

After recording, return to:
Yamhill County Counsel
434 NE Evans Street
McMinnville, OR 97128



\$146.00

03/09/2012 09:18:27 AM

PR-VACPR Cnt=1 Stn=2 ANITA
\$85.00 \$25.00 \$10.00 \$11.00 \$15.00

IN THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON

FOR THE COUNTY OF YAMHILL

SITTING FOR THE TRANSACTION OF COUNTY BUSINESS

In the Matter of the Vacation of Partition Plat)
2007-59 and Vineyard Hill at Springbrook Farm)
Subdivision; Petitioners Charles McClure and)
Ellen McClure)

ORDINANCE 869

THE BOARD OF COMMISSIONERS OF YAMHILL COUNTY, OREGON ("the Board") sat for the transaction of county business in formal session on March 8, 2012, commissioners Leslie Lewis, Kathy George and Mary P. Stern participating.

THE BOARD MAKES THE FOLLOWING FINDINGS:

A. Charles & Ellen McClure (Petitioners) have petitioned Yamhill County for a vacation of Partition Plat 2007-59 and Vineyard Hill at Springbrook Farm Subdivision, located northeast of the City of Newberg. The vacation petition is attached and incorporated into this Ordinance as Exhibit "A."

B. Partition Plat 2007-59 was conditionally approved by the Yamhill County Department of Planning and Development, Docket No. S-04-07, on June 14, 2007, and recorded in the real property records of the office of the Yamhill County Clerk on September 25, 2007 as Instrument # 200721146. The conditional approval letter and Partition Plat 2007-59 are attached and incorporated into this Ordinance as Exhibit "B". Vineyard Hill at Springbrook Farm was approved on November 6, 2007 and recorded in the real property records of the office of the Yamhill County Clerk on November 6, 2007 as Instrument # 200724087. A copy of the approved and filed subdivision is attached and incorporated into this Ordinance as Exhibit "C".

C. The petition filed by Petitioners with Yamhill County complies with the requirements of ORS 92.205 to 92.245 with respect to the initiation of vacation proceedings. Under ORS 92.205 to 92.245, the Board is authorized to make a determination on the vacation of Partition Plat 2007-59 and Vineyard Hill at Springbrook Farm Subdivision.

D. The Yamhill County surveyor has investigated the request to vacate Partition Plat 2007-59 and Vineyard Hill at Springbrook Farm Subdivision and determined that (i) Partition Plat 2007-59 and Vineyard Hill at Springbrook Farm Subdivision remain undeveloped; and (ii) the vacation of Partition Plat 2007-59 and Vineyard Hill at Springbrook Farm Subdivision, including the vacation of all lands within Partition Plat 2007-59 and Vineyard Hill at Springbrook Farm Subdivision that were previously dedicated for public use, is in the public interest.

E. On March 8, 2012, the petition and the Yamhill County's surveyor's findings and recommendations regarding the requested vacation of Partition Plat 2007-59 and Vineyard Hill at Springbrook Farm were considered by the Board at formal session. No other evidence or testimony was submitted.

F. Under ORS 92.234 the Board is authorized to grant the petition vacating Partition Plat 2007-59

ORDINANCE 869

Page 1

B.O. 12-129

and Vineyard Hill at Springbrook Farm Subdivision. NOW, THEREFORE,

THE YAMHILL COUNTY BOARD OF COMMISSIONERS HEREBY ORDAIN AS FOLLOWS:

Section 1. Vacations of Partition Plat 2007-59 and Vineyard Hill at Springbrook Farm Subdivision are hereby ordered. All conditions contained in Yamhill County Department of Planning and Development, Docket No. S-04-07, letter of approval dated June 14, 2007 are hereby rendered null and void.

Section 2. This Ordinance, together with other affidavits or documentation required to effect the ordered vacation shall be recorded in the Yamhill County Deed Records upon authorization for recordation by the Yamhill County Counsel. The Petitioner shall bear the recording cost and the cost of preparing and filing the certified copy of this Ordinance.

Section 3. Effective upon the date of the recordation of this Ordinance in the Yamhill County Deed Records, the zoning and lot lines for Petitioner's property that were previously the subject of Partition Plat 2007-59 and Vineyard Hill at Springbrook Farm Subdivision shall revert back to the zoning and lot lines that were in effect immediately prior to the approval of Partition Plat 2007-59 and Vineyard Hill at Springbrook Farm Subdivision.

Section 4. Effective upon the date of the recordation of this Ordinance in the Yamhill County Deed Records, the public interest in properties previously dedicated for public use under Partition Plat 2007-59 and Vineyard Hill at Springbrook Farm Subdivision shall be and hereby are vacated. Title to property previously dedicated for public use under Partition Plat 2007-59 and Vineyard Hill at Springbrook Farm Subdivision shall vest in Petitioners.

Section 5. A copy of this Ordinance shall be filed with the County Surveyor and County Assessor.

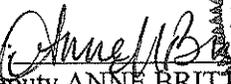
Section 6. All sections, subsections and paragraphs of this Ordinance are severable. If any section, subsection or paragraph is ruled invalid for any reason by the court of last resort, the other portions of this Ordinance shall be unaffected.

Section 7. The first and second readings of this Ordinance were made March 8, 2012. To carry out the intent of this Ordinance an emergency is hereby declared to exist. In accordance with ORS 203.045(4) this ordinance shall take effect on March 9, 2012.

DONE at McMinnville, Oregon on March 8, 2012.

ATTST YAMHILL COUNTY BOARD OF COMMISSIONERS

REBEKAH STERN DOEL  Chair LESLIE LEWIS
County Clerk

By:  Deputy ANNE BRITTON Commissioner KATHY GEORGE

FORM APPROVED BY:  CHRISTIAN BOENISCH Deputy Legal Counsel
 Commissioner MARY P. STERN

Approved by Yamhill County Board of Commissioners on 3/8/12 by Board Order
ORDINANCE 869
12-129 Page 2

Exhibit A

(see attached)

Exhibit A

From: charles mcclure <chuck@nutfarm.com>
Subject: McClure Vacations
Date: December 15, 2011 1:46:48 PM PST
To: surveyor@co.yamhill.or.us
Cc: sanair@co.yamhill.or.us, Mike Brandt <brandtm@co.yamhill.or.us>



Re: McClure property- Partition Plat No. 2007-59
- Vineyard Hill at Springbrook Farm subdivision Plat No. Vol 14 PG 34,
recorded
11/6/2007 as Document No. 200724087

Dear Mr. Linscheid,

As we discussed this morning we no longer wish to continue with our project and therefore request that you proceed with the vacation of the above referenced plats, so that the status of the property is in all respects the same as before the plats were recorded.

Thank you for your assistance.



Charles McClure



Ellen McClure

Exhibit B

(see attached)

Yamhill County

DEPARTMENT OF PLANNING AND DEVELOPMENT

DB

525 NE FOURTH STREET • McMinnville, Oregon 97128

Phone: (503) 434-7516 • Fax: (503) 434-7544 • TTY 1-800-735-2900 • Internet Address: <http://www.co.yamhill.or.us/plandev/>

COPY

June 14, 2007

Charles & Ellen McClure
30295 N. Highway 99W
Newberg, OR 97132

Re: Docket No. S-04-07, Subdivision Application, Measure 37 Claim, Board Order 06-130

Dear Mr. & Mrs. McClure:

Your application for preliminary subdivision approval to subdivide Tax Lot 3215-500 into 37-lots and two open space tracts, is hereby approved. This decision is based on the "Measure 37" approval found in Board Order 06-130, State Claim M122204 and findings and conclusions in the enclosed staff report. The preliminary subdivision approval is granted with the following conditions:

1. A final subdivision plat pursuant to the requirements of the *Yamhill County Land Division Ordinance* shall be prepared and submitted to the Planning Director. All existing and proposed easements shall be shown on the face of the plat. The Yamhill County Planning Docket Number "S-04-07" shall appear on the face of the plat. The subdivision lines shall substantially conform to that of the preliminary map.
2. Prior to final subdivision approval, the applicant shall record the final plat for partition Docket # P-03-07.
3. The applicant shall dedicate a 50-foot right-of-way for the internal streets of the subdivision or demonstrate that a smaller right-of-way can be dedicated which will still satisfy minimum safety standards. Said right of way shall be constructed to current Public Road Standards. The proposed roadways shall have a minimum unobstructed driving surface width of 20 feet and shall have an all-weather surface that is capable of supporting not less than 12,500 pounds point load (wheel load) and 50,000 pounds live load (gross vehicle weight). The access shall have an unobstructed horizontal clearance of not less than 25 feet and an unobstructed vertical clearance of not less than 14 feet. Average road grade shall not exceed 10% and no grade shall exceed 15%. A maximum of 200 feet at 15% grade may be allowed.
4. For the dedicated road, the applicant shall submit an engineered road design that includes a full plan and profile and construction cost estimate to the County Public Works Department. All road improvements shall be constructed to county road standards and inspected by the Public Works Department or a private engineer prior to final plat approval, or security shall be posted pursuant to Chapter 13 of the Land Division Ordinance.
5. The applicant shall improve that portion of Benjamin Road abutting the subdivision to provide for safe vehicle, pedestrian, and bicycle access. This may be accomplished by widening Benjamin Road to sufficient width to accommodate bike lanes and provide a standard 5-foot-wide sidewalk on the east side of the road, or by providing alternate parallel pedestrian and bicycle paths through the subdivision that connect to Benjamin Road.
6. The northern intersection shall be aligned with Putnam Road. The applicant shall provide a traffic impact study and engineered design of the two intersections with Benjamin Road subject to the

Charles & Ellen McClure

S-04-07

Page 2



AASHTO intersection standards. The traffic impact study and intersection designs shall be approved by the Public Works Director.

7. The applicant shall submit a drainage plan showing that the natural drainage course is maintained. The plan shall be prepared by a registered engineer. The drainage plan shall be submitted to and approved by the County Public Works Director prior to final approval.
8. Prior to final subdivision plat approval, the applicant shall obtain septic site evaluations for all lots pursuant to Section 6.100 of the *Land Division Ordinance*. All septic systems shall maintain the minimum setback requirements of 10 feet from all property lines. If the 10 foot minimum setbacks from the property lines cannot be maintained or if the septic system is located on an adjacent lot, a properly recorded easement will be required, pursuant to Section 6.100 of the *Land Division Ordinance*.
9. The subdivision shall be shown to have adequate quality and quantity of water to support the proposed use. Prior to final plat approval, the applicant shall demonstrate conformance with standard 1, 2, 3 or 4 of Subsection 6.090 of the Land Division Ordinance. Either domestic water shall be provided to each lot by a community water system or an on-site well or wells, with the location of the well(s) indicated on the face of the plat, or the following disclosure shall be placed on the plat:

No municipal, public utility, community water supply or private system will be provided to the purchaser of those lots noted hereon.

Each lot not provided with a well or community service shall be so identified.

10. Prior to final approval, the applicant shall provide a plan for water supply for fire suppression to the Newberg Rural Fire Department for their review and approval.
11. The following language shall be placed on the face of the final plat:

Lots shown on this plat were authorized by waivers of land use regulations by Yamhill County and the State of Oregon pursuant to ORS 197.352, 2005 replacement part (Measure 37). The Yamhill County waiver is found in Board Order 06-130, recorded in the Yamhill County Deed & Mortgage Records as Instrument No. 200514045. Yamhill County makes no representations or warranties as to the transferability of the lots or any development rights related to the lots.

Suggestion:

The following is not a condition of approval because it is not directly related to issues of health and safety. This is considered by the Yamhill County Planning Staff as being worthy of consideration so it is suggested for the applicant to consider when completing this subdivision.

1. Since the development is near farmland, development of the lots should be tied to waivers of the right to complain about farm practices and/or strong CC&Rs stipulating that residents shall not complain about neighboring farm practices.

You now have twelve (12) months within which to file the final subdivision plat and complete any other requirements stated above for approval of the subdivision. If not filed within this time period, the preliminary approval shall be rendered null and void.

Charles & Ellen McClure

S-04-07

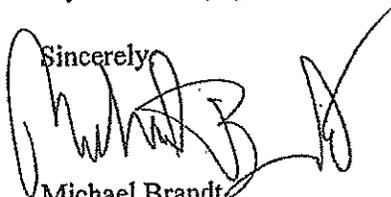
Page 3

COPY

The *Yamhill County Zoning Ordinance* and other County and State land use regulations were modified, removed or not applied pursuant to Measure 37 (Board Order 06-130 and State Claim M122204). However, the subdivision application was found to be in substantial compliance with the health and safety provisions of the *Yamhill County Land Division Ordinance*. The required procedures of referral and review were followed and the relevant factors considered under the applicable health and safety regulations and the zoning requirements in effect in 1966. The *Yamhill County Land Division Ordinance* provides for appeal of any action of the Planning Director to the Board of Commissioners within fifteen days of the decision on the proposed action. Anyone wishing to appeal the Director's decision must file an appeal form, together with a \$250.00 filing fee, with this Department no later than June 29, 2007. If no appeal is filed, the Planning Director's decision will be final and this letter will serve as your official notice of approval of your application.

If you have any questions or require assistance, please contact this office.

Sincerely,



Michael Brandt
Planning Director

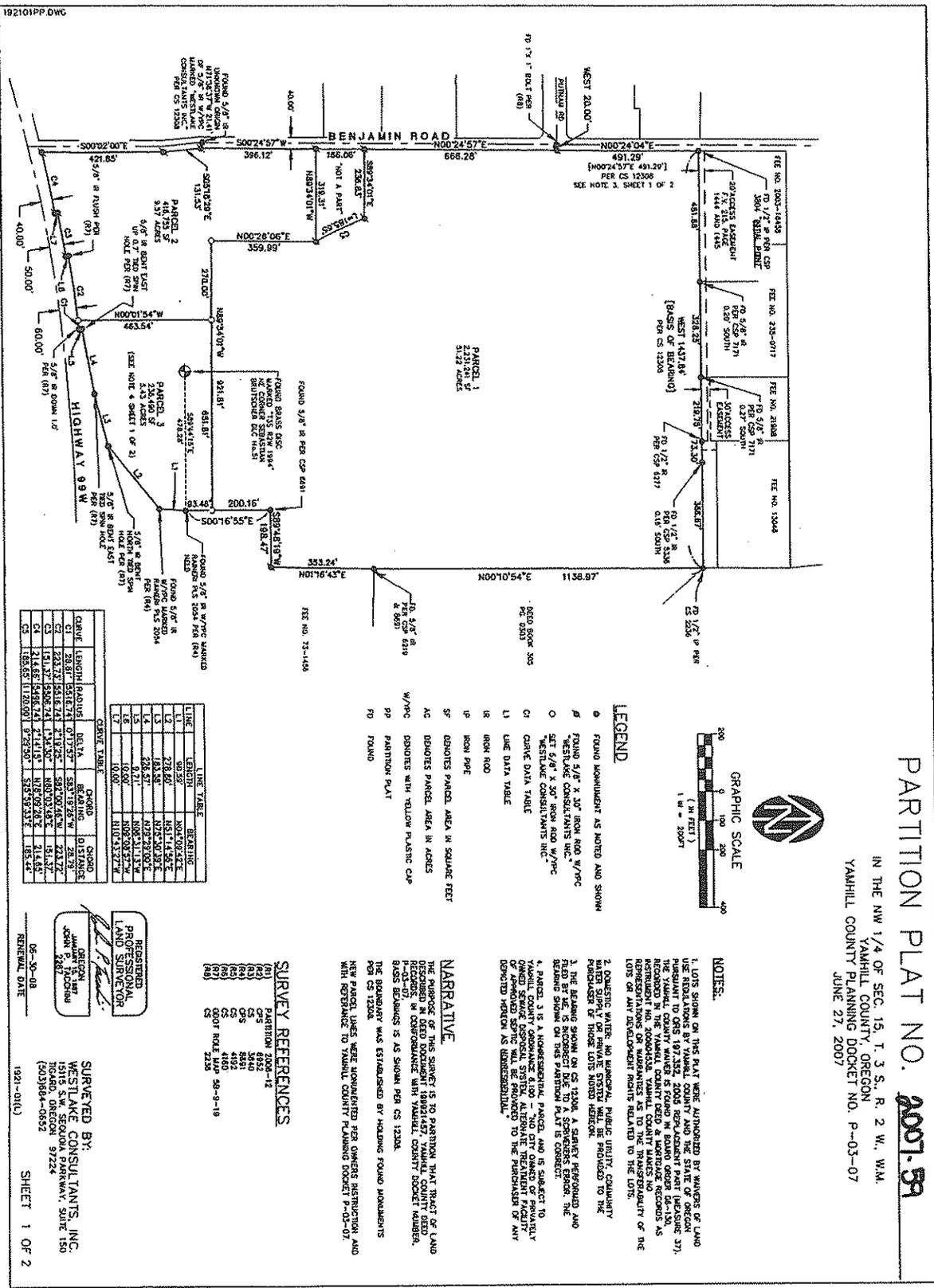
cc: Board of Commissioners
Legal Counsel
Assessor
Public Works
SPOs
City of Newberg
Watermaster
ODOT, Mike Rose
DLCD, Ron Eber
Newberg Fire District
Westlake Consultants, Attn: Lee Leighton, 15115 SW Sequoia Parkway, St. 150, Tigard, OR 97224

OFFICIAL YAMHILL COUNTY RECORDS
JAN COLEMAN, COUNTY CLERK



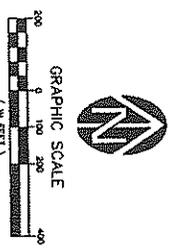
\$66.00

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PARTITION PLAT NO. 2007-59

IN THE NW 1/4 OF SEC. 15, T. 3 S., R. 2 W., W.M.
YAMHILL COUNTY, OREGON
YAMHILL COUNTY PLANNING DOCKET NO. P-03-07
JUNE 27, 2007



LEGEND

- FOUND MONUMENT AS NOTED AND SHOWN
- ⊙ FOUND 5/8" X 3/4" IRON ROD W/PPC
- ⊙ SET 6/8" X 3/4" IRON ROD W/PPC
- ⊙ WESTLAKE CONSULTANTS INC.
- ⊙ CURVE DATA TABLE
- LI LINE DATA TABLE
- IR IRON ROD
- IP IRON PIPE
- SF DEDUITS PARCEL AREA IN SQUARE FEET
- AC DEDUITS PARCEL AREA IN ACRES
- W/PPC DEDUITS WITH YELLOW PLASTIC CAP
- PP PARTNOR PLAT
- FO FOUND

NOTES:

1. LOTS SHOWN ON THIS PLAT WERE AUTHORIZED BY MAYORS OF LAND USE REGULATIONS BY YAMHILL COUNTY AND THE STATE OF OREGON PURSUANT TO ORS 197.352, 2005 REPLACEMENT PART (WEISSBUE 37), THE YAMHILL COUNTY MAJOR IS FOUND IN BOUND ORDER OF 15A, RESTRICED BY THE YAMHILL COUNTY MAJOR AS SHOWN AS REPRESENTATIONS OR WARRANTIES AS TO THE TRANSFERABILITY OF THE LOTS OR ANY DEVELOPMENT RIGHTS RELATED TO THE LOTS.
2. CONJECTURE, WHETHER AN UNLAPSED, PUBLIC UTILITY, COMMUNITY WATER SUPPLY OR PRIVATE SYSTEM WILL BE PROVIDED TO THE PURCHASER OF THESE LOTS NOTED HEREON.
3. THE BEARING SHOWN ON CS 12306, A SURVEY PERFORMED AND FILED BY ME, IS INCORRECT DUE TO A SURVEYOR'S ERROR. THE BEARING SHOWN ON THIS PARTITION PLAT IS CORRECT.
4. PARCEL 3 IS A HOMESTEAD PARCEL AND IS SUBJECT TO OREGON'S HOMESTEAD ACT. THE PURCHASER OF THIS PARCEL SHALL OWNED SERVICE DISPOSAL SYSTEM. ALTERNATE TREATMENT FACILITY OR APPROVED SEPTIC WILL BE PROVIDED TO THE PURCHASER OF ANY DEVELOPED HERON AS DEDICATED.

NARRATIVE

THE PURPOSE OF THIS SURVEY IS TO PARTITION THAT TRACT OF LAND DESCRIBED IN DEED DOCUMENT 19921457, YAMHILL COUNTY DEED RECORDED IN CONFORMANCE WITH YAMHILL COUNTY DOCKET NUMBER, 6455 BEHAVIOR IS AS SHOWN PER CS 12306. THE SURVEY WAS ESTABLISHED BY HOLDING FOUND MONUMENTS PER CS 12306. NEW PARCEL LINES WERE MONUMENTED PER OWNERS INSTRUCTION AND WITH REFERENCE TO YAMHILL COUNTY PLANNING DOCKET P-03-07.

SURVEY REFERENCES

(76)	CS 12306
(77)	CS 12306
(78)	CS 12306
(79)	CS 12306
(80)	CS 12306
(81)	CS 12306
(82)	CS 12306
(83)	CS 12306
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(92)	CS 12306
(93)	CS 12306
(94)	CS 12306
(95)	CS 12306
(96)	CS 12306
(97)	CS 12306
(98)	CS 12306
(99)	CS 12306
(100)	CS 12306

CURVE	LENGTH (METERS)	DELTA	CHORD	BEARING	DISTANCE
C1	28.87	5316.74	071757	353°19'22"W	28.79
C2	228.72	5316.74	071757	353°19'22"W	228.72
C3	151.27	5316.74	071757	353°19'22"W	151.27
C4	218.82	5316.74	071757	353°19'22"W	218.82
C5	118.82	5316.74	071757	353°19'22"W	118.82
C6	118.82	5316.74	071757	353°19'22"W	118.82
C7	118.82	5316.74	071757	353°19'22"W	118.82
C8	118.82	5316.74	071757	353°19'22"W	118.82
C9	118.82	5316.74	071757	353°19'22"W	118.82
C10	118.82	5316.74	071757	353°19'22"W	118.82

REGISTERED PROFESSIONAL LAND SURVEYOR
JAMES P. HANCOCK
JPH
06-30-08
RENEWAL DATE

SURVEYED BY:
WESTLAKE CONSULTANTS, INC.
TIMOTHY R. HANCOCK
TRH
(503)864-0652
SHEET 1 OF 2

Exhibit C

(see attached)

OFFICIAL YAMHILL COUNTY RECORDS
JAN COLEMAN, COUNTY CLERK

200724087

\$66.00



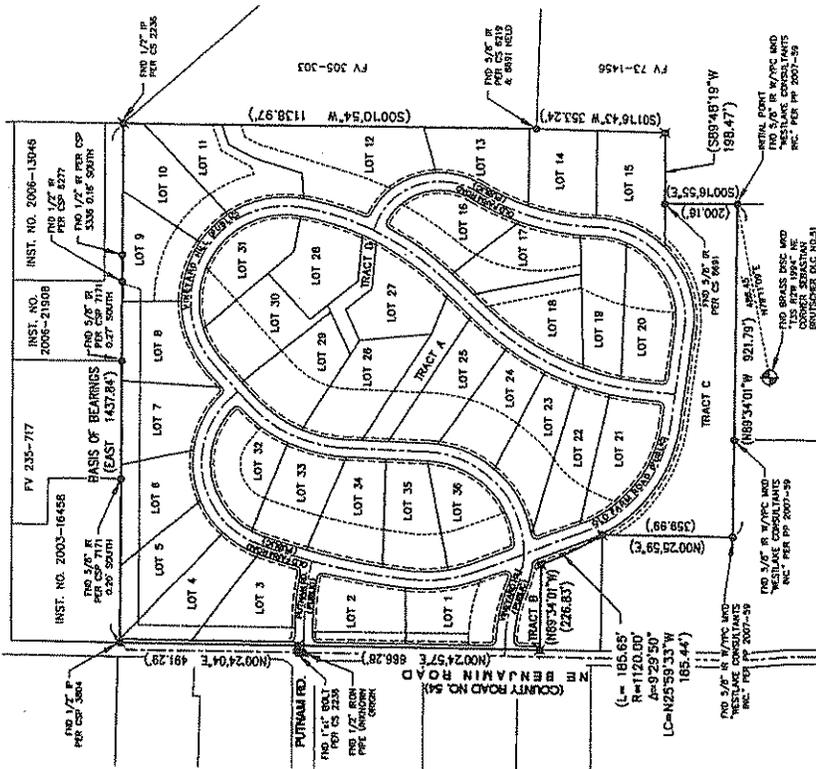
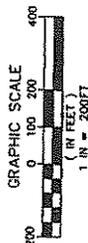
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\$45.00 \$10.00 \$11.00

VINEYARD HILL AT SPRINGBROOK FARM

A RE-PLAT OF PARCEL 1 OF PARTITION PLAT NO. 2007-59 IN
THE NW 1/4 OF SEC. 15, T. 3 S., R. 2 W., W.M.

DOCKET NO. S-04-07 DATE: OCTOBER 15, 2007

PLAT NO. _____
RECORDED AS INSTRUMENT NO. _____

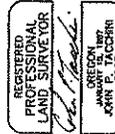


LEGEND

- Ø FND IR AS NOTED AND SHOWN
- Ø FND IP AS NOTED AND SHOWN
- ✕ FND 5/8" X 30" IR W/PC AND WESTLAKE CONSULTANTS INC. PER CS 12308
- FND FOUND
- IR IRON ROD
- IP IRON PIPE
- W/PC WITH YELLOW PLASTIC CAP
- MKD MARKED
- PP PARTITION PLAT
- () DENOTES RECORD & MEASURED BEARING & DISTANCE PER PP 2007-59

SHEET SET

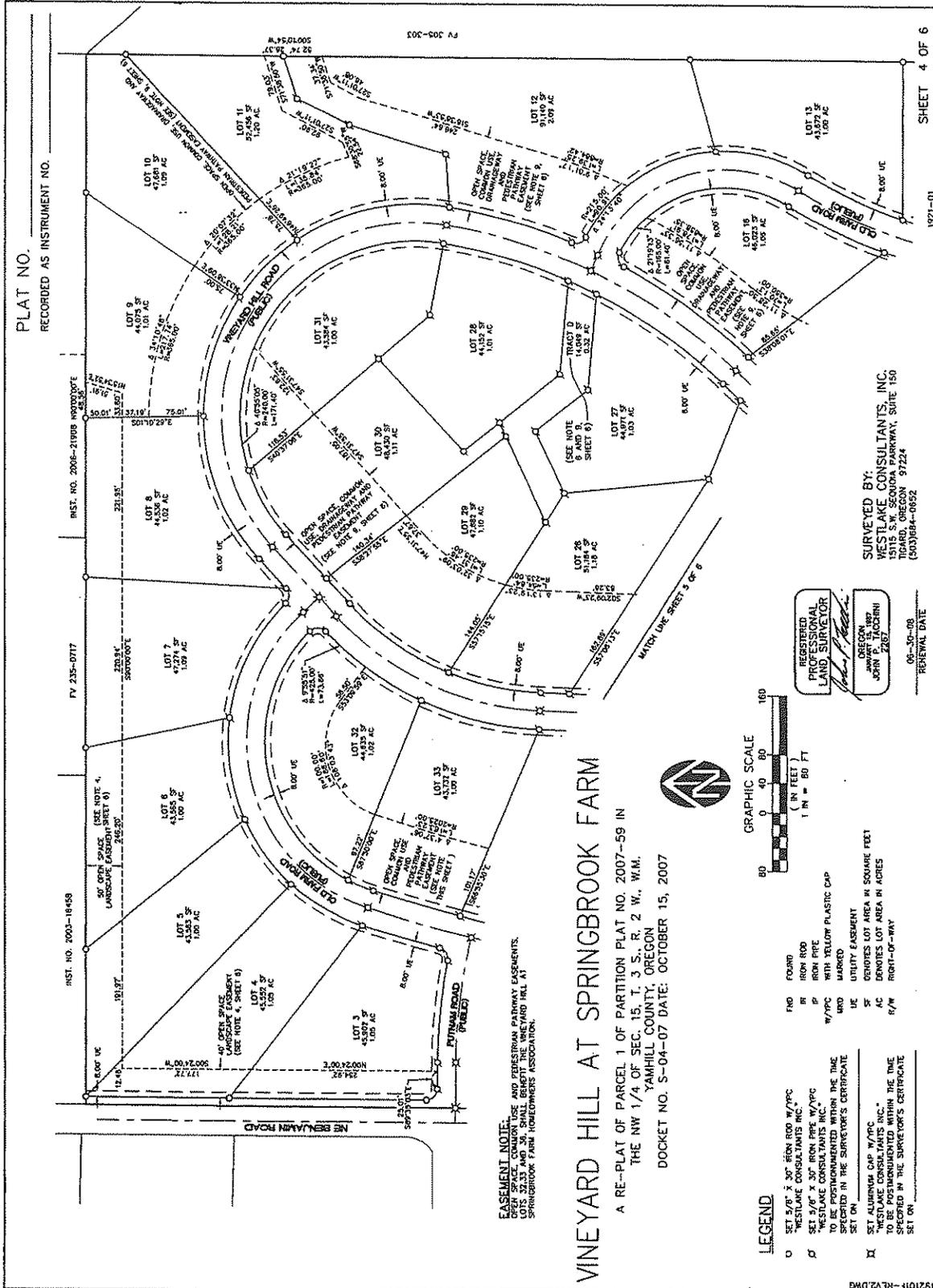
- SHEET 1 - INITIAL PLAT BOUNDARY PER PP 2007-59
- SHEET 2 - LOTS 1-11, 15, 25-33 AND TRACTS A, B, AND C
- SHEET 3 - LOTS 1-2, 14-15, 17-25, 34-36, TRACTS A, B, AND C
- SHEET 4 - EASEMENTS, OPEN SPACE, LOTS 3-11, 16, 28-33 AND TRACT D
- SHEET 5 - EASEMENTS, OPEN SPACE, LOTS 1-2, 14-15, 17-25, 34-36, TRACTS A AND C
- SHEET 6 - NOTES, APPROVALS, DECLARATION, NARRATIVE, ACKNOWLEDGMENTS AND SURVEYOR'S CERTIFICATE



SURVEYED BY:
WESTLAKE CONSULTANTS, INC.
15115 S.W. SECURIA PARKWAY, SUITE 150
PORTLAND, OREGON 97224
(503)984-0952

06-30-08
RENEWAL DATE

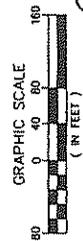
1921-01G SHEET 1 OF 6



EASEMENT NOTE.
 THE EASEMENTS AND EGRESSWAY PARKWAY EASEMENTS,
 LOTS 32, 33 AND 34, SHALL BENEFIT THE VINEYARD HILL AT
 SPRINGBROOK FARM HOMEOWNERS ASSOCIATION.

VINEYARD HILL AT SPRINGBROOK FARM

A RE-PLAT OF PARCEL 1 OF PARTITION PLAT NO. 2007-59 IN
 THE NW 1/4 OF SEC. 15, T. 3 S., R. 2 W., W.M.
 YAMHILL COUNTY, OREGON
 DOCKET NO. S-04-07 DATE: OCTOBER 15, 2007



- LEGEND**
- SET 3/8" X 30" IRON ROD W/PPC
 - WESTLAKE CONSULTANTS INC.
 - ▣ SET 5/8" X 30" IRON PIPE W/PPC
 - ▤ WESTLAKE CONSULTANTS INC. FOR THE USE
 - ▥ SPECIFIED IN THE SURVEYOR'S CERTIFICATE
 - SET ON
 - ▧ SET ALUMINUM CAP W/PPC
 - ▨ WESTLAKE CONSULTANTS INC. TO BE POSTMONUMENTED WITHIN THE TIME SPECIFIED IN THE SURVEYOR'S CERTIFICATE
 - SET ON
 - FOUND
 - IRON ROD
 - IR
 - IRON PIPE
 - P
 - W/PPC
 - WESTLAKE CONSULTANTS INC. FOR THE USE SPECIFIED IN THE SURVEYOR'S CERTIFICATE
 - MARKED
 - MARK
 - UTILITY EASEMENT
 - UE
 - GEOMETRIC LOT AREA IN SQUARE FEET
 - SF
 - DENOTES LOT AREA IN ACRES
 - AC
 - RIGHT-OF-WAY
 - R/W

REGISTERED
LAND SURVEYOR
 JOHN P. TABORRI
 LICENSE NO. 187
 2481
 05-30-08
 EXPIRES DATE

SURVEYED BY:
WESTLAKE CONSULTANTS, INC.
 15115 S.W. SEQUOIA PARKWAY, SUITE 150
 TIGARD, OREGON 97224
 (503)684-0852

VINEYARD HILL AT SPRINGBROOK FARM
 A RE-PLAT OF PARCEL 1 OF PARTITION PLAT NO. 2007-59 IN
 THE NW 1/4 OF SEC. 15, T. 3 S., R. 2 W., W.M.
 YAMHILL COUNTY, OREGON
 DOCKET NO. S-04-07 DATE: OCTOBER 15, 2007

PLAT NO. _____
 RECORDED AS INSTRUMENT NO. _____



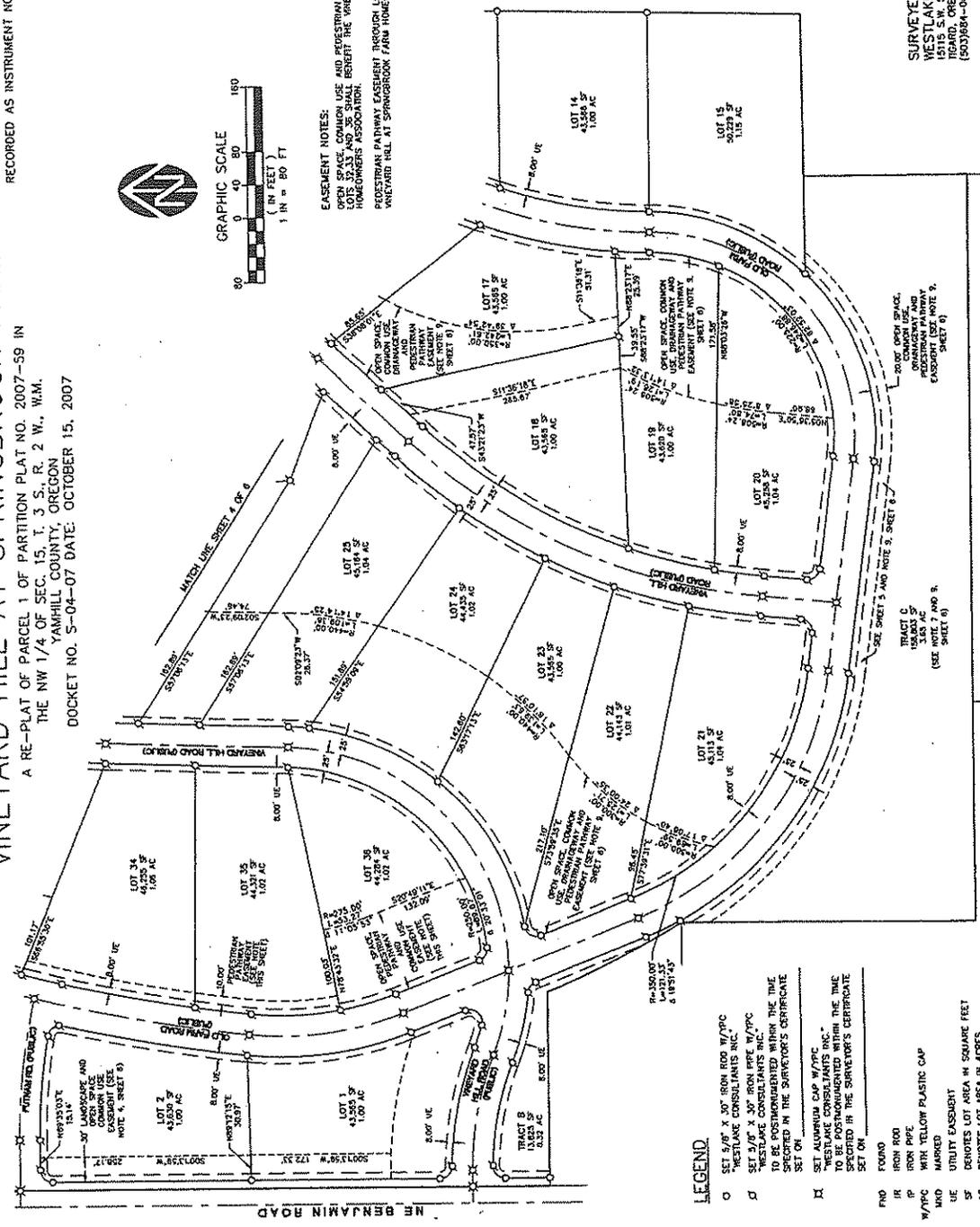
EASEMENT NOTES:
 SUCH AS THE COMMON USE AND PEDESTRIAN PATHWAY EASEMENTS THROUGH LOTS 22, 23, 24 AND 25 SHALL BENEFIT THE VINEYARD HILL AT SPRINGBROOK FARM HOMEOWNERS ASSOCIATION.
 PEDESTRIAN PATHWAY EASEMENT THROUGH LOTS 24 AND 25 SHALL BENEFIT THE VINEYARD HILL AT SPRINGBROOK FARM HOMEOWNERS ASSOCIATION.

REGISTERED PROFESSIONAL LAND SURVEYOR
 JAMES M. BISHOP
 OREGON
 JUNE 11, 1981
 2287

05-30-08
 RENEWAL DATE

SURVEYED BY:
 WESTLAKE CONSULTANTS, INC.
 16200 N. WILSON AVENUE, SUITE 150
 BEAR CREEK, OREGON 97224
 (503)684-9852

1921-016
 SHEET 5 OF 6



LEGEND

- SET 5/8" X 30" IRON ROD W/PPC WESTLAKE CONSULTANTS, INC.
- SET 3/4" X 30" IRON PIPE W/PPC WESTLAKE CONSULTANTS, INC.
- TO BE POSTMONUMENTED WITHIN THE TIME SPECIFIED IN THE SURVEYOR'S CERTIFICATE SET ON.
- ⊗ SET ALUMINUM CAP W/PPC WESTLAKE CONSULTANTS, INC.
- TO BE POSTMONUMENTED WITHIN THE TIME SPECIFIED IN THE SURVEYOR'S CERTIFICATE SET ON.
- FOUNO IRON ROD
- IP IRON PIPE
- W/PPC WITH YELLOW PLASTIC CAP
- MARKED
- U UTILITY EASEMENT
- SE SHOWS LOT AREA IN SQUARE FEET
- AC SHOWS LOT AREA IN ACRES
- R/W RIGHT-OF-WAY

1921016-FEVS-05

VINEYARD HILL AT SPRINGBROOK FARM

PLAT NO. _____
RECORDED AS INSTRUMENT NO. _____

A RE-PLAT OF PARCEL 1 OF PARTITION PLAT NO. 2007-59 IN THE NW 1/4 OF SEC. 15, T. 3 S., R. 2 W., W.M., YAMHILL COUNTY, OREGON
DOCKET NO. S-04-07 DATE: OCTOBER 15, 2007

APPROVALS
YAMHILL COUNTY SURVEYOR
YAMHILL COUNTY CLERK
YAMHILL COUNTY PLANNING DIRECTOR
YAMHILL COUNTY TAX ASSESSOR

PURSUANT TO O.R.S. 92.093 TAXES HAVE BEEN PAID OR BOND POSTED TO THIS DATE: 10/22/07
DATE: 10/22/07
YAMHILL COUNTY PLANNING DIRECTOR
YAMHILL COUNTY TAX ASSESSOR

RECEIVED FOR RECORD
OCTOBER 15 2007
YAMHILL COUNTY CLERK
\$81.00
11/06/2007 04:16:03 PM

NARRATIVE

THE PURPOSE OF THIS SURVEY IS TO PLAT AND SUBDIVIDE INTO LOTS, TRACTS AND STREETS THAT TRACTS OF LAND DESCRIBED IN INSTRUMENT DOCKET NO. S-04-07, YAMHILL COUNTY RECORDS, PER STATE RECORD DETERMINATION AND BASIS OF BEARINGS ARE PER CS NUMBER 12308, YAMHILL COUNTY SURVEY RECORDS.

SURVEYOR'S CERTIFICATE

I, JOHN P. TACCHINI, HEREBY CERTIFY THAT I HAVE CORRECTLY SURVEYED AND MARKED WITH PROPER MONUMENTS THE LANDS REPRESENTED ON THE ATTACHED SUBDIVISION PLAT, BEING DESCRIBED AS PARCEL 1 OF PARTITION PLAT NUMBER 2007-59, YAMHILL COUNTY PLAT RECORDS, IN THE NW 1/4 OF SECTION 15, T. 3 S., R. 2 W., W.M., YAMHILL COUNTY, OREGON, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTH POINT, BEING A 5/8 INCH IRON ROD, WHICH BEARS NORTH 79°10'57" EAST, 168.45 FEET TO THE NORTHEAST CORNER BEARING BRUSCHER DONATION LAND CLAIM, BEING THE NORTH POINT 87°34'01" WEST ALONG THE SOUTHERLY LINE OF SAID PARCEL, 139.59 FEET TO A 5/8 INCH IRON ROD; THENCE NORTH 00°25'59" EAST, 139.59 FEET TO A 5/8 INCH IRON ROD; THENCE ALONG A 1120.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 92°50', CHORD BEARS NORTH 25°59'33" WEST, 165.44 FEET, A DISTANCE OF 185.85 FEET TO A 5/8 INCH IRON ROD; THENCE NORTH 89°34'01" WEST, 228.83 FEET TO THE EAST RIGHT OF WAY LINE OF BENJAMIN ROAD; THENCE NORTH 00°24'57" EAST ALONG SAID RIGHT OF WAY LINE OF BENJAMIN ROAD (COUNTY ROAD NO. 54), 669.20 FEET TO A 5/8 INCH IRON ROD; THENCE CONTINUING ALONG SAID RIGHT OF WAY LINE NORTH 00°24'04" EAST, 491.29 FEET TO A 1/2 INCH IRON PIPE AT THE NORTHEAST CORNER OF SAID PARCEL; THENCE LEAVING SAID RIGHT OF WAY LINE EAST, 1437.84 NORTH LINE OF PARCEL, 170 TO A 1/2 INCH IRON PIPE AT THE NORTHEAST CORNER OF SAID PARCEL; THENCE SOUTH 00°10'54" WEST, 133.92 FEET ALONG THE EAST LINE OF SAID PARCEL TO A 5/8 INCH IRON ROD AT THE NORTHEAST CORNER OF SAID PARCEL; THENCE SOUTH 00°10'54" WEST, 133.92 FEET TO A 5/8 INCH IRON ROD; THENCE LEAVING EAST LINE OF SAID PARCEL 1, SOUTH 01°10'54" WEST, 133.92 FEET TO A 5/8 INCH IRON ROD; THENCE SOUTH 00°10'54" WEST, 200.18 FEET, TO THE INITIAL POINT AND THE POINT OF BEGINNING.

CONTAINING 51.22 ACRES, MORE OR LESS.
PER O.R.S. 92.0003, I ALSO CERTIFY THAT THE POSTMONUMENTATION OF THE REMAINING MONUMENTS SHALL BE COMPLETED WITHIN THIRTY DAYS FOLLOWING COMPLETION OF IMPROVEMENTS OR ONE YEAR FOLLOWING RECORDING OF THIS PLAT, WHICHEVER COMES FIRST, IN ACCORDANCE WITH O.R.S. 92.060

REGISTERED PROFESSIONAL LAND SURVEYOR
OREGON
JOHN P. TACCHINI
2007

SURVEYED BY:
WESTLAKE CONSULTANTS, INC.
15115 S.W. SCOTLAND PARKWAY, SUITE 150
GAINESVILLE, OREGON 97224
(503)664-4034

06-30-08
REVEL DATE

DECLARATIONS

THAT CHARLES J. MACLURE AND ELLEN R. MACLURE KNOW ALL MEN BY THESE PRESENTS, THAT CHARLES J. MACLURE AND ELLEN R. MACLURE ARE THE OWNERS OF THE LAND REPRESENTED ON THE ANNEKED MAP, MORE PARTICULARLY DESCRIBED IN THE ACCOMPANYING SURVEYOR'S CERTIFICATE, AND, IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 92 OF THE OREGON REVISED STATUTES, HAVE CAUSED THIS SUBDIVISION PLAT TO BE PREPARED, AND THE PROPERTY SUBDIVIDED AND DO HEREBY GRANT ALL RIGHTS-OF-WAYS AND EASEMENTS AS SHOWN AND NOTED HEREON.

Charles J. MacLure, Trustee
Ellen R. MacLure, Trustee

ACKNOWLEDGMENT

STATE OF OREGON }
COUNTY OF YAMHILL }

ON THE 15th day of October, 2007, BEFORE ME, A NOTARY PUBLIC AND COMMISSIONER OF THE COUNTY OF YAMHILL, OREGON, CHARLES J. MACLURE AND ELLEN R. MACLURE, TRUSTEES, AND SAID INSTRUMENT WAS EXECUTED ON BEHALF OF SAID OWNERS, AND HEREBY ACKNOWLEDGED SAID INSTRUMENT TO BE THEIR OWN FREE ACT AND DEED.

Kimberly A. Bradley
Kimberly A. Bradley

COMMISSION NO. 408479
MY COMMISSION EXPIRES July 19, 2010

REMAINING CORNER MONUMENTATION

IN ACCORDANCE WITH O.R.S. 92.070, THE REMAINING CORNERS OF THIS INSTRUMENT HAVE BEEN PREPARED BEGINNING WITH THE SETTING OF SAID MONUMENTS, AND IS RECORDED IN DOCUMENT NO. _____ YAMHILL COUNTY DEED RECORDS.

APPROVED THIS _____ DAY OF _____ 2007

YAMHILL COUNTY SURVEYOR

AFFIDAVIT OF CONSENT

A SUBDIVISION CONSENT AFFIDAVIT BY WEST COAST BANK, BENEFICIARY UNDER DEED OF TRUST IS RECORDED IN DOCUMENT NO. 200122853, YAMHILL COUNTY DEED RECORDS. THIS AFFIDAVIT HAS BEEN RECORDED IN DOCUMENT NUMBER 2007-4086 YAMHILL COUNTY RECORDS.

NOTES:

- 1. NO LOTS OR TRACTS ABUTTING NE BENJAMIN ROAD SHALL HAVE DIRECT VEHICLE ACCESS TO THE BENJAMIN ROAD UNLESS AUTHORIZED BY THE GOVERNING BODY HAVING JURISDICTION OVER SAID ROAD.
- 2. THE PRIVATE SYSTEM SHALL BE PROVIDED TO THE PURCHASER OF THOSE LOTS SHOWN HEREON.
- 3. THIS PLAT WAS AUTHORIZED BY WAIVERS OF OREGON REGULATORY TO ORES 87.352, 2005 REPLACEMENT PART ORDER 05-104, RECORDED IN YAMHILL COUNTY DEED AND MORTGAGE RECORDS AS INSTRUMENT NUMBER 2005-14043, YAMHILL COUNTY RECORDS, AND THE TRANSFER OF THE LOTS OR ANY DEVELOPMENT RIGHTS RELATED TO THE LOTS IN OPEN SPACE AND LANDSCAPE AS SHOWN WITHIN LOTS 1-4, SAID EASEMENT TO BENEFIT THE VINEYARD HILL AT SPRINGBROOK FARM HOMEOWNERS ASSOCIATION.
- 4. THE OPEN SPACE AND UTILITY ACCESS WITHIN THE APPROPRIATE LOT, OVER, AND ACCESS THE OPEN SPACE, DRAINAGE AND COMMON USE EASEMENT.
- 5. THE OPEN SPACE AND UTILITY ACCESS WITHIN THE VINEYARD HILL AT SPRINGBROOK FARM HOMEOWNERS ASSOCIATION AND IS TO BE AN OPEN SPACE AND COMMON USE AREA.
- 6. THE TRACT IS TO BE OWNED AND MAINTAINED BY THE DECLARANT AND IS SUBJECT TO A PRIVATE STORM WATER DETENTION EASEMENT.
- 7. THIS PLAT IS TO BE A PRIVATE ACCESS DRIVE AND UTILITY EASEMENT AND IS SUBJECT TO A PRIVATE STORM WATER DETENTION EASEMENT.
- 8. THE OPEN SPACE AND UTILITY ACCESS WITHIN THE VINEYARD HILL AT SPRINGBROOK FARM HOMEOWNERS ASSOCIATION SHALL BE OWNED AND MAINTAINED BY THE VINEYARD HILL AT SPRINGBROOK FARM HOMEOWNERS ASSOCIATION.
- 9. THE OPEN SPACE AND UTILITY ACCESS WITHIN THE VINEYARD HILL AT SPRINGBROOK FARM HOMEOWNERS ASSOCIATION SHALL BE SUBJECT TO A PRIVATE PEDESTRIAN ACCESS OVER AND ACROSS THE PEDESTRIAN PATHWAY.
- 10. THIS PLAT IS SUBJECT TO COVENANTS, CONDITIONS AND RESTRICTIONS AS SHOWN ON INSTRUMENT NUMBER 2007-14088 YAMHILL COUNTY DEED AND MORTGAGE RECORDS.