

RESOLUTION No. 341

A RESOLUTION INITIATING A ZONE CHANGE ON CERTAIN PROPERTIES WITHIN THE CITY OF STAYTON, MARION COUNTY, OREGON

WHEREAS, as a condition of the Right-Of-Way Agreement made between the City of Stayton and Walter and Germaine Miller, the City has agreed to initiate a Zone Change Petition on two parcels of property within the City Limits and described in Attachment "A"; and

WHEREAS, the City will process the petition and conduct public hearings before the Planning Commission and City Council in accordance with the Zoning Ordinance of the City of Stayton,

NOW THEREFORE,

THE CITY OF STAYTON RESOLVES AS FOLLOWS:

That a Zone Change Petition on two parcels of property described in Attachment "A" located in the City of Stayton, Marion County, Oregon, shall be initiated by the City changing the respective zone designation from HD (High Density) to IL (Industrial Light) and amending the corresponding Comprehensive Plan Map designation.

PASSED BY THE COMMON COUNCIL THIS 18th DAY OF February, 1985.

Singed by the Mayor this 1 day of March, 1985.

Clare Lerman
Mayor

ATTEST:

Ellen Vandekerckhove
City Administrator

ATTACHMENT "A"

PARCEL A

Beginning at a point that is West 10.60 chains along the line dividing Section 9 into North and South halves and South parallel with the East line of said Section, a distance of 4 chains from the Quarter Section corner between Sections 9 and 10, in Township 9 South, Range 1 West of the Willamette Meridian, in Marion County, Oregon; and running thence South parallel with the East line of said Section, a distance of 5.01 chains to the North line County Road; thence South 67° West on North line said road, 253.054 feet; thence North parallel with East line said Section, a distance of 424 feet; thence East 238 feet 8 inches to the place of beginning.

SAVE AND EXCEPT that portion of the above described tract lying within a strip of land 30.00 feet in width, being 15.00 feet on each side of the following described centerline: beginning at a point in the North line of the above described tract, which point is 36.35 feet West of the Northeast corner thereof; and running thence Southeasterly on a 15° curve to the right, (the chord of which bears South $10^{\circ} 08' 45''$ East 136.12 feet), an arc distance of 135.85 feet to a point; thence South $00^{\circ} 02' 30''$ West 210 feet to a point in the County Road; the Easterly and Westerly lines of said 30.00 foot strip of land are to be extended to intersect the North and South lines of the above described tract.

PARCEL B

Commencing at a point 22.51 chains north of the southeast corner of Section Nine, in Township Nine, South Range One, West of the Willamette Meridian; running thence West Nine chains; thence north at right angles to the Stayton Salem Water Ditch; thence in a northeasterly and easterly direction following the meanderings of said Stayton Salem Water Ditch to the east boundary line of said Section Nine; thence south along said east boundary line of said section to the place of beginning, containing 3.75 acres; save and excepting therefrom a strip of land 30 feet wide on the east side thereof to be used as a public highway or street.

ALSO: Commencing at a point 13.63 chains north of the southeast corner of Section Nine (9), Township Nine (9) South Range One (1) West of the Willamette Meridian and running thence west Nine (9) chains; thence north 8.88 chains; thence east Nine (9) chains to the east boundary line of said Section Nine (9); thence south along said east boundary line of said Section Nine 8.88 chains to the place of beginning, containing eight acres more or less in Marion County, Oregon; save and except therefrom a strip of land on the east side thereof thirty feet wide to be used as a public highway or street.

ALSO: Beginning at a point 27 chains North and 7 chains and $12\frac{1}{2}$ links, west of the Southeast corner of Section 9 in Township 9 South, Range 1 West of the Willamette Meridian, in Marion County, Oregon, running thence North to the County Road; thence

PARCEL B - Continued

South 72 degrees West fifteen feet; thence south parallel to said first mete to the north bank of the Salem Water Company Ditch; thence easterly along the north bank of said water ditch to a point due south of the place of beginning; thence north to the place of beginning.

ALSO: Beginning at a point on the line dividing Section 9 in Township 9 South, Range 1 West of the Willamette Meridian, into North and South halves, 15.60 chains westerly from the quarter section corner between Section 9 and 10 in said Township and Range, running thence south parallel to the east line of said Section 9, 11.00 chains to the north line of the county road; thence south 67 degrees West 17 links to the angle in said road; thence south 55 degrees West 3.10 chains to a point 20 feet north of the center of said road; thence north 1.50 chains; thence west 2.39 chains; thence north 11.30 chains to the legal subdivision line; thence easterly on said line 5.21 chains more or less to the place of beginning, and containing 6 acres of land more or less in Marion County, State of Oregon.

Also, beginning at a point 20.81 chains west and 11.30 chains south of the quarter section corner between Sections 9 and 10, in Township 9 South, Range 1 West of the Willamette Meridian, in Marion County, Oregon, running thence east 2.39 chains; thence south 1.80 chains to the center of the county road; thence southwesterly along the center of said road to a point directly south of the place of beginning; thence north 3.00 chains more or less to the place of beginning, and containing one-half acre of land, more or less.

MEMO

TO: Mayor and City Council

FROM: Judy C. Wolf, City Attorney/Planner

DATE: February 13, 1985

RE: Initiation of a Zone Change on the Walter Miller Property Located at 1339 W. Washington St. and the adjacent ~~Leo~~ Boedigheimer Property Located at 1415 W. Washington St. **CARL**

BACKGROUND

The City of Stayton and Walter Miller have been in negotiations for some time regarding the disputed right-of-way on Washington St. abutting the Miller Property. As a condition of the Agreement worked out between the two parties, the City has agreed to change the Zone designation on the Miller property from HD (High Density) to IL (Industrial Light). This will also require an Amendment to the Comprehensive Plan Map.

Also as a part of the Agreement with Walter Miller, the City agreed to initiate a Zone Change on the adjacent Leo Boedigheimer property, in cooperation with the Boedigheimer family, in order to eliminate the problem of spot zoning.

By passing this Resolution, the City Council will be approving the initiation of the Zone Change process.

RECOMMENDATION

Council action.

JCW:bj

*2/18/85 approved by Council
EW*