



# Oregon

Kate Brown, Governor

Department of Land Conservation and Development

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[www.oregon.gov/LCD](http://www.oregon.gov/LCD)



## NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

Date: February 09, 2016

Jurisdiction: City of Mt. Angel

Local file no.: ANX 15-01

DLCD file no.: 002-15

The Department of Land Conservation and Development (DLCD) received the attached notice of adopted amendment to a comprehensive plan or land use regulation on 02/08/2016. A copy of the adopted amendment is available for review at the DLCD office in Salem and the local government office.

Notice of the proposed amendment was submitted to DLCD less than 35 days prior to the first evidentiary hearing.

### Appeal Procedures

Eligibility to appeal this amendment is governed by ORS 197.612, ORS 197.620, and ORS 197.830. Under ORS 197.830(9), a notice of intent to appeal a land use decision to LUBA must be filed no later than 21 days after the date the decision sought to be reviewed became final. If you have questions about the date the decision became final, please contact the jurisdiction that adopted the amendment.

A 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).

If the amendment is not appealed, it will be deemed acknowledged as set forth in ORS 197.625(1)(a). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

### DLCD Contact

If you have questions about this notice, please contact DLCD's Plan Amendment Specialist at 503-934-0017 or [plan.amendments@state.or.us](mailto:plan.amendments@state.or.us)



# NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

<b>FOR DLCD USE</b> File No.: 002-15 {26896} Received: 2/8/2016
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Local governments are required to send notice of an adopted change to a comprehensive plan or land use regulation **no more than 20 days after the adoption.** (See [OAR 660-018-0040](#)). The rules require that the notice include a completed copy of this form. **This notice form is not for submittal of a completed periodic review task or a plan amendment reviewed in the manner of periodic review.** Use [Form 4](#) for an adopted urban growth boundary including over 50 acres by a city with a population greater than 2,500 within the UGB or an urban growth boundary amendment over 100 acres adopted by a metropolitan service district. Use [Form 5](#) for an adopted urban reserve designation, or amendment to add over 50 acres, by a city with a population greater than 2,500 within the UGB. Use [Form 6](#) with submittal of an adopted periodic review task.

Jurisdiction: Mt. Angel

Local file no.: **ANX 2015-01**

Date of adoption: 2/1/2016

Date sent: 2/8/2016

Was Notice of a Proposed Change (Form 1) submitted to DLCD?

Yes: Date (use the date of last revision if a revised Form 1 was submitted): 7/6/2015

No

Is the adopted change different from what was described in the Notice of Proposed Change?    Yes    No

If yes, describe how the adoption differs from the proposal:

No

Local contact (name and title): Justin Hogue, City Manager

Phone: 503-845-9291

E-mail: [jhogue@ci.mt-angel.or.us](mailto:jhogue@ci.mt-angel.or.us)

Street address: 5 N Garfield St

City: Mt. Angel

Zip: 97362-

**PLEASE COMPLETE ALL OF THE FOLLOWING SECTIONS THAT APPLY**

**For a change to comprehensive plan text:**

Identify the sections of the plan that were added or amended and which statewide planning goals those sections implement, if any:

**For a change to a comprehensive plan map:**

Identify the former and new map designations and the area affected:

- |                                   |                              |              |  |
|-----------------------------------|------------------------------|--------------|--|
| Change from Urban Transition Farm | to Single Family Residential | 20.00 acres. | A goal exception was required for this change. |
| Change from                       | to                           | acres.       | A goal exception was required for this change. |
| Change from                       | to                           | acres.       | A goal exception was required for this change. |
| Change from                       | to                           | acres.       | A goal exception was required for this change. |

Location of affected property (T, R, Sec., TL and address):

The subject property is entirely within an urban growth boundary

The subject property is partially within an urban growth boundary

**If the comprehensive plan map change is a UGB amendment** including less than 50 acres and/or by a city with a population less than 2,500 in the urban area, indicate the number of acres of the former rural plan designation, by type, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

**If the comprehensive plan map change is an urban reserve** amendment including less than 50 acres, or establishment or amendment of an urban reserve by a city with a population less than 2,500 in the urban area, indicate the number of acres, by plan designation, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

**For a change to the text of an ordinance or code:**

Identify the sections of the ordinance or code that were added or amended by title and number:

**For a change to a zoning map:**

Identify the former and new base zone designations and the area affected:

Change from Urban Transitional Farm	to Single Family Residential	Acres: 20.00
Change from	to	Acres:
Change from	to	Acres:
Change from	to	Acres:

Identify additions to or removal from an overlay zone designation and the area affected:

Overlay zone designation:	Acres added:	Acres removed:
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Location of affected property (T, R, Sec., TL and address): 061W09AA Lot 00600

List affected state or federal agencies, local governments and special districts: Marion County, Department of Revenue

Identify supplemental information that is included because it may be useful to inform DLCD or members of the public of the effect of the actual change that has been submitted with this Notice of Adopted Change, if any. If the submittal, including supplementary materials, exceeds 100 pages, include a summary of the amendment briefly describing its purpose and requirements.

An ordinance declaring territory annexed to the City of Mt. Angel and amending the Mt. Angel zoning map.

**ORDINANCE NO. 749**

**AN ORDINANCE DECLARING TERRITORY ANNEXED TO THE CITY OF MT. ANGEL AND AMENDING THE MT. ANGEL ZONING MAP.**

**WHEREAS**, the City of Mt. Angel received a request to annex, and rezone a 20 acre property, identified as Tax Lot 600 on Marion County Tax Map 061W09AA, as more specifically described on the attached Exhibit A (Property); and

**WHEREAS**, as part of applicant's application, City received written consent from all property owners of record to the annexation of said territory and area, which is on file with the City of Mt Angel; and

**WHEREAS**, the subject Property is: (1) located within the Mt. Angel Urban Growth Boundary; (2) located within the Mt. Angel fire and school districts; (3) designated as Low Density Residential on the Mt. Angel Comprehensive Plan Map; and (4) zoned Urban Transition – 20 Acre Density (UT-20) by Marion County; and

**WHEREAS**, the request is to: (1) annex the Property into the City of Mt. Angel; (2) not withdraw the Property from the Mt. Angel fire and school districts; (3) retain the City Low Density Residential designation; and (4) change the zoning for the Property to Single-Family Residential; and

**WHEREAS**, the Property is contiguous to the City of Mt. Angel; and

**WHEREAS**, the City Council conducted a properly noticed public hearing to consider the requests on July 6, 2015, at which time the public was given full opportunity to be present and heard on the matter; and

**WHEREAS**, at the close of the public hearing, the City Council determined that the evidence and argument presented in the public hearing and on the record showed that the application request was in compliance with applicable criteria and adopted a resolution calling to submit the question of annexing Property into the City limits to the electors of the City; and

**WHEREAS**, the annexation request was approved by a majority of city voters at an election held on November 3, 2015;

**NOW, THEREFORE, THE CITY OF MT. ANGEL ORDAINS AS FOLLOWS:**

**SECTION 1. Annexation.** The territory described on Exhibit A, attached hereto and incorporated herein by this reference, is hereby declared annexed to the City of Mt. Angel.

**SECTION 2. Zoning.** Ordinance 722, adopting the City of Mt. Angel Zoning Map, is hereby amended to change the annexed Property from the County zoning of Urban Transition – 20 Acre Density (UT-20) to Mt. Angel zoning of Single-Family Residential (RS).

**SECTION 3. Findings.** The Findings attached as Exhibit B showing compliance with all annexation criteria as set forth in Mt. Angel Development Regulations Section 19.3 are hereby adopted in support of the annexation, zoning and redesignation effected by this Ordinance.

**SECTION 4. Recordation.** The Recorder of the City of Mt. Angel is hereby authorized and directed to: 1) make and submit to the Secretary of State of Oregon, the Assessor of Marion County, the County Clerk of Marion County, and the Department of Revenue, State of Oregon, a certified copy of this Ordinance; and 2) provide notice of the final adoption of this annexation Ordinance to the subject parcel property owners, resident electors, anyone who participated in the public hearings, and anyone who requested notice of this decision, in the form attached as Exhibit C.

**SECTION 5.** The Ordinance shall take effect 30 days after second reading and final passage; second reading to occur only after the applicant has paid the full cost of annexation and associated election to the City.

**1<sup>st</sup> Reading:** Conducted and approved by the City Council this 4<sup>th</sup> day of January, 2016.

**2<sup>nd</sup> Reading:** Conducted and approved by the City Council this 1<sup>st</sup> day of February, 2016, by the following vote:

**AYES: 7**

**NAYS: 0**

APPROVED BY THE MAYOR this 1<sup>st</sup> day of February, 2016.

  
\_\_\_\_\_  
Andrew Otte, Mayor

ATTESTED BY:

  
\_\_\_\_\_  
Eileen Stein, City Manager

Filed in the office of the City Recorder this 1<sup>st</sup> day of February, 2016.

## **EXHIBIT A**

COMMENCING AT A POINT EAST 10.505 CHAINS FROM THE NORTHWEST CORNER OF THE DONATION LAND CLAIM OF BENJAMIN CLEAVER AND WIFE, SAID COMMENCING POINT BEING IN THE CENTER OF THE COUNTY ROAD AND ON THE LINE BETWEEN SECTIONS 4 AND 9 IN TOWNSHIP 6 SOUTH, RANGE 1 WEST OF THE WILLAMETTE MERIDIAN IN MARION COUNTY, OREGON; THENCE EAST 10.195 CHAINS TO THE NORTHWEST CORNER OF THE JOSEPH SCHULTZ TRACT; THENCE SOUTH 19.617 CHAINS TO THE CENTER OF THE COUNTY ROAD; THENCE WEST 10.195 CHAINS TO THE PLACE OF BEGINNING, SITUATED IN THE NORTHEAST QUARTER OF SECTION 9 IN TOWNSHIP 6 SOUTH, RANGE 1 WEST OF THE WILLAMETTE MERIDIAN, MARION COUNTY, OREGON.



**STAFF REPORT  
ANNEXATION (ANX) 2015-01**

City Council Hearing Date: July 6, 2015

**APPLICANT:** Frank Kirkbride, P. Ronald Wachter, Jeanette Neugburgber, and Mary Ann Fobert.

**REPRESENTATIVE:** LEI Engineering and Surveying

**LOCATION:** The property is located west of the City Limits and extends from West Church Street to West Marquam Street.

**MAP/TAX LOT:** Marion County Tax Map 061W09AA, Tax Lot 00600.

**REQUEST:** To approve the annexation of a single parcel of land that is approximately 20 acres in size. The property is located in the Mt. Angel Urban Growth Boundary and is designated Low Density Residential on the Mt. Angel Comprehensive Plan Map. In accordance with Mt. Angel Code Section 19, the Marion County zoning designation of Urban Transition (UT-20) will be removed and the property will be automatically zoned Single Family Residential (RS) upon annexation to the City of Mt. Angel.

**SIZE:** 20 acres

**CRITERIA:** City of Mt. Angel Development Code, Section 19

**ATTACHMENTS:** Attachment A: Resolution Calling a Measure Election  
Attachment B: Notice of City Measure Election  
Exhibit A: Vicinity Map  
Exhibit B: Application with attachments  
Exhibit C: Comprehensive Plan Map, Zoning Map  
Exhibit D: City Transportation and Natural Hazard/Resource Maps  
Exhibit E: City Engineer comments  
Exhibit F: Utility Maps  
Exhibit G: MADC Section 6.1 (RS Zone)

**ABBREVIATIONS USED IN THIS REPORT:**

SF: Square Feet  
MADC: Mt. Angel Development Code  
MASO: Mt. Angel Subdivision Ordinance  
MCPW: Marion County Public Works  
ORS: Oregon Revised Statutes  
RS: Residential Single Family  
PWDS: Mt. Angel Public Works Design Standards  
TSP: Mt. Angel Transportation System Plan



## I. Site Analysis

The subject property consists of one tax lot that is approximately 20 acres in size. The north boundary of the property abuts West Marquam Street and the south boundary of the property abuts West Church Street. A portion of the subject property's east boundary and northern boundary is adjacent to the city limits line.

### Topography

According to the application, the subject is slightly "rolling land" that is in agricultural use. The land has a drainage ditch to the north from West Church Street that exits the property to the west about mid-point.

### Access (See Exhibit D for TSP Maps and Natural Resource Maps)

The property proposed for annexation street on West Marquam Street and West Church Street. Both roads are under the jurisdiction of Marion County.

### Natural Features/Hazards (See Exhibit D for TSP Maps and Natural Resource Maps)

According to the application, the topography of the subject property is described as "rolling hills." According to the Mt. Angel Comprehensive Plan, there are no residentially designated properties within the UGB with slopes 15 percent or greater.

Available Flood Insurance Rate Maps do not indicate the presence of areas subject to flooding on the subject site.

Available maps do not show that the site contains delineated wetlands, however the property does contain Dayton, Amity Silt Loam-Concord and Woodburn-Acquolls soils which are classified as Hydric soils in Marion County by the USDA NRCS.

The City is located within an active seismic area.

Mt. Angel is located in the Molalla-Pudding Sub-basin of the Willamette Basin, in the Pudding River watershed between Abiqua and Zollner Creeks. The Pudding River is located about one mile west of the Mt. Angel UGB. According to the Mt. Angel Comprehensive Plan "Intermittent streams within most of the urban area flow in to the lowland area near Walker Ditch, immediately south of the UGB, which drains directly in to the Pudding River. The northernmost portion of the urban area drains into Zollner Creek."

### Utilities (See Exhibit F for Utility Maps)

The following comments were provided by the City Engineer in an email dated June 1, 2015:

"At the annexation stage, our review is typically limited to verification as to whether the annexation will allow for the orderly extension of urban services (*i.e. verification as to whether adequate facilities either exist or can be provided in conjunction with development*). Overall, there does not appear to be any issues from a street or utility viewpoint that would preclude the annexation of this property into the City.

Since street & utility improvements are typically not included as conditions to an annexation approval, the following are general informational comments only (*i.e. to illustrate that the existing infrastructure can be upgraded or extended to serve this property*).

Existing Streets – The portion of both Marquam Street and West Church Street fronting this property are Marion County right-of-ways (classified as collector streets), which can be improved to urban City standards in conjunction with development of this property. Offsite pedestrian improvements may be required if necessary to provide pedestrian connectivity to and from this property.

New Streets – We are not aware of any issues that would preclude the construction of new streets through this property in the general configuration shown in the application. The north-south connector street between Marquam Street and West Church Street will need to be constructed as a collector street.

Sewer – It appears that gravity sewers to serve this property can be installed and connected to the existing gravity trunk sewer along Marquam Street.

Storm – It appears that storm drainage improvements to serve this property can be installed and connected to existing drainage ways through and downstream of the property.

Water - It appears that waterlines adequate to provide SF residential fire flows can be installed and connected to existing waterlines outside of the development.

A 12-inch waterline will be required through this project (between Marquam & West Church), along the new collector street alignment, as well as 12” waterlines along W Church and Marquam as required to connect to existing waterlines with adequate capacity to provide the required residential fire flows (at most, this would likely involve a new offsite waterline along W Church to the 10-inch waterline at Lincoln, and a new offsite waterline along Marquam to the existing 8-inch waterline at N. Pershing)."

### Surrounding Property

North: (Across West Marquam Street) Agricultural use and low density residential development

South: (Across West Church Street) agricultural use

East: Rural residential and low density residential development

West: Agricultural use (located in Marion County and outside the Mt. Angel Urban Growth Boundary)

## **II. AUTHORITY & PROCEDURES**

According to MADC Section 19.2, annexation applications are processed as a Type III action. MADC Section 2.1(c) states that a Type III action is a quasi-judicial process in which the City Council applies a mix of objective and subjective standards, and makes the final, local decision. Section 2.3 and 2.4 list the notice and hearing requirements. Appeal of the decision is to the Land Use Board of Appeals (LUBA).

MADC Section 19.3 provides the approval criteria for an Annexation and states that the applicant shall demonstrate that a proposed annexation complies with the provisions of the Mt. Angel Comprehensive Plan in order to receive approval of the City Council. However, inasmuch as the decision to annex property consists of a quasi-judicial element and a legislative decision based upon the best judgment of the City Council, the City Council may deny an annexation based upon its legislative perception of the request even though the annexation meets all requirements. A legislative decision to deny an annexation shall be specifically stated in

the record and noted as a separate legislative act apart from the quasi-judicial decision. If approved by the voters, an annexation requires the adoption of an ordinance by City Council following the vote by the City electors.

Oregon Administrative Rule 660-014-0060 (Annexations of Lands Subject to an Acknowledged Comprehensive Plan) states "A city annexation made in compliance with a comprehensive plan acknowledged pursuant to ORS 197.251(1) or 197.625 shall be considered by the commission to have been made in accordance with the goals unless the acknowledged comprehensive plan and implementing ordinances do not control the annexation." The Mt. Angel Comprehensive Plan has been acknowledged by the Department of Land Conservation and Development.

### III. CRITERIA & PROPOSED FINDINGS OF FACT

According to MADC Section 19.3, the applicant shall demonstrate that a proposed annexation complies with the provisions of the Mt. Angel Comprehensive Plan and the City Council shall determine whether the proposed annexation meets the following criteria:

#### **MADC 19.3(a) The proposed land use designations are consistent with the Comprehensive Plan and applicable Statewide Planning Goals;**

Applicant Response: None.

Staff Response: The sections of the City's Comprehensive Plan applicable to this annexation application include the following urbanization, citizen involvement, transportation, and land use policies:

#### **A. Land Use, Policy 1. Maintain an active citizen involvement program to provide for continued public input into planning decision making.**

**FINDING 1:** The city has provided notice and solicited involvement and comments related to ANX 2015-01 by mailing notice of the public hearing to surrounding property owners within 100 feet of the subject property and by printing notice in the newspaper 20 days in advance of the hearing.

#### **B. Urbanization, Policy 1. Annexation to the city will be permitted if:**

- **The city is able to provide adequate sewer, water, storm drainage, police, schools, library, parks, and administration and fire protection services to the area.**
- **The new area will meet city standards for all public improvements.**
- **The area to be annexed is contiguous to the city and represents a logical direction for city expansion.**
- **The area is within the urban growth boundary.**

**FINDING 2:** The subject is undeveloped and is located within the Mt. Angel Urban Growth Boundary and is contiguous to the Mt. Angel city limits. The City Engineer provided comments (Exhibit E) that the city has the capacity to provide adequate access, sewer, water, and storm drainage services for the future development of the site, and the extension and development of needed facilities and services is required by the MADC, MASO and the PWDS at the time land is divided or developed, therefore annexation at this time represents a logical direction for city expansion.

**FINDING 3:** Notice of the pending annexation was provided to private utility companies, including NW Natural Gas, PGE, Mt. Angel Phone, Wave Broadband, City Police and Fire Protection Services and Marion County Public Works, as well as the Mt. Angel School District. No comments were received at the time this staff report was written. Comments received after the staff report is published will be distributed and entered into record during the public hearing.

**C. Urbanization, Policy 2. The City of Mt. Angel will assign zones based on comprehensive plan designations to the newly annexed area. In doing so, it will consider the housing mix projected for the next twenty (20) years in relation to the existing percentages of lands available for various types of housing available as well as land needed for other uses.**

**Finding 4:** The property is designated Low Density Residential on the Mt. Angel Comprehensive Plan Map. Table 19-1 in the MADC states that the equivalent Mt. Angel Zone District for the Low Density Residential Designation on the Comprehensive Plan Map is RS (Residential Single Family). Upon annexation of the property the county zoning designation of UT-20 will be removed automatically and the city zoning designation of RS (Residential Single Family) will be applied.

**Finding 5:** The property is within the City of Mt. Angel's Urban Growth Boundary and is therefore designated for urbanization. The City's Comprehensive Plan Map and accompanying designations have been acknowledged by the Department of Land Conservation and Development (DLCD).

**Finding 6:** A Residential Buildable Lands Inventory report (undated) prepared by Jamison, Ogden and Arriaga forecasts that an additional 241 housing units will be needed for the year 2030. The proposed annexation will provide an additional 20 acres to the city's supply of vacant and developable land for housing development to meet projected needs.

**D. Urbanization, Policy 3. All undeveloped tracts over 3 acres annexed to the city shall be subject to the PUD Overlay provision of the Development Ordinance.**

**Finding 7:** The site is approximately 20 acres in size, therefore Urbanization Policy 3 is applicable. However the Mt. Angel Zoning and Comprehensive Plan Map do not include a Planned Unit Development "Overlay District." The Mt. Angel Development Code (MADC) contains standards for Planned Unit Developments in Section 10.5 that apply to land zoned RS, RM and RC that may be used by a developer by filing a Conditional Use Permit application.

**E. Sanitary Sewer, Water and Storm Drainage Systems, Overall System Policy 2: Encourage development of vacant and partially developed lands within the city prior to urbanization of rural land.**

**FINDING 8:** The application indicates the future plans for the property include single-family housing which is consistent with the Comprehensive Plan Map designation for Low Density Residential use and the findings of the Residential Buildable Lands Report as referenced in Finding #6 of this report section.

**F. According to the Mt. Angel Transportation System Plan Street Network Plan Map (see Exhibit D) West Marquam Street and West Church Street are existing Collector Streets. The Street Network Plan Map also Calls for calls for the dedication and development of a North-South Collector Street**

**from West Church Street to West Marquam Street. Page 20 of the TSP states that the North-South Collector Street from West Church to Marquam Street NW is essential for north-south traffic movement on the west side of the city. The street will provide an important connection between the city's two east-west collectors and would serve the access needs for the planned low-density residential development.**

**Finding 9:** The size, shape and topography of the site would allow development of a street network that complies with the Mt. Angel Transportation Plan. Street development standards are applied at the time land is divided for development. A conceptual development plan submitted by the applicant includes a North-South Collector Street. The TSP Bicycle/Pedestrian Plan map does not identify future bikeways, multi-use areas or bike lanes for development in the subject area, however the street development standards for Collector and Local Streets in the TSP and in the Mt. Angel Subdivision Ordinance that will be applied at the time the land is divided or developed require the provision of shared bike lanes and sidewalks on both street sides.

**Finding 10:** Findings 1-9 proposed in this report demonstrate consistency of the request to annex the subject 20 acres is consistent with the relevant provisions of the acknowledged Mt. Angel Comprehensive Plan.

**MADC 19.3(b) The annexation results in a boundary in which services can be provided in an orderly, efficient, and timely manner;**

Applicant Response: None.

Staff Response: The City Engineer stated in an email dated June 1, 2015 that "Overall, there does not appear to be any issues from a street or utility viewpoint that would preclude the annexation of this property into the City." Additional comments provided by the City Engineer on June 1, 2015 and June 4, 2015 and included in Exhibit E are summarized below:

- Existing Streets – The portion of both Marquam Street and West Church Street fronting this property are Marion County right-of-ways (classified as collector streets), which can be improved to urban City standards in conjunction with development of this property. Offsite pedestrian improvements may be required if necessary to provide pedestrian connectivity to and from this property.
- New Streets – We are not aware of any issues that would preclude the construction of new streets through this property in the general configuration shown in the application. The north-south connector street between Marquam Street and West Church Street will need to be constructed as a collector street.
- Sewer – It appears that gravity sewers to serve this property can be installed and connected to the existing gravity trunk sewer along Marquam Street.
- Storm – It appears that storm drainage improvements to serve this property can be installed and connected to existing drainage ways through and downstream of the property.
- Domestic Water (not including Fire Flows) - It appears that waterlines adequate to provide single family residential fire flows can be installed and connected to existing waterlines outside of the development.

**Finding 11:** There are several lots that are east of the subject (Tax Map 61W09AA, Lots 300 (partial), 400 and 500) with frontage on W. Marquam Street that are already surrounded on three sides by city land. Those tax lot will become an island of County territory surrounded by city land upon annexation of the subject property. However, the north and east boundaries of

the subject property are adjacent to the existing city limits. Upon annexation of the subject, the land that is within the city limits that is along W. Church Street will be continuous to the west boundary of the subject property. Also, there are no apparent street or utility issues that would preclude annexation and city service to the subject property. The requested annexation will therefore result in a boundary in which services can be provided in an orderly, efficient, and timely manner.

**MADC 19.3 (c) The uses and density that will be allowed can be served through the orderly, efficient and timely extension of key urban facilities and services; and**

Applicant Response: None.

Staff Response: The 1987 Update of the city's Comprehensive Plan established the Low Density Residential (LDR) designation to accommodate a land use pattern of 3 to 6 dwelling units per acre.

**Finding 12:** The site is 20 acres in size that, upon annexation, can be developed in a manner consistent with the densities permitted under the LDR designation and the RS zone. According to comments provided by the City Engineer in Exhibit E, there does not appear to be any issues from a street or utility viewpoint that would preclude the annexation of this property into the City. Therefore, the proposed annexation can be served through an orderly, efficient and timely extension of urban facilities and services.

**MADC 19.3 (d) The public interest is furthered by the referral of the annexation to the voters.**

Applicant Response: None.

Staff Response: The City's Comprehensive Plan map indicates the subject property as land reserved for low density residential land uses. A Residential Buildable Lands Inventory Report prepared by Jamison, Ogden and, Arriaga forecasts that an additional 241 housing units will be needed for the year 2030. The proposed annexation will provide an additional 20 acres to the city's supply of vacant and developable land for housing development to meet projected needs.

The City's Code, Subsection 19.6 (b), provides that accepting the equivalent zoning in comparison to Table 19-1 is "binding for a minimum of five (5) years, unless the landowner can show that substantial changes in social, economic, and demographic patterns of the nearby vicinity have so altered since the date of the annexation that the current designations are no longer in the public interest, and that such changes could not have been anticipated prior to the time the annexation was referred to the voters. The justification shall be analyzed under a comprehensive plan map amendment, if applicable, and a zone change application."

**Finding 13:** Annexation of the subject 20 acres is in the public interest because it will result in additional vacant, developable land for housing development that will help meet the city's projected housing needs through 2030.

## **V. CONCLUSION AND RECOMMENDATIONS**

Based upon the findings of compliance with the criteria in MADC Section 19, contained in this report, staff recommends that the City Council refer to the voters ANX 2015-01 annexation of 20 acres of land to the City limits of the City of Mt. Angel for property identified as Tax Map 6S 1W 09AA, Tax Lot 00600.

## **VI. CITY COUNCIL ACTION**

The following alternative actions are available to the City Council:

- A. Make a motion to accept the findings of fact in the Staff Report and approve ANX 2015-01 and the Resolution Calling a Measure of Election to submit to the Electors of the City the question of Annexation of 20 acres into the City limits, a ballot title for an election on the annexation, and to direct the City Elections Officer to file the ballot title with Marion County Elections Officer; or
- B. Make a motion that the proposal does not comply with the criteria in MADC Section 19 (stating why) and that the annexation request should not be referred to the voters; or
- C. Make a motion to continue the hearing to a specific date and time in the future for further consideration.

**CITY OF MT. ANGEL  
RESOLUTION \_\_\_\_\_**

**A RESOLUTION OF THE CITY OF MT. ANGEL, OREGON, CALLING A MEASURE ELECTION TO SUBMIT TO THE ELECTORS OF THE CITY THE QUESTION OF ANNEXATION OF 20 ACRES INTO THE CITY LIMITS.**

**WHEREAS**, the City of Mt. Angel Charter states that annexation to the City of Mt. Angel may only be approved by a prior majority vote among the electorate; and

**WHEREAS**, the City of Mt. Angel Development Code Section 19 designates the criteria required for annexation approval; and

**WHEREAS**, at its July 6, 2015 meeting, the Mt. Angel City Council determined that all the criteria has been met and approved the annexation request and ordered it be sent to a vote of the people at the next available election.

**NOW, THEREFORE, THE CITY OF MT. ANGEL ORDAINS AS FOLLOWS:**

**SECTION 1.** That a measure election is hereby called for the purpose of submitting to the qualified electors of the City the question of the annexation of 20 acres into the city limits of Mt. Angel. The property is generally located on the west side of the city limits between West Marquam Street and West Church Street. The site is identified as real property in the County of Marion, State of Oregon, and specifically described as follows:

COMMENCING AT A POINT EAST 10.505 CHAINS FROM THE NORTHWEST CORNER OF THE DONATION LAND CLAIM OF BENJAMIN CLEAVER AND WIFE, SAID COMMENCING POINT BEING IN THE CENTER OF THE COUNTY ROAD AND ON THE LINE BETWEEN SECTIONS 4 AND 9 IN TOWNSHIP 6 SOUTH, RANGE 1 WEST OF THE WILLAMETTE MERIDIAN IN MARION COUNTY, OREGON; THENCE EAST 10.195 CHAINS TO THE NORTHWEST CORNER OF THE JOSEPH SCHULTZ TRACT; THENCE SOUTH 19.617 CHAINS TO THE CENTER OF THE COUNTY ROAD; THENCE WEST 10.195 CHAINS TO THE PLACE OF BEGINNING, SITUATED IN THE NORTHEAST QUARTER OF SECTION 9 IN TOWNSHIP 6 SOUTH, RANGE 1 WEST OF THE WILLAMETTE MERIDIAN, MARION COUNTY, OREGON.

**SECTION 2.** That the measure election hereby called shall be held within the boundaries of the City of Mt. Angel, Marion County, Oregon, on November 3, 2015. The election will be conducted by mail.

**SECTION 3.** That the City Recorder shall publish notice of the election with the attached Notice of Measure Election, which by this reference is incorporated herein. The City Recorder shall also take such other actions as required by law, including the preparation of a ballot measure explanatory statement as required by Marion County. The ballot title for the measure shall be as provided on the attached



Notice of Measure Election. The election shall be conducted by Marion County. The County Clerk for Marion County is hereby instructed to prepare ballots and to take other actions necessary to conduct the election.

**SECTION 4.** The proper officials of the City are hereby authorized to take such further action as is necessary to carry out the intent and purposes hereof in compliance with the applicable provisions of law.

**SECTION 5.** This Resolution shall become effective immediately upon its adoption.

Passed by the City Council this \_\_\_\_\_ day of July, 2015, by the following vote:

**AYES: \_\_\_\_\_ NAYS: \_\_\_\_\_**

APPROVED BY THE MAYOR this \_\_\_\_\_ day of July, 2015.

\_\_\_\_\_

Andrew Otte, Mayor

ATTESTED BY:

\_\_\_\_\_

Eileen Stein, City Manager

**NOTICE OF CITY MEASURE ELECTION  
CITY OF MT. ANGEL, OREGON**

**NOTICE IS HEREBY GIVEN** that on Tuesday, November 3, 2015, an election will be held within the boundaries of the City of Mt. Angel, Marion County, Oregon. The election will be conducted by mail. The following shall be the ballot title of the measure to be submitted to the voters:

**CAPTION:** Annexation of 20 acres into the Mt. Angel city limits.

**QUESTION:** Shall 20 acres located between West Marquam Street and West Church Street be annexed into the City of Mt. Angel?

**SUMMARY:** Approval of this measure would bring into the Mt. Angel city limits, 20 acres of land. The north side of the property abuts West Marquam Street and the south side of the property abuts West Church Road. The site is also referred to as Tax Lot 600 on Marion County Tax Map 061W09AA.

If annexed, the property will be zoned Single-Family Residential (RS), consistent with the Low Density Residential designation in the Mt. Angel Comprehensive Plan.

Property to be annexed must touch existing city limits, and there must be adequate city services to serve the property. The Mt. Angel City Council determined that these requirements are met, and submits the question of annexation of the territory to the voters as required by the Mt. Angel City Charter. If annexed, the property will become subject to the City's permanent property tax rate and will be eligible to receive City services.

\_\_\_\_\_  
Signature of authorized Election Authority

\_\_\_\_\_  
Date signed

\_\_\_\_\_  
Printed name of authorized Election Authority

\_\_\_\_\_  
Title

This legal notice is to be published in the Silverton Appeal, Silverton, Oregon.

# EXHIBIT A



VICINITY MAP

## CITY OF MT. ANGEL

5 N. Garfield Street \* P.O. Box 960 \* Mt. Angel, OR 97362 \* 503-845-9291

## ANNEXATION APPLICATION

**APPLICANT NAME:** Frank Kirkbride

**MAILING ADDRESS:** 4405 7th Ave SE, Suite 301 Lacey WA 98503  
(STREET ADDRESS / P.O BOX #) (CITY) ( ST.) (ZIPCODE)

**PHONE:** 360-491-6900 **FAX:** 360-491-6904 **EMAIL:** frank@kirkbridegroup.com

**APPLICANT NAME:** P. Ronald Wachter (also a owner)

**MAILING ADDRESS:** 345 NW Linda Pullman WA 99163  
(STREET ADDRESS / P.O BOX #) (CITY) ( ST.) (ZIPCODE)

**PHONE:** 509-595-3153 **FAX:** 509-332-1613 **EMAIL:** \_\_\_\_\_

**OWNER NAME:** Jeanette Neuburger  
(IF DIFFERENT FROM ABOVE)

**MAILING ADDRESS:** 429 Turnberry Ave Woodburn OR 97071  
(STREET ADDRESS / P.O BOX #) (CITY) ( ST.) (ZIPCODE)

**PHONE:** 503-981-0516 **FAX:** \_\_\_\_\_ **EMAIL:** \_\_\_\_\_

**OWNER NAME:** Mary Ann Fobert  
(IF DIFFERENT FROM ABOVE)

**MAILING ADDRESS:** 3054 Oak St Hubbard OR 97032  
(STREET ADDRESS / P.O BOX #) (CITY) ( ST.) (ZIPCODE)

**PHONE:** \_\_\_\_\_ **FAX:** \_\_\_\_\_ **EMAIL:** \_\_\_\_\_

**ENGINEER / SURVEYOR:** LEI Engineering & Surveying LLC

**MAILING ADDRESS:** 2755 19th St SE Salem OR 97302  
(STREET ADDRESS / P.O BOX #) (CITY) ( ST.) (ZIPCODE)

**PHONE:** 503-399-3828 **FAX:** \_\_\_\_\_ **EMAIL:** jamie@leiengineering.com

**OTHER DESIGN PROFESSIONAL:** \_\_\_\_\_

**MAILING ADDRESS:** \_\_\_\_\_  
(STREET ADDRESS / P.O BOX #) (CITY) ( ST.) (ZIPCODE)

**PHONE:** \_\_\_\_\_ **FAX:** \_\_\_\_\_ **EMAIL:** \_\_\_\_\_

## GENERAL INFORMATION

**SITE ADDRESS OR DESCRIPTION:** 20 acres at West City Limits between W Church St & NE Marquam St

**MAP PAGE AND TAX LOT NO. :** R15770 06W09AA00600

CURRENT ZONE: Urban-Transition Farm COMPREHENSIVE PLAN Low Density Residential

LEGAL DESCRIPTION: see attached

ATTACH ADDITIONAL SHEETS IF NECESSARY

CURRENT USE OF LAND OR STRUCTURES: agriculture

ASSESSED VALUATION: \$23,810 PARCEL SIZE: 20.0 acres

SURROUNDING USES: NORTH: Agriculture SOUTH: Agriculture

EAST: Residential/Agriculture WEST: Agriculture

NATURAL FEATURES/HAZARDS OF SUBJECT SITE: production farm land with drainage ditch to north from West Church Street, exiting property to west about mid-point.

TOPOGRAPHY: slight rolling farm land with drainage ditch


PROPOSED ZONING: Single Family Residential COMPREHENSIVE PLAN: Low Density Residential


PROPOSED USE: single family residences

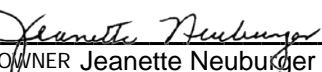
TOTAL PROPOSED LOTS: 67 PROPOSED SIZE OF LOTS: 8,000 sq ft

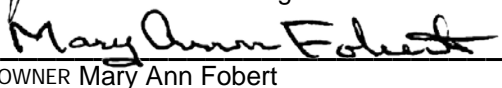
POTENTIAL IMPACTS ON PUBLIC SERVICES: residential municipal services such as water, sewer, fire, police, parks and similar

I, (WE), THE UNDERSIGNED APPLICANT, hereby certify that all information contained in this application is complete and correct, and are the owners of record or contract purchaser(s)\* of the property for which the annexation approval is requested. I further understand the missing or incomplete information may delay the process and the fees paid are not a guarantee of an approval.

SIGNATURE  DATE April 28, 2015  
APPLICANT/OWNER Frank Kirkbride

SIGNATURE  DATE April 24, 2015  
APPLICANT/OWNER P Ronald Wachter

SIGNATURE  DATE April 24, 2015  
OWNER Jeanette Neuburger

SIGNATURE  DATE April 24, 2015  
OWNER Mary Ann Fobert

# CITY OF MT. ANGEL

5 N. Garfield Street \* P.O. Box 960 \* Mt. Angel, OR 97362 \* 503-845-9291

## ANNEXATION APPLICATION

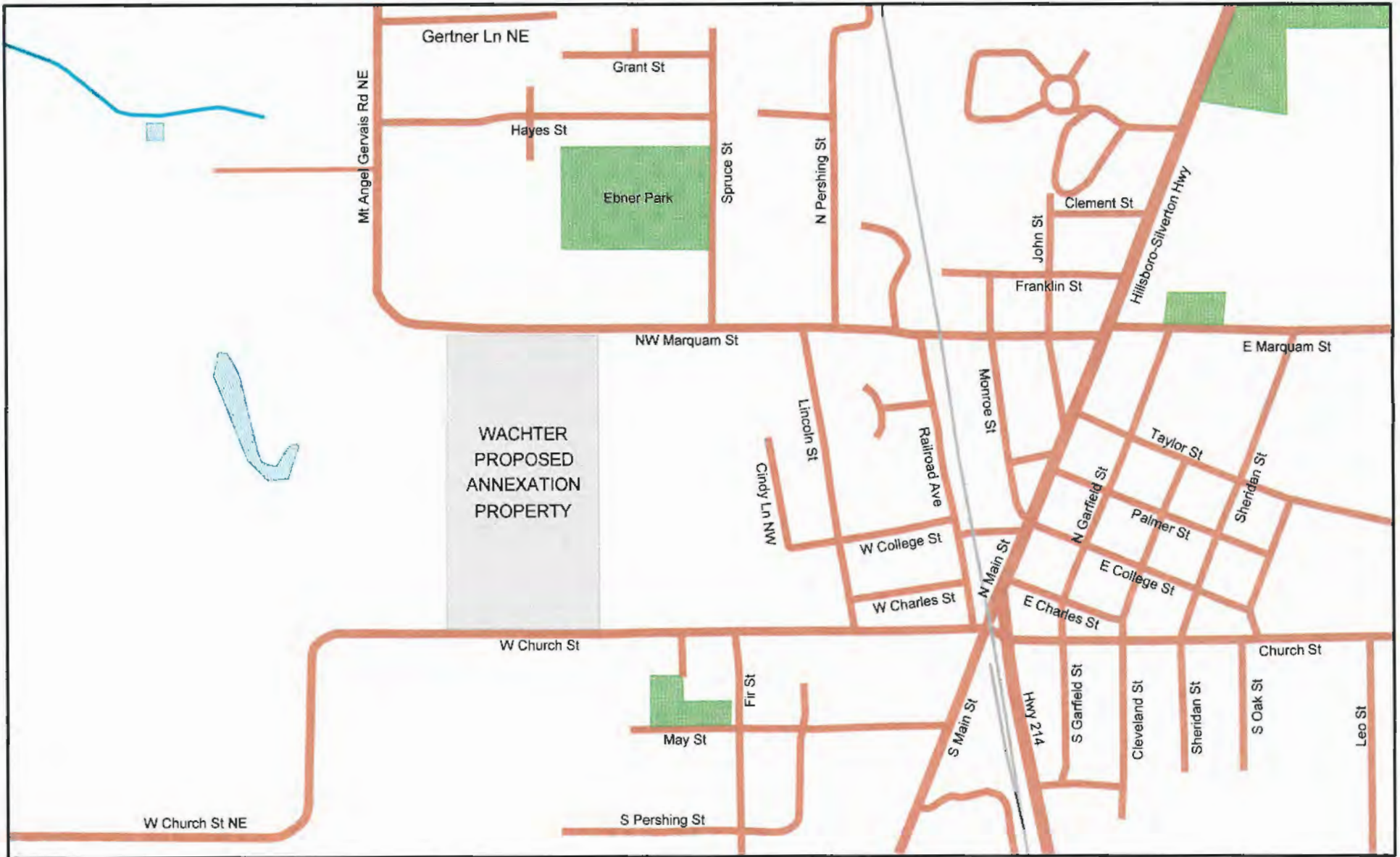
### SUBMITTAL REQUIREMENTS:

1. Completed application and payment of fees listed on accompanying resolution
2. A current title report, vesting deed, and/or legal description of the subject property.
3. Signatures of owners or letter of authorization attached to application.
4. Three (3) copies of site plan including the following information:
  - a. The name, address, and phone number of the applicant, engineer, land surveyor, or person preparing the application.
  - b. Vicinity sketch showing location of the proposed annexation.
  - c. Existing vegetation, trees, or other important natural features.
  - d. Existing structures and improvements (including utilities).
  - e. Assessor's map and tax lot numbers for each parcel.
  - f. Gross acreage of property proposed for annexation.
  - g. Direction of drainage.
  - h. Location and size of existing streets, sewer, water, public utilities, and drainage structures.
  - i. Any other legal access to the parcel other than a public street.
  - j. Areas of site with slopes 10 % or greater.
  - k. All areas of public dedication
  - l. Location and purpose of existing and proposed easements.

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

COMMENCING AT A POINT EAST 10.505 CHAINS FROM THE NORTHWEST CORNER OF THE DONATION LAND CLAIM OF BENJAMIN CLEAVER AND WIFE, SAID COMMENCING POINT BEING IN THE CENTER OF THE COUNTY ROAD AND ON THE LINE BETWEEN SECTIONS 4 AND 9 IN TOWNSHIP 6 SOUTH, RANGE 1 WEST OF THE WILLAMETTE MERIDIAN IN MARION COUNTY, OREGON; THENCE EAST 10.195 CHAINS TO THE NORTHWEST CORNER OF THE JOSEPH SCHULTZ TRACT; THENCE SOUTH 19.617 CHAINS TO THE CENTER OF THE COUNTY ROAD; THENCE WEST 10.195 CHAINS TO THE PLACE OF BEGINNING, SITUATED IN THE NORTHEAST QUARTER OF SECTION 9 IN TOWNSHIP 6 SOUTH, RANGE 1 WEST OF THE WILLAMETTE MERIDIAN, MARION COUNTY, OREGON.

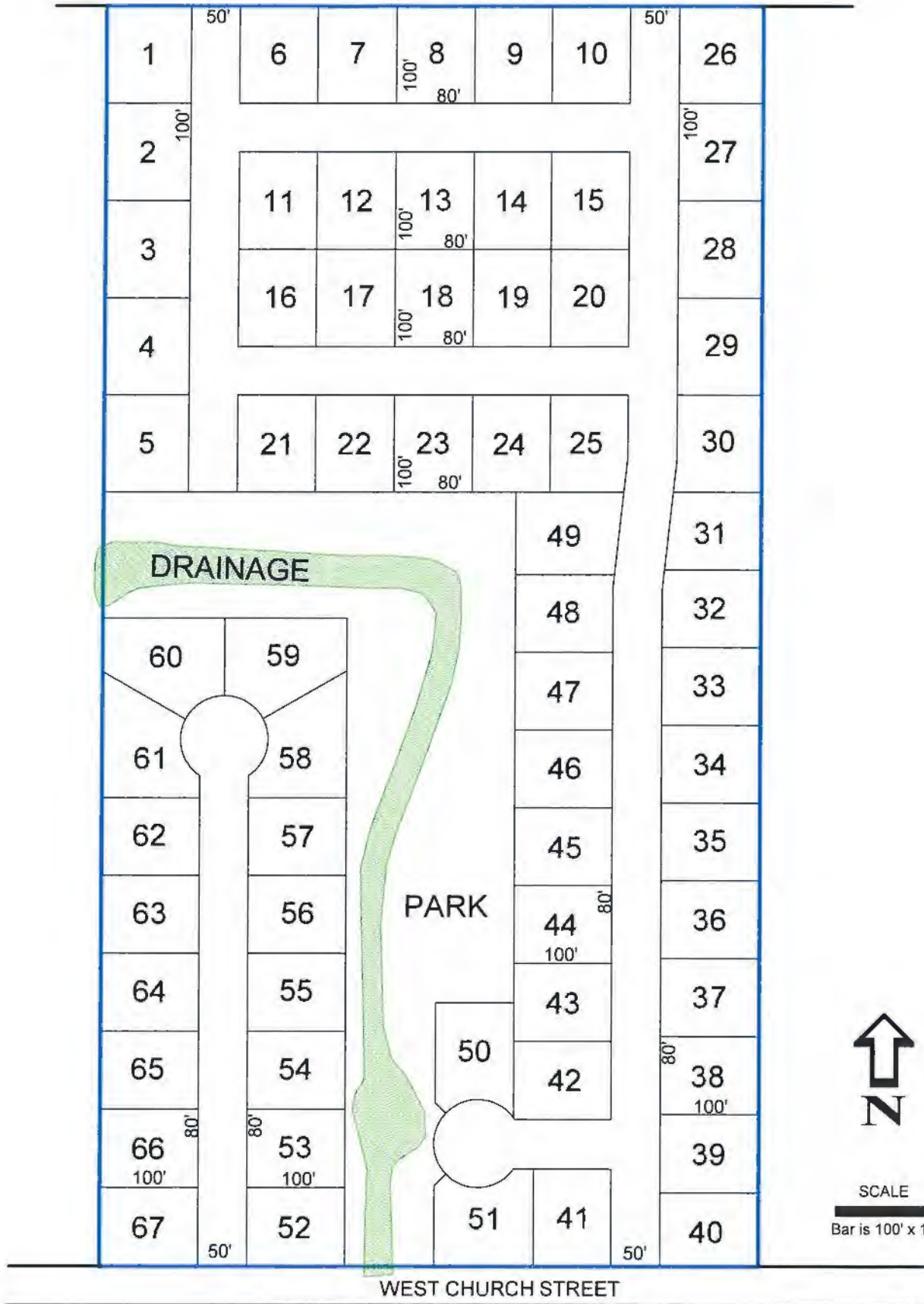
NOTE: This Legal Description was created prior to January 01, 2008.



VICINITY MAP



MARQUAM STREET NE



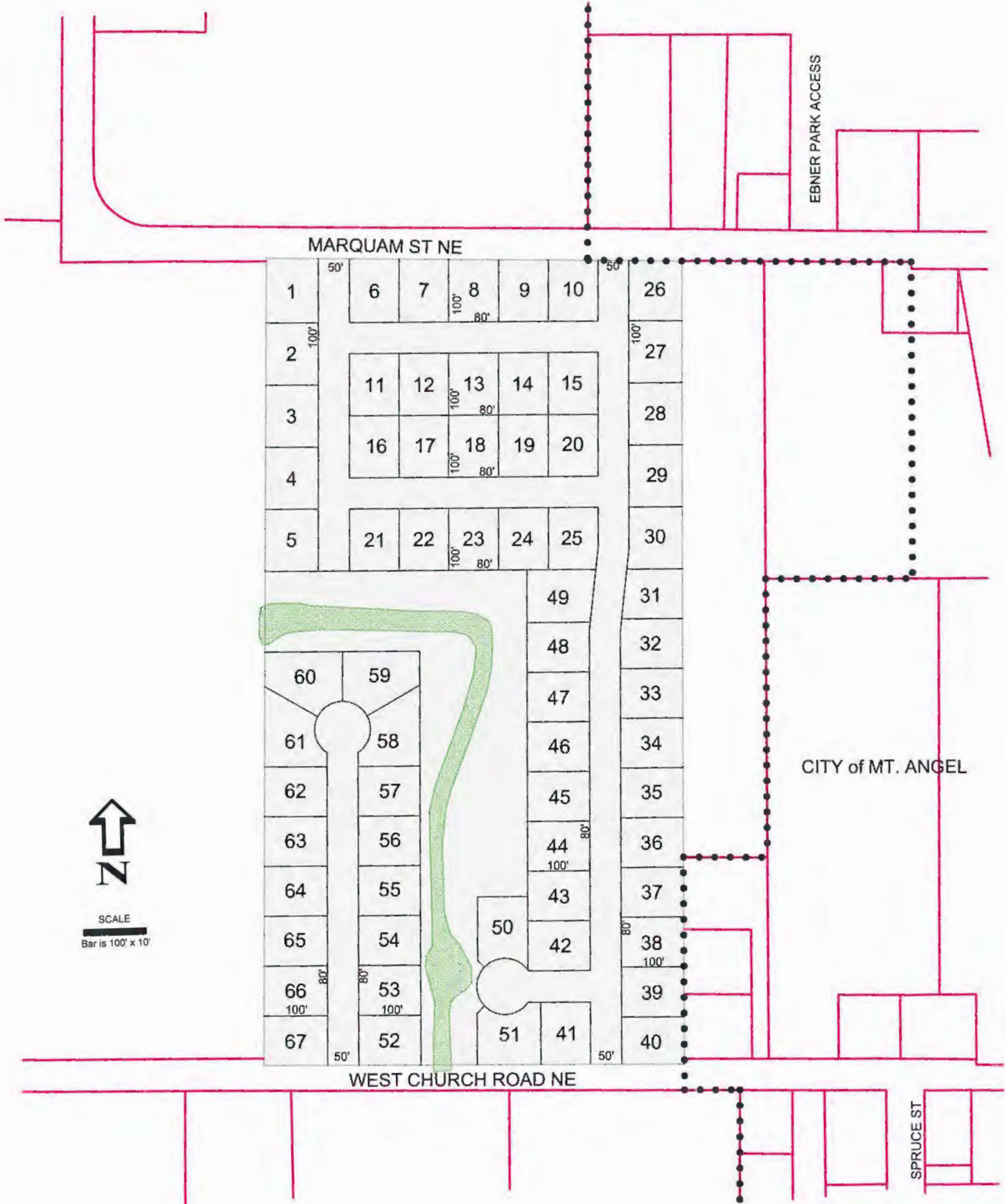
WEST CHURCH STREET

Prel: 1A  
April 20, 2015

# Wachter Meadows

Mt. Angel, Oregon

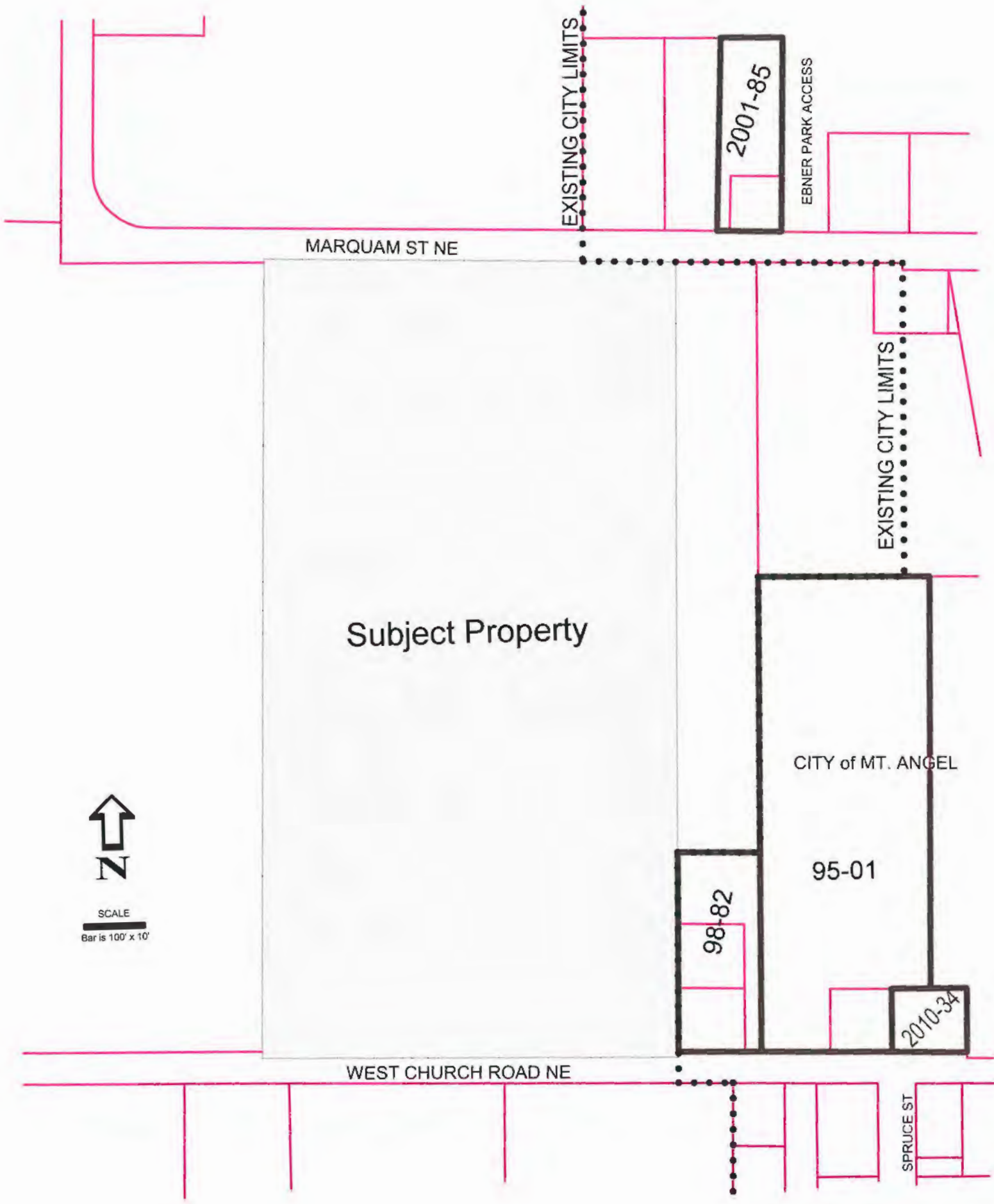
Frank Kirkbride  
4405 7th Ave SE, Suite 300  
Lacey, WA 98503  
360-491-6900  
frank@kirkbridegroup.com



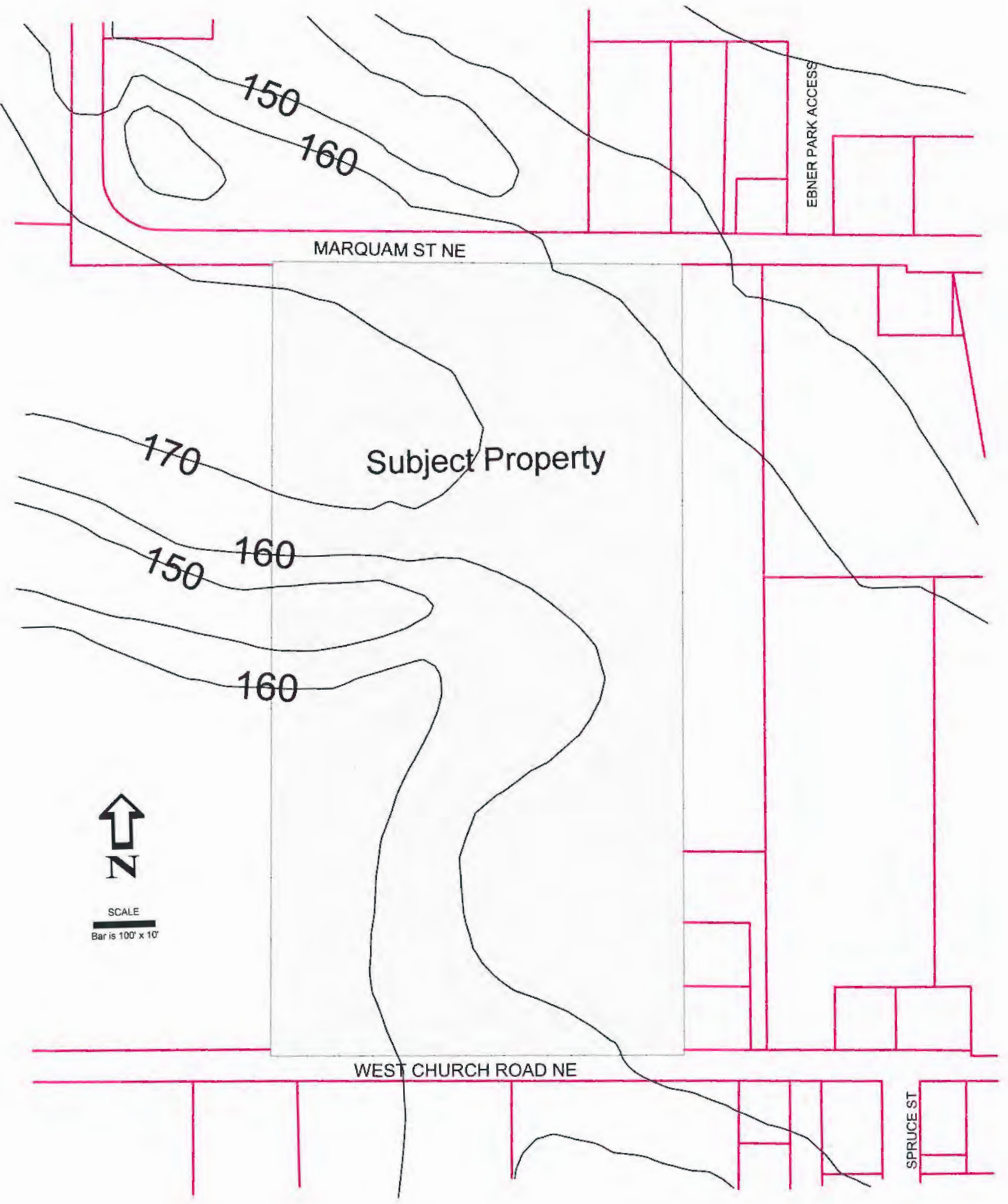
# Preliminary Residential Plan Wachter Property Annexation

April 20, 2015

kfk



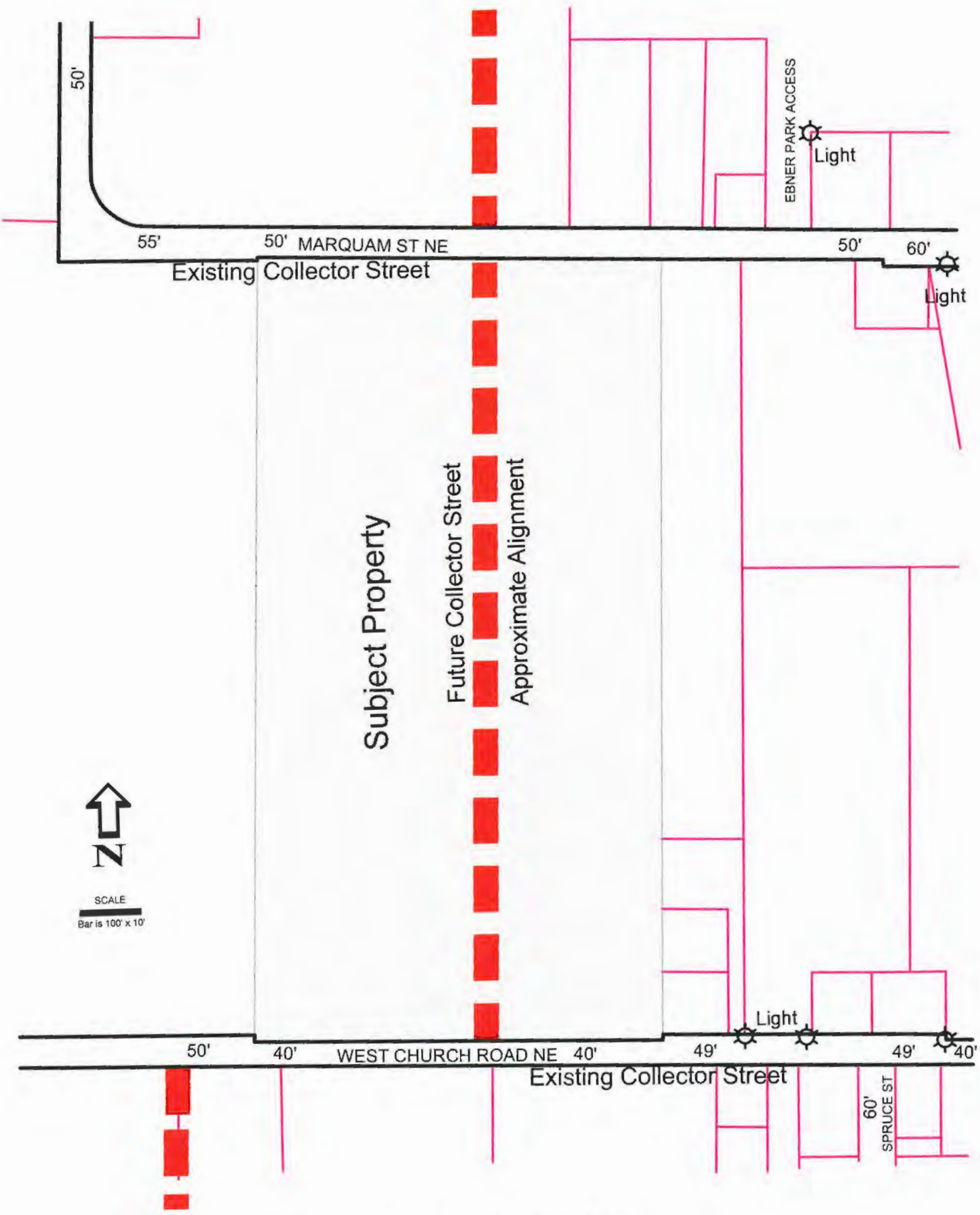
# Existing Plat Information Wachter Property Annexation



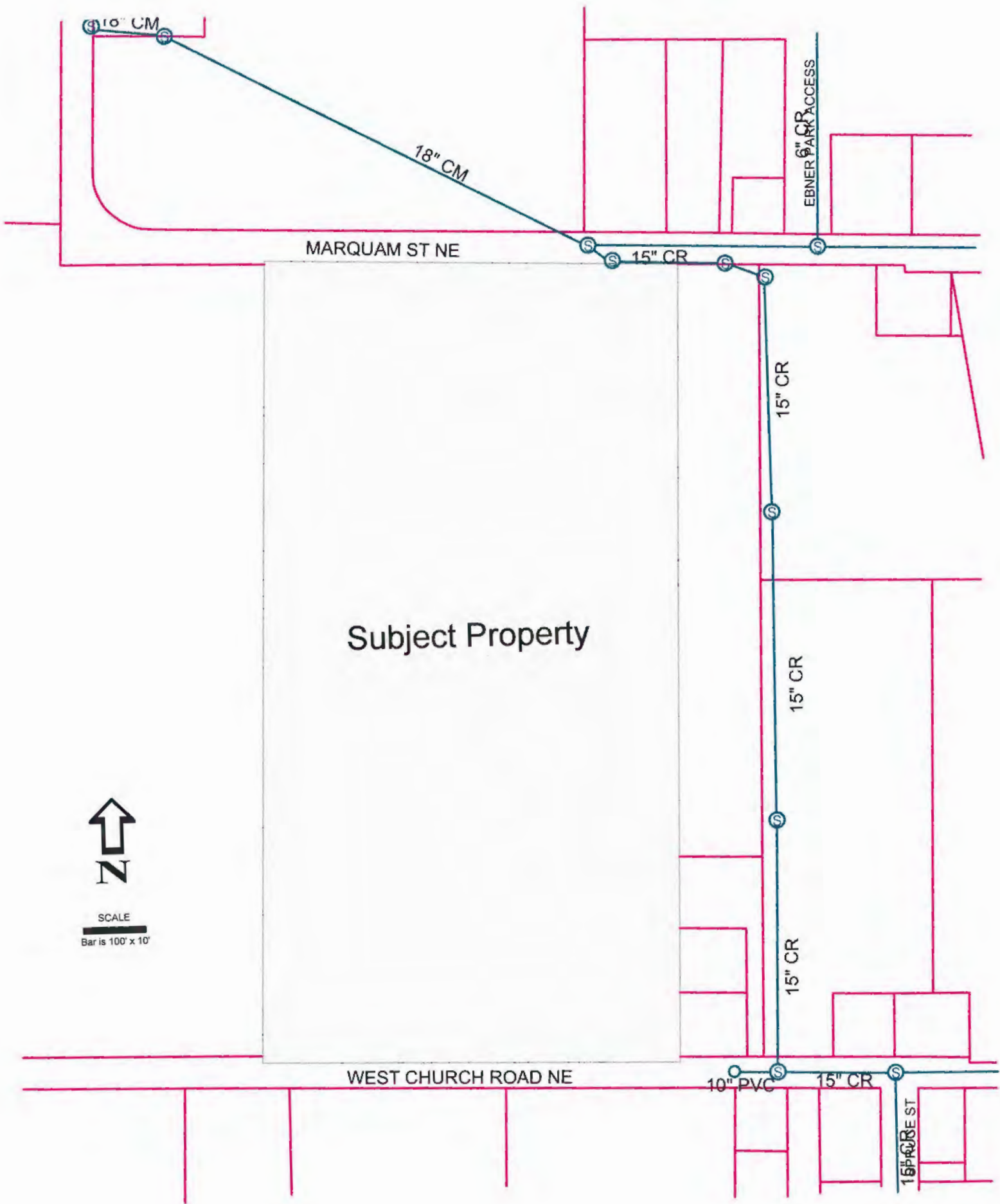
# Topography Wachter Property Annexation

April 20, 2015

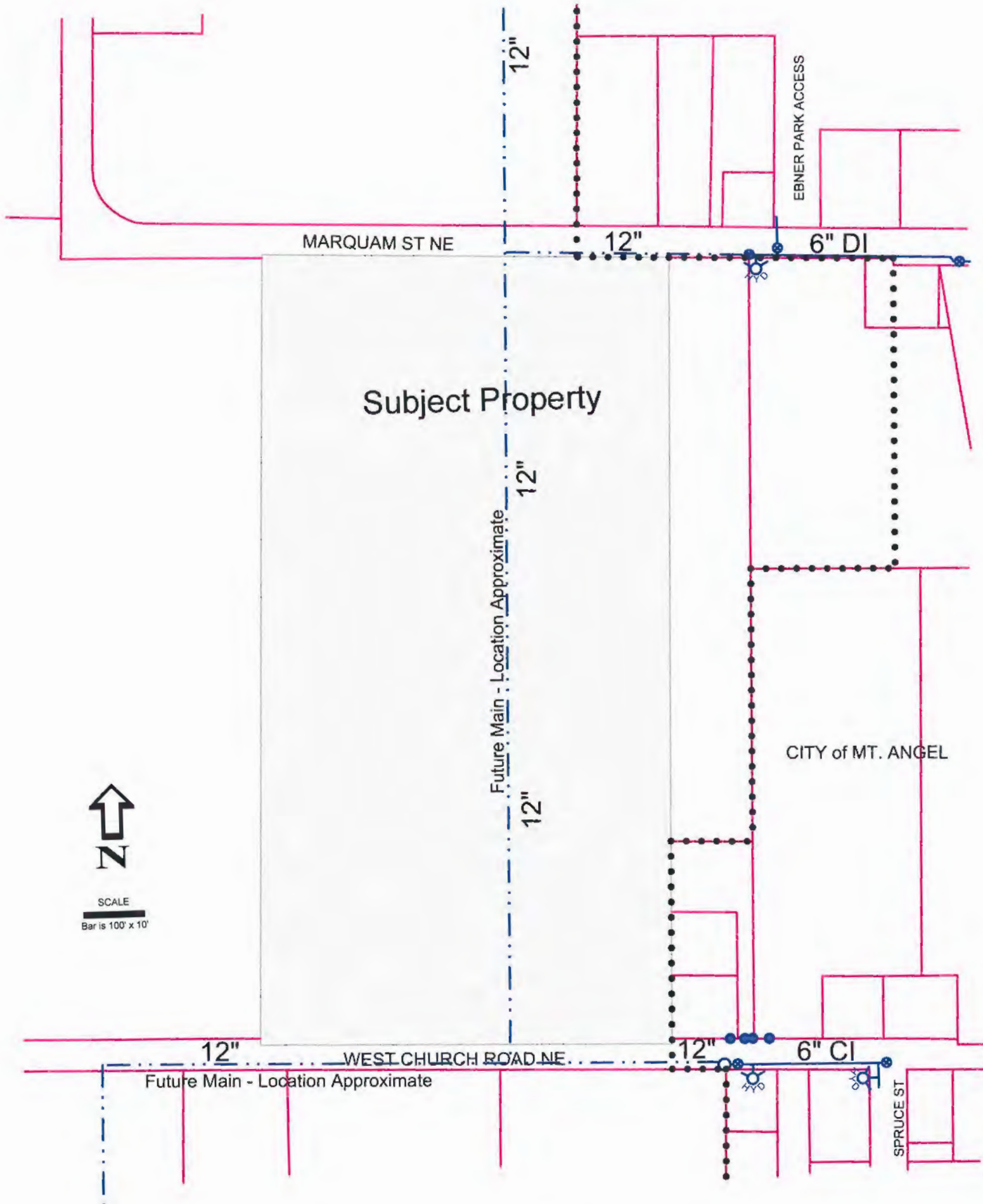
kfk



# Street Information Wachter Property Annexation



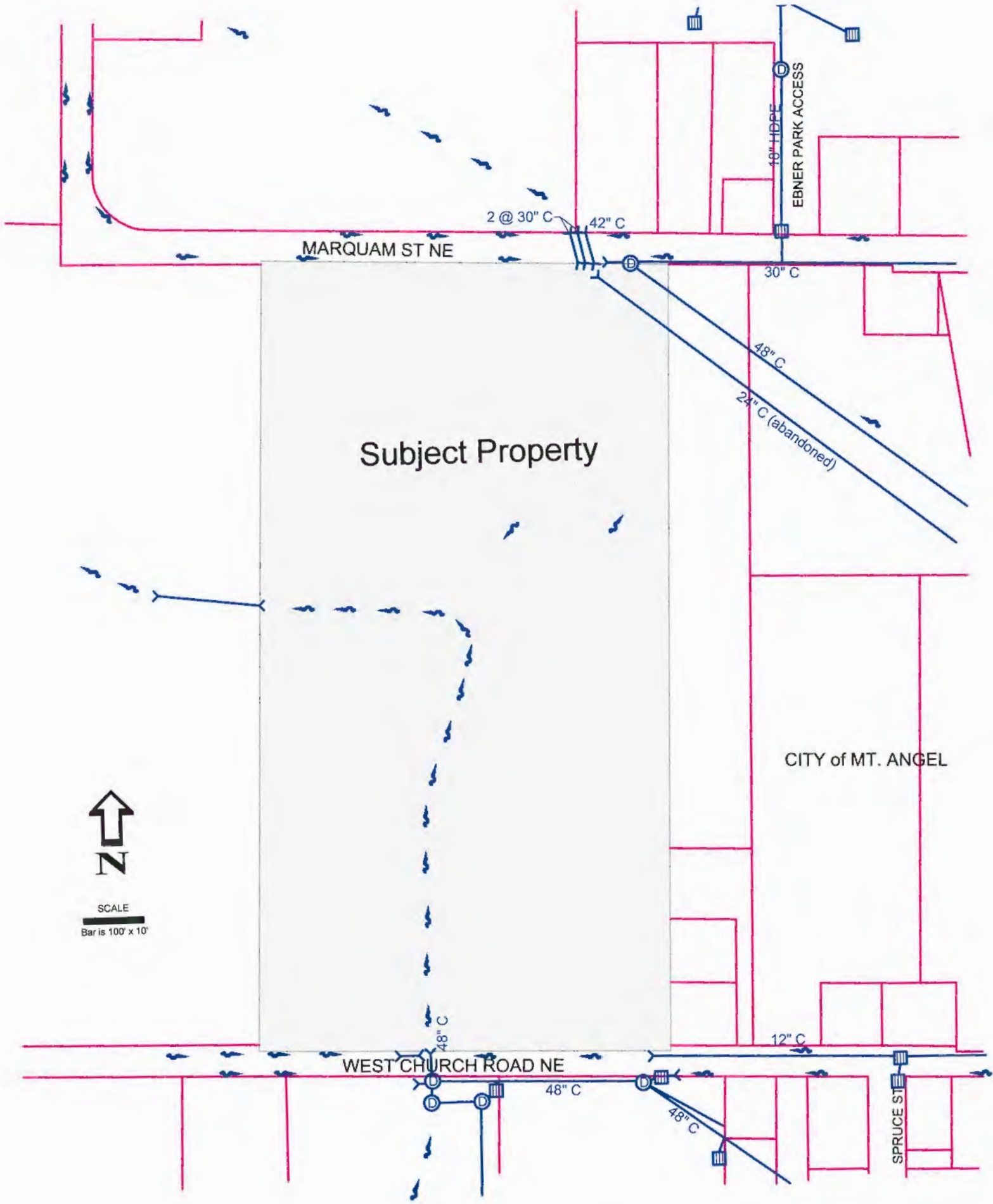
# Domestic Sewer System Wachter Property Annexation



# Existing City Water System Wachter Property Annexation

April 20, 2015

kfk



# Existing Stormwater System Wachter Property Annexation





**First American**

**First American Title Company of Oregon**  
777 Commercial Street SE, Suite 100  
Salem, OR 97301  
Phn - (800)742-2414  
Fax - (866)849-3065

**MARION COUNTY TITLE UNIT**  
FAX (866)849-3065

Title Officer: **Lester Craig**  
(800)742-2414  
LeCraig@firstam.com

**LOT BOOK SERVICE**

The Kirkbride Group Inc  
4405 7th AVE SE STE 301  
Lacey, WA 98503

Order No.: 7089-2431877  
April 20, 2015

Attn: Frank Kirkbride  
Phone No.: (360)491-6900 - Fax No.:  
Email: frank@kirkbridegroup.com

Re:

Fee: \$275.00

We have searched our Tract Indices as to the following described property:

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

and as of April 07, 2015 at 8:00 a.m.

We find that the last deed of record runs to

P. Ronald Wachter, Jeanette Neuburger and Mary Ann Fobert, each as to an undivided 1/3 interest, as tenants in common

We find the following:

1. The assessment roll and the tax roll disclose that the within described premises were specially zoned or classified for Farm use. If the land has become or becomes disqualified for such use under the statute, an additional tax or penalty may be imposed.
2. The rights of the public in and to that portion of the premises herein described lying within the limits of streets, roads and highways.

3. Easement, including terms and provisions contained therein:  
Recording Information: December 01, 1978 as Reel 148, Page 1316, Film Records  
In Favor of: City of Mt. Angel  
For: Storm Sewer  
Affects: A Northerly portion
  
4. Easement, including terms and provisions contained therein:  
Recording Information: January 28, 1981 as Reel 239, Page 1520, Film Records  
In Favor of: Portland General Electric Company, an Oregon Corporation  
For: Electric Power line  
Affects: A Northerly portion

We have also searched our General Index for Judgments and State and Federal Liens against the Grantee(s) named above and find:

NONE

We find the following unpaid taxes and city liens: NONE

NOTE: Taxes for the year 2014-2015 PAID IN FULL

Tax Amount:	\$334.74
Map No.:	061W09AA00600
Property ID:	R15770
Tax Code No.:	09100150

THIS IS NOT a title report since no examination has been made of the title to the above described property. Our search for apparent encumbrances was limited to our Tract Indices, and therefore above listings do not include additional matters which might have been disclosed by an examination of the record title. We assume no liability in connection with this Lot Book Service and will not be responsible for errors or omissions therein. The charge for this service will not include supplemental reports, rechecks or other services.

**Exhibit "A"**

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

COMMENCING AT A POINT EAST 10.505 CHAINS FROM THE NORTHWEST CORNER OF THE DONATION LAND CLAIM OF BENJAMIN CLEAVER AND WIFE, SAID COMMENCING POINT BEING IN THE CENTER OF THE COUNTY ROAD AND ON THE LINE BETWEEN SECTIONS 4 AND 9 IN TOWNSHIP 6 SOUTH, RANGE 1 WEST OF THE WILLAMETTE MERIDIAN IN MARION COUNTY, OREGON; THENCE EAST 10.195 CHAINS TO THE NORTHWEST CORNER OF THE JOSEPH SCHULTZ TRACT; THENCE SOUTH 19.617 CHAINS TO THE CENTER OF THE COUNTY ROAD; THENCE WEST 10.195 CHAINS TO THE PLACE OF BEGINNING, SITUATED IN THE NORTHEAST QUARTER OF SECTION 9 IN TOWNSHIP 6 SOUTH, RANGE 1 WEST OF THE WILLAMETTE MERIDIAN, MARION COUNTY, OREGON.

NOTE: This Legal Description was created prior to January 01, 2008.

SEE MAP  
061W04D

4

55

MT ANGEL GERVAIS RD NE

MR 73

600



500

400

300

9

1

091 00 15 0

800

PR PARCEL 1  
4.53 AC

PART.

091 15 15 0

PLAT

1995-01

702  
PARCEL 3  
0.47 AC

P.P.

701  
PARCEL 2  
0.25 AC

98-

700  
PARCEL 1  
0.25 AC

82

801

PARCEL 2  
0.22 AC

802

PARCEL 1  
P.P.  
10-034



STREET

CR 632

W18 COR

SEE MAP  
061W09AD

THIS MAP FURNISHED AS A CONVENIENCE  
BY FIRST AMERICAN TITLE COMPANY  
This print is made solely for the purpose of assisting  
in locating said premises and the company assumes  
no liability for variations, if any, in dimensions  
and location ascertained by actual survey.

After recording, return to: Until a change is requested, all tax statements shall be sent to the following address:

Timothy J. Wachter  
300 Pioneer Tower  
888 S.W. Fifth Avenue  
Portland, OR 97264-2089

Mary Ann Fobert  
3054 Oak Street  
Hubbard, OR 97032

BARGAIN AND SALE DEED

Mary Ann Fobert, Successor Trustee under the Paul A. Wachter Revocable Trust Agreement dated 3/20/91, as amended, Grantor, conveys to P. Ronald Wachter, Grantee, an undivided one-third interest, Jeanette Neuburger, Grantee, an undivided one-third interest, and Mary Ann Fobert, Grantee, an undivided one-third interest in the following described real property located in Marion County, Oregon, as tenants in common:

Commencing at a point East 10.505 chains from the Northwest corner of the Donation Land Claim of Benjamin Cleaver and wife, said commencing point being in the center of the County Road and on the line between Sections 4 and 9 in Township 6 South, Range 1 West of the Willamette Meridian in Marion County, Oregon; thence East 10.195 chains to the Northwest corner of the Joseph Schultz Tract; thence South 19.617 chains to the center of the County Road; thence West 10.195 chains to the place of beginning, situated in the Northeast quarter of Section 9 in Township 6 South, Range 1 West of the Willamette Meridian, Marion County, Oregon.

The true and actual consideration for this conveyance is nil. The purpose of this deed is to distribute the property described from the Paul A. Wachter Trust to the trust beneficiaries.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE

///  
///  
///

MAR 05, 1996

APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED  
USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR  
FOREST PRACTICES AS DEFINED IN ORS 30.930.

DATED this 28 day of February, 1996.

Mary Ann H. Fiedler

STATE OF OREGON

ss.

County of Wasco

This instrument was acknowledged before me on 2-28-96  
by Mary Ann H. Fiedler as Successor Trustee of the Paul  
A. Wachter Revocable Trust dated 3/20/92.

Paul L. Frost  
Notary Public for Oregon



My Commission Expires: 6-20-97

MAR 05, 1996

NOTICE: IF THE IMAGE IN THIS FRAME IS NOT AS  
CLEAR AS THIS NOTICE, IT IS DUE TO THE QUALITY  
OF THE DOCUMENT.

REEL:1294

PAGE: 524

March 05, 1996 , 11:50A

CONTROL #: 1294524

State of Oregon  
County of Marion

I hereby certify that the attached  
instrument was received and duly  
recorded by me in Marion County  
records:

FEES: \$40.00

ALAN H DAVIDSON  
COUNTY CLERK

MAR 05, 1996

NOTICE: IF THE IMAGE IN THIS FRAME IS NOT AS  
CLEAR AS THIS NOTICE, IT IS DUE TO THE QUALITY  
OF THE DOCUMENT.



Marion County, Oregon  
Property Records



[Property Information](#)   [Tax Summary](#)   [Assessment History](#)   [Improvement Information](#)   [New Search](#)   [Search Results](#)   [Log Off](#)   [Printable Summary](#)

**Search Results for R15770**

<b>Owner Name</b> WACHTER,P RONALD 33.4% & NEUBURGER,JEANETTE 33.3% & FOBERT,MARY ANN 33.3%	<b>Property ID Number</b> R15770
<b>Owner Address</b> 3054 OAK ST HUBBARD, OR 97032	<b>Situs Address</b>
<b>Alternate Account Number</b> 1-45020000	<b>Neighborhood</b> CENT.RUR - RURAL, CENT.RUR
<b>Map Tax Lot</b> 061W09AA00600	<b>Levy Code Area</b> 09100150 - MOUNT ANGEL FD
<a href="#">Get Map</a>	<b>Tax Rate</b> 13.6129

**Property Description**

<b>Property Class</b> 550 (SPECIALLY ASSESSED FARM LAND, LAND ONLY, ZONED EFU, SA, FT OR UT)	<b>Zoning</b> UT-20
<b>Property Code</b> A90 - AGRICULTURE, GENERAL-DIVERSIFIED, NO RESIDENCE	<b>Miscellaneous Code</b> SPEC (SPECIALLY ASSESSED ACCOUNT) ZONE (FARM ZONED)
<b>Related Accounts by Map Tax Lot</b>	<b>Linked Accounts</b>

<b>Mortgage Agent-Lender</b>	<b>Mortgage Account Number</b>
<b>Exemption</b>	<b>Expiration Date</b>
<b>Tax Roll Description</b> ACRES 20	
<b>Year Built</b>	<b>Acreeage</b> 20
<b>Split/Sub Account</b>	<b>Split/Sub Account Message</b>

**Special Account Information - Last Certified Year (2013)**  
2014 - (3220) TWO BENCH IRR  
2014 - (3260) FOUR BENCH IRR

**Sales Information**

#	Buyer (Name & Address)	Seller (Name & Address)	Sales Info	Deed Info
1	WACHTER,P RONALD ET AL 3054 OAK ST HUBARD, OR 97032	PAUL A WACHTER RT & WACHTER,PAUL A TRE	\$0	02/28/96 12940524 RD

**2015 Land Information (Unedited and Uncertified)**

ID	Type	Acres	Sq Ft	Market Value
L1	3220 - TWO BENCH IRR	12.90		\$948,540
L2	3260 - FOUR BENCH IRR	7.10		\$522,060



TOTAL \$1,470,600

INFORMATION SUBJECT TO DISCLAIMERS

If you have questions, comments, or suggestions regarding this site,  
please send e-mail to the [Assessor@co.marion.or.us](mailto:Assessor@co.marion.or.us).

Copyright 2015 © [Tyler Technologies](#). All Rights Reserved.

**MARION COUNTY, OREGON  
PROPERTY INFORMATION**

**Owner Name**

WACHTER,P RONALD 33.4% & NEUBURGER,JEANETTE 33.3% &  
FOBERT,MARY ANN 33.3%

**Property ID #**

R15770

**Situs Address**

**Map Tax Lot #**

061W09AA00600

<i>Last Certified Year (2014) Information for R15770</i>	
RMV Land Non-LSU	\$0
RMV Land LSU	\$1,470,600
RMV Improvements	\$0
RMV Total	\$1,470,600
Land LSU	\$24,590
Total Exemptions	\$0
M5 Net Value	\$46,670
M50 Assd Value	\$24,590

**Important Information About R15770**

If applicable, the described property is receiving special valuation based upon its use. Additional rollback taxes which may become due based on the provisions of the special valuation are not indicated in this listing.

<b>Total Tax Payoff Amount</b>		
Current Year Tax Owed	Interest Date	Total Tax Payoff Amount
\$0.00	04/16/2015	\$0.00

<b>Current Property Tax</b>						
Third	Begin Balance	Amount Paid	Taxes Paid	Interest Paid	Discount	Date Paid
1st	111.58	111.58	111.58	0.00	0.00	10/24/14
2nd	111.58	107.12	107.12	0.00	4.46	10/24/14
3rd	111.58	106.00	106.00	0.00	5.58	10/24/14

**Information Subject to Disclaimer - See Home Page**

<b>Tax Summary</b>							
Year	Total Levied	Ad Valorem	Special Assessments	Principal	Interest	Date Paid	Total Owed
2014	334.74	334.74	0.00	0.00	0.00	10/24/14	0.00
2013	300.64	300.64	0.00	0.00	0.00	10/24/13	0.00
2012	286.13	286.13	0.00	0.00	0.00	10/24/12	0.00
2011	296.96	296.96	0.00	0.00	0.00	10/21/11	0.00
2010	277.74	277.74	0.00	0.00	0.00	10/20/10	0.00
2009	270.09	270.09	0.00	0.00	0.00	10/21/09	0.00
2008	262.74	262.74	0.00	0.00	0.00	10/21/08	0.00

2007	257.09	257.09	0.00	0.00	0.00	10/24/07	0.00
2006	260.01	260.01	0.00	0.00	0.00	10/26/06	0.00
2005	257.59	257.59	0.00	0.00	0.00	10/26/05	0.00
2004	255.99	255.99	0.00	0.00	0.00	10/29/04	0.00
2003	254.76	254.76	0.00	0.00	0.00	10/30/03	0.00
2002	256.09	256.09	0.00	0.00	0.00	10/29/02	0.00
2001	251.08	251.08	0.00	0.00	0.00	10/25/01	0.00
2000	236.15	236.15	0.00	0.00	0.00	10/27/00	0.00
1999	223.84	223.84	0.00	0.00	0.00	10/28/99	0.00
1998	222.83	222.83	0.00	0.00	0.00	11/09/98	0.00
1997	250.91	250.91	0.00	0.00	0.00	12/03/97	0.00
1996	296.17	296.17	0.00	0.00	0.00	10/31/96	0.00
1995	191.70	191.70	0.00	0.00	0.00	10/27/95	0.00

## Property Tax History Summary

Tax Year	Taxes Levied	Total Paid	Taxes Paid	Interest Paid	Date Paid	Total Owed
2014	334.74	324.70	324.70	0.00	10/24/14	0.00
2013	300.64	291.62	291.62	0.00	10/24/13	0.00
2012	286.13	277.55	277.55	0.00	10/24/12	0.00
2011	296.96	288.05	288.05	0.00	10/21/11	0.00
2010	277.74	269.41	269.41	0.00	10/20/10	0.00
2009	270.09	261.99	261.99	0.00	10/21/09	0.00
2008	262.74	254.86	254.86	0.00	10/21/08	0.00
2007	257.09	249.38	249.38	0.00	10/24/07	0.00
2006	260.01	252.21	252.21	0.00	10/26/06	0.00
2005	257.59	249.86	249.86	0.00	10/26/05	0.00
2004	255.99	248.31	248.31	0.00	10/29/04	0.00
2003	254.76	247.12	247.12	0.00	10/30/03	0.00
2002	256.09	248.41	248.41	0.00	10/29/02	0.00
2001	251.08	243.55	243.55	0.00	10/25/01	0.00
2000	236.15	229.07	229.07	0.00	10/27/00	0.00
1999	223.84	217.12	217.12	0.00	10/28/99	0.00
1998	222.83	216.15	216.15	0.00	11/09/98	0.00
1997	250.91	243.38	243.38	0.00	12/03/97	0.00
1996	296.17	287.28	287.28	0.00	10/31/96	0.00
1995	191.70	185.95	185.95	0.00	10/27/95	0.00

## Assessment History

Year	Improvements	Land	Special Mkt/Use	Exemptions	Taxable Assessed Value
2014	\$0	\$0	\$1,470,600 / \$24,590		\$24,590
2013	\$0	\$0	\$1,470,600 / \$23,810		\$23,810
2012	\$0	\$0	\$1,634,000 / \$23,140		\$23,140
2011	\$0	\$0	\$1,634,000 / \$22,700		\$22,700

2010	\$0	\$0	\$1,634,000 / \$22,040	\$22,040
2009	\$0	\$0	\$1,720,000 / \$21,390	\$21,390
2008	\$0	\$0	\$1,720,000 / \$20,780	\$20,780
2007	\$0	\$0	\$1,874,800 / \$20,160	\$20,160
2006	\$0	\$0	\$1,205,880 / \$19,580	\$19,580
2005	\$0	\$0	\$134,500 / \$19,010	\$19,010
2004	\$0	\$0	\$156,850 / \$18,460	\$18,460
2003	\$0	\$0	\$136,370 / \$17,920	\$17,920
2002	\$0	\$0	\$132,400 / \$17,400	\$17,400
2001	\$0	\$0	\$129,800 / \$16,900	\$16,900
2000	\$0	\$0	\$116,000 / \$16,390	\$16,390
1999	\$0	\$0	\$25,060 / \$15,920	\$15,920
1998	\$0	\$0	\$22,990 / \$15,470	\$15,470
1997	\$0	\$0	\$21,336 / \$21,336	\$16,992
1996	\$0	\$0	\$20,784 / \$20,784	\$20,784
1995	\$0	\$0	\$18,884 / \$18,884	\$18,884
1994	\$0	\$0	\$16,764 / \$16,764	\$16,764

**CURRENT PROPERTY INFORMATION**

**Owner Address**

3054 OAK ST  
HUBBARD, OR 97032

**Neighborhood**

CENT.RUR - RURAL, CENT.RUR

**Alternate Account Number**

1-45020000

**Levy Code Area / Taxing Districts Tax Rate**

09100150 - MOUNT ANGEL FD 13.6129

**Property Class**

550 (SPECIALLY ASSESSED FARM LAND,  
LAND ONLY, ZONED EFU, SA, FT OR UT)

**Zoning**

UT-20

**Property Code**

A90 - AGRICULTURE, GENERAL-  
DIVERSIFIED, NO RESIDENCE

**Miscellaneous Code**

SPEC (SPECIALLY ASSESSED ACCOUNT)  
ZONE (FARM ZONED)

**Related Accounts by Map Tax Lot**

**Linked Accounts**

**Mortgage Agent-Lender**

**Mortgage Account Number**

<b>Exemption</b>	<b>Expiration Date</b>		
<b>Tax Roll Description</b>			
ACRES 20			
<b>Split/Sub Account Message</b>	<b>Split Acct #</b>	<b>Acreage</b>	
		20	
<b>Special Account Information</b>		<b>Year Built</b>	<b>Account Status</b>
2014 - (3220) TWO BENCH IRR			A - Active
2014 - (3260) FOUR BENCH IRR			
<b>Foreclosure Case Number</b>			

Sales Information			
Buyer (Name&Adress)	Seller (Name&Adress)	Sales Info	Deed Info
WACHTER,P RONALD ET AL 3054 OAK ST HUBARD, OR 97032	PAUL A WACHTER RT & WACHTER,PAUL A TRE	\$0	02/28/96 12940524 RD

2015 Land Information (Unedited and Uncertified)				
ID	Type	Acres	Sq Ft	Market Value
L1	3220 - TWO BENCH IRR	12.90		\$948,540
L2	3260 - FOUR BENCH IRR	7.10		\$522,060
			TOTAL	\$1,470,600

2015 Improvement Information (Unedited and Uncertified)						
ID	Type	Make/Model	Class	Area	Year Built Actual/Effective	Market Value

28855  
STORM SEWER EASEMENT

REF. 148 DIST 1316

THIS INDENTURE WITNESSETH, that P. & M. Wachter

(Grantors)

for the consideration of \_\_\_\_\_ Dollars  
to \_\_\_\_\_ paid, and of the mutual covenants herein contained, do  
hereby grant and convey unto the City of Mt. Angel

(Grantee)

a right of way and easement for a storm drainage sewer line over and  
across the following described real property:

That tract of land and those easements as described on  
Attachment No. 1 hereto, and as shown on the attached  
map.

TO HAVE AND TO HOLD the above described right of way unto said grantee  
in accordance with the conditions and covenants as follows:

(1) The grantee, through its officers, employees and agents, shall  
have the right to enter upon said lands in such a manner and at such  
times from this date as may be reasonably necessary for the purpose  
of constructing, building, laying, patrolling, replacing the main-  
taining thereon a storm sewer pipeline along said right of way for the  
conveyance of storm drainage, including such renewals, repair, replac-  
ments and removals as may be from time to time required. Said right shall  
be perpetual so long as grantee shall operate said pipeline for carrying  
storm drainage as herein provided, but should grantee cease to use said  
pipeline for a period of one year, then this easement shall become null  
and void, and all pipes or appurtenances thereto installed in or upon  
said land shall be removed by the grantee within a reasonable time.

(2) Said pipeline shall be so laid that the top thereof shall be  
buried not less than twelve inches below the finished surface of the  
ground.

(3) Immediately after any construction or repair of said pipeline,  
the surface of the ground shall be restored to its original condition  
so that the grantors and their successors in interest shall have the  
free and unobstructed use thereof, subject to rights of grantee here-  
in provided.

(4) Grantee will make no unreasonable interference with such use of  
the surface of said land by grantors and their successors in interest.

(5) Grantors and their successors in interest will not be respon-  
sible for damage by others to said pipeline and appurtenant structures.

(6) Grantee will indemnify and hold harmless the Grantors, their  
heirs and assigns from claims for injury to person or property as a  
result of the negligence of the Grantee, its agents or employees in  
the construction, operation or maintenance of said storm drainage pipe-  
line.

38855

NOT 148 REC 1317

IN WITNESS WHEREOF, we have hereunto set our hands and seals  
this day of May 16<sup>th</sup> 19 74

Paul A. Kochter (SEAL)

Maria J. Kochter (SEAL)

\_\_\_\_ (SEAL)

\_\_\_\_ (SEAL)

Approved

Approved as to forms

Attorney

STATE OF OREGON )

County of \_\_\_\_\_ SS.

THIS CERTIFIES that on this 16<sup>th</sup> day of May  
19 74, before me, a notary public in and for said county and  
state, personally appeared Paul A. Kochter + Maria J. Kochter  
known to me to be the persons whose names are subscribed to the  
within instrument, and acknowledged that they executed the same for  
the purposes therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and official  
seal on the day and year above written.



Wilfred M. Schilling  
NOTARY PUBLIC FOR OREGON

My Commission Expires: 4/11/78

38855

MR 148 PAGE 1310

ATTACHMENT NO. 1

Easement Grantor P. & M. Wachter  
Easement Grantee City of Mt. Angel

Description

Those tracts of land described in Volume 651 Page 137 and Volume 247 Page 662 Marion County Records of Deeds, said easements being described as follows as shown on the attached map.

Volume 651 Page 137 - permanent easement being a strip of land 15-feet in width lying southerly adjacent and parallel to the north boundary of said tract, and extending from the east boundary of said tract to a point 135-feet west thereof; also, a temporary construction easement 25-feet in width lying southerly adjacent and parallel to the above described permanent easement.

Volume 247 Page 662 - permanent easement being a strip of land 15-feet in width lying southerly adjacent and parallel to the north boundary of said tract and extending from the west boundary of said tract to a point 40-feet east thereof, thence the centerline of which continues southeasterly a distance of 130 feet more or less to exit from said tract at a point lying 80 feet southerly of the northeast corner thereof; also a temporary construction easement 35 feet in width lying southwesterly adjacent and parallel to the above described permanent easement.



38855

REEL 148 PAGE 1319

SEE  
38855  
SUBJECT TO BE  
CIVILIAN  
CIVILIAN  
CIVILIAN

SEE  
38855  
SUBJECT TO BE  
CIVILIAN  
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SEE  
38855  
SUBJECT TO BE  
CIVILIAN  
CIVILIAN  
CIVILIAN

148 1320

AFTER RECORDING PLEASE RETURN TO:

CITY OF MARION

P.O. BOX 1008

221 J Street, SE 97302

38855

STATE OF OREGON

County of Marion

} ss.

I hereby certify that  
the within was received  
and duly recorded by me  
in Marion County records:

Reel 148 Page 1316

Dec 1 2 44 PM '78

EDWIN P. MORGAN  
MARION COUNTY CLERK

BY [Signature] DEPUTY

1211

ELECTRIC POWER LINE EASEMENT

KNOW ALL MEN BY THESE PRESENTS, That PAUL WACHTER, MARIE WACHTER

hereinafter called "the Grantors," whether one or more than one), for and in consideration of the payment of the sum of One and 00/100 Dollars (\$ 1.00), the receipt of which is hereby acknowledged, hereby grant, sell and convey to Portland General Electric Company, an Oregon corporation,

hereinafter called "the Grantee," whether one or more than one), its successors and assigns, a perpetual easement and right of way over, under and across the following described parcel of land situated in Marion County,

Oregon, being a strip of sixteen (16) feet in width, extending eight (8) feet on each side of a center line more particularly described as follows:

Commencing at the Northwest corner of the B. Cleaver D.L.C. No. 51, situated in Section 9, Township 6 South, Range 1 West, Willamette Meridian; THENCE East 22.43 chains; THENCE South 35 feet to the Northwest corner of that tract of land conveyed to Paul Wachter, et ux; THENCE East 124 feet to the true point of beginning; RUNNING THENCE South 450 feet to the terminus of said centerline., situated in Marion County, State of Oregon.

TO HAVE AND TO HOLD the above described easement and right of way unto the Grantee, its successors and assigns, together with the present right to top, limb or fell trees located on land owned by the Grantors, adjacent to the above described right of way, which danger trees will be determined by the Grantee.

Said easement and right of way shall be for the following purposes, namely: the perpetual right to enter upon and to erect, maintain, repair, rebuild, operate and patrol electric power lines, and appurtenant signal or communication lines, including the right to erect such poles, wires, cables, guys, supports and appurtenances as are necessary thereto, together with the present and future right to clear said right of way and keep the same clear of brush, timber, structures and fire hazards, including the right to restrict the growth of trees and brush on said right of way by the use of chemical sprays.

Grantors shall have the right to use the lands subject to the above described easement for all purposes not inconsistent with the uses and purposes herein set forth, except Grantors shall not build or erect any structure upon the right of way without the prior written consent of the Grantee.

If the Grantee, its successors and assigns, shall fail to use said right of way for the purposes above mentioned for a continuous period of five years after construction of said power lines, then and in that event this right of way and easement shall terminate and all rights and privileges granted hereunder shall revert to the Grantors, their heirs and assigns.

The Grantors hereby warrant that they are possessed of a marketable title to the property covered by this easement, and have the right to grant the same.

The Grantors, for themselves and their heirs and assigns, covenant to and with the Grantee, its successors and assigns, that the Grantee, its successors and assigns, shall peacefully enjoy the rights and privileges herein granted.

IN WITNESS WHEREOF, the Grantors have caused this easement to be executed this 27 day of

October, 1930

*Paul A. Wachter* (SEAL)  
*Marie J. Wachter* (SEAL)  
\_\_\_\_\_  
\_\_\_\_\_  
(SEAL)

STATE OF OREGON }  
County of Marion } ss.

On this 27th day of October, 1930, before me, the undersigned, a Notary Public in and for said County and State, personally appeared PAUL WACHTER, MARIE WACHTER

to me known to be the individuals described in and who executed the foregoing instrument, and acknowledged that they executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my notarial seal this, the day and year in this instrument first written.



*Carl J. Berg*  
\_\_\_\_\_  
Notary Public for Oregon  
November 18, 1932  
My commission expires

STATE OF OREGON }

County of Marion }

I hereby certify  
that the within was  
received and duly  
recorded by me in  
Marion County  
records:

no.

38527

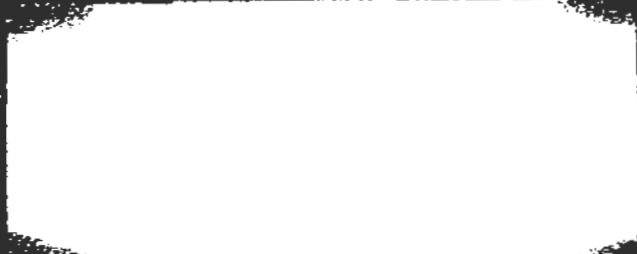
JAN 20 1 51 PM '81

EDW F. MOULDER  
MARION COUNTY CLERK

BY *[Signature]* DEPUTY

Reel 239 Page 1520

350





**First American**

**First American Title Company of Oregon**

777 Commercial Street SE, Suite 100

Salem, OR 97301

Phn - (800)742-2414

Fax - (866)849-3065

**MARION COUNTY TITLE UNIT**

FAX (866)849-3065

Title Officer: **Lester Craig**

(800)742-2414

LeCraig@firstam.com

**LOT BOOK SERVICE**

The Kirkbride Group Inc  
4405 7th AVE SE STE 301  
Lacey, WA 98503

Order No.: 7089-2431877

April 20, 2015

Attn: Frank Kirkbride  
Phone No.: (360)491-6900 - Fax No.:  
Email: frank@kirkbridegroup.com

Re:

Fee: \$275.00

We have searched our Tract Indices as to the following described property:

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

and as of April 07, 2015 at 8:00 a.m.

We find that the last deed of record runs to

P. Ronald Wachter, Jeanette Neuburger and Mary Ann Fobert, each as to an undivided 1/3 interest, as tenants in common

We find the following:

1. The assessment roll and the tax roll disclose that the within described premises were specially zoned or classified for Farm use. If the land has become or becomes disqualified for such use under the statute, an additional tax or penalty may be imposed.
2. The rights of the public in and to that portion of the premises herein described lying within the limits of streets, roads and highways.

3. Easement, including terms and provisions contained therein:  
Recording Information: December 01, 1978 as Reel 148, Page 1316, Film Records  
In Favor of: City of Mt. Angel  
For: Storm Sewer  
Affects: A Northerly portion
  
4. Easement, including terms and provisions contained therein:  
Recording Information: January 28, 1981 as Reel 239, Page 1520, Film Records  
In Favor of: Portland General Electric Company, an Oregon Corporation  
For: Electric Power line  
Affects: A Northerly portion

We have also searched our General Index for Judgments and State and Federal Liens against the Grantee(s) named above and find:

NONE

We find the following unpaid taxes and city liens: NONE

NOTE: Taxes for the year 2014-2015 PAID IN FULL

Tax Amount:	\$334.74
Map No.:	061W09AA00600
Property ID:	R15770
Tax Code No.:	09100150

THIS IS NOT a title report since no examination has been made of the title to the above described property. Our search for apparent encumbrances was limited to our Tract Indices, and therefore above listings do not include additional matters which might have been disclosed by an examination of the record title. We assume no liability in connection with this Lot Book Service and will not be responsible for errors or omissions therein. The charge for this service will not include supplemental reports, rechecks or other services.

**Exhibit "A"**

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

COMMENCING AT A POINT EAST 10.505 CHAINS FROM THE NORTHWEST CORNER OF THE DONATION LAND CLAIM OF BENJAMIN CLEAVER AND WIFE, SAID COMMENCING POINT BEING IN THE CENTER OF THE COUNTY ROAD AND ON THE LINE BETWEEN SECTIONS 4 AND 9 IN TOWNSHIP 6 SOUTH, RANGE 1 WEST OF THE WILLAMETTE MERIDIAN IN MARION COUNTY, OREGON; THENCE EAST 10.195 CHAINS TO THE NORTHWEST CORNER OF THE JOSEPH SCHULTZ TRACT; THENCE SOUTH 19.617 CHAINS TO THE CENTER OF THE COUNTY ROAD; THENCE WEST 10.195 CHAINS TO THE PLACE OF BEGINNING, SITUATED IN THE NORTHEAST QUARTER OF SECTION 9 IN TOWNSHIP 6 SOUTH, RANGE 1 WEST OF THE WILLAMETTE MERIDIAN, MARION COUNTY, OREGON.

NOTE: This Legal Description was created prior to January 01, 2008.

SEE MAP  
061W04D

55' MT ANGEL GERVAIS RD NE

MR 73

600



500

400

300

9

114.95  
138.7  
5.54

19.817 CH

091 00 15 0

14.72 CH

18.817 CH

800  
FR PARCEL 1  
4.55 AC

PART.

091 15 15 0

PLAT

1995-01

702  
PARCEL 3  
0.47 AC

P.P.

701  
PARCEL 2  
0.25 AC

98-

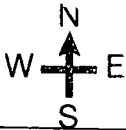
700  
PARCEL 1  
0.25 AC

82

801  
PARCEL 2  
0.23 AC

802  
PARCEL 1

P.P.  
10-034



10.195 CH

THIS MAP FURNISHED AS A CONVENIENCE  
BY FIRST AMERICAN TITLE COMPANY

This print is made solely for the purpose of assisting  
in locating said premises and the company assumes  
no liability for variations, if any, in dimensions  
and location ascertained by actual survey.

SEE MAP  
061W09AD

STREET

CR 632

1/16" COR



After recording, return to: Until a change is requested, all tax statements shall be sent to the following address:

Timothy J. Wachter  
300 Pioneer Tower  
888 S.W. Fifth Avenue  
Portland, OR 97204-2089

Mary Ann Fobert  
3054 Oak Street  
Hubbard, OR 97032

BARGAIN AND SALE DEED

Mary Ann Fobert, Successor Trustee under the Paul A. Wachter Revocable Trust Agreement dated 3/20/91, as amended, Grantor, conveys to P. Ronald Wachter, Grantee, an undivided one-third interest, Jeanette Neuburger, Grantee, an undivided one-third interest, and Mary Ann Fobert, Grantee, an undivided one-third interest in the following described real property located in Marion County, Oregon, as tenants in common:

Commencing at a point East 10.505 chains from the Northwest corner of the Donation Land Claim of Benjamin Cleaver and wife, said commencing point being in the center of the County Road and on the line between Sections 4 and 9 in Township 6 South, Range 1 West of the Willamette Meridian in Marion County, Oregon; thence East 10.195 chains to the Northwest corner of the Joseph Schultz tract; thence South 19.617 chains to the center of the County Road; thence West 10.195 chains to the place of beginning, situated in the Northeast quarter of Section 9 in Township 6 South, Range 1 West of the Willamette Meridian, Marion County, Oregon.

The true and actual consideration for this conveyance is nil. The purpose of this deed is to distribute the property described from the Paul A. Wachter Trust to the trust beneficiaries.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE

///  
///  
///

Mar 05, 1996

APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED  
USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR  
FOREST PRACTICES AS DEFINED IN ORS 30.930.

DATED this 28 day of February, 1996.

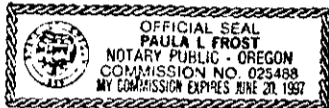
Mary Ann H. Frost

STATE OF OREGON )

County of Martin )

ss.

This instrument was acknowledged before me on 2-28-96,  
by Mary Ann Frost as Successor Trustee of the Paul  
A. Wachter Revocable Trust dated 3/20/91.



Paul L. Frost  
Notary Public for Oregon

My Commission Expires: 6-20-97

MAR 05, 1996

NOTICE: IF THE IMAGE IN THIS FRAME IS NOT AS  
CLEAR AS THIS NOTICE, IT IS DUE TO THE QUALITY  
OF THE DOCUMENT.

REEL:1294

PAGE: 524

March 05, 1996 , 11:50A

CONTROL #: 1294524

State of Oregon  
County of Marion

I hereby certify that the attached  
instrument was received and duly  
recorded by me in Marion County  
records:

FEE: \$40.00

ALAN H DAVIDSON  
COUNTY CLERK

Mar 05, 1996

NOTICE: IF THE IMAGE IN THIS FRAME IS NOT AS  
CLEAR AS THIS NOTICE, IT IS DUE TO THE QUALITY  
OF THE DOCUMENT.



Marion County, Oregon  
Property Records



[Property Information](#)   [Tax Summary](#)   [Assessment History](#)   [Improvement Information](#)   [New Search](#)   [Search Results](#)   [Log Off](#)   [Printable Summary](#)

**Search Results for R15770**

<b>Owner Name</b> WACHTER,P RONALD 33.4% & NEUBURGER,JEANETTE 33.3% & FOBERT,MARY ANN 33.3%	<b>Property ID Number</b> R15770	
<b>Owner Address</b> 3054 OAK ST HUBBARD, OR 97032	<b>Situs Address</b>	
<b>Alternate Account Number</b> 1-45020000	<b>Neighborhood</b> CENT.RUR - RURAL, CENT.RUR	
<b>Map Tax Lot</b> 061W09AA00600	<b>Levy Code Area</b> 09100150 - MOUNT ANGEL FD	<b>Tax Rate</b> 13.6129

[Get Map](#)

**Property Description**

<b>Property Class</b> 550 (SPECIALLY ASSESSED FARM LAND, LAND ONLY, ZONED EFU, SA, FT OR UT)	<b>Zoning</b> UT-20
<b>Property Code</b> A90 - AGRICULTURE, GENERAL-DIVERSIFIED, NO RESIDENCE	<b>Miscellaneous Code</b> SPEC (SPECIALLY ASSESSED ACCOUNT) ZONE (FARM ZONED)
<b>Related Accounts by Map Tax Lot</b>	<b>Linked Accounts</b>

<b>Mortgage Agent-Lender</b>	<b>Mortgage Account Number</b>
<b>Exemption</b>	<b>Expiration Date</b>
<b>Tax Roll Description</b> ACRES 20	
<b>Year Built</b>	<b>Acreage</b> 20
<b>Split/Sub Account</b>	<b>Split/Sub Account Message</b>

**Special Account Information - Last Certified Year (2013)**

2014 - (3220) TWO BENCH IRR  
2014 - (3260) FOUR BENCH IRR

**Sales Information**

#	Buyer (Name & Address)	Seller (Name & Address)	Sales Info	Deed Info
1	WACHTER,P RONALD ET AL 3054 OAK ST HUBARD, OR 97032	PAUL A WACHTER RT & WACHTER,PAUL A TRE	\$0	02/28/96 12940524 RD

**2015 Land Information (Unedited and Uncertified)**

ID	Type	Acres	Sq Ft	Market Value
L1	3220 - TWO BENCH IRR	12.90		\$948,540
L2	3260 - FOUR BENCH IRR	7.10		\$522,060

TOTAL \$1,470,600

INFORMATION SUBJECT TO DISCLAIMERS

If you have questions, comments, or suggestions regarding this site,  
please send e-mail to the [Assessor@co.marion.or.us](mailto:Assessor@co.marion.or.us).

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**MARION COUNTY, OREGON  
PROPERTY INFORMATION**

**Owner Name**

WACHTER,P RONALD 33.4% & NEUBURGER,JEANETTE 33.3% &  
FOBERT,MARY ANN 33.3%

**Property ID #**

R15770

**Situs Address**

**Map Tax Lot #**

061W09AA00600

<i>Last Certified Year (2014) Information for R15770</i>	
RMV Land Non-LSU	\$0
RMV Land LSU	\$1,470,600
RMV Improvements	\$0
RMV Total	\$1,470,600
Land LSU	\$24,590
Total Exemptions	\$0
M5 Net Value	\$46,670
M50 Assd Value	\$24,590

<i>Important Information About R15770</i>
If applicable, the described property is receiving special valuation based upon its use. Additional rollback taxes which may become due based on the provisions of the special valuation are not indicated in this listing.

<b>Total Tax Payoff Amount</b>		
Current Year Tax Owed	Interest Date	Total Tax Payoff Amount
\$0.00	04/16/2015	\$0.00

<b>Current Property Tax</b>						
Third	Begin Balance	Amount Paid	Taxes Paid	Interest Paid	Discount	Date Paid
1st	111.58	111.58	111.58	0.00	0.00	10/24/14
2nd	111.58	107.12	107.12	0.00	4.46	10/24/14
3rd	111.58	106.00	106.00	0.00	5.58	10/24/14

**Information Subject to Disclaimer - See Home Page**

<b>Tax Summary</b>							
Year	Total Levied	Ad Valorem	Special Assessments	Principal	Interest	Date Paid	Total Owed
2014	334.74	334.74	0.00	0.00	0.00	10/24/14	0.00
2013	300.64	300.64	0.00	0.00	0.00	10/24/13	0.00
2012	286.13	286.13	0.00	0.00	0.00	10/24/12	0.00
2011	296.96	296.96	0.00	0.00	0.00	10/21/11	0.00
2010	277.74	277.74	0.00	0.00	0.00	10/20/10	0.00
2009	270.09	270.09	0.00	0.00	0.00	10/21/09	0.00
2008	262.74	262.74	0.00	0.00	0.00	10/21/08	0.00

2007	257.09	257.09	0.00	0.00	0.00	10/24/07	0.00
2006	260.01	260.01	0.00	0.00	0.00	10/26/06	0.00
2005	257.59	257.59	0.00	0.00	0.00	10/26/05	0.00
2004	255.99	255.99	0.00	0.00	0.00	10/29/04	0.00
2003	254.76	254.76	0.00	0.00	0.00	10/30/03	0.00
2002	256.09	256.09	0.00	0.00	0.00	10/29/02	0.00
2001	251.08	251.08	0.00	0.00	0.00	10/25/01	0.00
2000	236.15	236.15	0.00	0.00	0.00	10/27/00	0.00
1999	223.84	223.84	0.00	0.00	0.00	10/28/99	0.00
1998	222.83	222.83	0.00	0.00	0.00	11/09/98	0.00
1997	250.91	250.91	0.00	0.00	0.00	12/03/97	0.00
1996	296.17	296.17	0.00	0.00	0.00	10/31/96	0.00
1995	191.70	191.70	0.00	0.00	0.00	10/27/95	0.00

Property Tax History Summary						
Tax Year	Taxes Levied	Total Paid	Taxes Paid	Interest Paid	Date Paid	Total Owed
2014	334.74	324.70	324.70	0.00	10/24/14	0.00
2013	300.64	291.62	291.62	0.00	10/24/13	0.00
2012	286.13	277.55	277.55	0.00	10/24/12	0.00
2011	296.96	288.05	288.05	0.00	10/21/11	0.00
2010	277.74	269.41	269.41	0.00	10/20/10	0.00
2009	270.09	261.99	261.99	0.00	10/21/09	0.00
2008	262.74	254.86	254.86	0.00	10/21/08	0.00
2007	257.09	249.38	249.38	0.00	10/24/07	0.00
2006	260.01	252.21	252.21	0.00	10/26/06	0.00
2005	257.59	249.86	249.86	0.00	10/26/05	0.00
2004	255.99	248.31	248.31	0.00	10/29/04	0.00
2003	254.76	247.12	247.12	0.00	10/30/03	0.00
2002	256.09	248.41	248.41	0.00	10/29/02	0.00
2001	251.08	243.55	243.55	0.00	10/25/01	0.00
2000	236.15	229.07	229.07	0.00	10/27/00	0.00
1999	223.84	217.12	217.12	0.00	10/28/99	0.00
1998	222.83	216.15	216.15	0.00	11/09/98	0.00
1997	250.91	243.38	243.38	0.00	12/03/97	0.00
1996	296.17	287.28	287.28	0.00	10/31/96	0.00
1995	191.70	185.95	185.95	0.00	10/27/95	0.00

Assessment History					
Year	Improvements	Land	Special Mkt/Use	Exemptions	Taxable Assessed Value
2014	\$0	\$0	\$1,470,600 / \$24,590		\$24,590
2013	\$0	\$0	\$1,470,600 / \$23,810		\$23,810
2012	\$0	\$0	\$1,634,000 / \$23,140		\$23,140
2011	\$0	\$0	\$1,634,000 / \$22,700		\$22,700

2010	\$0	\$0	\$1,634,000 / \$22,040	\$22,040
2009	\$0	\$0	\$1,720,000 / \$21,390	\$21,390
2008	\$0	\$0	\$1,720,000 / \$20,780	\$20,780
2007	\$0	\$0	\$1,874,800 / \$20,160	\$20,160
2006	\$0	\$0	\$1,205,880 / \$19,580	\$19,580
2005	\$0	\$0	\$134,500 / \$19,010	\$19,010
2004	\$0	\$0	\$156,850 / \$18,460	\$18,460
2003	\$0	\$0	\$136,370 / \$17,920	\$17,920
2002	\$0	\$0	\$132,400 / \$17,400	\$17,400
2001	\$0	\$0	\$129,800 / \$16,900	\$16,900
2000	\$0	\$0	\$116,000 / \$16,390	\$16,390
1999	\$0	\$0	\$25,060 / \$15,920	\$15,920
1998	\$0	\$0	\$22,990 / \$15,470	\$15,470
1997	\$0	\$0	\$21,336 / \$21,336	\$16,992
1996	\$0	\$0	\$20,784 / \$20,784	\$20,784
1995	\$0	\$0	\$18,884 / \$18,884	\$18,884
1994	\$0	\$0	\$16,764 / \$16,764	\$16,764

**CURRENT PROPERTY INFORMATION**

**Owner Address**

3054 OAK ST  
HUBBARD, OR 97032

**Neighborhood**

CENT.RUR - RURAL, CENT.RUR

**Alternate Account Number**

1-45020000

**Levy Code Area / Taxing Districts Tax Rate**

09100150 - MOUNT ANGEL FD 13.6129

**Property Class**

550 (SPECIALLY ASSESSED FARM LAND,  
LAND ONLY, ZONED EFU, SA, FT OR UT)

**Zoning**

UT-20

**Property Code**

A90 - AGRICULTURE, GENERAL-  
DIVERSIFIED, NO RESIDENCE

**Miscellaneous Code**

SPEC (SPECIALLY ASSESSED ACCOUNT)  
ZONE (FARM ZONED)

**Related Accounts by Map Tax Lot**

**Linked Accounts**

**Mortgage Agent-Lender**

**Mortgage Account Number**



**Exemption**  
**Tax Roll Description**

**Expiration Date**

ACRES 20

**Split/Sub Account Message**

**Split Acct #**

**Acreage**  
20

**Special Account Information**  
 2014 - (3220) TWO BENCH IRR  
 2014 - (3260) FOUR BENCH IRR

**Year Built**

**Account Status**  
A - Active

**Foreclosure Case Number**

Sales Information			
Buyer (Name&Adress)	Seller (Name&Adress)	Sales Info	Deed Info
WACHTER,P RONALD ET AL 3054 OAK ST HUBARD, OR 97032	PAUL A WACHTER RT & WACHTER,PAUL A TRE	\$0	02/28/96 12940524 RD

2015 Land Information (Unedited and Uncertified)				
ID	Type	Acres	Sq Ft	Market Value
L1	3220 - TWO BENCH IRR	12.90		\$948,540
L2	3260 - FOUR BENCH IRR	7.10		\$522,060
			TOTAL	\$1,470,600

2015 Improvement Information (Unedited and Uncertified)						
ID	Type	Make/Model	Class	Area	Year Built Actual/Effective	Market Value

THIS INDENTURE WITNESSETH, that P. & M. Wachter

(Grantors)

for the consideration of \_\_\_\_\_ Dollars  
 to \_\_\_\_\_ paid, and of the mutual covenants herein contained, do  
 hereby grant and convey unto the City of Mt. Angel

(Grantee)

a right of way and easement for a storm drainage sewer line over and  
 across the following described real property:

That tract of land and those easements as described on  
 Attachment No. 1 hereto, and as shown on the attached  
 map.

TO HAVE AND TO HOLD the above described right of way unto said grantee  
 in accordance with the conditions and covenants as follows:

(1) The grantee, through its officers, employees and agents, shall  
 have the right to enter upon said lands in such a manner and at such  
 times from this date as may be reasonably necessary for the purpose  
 of constructing, building, laying, patrolling, replacing the main-  
 taining thereon a storm sewer pipeline along said right of way for the  
 conveyance of storm drainage, including such renewals, repair, replac-  
 ments and removals as may be from time to time required. Said right shall  
 be perpetual so long as grantee shall operate said pipeline for carrying  
 storm drainage as herein provided, but should grantee cease to use said  
 pipeline for a period of one year, then this easement shall become null  
 and void, and all pipes or appurtenances thereto installed in or upon  
 said land shall be removed by the grantee within a reasonable time.

(2) Said pipeline shall be so laid that the top thereof shall be  
 buried not less than twelve inches below the finished surface of the  
 ground.

(3) Immediately after any construction or repair of said pipeline,  
 the surface of the ground shall be restored to its original condition  
 so that the grantors and their successors in interest shall have the  
 free and unobstructed use thereof, subject to rights of grantee here-  
 in provided.

(4) Grantee will make no unreasonable interference with such use of  
 the surface of said land by grantors and their successors in interest.

(5) Grantors and their successors in interest will not be respon-  
 sible for damage by others to said pipeline and appurtenant structures.

(6) Grantee will indemnify and hold harmless the Grantors, their  
 heirs and assigns from claims for injury to person or property as a  
 result of the negligence of the Grantee, its agents or employees in  
 the construction, operation or maintenance of said storm drainage pipe-  
 line.

IN WITNESS WHEREOF, we have hereunto set our hands and seals  
this day of May 16<sup>th</sup> 19 74

Paul A. Kochter (SEAL)

Marie J. Kochter (SEAL)

\_\_\_\_ (SEAL)

\_\_\_\_ (SEAL)

Approved

Approved as to form:

Attorney

STATE OF OREGON )  
County of \_\_\_\_\_ SS.

THIS CERTIFIES that on this 16<sup>th</sup> day of May  
19 74, before me, a notary public in and for said county and  
state, personally appeared Paul A. Kochter & Marie J. Kochter  
known to me to be the persons whose names are subscribed to the  
within instrument, and acknowledged that they executed the same for  
the purposes therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and official  
seal on the day and year above written.



Mildred M. Schilling  
NOTARY PUBLIC FOR OREGON

My Commission Expires: 4/11/78

ATTACHMENT NO. 1

Easement Grantor P. & M. Wachter  
Easement Grantee City of Mt. Angel

Description

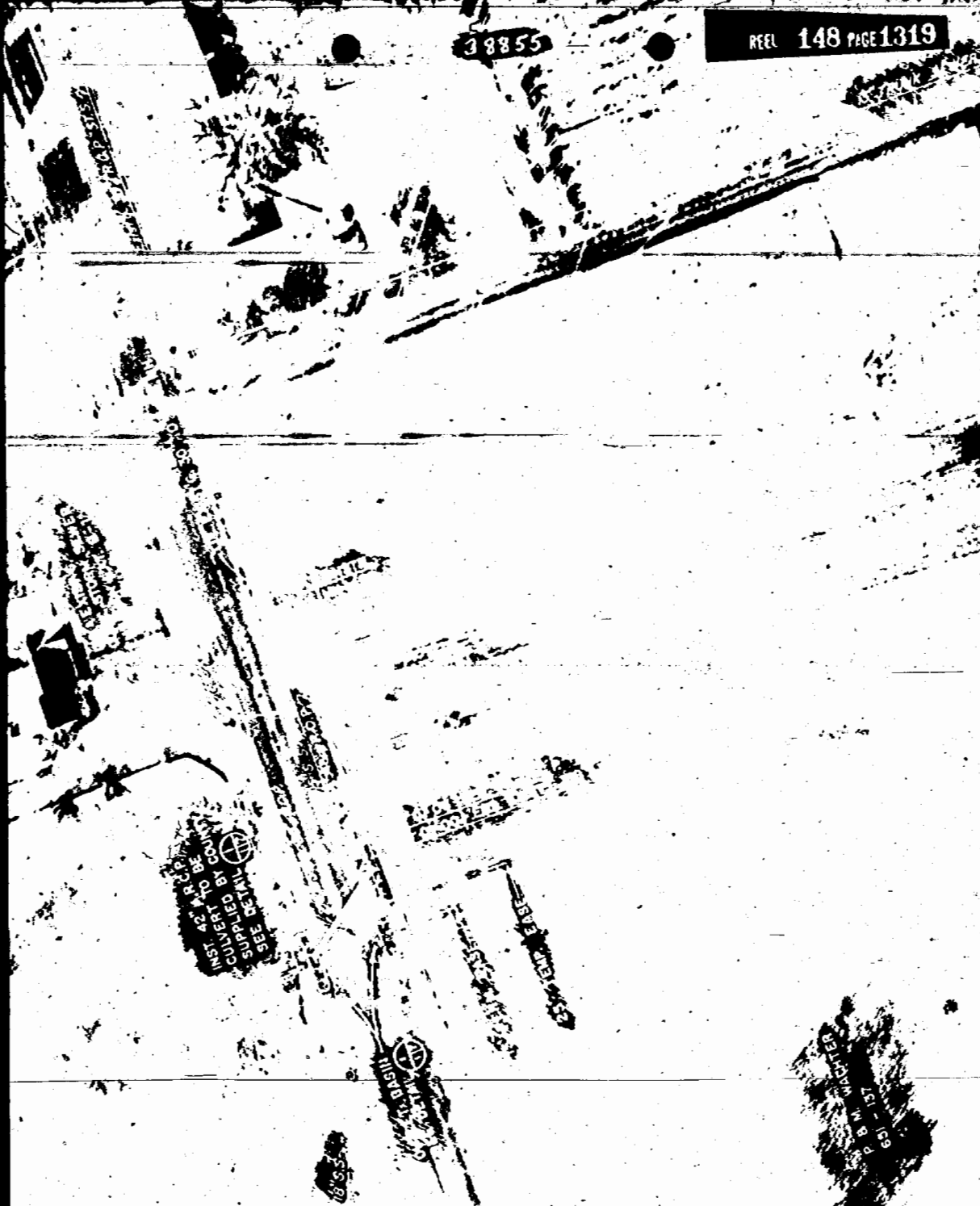
Those tracts of land described in Volume 651 Page 137 and Volume 247 Page 662 Marion County Records of Deeds, said easements being described as follows as shown on the attached map.

Volume 651 Page 137 - permanent easement being a strip of land 15-feet in width lying southerly adjacent and parallel to the north boundary of said tract, and extending from the east boundary of said tract to a point 135-feet west thereof; also, a temporary construction easement 25-feet in width lying southerly adjacent and parallel to the above described permanent easement.

Volume 247 Page 662 - permanent easement being a strip of land 15-feet in width lying southerly adjacent and parallel to the north boundary of said tract and extending from the west boundary of said tract to a point 40-feet east thereof, thence the centerline of which continues southeasterly a distance of 130 feet more or less to exit from said tract at a point lying 80 feet southerly of the northeast corner thereof; also a temporary construction easement 35 feet in width lying southwesterly adjacent and parallel to the above described permanent easement.

38855

REEL 148 PAGE 1319



SEE BELTLINE  
 SUPPLIES  
 CLUSTER  
 T-4, B, C, D  
 T-1, T-2, T-3  
 T-4, B, C, D

SEE BELTLINE  
 SUPPLIES  
 CLUSTER  
 T-4, B, C, D  
 T-1, T-2, T-3  
 T-4, B, C, D

SEE BELTLINE  
 SUPPLIES  
 CLUSTER  
 T-4, B, C, D  
 T-1, T-2, T-3  
 T-4, B, C, D

S.S. B

REL 148 P.1320

AFTER RECORDING PLEASE RETURN TO:

CITY OF MT. ANGEL

P.O. BOX 108

MT. ANGEL, OR 97132

38855

STATE OF OREGON

County of Marion

} ss.

I hereby certify that  
the within was received  
and duly recorded by me  
in Marion County records:

Reel 148 Page 1316

Dec 1 2 44 PM '78

EDWIN P. MORGAN  
MARION COUNTY CLERK

BY [Signature] DEPUTY

12

ELECTRIC POWER LINE EASEMENT

KNOW ALL MEN BY THESE PRESENTS, That PAUL WACHTER; MARIE WACHTER

(hereinafter called "the Grantors," whether one or more than one), for and in consideration of the payment of the sum of ---One and 00/100-----Dollars (\$ 1.00 ), the receipt of which is hereby acknowledged, hereby grant, sell and convey to Portland General Electric Company, an Oregon corporation,

(hereinafter called "the Grantee," whether one or more than one), its successors and assigns, a perpetual easement and right of way over, under and across the following described parcel of land situated in Marion County, Oregon, being a strip of land sixteen (16) feet in width, extending eight (8) feet on each side of a center line more particularly described as follows:

Commencing at the Northwest corner of the B. Cleaver D.L.C. No. 51, situated in Section 9, Township 6 South, Range 1 West, Willamette Meridian; THENCE East 22.63 chains; THENCE South 35 feet to the Northwest corner of that tract of land conveyed to Paul Wachter, et ux; THENCE East 124 feet to the true point of beginning; RUNNING THENCE South 450 feet to the terminus of said centerline., situated in Marion County, State of Oregon.

TO HAVE AND TO HOLD the above described easement and right of way unto the Grantee, its successors and assigns, together with the present right to top, limb or fell trees located on land owned by the Grantors, adjacent to the above described right of way, which danger trees will be determined by the Grantee.

Said easement and right of way shall be for the following purposes, namely: the perpetual right to enter upon and to erect, maintain, repair, rebuild, operate and patrol electric power lines, and appurtenant signal or communication lines, including the right to erect such poles, wires, cables, guys, supports and appurtenances as are necessary thereto, together with the present and future right to clear said right of way and keep the same clear of brush, timber, structures and fire hazards, including the right to restrict the growth of trees and brush on said right of way by the use of chemical sprays.

Grantors shall have the right to use the lands subject to the above described easement for all purposes not inconsistent with the uses and purposes herein set forth, except Grantors shall not build or erect any structure upon the right of way without the prior written consent of the Grantee.

If the Grantee, its successors and assigns, shall fail to use said right of way for the purposes above mentioned for a continuous period of five years after construction of said power lines, then and in that event this right of way and easement shall terminate and all rights and privileges granted hereunder shall revert to the Grantors, their heirs and assigns.

The Grantors hereby warrant that they are possessed of a marketable title to the property covered by this easement, and have the right to grant the same.

The Grantors, for themselves and their heirs and assigns, covenant to and with the Grantee, its successors and assigns, that the Grantee, its successors and assigns, shall peaceably enjoy the rights and privileges herein granted.

IN WITNESS WHEREOF, the Grantors have caused this easement to be executed this 27 day of October 19 80

Paul A Wachter (SEAL)
Marie J Wachter (SEAL)
(SEAL)
(SEAL)

STATE OF OREGON
County of Marion ss.

On this 27th day of October 19 80, before me, the undersigned, a Notary Public in and for said County and State, personally appeared PAUL WACHTER; MARIE WACHTER

to me known to be the individuals described in and who executed the foregoing instrument, and acknowledged that they executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my notarial seal this, the day and year in this instrument first written.



Carl J. Berg
Notary Public for Oregon
November 18, 1982
My commission expires

STATE OF OREGON }

County of Marion }

I hereby certify  
that the within was  
received and duly  
recorded by me in  
Marion County  
records:

46.

38527

JUN 28 1 51 PM '81

EDWARD MORGAN  
MARION COUNTY CLERK

BY  CLERK

Reel 239 Page 1520

350







**MARION COUNTY, OREGON**  
NE1/4 NE1/4 SEC9 T6S R1W W.M.  
SCALE 1" = 100'

**LEGEND**

- LINE TYPES**
- Taxlot Boundary
  - Historical Boundary
  - Road Right-of-Way
  - Easement
  - Railroad Right-of-Way
  - Railroad Centerline
  - Private Road ROW
  - DLC Line
  - Subdivision/Plat Bndry
  - Map Boundary
  - Waterline - Taxlot Bndry
  - Waterline - Non Bndry

**SYMBOL TYPES**

- Survey Monument + 1/16TH Section Cor.
- Road Station ⊕ 1/4 Section Cor.
- DLC Corner ⊙ 16, 15 Section Corner
- 21, 22

**NUMBERS**

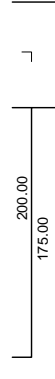
Tax Code Number

**000 00 00 0**

Acreage All acres listed are Net Acres, excluding any portions of the taxlot within public ROWs  
0.25 AC

**NOTES**

Tick Marks: If a tick mark is indicated on the end of a line, then the dimension goes to the tick mark. This is used when dimensions extend into public right-of-ways.



**CANCELLED NUMBERS**

200

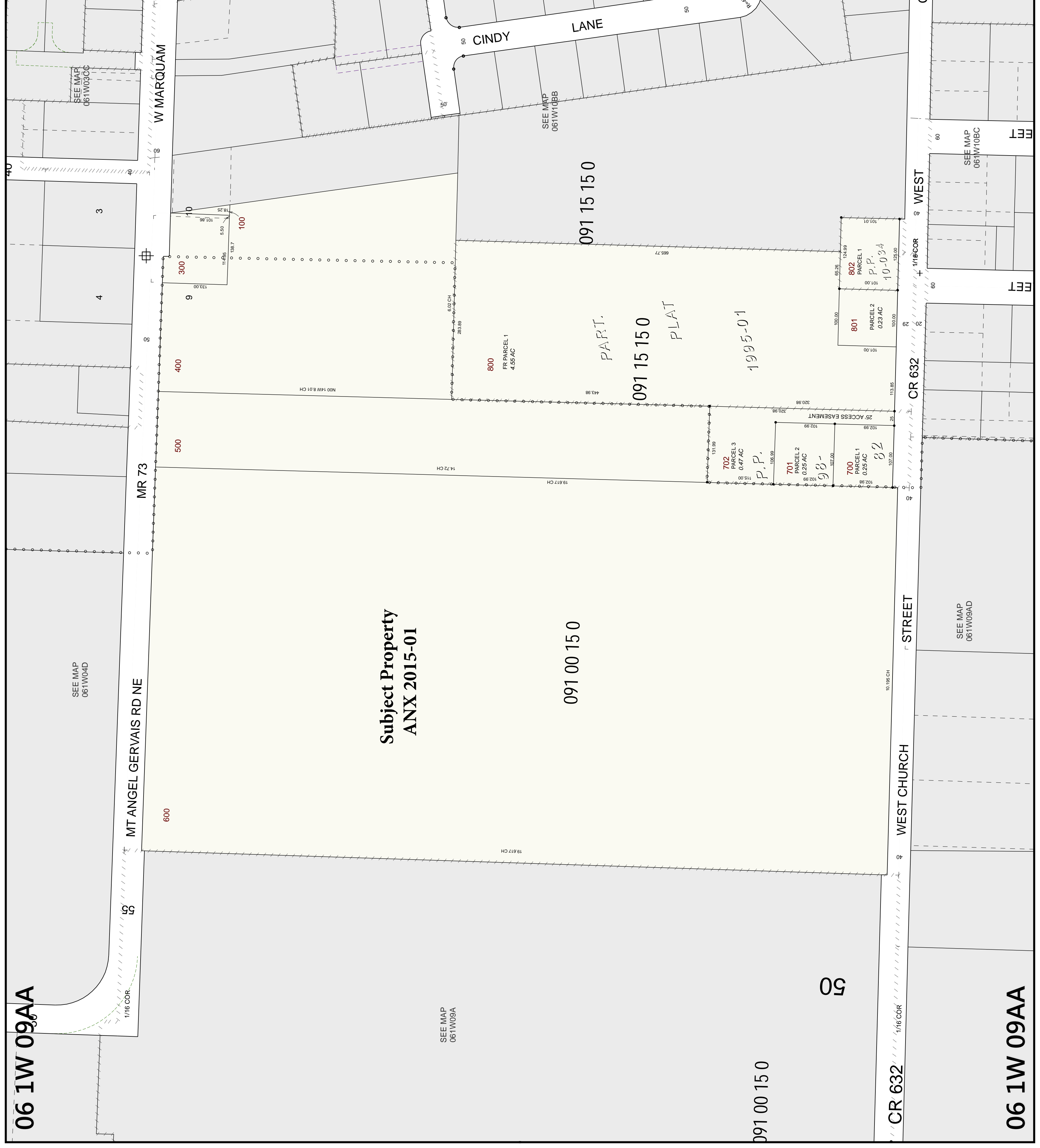
DISCLAIMER: THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY



Assessors Office  
Cartography Dept

FOR ADDITIONAL MAPS VISIT OUR WEBSITE AT  
www.co.marion.or.us

PLOT DATE: 4/15/2015



**Subject Property**  
**ANX 2015-01**

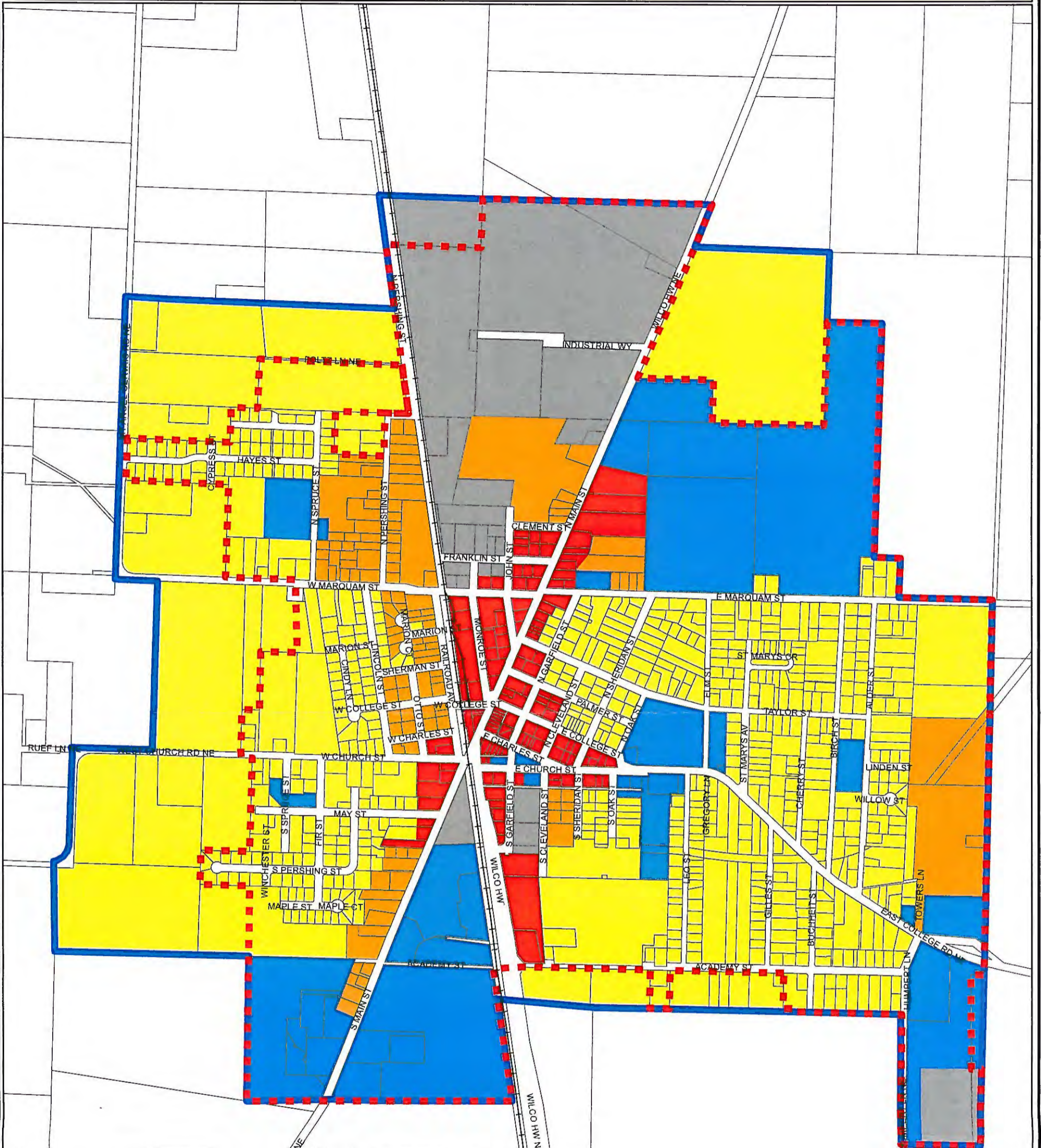
091 00 15 0

091 15 15 0

091 15 15 0

091 00 15 0

# City of Mt. Angel Comprehensive Plan Designations, 2009



## Legend

- Railroad
- City Limits
- Urban Growth Boundary
- Taxlots
- Comp Plan Desitnation**
- Commercial
- High-Density Residential
- Industrial
- Low-Density Residential
- Public

This map is illustrative and is intended for planning purposes only.



Mid-Willamette Valley Council of Governments  
Getting things done together!

Map Date	4/01/09
Author	LH
r:/city/mtangel/compplan_2009.mxd	









Exhibit B

# City of Mt. Angel









## Zoning Districts & Overlay Zones

UT-20  
ZONE

**Legend**

-  Bavarian Theme District
-  Downtown Core
-  Infill Overlay Zone
-  Parking District
-  City Limit
-  UGB
-  Taxlots
-  Railroads

**Zoning**

-  General Commercial
-  Light Industrial
-  Public
-  Residential Commercial
-  Multi-Family Residential
-  Single-Family Residential
-  SPLIT
-  Urban-Transition Farm



Created 3/25/2014

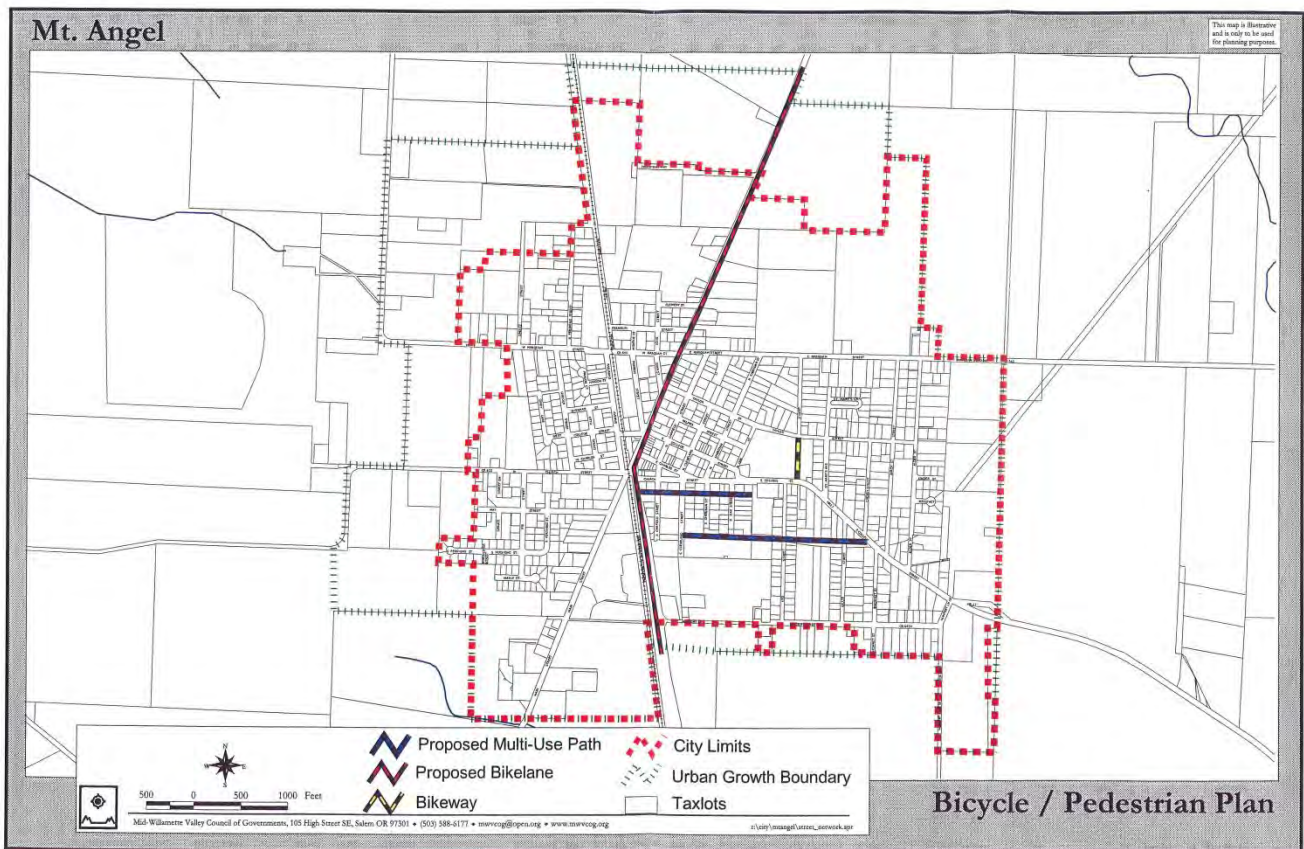
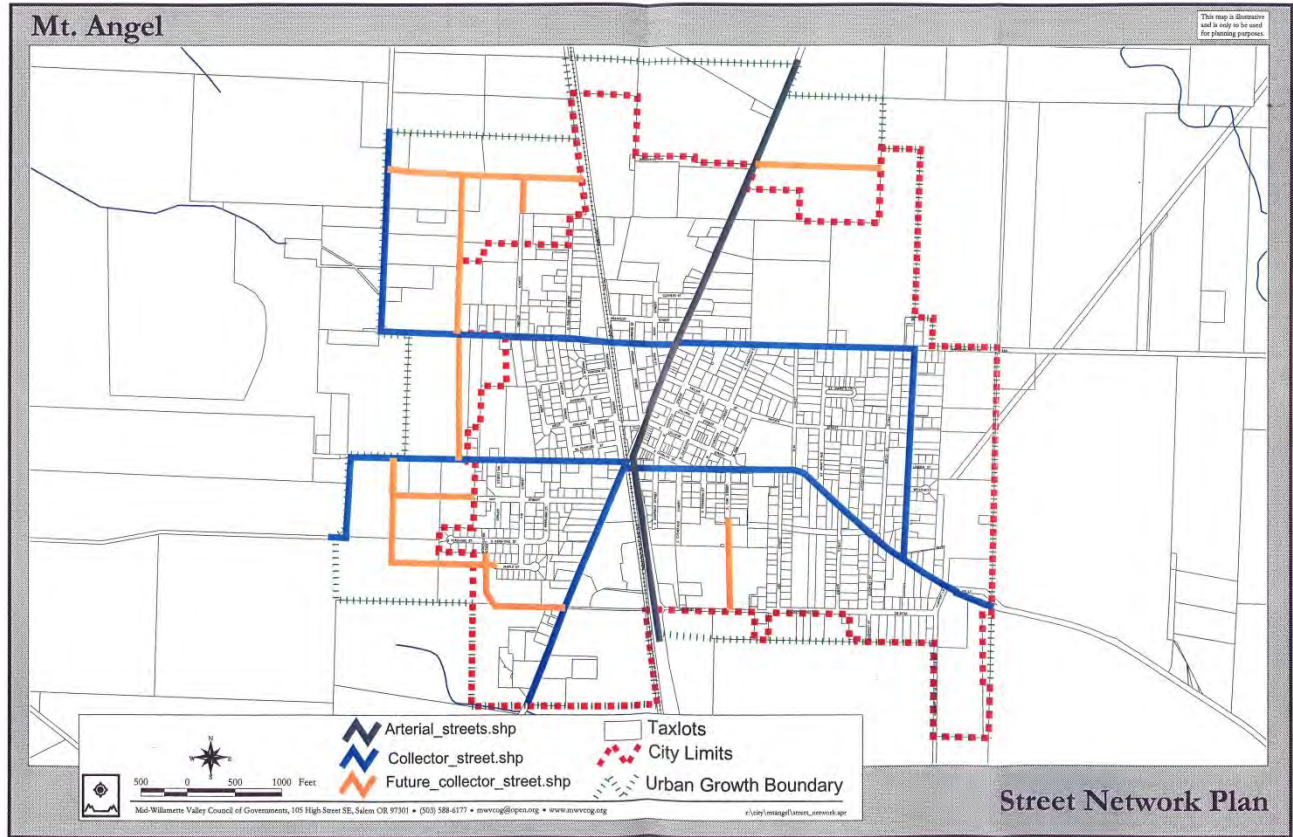


**Oregon**  
Department of  
Land Conservation  
& Development

Sources: Esri, DeLorme, NAVTEQ, USGS, Intermap, iPC, NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), TomTom, 2013

This product is for informational purposes and is not suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.

# Transportation System Plan Maps

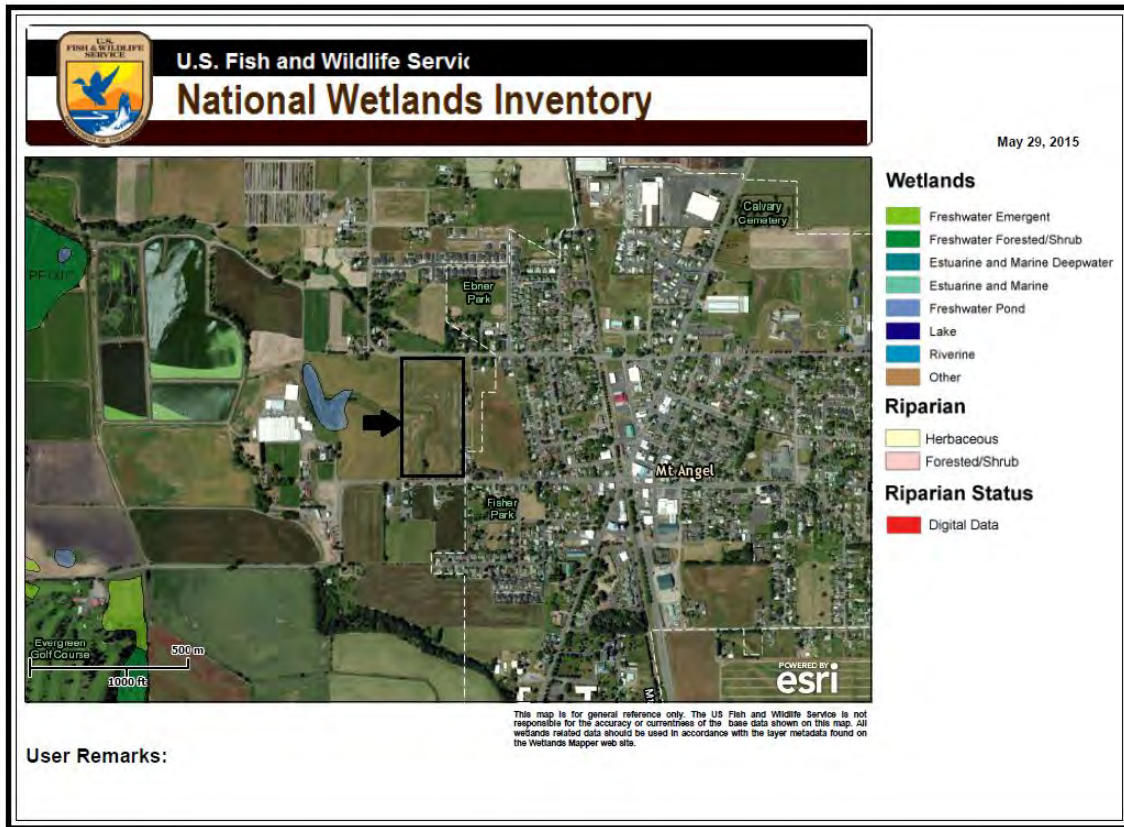


USDA NRCS Soil Data for Subject Property

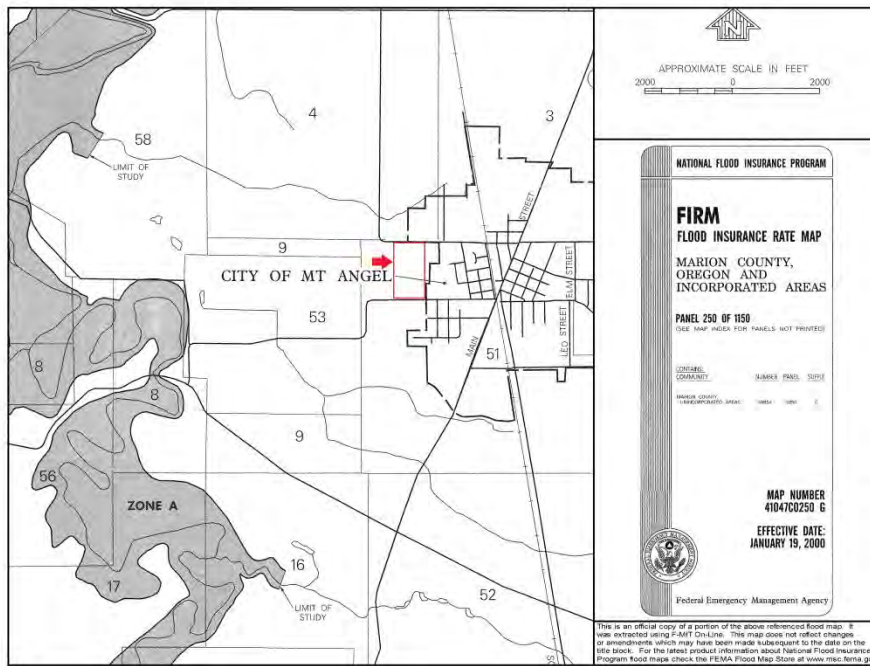


Marion County Area, Oregon (OR643)			
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
Am	Amity silt loam	6.6	33.3%
Da	Dayton silt loam	7.1	36.2%
WuA	Woodburn silt loam, 0 to 3 percent slopes	6.0	30.5%
Totals for Area of Interest		19.7	100.0%

USFWS National Wetlands Inventory Map\*



Flood Insurance Rate Map\*



\* Size and location of the subject property is approximate.

## EXHIBIT E

**From:** Denny Muchmore [<mailto:dmuchmore@westech-eng.com>]  
**Sent:** Thursday, June 4, 2015 9:06 AM  
**To:** Justin Hogue, Mt Angel ([JHogue@ci.mt-angel.or.us](mailto:JHogue@ci.mt-angel.or.us)); Synan, Aneta  
**Cc:** Dan Bernt, Mt Angel Public Works ([dbernt@ci.mt-angel.or.us](mailto:dbernt@ci.mt-angel.or.us)); Daniel Shafer, Mt. Angel ([dshafer@ci.mt-angel.or.us](mailto:dshafer@ci.mt-angel.or.us))  
**Subject:** FW: Annexation followup narrative (Wachter)

Justin & Aneta,

We see no issues with the writeup below addressing the availability and extension of public infrastructure for the annexation property, with a couple of additional comments (*neither of which will affect the annexation application itself, but will be addressed when the subdivision application is submitted for the property in the future*).

1. Please be aware that the narrative below only addresses domestic water service, but does not address fire flows. As noted in our 6/1/2015 email (attached), offsite waterline improvements will most likely be required to upsize the existing 6-inch waterlines along Marquam and/or Church Street (*depending, of course, on whether other projects result in the upsizing of these waterlines prior to this property being subdivided*). This will be something to be addressed when the property is subdivided, and does not impact the annexation application.
2. The westerly street that extends south from Marquam will likely be required to end in a cul-de-sac (*rather than the stub end shown*), since this street will not be extended in this future. A standard cul-de-sac (Detail 205) or an offset cul-de-sac (Detail 206). Once again, this will be something to be addressed when the property is subdivided (*this does not appear to materially affect the proposed layout or number of lots*).

Denny Muchmore, PE  
Westech Engineering, Inc.  
3841 Fairview Industrial Drive SE, Suite 100, Salem, OR 97302  
503-585-2474 ph 503-585-3986 fax 503-931-8708 cell  
[dmuchmore@westech-eng.com](mailto:dmuchmore@westech-eng.com)

**From:** Denny Muchmore [<mailto:dmuchmore@westech-eng.com>]  
**Sent:** Monday, June 1, 2015 4:48 PM  
**To:** Justin Hogue, Mt Angel ([JHogue@ci.mt-angel.or.us](mailto:JHogue@ci.mt-angel.or.us)); Synan, Aneta  
**Cc:** Eileen Stein, Mt. Angel ([estein@ci.mt-angel.or.us](mailto:estein@ci.mt-angel.or.us)); Dan Bernt, Mt Angel Public Works ([dbernt@ci.mt-angel.or.us](mailto:dbernt@ci.mt-angel.or.us)); Daniel Shafer, Mt. Angel ([dshafer@ci.mt-angel.or.us](mailto:dshafer@ci.mt-angel.or.us)); Steve Ward  
**Subject:** Wachter Property Annexation, City Engineer infrastructure comments

Justin & Aneta,

At the annexation stage, our review is typically limited to verification as to whether the annexation will allow for the orderly extension of urban services (*ie. verification as to whether adequate facilities either exist or can be provided in conjunction with development*). Overall, there does not appear to be any issues from a street or utility viewpoint that would preclude the annexation of this property into the City.

Since street & utility improvements are typically not included as conditions to an annexation approval, the following are general informational comments only (*ie. to illustrate that the existing infrastructure can be upgraded or extended to serve this property*).

- Existing Streets – The portion of both Marquam Street and West Church Street fronting this property are Marion County right-of-ways (classified as collector streets), which can be improved to

## EXHIBIT E

urban City standards in conjunction with development of this property. Offsite pedestrian improvements may be required if necessary to provide pedestrian connectivity to and from this property.

- New Streets – We are not aware of any issues that would preclude the construction of new streets through this property in the general configuration shown in the application. The north-south connector street between Marquam Street and West Church Street will need to be constructed as a collector street.
- Sewer – It appears that gravity sewers to serve this property can be installed and connected to the existing gravity trunk sewer along Marquam Street.
- Storm – It appears that storm drainage improvements to serve this property can be installed and connected to existing drainage ways through and downstream of the property.
- Water - It appears that waterlines adequate to provide SF residential fire flows can be installed and connected to existing waterlines outside of the development.
  - A 12-inch waterline will be required through this project (between Marquam & West Church), along the new collector street alignment, as well as 12" waterlines along W Church and Marquam as required to connect to existing waterlines with adequate capacity to provide the required residential fire flows (*at most, this would likely involve a new offsite waterline along W Church to the 10-inch waterline at Lincoln, and a new offsite waterline along Marquam to the existing 8-inch waterline at N. Pershing*).

Unless there are specific additional questions regarding the adequacy of streets or utility systems that need to be provided or upgraded to serve this property, we do not anticipate there being much need for additional involvement on our part during the annexation process. Please let us know if there are additional questions.

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