



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us



NOTICE OF ADOPTED AMENDMENT

02/10/2012

TO: Subscribers to Notice of Adopted Plan
or Land Use Regulation Amendments

FROM: Plan Amendment Program Specialist

SUBJECT: City of Independence Plan Amendment
DLCD File Number 004-11

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A Copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Friday, February 24, 2012

This amendment was submitted to DLCD for review prior to adoption pursuant to ORS 197.830(2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

*NOTE: The Acknowledgment or Appeal Deadline is based upon the date the decision was mailed by local government. A decision may have been mailed to you on a different date than it was mailed to DLCD. As a result, your appeal deadline may be earlier than the above date specified. NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.

Cc: Shawn Irvine, City of Independence
Angela Lazarean, DLCD Urban Planner
Steve Oulman, DLCD Regional Representative
Angela Lazarean, DLCD Urban Planner

<paa> YA



FORM 2

DLCD

Notice of Adoption

In person electronic mailed



This Form 2 must be mailed to DLCD within **5-Working Days after the Final Ordinance is signed** by the public Official Designated by the jurisdiction and all other requirements of ORS 197.615 and OAR 660-018-000

Jurisdiction: **City of Independence**

Local file number: **CPA/ZC-04-11**

Date of Adoption: **12/13/2011**

Date Mailed: **2/3/2012**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? Yes No Date: 10/17/2011

Comprehensive Plan Text Amendment

Comprehensive Plan Map Amendment

Land Use Regulation Amendment

Zoning Map Amendment

New Land Use Regulation

Other:

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

Comprehensive Plan Map Amendment from Residential to Commercial. Zone Map amendment from Medium Density Residential (RM) to Mixed Use Pedestrian Friendly Commercial (MUPC) for Lot 704 and 1200 of Map 8.4.29AA. Assessor map attached.

Does the Adoption differ from proposal? No, no explanation is necessary

Plan Map Changed from: **Residential** to: **Commercial**

Zone Map Changed from: **Medium Density Residential (RM)** to: **Mixed Use Ped Comm (MUPC)**

Location: **1004 Monmouth Street (704 and 1200, Map 8.4.29.AA)** Acres Involved: **0**

Specify Density: Previous: **12 units/acre** New: **N/a**

Applicable statewide planning goals:

- | | | | | | | | | | | | | | | | | | | |
|-------------------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|-------------------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Was an Exception Adopted? YES NO

Did DLCD receive a Notice of Proposed Amendment...

35-days prior to first evidentiary hearing?

Yes No

If no, do the statewide planning goals apply?

Yes No

If no, did Emergency Circumstances require immediate adoption?

Yes No

DLCD File No. 004-11 (19019) [16929]

DLCD file No. _____

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

Local Contact: **Renata Wakeley**

Phone: (503) 588-6177 Extension:

Address: **105 High Street SE**

Fax Number: **503-588-6094**

City: **Salem**

Zip: **97301-**

E-mail Address: **renatac@mwvcog.org**

ADOPTION SUBMITTAL REQUIREMENTS

This Form 2 must be received by DLCD no later than 5 working days after the ordinance has been signed by the public official designated by the jurisdiction to sign the approved ordinance(s) per ORS 197.615 and OAR Chapter 660, Division 18

1. This Form 2 must be submitted by local jurisdictions only (not by applicant).
2. When submitting the adopted amendment, please print a completed copy of Form 2 on light green paper if available.
3. Send this Form 2 and one complete paper copy (documents and maps) of the adopted amendment to the address below.
4. Submittal of this Notice of Adoption must include the final signed ordinance(s), all supporting finding(s), exhibit(s) and any other supplementary information (ORS 197.615).
5. Deadline to appeals to LUBA is calculated **twenty-one (21) days** from the receipt (postmark date) by DLCD of the adoption (ORS 197.830 to 197.845).
6. In addition to sending the Form 2 - Notice of Adoption to DLCD, please also remember to notify persons who participated in the local hearing and requested notice of the final decision. (ORS 197.615).
7. Submit **one complete paper copy** via United States Postal Service, Common Carrier or Hand Carried to the DLCD Salem Office and stamped with the incoming date stamp.
8. Please mail the adopted amendment packet to:

**ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540**

9. **Need More Copies?** Please print forms on 8½ -1/2x11 green paper only if available. If you have any questions or would like assistance, please contact your DLCD regional representative or contact the DLCD Salem Office at (503) 373-0050 x238 or e-mail plan.amendments@state.or.us.

IMPORTANT
This Map for Assessment
and Taxation Purposes
ONLY

NE1/4 NE1/4 SEC.29 T8S R4W WM
POLK COUNTY

8.4.29AA

See Scale 1" = 100'

20 | 21

29 | 28

Canceled No.

- 702
- 703
- 901
- 902
- 904
- 1001

See Map 8.4.29A

13-3

2001

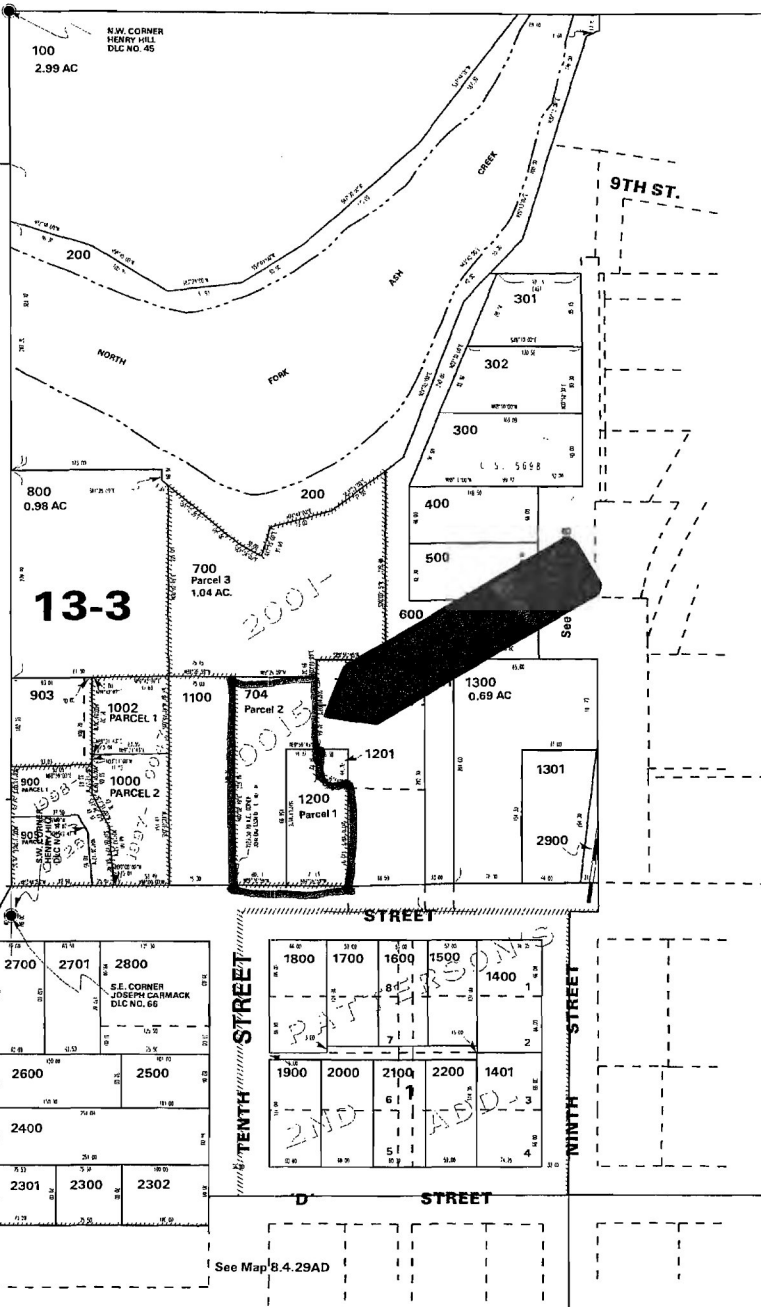
2001

TENTH STREET

STREET

NINTH STREET

See Map 8.4.29AD



**BEFORE THE CITY COUNCIL OF THE CITY OF INDEPENDENCE
STATE OF OREGON, COUNTY OF POLK**

An Ordinance Amending the Comprehensive]	
Plan Designation and Zoning Map for the]	
City of Independence Property Located at]	COUNCIL BILL #2011-07
1004 Monmouth Street, Independence,]	
Tax Lot Nos. 8429AA 704 & 1200]	

ORDINANCE NO. 1502

WHEREAS, the subject property, located at 1004 Monmouth Street, Independence, Tax Lot Nos. 8421AA 704 & 1200, are within the city limits of the City of Independence, and

WHEREAS, after holding a public hearing and adopting findings at the December 13, 2011 City Council meeting, the City Council approved to amend said Property's Comprehensive Plan designation from Residential to Commercial, and rezone Property from Medium Density Residential (RM) to Mixed Use Pedestrian Commercial (MUPC), **NOW, THEREFORE**,

THE CITY OF INDEPENDENCE DOES ORDAIN AS FOLLOWS:

Section 1. Findings. The City of Independence hereby adopts the findings of the Staff Report as set forth in Exhibit "A", attached hereto and by this reference incorporated herein.

Section 2. Property Description. The Property to be redesignated and rezoned is described in Exhibit "B", attached hereto and by this reference incorporated herein.

Section 3. Property Rezoned. The Property's Comprehensive Plan designation of Residential is hereby amended to Commercial, and is hereby rezoned from Medium Density Residential (RM) to Mixed Use Pedestrian Commercial (MUPC), as illustrated in Exhibit B. All official maps of the City are hereby amended to conform to the changes made by this ordinance.

READ for the first time:	December 13, 2011
READ for the second time:	December 13, 2011
APPROVED by Council:	December 13, 2011
SIGNED by the Mayor:	December 13, 2011
EFFECTIVE DATE:	January 13, 2011



JOHN McARDLE, MAYOR

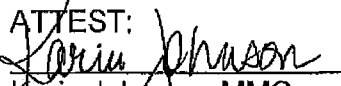
ATTEST:

Karin Johnson, MMC
City Recorder

EXHIBIT 'A'
STAFF REPORT



CITY OF INDEPENDENCE

COMMUNITY DEVELOPMENT DEPARTMENT

STAFF REPORT

TO: Independence City Council

FILE: CPMA/ZC-04-11

HEARING: December 13, 2011, 7:30 pm,
City Council Chambers, 555 South Main Street

APPLICANT: City of Independence
P. O. Box 7
Independence, OR 97351

**SUBJECT
PROPERTY:** Section 29AA, Township 8 South, Range 4 West Willamette
Meridian, Lots 704 and 1200 (located at 1004 Monmouth Street)
totaling 0.62 acres

EXHIBITS:

- EXHIBIT A Assessor map
- EXHIBIT B Application materials
- EXHIBIT C Polk County Assessor site plan
- EXHIBIT D Polk County Assessor site photo
- EXHIBIT E Comments from Ken Perkins, Public Works
- EXHIBIT F Comments from Dan Fricke, ODOT

REQUEST:

The applicant is requesting approval to amend the Comprehensive Plan designation from

Medium Density Residential (RM) to Mixed Use Pedestrian Friendly Commercial (MUPC) and change the zoning from Medium Density Residential (RM) to Mixed Use Pedestrian Friendly Commercial (MUPC).

PROCEDURE:

Pursuant to Subchapter 11 of the Independence Development Code (IDC), Comprehensive Plan Map Amendments and Zone Changes are processed as a Type III quasi-judicial application.

Comprehensive Plan Amendments and Zone Changes are processed under Subchapter 12. The application was received by the City on October 17, 2011, and the application was determined complete on October 28, 2011. Notice was properly mailed under 11.015.C and 11.025.A to surrounding property owners on November 15, 2011 and published in the Itemizer Observer. Notice was also provided to the Oregon Department of Land Conservation and Development, Oregon Department of Transportation, Independence Public Works, and Independence Community Development Director.

The City has until **February 24, 2012** (120 days from acceptance of the application) to approve, conditionally approve, or deny the application.

Per 12.015, the Planning Commission will hold a public hearing and forward its recommendation on the requested action to the City Council within 30 days from the date of its hearing.

On December 5, 2011, the Independence Planning Commission held their public hearing on the application. No oral or written testimony or comments were submitted and the Planning Commission made a motion to adopt the findings in the staff report and recommend the City Council approve the application for zone change and comprehensive plan map amendment.

APPEAL

There is no right to appeal the Planning Commission's recommendation. Appeal of the subsequent City Council's final decision is to the Land Use Board of Appeals (LUBA).

BACKGROUND:

Lots 704 and 1200 are approximately 0.62 acres, or 0.4 and 0.22 respectively, and are zoned Medium Density Residential (RM). The two tax lots contain a structure classified as a residence according to the Assessor's records but most recently used as the Independence Senior Center and parking lot. Lot 1200 is substantially a parking area.

Zoning and uses on adjacent properties are as follows:

North: RM zone (concurrent application to rezone to MUPC under # ZC/CPA-03-11)
South: MUPC zone (commercial and residential uses)
East: MUPC zone (multifamily residential apartments)
West: RM zone (single family residential)

The applicants are requesting approval to redesignate and rezone the subject property from Medium Density Residential (RM) to Mixed Use Pedestrian Friendly Commercial (MUPC). The

properties are for sale and while the use as a senior center was an acceptable use under the RM zone, the City has received a prospective purchaser agreement for use as a medical dental office. The applicants did not submit a site plan. A site plan from the Polk County Assessor's office has been provided under Exhibit C and a photograph of the building is included as Exhibit D.

According to the Assessor's records the on-site structure was constructed in 1910 and is 1,782 square feet in size.

In the MUPC zone, commercial activities involving professional services and offices are permitted outright. Under the RM zone community buildings are permitted but professional services and offices are not.

Independence Development Code (IDC) Section 33.030.A states that, except for new construction or remodels costing more than 60 percent of the existing buildings assessed true cash value, the Community Development Director may waive any of the standards demonstrated to be impracticable. IDC 80.20.A states, existing commercial developments that do not expand by more than 25 percent or commercial remodels that do not intensify the use of the property by increasing the number of customers or traffic to the site are exempt from Site Development Review. Pending zone change and comprehensive plan map amendment, the Community Development Director shall determine if the property will be subject to Site Development Review.

IDC 73.010.D.2 requires one (1) parking space per 250 square feet. The existing structure contains 1,782 square feet requiring 7 parking spaces. The site currently has approximately 16 parking spaces. The subject property may be subject to Site Development Review depending upon future use of the site or extent of remodeling.

Future use of the site is subject to conformance with the City Comprehensive Plan, Municipal Code, Development Code and additional criteria as outlined below.

APPLICABLE APPROVAL CRITERIA:

Independence Development Code, Subchapter 12.025 and 12.030

ANALYSIS OF APPLICABLE APPROVAL CRITERIA

Subchapter 12 Zone Changes and Plan Amendments

12.025 Standards for Zone Changes

No zone change shall be approved by the Planning Commission or enacted by the City Council unless it conforms to the Comprehensive Plan, including the Transportation System Plan:

Findings: Compliance with the Comprehensive Plan, Transportation System Plan, and statewide land use goals must be met.

Analysis: The State of Oregon has adopted statewide land use goals which comprehensive plan map amendment decisions must adhere to. Comprehensive Plan

map amendments must comply with the applicable statewide planning goals and implementing regulations. To recommend approval to the City Council, the Planning Commission must find that the application shows compliance with the applicable statewide goals. Part of this decision is determining which statewide goals are applicable. Staff finds that Statewide Planning Goal 1- Citizen Involvement, Goal 2- Land Use Planning, Goal 9-Economic Development, Goal 10-Housing, and Goal 12-Transportation are applicable to this approval. Staff finds that the statewide planning goals 3, 4, 7, 8, 11, 13, and 15-19 do not apply to the subject property or application.

Goal 1, Citizen Involvement- The application was received by the City on October 17, 2011 and the application was determined complete on October 28, 2011. Notice was mailed to property owners within 250 feet on November 15, 2011 and published in the Itemizer Observer. Notice was also provided to the Department of Land Conservation and Development, Department of Transportation, Independence Public Works, and Community Development Director. Staff finds this goal has been met.

Goal 2, Land Use Planning- The application was determined complete and notice was provided as required by state law and as outlined in the Subchapter 11 of the Independence Development Code. Staff finds this condition is met.

Goal 9, Economic Development- The subject property combined is approximately 0.62 acres. The 2005 Buildable Lands Inventory and Comprehensive Plan Update identify a Commercial job density of approximately 23 jobs per net acre. Under the MUPC zone, the subject property is estimated to accommodate 14 jobs. Staff finds the proposed redesignation and rezone have the potential for positive job growth or employment opportunities in the City and this goal is met.

Goal 10, Housing - The subject property is developed as a residential structure, previously used as a commercial property, the Independence Senior Center. If the rezone is approved, 0.62 acres will be removed from the City's inventory of buildable residential land and a number of dwellings thereafter cannot be built. The subject property could account for 7 units removed from the buildable lands inventory. However, the subject property and structure have been remodeled to accommodate commercial uses and it is unlikely to be used for a residential use in the future. The potential loss of 7 units is considered small compared to the total residentially zoned acres within the City. The City's acknowledged buildable lands inventory includes approximately 180 acres of residential land and a land need of approximately 260 acres for residential development over the 20-year planning horizon. As part of the acknowledged 2009 20- year residential supply, the City identified need for an additional 259.5 acres of buildable land for residential development and the City completed a UGB expansion of 259.3 acres to accommodate future residential development. Given this excess, staff finds the potential loss of 0.62 acres, or 7 units, would not significantly impact the City's residential buildable lands inventory.

Goal 12, Transportation- The state Transportation Planning Rule (TPR) applies to comprehensive plan amendments or land use regulations that would significantly affect an existing or planned transportation facility. The property has access to Monmouth Street, or Highway 51, classified as a Major Arterial. The subject property provides access to Monmouth Street for the land locked Lot 700 of Map 8.4.29.AA, currently under the same ownership. In order to provide street access for Lot 700, the subject properties shall be required to record an access and utility easement benefitting Lot 700 of Map 8429AA upon the transfer or sale of the subject properties. This is included as a recommended condition of approval.

Notice of the application was provided to the Oregon Department of Transportation.

The most intensive use of the property under the existing RM zone would be 7 dwelling units. According to the Trip Generation Manual (7th Edition, Institute of Transportation Engineers), this would account for 9.57 trips per day per unit, or 67 trips per day to the subject property. The rezone would permit uses under the MUPC zone such as commercial retail, considered the highest or most intensive use permitted under the MUPC zone. According to the Trip Generation Manual, the highest use commercial, such as a convenience mart or fast food restaurant, could account for a range between 127 to 300 trips per day. Staff believes that the lower range of trip averages, estimated at 127 trips a day, is a reasonable estimate given the lower population size for the City and the size of the property. While the most intensive use under the MUPC zone could nearly double the estimated trips expected with 7 dwelling units under the RM zone, staff finds Monmouth Street to have sufficient capacity to absorb the potential traffic impacts without mitigation. Monmouth Street, also identified as Oregon 51, is classified as a major arterial. As of 2006 TSP update, there were no locations along Oregon 51 within the top 10 percent of ODOT's Safety Priority Index System and no significant, high priority roadway improvement needs based on crash experience.

The Oregon Department of Transportation provided comments under Exhibit F stating that the changes will not result in a significant impact to area transportation facilities. ODOT noted the property does not have record of an approach road permit for the state highway. The applicant will be required to apply for and obtain an approach road permit for the property or present evidence that a permit has been issued prior to approval of any development on the property. This is included as a recommended condition of approval.

Staff finds the rezone would not account for a significant effect or increase of traffic upon Monmouth Street, therefore, this criterion is met. Staff finds this application is consistent with the applicable goals and policies of the statewide planning goals.

The City has adopted a comprehensive plan which guides the City's decisions for comprehensive plan map amendments. To amend a designation on the

comprehensive plan map, the change must be consistent with applicable goals and policies in the plan. To recommend approval to the City Council, the Commission must find that the information the applicant provided shows compliance with the applicable comprehensive plan goals and policies. Part of this decision is determining which goals and policies are applicable in this case. Staff finds that the goals and policies dealing with citizen participation, the economy of the City, housing needs, and transportation are applicable to this approval. Given the small size of the site, staff finds the application does not substantially affect these City goals and policies.

Staff finds the zone change conforms to the Comprehensive Plan.

A. The zoning on the land for which the zone change is initiated is erroneous and the zone change would correct the error;

Findings: Staff finds this criterion does not apply.

B. Conditions in the neighborhood surrounding the land for which the zone change is initiated have changed to such a degree that the zoning is no longer appropriate and the zone change would conform to the new conditions of the neighborhood;

Findings: Properties to the south, across Monmouth Street, and to the west are zoned MUPC and their uses are consistent with the zone district. Several properties further east also zoned MUPC. The area shows a mix of retail, commercial and housing, identified as the purpose of the MUPC zone. The property and structure is currently not well suited for residential uses under the RM zone but rather fits the neighborhood and surrounding area more appropriately within the MUPC zone. The intended use of the property under the prospective purchaser agreement is for dental/medical offices which are permitted outright under the MUPC zone. Staff finds this condition has been met.

C. There is a public need for land use of the kind for which the zone change is initiated and that public need can best be met by the zone change.

Findings: The property was initially developed as a single story dwelling unit although the former house was most recently used as the Independence Senior Center. The structure's design and interior are now more conducive to commercial activity than as a single family residence. Commercial uses are not permitted under the RM zone. The MUPC zone allows for a mixture of complimentary land uses that may include retail, office, commercial, housing and civic uses which appears to be more in keeping with the design of the current facility, its previous use, surrounding properties, and the prospective purchaser agreement.

Staff finds this condition has been met.

12.030 Standards for Plan Amendment

No plan amendment shall be approved by the Planning Commission or enacted by the City Council unless at least one of the following standards is met:

A. The Comprehensive Plan designation for the land for which the plan amendment is initiated is erroneous and the plan amendment would correct the error;

B. Conditions in the neighborhood surrounding the land for which the plan amendment is initiated have changed to such a degree that the Comprehensive Plan designation is no longer appropriate and the plan amendment would conform to the new conditions in the neighborhood;

C. There is a public need for land use of the kind for which the plan amendment is initiated and that public need can best be met by the plan amendment.

Findings: The discussion and finding for 12.025 (A), (B), and (C), above, are hereby incorporated by reference.

SUMMARY FINDINGS OF FACT/CONDITIONS OF APPROVAL:

- 1) The subject property is: Section 29AA, Township 8 South, Range 4 West Willamette Meridian. Tax Lots 704 and 1200, Map 8.4.29 AA.
- 2) The owners of record are: The City of Independence, P. O. Box 7, Independence, Oregon.
- 3) The property is currently within city limits and has a current Comprehensive Plan designation and zoning of Medium Density Residential (RM).
- 4) The application meets the standards for approval found in: Subchapter 12.
- 5) The Community Development Director shall determine if the property is subject to a Site Development Review application under IDC Section 33 and Section 80.
- 6) The subject property provides access to Monmouth Street for Lot 700 of Map 84296AA which is currently under the same ownership. Upon transfer or sale of the subject properties, an access and utility easement benefitting Lot 700 of Map 8.4.29.AA, approved by the Community Development Director, shall be required.
- 7) The property is subject to approval by City Independence Public Works in regards to Title 13- Public Works of the Independence Municipal Code. See Exhibit E.
- 8) Prior to development approval, the applicant shall submit evidence of an approved access permit from the Oregon Department of Transportation (ODOT). See Exhibit F.

CONCLUSIONS/RECOMMENDATIONS:

Based on the findings in this report, staff and the Independence Planning Commission found the application (File #CPMA/ZC-04-11) met the requirements for Comprehensive Plan Map Amendment and Zone Change found in Subchapter 12 of the Independence Development Code.

At a public hearing on December 5, 2011, the Planning Commission adopted the Findings in the staff report and recommended the City Council **approve** the application (File #CPMA/ZC-04-11) with the conditions of approval outlined above.

Renata Wakeley
City Planner

Comprehensive Plan Map Amendment/Zone Change 04-2011

City Council Action Options:

- A. A motion to approve Comprehensive Plan Map Amendment/Zone Change 04-11:
 - 1. As recommended by staff and the Independence Planning Commission; or
 - 2. As further conditioned by the City Council (stating any revisions).
- B. A motion to continue the Comprehensive Plan Map Amendment and Zone Change request to a time and date certain.
- C. A motion to deny the Comprehensive Plan Map Amendment and Zone Change request (stating findings and any conditions of approval).

EXHIBIT 'B'

LEGAL DESCRIPTION & MAP

Tax Lot No. 8429AA 704
Tax Lot No. 8429AA 1200

VEYOR'S CERTIFICATE

Edward W. Montgomery being duly sworn, deposes and says that he has read and marked with proper monuments the land represented on herein described partition map, the outside boundary being described as follows:

Beginning at the initial point of the herein described partition plat, which is 5/8" iron rod with yellow plastic cap stamped 'LANDMARKERS', set 1 being 75.15 feet South 82°25'59" East, along the Northerly half-way of Monmouth Street from the Southwest corner of Parcel 1, Block 104, 1997-0047, recorded in Book of Partition Plats, Polk County, Oregon, thence North 07°2'48" East, along a line parallel and 5 feet East of the Easterly line of the before mentioned Partition, a distance of 239.89 feet to a point monument 75.15 feet South 82°25'59" of the Northeast corner of said Partition, thence North 82°25'59" to a distance of 75.15 feet to the Northeast corner of said Partition, thence North 07°2'48" East, along a line projected from the before mentioned Easterly line of said Partition, a distance of 221.00 feet to a point on the Southerly line of tract 10, described in Book 197, Page 251, County Deed Records, thence South 80°10'59" East, along said southerly line, a distance of 165.00 feet, thence South 81°3'00" East, a distance of 30.00 feet, thence North 17°35'00" East, a distance of 35.00 feet, thence North 74°47'00" East, a distance of 73.00 feet, thence North 33°21'00" East, a distance of 77.00 feet to the most Westerly corner of a tract of land described in Book 337, Page 1616, thence South 07°01'15" East, along the Southerly line of the before mentioned tract, a distance of 218.00 feet to the Southwest corner thereof, thence North 4°45' East, along a line projected Westerly from said Southwest corner, a distance of 50.00 feet to the Northwest corner of Parcel 1, as shown in Book 160, Page 2833a, thence South 07°01'15" East, along a parallel and 120.00 feet West of the Easterly line of Parcel 1, a distance of 138.00 feet to the Northeast corner of a tract of land described in Book 133, Page 1, thence South 74°26'11" East, along the Southwesterly line of said tract, a distance of 37.86 feet to the Southwest corner thereof, thence South 07°01'15" East, along the Easterly line of a tract of land described in Book 150, Page 2033, a distance of 112.97 feet to a point on the right-of-way thence North 82°25'59" West, along said right-of-way, a distance of 131.24 feet to the point of beginning and closing 1.66 acres of land more or less.

Edward W. Montgomery
Licensed Land Surveyor No. 16231

LABORATION

I, as man by these presents that the CITY OF INDEPENDENCE is the owner of the land described in the Surveyor's Certificate and hereby certifies that the same is divided into parcels as shown on the attached map.

I hereby create and grant the use of the easements shown on the map.

In witness whereof we set our hand and seal this 10th day of August, 2001.

Jana Ellis
Mayor, CITY OF INDEPENDENCE

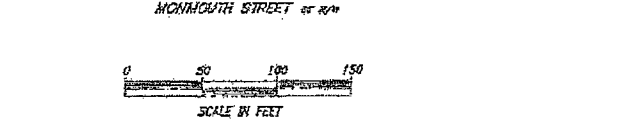
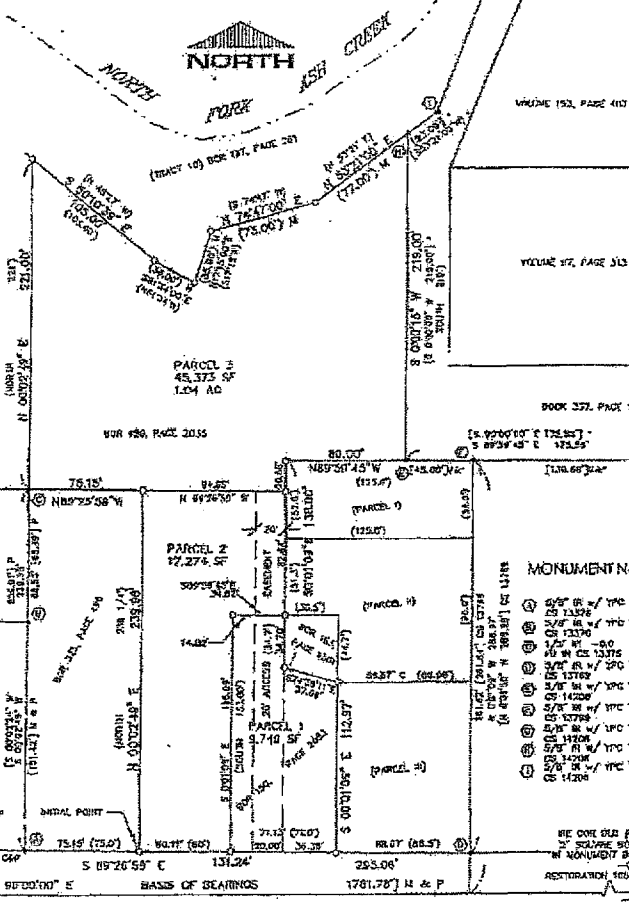
STATE OF OREGON }
COUNTY OF POLK } SS

we, the 10th day of August, 2001, personally appeared before me the within named Susan Ellis, a duly licensed and sworn Surveyor, and who personally acknowledged to me that they executed the foregoing and voluntarily for the uses and purposes therein named without fear of compulsion from anyone.

Susan Ellis
Surveyor for Oregon
Commission Expires 01-1-03

OFFICIAL SEAL OF SHERIFF

PARTITION PLAT No. 2001-15
IN THE NE 1/4, SECTION 29, T.8 S., R.4 W., WILLAMETTE MERIDIAN
IN THE CITY OF INDEPENDENCE, POLK COUNTY, OREGON
PROPERTY OWNERS: CITY OF INDEPENDENCE



NARRATIVE

The purpose of this survey and map was to monument the corners, illustrate and describe the partitioning of the tracts of land described in Book 150, Page 2033 and Book 150, Page 2033, Polk County Deed Records. Basis of Bearings was established from County Survey 13376, shown hereon. Monumentation was obtained from field survey and Polk County Surveys 14208 and 13708. The right-of-way was established from monuments found and held. The Westerly lines were both established from the monuments found and held along the Easterly line of County Survey 13376. The Northerly line was established from dead corners described in Book 150, Page 2033. The Easterly lines were established from monuments found and held in County Surveys 14208 and 13708. Monuments set on the westerly boundary were calculated from dead corners from found monuments. Monuments set on the boundary were stippled on this form by found monuments as noted. Initial monuments were set computed locations of approved design locations. Equipment used for this survey was a Topcon GTS-2100 Total Station.

APPROVALS

Karin Johnson 7-10-2001
City Recorder, City of Independence Date
M. P. P. 7-10-2001
Planning Administrator, City of Independence Date
John Hancock 7-16-2001
Polk County Surveyor Date

All notes, fees, assessments and other charges, as provided by O.R.S. 82.045, have been paid through (Date) July 6, 2001
Cynthia A. ...
Polk County Tax Collector Date

STATE OF OREGON }
COUNTY OF POLK } SS

I do hereby certify that the attached partition plat was received for record on the 11th day of August, 2001, at 9:32 o'clock A.M. and recorded in the Book of Partition Plats, it is recorded in Polk County Deed Records in Book 2001, Page 15.

Linda Dawson, Polk County Clerk
Deputy County Clerk

GENERAL NOTES

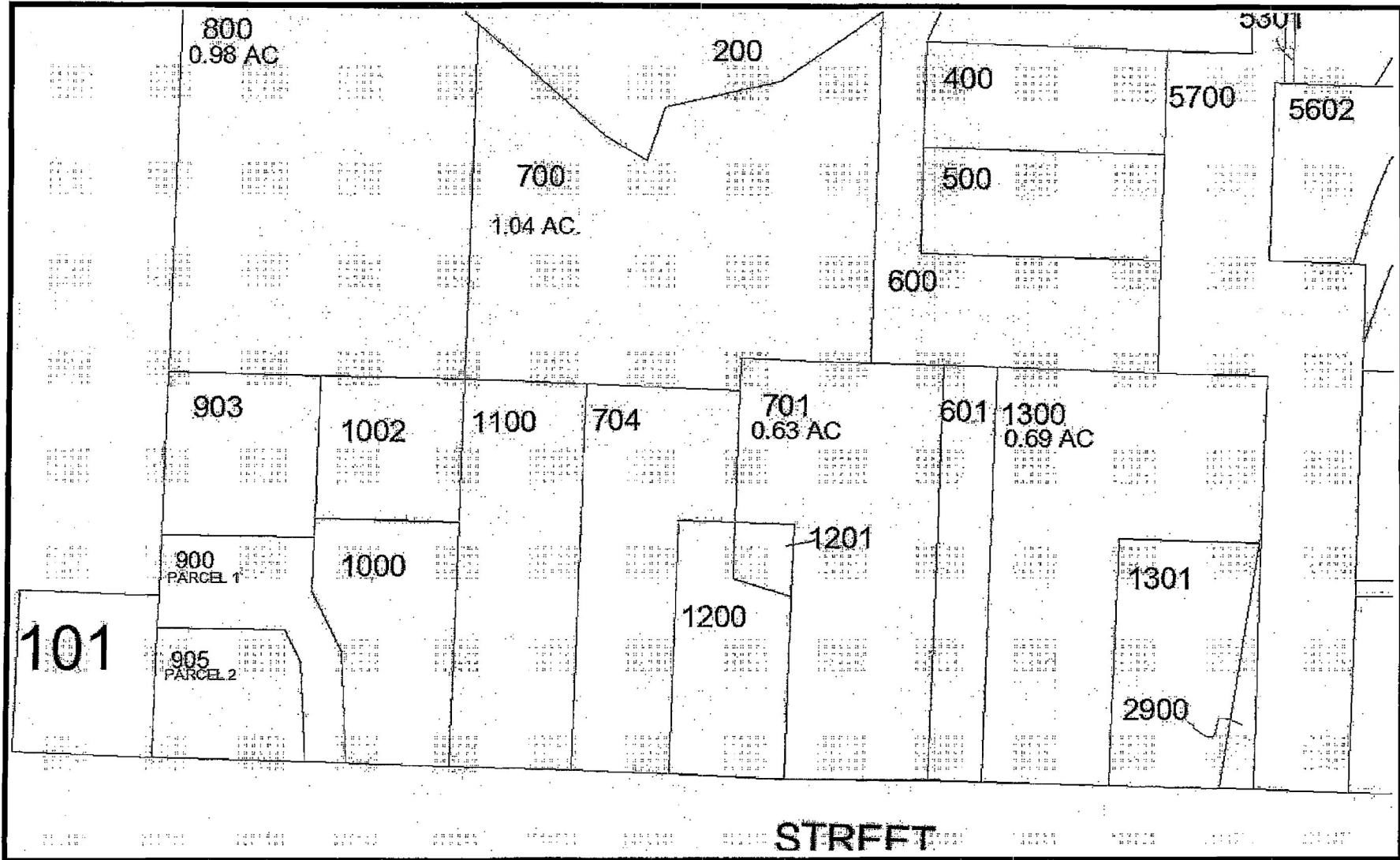
- 1. [] denotes record bearing and/or distance from original plat of PARTITION PLAT 1997-0047, as recorded in Polk County Book of Partition Plats.
- 2. All monuments were found erect, in good condition, and readily visible unless otherwise noted.
- 3. 0.0 indicates found monument reflexively to surface level ± above, - = below.
- 4. [] - denotes record bearing and/or distance from CS 14208.

DRAWING FILE NO. 2001-15 DATE: MARCH 26, 2001	PREPARED FOR AND AT THE REQUEST OF CITY OF INDEPENDENCE	JOB NO. 00-247 SHEET 1 OF 1
REGISTERED PROFESSIONAL LAND SURVEYOR SUSAN ELLIS BOOK 150, PAGE 2033 BOOK 150, PAGE 2033	LIABILITY FOR THIS SURVEY IS EXPRESSLY LIMITED TO THE PERSON OR PERSONS LOCATED A TRACT OF LAND NE 1/4 SEC 29 T 8 S R 4 W WILLAMETTE MERIDIAN, POLK COUNTY, OREGON	PLAN NUMBER 00-247 SUBJECT MATTER 2001-15 DATE 03/26/01
EDWARD W. MONTGOMERY LAND SURVEYOR COMMISSION EXPIRES 01-1-03	LAND MARKERS, INC.	DATE 03/26/01

Zone Change/Senior Center Property/Front Lots

014-160215-B

Map



Polk County Web Maps v. 2.0

Disclaimer: This map was produced using Polk County GIS data. The GIS data is maintained by the County to support its governmental activities. This map should not be used for survey or engineering purposes. The County is not responsible for map errors, omissions, misuse or misinterpretation.

MID - WILLAMETTE VALLEY
COUNCIL OF GOVERNMENTS

105 High Street S.E.
Salem, OR 97301-3667



FIRST CLASS

DEPT OF

FEB 06 2012

LAND CONSERVATION
AND DEVELOPMENT

Attn: Plan Amendment Specialist
DLCD
635 Capitol St NE, Ste 150
Salem OR 97301-2540