</b> : 50955 <b>Transfer Date/Price</b> : / \$0.00 <b>Use</b> : Residential, RESIDENTIAL (NEC)

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11	<b>Owner</b> : L Deines Thomas	<b>Parcel Number</b> : 51062
	<b>Site</b> : 114 E 2nd St Newberg 97132	<b>Transfer Date/Price</b> : 12/24/2001 / \$0.00
	<b>Mail</b> : 114 E 2nd St Newberg, OR 97132	<b>Use</b> : Commercial, COMMERCIAL BUILDING

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12	<b>Owner</b> : Scott Johnson & Erik Johnson	<b>Parcel Number</b> : 50107
	<b>Site</b> : 207 E 2nd St Newberg 97132	<b>Transfer Date/Price</b> : / \$0.00
	<b>Mail</b> : 19460 NE Williamson Rd Newberg, OR 97132	<b>Use</b> : Commercial, COMMERCIAL BUILDING

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13	<b>Owner</b> : Rivera Mariano Alvarez & Susana Villanueva-Ramirez	<b>Parcel Number</b> : 51080
	<b>Site</b> : 210 E 2nd St Newberg 97132	<b>Transfer Date/Price</b> : 04/25/1997 / \$0.00
	<b>Mail</b> : 210 E 2nd St Newberg, OR 97132	<b>Use</b> : Residential, RESIDENTIAL (NEC)

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14	<b>Owner</b> : Scott Johnson & Darrell Mount	<b>Parcel Number</b> : 51099
	<b>Site</b> : 212 E 2nd St Newberg 97132	<b>Transfer Date/Price</b> : 04/04/2023 / \$240,000.00
	<b>Mail</b> : PO Box 456 Newberg, OR 97132	<b>Use</b> : Residential, SFR

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15	<b>Owner</b> : Jeanne M Wagner	<b>Parcel Number</b> : 51106
	<b>Site</b> : 214 E 2nd St Newberg 97132	<b>Transfer Date/Price</b> : 03/07/2006 / \$246,500.00
	<b>Mail</b> : 214 E 2nd St Newberg, OR 97132	<b>Use</b> : Residential, RESIDENTIAL (NEC)

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16	<b>Owner</b> : John R L Maurer & Julie A Maurer	<b>Parcel Number</b> : 51197
	<b>Site</b> : 300 E 2nd St Newberg 97132	<b>Transfer Date/Price</b> : 06/10/1996 / \$95,000.00
	<b>Mail</b> : 300 E 2nd St Newberg, OR 97132	<b>Use</b> : Residential, RESIDENTIAL (NEC)

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17	<b>Owner</b> : Brent L Johnson	<b>Parcel Number</b> : 50081
	<b>Site</b> : 301 E 2nd St Newberg 97132	<b>Transfer Date/Price</b> : / \$0.00
	<b>Mail</b> : 22195 NE Sunnycrest Rd Newberg, OR 97132	<b>Use</b> : Commercial, COMMERCIAL ACREAGE

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18	<b>Owner</b> : Lynn M Olson & Miles G Olson	<b>Parcel Number</b> : 51204
	<b>Site</b> : 306 E 2nd St Newberg 97132	<b>Transfer Date/Price</b> : 10/20/1995 / \$84,200.00
	<b>Mail</b> : 306 E 2nd St Newberg, OR 97132	<b>Use</b> : Residential, SFR

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19	<b>Owner</b> : Renee Properties Llc	<b>Parcel Number</b> : 49931
	<b>Site</b> : 307 E 2nd St Newberg 97132	<b>Transfer Date/Price</b> : 04/07/1998 / \$250,000.00
	<b>Mail</b> : 2750 E 9th St Newberg, OR 97132	<b>Use</b> : Commercial, COMMERCIAL BUILDING

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20	<b>Owner</b> : Nielsen Grahn Inc	<b>Parcel Number</b> : 51259
	<b>Site</b> : 312 E 2nd St Newberg 97132	<b>Transfer Date/Price</b> : / \$0.00
	<b>Mail</b> : 31947 W Ocean Ln Arch Cape, OR 97102	<b>Use</b> : Commercial, COMMERCIAL ACREAGE

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21	<b>Owner</b> : Newberg City Of <b>Site</b> : 414 E 2nd St Newberg 97132 <b>Mail</b> : 535 NE 5th St McMinnville, OR 97128	<b>Parcel Number</b> : 51339 <b>Transfer Date/Price</b> : / \$0.00 <b>Use</b> : Commercial, MUNICIPAL PROPERTY
22	<b>Owner</b> : Jay L Ouellette & Amelia W Ouellette <b>Site</b> : 200 E 2nd St 101 Newberg 97132 <b>Mail</b> : 33720 NE Kramien Rd Newberg, OR 97132	<b>Parcel Number</b> : 51071 <b>Transfer Date/Price</b> : 04/11/2008 / \$230,000.00 <b>Use</b> : Commercial, COMMERCIAL BUILDING
23	<b>Owner</b> : Jonathan Lawson & Kari Lawson <b>Site</b> : E 3rd St Newberg <b>Mail</b> : 201 E 3rd St Newberg, OR 97132	<b>Parcel Number</b> : 51133 <b>Transfer Date/Price</b> : 06/27/2002 / \$118,000.00 <b>Use</b> : Residential, RESIDENTIAL LOT
24	<b>Owner</b> : Stephen S Bujjoni & Karen M Bujjoni <b>Site</b> : 100 E 3rd St Newberg 97132 <b>Mail</b> : 100 E 3rd St Newberg, OR 97132	<b>Parcel Number</b> : 54693 <b>Transfer Date/Price</b> : 12/19/1996 / \$110,500.00 <b>Use</b> : Residential, SFR
25	<b>Owner</b> : Ryan D Vallance <b>Site</b> : 102 W 3rd St Newberg 97132 <b>Mail</b> : 102 W 3rd St Newberg, OR 97132	<b>Parcel Number</b> : 54737 <b>Transfer Date/Price</b> : 04/26/2021 / \$460,000.00 <b>Use</b> : Residential, SFR
26	<b>Owner</b> : Nabor Pereda & Maria Pereda <b>Site</b> : 106 E 3rd St Newberg 97132 <b>Mail</b> : PO Box 382 Newberg, OR 97132	<b>Parcel Number</b> : 54675 <b>Transfer Date/Price</b> : 01/23/2004 / \$147,500.00 <b>Use</b> : Residential, SFR
27	<b>Owner</b> : Russell Frederick H Trustee & Russell Bonnie J Trustee <b>Site</b> : 109 E 3rd St Newberg 97132 <b>Mail</b> : PO Box 185 Dundee, OR 97115	<b>Parcel Number</b> : 51115 <b>Transfer Date/Price</b> : 06/01/2016 / \$0.00 <b>Use</b> : Residential, TRIPLEX
28	<b>Owner</b> : Christopher L Saxton <b>Site</b> : 110 E 3rd St Newberg 97132 <b>Mail</b> : 110 E 3rd St Newberg, OR 97132	<b>Parcel Number</b> : 54657 <b>Transfer Date/Price</b> : 07/20/1993 / \$0.00 <b>Use</b> : Residential, SFR
29	<b>Owner</b> : Witte Paige Family Trust & Witte Paige Trustee <b>Site</b> : 114 E 3rd St Newberg 97132 <b>Mail</b> : 13265 S Iron Mountain Blvd Portland, OR 97219	<b>Parcel Number</b> : 54639 <b>Transfer Date/Price</b> : 09/26/2019 / \$363,000.00 <b>Use</b> : Residential, SFR
30	<b>Owner</b> : Rebekah Huschka <b>Site</b> : 114 W 3rd St Newberg 97132 <b>Mail</b> : 114 W 3rd St Newberg, OR 97132	<b>Parcel Number</b> : 54988 <b>Transfer Date/Price</b> : 05/26/2022 / \$450,000.00 <b>Use</b> : Residential, SFR

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31	<b>Owner</b> : International Church Of the & Foursquare Gospel <b>Site</b> : 115 W 3rd St Newberg 97132 <b>Mail</b> : 115 W 3rd St Newberg, OR 97132	<b>Parcel Number</b> : 50937 <b>Transfer Date/Price</b> : / \$0.00 <b>Use</b> : Commercial, RELIGIOUS
32	<b>Owner</b> : Marshall E Smith <b>Site</b> : 115 E 3rd St Newberg 97132 <b>Mail</b> : 115 E 3rd St Newberg, OR 97132	<b>Parcel Number</b> : 51124 <b>Transfer Date/Price</b> : 10/03/2005 / \$207,500.00 <b>Use</b> : Residential, SFR
33	<b>Owner</b> : Allison R Nelson & Benjamin J Nelson <b>Site</b> : 200 E 3rd St Newberg 97132 <b>Mail</b> : 2505 E Portland Rd 105 Newberg, OR 97132	<b>Parcel Number</b> : 54611 <b>Transfer Date/Price</b> : 09/03/2019 / \$205,000.00 <b>Use</b> : Residential, SFR
34	<b>Owner</b> : Venkat Balasubramani & Manuela Pena-Lopez <b>Site</b> : 200 W 3rd St Newberg 97132 <b>Mail</b> : 4904 NE Clackamas St Portland, OR 97213	<b>Parcel Number</b> : 55031 <b>Transfer Date/Price</b> : 06/14/2022 / \$454,800.00 <b>Use</b> : Residential, SFR
35	<b>Owner</b> : Jonathan Lawson & Kari Lawson <b>Site</b> : 201 E 3rd St Newberg 97132 <b>Mail</b> : 201 E 3rd St Newberg, OR 97132	<b>Parcel Number</b> : 51142 <b>Transfer Date/Price</b> : 06/27/2002 / \$118,000.00 <b>Use</b> : Residential, SFR
36	<b>Owner</b> : Joseph Borchert <b>Site</b> : 205 E 3rd St Newberg 97132 <b>Mail</b> : 205 E 3rd St Newberg, OR 97132	<b>Parcel Number</b> : 51151 <b>Transfer Date/Price</b> : 12/28/2018 / \$0.00 <b>Use</b> : Residential, SFR
37	<b>Owner</b> : Toshikazh Thomson & Catherine Thomson <b>Site</b> : 212 E 3rd St Newberg 97132 <b>Mail</b> : 212 E 3rd St Newberg, OR 97132	<b>Parcel Number</b> : 54602 <b>Transfer Date/Price</b> : / \$39,950.00 <b>Use</b> : Residential, SFR
38	<b>Owner</b> : Friends Of Chehalem House <b>Site</b> : 216 E 3rd St Newberg 97132 <b>Mail</b> : PO Box 548 Newberg, OR 97132	<b>Parcel Number</b> : 54568 <b>Transfer Date/Price</b> : / \$0.00 <b>Use</b> : Commercial, VACANT LAND (NEC)
39	<b>Owner</b> : Crisman Iryl A Trustee & Crisman Iryl A Revocable Trust <b>Site</b> : 318 E 3rd St Newberg 97132 <b>Mail</b> : 15820 SW Barrington Ter Portland, OR 97224	<b>Parcel Number</b> : 49575 <b>Transfer Date/Price</b> : 05/29/2008 / \$0.00 <b>Use</b> : Commercial, MULTI FAMILY 10 UNITS LESS
40	<b>Owner</b> : Brenda J Neri-Wong & Daniel R Aranda <b>Site</b> : 110 W 4th St Newberg 97132 <b>Mail</b> : 110 W 4th St Newberg, OR 97132	<b>Parcel Number</b> : 54265 <b>Transfer Date/Price</b> : 06/27/2023 / \$385,000.00 <b>Use</b> : Residential, SFR

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41	<b>Owner</b> : Ryan D Howard & Catherine M Munds <b>Site</b> : 111 W 4th St Newberg 97132 <b>Mail</b> : 111 W 4th St Newberg, OR 97132	<b>Parcel Number</b> : 54997 <b>Transfer Date/Price</b> : 11/20/2019 / \$321,000.00 <b>Use</b> : Residential, SFR
42	<b>Owner</b> : Jamie L Mccall & Dale J Seachord <b>Site</b> : 113 W 4th St Newberg 97132 <b>Mail</b> : 113 W 4th St Newberg, OR 97132	<b>Parcel Number</b> : 437085 <b>Transfer Date/Price</b> : 06/29/2015 / \$220,000.00 <b>Use</b> : Residential, SFR
43	<b>Owner</b> : Kathleen Dooley & Steven Hall <b>Site</b> : 114 W 4th St Newberg 97132 <b>Mail</b> : 114 W 4th St Newberg, OR 97132	<b>Parcel Number</b> : 54256 <b>Transfer Date/Price</b> : 05/13/2022 / \$425,000.00 <b>Use</b> : Residential, SFR
44	<b>Owner</b> : Owner Record <b>Site</b> : 114 E 4th St Newberg 97132 <b>Mail</b> : 114 E 4th St Newberg, OR 97132	<b>Parcel Number</b> : 54363 <b>Transfer Date/Price</b> : 10/18/2002 / \$135,000.00 <b>Use</b> : Residential, SFR
45	<b>Owner</b> : Janet Johnson & Steven D Johnson <b>Site</b> : 115 E 4th St Newberg 97132 <b>Mail</b> : 115 E 4th St Newberg, OR 97132	<b>Parcel Number</b> : 54452 <b>Transfer Date/Price</b> : 07/11/2005 / \$0.00 <b>Use</b> : Residential, SFR
46	<b>Owner</b> : Michael E Durfee & Kaylene R Durfee <b>Site</b> : 201 E 4th St Newberg 97132 <b>Mail</b> : 201 E 4th St Newberg, OR 97132	<b>Parcel Number</b> : 54498 <b>Transfer Date/Price</b> : 11/26/2014 / \$174,000.00 <b>Use</b> : Residential, SFR
47	<b>Owner</b> : Ronda L Arbogast & Frank S Measel <b>Site</b> : 107 E 5th St Newberg 97132 <b>Mail</b> : 107 E 5th St Newberg, OR 97132	<b>Parcel Number</b> : 49780 <b>Transfer Date/Price</b> : 05/02/1990 / \$0.00 <b>Use</b> : Residential, SFR
48	<b>Owner</b> : Savannah Chavez & Jason Gianella <b>Site</b> : 201 E 5th St Newberg 97132 <b>Mail</b> : 1102 N Springbrook Rd 248 Newberg, OR 97132	<b>Parcel Number</b> : 49815 <b>Transfer Date/Price</b> : 11/14/2022 / \$200,000.00 <b>Use</b> : Commercial, MANUFACTURED HOME
49	<b>Owner</b> : Richard A Hughes & Jessica A Hughes <b>Site</b> : 209 E 5th St Newberg 97132 <b>Mail</b> : 209 E 5th St Newberg, OR 97132	<b>Parcel Number</b> : 50287 <b>Transfer Date/Price</b> : 04/13/2017 / \$362,000.00 <b>Use</b> : Residential, SFR
50	<b>Owner</b> : Engle Family Revocable Trust & Engle Jr Robert B <b>Site</b> : 211 E 5th St Newberg 97132 <b>Mail</b> : 211 E 5th St Newberg, OR 97132	<b>Parcel Number</b> : 49824 <b>Transfer Date/Price</b> : 08/28/2002 / \$0.00 <b>Use</b> : Residential, SFR

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51	<b>Owner</b> : Vivian J Archibald <b>Site</b> : 215 E 5th St Newberg 97132 <b>Mail</b> : 215 E 5th St Newberg, OR 97132	<b>Parcel Number</b> : 49913 <b>Transfer Date/Price</b> : 04/02/1982 / \$0.00 <b>Use</b> : Residential, SFR
52	<b>Owner</b> : Brad Holbrook & Fangyi Liao-Holbrook <b>Site</b> : 301 E 5th St Newberg 97132 <b>Mail</b> : 901 E North St D237 Newberg, OR 97132	<b>Parcel Number</b> : 49851 <b>Transfer Date/Price</b> : 08/18/2014 / \$182,800.00 <b>Use</b> : Residential, SFR
53	<b>Owner</b> : Sergiy Barsukov <b>Site</b> : 307 E 5th St Newberg 97132 <b>Mail</b> : 307 E 5th St Newberg, OR 97132	<b>Parcel Number</b> : 49922 <b>Transfer Date/Price</b> : 09/11/2003 / \$112,600.00 <b>Use</b> : Residential, SFR
54	<b>Owner</b> : Robert Brownell & Nancy A Bradetich <b>Site</b> : 309 E 5th St Newberg 97132 <b>Mail</b> : 309 E 5th St Newberg, OR 97132	<b>Parcel Number</b> : 49959 <b>Transfer Date/Price</b> : 07/11/2014 / \$175,000.00 <b>Use</b> : Residential, SFR
55	<b>Owner</b> : Newberg City Of <b>Site</b> : S Blaine St Newberg <b>Mail</b> : 535 NE 5th St McMinnville, OR 97128	<b>Parcel Number</b> : 49487 <b>Transfer Date/Price</b> : / \$0.00 <b>Use</b> : Commercial, MUNICIPAL PROPERTY
56	<b>Owner</b> : Renee Properties Llc <b>Site</b> : 111 S Blaine St Newberg 97132 <b>Mail</b> : 2750 E 9th St Newberg, OR 97132	<b>Parcel Number</b> : 49968 <b>Transfer Date/Price</b> : / \$250,000.00 <b>Use</b> : Commercial, COMMERCIAL BUILDING
57	<b>Owner</b> : Larry Trip & Kathy Trip <b>Site</b> : 211 S Blaine St Newberg 97132 <b>Mail</b> : PO Box 19771 Portland, OR 97280	<b>Parcel Number</b> : 51268 <b>Transfer Date/Price</b> : 07/14/2023 / \$420,000.00 <b>Use</b> : Residential, SFR
58	<b>Owner</b> : Hailey Treinen & Kyle Treinen <b>Site</b> : 215 S Blaine St Newberg 97132 <b>Mail</b> : 215 S Blaine St Newberg, OR 97132	<b>Parcel Number</b> : 51277 <b>Transfer Date/Price</b> : 04/18/2016 / \$230,000.00 <b>Use</b> : Residential, SFR
59	<b>Owner</b> : Jack B May & Angela L May <b>Site</b> : 313 S Blaine St Newberg 97132 <b>Mail</b> : 2220 N Thorne St Newberg, OR 97132	<b>Parcel Number</b> : 49557 <b>Transfer Date/Price</b> : 09/24/2001 / \$75,000.00 <b>Use</b> : Residential, SFR
60	<b>Owner</b> : David Goldstein <b>Site</b> : 315 S Blaine St Newberg 97132 <b>Mail</b> : 315 S Blaine St Newberg, OR 97132	<b>Parcel Number</b> : 49539 <b>Transfer Date/Price</b> : 02/22/2022 / \$380,000.00 <b>Use</b> : Residential, SFR

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61	<b>Owner</b> : Curtis K Eilert & Jane S Eilert <b>Site</b> : 319 S Blaine St Newberg 97132 <b>Mail</b> : 319 S Blaine St Newberg, OR 97132	<b>Parcel Number</b> : 484303 <b>Transfer Date/Price</b> : / \$0.00 <b>Use</b> : Residential, SFR
62	<b>Owner</b> : Luke D Stubbs & Delayne Stubbs <b>Site</b> : 401 S Blaine St Newberg 97132 <b>Mail</b> : 401 S Blaine St Newberg, OR 97132	<b>Parcel Number</b> : 49511 <b>Transfer Date/Price</b> : 09/17/2021 / \$395,285.00 <b>Use</b> : Residential, SFR
63	<b>Owner</b> : John Galt Real Estate ll Llc <b>Site</b> : 405 S Blaine St Newberg 97132 <b>Mail</b> : 29100 SW Town Center Loop W 100 Wilsonville, OR 97070	<b>Parcel Number</b> : 49502 <b>Transfer Date/Price</b> : 09/23/2021 / \$670,000.00 <b>Use</b> : Commercial, MULTI FAMILY 10 UNITS LESS
64	<b>Owner</b> : Matthew Joseph Greensmith <b>Site</b> : 415 S Blaine St Newberg 97132 <b>Mail</b> : 415 S Blaine St Newberg, OR 97132	<b>Parcel Number</b> : 49940 <b>Transfer Date/Price</b> : 03/30/2010 / \$0.00 <b>Use</b> : Residential, SFR
65	<b>Owner</b> : Lillie M Jordan <b>Site</b> : 306 S Dayton Ave Newberg 97132 <b>Mail</b> : 306 S Dayton Ave Newberg, OR 97132	<b>Parcel Number</b> : 49628 <b>Transfer Date/Price</b> : 04/25/2017 / \$224,900.00 <b>Use</b> : Residential, SFR
66	<b>Owner</b> : Nabor Pereda & Maria Pereda <b>Site</b> : 310 S Dayton Ave Newberg 97132 <b>Mail</b> : PO Box 382 Newberg, OR 97132	<b>Parcel Number</b> : 49646 <b>Transfer Date/Price</b> : / \$25,000.00 <b>Use</b> : Residential, SFR
67	<b>Owner</b> : Jose G Perez & James W Perez <b>Site</b> : 312 S Dayton Ave Newberg 97132 <b>Mail</b> : 4205 NE Riverside Loop McMinnville, OR 97128	<b>Parcel Number</b> : 49664 <b>Transfer Date/Price</b> : / \$20,198.00 <b>Use</b> : Residential, SFR
68	<b>Owner</b> : Robert B Woodruff & Lesley A Woodruff <b>Site</b> : 320 S Dayton Ave Newberg 97132 <b>Mail</b> : 320 S Dayton Ave Newberg, OR 97132	<b>Parcel Number</b> : 49691 <b>Transfer Date/Price</b> : 08/04/2006 / \$0.00 <b>Use</b> : Residential, SFR
69	<b>Owner</b> : Eva L Sizelove <b>Site</b> : 321 S Dayton Ave Newberg 97132 <b>Mail</b> : 321 S Dayton Ave Newberg, OR 97132	<b>Parcel Number</b> : 54531 <b>Transfer Date/Price</b> : 05/17/2001 / \$0.00 <b>Use</b> : Residential, SFR
70	<b>Owner</b> : Kristina Puckett Hampton <b>Site</b> : 400 S Dayton Ave Newberg 97132 <b>Mail</b> : 400 S Dayton Ave Newberg, OR 97132	<b>Parcel Number</b> : 431278 <b>Transfer Date/Price</b> : 05/10/2010 / \$0.00 <b>Use</b> : Residential, SFR

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71	<b>Owner</b> : Clifford W Anderson & Allison D Anderson <b>Site</b> : 402 S Dayton Ave Newberg 97132 <b>Mail</b> : 20120 NE Herring Ln Newberg, OR 97132	<b>Parcel Number</b> : 49708 <b>Transfer Date/Price</b> : 04/30/2015 / \$199,477.00 <b>Use</b> : Residential, SFR
72	<b>Owner</b> : Jordan C Miller & Chelsea N Lyman <b>Site</b> : 409 S Dayton Ave Newberg 97132 <b>Mail</b> : 409 S Dayton Ave Newberg, OR 97132	<b>Parcel Number</b> : 54381 <b>Transfer Date/Price</b> : 04/20/2018 / \$272,500.00 <b>Use</b> : Residential, SFR
73	<b>Owner</b> : 412 Dayton Llc <b>Site</b> : 412 S Dayton Ave Newberg 97132 <b>Mail</b> : 20120 NE Herring Ln Newberg, OR 97132	<b>Parcel Number</b> : 49726 <b>Transfer Date/Price</b> : 04/10/2015 / \$193,000.00 <b>Use</b> : Residential, SFR
74	<b>Owner</b> : Stewart D Leinan <b>Site</b> : 416 S Dayton Ave Newberg 97132 <b>Mail</b> : 416 S Dayton Ave Newberg, OR 97132	<b>Parcel Number</b> : 49753 <b>Transfer Date/Price</b> : 09/15/2006 / \$229,000.00 <b>Use</b> : Residential, SFR
75	<b>Owner</b> : Rasa Sidagyte <b>Site</b> : 422 S Dayton Ave Newberg 97132 <b>Mail</b> : 422 S Dayton Ave Newberg, OR 97132	<b>Parcel Number</b> : 713112 <b>Transfer Date/Price</b> : / \$0.00 <b>Use</b> : Residential, SFR
76	<b>Owner</b> : Richard L Oviatt & Barbara Oviatt <b>Site</b> : 120 S Grant St Newberg 97132 <b>Mail</b> : 300 W Sherman St Newberg, OR 97132	<b>Parcel Number</b> : 50394 <b>Transfer Date/Price</b> : / \$0.00 <b>Use</b> : Commercial, COMMERCIAL BUILDING
77	<b>Owner</b> : International Church Of the & Foursquare Gospel <b>Site</b> : 200 S Grant St Newberg 97132 <b>Mail</b> : 115 W 3rd St Newberg, OR 97132	<b>Parcel Number</b> : 50946 <b>Transfer Date/Price</b> : 07/15/2004 / \$0.00 <b>Use</b> : Commercial, RELIGIOUS
78	<b>Owner</b> : Sean M Stebbins <b>Site</b> : 311 S Grant St Newberg 97132 <b>Mail</b> : 2507 S Cache Cir Ridgefield, WA 98642	<b>Parcel Number</b> : 55022 <b>Transfer Date/Price</b> : 08/15/2018 / \$297,150.00 <b>Use</b> : Residential, SFR
79	<b>Owner</b> : Brent Aue <b>Site</b> : 406 S Grant St Newberg 97132 <b>Mail</b> : 23900 SW Mountain Home Rd Sherwood, OR 97140	<b>Parcel Number</b> : 54238 <b>Transfer Date/Price</b> : 10/13/2017 / \$0.00 <b>Use</b> : Residential, SFR
80	<b>Owner</b> : Newberg City Of <b>Site</b> : 411 S Howard St Newberg 97132 <b>Mail</b> : 535 NE 5th St McMinnville, OR 97128	<b>Parcel Number</b> : 49361 <b>Transfer Date/Price</b> : / \$0.00 <b>Use</b> : Commercial, MUNICIPAL PROPERTY

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81	<b>Owner</b> : Snyder Inheritance Trust <b>Site</b> : 110 S Main St Newberg 97132 <b>Mail</b> : 23950 NE Larkins Rd Newberg, OR 97132	<b>Parcel Number</b> : 50189 <b>Transfer Date/Price</b> : / \$0.00 <b>Use</b> : Residential, RESIDENTIAL (NEC)
82	<b>Owner</b> : Fox Nancy Trustee For & Fox Nancy Revocable Living Trust <b>Site</b> : 111 S Main St Newberg 97132 <b>Mail</b> : 20805 NE Highway 240 Newberg, OR 97132	<b>Parcel Number</b> : 50214 <b>Transfer Date/Price</b> : / \$0.00 <b>Use</b> : Residential, RESIDENTIAL (NEC)
83	<b>Owner</b> : Elise K Yarnell <b>Site</b> : 112 S Main St Newberg 97132 <b>Mail</b> : 112 S Main St Newberg, OR 97132	<b>Parcel Number</b> : 50198 <b>Transfer Date/Price</b> : 03/25/2016 / \$295,000.00 <b>Use</b> : Residential, SFR
84	<b>Owner</b> : Adam W Perez & Ruben D Perez <b>Site</b> : 113 S Main St Newberg 97132 <b>Mail</b> : 4205 NE Riverside Loop McMinnville, OR 97128	<b>Parcel Number</b> : 50205 <b>Transfer Date/Price</b> : / \$0.00 <b>Use</b> : Residential, RESIDENTIAL (NEC)
85	<b>Owner</b> : Gary Mcauley & Svitiana Mcauley <b>Site</b> : 200 S Main St Newberg 97132 <b>Mail</b> : PO Box 1532 Sherwood, OR 97140	<b>Parcel Number</b> : 51044 <b>Transfer Date/Price</b> : 12/21/2018 / \$280,000.00 <b>Use</b> : Residential, RESIDENTIAL (NEC)
86	<b>Owner</b> : Todd A Spencer & Catherine L Spencer <b>Site</b> : 201 S Main St Newberg 97132 <b>Mail</b> : 201 S Main St Newberg, OR 97132	<b>Parcel Number</b> : 50964 <b>Transfer Date/Price</b> : 01/09/1995 / \$70,000.00 <b>Use</b> : Residential, RESIDENTIAL (NEC)
87	<b>Owner</b> : Nathan R Erb & Monica Felix <b>Site</b> : 204 S Main St Newberg 97132 <b>Mail</b> : 204 S Main St Newberg, OR 97132	<b>Parcel Number</b> : 51035 <b>Transfer Date/Price</b> : 01/10/2017 / \$255,000.00 <b>Use</b> : Residential, RESIDENTIAL (NEC)
88	<b>Owner</b> : Fair Donald E & Lenora E Trustees For & Fair Family Trust <b>Site</b> : 205 S Main St Newberg 97132 <b>Mail</b> : 205 S Main St Newberg, OR 97132	<b>Parcel Number</b> : 50982 <b>Transfer Date/Price</b> : / \$0.00 <b>Use</b> : Residential, RESIDENTIAL (NEC)
89	<b>Owner</b> : Inernational Church Of the & Foursquare Gospel <b>Site</b> : 209 S Main St Newberg 97132 <b>Mail</b> : 115 W 3rd St Newberg, OR 97132	<b>Parcel Number</b> : 50991 <b>Transfer Date/Price</b> : 05/27/2005 / \$0.00 <b>Use</b> : Commercial, RELIGIOUS
90	<b>Owner</b> : Patrick N Ferrington & Rebekah I Ferrington <b>Site</b> : 210 S Main St Newberg 97132 <b>Mail</b> : 210 S Main St Newberg, OR 97132	<b>Parcel Number</b> : 51026 <b>Transfer Date/Price</b> : 07/23/2002 / \$0.00 <b>Use</b> : Residential, SFR

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91	<b>Owner</b> : Denise Archer & Jason Wehling <b>Site</b> : 214 S Main St Newberg 97132 <b>Mail</b> : 2960 SW Bennington Dr Portland, OR 97205	<b>Parcel Number</b> : 51017 <b>Transfer Date/Price</b> : 07/26/2023 / \$369,000.00 <b>Use</b> : Residential, SFR
92	<b>Owner</b> : International Church Of the & Foursquare Gospel <b>Site</b> : 215 S Main St Newberg 97132 <b>Mail</b> : 115 W 3rd St Newberg, OR 97132	<b>Parcel Number</b> : 51008 <b>Transfer Date/Price</b> : 10/22/2007 / \$0.00 <b>Use</b> : Residential, DUPLEX
93	<b>Owner</b> : Aaron J Rivett <b>Site</b> : 306 S Main St Newberg 97132 <b>Mail</b> : 306 S Main St Newberg, OR 97132	<b>Parcel Number</b> : 54700 <b>Transfer Date/Price</b> : 01/06/1998 / \$72,500.00 <b>Use</b> : Residential, SFR
94	<b>Owner</b> : Sandra N Cook <b>Site</b> : 309 S Main St Newberg 97132 <b>Mail</b> : 309 S Main St Newberg, OR 97132	<b>Parcel Number</b> : 54719 <b>Transfer Date/Price</b> : / \$0.00 <b>Use</b> : Residential, SFR
95	<b>Owner</b> : Michael W Launder & Lori Biever-Launder <b>Site</b> : 310 S Main St Newberg 97132 <b>Mail</b> : 310 S Main St Newberg, OR 97132	<b>Parcel Number</b> : 54416 <b>Transfer Date/Price</b> : 05/28/1999 / \$162,500.00 <b>Use</b> : Residential, SFR
96	<b>Owner</b> : Corey Abaira & Jaimie Abaira <b>Site</b> : 400 S Main St Newberg 97132 <b>Mail</b> : 400 S Main St Newberg, OR 97132	<b>Parcel Number</b> : 54354 <b>Transfer Date/Price</b> : 01/08/2021 / \$0.00 <b>Use</b> : Residential, SFR
97	<b>Owner</b> : Douglas Beatty <b>Site</b> : 401 S Main St Newberg 97132 <b>Mail</b> : 2295 Beeler St 103 Denver, CO 80238	<b>Parcel Number</b> : 54274 <b>Transfer Date/Price</b> : 03/28/2012 / \$0.00 <b>Use</b> : Residential, SFR
98	<b>Owner</b> : Keta S C Bradford & Frank A Bradford <b>Site</b> : 404 S Main St Newberg 97132 <b>Mail</b> : 404 S Main St Newberg, OR 97132	<b>Parcel Number</b> : 54345 <b>Transfer Date/Price</b> : 02/01/1999 / \$100,000.00 <b>Use</b> : Residential, SFR
99	<b>Owner</b> : Elvin R Syversen & Dorothy Syversen <b>Site</b> : 408 S Main St Newberg 97132 <b>Mail</b> : 408 S Main St Newberg, OR 97132	<b>Parcel Number</b> : 54336 <b>Transfer Date/Price</b> : / \$13,500.00 <b>Use</b> : Residential, SFR
100	<b>Owner</b> : Virginia L Anderson & Gary E Vangas <b>Site</b> : 409 S Main St Newberg 97132 <b>Mail</b> : 409 S Main St Newberg, OR 97132	<b>Parcel Number</b> : 54292 <b>Transfer Date/Price</b> : 02/26/1999 / \$135,550.00 <b>Use</b> : Residential, SFR

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101	<b>Owner</b> : Alex M Vanwormer & Jennifer M Vanwormer <b>Site</b> : 412 S Main St Newberg 97132 <b>Mail</b> : 412 S Main St Newberg, OR 97132	<b>Parcel Number</b> : 54318 <b>Transfer Date/Price</b> : 11/20/2015 / \$222,000.00 <b>Use</b> : Residential, SFR
102	<b>Owner</b> : Kevin W Dressel & Gillian A Dressel <b>Site</b> : 415 S Main St Newberg 97132 <b>Mail</b> : 15455 SW Finis Ln Portland, OR 97224	<b>Parcel Number</b> : 524602 <b>Transfer Date/Price</b> : / \$0.00 <b>Use</b> : Residential, SFR
103	<b>Owner</b> : Coral M Hutchcraft <b>Site</b> : 417 S Main St Newberg 97132 <b>Mail</b> : 417 S Main St Newberg, OR 97132	<b>Parcel Number</b> : 51856 <b>Transfer Date/Price</b> : 12/30/2013 / \$266,900.00 <b>Use</b> : Residential, SFR
104	<b>Owner</b> : Colling Newberg Properties Llc <b>Site</b> : 420 S Main St Newberg 97132 <b>Mail</b> : ,	<b>Parcel Number</b> : 54309 <b>Transfer Date/Price</b> : / \$0.00 <b>Use</b> : Residential, SFR
105	<b>Owner</b> : Kevin W Dressel & Gillian A Dressel <b>Site</b> : 421 S Main St Newberg 97132 <b>Mail</b> : 15455 SW Finis Ln Portland, OR 97224	<b>Parcel Number</b> : 524599 <b>Transfer Date/Price</b> : / \$0.00 <b>Use</b> : Residential, SFR
106	<b>Owner</b> : Kyle Kern & Suzanne Kern <b>Site</b> : S Washington St Newberg <b>Mail</b> : 1941 N Westlake Loop Newberg, OR 97132	<b>Parcel Number</b> : 51188 <b>Transfer Date/Price</b> : 03/17/2008 / \$220,000.00 <b>Use</b> : Residential, RESIDENTIAL LOT
107	<b>Owner</b> : Mark Case <b>Site</b> : 115 S Washington St Newberg 97132 <b>Mail</b> : PO Box 1047 Newberg, OR 97132	<b>Parcel Number</b> : 50116 <b>Transfer Date/Price</b> : / \$0.00 <b>Use</b> : Commercial, COMMERCIAL BUILDING
108	<b>Owner</b> : James M Shulmire <b>Site</b> : 211 S Washington St Newberg 97132 <b>Mail</b> : 211 S Washington St Newberg, OR 97132	<b>Parcel Number</b> : 51160 <b>Transfer Date/Price</b> : 06/16/2014 / \$179,000.00 <b>Use</b> : Residential, SFR
109	<b>Owner</b> : Kyle Kern & Suzanne Kern <b>Site</b> : 214 S Washington St Newberg 97132 <b>Mail</b> : 1941 N Westlake Loop Newberg, OR 97132	<b>Parcel Number</b> : 439788 <b>Transfer Date/Price</b> : 03/17/2008 / \$220,000.00 <b>Use</b> : Residential, RESIDENTIAL LOT
110	<b>Owner</b> : Joseph L Magallanes & Brittany L Magallanes <b>Site</b> : 215 S Washington St Newberg 97132 <b>Mail</b> : 215 S Washington St Newberg, OR 97132	<b>Parcel Number</b> : 51179 <b>Transfer Date/Price</b> : 08/17/2016 / \$245,000.00 <b>Use</b> : Residential, SFR

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Limitation of Liability for Informational Report

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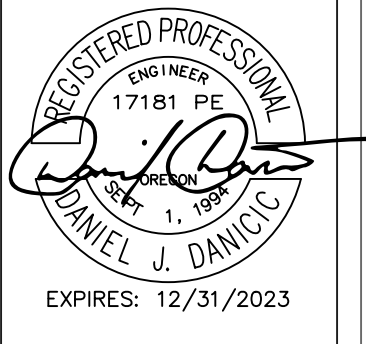
# Attachment E

Preliminary Plat

YAMHILL LAND DEVELOPMENT SERVICES LLC  
PO BOX 1042  
NEWBERG, OR 97132  
DJD.YLDS@GMAIL.COM 503-476-7702

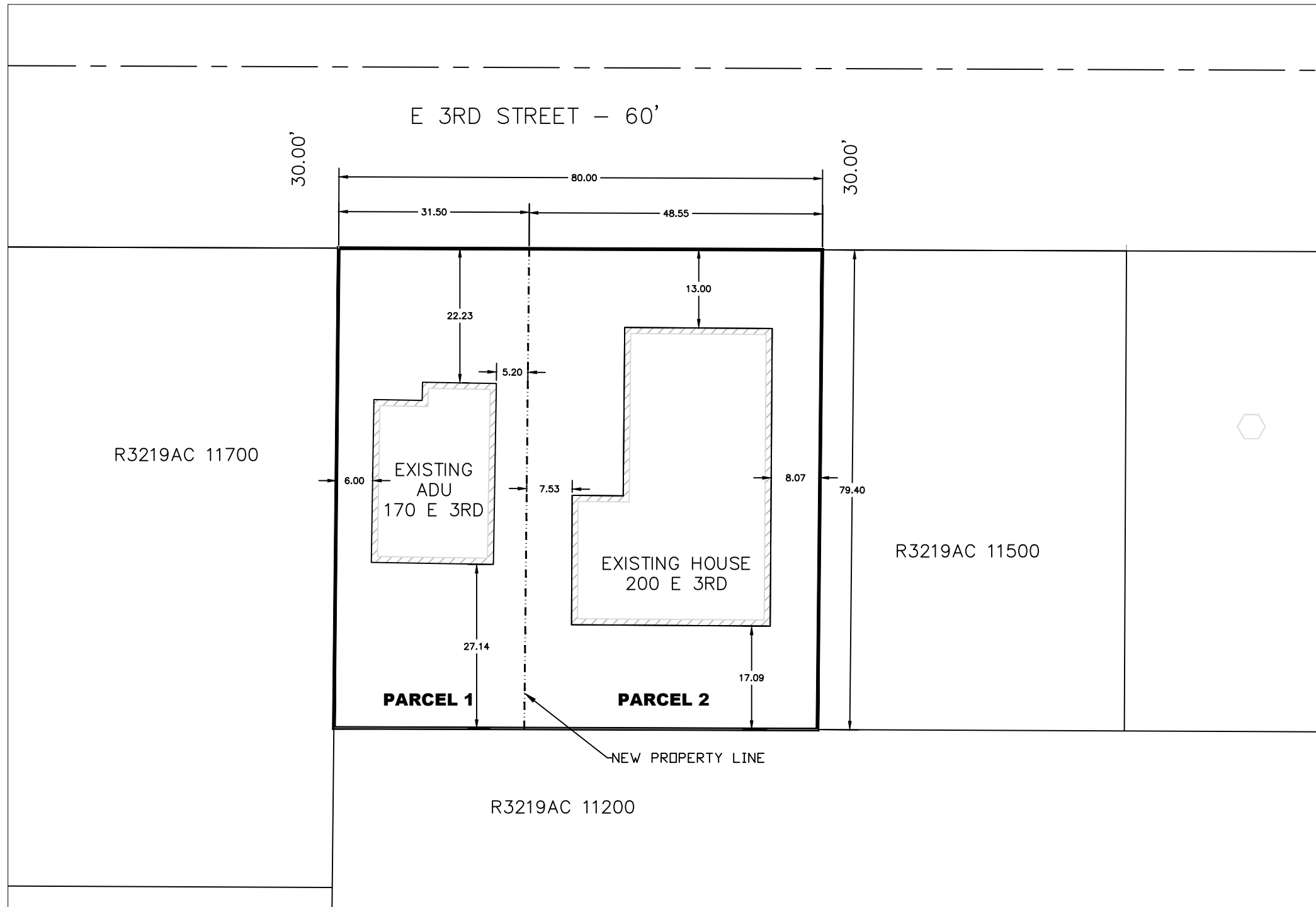
BEN AND ALLISON NELSON

LAND DIVISION  
Detached Duplex  
170 / 200 E 3rd STREET  
NEWBERG OREGON  
97132  
TAX LOT: R3219AC 11600

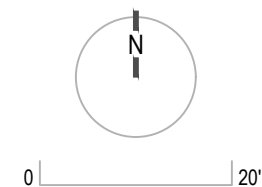


PRELIMINARY PLAT

C1



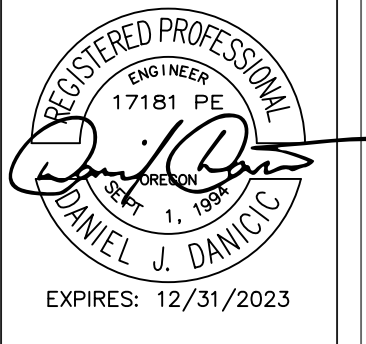
**PRELIMINARY PLAT**



**YAMHILL LAND DEVELOPMENT SERVICES LLC**  
 PO BOX 1042  
 NEWBERG, OR 97132  
 DJD.YLDS@GMAIL.COM 503-476-7702

**BEN AND ALLISON NELSON**

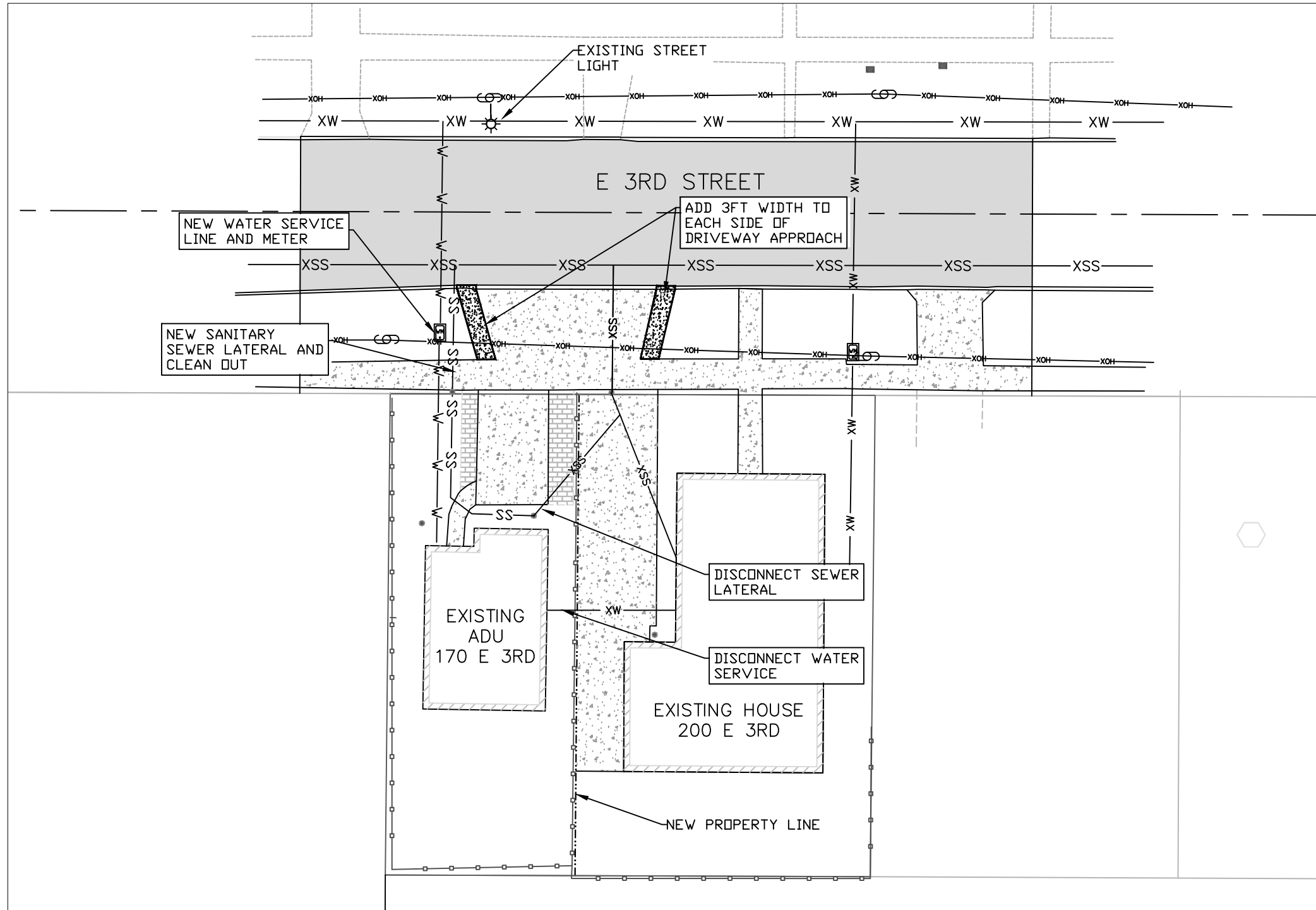
**LAND DIVISION  
 Detached Duplex**  
 170 / 200 E 3rd STREET  
 NEWBERG OREGON  
 97132  
 TAX LOT: R3219AC 11600



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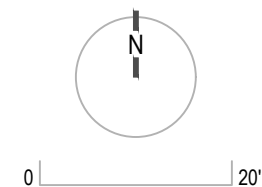
**EXISTING AND  
 PROPOSED  
 IMPROVEMENTS**

**C2**



**PRELIMINARY PLAT**

	Lot Area (SF)	Lot Coverage (SF)	Parking Coverage (SF)	Combined Coverage (SF)
<b>Max Allowed</b>		40%	60%	60%
<b>Parcel 1</b>	2501.23	581.26 23%	338.51 14%	919.77 35%
<b>Parcel 2</b>	3850.38	1384.56 13%	503.15 13%	1887.71 49%





# Type I Application (Administrative Review)

File #: ADJC23-0006

**TYPES – PLEASE CHECK ONE:**

- Code Adjustment
- Final Plat
- Minor Design Review
- Property Line Adjustment
- ADU or Cottage Cluster Design Review
- Historic Landmark Minor Alteration/Demolition
- Property Line Consolidation
- Type I Extension or Type I Minor/Major Modification
- Type II or Type III Extension or Minor Modification
- Other: (Explain) \_\_\_\_\_

## APPLICANT INFORMATION:

APPLICANT: Daniel Danicic, Yamhill Land Development Services LLC

ADDRESS: PO Box 1042 CITY: Newberg STATE: OR ZIP: 97132

EMAIL ADDRESS: did.vlds@gmail.com PHONE: \_\_\_\_\_ MOBILE: 503-476-7702

OWNER (if different from above): Benjamin and Allison Nelson PHONE: 503-810-7816

ADDRESS: 2505 E Portland Rd CITY: Newberg STATE: OR ZIP: 97132

ENGINEER/SURVEYOR: Yamhill Land Development Services CONTACT: Daniel Danicic, PE

EMAIL ADDRESS: djd.ylds@gmail.com PHONE: \_\_\_\_\_ MOBILE: 503-476-7711

## GENERAL INFORMATION:

PROJECT LOCATION: 170/200 E 3rd Street Newberg, OR 97132 PROJECT VALUATION: \$ \_\_\_\_\_

PROJECT DESCRIPTION/USE: Two lot partition of residential lot under Middle Housing code criteria

MAP/TAX LOT NO. (i.e.3200AB-400): R3219AC-11600 SITE SIZE: 6360 SQ. FT.  ACRE

COMP PLAN DESIGNATION: Residential CURRENT ZONING: R1

CURRENT USE: Single family dwelling and ADU

SURROUNDING USES:

NORTH: R1 Residential SOUTH: R1 Residential

EAST: R1 Residential WEST: R1 Residential

## ATTACHED PROJECT CRITERIA AND REQUIREMENTS (check box's)

- Required Information:  Fees  Written Criteria Response  2 Hard copies of full Application Packet
- Current Title Report  Owner Signature  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:

Code Adjustment.....	p. 5
Final Plat .....	p. 7
Minor Design Review .....	p. 10
Minor Modification .....	p. 12
Property Line Adjustment/Consolidation .....	p. 13
Historic Landmark Minor Alteration/Demo.....	p. 15

*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.

11/27/23  
Applicant Signature Date

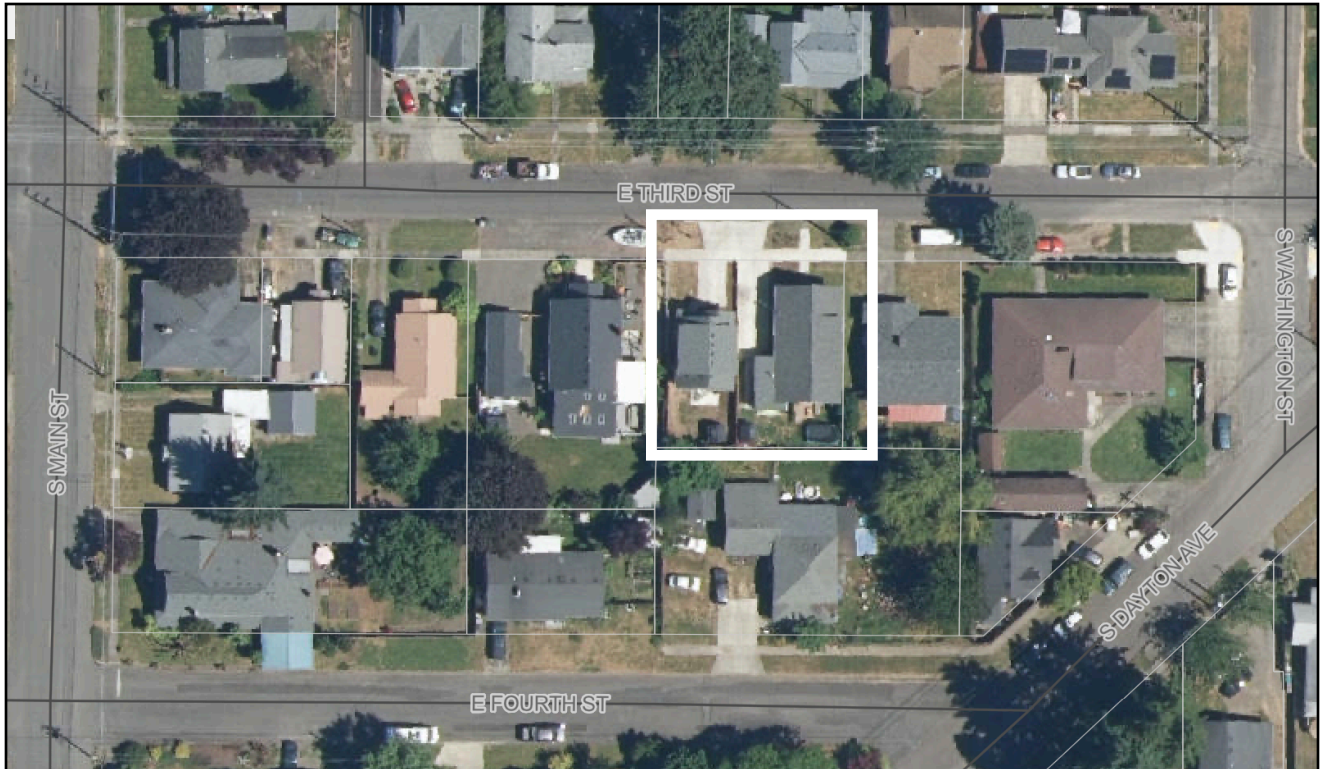
11/27/2023  
Owner Signature Date

Daniel Danicic  
Print Name

Benjamin Nelson  
Print Name

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# Type I Code Adjustment Application



170/200 E 3rd St  
Newberg, OR 97132

November 20, 2023

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## PROJECT DETAILS

Applicant:	Yamhill Land Development Services LLC PO Box 1042 Newberg, OR 97132
Owner:	Benjamin and Allison Nelson 2505 E Portland Road Newberg, OR 97132
Property Description	Tax Lot R3219AC 11600 170 and 200 E THIRD ST Newberg, OR 97132
Zoning	R1
Existing Lot	6,351.61 SF
Proposed Lots	Parcel 1 2,501.23 SF Parcel 2 3,850.38 SF

## PROJECT DESCRIPTION

The property currently consist of a single family house and an accessory dwelling unit (ADU). The property owner would like to utilize the recently adopted Middle Housing land division code to create a detached duplex project separating each of the housing units onto separate lots. To complete the land use process the application requires approval of a code adjustment for yard setback and lot dimensions.

---

## WRITTEN CRITERIA RESPONSE

### **15.210.020 Type I adjustments and approval criteria.**

*(A) Yard setback dimensions, lot area, percentage of lot coverage, lot dimensions:*

*1. The director may approve adjustments to:*

*a. Setbacks/street trees – Maximum adjustment of 25 percent of the dimensional standards for front yard setback requirements and the spacing of street trees.*

**RESPONSE:** The standard for front yard setback is 15 feet. The maximum 25% reduction would reduce this by 3.75 feet to 11.25 feet. The existing front yard setback for Parcel two is 13 feet which is within the allowable code adjustment.

*b. Lot area – Maximum adjustment of 5 percent of the lot area required. A lot area adjustment shall not be granted thereby allowing a greater number of dwelling units than that permitted without the adjustment.*

**RESPONSE:** No adjustment requested.

*c. Percentage of lot coverage – Maximum adjustment of two percent more than permitted for all land uses except the maximum parking area coverage for R-3 Districts may be increased up to 50 percent.*

**RESPONSE:** No adjustment requested.

*d. Lot dimensions – Maximum of 10 percent of the required lot dimensions of frontages.*

**RESPONSE:** 15.405.030 D1c states:

*c. Each lot in R-1 zone shall have a minimum width of 35 feet at the front building line and AI or RP shall have a minimum width of 50 feet at the front building line.*

Parcel 1 is proposed to have a 31.5 foot width at the building face. A 10% reduction of the 35 foot requirement is 3.5 feet for modified width of 31.5 feet. The requested adjustment meets this criteria.

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2. *Approval Criteria. Approval of an adjustment shall be based on written findings. The director shall find that approval will result in:*

*a. More efficient use of the site.*

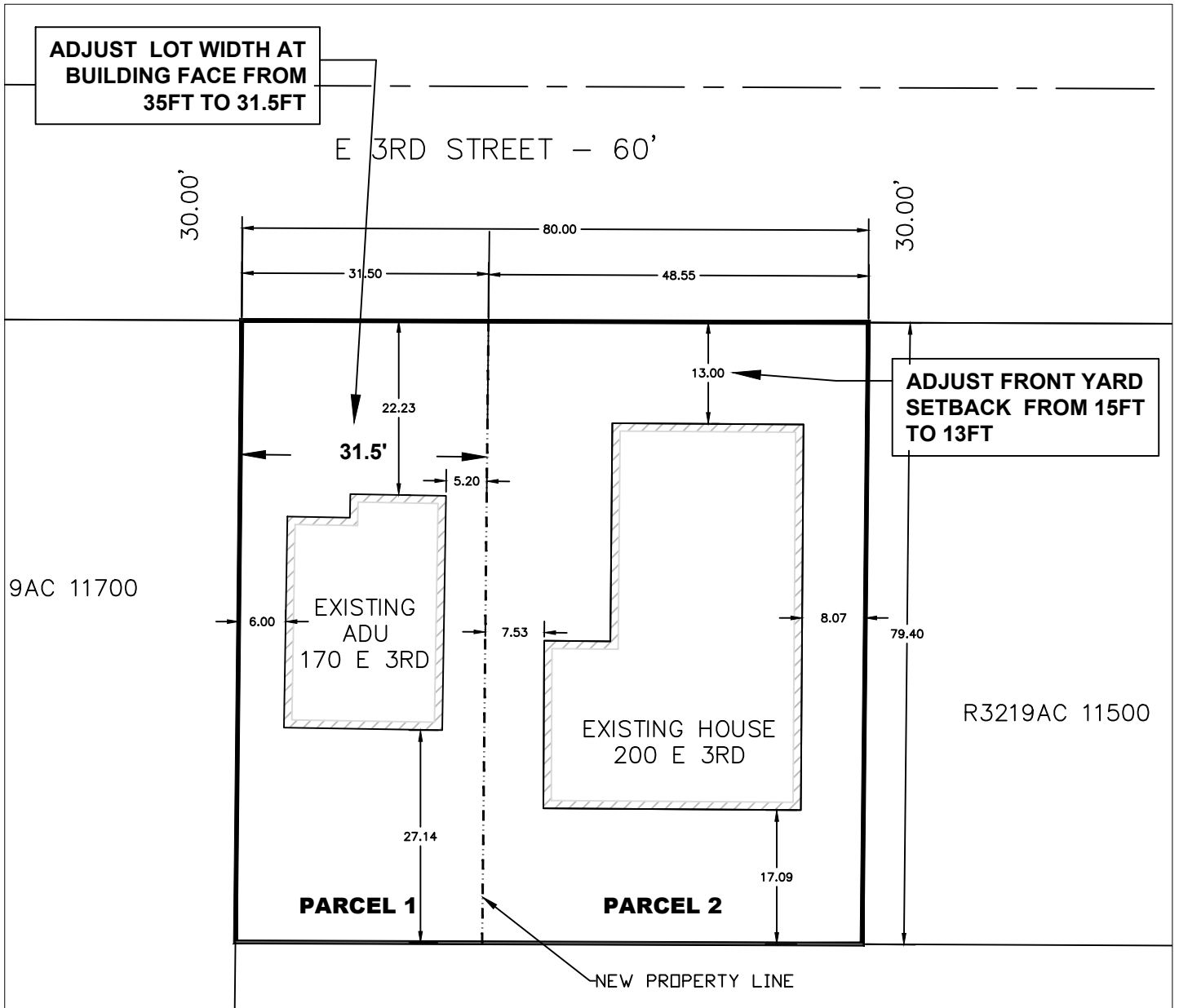
*b. Preservation of natural features, where appropriate.*

*c. Adequate provisions of light, air and privacy to adjoining properties.*

*d. Adequate emergency access.*

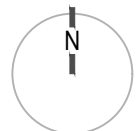
*e. The adjustment is consistent with the setbacks, lot area, and/or coverage of buildings or structures previously existing in the immediate vicinity.*

**RESPONSE:** The requested adjustments are within the percentage criteria for approval. The partition application implements provisions of the new Middle Housing code and approval will support the city's goal to add more affordable and varied housing stock. Because the structures already exist on the lot being divided, approval of the requested adjustments allows for the most efficient use of the site.



## **CODE ADJUSTMENT PLAN**

170/200 E 3RD ST  
NEWBERG, OR 97132



0 | 20'

THIS REPORT IS ISSUED BY THE ABOVE-NAMED COMPANY ("THE COMPANY") FOR THE EXCLUSIVE USE OF THE FOLLOWING CUSTOMER:

WCP Companies  
Phone No.: 503-476-1020

Date Prepared: December 21, 2023  
Effective Date: December 14, 2023 / 08:00 AM  
Charge: \$350.00  
Order No.: 471823128781  
Reference: 200 E 3RD St, Newberg, OR 97132

The information contained in this report is furnished to the Customer by Tigor Title Company of Oregon (the "Company") as an information service based on the records and indices maintained by the Company for the county identified below. This report is not title insurance, is not a preliminary title report for title insurance, and is not a commitment for title insurance. No examination has been made of the Company's records, other than as specifically set forth in this report ("the Report"). Liability for any loss arising from errors and/or omissions is limited to the lesser of the fee paid or the actual loss to the Customer, and the Company will have no greater liability by reason of this report. This report is subject to the Definitions, Conditions and Stipulations contained in it.

#### **REPORT**

- A. The Land referred to in this report is located in the County of Yamhill, State of Oregon, and is described as follows:  
As fully set forth on Exhibit "A" attached hereto and by this reference made a part hereof.
- B. As of the Effective Date, the tax account and map references pertinent to the Land are as follows:  
As fully set forth on Exhibit "B" attached hereto and by this reference made a part hereof.
- C. As of the Effective Date and according to the Public Records, we find title to the land apparently [vested in:](#)  
As fully set forth on Exhibit "C" attached hereto and by this reference made a part hereof.
- D. As of the Effective Date and according to the Public Records, the Land is subject to the following liens and encumbrances, which are not necessarily shown in the order of priority:  
As fully set forth on Exhibit "D" attached hereto and by this reference made a part hereof.

Ticor Title Company of Oregon  
Public Record Report for New Subdivision or Land Partition  
Order No. 471823128781

**EXHIBIT "A"**  
**(Land Description)**

**For APN/Parcel ID(s):** [54611](#)  
**For Tax Map ID(s):** **R3219AC11600**

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The West 50 feet of Lot 3 and the West 50 feet of the North half of Lot 2, Block 8, EVEREST'S ADDITION, to the City of Newberg, County of Yamhill, State of Oregon.

TOGETHER WITH that portion of vacated Garfield Street inuring thereto by Vacation Order No. 572, recorded September 15, 1948 in [Book 150, Page 461](#), Deed Records.

Ticor Title Company of Oregon  
Public Record Report for New Subdivision or Land Partition  
Order No. 471823128781

**EXHIBIT "B"**  
**(Tax Account and Map)**

[APN/Parcel ID\(s\) 54611 as well as Tax/Map ID\(s\) R3219AC11600](#)

Ticor Title Company of Oregon  
Public Record Report for New Subdivision or Land Partition  
Order No. 471823128781

**EXHIBIT "C"**  
**(Vesting)**

Benjamin J. Nelson and Allison R. Nelson, as tenants by the entirety



**EXHIBIT "D"**  
**(Liens and Encumbrances)**

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

Fiscal Year: 2023-2024  
Amount: \$4,897.42  
Levy Code: 29.0  
Account No.: [54611](#)  
Map No.: R3219AC 11600

1. City Liens, if any, in favor of the City of Newberg.
2. Any easements or rights of way for existing utilities or other rights of way over those portions of said Land lying within the public right of way vacated by resolution or ordinance

Recording Date: September 16, 1948  
Recording No: [Book 150, Page 461](#)  
Affects: Reference is hereby made to said document for full particulars

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

Amount: \$150,000.00  
Dated: May 7, 2020  
Trustor/Grantor: Benjamin J. Nelson and Allison R. Nelson, as tenants by the entirety  
Trustee: First American Title Insurance Company  
Beneficiary: Larry Dean Stevens  
Loan No.: N/A  
Recording Date: May 11, 2020  
Recording No: [202007452](#)

An agreement to modify the terms and provisions of said deed of trust as therein provided

Executed by: Benjamin J. Nelson and Allison R. Nelson  
Recording Date: December 14, 2020  
Recording No: [202022632](#)

The document referenced below which purports to reconvey/release the above deed of trust is not sufficient for the reason stated:

Reason: The recorded document is a Satisfaction of Deed of Trust and is executed by the Beneficiary. Pursuant to Oregon law a Deed of Reconveyance executed by the Trustee of record is required to release a Deed of Trust in the State of Oregon pursuant to ORS 86.720.  
Recording Date: February 10, 2023  
Recording No: [202301178](#)

**EXHIBIT "D"**  
**(Liens and Encumbrances)**  
(continued)

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

Amount: \$435,000.00  
Dated: May 14, 2021  
Trustor/Grantor: Benjamin J. Nelson and Allison R. Nelson, husband and wife  
Trustee: Chicago Title Insurance Company of Oregon, an Oregon corporation  
Beneficiary: MERS, as nominee for KeyBank National Association  
Loan No.: 2-6025209774  
Recording Date: September 14, 2021  
[Recording No:](#) [202118517](#)

\*\*End of Liens & Encumbrances\*\*

**BOUNDARY DEEDS:**

BOUNDARY DEED

Recording Date: July 28, 1978  
Recording No.: Film [Volume 131, Page 849](#)

BOUNDARY DEED

Recording Date: November 26, 2014  
[Recording No.:](#) [201414883](#)

BOUNDARY DEED

Recording Date: September 26, 2019  
[Recording No.:](#) [201913659](#)

## DEFINITIONS, CONDITIONS AND STIPULATIONS

1. **Definitions.** The following terms have the stated meaning when used in this report:
  - (a) "Customer": The person or persons named or shown as the addressee of this report.
  - (b) "Effective Date": The effective date stated in this report.
  - (c) "Land": The land specifically described in this report and improvements affixed thereto which by law constitute real property.
  - (d) "Public Records": Those records which by the laws of the state of Oregon impart constructive notice of matters relating to the Land.
2. **Liability of Company.**
  - (a) This is not a commitment to issue title insurance and does not constitute a policy of title insurance.
  - (b) The liability of the Company for errors or omissions in this public record report is limited to the amount of the charge paid by the Customer, provided, however, that the Company has no liability in the event of no actual loss to the Customer.
  - (c) No costs (including without limitation attorney fees and other expenses) of defense, or prosecution of any action, is afforded to the Customer.
  - (d) In any event, the Company assumes no liability for loss or damage by reason of 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.
    - (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, liens or encumbrances, or claims thereof, which are not shown by the Public Records.
    - (4) Discrepancies, encroachments, shortage in area, conflicts in boundary lines or any other facts which a survey would disclose.
    - (5) (i) Unpatented mining claims; (ii) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (iii) water rights or claims or title to water.
    - (6) Any right, title, interest, estate or easement in land beyond the lines of the area specifically described or referred to in this report, or in abutting streets, roads, avenues, alleys, lanes, ways or waterways.
    - (7) Any law, ordinance or governmental regulation (including but not limited to building and zoning laws, ordinances or regulations) restricting, regulating, prohibiting or relating to (i) the occupancy, use or enjoyment of the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iii) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the Public Records at the effective date hereof.
    - (8) Any governmental police power not excluded by 2(d)(7) above, except to the extent that notice of the exercise thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the Public Records at the effective date hereof.
    - (9) Defects, liens, encumbrances, adverse claims or other matters created, suffered, assumed, agreed to or actually known by the Customer.
3. **Report Entire Contract.** Any right or action or right of action that the Customer may have or may bring against the Company arising out of the subject matter of this report must be based on the provisions of this report. No provision or condition of this report can be waived or changed except by a writing signed by an authorized officer of the Company. By accepting this form report, the Customer acknowledges and agrees that the Customer has elected to utilize this form of public record report and accepts the limitation of liability of the Company as set forth herein.
4. **Charge.** The charge for this report does not include supplemental reports, updates or other additional services of the Company.

**LIMITATIONS OF LIABILITY**

"CUSTOMER" REFERS TO THE RECIPIENT OF THIS REPORT.

CUSTOMER EXPRESSLY AGREES AND ACKNOWLEDGES THAT IT IS EXTREMELY DIFFICULT, IF NOT IMPOSSIBLE, TO DETERMINE THE EXTENT OF LOSS WHICH COULD ARISE FROM ERRORS OR OMISSIONS IN, OR THE COMPANY'S NEGLIGENCE IN PRODUCING, THE REQUESTED REPORT, HEREIN "THE REPORT." CUSTOMER RECOGNIZES THAT THE FEE CHARGED IS NOMINAL IN RELATION TO THE POTENTIAL LIABILITY WHICH COULD ARISE FROM SUCH ERRORS OR OMISSIONS OR NEGLIGENCE. THEREFORE, CUSTOMER UNDERSTANDS THAT THE COMPANY IS NOT WILLING TO PROCEED IN THE PREPARATION AND ISSUANCE OF THE REPORT UNLESS THE COMPANY'S LIABILITY IS STRICTLY LIMITED. CUSTOMER AGREES WITH THE PROPRIETY OF SUCH LIMITATION AND AGREES TO BE BOUND BY ITS TERMS

THE LIMITATIONS ARE AS FOLLOWS AND THE LIMITATIONS WILL SURVIVE THE CONTRACT:

ONLY MATTERS IDENTIFIED IN THIS REPORT AS THE SUBJECT OF THE REPORT ARE WITHIN ITS SCOPE. ALL OTHER MATTERS ARE OUTSIDE THE SCOPE OF THE REPORT.

CUSTOMER AGREES, AS PART OF THE CONSIDERATION FOR THE ISSUANCE OF THE REPORT AND TO THE FULLEST EXTENT PERMITTED BY LAW, TO LIMIT THE LIABILITY OF THE COMPANY, ITS LICENSORS, AGENTS, SUPPLIERS, RESELLERS, SERVICE PROVIDERS, CONTENT PROVIDERS AND ALL OTHER SUBSCRIBERS OR SUPPLIERS, SUBSIDIARIES, AFFILIATES, EMPLOYEES, AND SUBCONTRACTORS FOR ANY AND ALL CLAIMS, LIABILITIES, CAUSES OF ACTION, LOSSES, COSTS, DAMAGES AND EXPENSES OF ANY NATURE WHATSOEVER, INCLUDING ATTORNEY'S FEES, HOWEVER ALLEGED OR ARISING, INCLUDING BUT NOT LIMITED TO THOSE ARISING FROM BREACH OF CONTRACT, NEGLIGENCE, THE COMPANY'S OWN FAULT AND/OR NEGLIGENCE, ERRORS, OMISSIONS, STRICT LIABILITY, BREACH OF WARRANTY, EQUITY, THE COMMON LAW, STATUTE OR ANY OTHER THEORY OF RECOVERY, OR FROM ANY PERSON'S USE, MISUSE, OR INABILITY TO USE THE REPORT OR ANY OF THE MATERIALS CONTAINED THEREIN OR PRODUCED, **SO THAT THE TOTAL AGGREGATE LIABILITY OF THE COMPANY AND ITS AGENTS, SUBSIDIARIES, AFFILIATES, EMPLOYEES, AND SUBCONTRACTORS SHALL NOT IN ANY EVENT EXCEED THE COMPANY'S TOTAL FEE FOR THE REPORT.**

CUSTOMER AGREES THAT THE FOREGOING LIMITATION ON LIABILITY IS A TERM MATERIAL TO THE PRICE THE CUSTOMER IS PAYING, WHICH PRICE IS LOWER THAN WOULD OTHERWISE BE OFFERED TO THE CUSTOMER WITHOUT SAID TERM. CUSTOMER RECOGNIZES THAT THE COMPANY WOULD NOT ISSUE THE REPORT BUT FOR THIS CUSTOMER AGREEMENT, AS PART OF THE CONSIDERATION GIVEN FOR THE REPORT, TO THE FOREGOING LIMITATION OF LIABILITY AND THAT ANY SUCH LIABILITY IS CONDITIONED AND PREDICATED UPON THE FULL AND TIMELY PAYMENT OF THE COMPANY'S INVOICE FOR THE REPORT.

THE REPORT IS LIMITED IN SCOPE AND IS NOT AN ABSTRACT OF TITLE, TITLE OPINION, PRELIMINARY TITLE REPORT, TITLE REPORT, COMMITMENT TO ISSUE TITLE INSURANCE, OR A TITLE POLICY, AND SHOULD NOT BE RELIED UPON AS SUCH. THE REPORT DOES NOT PROVIDE OR OFFER ANY TITLE INSURANCE, LIABILITY COVERAGE OR ERRORS AND OMISSIONS COVERAGE. THE REPORT IS NOT TO BE RELIED UPON AS A REPRESENTATION OF THE STATUS OF TITLE TO THE PROPERTY. THE COMPANY MAKES NO REPRESENTATIONS AS TO THE REPORT'S ACCURACY, DISCLAIMS ANY WARRANTY AS TO THE REPORT, ASSUMES NO DUTIES TO CUSTOMER, DOES NOT INTEND FOR CUSTOMER TO RELY ON THE REPORT, AND ASSUMES NO LIABILITY FOR ANY LOSS OCCURRING BY REASON OF RELIANCE ON THE REPORT OR OTHERWISE.

Ticor Title Company of Oregon  
Public Record Report for New Subdivision or Land Partition  
Order No. 471823128781

IF CUSTOMER (A) HAS OR WILL HAVE AN INSURABLE INTEREST IN THE SUBJECT REAL PROPERTY, (B) DOES NOT WISH TO LIMIT LIABILITY AS STATED HEREIN AND (C) DESIRES THAT ADDITIONAL LIABILITY BE ASSUMED BY THE COMPANY, THEN CUSTOMER MAY REQUEST AND PURCHASE A POLICY OF TITLE INSURANCE, A BINDER, OR A COMMITMENT TO ISSUE A POLICY OF TITLE INSURANCE. NO ASSURANCE IS GIVEN AS TO THE INSURABILITY OF THE TITLE OR STATUS OF TITLE. CUSTOMER EXPRESSLY AGREES AND ACKNOWLEDGES IT HAS AN INDEPENDENT DUTY TO ENSURE AND/OR RESEARCH THE ACCURACY OF ANY INFORMATION OBTAINED FROM THE COMPANY OR ANY PRODUCT OR SERVICE PURCHASED.

NO THIRD PARTY IS PERMITTED TO USE OR RELY UPON THE INFORMATION SET FORTH IN THE REPORT, AND NO LIABILITY TO ANY THIRD PARTY IS UNDERTAKEN BY THE COMPANY.

CUSTOMER AGREES THAT, TO THE FULLEST EXTENT PERMITTED BY LAW, IN NO EVENT WILL THE COMPANY, ITS LICENSORS, AGENTS, SUPPLIERS, RESELLERS, SERVICE PROVIDERS, CONTENT PROVIDERS, AND ALL OTHER SUBSCRIBERS OR SUPPLIERS, SUBSIDIARIES, AFFILIATES, EMPLOYEES AND SUBCONTRACTORS BE LIABLE FOR CONSEQUENTIAL, INCIDENTAL, INDIRECT, PUNITIVE, EXEMPLARY, OR SPECIAL DAMAGES, OR LOSS OF PROFITS, REVENUE, INCOME, SAVINGS, DATA, BUSINESS, OPPORTUNITY, OR GOODWILL, PAIN AND SUFFERING, EMOTIONAL DISTRESS, NON-OPERATION OR INCREASED EXPENSE OF OPERATION, BUSINESS INTERRUPTION OR DELAY, COST OF CAPITAL, OR COST OF REPLACEMENT PRODUCTS OR SERVICES, REGARDLESS OF WHETHER SUCH LIABILITY IS BASED ON BREACH OF CONTRACT, TORT, NEGLIGENCE, THE COMPANY'S OWN FAULT AND/OR NEGLIGENCE, STRICT LIABILITY, BREACH OF WARRANTIES, FAILURE OF ESSENTIAL PURPOSE, OR OTHERWISE AND WHETHER CAUSED BY NEGLIGENCE, ERRORS, OMISSIONS, STRICT LIABILITY, BREACH OF CONTRACT, BREACH OF WARRANTY, THE COMPANY'S OWN FAULT AND/OR NEGLIGENCE OR ANY OTHER CAUSE WHATSOEVER, AND EVEN IF THE COMPANY HAS BEEN ADVISED OF THE LIKELIHOOD OF SUCH DAMAGES OR KNEW OR SHOULD HAVE KNOWN OF THE POSSIBILITY FOR SUCH DAMAGES.

END OF THE LIMITATIONS OF LIABILITY

THIS REPORT IS ISSUED BY THE ABOVE-NAMED COMPANY ("THE COMPANY") FOR THE EXCLUSIVE USE OF THE FOLLOWING CUSTOMER:

WCP Companies  
Phone No.: 503-476-1020

Date Prepared: December 21, 2023  
Effective Date: December 14, 2023 / 08:00 AM  
Charge: \$350.00  
Order No.: 471823128781  
Reference: 200 E 3RD St, Newberg, OR 97132

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#### **REPORT**

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As fully set forth on Exhibit "A" attached hereto and by this reference made a part hereof.
- B. As of the Effective Date, the tax account and map references pertinent to the Land are as follows:  
As fully set forth on Exhibit "B" attached hereto and by this reference made a part hereof.
- C. As of the Effective Date and according to the Public Records, we find title to the land apparently [vested in:](#)  
As fully set forth on Exhibit "C" attached hereto and by this reference made a part hereof.
- D. As of the Effective Date and according to the Public Records, the Land is subject to the following liens and encumbrances, which are not necessarily shown in the order of priority:  
As fully set forth on Exhibit "D" attached hereto and by this reference made a part hereof.

Ticor Title Company of Oregon  
Public Record Report for New Subdivision or Land Partition  
Order No. 471823128781

**EXHIBIT "A"**  
**(Land Description)**

**For APN/Parcel ID(s):** [54611](#)  
**For Tax Map ID(s):** **R3219AC11600**

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The West 50 feet of Lot 3 and the West 50 feet of the North half of Lot 2, Block 8, EVEREST'S ADDITION, to the City of Newberg, County of Yamhill, State of Oregon.

TOGETHER WITH that portion of vacated Garfield Street inuring thereto by Vacation Order No. 572, recorded September 15, 1948 in [Book 150, Page 461](#), Deed Records.

Ticor Title Company of Oregon  
Public Record Report for New Subdivision or Land Partition  
Order No. 471823128781

**EXHIBIT "B"**  
**(Tax Account and Map)**

[APN/Parcel ID\(s\) 54611 as well as Tax/Map ID\(s\) R3219AC11600](#)



Ticor Title Company of Oregon  
Public Record Report for New Subdivision or Land Partition  
Order No. 471823128781

**EXHIBIT "C"**  
**(Vesting)**

Benjamin J. Nelson and Allison R. Nelson, as tenants by the entirety

**EXHIBIT "D"**  
**(Liens and Encumbrances)**

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

Fiscal Year: 2023-2024  
Amount: \$4,897.42  
Levy Code: 29.0  
Account No.: [54611](#)  
Map No.: R3219AC 11600

1. City Liens, if any, in favor of the City of Newberg.
2. Any easements or rights of way for existing utilities or other rights of way over those portions of said Land lying within the public right of way vacated by resolution or ordinance

Recording Date: September 16, 1948  
Recording No: [Book 150, Page 461](#)  
Affects: Reference is hereby made to said document for full particulars

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

Amount: \$150,000.00  
Dated: May 7, 2020  
Trustor/Grantor: Benjamin J. Nelson and Allison R. Nelson, as tenants by the entirety  
Trustee: First American Title Insurance Company  
Beneficiary: Larry Dean Stevens  
Loan No.: N/A  
Recording Date: May 11, 2020  
Recording No: [202007452](#)

An agreement to modify the terms and provisions of said deed of trust as therein provided

Executed by: Benjamin J. Nelson and Allison R. Nelson  
Recording Date: December 14, 2020  
Recording No: [202022632](#)

The document referenced below which purports to reconvey/release the above deed of trust is not sufficient for the reason stated:

Reason: The recorded document is a Satisfaction of Deed of Trust and is executed by the Beneficiary. Pursuant to Oregon law a Deed of Reconveyance executed by the Trustee of record is required to release a Deed of Trust in the State of Oregon pursuant to ORS 86.720.  
Recording Date: February 10, 2023  
Recording No: [202301178](#)

**EXHIBIT "D"**  
**(Liens and Encumbrances)**  
(continued)

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

Amount: \$435,000.00  
Dated: May 14, 2021  
Trustor/Grantor: Benjamin J. Nelson and Allison R. Nelson, husband and wife  
Trustee: Chicago Title Insurance Company of Oregon, an Oregon corporation  
Beneficiary: MERS, as nominee for KeyBank National Association  
Loan No.: 2-6025209774  
Recording Date: September 14, 2021  
[Recording No:](#) [202118517](#)

\*\*End of Liens & Encumbrances\*\*

**BOUNDARY DEEDS:**

BOUNDARY DEED

Recording Date: July 28, 1978  
Recording No.: Film [Volume 131, Page 849](#)

BOUNDARY DEED

Recording Date: November 26, 2014  
[Recording No.:](#) [201414883](#)

BOUNDARY DEED

Recording Date: September 26, 2019  
[Recording No.:](#) [201913659](#)

## DEFINITIONS, CONDITIONS AND STIPULATIONS

1. **Definitions.** The following terms have the stated meaning when used in this report:
  - (a) "Customer": The person or persons named or shown as the addressee of this report.
  - (b) "Effective Date": The effective date stated in this report.
  - (c) "Land": The land specifically described in this report and improvements affixed thereto which by law constitute real property.
  - (d) "Public Records": Those records which by the laws of the state of Oregon impart constructive notice of matters relating to the Land.
2. **Liability of Company.**
  - (a) This is not a commitment to issue title insurance and does not constitute a policy of title insurance.
  - (b) The liability of the Company for errors or omissions in this public record report is limited to the amount of the charge paid by the Customer, provided, however, that the Company has no liability in the event of no actual loss to the Customer.
  - (c) No costs (including without limitation attorney fees and other expenses) of defense, or prosecution of any action, is afforded to the Customer.
  - (d) In any event, the Company assumes no liability for loss or damage by reason of 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.
    - (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, liens or encumbrances, or claims thereof, which are not shown by the Public Records.
    - (4) Discrepancies, encroachments, shortage in area, conflicts in boundary lines or any other facts which a survey would disclose.
    - (5) (i) Unpatented mining claims; (ii) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (iii) water rights or claims or title to water.
    - (6) Any right, title, interest, estate or easement in land beyond the lines of the area specifically described or referred to in this report, or in abutting streets, roads, avenues, alleys, lanes, ways or waterways.
    - (7) Any law, ordinance or governmental regulation (including but not limited to building and zoning laws, ordinances or regulations) restricting, regulating, prohibiting or relating to (i) the occupancy, use or enjoyment of the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iii) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the Public Records at the effective date hereof.
    - (8) Any governmental police power not excluded by 2(d)(7) above, except to the extent that notice of the exercise thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the Public Records at the effective date hereof.
    - (9) Defects, liens, encumbrances, adverse claims or other matters created, suffered, assumed, agreed to or actually known by the Customer.
3. **Report Entire Contract.** Any right or action or right of action that the Customer may have or may bring against the Company arising out of the subject matter of this report must be based on the provisions of this report. No provision or condition of this report can be waived or changed except by a writing signed by an authorized officer of the Company. By accepting this form report, the Customer acknowledges and agrees that the Customer has elected to utilize this form of public record report and accepts the limitation of liability of the Company as set forth herein.
4. **Charge.** The charge for this report does not include supplemental reports, updates or other additional services of the Company.

**LIMITATIONS OF LIABILITY**

"CUSTOMER" REFERS TO THE RECIPIENT OF THIS REPORT.

CUSTOMER EXPRESSLY AGREES AND ACKNOWLEDGES THAT IT IS EXTREMELY DIFFICULT, IF NOT IMPOSSIBLE, TO DETERMINE THE EXTENT OF LOSS WHICH COULD ARISE FROM ERRORS OR OMISSIONS IN, OR THE COMPANY'S NEGLIGENCE IN PRODUCING, THE REQUESTED REPORT, HEREIN "THE REPORT." CUSTOMER RECOGNIZES THAT THE FEE CHARGED IS NOMINAL IN RELATION TO THE POTENTIAL LIABILITY WHICH COULD ARISE FROM SUCH ERRORS OR OMISSIONS OR NEGLIGENCE. THEREFORE, CUSTOMER UNDERSTANDS THAT THE COMPANY IS NOT WILLING TO PROCEED IN THE PREPARATION AND ISSUANCE OF THE REPORT UNLESS THE COMPANY'S LIABILITY IS STRICTLY LIMITED. CUSTOMER AGREES WITH THE PROPRIETY OF SUCH LIMITATION AND AGREES TO BE BOUND BY ITS TERMS

THE LIMITATIONS ARE AS FOLLOWS AND THE LIMITATIONS WILL SURVIVE THE CONTRACT:

ONLY MATTERS IDENTIFIED IN THIS REPORT AS THE SUBJECT OF THE REPORT ARE WITHIN ITS SCOPE. ALL OTHER MATTERS ARE OUTSIDE THE SCOPE OF THE REPORT.

CUSTOMER AGREES, AS PART OF THE CONSIDERATION FOR THE ISSUANCE OF THE REPORT AND TO THE FULLEST EXTENT PERMITTED BY LAW, TO LIMIT THE LIABILITY OF THE COMPANY, ITS LICENSORS, AGENTS, SUPPLIERS, RESELLERS, SERVICE PROVIDERS, CONTENT PROVIDERS AND ALL OTHER SUBSCRIBERS OR SUPPLIERS, SUBSIDIARIES, AFFILIATES, EMPLOYEES, AND SUBCONTRACTORS FOR ANY AND ALL CLAIMS, LIABILITIES, CAUSES OF ACTION, LOSSES, COSTS, DAMAGES AND EXPENSES OF ANY NATURE WHATSOEVER, INCLUDING ATTORNEY'S FEES, HOWEVER ALLEGED OR ARISING, INCLUDING BUT NOT LIMITED TO THOSE ARISING FROM BREACH OF CONTRACT, NEGLIGENCE, THE COMPANY'S OWN FAULT AND/OR NEGLIGENCE, ERRORS, OMISSIONS, STRICT LIABILITY, BREACH OF WARRANTY, EQUITY, THE COMMON LAW, STATUTE OR ANY OTHER THEORY OF RECOVERY, OR FROM ANY PERSON'S USE, MISUSE, OR INABILITY TO USE THE REPORT OR ANY OF THE MATERIALS CONTAINED THEREIN OR PRODUCED, **SO THAT THE TOTAL AGGREGATE LIABILITY OF THE COMPANY AND ITS AGENTS, SUBSIDIARIES, AFFILIATES, EMPLOYEES, AND SUBCONTRACTORS SHALL NOT IN ANY EVENT EXCEED THE COMPANY'S TOTAL FEE FOR THE REPORT.**

CUSTOMER AGREES THAT THE FOREGOING LIMITATION ON LIABILITY IS A TERM MATERIAL TO THE PRICE THE CUSTOMER IS PAYING, WHICH PRICE IS LOWER THAN WOULD OTHERWISE BE OFFERED TO THE CUSTOMER WITHOUT SAID TERM. CUSTOMER RECOGNIZES THAT THE COMPANY WOULD NOT ISSUE THE REPORT BUT FOR THIS CUSTOMER AGREEMENT, AS PART OF THE CONSIDERATION GIVEN FOR THE REPORT, TO THE FOREGOING LIMITATION OF LIABILITY AND THAT ANY SUCH LIABILITY IS CONDITIONED AND PREDICATED UPON THE FULL AND TIMELY PAYMENT OF THE COMPANY'S INVOICE FOR THE REPORT.

THE REPORT IS LIMITED IN SCOPE AND IS NOT AN ABSTRACT OF TITLE, TITLE OPINION, PRELIMINARY TITLE REPORT, TITLE REPORT, COMMITMENT TO ISSUE TITLE INSURANCE, OR A TITLE POLICY, AND SHOULD NOT BE RELIED UPON AS SUCH. THE REPORT DOES NOT PROVIDE OR OFFER ANY TITLE INSURANCE, LIABILITY COVERAGE OR ERRORS AND OMISSIONS COVERAGE. THE REPORT IS NOT TO BE RELIED UPON AS A REPRESENTATION OF THE STATUS OF TITLE TO THE PROPERTY. THE COMPANY MAKES NO REPRESENTATIONS AS TO THE REPORT'S ACCURACY, DISCLAIMS ANY WARRANTY AS TO THE REPORT, ASSUMES NO DUTIES TO CUSTOMER, DOES NOT INTEND FOR CUSTOMER TO RELY ON THE REPORT, AND ASSUMES NO LIABILITY FOR ANY LOSS OCCURRING BY REASON OF RELIANCE ON THE REPORT OR OTHERWISE.

Ticor Title Company of Oregon  
Public Record Report for New Subdivision or Land Partition  
Order No. 471823128781

IF CUSTOMER (A) HAS OR WILL HAVE AN INSURABLE INTEREST IN THE SUBJECT REAL PROPERTY, (B) DOES NOT WISH TO LIMIT LIABILITY AS STATED HEREIN AND (C) DESIRES THAT ADDITIONAL LIABILITY BE ASSUMED BY THE COMPANY, THEN CUSTOMER MAY REQUEST AND PURCHASE A POLICY OF TITLE INSURANCE, A BINDER, OR A COMMITMENT TO ISSUE A POLICY OF TITLE INSURANCE. NO ASSURANCE IS GIVEN AS TO THE INSURABILITY OF THE TITLE OR STATUS OF TITLE. CUSTOMER EXPRESSLY AGREES AND ACKNOWLEDGES IT HAS AN INDEPENDENT DUTY TO ENSURE AND/OR RESEARCH THE ACCURACY OF ANY INFORMATION OBTAINED FROM THE COMPANY OR ANY PRODUCT OR SERVICE PURCHASED.

NO THIRD PARTY IS PERMITTED TO USE OR RELY UPON THE INFORMATION SET FORTH IN THE REPORT, AND NO LIABILITY TO ANY THIRD PARTY IS UNDERTAKEN BY THE COMPANY.

CUSTOMER AGREES THAT, TO THE FULLEST EXTENT PERMITTED BY LAW, IN NO EVENT WILL THE COMPANY, ITS LICENSORS, AGENTS, SUPPLIERS, RESELLERS, SERVICE PROVIDERS, CONTENT PROVIDERS, AND ALL OTHER SUBSCRIBERS OR SUPPLIERS, SUBSIDIARIES, AFFILIATES, EMPLOYEES AND SUBCONTRACTORS BE LIABLE FOR CONSEQUENTIAL, INCIDENTAL, INDIRECT, PUNITIVE, EXEMPLARY, OR SPECIAL DAMAGES, OR LOSS OF PROFITS, REVENUE, INCOME, SAVINGS, DATA, BUSINESS, OPPORTUNITY, OR GOODWILL, PAIN AND SUFFERING, EMOTIONAL DISTRESS, NON-OPERATION OR INCREASED EXPENSE OF OPERATION, BUSINESS INTERRUPTION OR DELAY, COST OF CAPITAL, OR COST OF REPLACEMENT PRODUCTS OR SERVICES, REGARDLESS OF WHETHER SUCH LIABILITY IS BASED ON BREACH OF CONTRACT, TORT, NEGLIGENCE, THE COMPANY'S OWN FAULT AND/OR NEGLIGENCE, STRICT LIABILITY, BREACH OF WARRANTIES, FAILURE OF ESSENTIAL PURPOSE, OR OTHERWISE AND WHETHER CAUSED BY NEGLIGENCE, ERRORS, OMISSIONS, STRICT LIABILITY, BREACH OF CONTRACT, BREACH OF WARRANTY, THE COMPANY'S OWN FAULT AND/OR NEGLIGENCE OR ANY OTHER CAUSE WHATSOEVER, AND EVEN IF THE COMPANY HAS BEEN ADVISED OF THE LIKELIHOOD OF SUCH DAMAGES OR KNEW OR SHOULD HAVE KNOWN OF THE POSSIBILITY FOR SUCH DAMAGES.

END OF THE LIMITATIONS OF LIABILITY

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YAMHILL LAND DEVELOPMENT SERVICES LLC

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January 27, 2024

Jeremiah Cromie, Associate Planner

City of Newberg

414 E First St.

Newberg, OR 97132

Re: Incomplete Notice - PAR23-002/SDJC23-0006

Please find attached our response to the Incomplete Notice dated January 25, 2024 as follows:

1. Preliminary plat survey submittal.

**RESPONSE:** No response as this comment has been deleted by the city.

2. Preliminary plat submittal criteria per NMC 15.235.040(B)(2).

**RESPONSE:** The plan sheet have been revised to address all of the criteria.

3. Proposed easements for shared driveway approach.

**RESPONSE:** The site improvements plan has been revised to provide separate approaches rather than shared, so no easements or maintenance agreement is needed.

4. Written response to Middle Housing Land Division Criteria NMC 15.235.050(B).

**RESPONSE** Written response is attached.

Regards,



Daniel Danicic, PE

**15.235.050 Preliminary plat approval criteria.**

*B. Middle Housing Land Division Criteria. The decision to approve a middle housing land division, processed as either a Type II or Type III procedure per NMC 15.100.030(B), shall be based on the following:*

*1. In addition to subsection (A) of this section, a middle housing land division shall comply with the following:*

*a. A proposal for development of middle housing in compliance with the Oregon Residential Specialty Code and land use regulations applicable to the original lot or parcel allowed under ORS 197.758(5);*

**RESPONSE:** The Oregon Residential Specialty Code does not apply as no new construction is proposed as part of this partition application. The submitted application demonstrates compliance with the following applicable land use regulations:

Chapter 15.405 LOT REQUIREMENTS

Chapter 15.220 SITE DESIGN REVIEW

Chapter 15.410 YARD SETBACK REQUIREMENTS

Chapter 15.415 BUILDING AND SITE DESIGN STANDARDS

CHAPTER 15.420 LANDSCAPING AND OUTDOOR AREAS

Chapter 15.425 EXTERIOR LIGHTING

Chapter 15.430 UNDERGROUND UTILITY INSTALLATION

Chapter 15.440 OFF-STREET PARKING, BICYCLE PARKING, AND PRIVATE WALKWAYS

*b. Separate utilities for each dwelling unit;*

**RESPONSE:** Drawing sheet C3 identifies how each lot can be served with separate utilities.



*c. Proposed easements necessary for each dwelling unit on the plan for:*

*i. Locating, accessing, replacing and servicing all utilities;*

**RESPONSE:** No easement is need for Locating, accessing, replacing and servicing all utilities;

*ii. Pedestrian access from each dwelling unit to a private or public road;*

**RESPONSE:** Each proper parcel has direct access to a public road, therefore no easement is required.

*iii. Any common use areas or shared building elements;*

**RESPONSE:** No common use areas or shared building elements are proposed.

*iv. Any dedicated driveways or parking; and*

**RESPONSE:** Each parcel has it's own dedicated driveway

*v. Any dedicated common area;*

**RESPONSE:** There is no dedicated common area.

*d. Exactly one dwelling unit on each resulting lot or parcel, except for lots, parcels or tracts used as common areas;*

**RESPONSE:** Each proposed parcel will have exactly one dwelling unit.

*e. Evidence demonstrating how buildings or structures on a resulting lot or parcel will comply with applicable building code provisions relating to new property lines;*

**RESPONSE: RESPONSE:** Drawing sheet C1 demonstrates how each existing structure complies with property line setbacks.

*f. Notwithstanding the creation of new lots or parcels, how structures or buildings located on the newly created lots or parcels will comply with the Oregon Residential Specialty Code;*

**RESPONSE:** The Oregon Residential Specialty Code does not apply as no new construction is proposed as part of this partition application.

*g. Conditions may be added to the approval of a tentative plan for a middle housing land division to:*

- i. Prohibit the further division of the resulting lots or parcels.*
- ii. Require that a notation appear on the final plat indicating that the approval was given under this section;*

**RESPONSE:** The appropriate notations will be included on the final plat in compliance with this code provision.

*h. In reviewing an application for a middle housing land division, the city shall:*

- i. Apply the procedures under ORS 197.360 to 197.380.*

**RESPONSE:** This application is in compliance with these code provisions.

- ii. Require street frontage improvements where a resulting lot or parcel abuts the street consistent with land use regulations implementing ORS 197.758.*

**RESPONSE:** The abutting street frontage is fully improved with sidewalk, curb and asphalt in compliance with current Development Code and Public Works standards.

- iii. May not subject an application to approval criteria except as provided in this section, including that a lot or parcel require driveways, vehicle access, parking or minimum or maximum street frontage.*

**RESPONSE:** The proposed parcels each are in compliance with require driveways, vehicle access, parking or minimum or maximum street frontage. See relevant code sections elsewhere in this application.

- iv. May not subject the application to procedures, ordinances or regulations adopted under ORS 92.044 or 92.046 that are inconsistent with this section or ORS 197.360 to 197.380.*

**RESPONSE:** This application is not being subject to regulations that are not consistent with this section or ORS 197.360 to 197.380

*v. May allow the submission of an application for a middle housing land division at the same time as the submission of an application for building permits for the middle housing.*

**RESPONSE:** No building permits are submitted concurrent with this application as the lots are currently fully developed.

*vi. May require the dedication of right-of-way if the original parcel did not previously provide a dedication.*

**RESPONSE:** Additional right of way is not necessary as the current right of way width of 60-feet meets city code.

*vii. The type of middle housing developed on the original parcel is not altered by a middle housing land division.*

**RESPONSE:** There is no previous middle housing development on the property being altered.

*viii. Notwithstanding ORS 197.312(5), a city or county is not required to allow an accessory dwelling unit on a lot or parcel resulting from a middle housing land division.*

**RESPONSE:** This application is not requesting an accessory dwelling unit on either parcel being created by this land use action.

*ix. The tentative approval of a middle housing land division is void if and only if a final subdivision or partition plat is not approved within three years of the tentative approval.*

**RESPONSE:** The applicant will complete the final plat approval process within three years.

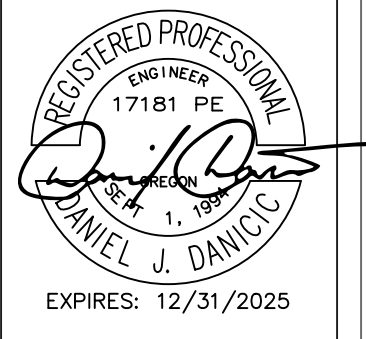
*x. Nothing in this section or ORS 197.360 to 197.380 prohibits a city or county from requiring a final plat before issuing building permits.*

**RESPONSE:** The applicant will need to request building permits for onsite work to disconnect common utilities (water, sanitary sewer, electrical) prior to final plat unless the city does not require this work as a condition of final plat approval.

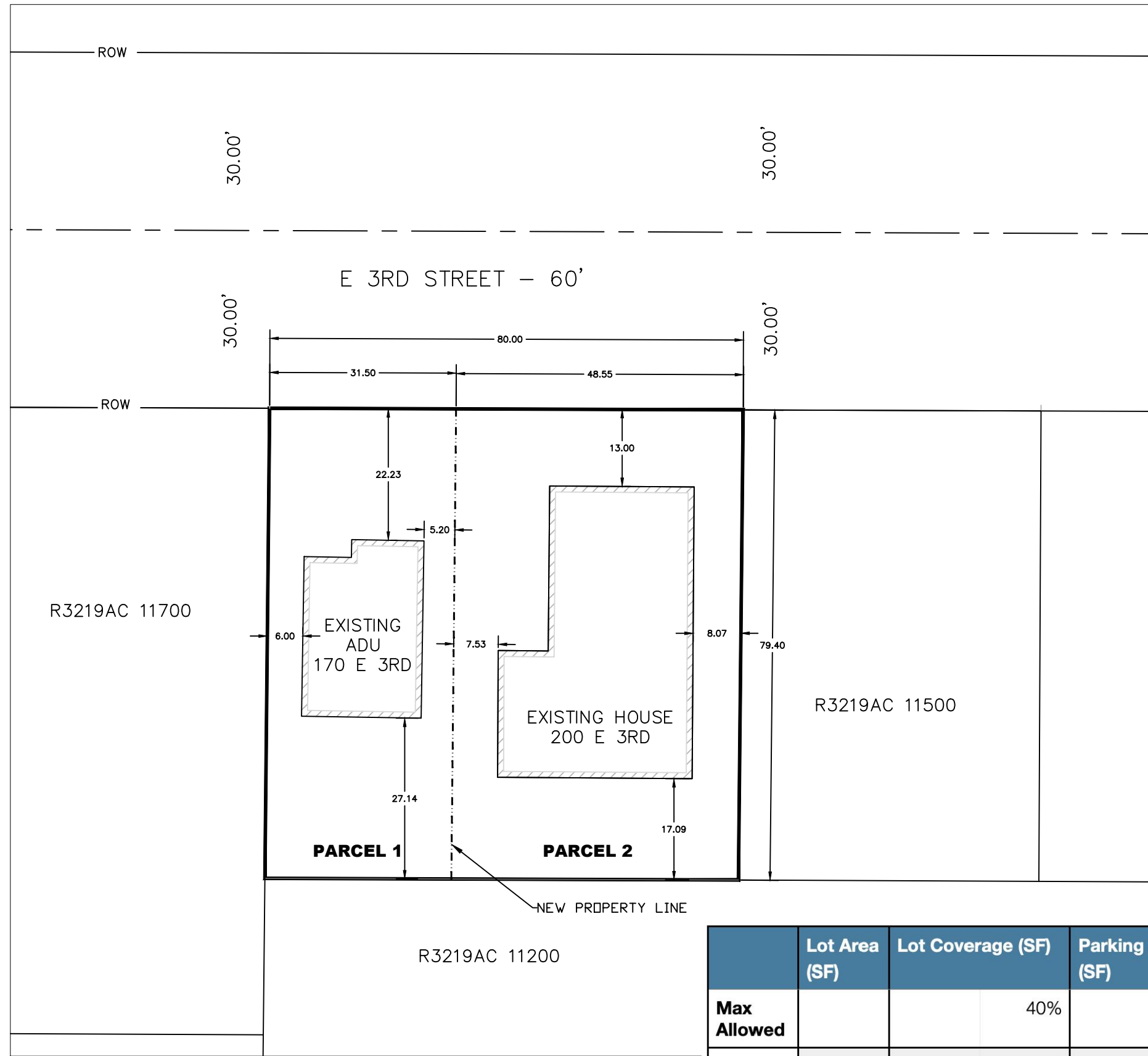
**YAMHILL LAND DEVELOPMENT SERVICES LLC**  
 PO BOX 1042  
 NEWBERG, OR 97132  
 DJD.YLDS@GMAIL.COM 503-476-7702

**BEN AND ALLISON NELSON**

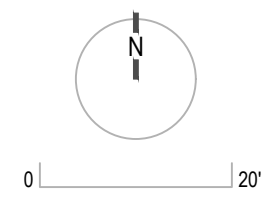
**LAND DIVISION**  
**Detached Duplex**  
 170 / 200 E 3rd STREET  
 NEWBERG OREGON  
 97132  
 TAX LOT: R3219AC 11600



REVISIONS	DATE
TYPE II SUBMITTAL	11/20/23
TYPE II RESUBMITTAL	01/26/24



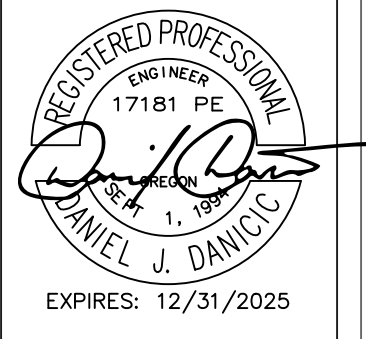
	Lot Area (SF)	Lot Coverage (SF)		Parking Coverage (SF)		Combined Coverage (SF)	
<b>Max Allowed</b>			40%		60%		60%
<b>Parcel 1</b>	2501.23	581.26	23%	338.51	14%	919.77	35%
<b>Parcel 2</b>	3850.38	1384.56	13%	503.15	13%	1887.71	49%



**PRELIMINARY PLAT**  
**C1**

**BEN AND ALLISON NELSON**

**LAND DIVISION**  
**Detached Duplex**  
 170 / 200 E 3rd STREET  
 NEWBERG OREGON  
 97132  
 TAX LOT: R3219AC 11600



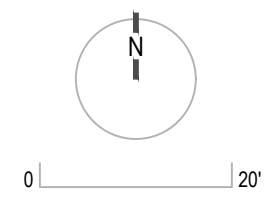
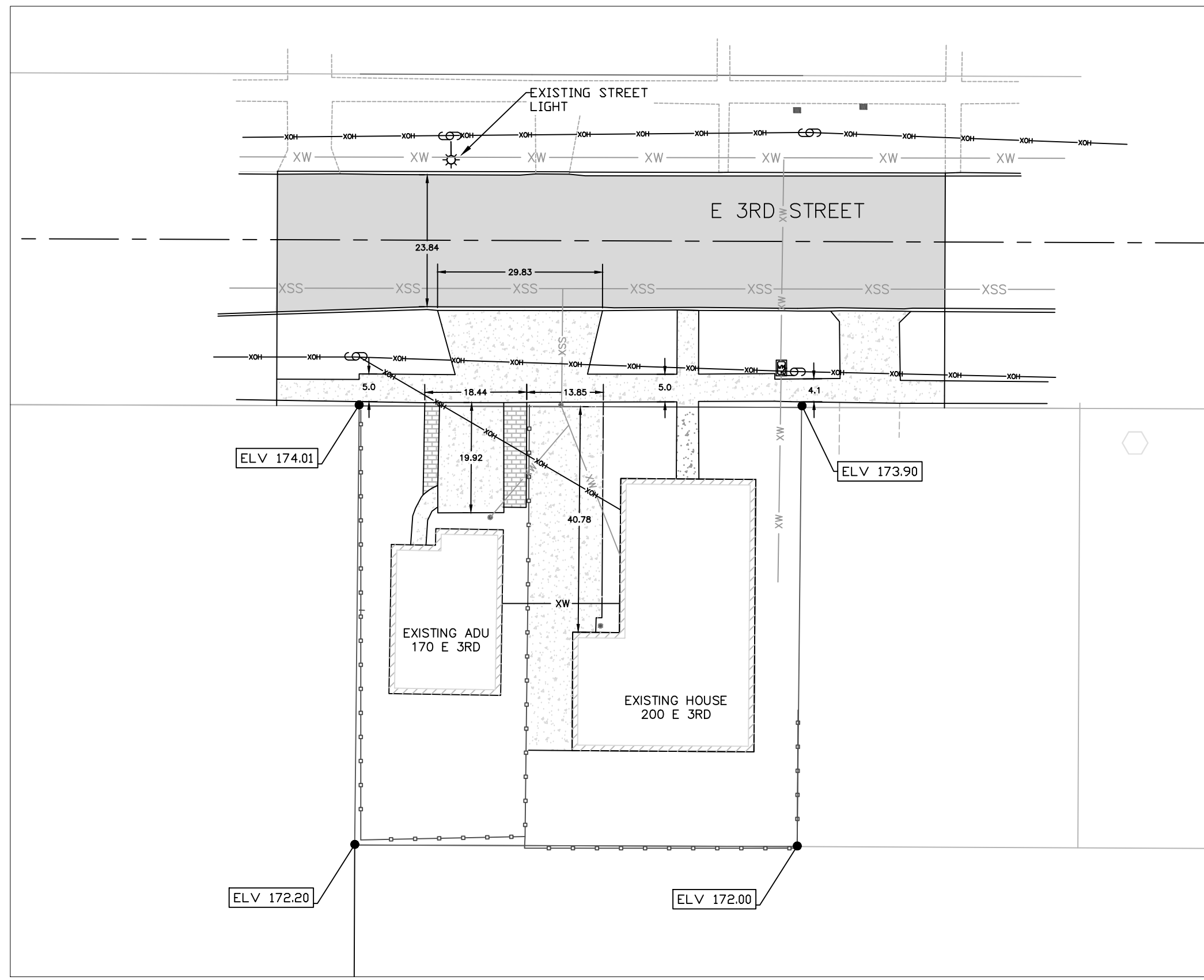
REVISIONS	DATE
TYPE II SUBMITTAL	11/20/23
TYPE II RESUBMITTAL	01/26/24

**EXISTING IMPROVEMENTS**

**C2**

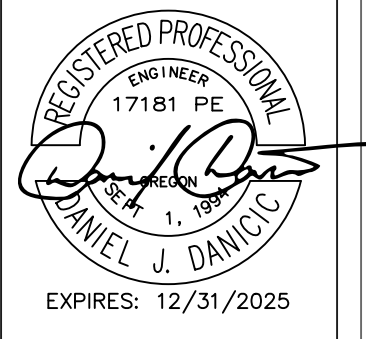
**DRAWING LEGEND**

- = MONUMENT FOUND
- = WATER VALVE
- = WATER METER
- = FIRE HYDRANT
- = POWER POLE
- = LIGHT POLE
- = EXISTING SEPTIC CLEANOUT
- = NEW SEPTIC CLEANOUT
- = SANITARY SEWER MANHOLE
- = GAS METER
- = GAS LINE
- = EXISTING SANITARY SEWER LINE
- = SANITARY SEWER LINE
- = OVERHEAD POWER
- = EXISTING STORM DRAIN LINE
- = STORM DRAIN LINE
- = EXISTING WATER LINE
- = WATER LINE
- = FENCE
- = EXISTING ASPHALT
- = NEW ASPHALT
- = NEW CONCRETE



**BEN AND ALLISON NELSON**

**LAND DIVISION**  
**Detached Duplex**  
 170 / 200 E 3rd STREET  
 NEWBERG OREGON  
 97132  
 TAX LOT: R3219AC 11600



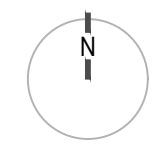
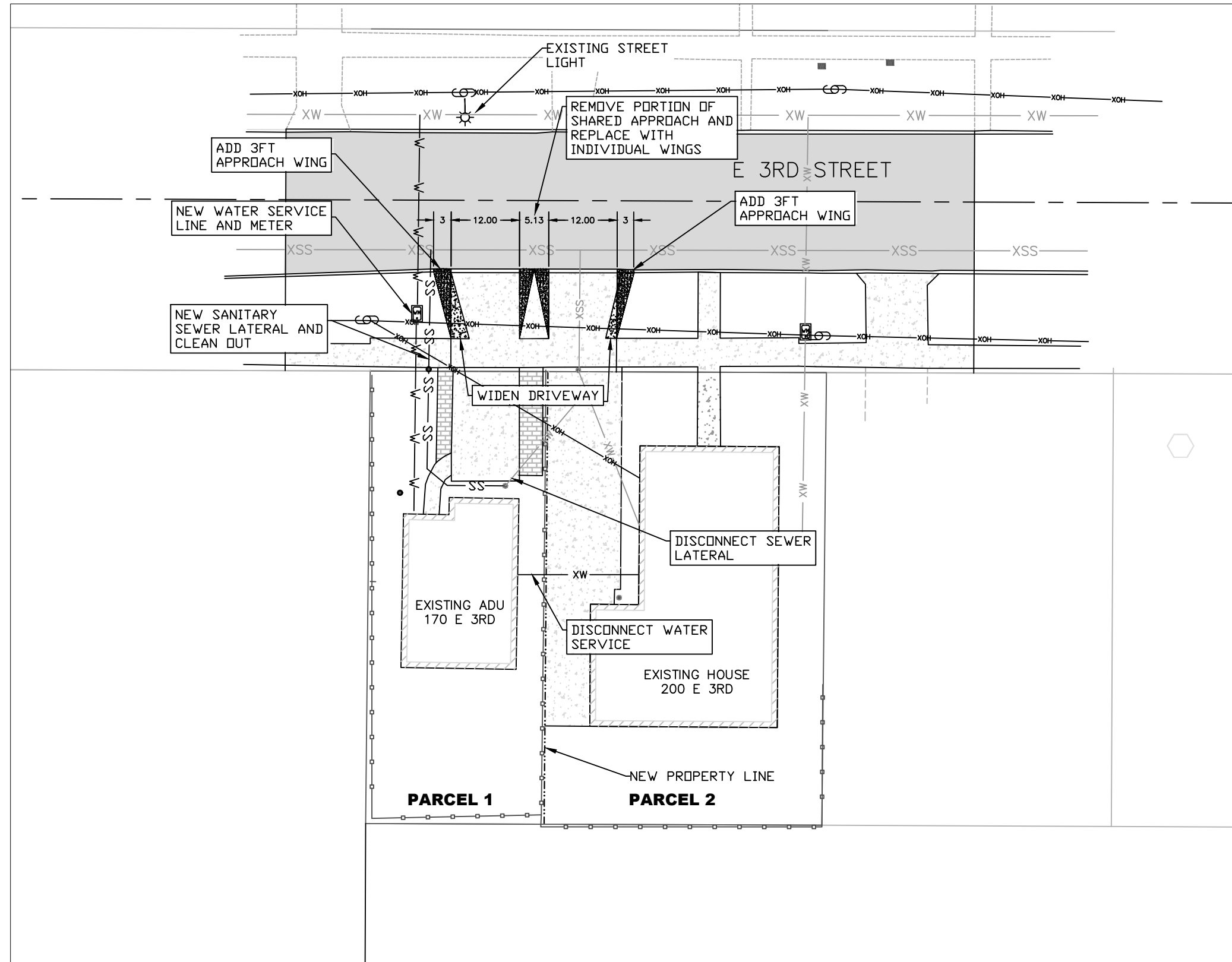
REVISIONS	DATE
TYPE II SUBMITTAL	11/20/23
TYPE II RESUBMITTAL	01/26/24

**PROPOSED IMPROVEMENTS**

**C3**

**DRAWING LEGEND**

- = MONUMENT FOUND
- = WATER VALVE
- = WATER METER
- = FIRE HYDRANT
- = POWER METER
- = POWER POLE
- = LIGHT POLE
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- = EXISTING WATER LINE
- = WATER LINE
- = FENCE
- = EXISTING ASPHALT
- = NEW ASPHALT
- = NEW CONCRETE



0 20'



# 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 NEW DEVELOPMENT IN YOUR NEIGHBORHOOD

A property owner in your neighborhood submitted an application to the City of Newberg to subdivide a parcel of land from one lot into two separate lots through a middle housing land division as well as a code adjustment to the front yard setback and front building line. You are invited to take part in the City's review of this project by sending in your written comments. You also may request that the Planning Commission hold a hearing on the application. The applicable criteria used to make a decision on this application for preliminary subdivision plan approval and code adjustment are found in Newberg Development Code 15.235.050(B) and 15.210.020(B). For more details about giving comments, please see the back of this sheet.

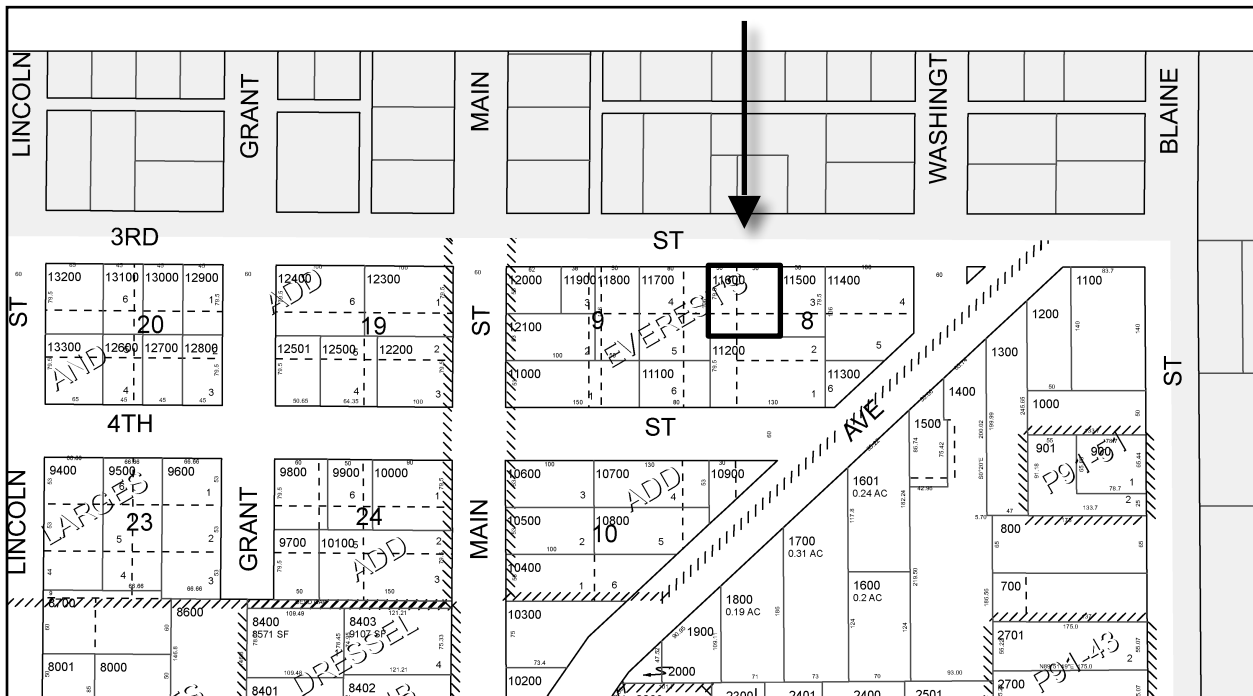
The development would place the existing house and ADU into separate lots as a detached duplex.

APPLICANT: *Daniel Danicic, Yamhill Land Development LLC*  
TELEPHONE: *503-476-7702*

PROPERTY OWNER: *Ben and Allison Nelson*

LOCATION: *170/200 E 3rd St. Newberg, OR 97132*

TAX LOT NUMBER: *Yamhill County Tax Map and Lot Number R3219AC 11600*



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. PAR23-0002/ADJ23-0006  
City of Newberg  
Community Development Department  
PO Box 970  
Newberg, OR 97132

All written comments must be turned in by 4:30 p.m. on ***February 26, 2024*** 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 15.235.050(B) and 15.210.020(B).

You can look over all the information about this project or drop comments off at Newberg City Wastewater Treatment Plant 2301 NE Wyooski Road. Information can also be found online at <https://www.newbergoregon.gov/planning/page/par23-0002adjc23-0006-200170-e-third-2-lot-middle-housing-partition-and-code>. 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.

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: ***2/12/24***



